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 419 Broadway

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
19DCP042M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
190250 ZSM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			419 MM LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Olga Abinader, Acting Director, EARD			Valerie Campbell, Kramer Levin Naftalis & Frankel		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 1177 Avenue of Americas		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10036
TELEPHONE 212-720-3493	EMAIL oabinad@planning.nyc.gov		TELEPHONE 212-715-9183	EMAIL vcampbell@kramerlevin.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):

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 applicant seeks a CPC Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 to modify underlying use and bulk regulations to facilitate a 37,794 gross square feet (GSF) commercial development comprising 8,286 GSF of retail office space at the ground and cellar floors, and 29,508 GSF of office space and the preservation of an existing historic structure. The project area, Manhattan Block 231, Lot 1, is wholly within the SoHo Cast Iron Historic District, and as part of the proposed project, the applicant would establish a restoration and continuing maintenance plan for the historic structure which is a contributing building to the Historic District, pursuant to a restrictive declaration.
See EAS Section 1, "Project Description" for further details.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2	STREET ADDRESS 419 Broadway
TAX BLOCK(S) AND LOT(S) Block 231, Lot 1		ZIP CODE 10013
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS NW corner of Broadway/Canal Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5B		ZONING SECTIONAL MAP NUMBER 12a

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 74-711 (to modify requirements of 42-14D(2)(b) and 43-43)

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:

***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.): 6,098
Roads, buildings, and other paved surfaces (sq. ft.): 6,098
Waterbody area (sq. ft.) and type:
Other, describe (sq. ft.):

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): 37,794
NUMBER OF BUILDINGS: 2 (internally connected and serviced by a single HVAC system)
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): See Project Description
HEIGHT OF EACH BUILDING (ft.): Up to 115' (125' including bulkhead)
NUMBER OF STORIES OF EACH BUILDING: Up to 8

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 not owned or controlled by the applicant:

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: 6,098 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 77,568 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 6,098 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2021
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 to 24
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				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail, office	Retail, office	Retail, office	
Gross floor area (sq. ft.)	9,235	9,235	37,794	+28,559
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:				
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				
No. of accessory spaces				
Operating hours				
Attended or 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:	street parking	street parking	street parking	
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify number:				
Briefly explain how the number of residents was calculated:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Retail: 6,053 sf Office: 3,182 sf	Retail: 6,053 sf Office: 3,182 sf	Retail: 8,286 sf Office: 29,508 sf	+2,233 sf +26,326 sf
No. and type of workers by business	Retail: 18 Office: 13	Retail: 18 Office: 13	Retail: 25 Office: 117	+7 +104
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Retail uses: 3 workers per 1,000 gsf Office uses: 1 worker per 250 gsf			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-5B	M1-5B	M1-5B	
Maximum amount of floor area that can be developed	30,490	30,490	30,490	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial and Mixed-Use	Commercial and Mixed-Use	Commercial and Mixed-Use	
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, if needed, attach supporting information) 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?	☐	☒
o 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?	☒	☐
o If "yes," complete the Consistency Assessment Form. See WRP Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o 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		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
o 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		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
o 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?	☐	☐
o 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		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐

	YES	NO
o 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		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
o 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. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
o 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		
o 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		
o 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)	☐	☒
o 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?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o 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)	☐	☒
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
o 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)	☐	☒
o 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?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o 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:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐

	YES	NO
o 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?	☐	☐
o 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. See Section 2.3.		
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?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o 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?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☒
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒

	YES	NO
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?	☐	☒
(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): (113 office employees x 13 lbs) + (25 retail employees x 79 lbs) = 3,496		
o 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?	☐	☒
o 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): 37,794 gsf x 216.3 MBtu/gsf = 8,174,842.2 MBtu		
(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:		
o 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.*	☐	☐
o 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?	☐	☐
o 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?	☒	☐
o 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.		

	YES	NO
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?	☐	☒
(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?	☐	☐
o 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.		
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:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☒	☐
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o 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. The proposed project would be constructed in accordance with a Construction Protection Plan and existing construction regulations, including Technical Policy Procedure 10-88; accordingly, the proposed project does not warrant additional construction analysis and does not present the potential for significant adverse impacts to historic resources due to construction activity.		

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
Allison Ruddock		June 12, 2019

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? ☐ ☒

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
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	06/14/19
SIGNATURE	

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed action sought before the NYC City Planning Commission would not have a significant adverse effect on the environment. Reasons supporting this determination are noted below.

Noise

To ensure that the proposed action would not result in a significant adverse noise impact an (E) Designation (E-542) would be established as part of the proposed action. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and the applicable (E) designation requirements. The noise analysis concluded that with the (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts related to noise.

Land Use, Zoning, and Public Policy

A detailed analysis of the effects of the proposed actions on Land Use, Zoning and Public Policy was included in the EAS. The proposed actions would modify underlying bulk and use regulations of the M1-5B district to facilitate the proposed development. The proposed development would be compatible with land use patterns within the surrounding area and recent development trends. Additionally, the proposed actions would be consistent with the relevant WRP policies. Therefore, the analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

Historic and Cultural Resources

The proposed action would result in incremental in-ground disturbance at the project area and, as such, a Phase IA Archaeological Documentary Study was prepared to determine the presence of archaeological sensitivity. Based on the study, the NYC Landmarks Preservation Division in a letter dated August 23, 2018 determined that the project area was not archaeologically sensitive and the proposed action did not have the potential to result in significant adverse archaeological impacts.

The project area is within the National Register listed (90NR00770) and LPC Designated (LPC-00768) SoHo Cast Iron Historic District and includes one building, 423 Broadway (the Historic Building), that is listed as contributing to the N/SR and LPC listed SoHo Cast Iron Historic District. The proposed action would result in the restoration and maintenance of the Historic Building and the construction of a new 8-story building at the project area. In a letter dated February 20, 2018, LPC issued a Certificate of Appropriateness which found that the proposed development would be consistent with other tall buildings on corner and mid-block sites on Broadway, enhance the continuity of the street walls and anchor the end of the block, thereby strengthening the streetscape around this prominent site, reflect the history and tradition of artistic expression in the SoHo Cast Iron Historic District, harmonize with neighboring buildings, and buildings found throughout the SoHo Cast Iron Historic District; and that the design of the building base would be in keeping with the storefronts found at other modern buildings and will reflect elements of typical historic storefronts found throughout the historic district. Based upon these findings, the proposed action would not result in significant adverse impacts related to architectural resources.

Project Name: 419 Broadway
CEQR #: 19DCP042M
SEQRA Classification: Unlisted

Hazardous Materials

A Phase II ESA was conducted for the project area and included soil, groundwater, and soil vapor sampling. Phase II analytical results indicated compounds at concentrations greater than regulatory soil cleanup objectives and exceeding groundwater regulatory criteria; analytics also indicated impacted soil vapor. Based upon the results of the Phase II ESA, a Remedial Action Plan was developed for the project area and approved, with minor alternations, by the NYC Department of Environmental Protection in a letter dated, May 14, 2019. The Applicant has committed to implement the required measures delineated in the DEP-approved RAP and CHASP as per DEP's letter and that a Remedial Closure Report would be submitted to DEP for review and approval after completion of the project, and that all remediation measures would be implemented prior to obtaining a Certificate of Occupancy from the New York City Department of Buildings. With these measures, the proposed action would not result in significant adverse impacts related to hazardous materials.

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

TITLE	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME Olga Abinader	DATE 06/14/19
SIGNATURE Olga Abi	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE 06/17/19
SIGNATURE	

Project Name: 419 Broadway
CEQR #: 19DCP042M
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation

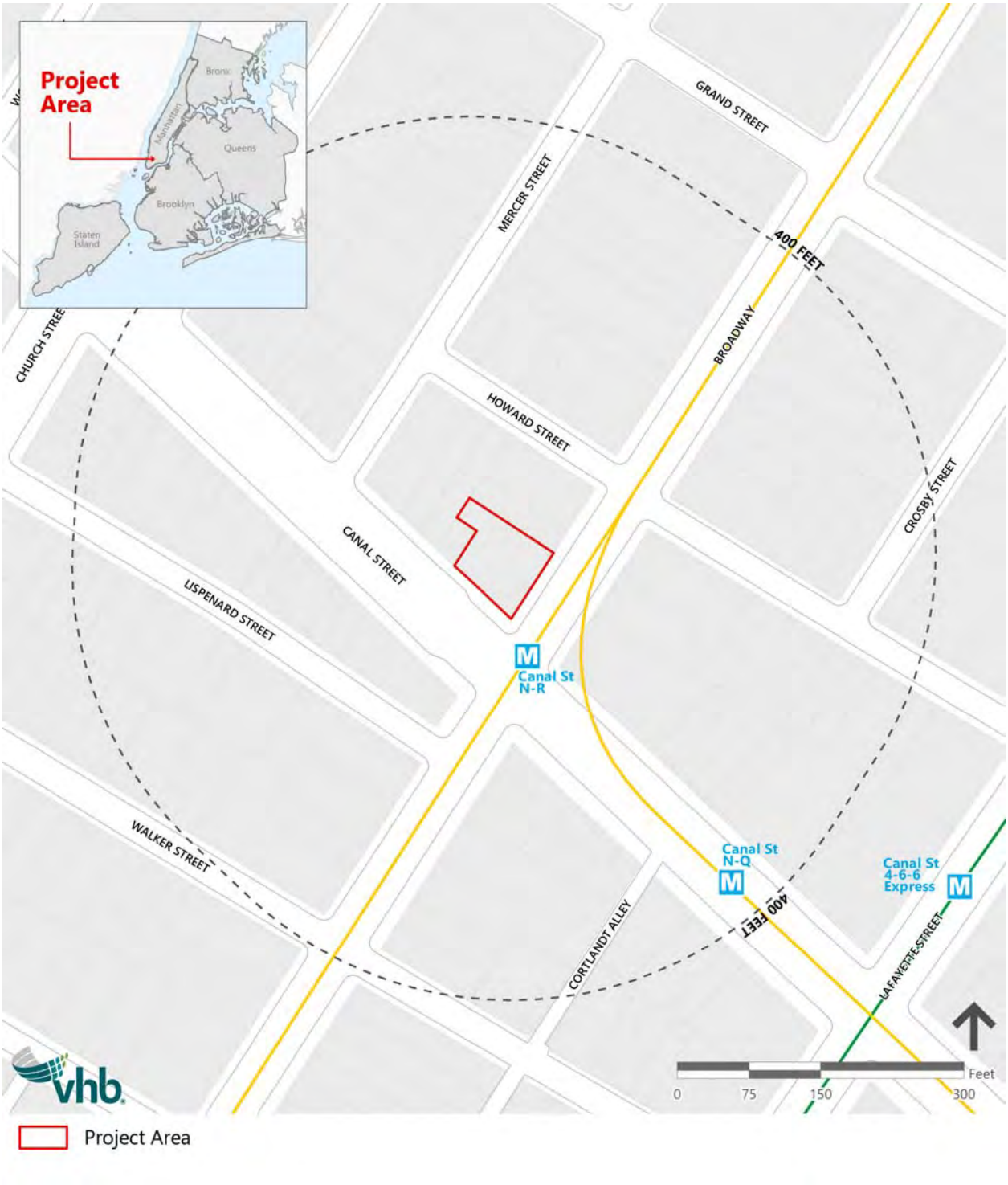
To ensure that the proposed action would not result in significant adverse noise impacts an (E) Designation **(E-542)** will be placed on **Projected Development Site 1 (Block 231, Lot 1)** as described below:

Noise

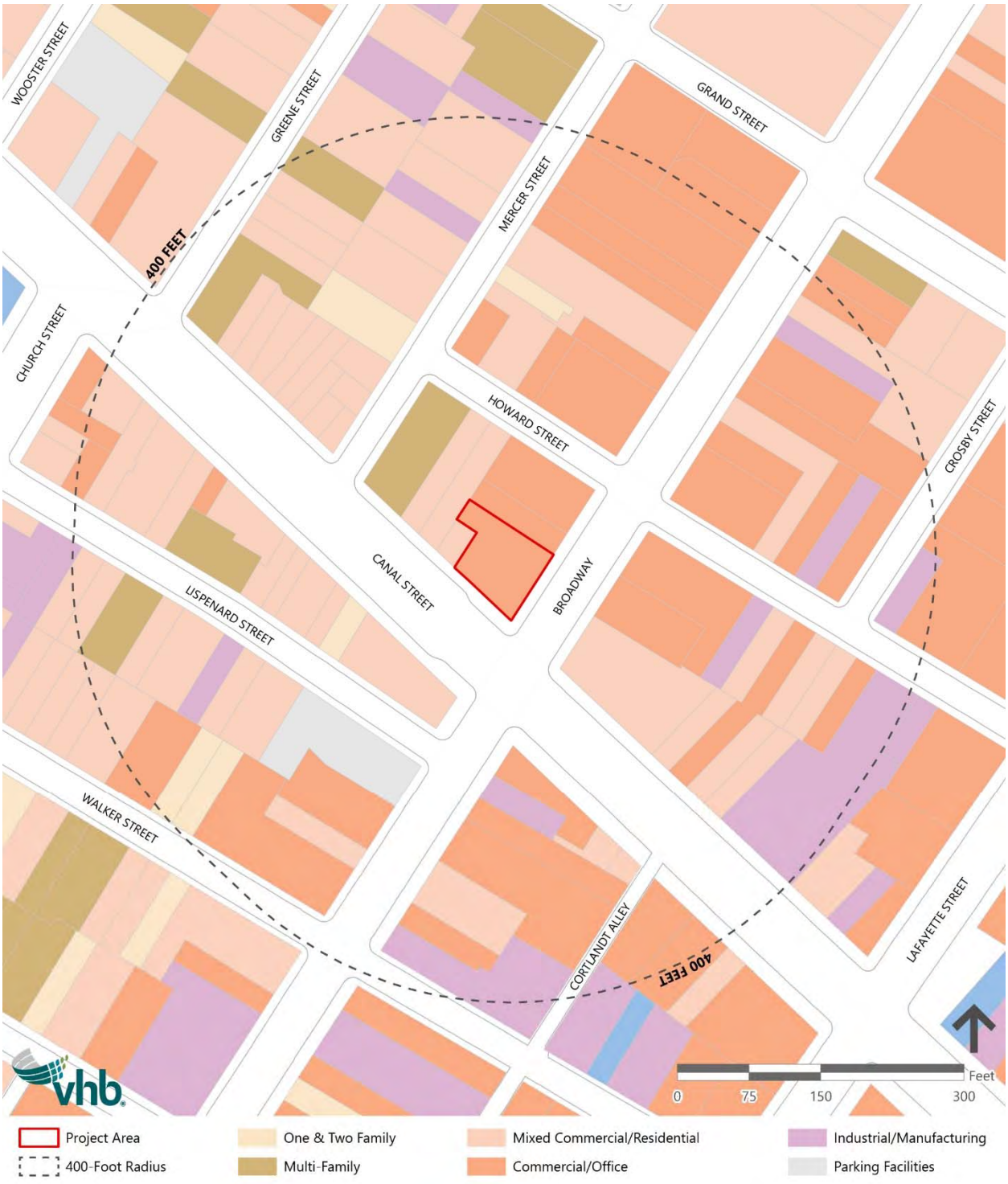
The (E) Designation requirements for noise are as follows:

> **In order to ensure an acceptable interior noise environment, future commercial office uses must provide a closed-window condition with a minimum of 30 dB(A) window/wall attenuation on all building facades to maintain an interior noise level of 50 dB(A) for commercial office uses. 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, central air conditioning or air conditioning sleeves containing air conditioners.**

EAS Figure 1: Site Location Map

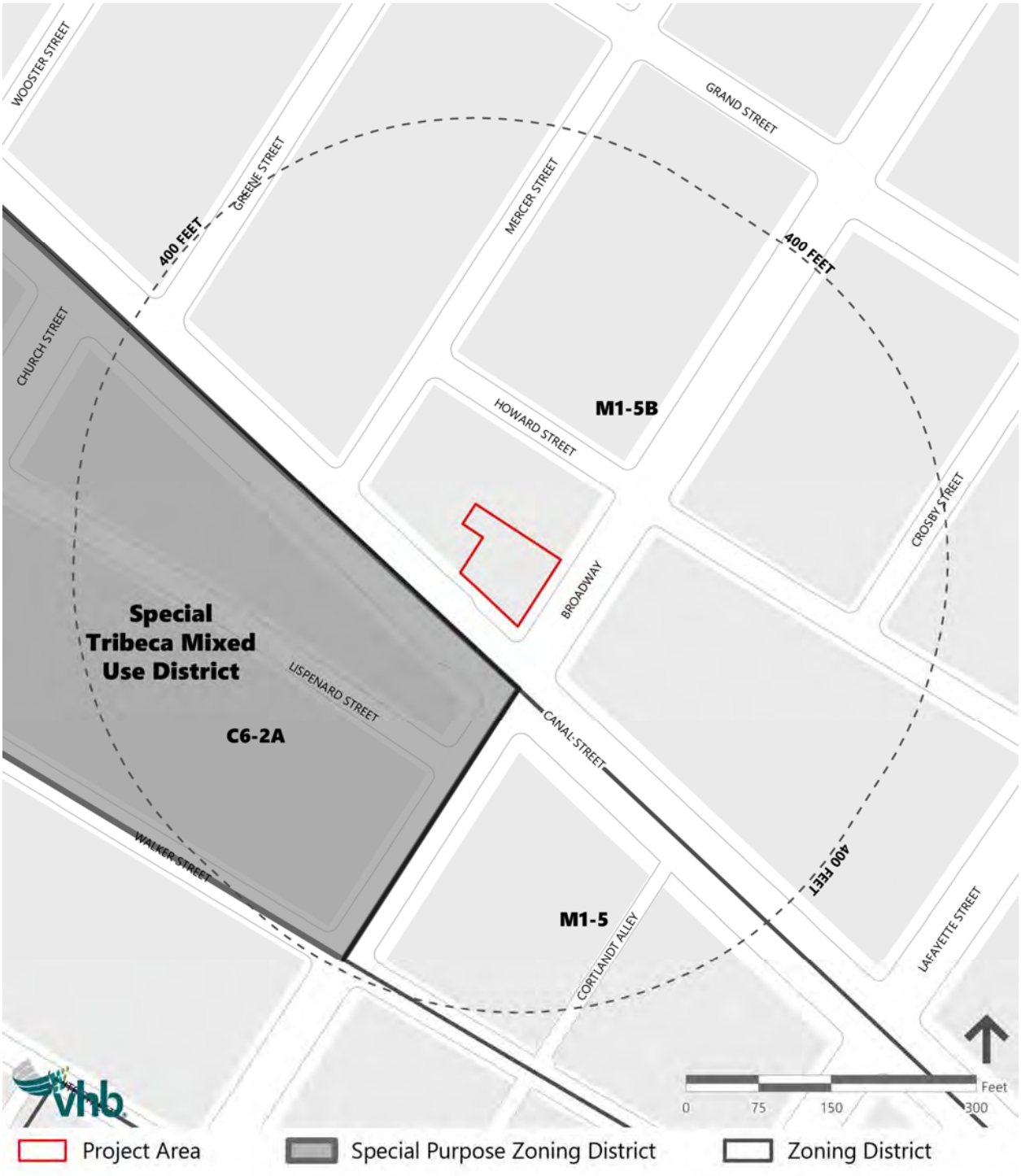


EAS Figure 2: Land Use Map

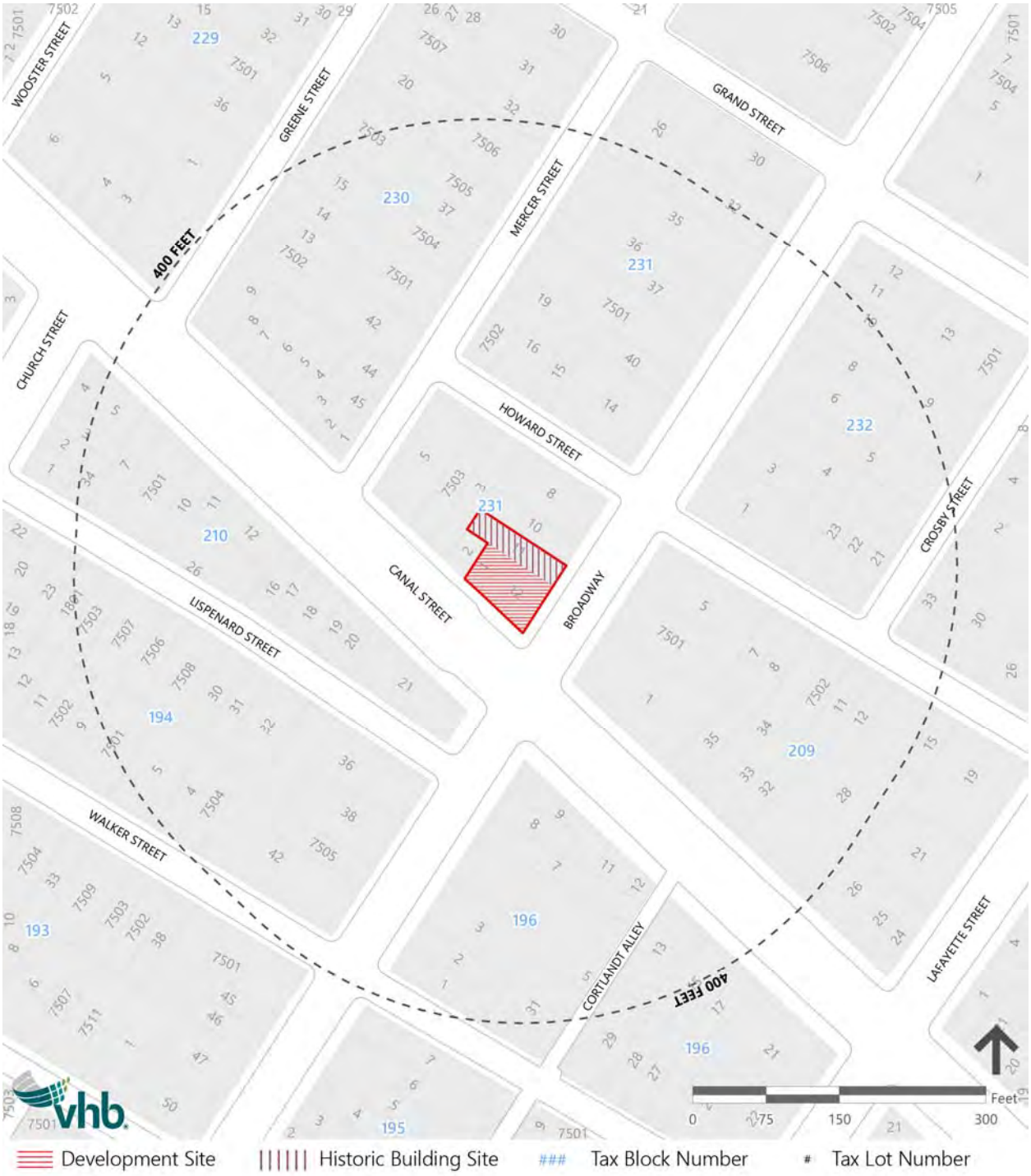


Source: MapPLUTO18v1 and land use survey conducted by VHB on March 26, 2018.

EAS Figure 3: Zoning Map



EAS Figure 4: Tax Map (Prior to November 2017 Amalgamation of Tax Lots)



Source: MapPLUTO17v1

EAS Figure 5: Excerpt of Official City Tax Map (Effective 16 November 2017)

EAS Figure 6: Aerial Photograph

EAS Photo 1

View north from southeast corner of Broadway and Canal Street towards project area. All three existing buildings on the site are pictured.

EAS Photo 2

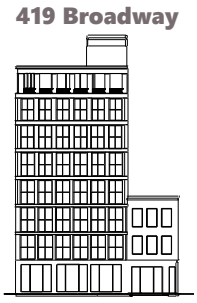
View west from northeast corner of Broadway and Canal Street towards project area. The building on former lot 12 is shown in the center, while the three-story building to be restored is shown on the right

EAS Photo 3

View southwest from the east side of Broadway. The building to be restored is the three-story building shown in the center, while the building to be demolished on former lot 12 is shown on the left.

EAS Photo 4

View east along Canal Street towards the project area. The two-story building on former lot 1 is shown in the center left, while the one-story building on former lot 12 is in the center.



1.0

Project Description

This chapter provides descriptive information about the requested discretionary action and the development project that would be facilitated by the requested action. The purpose of this chapter is to convey information in written form to the Department of City Planning, the City Planning Commission, local Community Boards, elected officials, and the public.

1.0-1 Introduction

This section provides the following information:

1. A description of the affected area;
2. A brief description of the proposed development;
3. The purpose and need for the proposed action; and
4. The framework established to analyze the potential for the proposed development to result in significant adverse impacts, as set forth in the *2014 City Environmental Quality Review (CEQR) Technical Manual* (Chapter 2).

As described in further detail in the sub-sections below, the applicant, 419 MM LLC, seeks a CPC Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 to modify underlying use and bulk regulations to facilitate a 37,794 gross square feet

(gsf) commercial development comprising 8,286 gsf of retail and office space at the ground and cellar floors, and 29,508 gsf of office space above (the "proposed project").

1.0-2 Project Area and Development Site

As shown in **EAS Figure 1**, the project area consists of Manhattan Block 231, Lot 1 located at the northwest corner of the intersection of Broadway and Canal Street in the SoHo neighborhood of Manhattan, Community District 2. The project area has a zoning lot area of 6,098 square feet (SF) and is wholly within the LPC-designated (and State/National Register (S/NR)-Listed) SoHo Cast Iron Historic District and the NYC Coastal Zone.

As shown in the site survey prepared by Gallas Surveying Group dated February 17, 2017 provided in **Appendix A**, the project area was previously three tax lots designated as Lots 1, 11, and 12, as shown on **EAS Figure 4**. In November 2017, a filing was made by the applicant with the NYC Department of Finance that merged the project area into one tax lot. Former Lot 1 is improved with a 1,748 gsf two-story building with office over ground floor retail. Former Lot 11 is improved with a three-story 4,808 gsf building with office space above ground floor retail. Former Lot 12 is improved with a 2,679 gsf one-story retail building.

The project area is an irregularly-shaped corner lot with 79.25 feet of frontage on Broadway and 73.33 feet of frontage on Canal Street. The lot contains 6,098 SF of lot area. As shown in **EAS Figure 3**, the entirety of the project area is in a M1-5B zoning district. The project area is also adjacent to the Canal Street MTA BMT Broadway line subway station, and is adjacent to two staircases that provide access to this station from Canal Street.

Table 1.0-1: Project Area Existing Conditions by Former Tax Lot

Former Tax Lot	Address	Retail (gsf)	Office (gsf)	TOTAL (gsf)	Building Height (ft)
1	301 Canal St	874	874	1,748	22
11	423 Broadway	2,500	2,308	4,808	46
12	419 Broadway	2,679	0	2,679	14
TOTAL		**6,053**	**3,182**	**9,235**	
Zoning Lot Area				**6,098**	
FAR - Existing				**1.52**	
FAR – Permitted	In M1-5B: Commercial - 5.00; Community Facility - 6.50				

Sources: MapPLUTO18v1; survey prepared by Gallas Surveying Group, last dated February 17, 2017.

Based on correspondence between the applicant and the NYC Landmarks Preservation Commission (LPC), the existing building on former Lot 11 is a contributing building in the SoHo Cast Iron Historic District. Former Lots 1 and 12 were determined to be non-contributing buildings in the historic district due to extensive alterations since their initial construction. This correspondence with LPC is provided in **Appendix B**.

Photos of the existing conditions of the site are provided in **EAS Photo 1** through **EAS Photo 4**.

Pedestrian access is available to the existing buildings from the adjacent sidewalks along Broadway and Canal Street. There is currently no vehicular access to the project area.

Absent the proposed project, the existing uses on the site would remain.

1.0-3 Proposed Development

The applicant proposes to demolish the buildings on former Lots 1 and 12 (the "development site") to allow for construction of an 8-story building with ground floor and cellar retail and office uses, and office space above (the "proposed development").

The building occupying former Lot 11 at 423 Broadway (the "historic building"), which was originally constructed in 1823 as a residential home with ground floor retail in the Federal style, would be restored and preserved pursuant to a restrictive declaration.

As currently designed, the proposed development would rise to a height of 115 feet without setback, and contain approximately 30,360 zoning square feet ("zsf") including floor area in the historic building. Ground floors and cellars in both the proposed new building and the historic building are proposed to be occupied by UG 6 retail and office uses. Upper floors would be occupied by UG 6 office. Internal access would be provided between the proposed new building and the historic building at all four levels of the historic building, including the cellar. The proposed project in total would consist of 37,794 gsf and have a maximum height, including the bulkhead, of 125'.

Architectural drawings of the proposed development prepared by Morris Adjmi Architects, dated June 11, 2019, are provided at **Appendix C**.

On December 12, 2017, the LPC voted to approve the applicant's proposal to modify the interior structure, construct a dormer at the rear sloped roof, excavate the floor cellar, and alter the fire escapes (LPC issued a Status Update Letter [SUL-19-16558] on December 18, 2017) of the historic building. The proposal to demolish the existing buildings on former Lots 1 and 12 and to construct the proposed new building received a Certificate of Appropriateness (COFA-19-20730) from LPC on February 20, 2018. LPC also issued a report (MOU-19-21537) to the NYC City Planning Commission on February 20, 2018, which states that the LPC found that:

› The restorative work to be approved at staff level, including masonry repair and cleaning, metal cornice repair and painting, wood window replacement at the primary and rear façades, installing new metal roofing at the front and slate roofing at the rear, and installing a new wood storefront and entry door featuring a cast iron cornice and piers will restore missing architectural details and return the historic building closer to its historic appearance;

- The implementation of a cyclical maintenance plan will ensure the continued maintenance of the building in a sound, first-class condition;
- The owners of the designated building have committed themselves to establishing a cyclical maintenance plan that will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, which will bind all heirs, successors and assignees, and which will be recorded at the New York County Registrar's Office;
- The waiver for commercial use below the second floor at the designated building and the proposed new building, and the height and setback of waivers for the proposed new building will result in a simple cubic massing that will not detract from the landmark and will have a harmonious relationship with the landmark and the historic district;
- The proposed new building, featuring a contemporary design that utilizes cast zinc, painted metal panels with a channel profile, glass, and aluminum windows, will contrast with, and be clearly independent of, the designated building;
- The presence of a taller building seen adjacent to a smaller scale building, is a common occurrence within this historic district and throughout the city;
- The designated building is situated next to a taller buildering to the north, taller buildings across the street to the east, and taller buildings to the west in the background, therefore, the addition of the proposed new building is consistent with the variety of scale in the immediate visual context of this designated building; and
- Therefore, the massing, materials, and design of the proposed building will have a harmonious relationship with the designated building and the historic district.

Based on the above findings, LPC determined the proposed work to be appropriate to the historic building and the historic district, and voted to approve the application. The applicant has agreed to undertake work to restore the historic building at 423 Broadway and establish and maintain a program for continuing maintenance of this building (see LPC correspondence at **Appendix B**).

1.0-4 Project Purpose and Need

The applicant seeks to redevelop a part of an underutilized, non-contributing site at a prominent corner location within the SoHo Cast Iron Historic District with a new office and retail building in an area of Manhattan that is highly accessible by public transit. The proposed project received a Certificate of Appropriateness from LPC and would establish a restoration and continuing maintenance plan for the historic building.

To facilitate the proposed project, the applicant seeks a CPC Special Permit pursuant to ZR 74-711. The requested CPC Special Permit is needed to waive the bulk regulations of ZR 43-43 and the use regulations of ZR 42-14D(2)(b) to facilitate the proposed development. The CPC Special Permit is needed to waive the use regulations of ZR 42-14D(2)(b) to permit Use Group 6 retail (characterized as retail

stores and personal service establishments) and office uses on the cellar and ground floor of the proposed development; such uses would be consistent with active ground-floor uses in other buildings along Broadway and Canal Street in the immediate area. Further, the proposed new building would rise to a height of 115 feet without providing a complying 15-foot setback at the maximum front wall height of 85 feet within the initial setback distance, contrary to Section 43-43.

As part of the requested CPC Special Permit, the applicant proposes to establish a program for the continuing maintenance of the historic building, which is a contributing building within the LPC-designated SoHo Cast Iron Historic District. The applicant would undertake a restoration plan that has been developed in coordination with LPC. Specifically, the applicant would undertake the following restoration improvements:

- Repair and clean masonry;
- Repair and paint metal cornice;
- Replace wood windows at the primary and rear facades;
- Install new metal roofing at the front of the building and slate roofing at the rear; and
- Install a new wood storefront and entry door featuring a cast iron cornice and piers.

Figure 1.0-1 through **Figure 1.0-3** provide additional details on the proposed restoration scope.

1.0-5 Proposed Action

The applicant requests a special permit pursuant to ZR Section 74-711 to modify the following sections of the Zoning Resolution to allow for the construction of the proposed development:

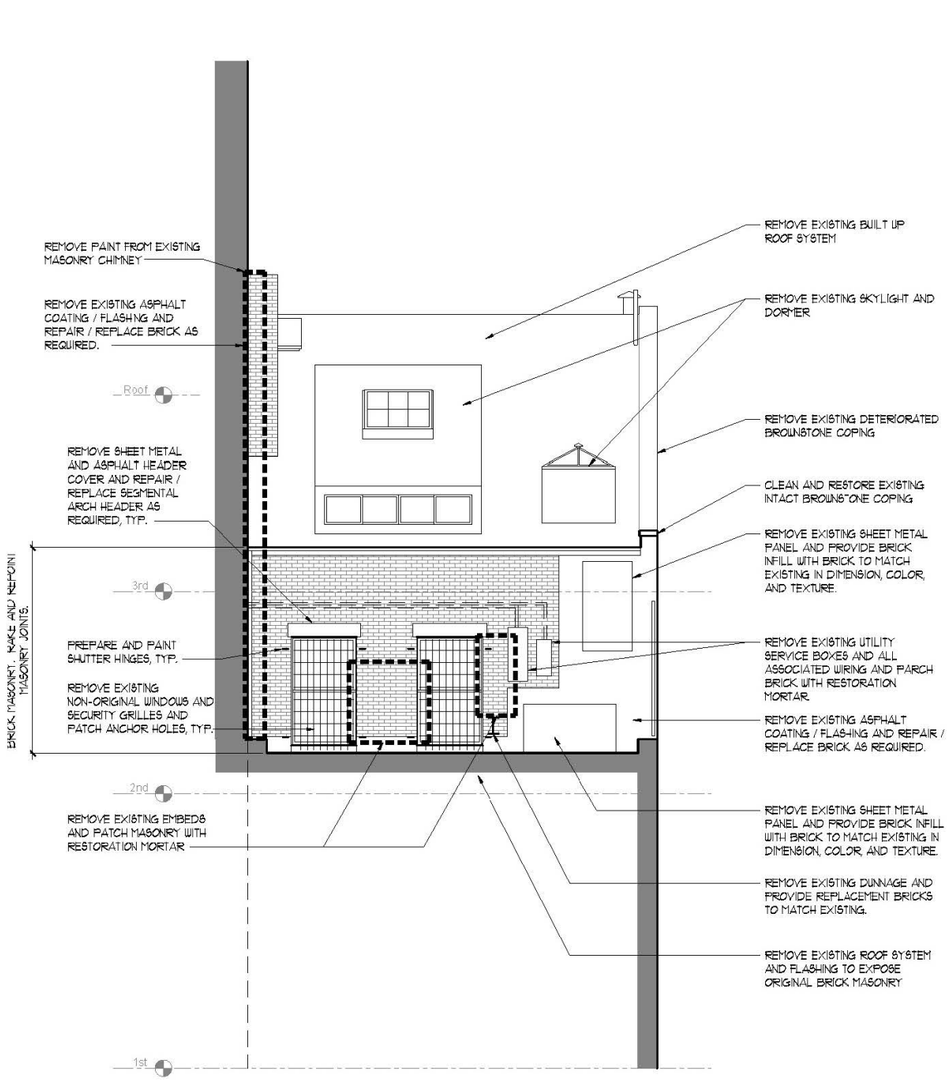
- ZR Section 42-14D(2)(b): restricting the uses permitted below the second floor to those in Use Groups 7, 9, 11, 16, 17A, 17B, 17C, and 17E; and
- ZR Section 43-43 (Maximum Height of Front Wall and Required Front Setbacks): requiring a 15-foot setback at a front wall height of 85 feet.

As stated in the MOU, the requested waivers would result in a harmonious relationship of the proposed new building to the historic building and the Historic District. The proposed development would not exceed the applicable maximum permitted FAR in the M1-5B district and would provide an active commercial use on the ground floor that is in keeping with the character of the surrounding area and that would enhance the pedestrian experience along the major shopping corridors of Broadway and Canal Street. The proposed project would facilitate the restoration of the historic building and a restrictive declaration would be executed implementing a continuous maintenance program for the Historic Building.

Figure 1.0-1 Existing and Proposed Elevation of Historic Building

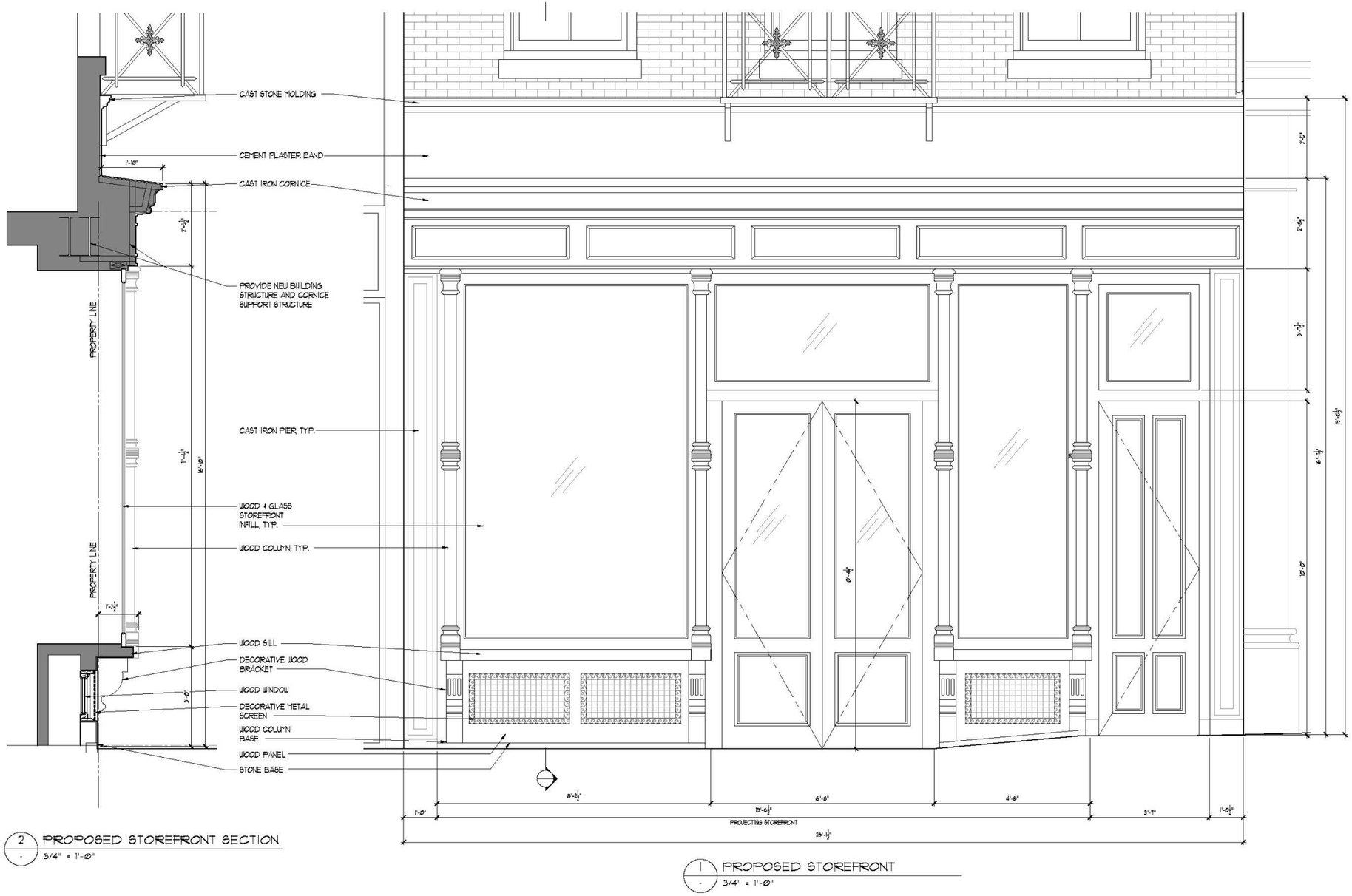
Source: Morris Adjmi Architects and CTS Group
Note: Not to specified scale

Figure 1.0-2 Existing and Proposed Rear Elevation of Historic Building



Source: Morris Adjmi Architects and CTS Group
Note: Not to specified scale

Figure 1.0-3 Proposed Storefront Section



Source: Morris Adjmi Architects and CTS Group
Note: Not to specified scale

1.0-6 Analysis Framework and Reasonable Worst-Case Development Scenario

The *CEQR Technical Manual* served as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the proposed action. Consistent with CEQR methodology, the EAS describes existing conditions, then forecasts these conditions to a future analysis year (the No-Action condition). The future With-Action condition will be compared to the No-Action condition for purposes of determining potential impacts of the proposed actions.

The future No-Action and With-Action conditions are detailed below.

Future No-Action Condition

Because the project area is located within the SoHo Cast Iron Historic District, the existing conditions described in Section 1.0-1 above would continue absent the proposed action (No-Action Scenario). The project area would continue to have a total of 9,235 gsf of commercial uses, including office and retail uses. The existing historic building would not be restored, and a continuing maintenance plan would not be established for this building.

Future With-Action Condition

The With-Action condition is the proposed development. In the With-Action scenario, the existing buildings on former Lots 1 and 12 would be demolished, and a new 8-story office building would be constructed across these two former lots. The proposed new building would provide interior access to the historic building on former Lot 11 at the cellar through third floors. The proposed new building would have a maximum height of 125' including the building bulkhead.

Including the historic building, the proposed development would have a total of 37,794 gsf of floor area, including 8,286 gsf of retail and 29,508 gsf of office space, as summarized in **Table 1.0-2**.

Table 1.0-2 Project Area With-Action Condition

	Retail		Office		Total Commercial		Max Building
Project Area	**GSF**	**ZSF**	**GSF**	**ZSF**	**GSF**	**ZSF**	**Height**
Total	8,286	5,170	29,508	25,320	**37,794**	**30,490**	**125'**
With-Action FAR						**5.0**	
Permitted FAR						***5.0***	

Building height includes proposed bulkhead

Retail uses would be located on the ground and cellar floor, while office uses would be in the entirety of floors two through eight, as well as a ground floor lobby with pedestrian access and egress from/to Canal Street, and in the building cellar.

Increment for Analysis

As shown in **Table 1.0-3**, the proposed action would result in a net increase of 28,559 gsf of commercial space, consisting of 2,233 gsf of retail space, and 26,326 gsf of office space.

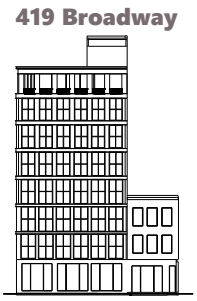
Table 1.0-3 Project Area No-Action Condition, With-Action Condition, and Project Increment

Use	No-Action	With-Action	Increment
Floor Area (gsf)			
Retail	6,053	8,286	+2,233
Office	3,182	29,508	+26,326
Total	9,235	37,794	+28,559
Floor Area Ratio			
Built FAR	1.52	5.00	+3.48
Permitted FAR	5.00	5.00	0.00
Building Height*			
Max. Building Height (ft)	46′6″	125′	+78′6″

*The maximum building height includes the proposed bulkhead

Analysis (Build) Year

It is anticipated that the proposed action, if approved, would allow for construction of the proposed development to commence in 2019 (following approximately six months of the New York City Uniform Land Use Review Process) and take up to 24 months. Full building occupancy is expected by 2021.



2.1

Land Use, Zoning, and Public Policy

This chapter considers the potential for the proposed project to result in significant adverse impacts to land use, zoning, and public policy. Under the guidelines of the *2014 City Environmental Quality Review (CEQR) Technical Manual*, this analysis evaluates the uses in the area that may be affected by the proposed project and determines whether the proposed project is compatible with land use, zoning, and public policy conditions, or may otherwise affect them. The analysis also considers the proposed project's compatibility with zoning regulations and other public policies applicable to the area.

2.1-1 Methodology

This preliminary analysis of land use, zoning, and public policy follows the guidelines set forth in the *CEQR Technical Manual* for a preliminary assessment (Section 320). According to the *CEQR Technical Manual*, a preliminary land use and zoning assessment:

› Describes existing and future land use and zoning, and describes any changes in zoning that could cause changes in land use;

› Characterizes the land use development trends in the area surrounding the project area; and

› Determines whether the proposed project is compatible with those trends or may alter them.

The following assessment method was used to determine the potential for the proposed project to result in significant adverse impacts on Land Use, Zoning, and Public Policy:

1. Establish a "study area", a geographic area surrounding the project area to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400-feet from the project area was used (see EAS Figure 2).
2. Identify data sources, including any public policies (formal plans, published reports), to inform the description of the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy;
3. Conduct a preliminary assessment of the proposed project's potential effects on Land Use, Zoning and Public Policy and determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
   - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
   - If the proposed project is found not to conflict with the identified policies, no further assessment is needed.

2.1-2 Assessment

Land Use

This section describes land use in the Existing, No-Action, and With-Action conditions. The land use in these conditions are analyzed for both the project area and the study area.

Existing Conditions

Project Area

The project area consists of lot 1 of Manhattan block 231 and is located at the northwest corner of the intersection of Broadway and Canal Street in the Chinatown neighborhood of Manhattan in Community District 2. It is entirely located within the SoHo Cast Iron Historic District and the NYC Coastal Zone Boundary.

Until it was merged in November 2017, the project area comprised three tax lots: former lots 1, 11 and 12 of Manhattan block 231, and included three structures across the three tax lots:

- Former lot 1 (one of two lots comprising the development site) is improved with a 1,748 gsf two-story building with office over ground floor retail;
- Former lot 11 (the historic building) is improved with a three-story 4,808 gsf building with office space over ground floor retail; and
- Former lot 12 (second of two lots comprising the development site) is improved with a one-story, 2,679 gsf commercial building containing eight retail stores.

Study Area

As shown at **EAS Figure 2**, land uses in the study area are a mix of predominately mixed residential/commercial, commercial/office, multi-family residences, and industrial and manufacturing uses. The study area is at the intersection of the SoHo, TriBeCa, and Chinatown neighborhoods. The SoHo and TriBeCa neighborhoods were former industrial/manufacturing neighborhoods where many of these former spaces were converted to loft-style residences (elevator buildings) above ground floor retail. Some industrial/ manufacturing uses remain in these areas. Chinatown contains more residential walk-up, tenement-style buildings, and the ground retail uses in this neighborhood are more local in character than Soho and TriBeCa.

The project area is at the intersection of two major commercial retail corridors, Canal Street and Broadway, which correspond with the area's land use character. Broadway is a high-end destination retail corridor with many commercial use buildings containing ground floor destination retail. Along Canal Street, retail uses at the ground floor are generally lower-grade local retail spaces with smaller floorplates, including many spaces that have booth-style vendors.

Once characterized primarily by manufacturing uses, the surrounding SoHo neighborhood has evolved into a mixed-use district. The predominant uses within the surrounding area, along the Broadway corridor, are ground floor retail establishments with commercial uses and/or various types of dwellings above, including Joint Live Work Quarters for Artists and IMDs.

Land uses in the study area are supported by the Canal Street MTA BMT Broadway line subway station as well as several MTA bus routes; and the project area is adjacent to two staircases that provide access to this station from Canal Street.

No-Action Condition

The existing conditions described in **Section 1.0-1** above would continue in the future absent the proposed action (No-Action Scenario). The project area would continue to have a total of 9,235 gsf of commercial uses, including office and retail uses. The existing three buildings would remain. The existing historic building would not be restored and a continuing maintenance plan would not be established for this building.

Within the study area, the general land use trend is residences (including Joint Living Work Quarters for Artists, IMDs, legalized residential lofts) above ground floor commercial spaces with a concentration of commercial buildings along the west side of Broadway. There is a six-story building currently under construction at the

northwest corner of Canal Street and Greene Street (355 Canal Street: Block 229, Lot 1) that follows this general land use pattern that will be completed by the analysis year. This 4.99 FAR building will have a streetwall height of 85-feet with a maximum building height (including bulkhead) of 111.6-feet. The ground floor will contain commercial and residential lobby uses. The NYC LPC issued a Certificate of Appropriateness (16-1766) for this building on May 20, 2014. Other than this development, no other changes are anticipated within the land use study area by the analysis year.

With-Action Condition

In the With-Action scenario, the existing buildings on former lots 1 and 12 would be demolished, and a new 8-story office building would be constructed across these two former lots. The proposed new building would provide internal access to the historic building at the cellar through third floors.

Including the historic building, the proposed project would have a total of 30,490 zsf of floor area, including 5,170 zsf of retail and 25,320 zsf of office space, as summarized in **Table 2.1-1**.

Table 2.1-1 Project Area With-Action Condition

	Retail		Office		Total Commercial	
Project Area	**GSF**	**ZSF**	**GSF**	**ZSF**	**GSF**	**ZSF**
Total	8,286	5,170	29,508	25,320	**37,794**	**30,490**
With-Action FAR						**5.00**
Permitted FAR						***5.00***

Retail uses would be located on the ground and cellar floor, while office spaces would be located across all floor levels. Office spaces at floors two through eight would be accessed via a ground floor lobby with pedestrian access and egress from/to Canal Street.

Over the No-Action condition, the proposed actions would result in a net increase of both retail and office space but would be developed with the same mix of land uses.

The proposed development would be consistent with the existing land use in the study area. The proposed ground floor retail uses would be consistent with the general character of Broadway and Canal Street at the ground floor, while the proposed wholly commercial building would be consistent with many of the existing commercial buildings along Broadway, particularly along the west side of the street.

Since the requested actions would apply only to the project area, the proposed project would not significantly affect land uses or land use trends within the study area, additionally the proposed land uses would be consistent with the existing mix of land uses in the area. Therefore, there would be no significant adverse land use impact due to the proposed project.

Zoning

Existing Conditions

Project Area: The project area is currently located entirely within an M1-5B Zoning District. **EAS Figure 3** shows the existing zoning districts in the area.

M1-5B zoning districts permit light industrial and commercial uses as-of-right up to 5.0 FAR and community facility uses up to 6.5 FAR. The Special district has special use provisions including permitting joint living-work quarters for artists as an industrial use, and restricting commercial and manufacturing uses located below the second story. Use Group 6 retail uses are not permitted below the second floor.

M1-5B district permits a maximum front wall height within the initial setback distance of 85′ or 6 stories, whichever is less. Above the maximum front wall height, a 15′ or 20′ setback is required depending on the width of the street, and the building may not penetrate a sky exposure plane that starts at the street line at a height of 85′ and extends over the site at a defined slope.

Study Area: As shown at **EAS Figure 3**, the study area also includes M1-5 and C6-2A Zoning Districts.

- C6-2A are contextual general central commercial districts that have an R8A residential equivalent and are high-density districts intended for commercial uses that require central locations or serve the entire region. C6-2 districts are typically found in areas outside of central business districts.
- M1 light manufacturing districts permit most industrial and commercial uses and a limited number of community facility uses. M1-5 districts permit a maximum FAR of 5.0 and heights are governed by the sky exposure plane. No accessory parking is required in M1-5 districts.

Study Area – Special Districts: The Special Tribeca Mixed Use District is located directly across Canal Street to the south of the project area. The purpose of the Special Tribeca Mixed Use District is to encourage investment in and enhance the vitality of the neighborhood by permitting mixed residential and industrial uses in close proximity and creating expanded opportunities for new mixed-use communities. New residential and non-residential uses in the Special District can be developed as-of-right and be located side by side or within the same building.

No-Action Conditions

Absent the proposed project, there would be no modifications to the use and bulk regulations of the zoning district as applicable to the project area, and the existing conditions would remain.

On January 11, 2019, the Department of City Planning issued a press release that announced the Department of City Planning, Borough President Gale Brewer, and Councilmember Margaret Chin will launch a public engagement process to inform

future planning efforts in the Manhattan neighborhoods of SoHo and NoHo.[1] This effort is expected to advance independent of the proposed project.

With-Action Conditions

In the With-Action condition, there would be no modification to the underlying zoning districts or their respective regulations. The proposed CPC Special Permit pursuant to ZR 74-711 would modify underlying height and setback requirements of the M1-5B district applicable to the project area to accommodate the proposed development. LPC found:

- the proposed height and setback waivers will result in a simple cubic massing that will not detract from the landmark and will have a harmonious relationship with the landmark and the historic district;
- the presence of a taller building seen adjacent to a smaller scale building is a common occurrence within this historic district and throughout the city;
- the designated building (the historic building) is situated next to a taller building to the north, taller buildings across the street to the east, and taller buildings to the west in the background, therefore, the addition of a new building is consistent with the variety of scale in the immediate visual context of this designated building; and
- the massing, materials, and design of the proposed development will have a harmonious relationship with the designated building (the historic building) and the historic district.

Because the applicability of the proposed action is limited to one zoning lot and given that the proposed development would be consistent with land uses in the surrounding area, the proposed project would not result in a significant adverse zoning impact.

Public Policy

As described in the *CEQR Technical Manual*, officially adopted and promulgated public policies describe the intended use applicable to an area or particular site(s) in the City. These include: Urban Renewal Plans, 197a Plans, Industrial Business Zones, the Criteria for the Location of City Facilities ("Fair Share" criteria), Solid Waste Management Plan, Business Improvement Districts, the New York City Landmarks Law, the Waterfront Revitalization Program (WRP) and Sustainability (as defined by OneNYC). Policies of the Waterfront Revitalization Program and the New York City Landmarks Law are applicable to the project.

[1] https://www1.nyc.gov/site/planning/about/press-releases/pr-20190111.page, last accessed 20 February 2019

Waterfront Revitalization Program (WRP) / Coastal Zone Management

The federal Coast Zone Management Act of 1972 established to support and protect the nation's coastal areas, set forth standard policies for the review of new projects along coastlines. As part of the Federal Coastal Zone Management Program, New York State has adopted a state Coastal Zone Management Program, designed to achieve a balance between economic development and preservation. The program is also designed to minimize adverse change to ecological systems, including limiting erosion and flood hazards. The state program contains provisions for local governments to develop their own local waterfront revitalization programs (WRPs). New York City has adopted such a program. The local WRP established the City's Coastal Zone, and includes policies that address the waterfront's economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives.

As the rezoning area falls within the City's designated coastal zone, the proposed action has been assessed for consistency with the policies of the City's WRP. An assessment of the WRP is provided within **Appendix D**. The proposed action was determined to be consistent with the applicable WRP policies as per the consistency determination (WRP #17-149) within **Appendix D.**

Historic Districts

The study area contains three historic districts: the SoHo Cast Iron District, the SoHo Cast Iron District Extension, and the TriBeCa East Historic District.

The SoHo Cast Iron District and Extension are LPC-designated and S/NR-listed historic districts that contain a unique collection of cast iron structures. The SoHo Cast Iron District is north of Canal Street and to the north and west of the project area, and the SoHo Cast Iron District Extension is across Broadway to the east of the project area.

The TriBeCa East Historic District is also an LPC-designated and S/NR-eligible historic district that contains cast iron and masonry buildings that were erected at the beginning of the mid-nineteenth century through the early twentieth century, when the dry goods district was in this area. This historic district is located directly across Canal Street to the south of the project area.

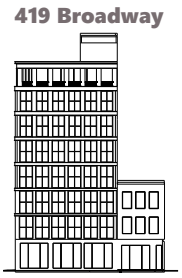
The project area is located within the boundaries of the Landmarks Preservation Commission (LPC)-designated SoHo-Cast Iron Historic District, as shown on **Figure 2.2-1** in **Section 2.2, "Shadows"** and further discussed in **Section 2.3, "Historic and Cultural Resources"**. As such, the proposed project is subject to the review and approval by the LPC for consistency with the architectural and historic character of the district. The project area is also within the State/National Register-listed SoHo Historic District.

The proposed project was issued a Certificate of Appropriateness (COFA-19-20730) from LPC on February 20, 2018. LPC also issued a report (MOU-19-21537) to the NYC City Planning Commission on February 20, 2018.

A full discussion of LPC's review of the project can be found in **Section 2.3, "Historic and Cultural Resources"** and in the LPC correspondence provided at **Appendix B**.

2.1-3 Conclusion

The proposed project has been reviewed for consistency with land use, zoning, and public policy. While the requested actions would modify use and bulk provisions of the M1-5B zoning district to facilitate the proposed development, the proposed action would only be applicable to the proposed development. The proposed uses and FAR are compatible with existing developments within the character of the study area. In addition, LPC has determined that the proposed development would be appropriate for its location within the SoHo Cast Iron Historic District and would be consistent with the goals and intent of the historic district designation. As such, the proposed project would not result in a significant adverse impact to land use, zoning, or public policy.



2.2

Shadows

A shadow is defined in the *2014 CEQR Technical Manual* as the condition that results when a building or other built structure blocks the sunlight that would otherwise directly reach a certain area, space, or feature. The purpose of this chapter is to assess whether new structures may cast shadows on sunlight sensitive publicly accessible resources or other resources of concern such as natural and architectural resources, and to assess the significance of their impact.

2.2-1 Introduction

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City is 4.3 times its height. For actions that could result in structures less than 50 feet high, a shadows assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important sunlight dependent natural feature.

A sunlight-sensitive resource is defined in the *CEQR Technical Manual* as a resource that depends on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are sunlight-sensitive resources:

- **Public open spaces** (e.g., parks, beaches, playgrounds, plazas, schoolyards, greenways, landscaped medians with seating). Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources.
- **Features of architectural resources that depend on sunlight for their enjoyment by the public.** Such sunlight-sensitive features might include: design elements that depend on the contrast between light and dark (e.g., recessed balconies, arcades, deep window reveals); elaborate, highly carved ornamentation; stained glass windows; historic landscapes and scenic landmarks; and features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark. Only the sunlight-sensitive features need be considered, as opposed to the entire resource.
- **Natural resources** where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface water bodies, wetlands, or designated resources such as coastal fish and wildlife habitats.

In general, shadows on city streets and sidewalks or on other buildings are not considered significant. In addition, shadows occurring within an hour and a half of sunrise or sunset generally are also not considered significant. An adverse shadow impact is considered to occur when the incremental shadow (additional, or new shadow that a building or other built structure resulting from a proposed project would cast on a sunlight-sensitive resource during the year) from a proposed project falls on a sunlight sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

As described in **Section 1.0 "Project Description"**, the applicant seeks a CPC Special Permit that would facilitate the development of a new commercial building with a maximum height of 125 feet, including the bulkhead. The proposed new building would be more than 50 feet taller than the existing buildings occupying the development site, and therefore a shadows analysis is warranted.

2.2-2 Methodology

In accordance with the *CEQR Technical Manual*, a three-tiered screening assessment is conducted to ascertain whether project-generated shadows could reach any sunlight-sensitive resource at any time of year.

- **Tier 1:** A Tier 1 screening first identifies the potential resources of concern within the shadow study area, and the sunlight sensitive elements of each resource within the study area.
- **Tier 2:** If potential impacts to resources of concern cannot be ruled out in the Tier 1 screening, a Tier 2 screening excludes the area that cannot be shadowed by the proposed project due to the movement of the sun in sky.

› **Tier 3:** If the Tier 2 screening indicates resources of concern are in an area that can be shadowed by the proposed project, a Tier 3 screening is undertaken that shows the shadow projected from the proposed project in the absence of intervening buildings.

If the Tier 3 screening indicates that, in the absence of intervening buildings, shadows from the proposed project would reach a sunlight sensitive resource on any of the representative analysis days, a detailed shadow analysis is typically warranted. The detailed analysis would consider the shadow projected to be cast on sunlight sensitive resources when intervening buildings are accounted for.

For this proposed project, the study area was the area within 538 feet from the project area (4.3 times the proposed new building height).

2.2-3 Assessment

Tier 1 Screening

The Tier 1 screening identified three historic districts and one listed historic building; no open space or natural resources were identified within the study area. Of the potential resources of concern within the study area, none were found to contain sunlight-sensitive elements (see Environmental Review letter from LPC dated August 9, 2018 in **Appendix B**).

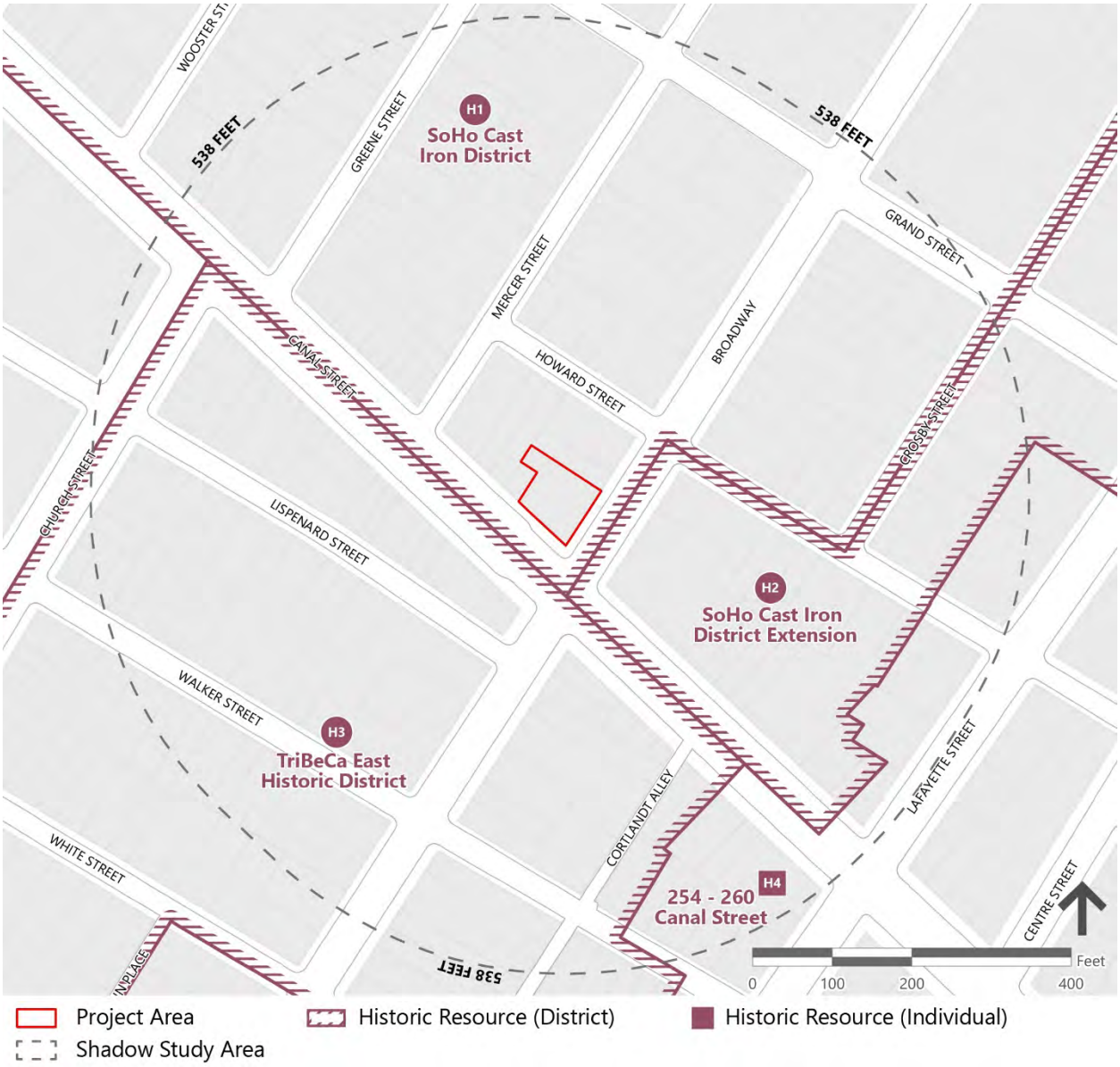
The potential sunlight-sensitive resources identified in the Tier 1 screening are presented below in **Table 2.2-1**, while **Figure 2.2-1** shows the Tier 1 screening assessment base map.

Table 2.2-1 Study Area – Potentially Sunlight Sensitive Resources

Map ID	Resource Name	Potential Resource Summary	Sunlight-Sensitive Elements in Shadow Study Area
Historic Resources			
H1 & H2	SoHo Cast Iron Historic District (and extension)	LPC and S/NR-listed historic district unique for concentration of cast-iron buildings built between 1860-1890	None
H3	TriBeCa East Historic District	LPC-designated historic district noted for blockfronts of ornate store and loft buildings that reflect the area's previous role as the center for dry goods in New York City	None
H4	254-260 Canal Street	One of the earliest surviving cast-iron buildings in New York City whose design exemplifies the successful adaptation of the palazzo mode to cast-iron architecture	None

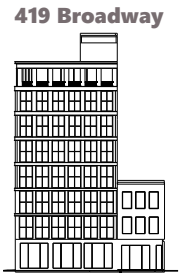
Sources: MapPLUTO 18v1, NYS Cultural Resources Information System (CRIS), NYC Landmarks Preservation Commission

Figure 2.2-1 Tier 1 Screening Results



2.2-4 Conclusion

As shown in **Figure 2.2-1**, the proposed project has the potential to cast incremental shadow on portions of the SoHo Cast Iron District (and Extension), and the TriBeCa East Historic District. As noted in **Table 2.2-1** and in **Section 2.3, "Historic Resources"**, there are no sunlight sensitive elements within the shadow study area. Accordingly, the proposed project does not have the potential to result in a significant adverse shadows impact, and no further analysis is warranted.



2.3

Historic and Cultural Resources

This section assesses the potential for a proposed action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources.

2.3-1 Introduction

Historical and cultural resources are defined as districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological significance. According to the *2014 CEQR Technical Manual*, these include properties that have been designated, or are under consideration for being designated, as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed in, or determined eligible for listing in, the State and/or National Register of Historic Places; and National Historic Landmarks. This section assesses the potential for the proposed action to affect architectural and archaeological resources located on the project area and in the surrounding area.

A Phase IA Documentary Study was requested by NYC Landmarks Preservation Commission (LPC) in correspondence date May 16, 2018. In response, VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. prepared an Archaeological Documentary Study (Phase 1A) dated 20 August 2018 (provided in **Appendix B**), which recommended no further archaeological work in the project

area. LPC reviewed this Phase 1A report and concurred there are no further archaeological concerns in a Final Sign-Off letter issued on 23 August 2018 (see **Appendix B**).

Project Area History

The project area consists of Manhattan Block 231, Lot 1, located at the northwest corner of the intersection between Broadway and Canal Street in the SoHo neighborhood of Manhattan. As mentioned earlier, the project area, including the proposed development site, is located within the National Register listed (90NR00770) and LPC Designated (LPC-00768) SoHo Cast Iron Historic District.

The project area includes one building, 423 Broadway (the "historic building"), that is listed with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) and LPC as contributing to the N/SR and LPC listed SoHo Cast Iron Historic District.

A limited review of historic maps, photographs, conveyances, and historical accounts demonstrates that the SoHo neighborhood has undergone extensive landscape transformations from the late 18th to the mid-20th century. According to the LPC designation report for the SoHo Cast Iron Historic District, the district lies in an area that, in the 18th century, comprised the western section of Bayard's Farm. Historic conveyance records indicate that the project area was a small part of the larger landholdings of Nicholas Bayard, a nephew of Peter Stuyvesant. The property had passed to Bayard in the late 17th century from his brother-in-law Augustine Herrman, who acquired extensive tracts of land in the 1660s. The property came to be known as the Bayard Farm in the 18th century and retained its rural character because of its separation from the core of the city, in lower Manhattan. Frequent flooding of the area near present-day Canal Street caused the farm and nearby territories north of Canal Street to remain outskirts of the city.

Following the Revolutionary War, Nicholas Bayard III mortgaged his farm. It was later divided into lots near the end of the 18th century, with little development taking place until the first decade of the 19th century. One of the earliest businesses to have operated near the project area was Blackwell's Foundry, a cast iron foundry and sales shop that, according to early records, was established near the corner of Broadway and Canal by 1794. According to conveyance records, this may have been located in present-day Lot 2 of Block 231, outside the limits of the project area (LPC 1973).

By 1808, the project area was part of a partition deed comprised of (then) Lots 1, 2, 8, 10, and 12. The Blackwells retained ownership of former Lots 1 and 12 until 1826, when this portion of Blackwell's estate was conveyed to Frances Elizabeth Forbes. Meanwhile, the history of Lot 11 followed a slightly different path, as it passed through ownership of the Bayards to Ludlow and Livingston, then Blackwell, followed by Howell and others, until Howell sold the parcel to Benjamin Lord in 1821. It was Lord who built the brick, Federal-style building that stands on former Lot 11 today.

Early 19th-century development of the area was facilitated by the municipal closing of Collect Pond, which was located roughly 0.24-mile (0.39 kilometers) southeast of the project area. At the time, the Collect was a health hazard to Manhattan residents. According to the Historic District designation report:

> "the shores of the Collect were strewn with a sluggish sewer of green water and parts of Lispenard's Meadow was a bog that yearly claimed a number of cows. It was also a breeding ground for the mosquitoes that almost every summer spread the dreaded yellow fever plagues. After years of bickering and numerous plans and proposals, Bayard's Hill which stood over one hundred feet above the present grade of Grand Street and the other hills in the vicinity were cut down and used, together with the City's rubbish, to fill in the marshy land" (LPC 1973:5).

Surface recontouring included filling the stream that ran from the Collect, through Lispenard's Meadow, and fed into the Hudson River. The polluted stream contained sewage and run-off from the tanneries and other manufactories that bordered the Collect. Draining the meadow was a constant project, and in 1805 a ditch was dug along present-day Canal Street to drain the meadow and the Collect.

Broadway was paved and sidewalks constructed from present-day Canal Street to Astor Place in 1809. By 1817, the canal was filled, and from that point on, development of the present-day SoHo Cast Iron Historic District accelerated. Between 1815 and 1850, Broadway north of Houston Street was an affluent and fashionable residential district. Rows of houses in the Federal style were constructed along portions of Canal Street and Spring Street. At this time, the extant house at 423 Broadway was constructed. But by 1850, the character of the district changed from residential to commercial, as brick retail shops were replaced by cast iron, marble, and brownstone storefronts. In addition to stores and warehouses, the area became home to hotels and musical venues, making Broadway between Canal and Houston Streets the "entertainment center of the city." Fire insurance maps dating to 1854 and 1857 show the project area as improved with several buildings (see Archaeological Documentary Study (Phase IA) provided in **Appendix B**).

An 1856 photograph of Broadway in **Figure 2.3-1** shows three buildings standing in former Lots 11 and 12: the extant building at 423 Broadway (pointed out with an arrow above it) and two, taller buildings at the corner of Broadway and Canal Street.

Figure 2.3-1: 1856 Photograph from the Metropolitan Museum of Art

Three buildings are shown within the project area facing Broadway on former Lots 11 and 12.

The area changed again from entertainment-centered to commercial from 1860 through the 1890s. Large factories and stores were constructed throughout the district to accommodate the mercantile and dry-goods trade. Lace, silk, and other textiles are some of the specialized commodities that were manufactured and sold in the area at that time.

A 1910 photograph of the project area Broadway frontage is shown in **Figure 2.3-2**, while a 1914 photograph of the project area at the corner of Broadway and Canal Street is shown in **Figure 2.3-3**.

Figure 2.3-2: 1910 Photograph

The buildings at 419-421 and 423 Broadway are shown (source: New York Historical Society)

Figure 2.3-3: 1914 Photograph

Photograph of the northwest corner of Canal Street and Broadway (source: the New York Historical Society)

The area drew little attention from developers at the turn of the twentieth century, and many of the buildings fell into decay. Fire insurance maps from 1903 and 1921 illustrate the project area had remained much the same as it had since the mid-nineteenth century, while development occurred in all areas surrounding the project area.

Around the 1950s, the two buildings on Lot 11 were demolished and replaced by the extant, single-story structures at 419-421 Broadway. One of these buildings was a Nedick's restaurant in 1973, shown in **Figure 2.3-4**.

Figure 2.3-4: 1973 Photograph of 419-421 Broadway

The extant single-story building on former Lot 11 is shown as constructed. Nednick's restaurant occupied the building at 419 Broadway. The historic building is shown at right of photograph (source: LPC).

By the 1960s, the growing presence of artists in the area once again led to a character change for the neighborhood. Artists were interested in the loft space that characterized the upper stories of these nineteenth century buildings. This led to zoning changes and city-wide attention to the history and preservation of the SoHo Cast Iron Historic District.

In summary, the project area seems to have remained unimproved until around 1822, when the structure at 423 Broadway was built. By 1856, two more buildings had been built on the property that comprise former Lot 11 (419-421 Broadway) and one building on former Lot 1 (301 Canal). In the 1950s, the two buildings on Lot 12 were demolished and replaced with the buildings that currently occupy the lot.

2.3-2 Methodology

Historic and cultural resources include both archaeological and architectural resources. Archaeological resources are physical remains, usually subsurface, of pre-contact, post-contact and historic periods—such as burials, foundations, artifacts, wells, and privies. Architectural resources generally include historically important buildings, structures, objects, sites, and districts. They may include bridges, canals, piers, wharves, and railroad transfer bridges that may be wholly or partially visible above ground.

Archaeological resources are usually assessed for projects that would result in any incremental in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site.

The New York State OPRHP Cultural Resources Information System (CRIS) indicates that the project area is in an archaeologically sensitive area. The proposed project would involve ground disturbance to approximately 16 feet below grade for the proposed new building on former lots 1 and 12, as well as some expansion of the basement for the existing building that is being restore on former lot 11 at 423 Broadway (the "historic building"). Therefore, the LPC was consulted to identify any potential impacts of the proposed action on archaeological resources. In response, LPC issued a letter dated May 16, 2018 noting that the project area is potentially sensitive for the remains of eighteenth and nineteenth century sites and that a Phase IA Documentary Study is warranted. In response, VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. prepared a Phase 1A dated 20 August 2018, which recommended no further archaeological work in the project area. LPC reviewed this Phase 1A report and concurred there are no further archaeological concerns in a Final Sign-Off letter issued on 23 August 2018 (see **Appendix B**).

Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, where known historic resources are located near the project area:

- New construction, demolition, or significant physical alteration to any building, structure, or object;
- A change in scale, visual prominence, or visual context of any building, structure, object or landscape feature. Visual prominence is generally the way in which a building, structure, object, or landscape feature is viewed. For example, a building may be part of an open setting, such as a tower within a plaza, which is either conforming or non-conforming with the street wall in terms of its height, footprint, and/or setback. 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;
- Construction, including but not limited to, excavating vibration, subsidence, dewatering, and the possibility of falling objects;
- Additions to or significant removal, grading, or replanting of significant historic landscape features;
- Screening or elimination of publicly accessible views;
- 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. For example, stained glass windows that cannot be seen without sunlight, or buildings containing design elements that are part of a recognized architectural style that depends on the contrast between light and dark design elements, such as deep window reveals and prominent rustication.

As mentioned earlier, the historic building, which was originally constructed in 1823 in the Federal style as a residential home with ground floor retail, will be preserved

and restored pursuant to a restrictive declaration recorded as part of the proposed action.

2.3-3 Assessment

Existing Conditions

Within the 400-foot study area, there are four identified resources (see **Figure 2.3-1** and **Table 2.3-1**). These historic resources are described in further detail below.

Table 2.3-1 Designated and Listed Architectural Resources

Map ID	Resource Name	LPC-listed	LPC-eligible	S/NR-listed	S/NR-eligible	NHL
Project Site						
	423 Broadway	X		X		
Study Area						
	SoHo Cast Iron Historic District	X		X		
	SoHo Cast Iron Historic District Ext	X				
	Tribecca East Historic District	X			X	

Sources: NYS Cultural Resources Information System (CRIS), LPC Designation Reports, and LPC correspondence dated May 16, 2018

The Historic Building (423 Broadway; LPC listed, S/NR listed)

The historic building is located at 423 Broadway on former Lot 11 within the project area. The historic building was designed in the Federal style by an unknown architect in 1822 and completed in 1823. The original owner was Benjamin Lord. Architectural elements include a brick and iron cornice façade, characteristic of the SoHo Cast Iron Historic District. The three-story, three-bay building originally functioned as a storefront and dwelling. A new ground floor façade with iron cornice was likely added in the 1860s.[1]

SoHo Cast Iron Historic District (LPC listed, S/NR listed)

The SoHo Cast Iron Historic District is historically significant for its contribution to residential and commercial history, and its architecture. This district comprises roughly 500 buildings within 28 blocks bounded by Broadway, West Broadway, Canal, Howard, Crosby, East Houston and West Houston Streets. According to the NR nomination form, this district has "the largest concentration of full and partial cast-iron facades anywhere in the world".[2] These buildings mostly date to between 1860 and 1890, and exhibit an ornate style of decoration in Italianate, Renaissance Revival, French Second Empire, Queen Anne, and Romanesque styles that, through the use of cast-iron, were less expensive to produce than stone buildings.

[1] SoHo Cast Iron Historic District Designation Report, New York City Landmarks Preservation Commission, 1973:32.

[2] SoHo Cast Iron Historic District Designation Report, New York City Landmarks Preservation Commission, 1973:9.

The district was designated with LPC in 1973, listed on the NRHP in 1978, and listed on the NYS Register in 1980.

SoHo Cast Iron Historic District Ext (LPC listed)

The SoHo Cast Iron Historic District Extension was designated by LPC in 2010, extending the boundary of the original district to include 135 buildings in two additional areas: the eastern side of Crosby Street (including portions of Lafayette, Howard and Centre Streets) and the western side of West Broadway (with some properties extending through the block to the east side of Thompson Street). The buildings in the district extension retain the same characteristics of the SoHo Cast Iron District and include many post-Civil War buildings comprising store and loft space used for wholesale by dry goods merchants and manufacturing businesses in the 19th century.[3]

TriBeCa East Historic District (LPC listed, S/NR listed)

This district is bounded on the north by Canal Street, on the south by Worth Street, and extends from West Broadway to just east of Cortlandt Alley. The district is three blocks wide and irregularly shaped; it is also bordered to the north by the SoHo Cast Iron Historic District.

Like the SoHo Cast Iron Historic District and its extension, the period of significance for this district is 1808-1938. In the early 19th century, the neighborhood was residential, characterized by row houses of varying scales. By the 1850s, the neighborhood began to change from residential to commercial use. Store and loft buildings were constructed to house dry goods on the lower floors with manufacturing, storage and office space above. According to the district survey report, most of these mid- to late-19th century buildings were five-story structures of load-bearing construction with brick side and rear walls with traditional wooden beams supported by interior cast iron columns. Many of these buildings are faced by Tuckahoe marble, with a small number faced with cast iron or Dorchester stone. Like the SoHo Cast Iron Historic District, these buildings include cast iron store fronts and exhibit Italianate, French Second Empire, Neo-Grec, and Queen Anne styles.[4]

This district was designated by LPC in 1992 and subsequently certified by the National Park Services (NPS) as eligible for listing on the NR and eligible for tax credit programming.

No-Action Condition

The project area would remain in its existing condition in the future absent the proposed action. The existing three buildings would remain. The historic building

[3] SoHo-Cast Iron Historic District Extension Designation Report. New York City Landmarks Preservation Commission, May 11, 2010:5.
[4] TriBeCa East Historic District Survey Report. New York City Landmarks Preservation Commission, December, 1992.

would not be restored and a continuing maintenance plan would not be established for this building.

With-Action Condition

In the With-Action scenario, the existing buildings on former lots 1 and 12 would be demolished, and a new 8-story office building (the proposed development) would be constructed across these two former lots. The proposed development would provide internal access to the historic building on former lot 11 at the cellar through third floors. Retail uses would be limited to the ground and cellar floor, while office space would be located in the cellar, ground, and second through eighth stories, with pedestrian access and egress from/to Canal Street.

The design of the proposed project has been developed in coordination with LPC. As designed, the proposed development will enhance the special architectural and historic character of the SoHo Cast Iron Historic District by incorporating architectural details reminiscent of the historic district into a contemporary design. A rendering depicting the With-Action condition is shown in **Figure 2.3-5**.

Figure 2.3-5: With-Action Condition

The LPC found that the With-Action condition will enhance the continuity of the street walls and have a materials palette that will harmonize with the materials and finishes of neighboring buildings throughout the SoHo Historic District (for illustrative purposes only; source: Morris Adjmi Architects).

Regarding the proposed project, LPC made the following findings as part of the Certificate of Appropriateness issued on February 20, 2018:

- The proposed development will be consistent with other tall buildings on corner and mid-block sites on Broadway;
- The proposed development will enhance the continuity of the street walls and anchor the end of the block, thereby strengthening the streetscape around this prominent site;
- The ornamental cast zinc panels on the Broadway and Canal Street facades will reflect the history and tradition of artistic expression in the SoHo Cast Iron Historic District;

- The materials palette will harmonize with the materials and finishes of neighboring buildings, and buildings found throughout the SoHo Cast Iron Historic District; and
- The design of the proposed new building base will be in keeping with the storefronts found at other modern buildings and will reflect elements of typical historic storefronts found throughout this historic district (see Certificate of Appropriateness issued by LPC on February 20, 2018 in **Appendix B** for other findings).

Proposed improvements to the historic building include modifications to the interior of the structure, constructing a dormer to the rear sloped roof, excavating the cellar floor, and altering the fire escapes. The proposed project also includes restorative work, including removing the modern storefront and installing a replica wood and glass storefront, featuring wood and glass paneled doors and a transom, two display windows, detailed wood columns, decorative wood brackets and metal screens at the wood bulkhead and one wood paneled door with transom, all flanked by cast iron piers, a cast iron cornice with a cement plaster band directly above and cast iron molding for the first floor Broadway storefront façade. Restorative work for the second and third floors includes cleaning the exiting masonry with a low pressure water rinse; removing all windows and installing six two-over-two wood-framed windows and wood brickmolds; replacing one deteriorated decorative brownstone lintel in kind; repairing deteriorated brick and replacing brick in select locations; repointing brick as required, removing anchors and patching in select locations; replacing deteriorated brownstone sills in kind; repairing sheet metal cornice; removing roofing and installing a metal roof system at the flat portion of the roof; installing a slate roof at the sloped roof; removing windows, security grills, asphalt coating, sheet metal and asphalt lintel covers, utility service boxes, exposed conduit, sheet metal panels, dunnage roofing system and flashing at the rear façade; repairing segmented arched headers; removing brick infill to provide new masonry opening and installing three two-over-two double hung wood windows, wood brickmolds, and cast iron sills; preparing and painting all remaining shutter hinges; and all painted color to be based on historic finish.[5]

As a condition of the issuance of a Special Permit, pursuant to Section 74-711 of the Zoning Resolution, the applicant has agreed to a restoration and continuing maintenance plan that includes restoration of the existing historic building and provides for its ongoing inspection and maintenance in perpetuity. This continuing maintenance program would include restoration/preservation improvements to the historic building, as described above, that have been developed in coordination with LPC to ensure the proposed maintenance plan and improvements contribute to a preservation purpose.

To avoid the potential for construction-related impacts (such as falling objects, vibration, dewatering, subsidence, or collapse), a Construction Protection Plan would

[5] NYC LPC Letter of Approval to NYC Planning Commission (LPC-19-21537 and MOU-19-21537) for 423 Broadway, Issued February 2018.

be developed in coordination with LPC and implemented to protect the Building, as requested by LPC in correspondence dated February 20, 2018.

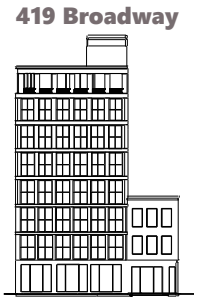
Because the With-Action scenario involves new in-ground disturbance, the potential to impact archaeological deposits was reviewed. A Phase IA Documentary Study was requested by LPC in correspondence dated May 16, 2018. In response, VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. prepared an Archaeological Documentary Study (Phase 1A) dated August 20, 2018, which recommended no further archaeological work in the project area. LPC reviewed this Phase 1A report and concurred there are no further archaeological concerns in a Final Sign-Off letter issued on August 23, 2018 (see **Appendix B**).

2.3-4 Conclusion

The proposed project is located within the S/NR listed and LPC designated SoHo Cast Iron Historic District and includes a contributing property. As a condition of the issuance of a Special Permit, pursuant to Section 74-711 of the Zoning Resolution, the applicant has agreed to a restoration and continuing maintenance plan that includes restoration of the existing historic building and provides for its ongoing inspection and maintenance in perpetuity. The restoration and maintenance plan has been developed in coordination with LPC to ensure these proposed improvements contribute to a preservation purpose.

Further, the design of the proposed project has been developed in coordination with LPC to ensure the proposed project respects and responds to the existing LPC-designated historic resource. A Construction Protection Plan would also be developed and implemented to avoid the potential for construction-period effects on the building.

The proposed project would not significantly alter or affect the setting, visual relationship, or publicly accessible views of the identified historic resources within the study area, and therefore there would be no potential for a significant adverse impact related to historic resources. LPC issued a Final Sign-Off letter on August 23, 2018, which found the project area contains no archaeological significance (see **Appendix B**).



2.4

Urban Design and Visual Resources

An urban design assessment under CEQR considers whether and how a project may change the experience of a pedestrian in the project area. The assessment focuses on the components of a proposed project that may have the potential to alter the arrangement, appearance, and functionality of the built environment.

2.4-1 Introduction

This section considers the potential for the proposed project to result in significant adverse urban design and visual resources impacts. As defined in the *2014 City Environmental Quality Review (CEQR) Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources 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. Examples include projects that permit the modification of yard, height, and

setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right," or in the future No-Action condition.

As described in **Section 1.0, "Project Description"**, the applicant requests a CPC Special Permit to modify underlying use and bulk regulations pursuant to ZR 74-711 to facilitate the proposed project. Because the proposed project would not comply with the maximum front wall height of the M1-5B zoning district, an urban design and visual resources analysis is warranted.

2.4-2 Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a study area in which the proposed action would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the project area, which is collectively formed by the following components:

- **Street Pattern and Streetscape**: The arrangement and orientation of streets define location, flow of activity, street views, and create the blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, street lights, curb cuts, and street furniture also contribute to an area's streetscape.
- **Buildings**: A building's size, shape, setbacks, pedestrian and vehicular entrances, lot coverage, and orientation to the street are important urban design components that define the appearance of the built environment.
- **Open Space:** Open space includes public and private areas that do not contain structures, including parks and other landscaped areas, cemeteries, and parking lots.
- **Natural Features:** Natural features include vegetation and geologic and aquatic features that are natural to the area.
- **View Corridors and Visual Resources:** Visual resources include significant natural or built features, including important view corridors, public parks, landmark structures or districts, or otherwise distinct buildings.

The following information is included in a preliminary assessment:

- A concise narrative of the existing affected area, and conditions under the future No-Action and With-Action conditions;
- An aerial photograph of the study area and ground-level photographs of the project area with immediate context;
- Zoning and floor area calculations of the existing, future No-Action, and future With-Action Conditions;
- Lot and tower coverage, and building heights; and

- A three-dimensional representation of the future No-Action (if relevant) and With-Action Condition streetscape.

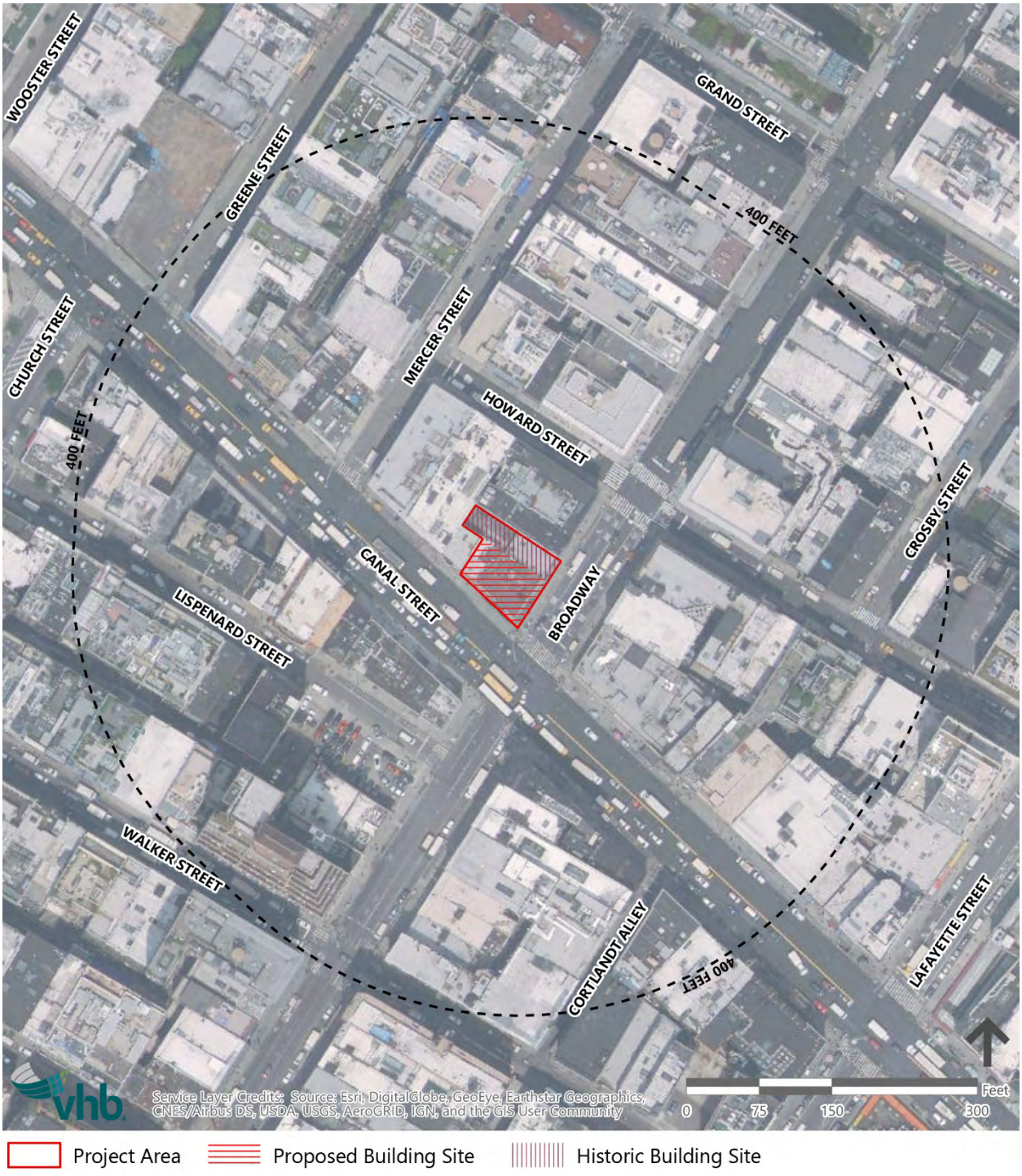
If the preliminary assessment determines that a change to the pedestrian experience is minimal and unlikely to disturb the vitality, walkability or the visual character of the area, then no further assessment is necessary. However, if it shows that changes to the pedestrian environment and/or visual resources are significant enough to require greater explanation and further study, then a detailed analysis may be appropriate.

The following preliminary urban design and visual resources assessment follows these guidelines and provides a characterization of existing conditions followed by a description of urban design and visual resources under the future No-Action and With-Action conditions, and an analysis determining the extent to which physical changes resulting from the proposed project would alter the pedestrian experience.

Study Area

The area within 400 feet of the project area is defined as the study area for this analysis; this is typically considered an appropriate radius for site-specific actions such as the proposed project. **Figure 2.4-1** shows the urban design and visual resources study area for this project.

Figure 2.4-1 Urban Design and Visual Resources Study Area, Aerial View



2.4-3 Assessment

Existing Conditions

This section provides a narrative of the existing development in the project area and study area.

Project Area

The project area is improved with three existing buildings across three former tax lots that were merged in November 2017. The project area currently has a built FAR of 1.52 across the three former tax lots. The urban design elements of these three buildings are described in **Table 2.4-1**.

Table 2.4-1 Urban Design Elements in Project Area – Existing Conditions

Building Element	Building on Former Lot 1	Building on Former Lot 11	Building on Former Lot 12
Stories	2	3	1
Approx. Base Height (ft)	20	46	15
Approx. Building Height (ft)	20	46	15
Approx. Streetwall Length	21ft on Canal St	25ft on Broadway	54ft on Broadway 56ft on Canal St
Lot Coverage (approx. %)	100%	100%	100%
Zoning Floor Area	1,748	4,808	2,679
Ground Floor Use	Commercial - Retail	Commercial - Retail	Commercial - Retail

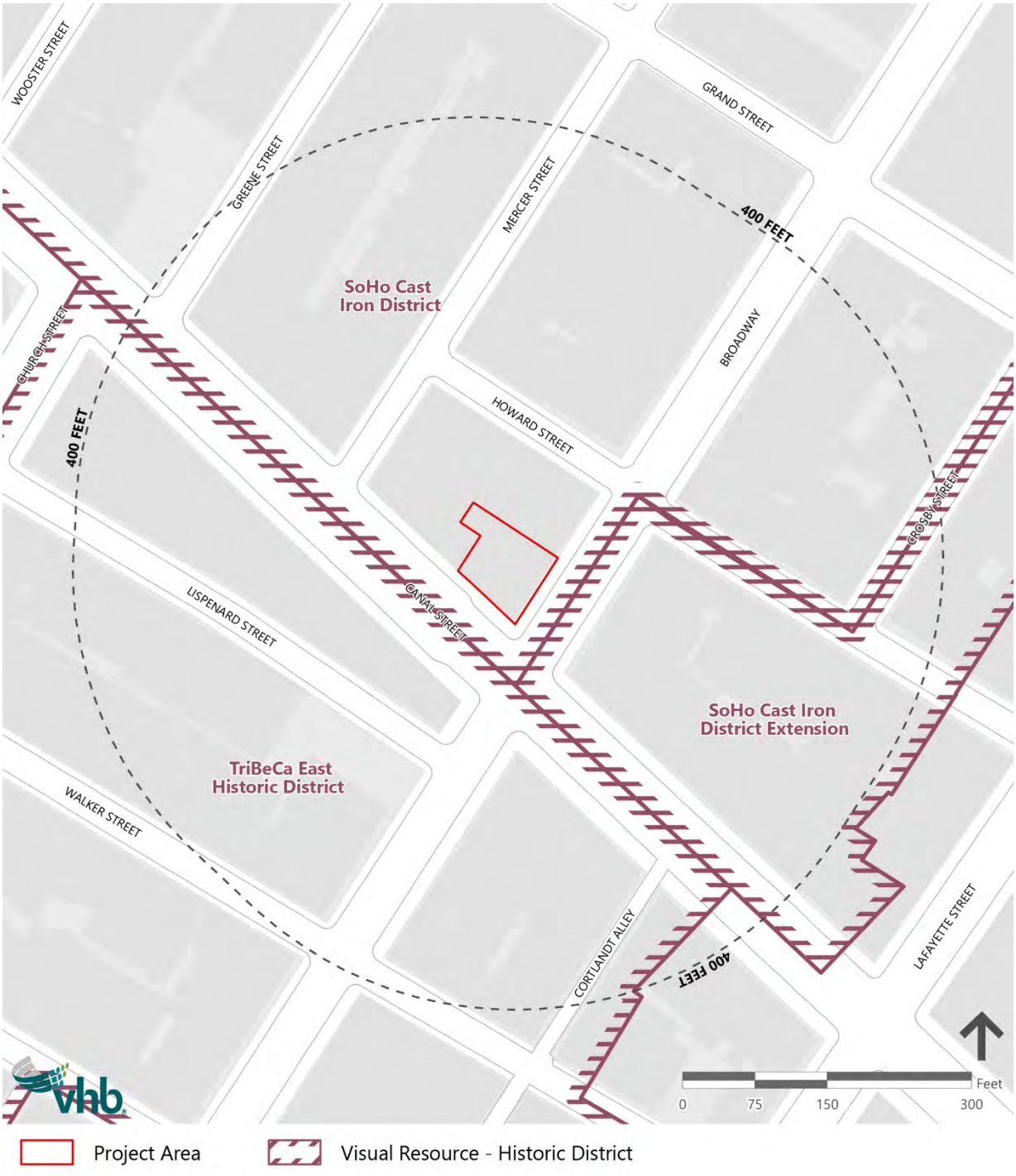
There are no existing open spaces, natural features, or view corridors through the project area. The sole visual resource in the project area is the historic building on former lot 11, which is a contributing building to the LPC-designated and S/NR-listed SoHo Cast Iron Historic District. This building is described in further detail in **Section 2.3, "Historic and Cultural Resources"**.

Sidewalks approximately 17 feet in width are developed along both Broadway and Canal Street adjacent to the project area. There are two staircase entrances into the below-grade MTA NYC subway system adjacent to the project area on the Canal Street frontage. See **Section 1.0, "Project Description"** for photos of existing conditions within the project area.

Study Area

The urban design study area comprises the area within 400 feet of the project area, as shown in **Figure 2.4-2**. This area contains two historic districts: the SoHo Cast Iron District (and Extension) and the TriBeCa East Historic District.

Figure 2.4-2: Urban Design and Visual Resources Study Area



Street Network: Both Canal Street and Broadway are the principal thoroughfares in the study area. Canal Street is generally oriented east-west and serves as a connecting four-lane, two-way street between the Manhattan Bridge and the surrounding streets. Broadway is generally oriented north-south and serves one-way southbound vehicular traffic. Both streets also serve as the principal pedestrian walking routes to many mass transit and retail destinations in the vicinity. Howard

Street, Mercer Street, and Lipsenard Street are quieter local streets within the study area that are less trafficked than Canal Street and Broadway.

Buildings: Many of the buildings that comprise the SoHo Cast Iron District (and extension) and the TriBeCa East Historic District are also visual resources. **Figure 2.4-3** shows building footprints and roof heights within the study area.

Figure 2.4-3: Building Roof Heights

A summary of the buildings within the study area is provided in **Table 2.4-2** below.

Table 2.4-2 Urban Design Elements in Study Area – Existing Conditions

Building Element	
Median Building Height (ft):	75.9
Number of tax lots with less than 6 stories	107 (87.7% of tax lots)
Number of tax lots with 6 to 12 stories	14 (11.4% of tax lots)
Number of tax lots with greater than 12 stories	1 (0.8% of tax lots)
Streetwall	Generally continuously built to the street line
Lot Coverage	Predominately high lot coverage buildings (approx. 88% tax lot coverage in study area)

Notes:
Data based on information provided in MapPLUTO18v1 published by NYC DCP
Building height per the NYC Planimetric Database published by NYC DOITT (2016)

A visual survey and data provided by city information databases indicate that buildings within the study area are predominately built up to or near the street line at relatively high lot coverages. Building façades have been constructed with a variety of materials, including brick, metal, stone, and glass. Cast Iron structures are found throughout the study area, particularly along Broadway, Mercer Street, Lipsenard Street, and Greene Street.

A series of photographs are provided to describe the existing built context within the study area; **Figure 2.4-4** provides a representative key map for the representative viewing locations presented in **Photo 2.4-1** through **Photo 2.4-17** below. These photos show the variety of building heights in the study area, including the taller buildings such as 401 Broadway, as well as buildings of varying height that have a high lot coverage and are built up to or close to the street line.

Visual Resources: The study area contains visual resources that comprise the SoHo Cast Iron District (and extension), and the TriBeCa East Historic District.

- **SoHo Cast Iron District (and Extension)** is an LPC-designated and S/NR-listed historic district that contains a unique collection of Cast Iron structures. Beyond Cast Iron buildings, 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.
- **TriBeCa East Historic District** is an LPC-designated and S/NR-eligible historic district that contains cast iron and masonry buildings that were erected at the beginning of the mid-nineteenth century through the early twentieth century, when this area was a dry goods center.

These visual resources are discussed in greater detail in **Section 2.3, "Historic and Cultural Resources"**.

Open Space and Natural Features: There are no open space or natural features, as defined by the *CEQR Technical Manual*, within the study area.

Figure 2.4-4 Photo Key Map

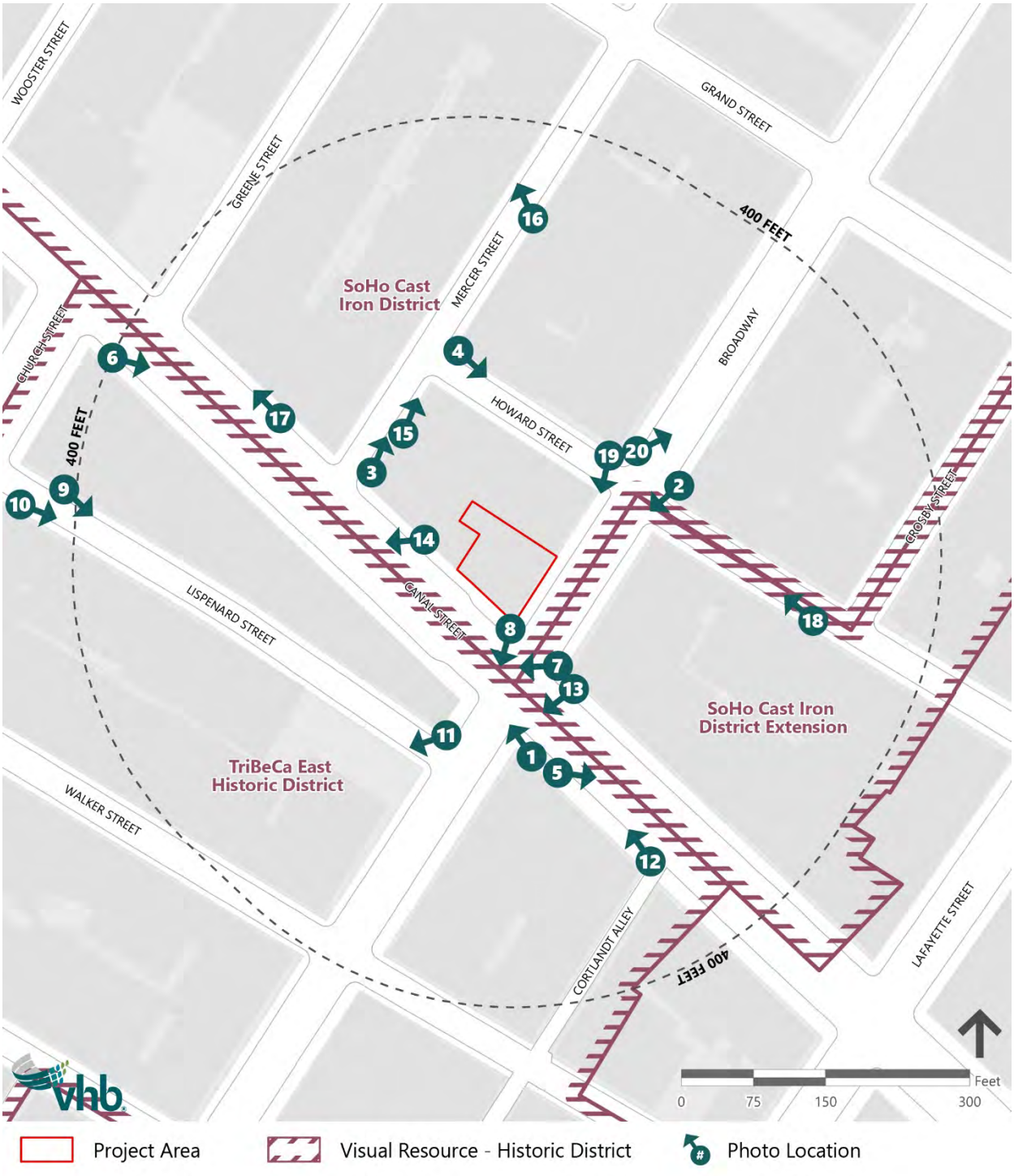


Photo 2.4-1

View west from the southeast corner of Broadway and Canal Street. Buildings on the north side of the street are within the SoHo Cast Iron Historic District, while buildings on the south side are in the TriBeCa East Historic District.

Photo 2.4-2

View south along Broadway from the northeast corner of Broadway and Howard Street. The buildings in the foreground are within the SoHo Cast Iron Historic District, while buildings on the far side of Canal Street are within the TriBeCa East Historic District.

Photo 2.4-3

View north from the east side of Mercer Street, in the SoHo Cast Iron Historic District.

Photo 2.4-4

View east from the northeast corner of Mercer Street and Howard Street towards Broadway in the SoHo Cast Iron District.

Photo 2.4-5

View east from southeast corner of Broadway and Canal Street. The buildings on the north side of the street in the foreground are within the SoHo Cast Iron Historic District Extension.

Photo 2.4-6

View north towards the SoHo Cast Iron Historic District from the southeast corner of Canal Street and Mercer Street.

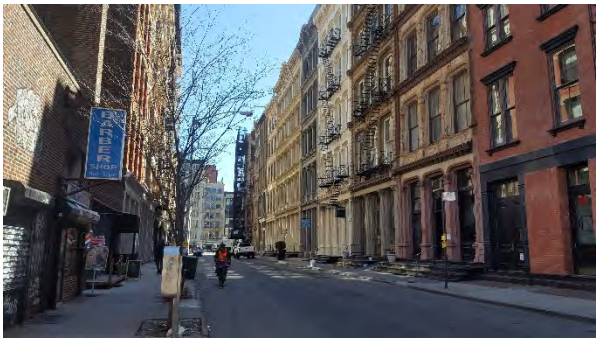
Photo 2.4-7

View southwest from northeast corner of Broadway and Canal Street. The buildings in the foreground are within the TriBeCa East Historic District.

Photo 2.4-8

View south from northwest corner of Broadway and Canal Street. The buildings in the foreground are within the TriBeCa East Historic District.

Photo 2.4-9



View west from northeast corner of Church Street and Lispenard Street, through the TriBeCa East Historic District.

Photo 2.4-10

View from southeast corner of Church Street and Lispenard Street, through the TriBeCa East Historic District.

Photo 2.4-11

View southwest from northwest corner of Broadway and Lispenard Street in the TriBeCa East Historic District.

Photo 2.4-12

View west from southwest corner of Canal Street and Cortlandt Alley. The buildings shown on the north side of Canal Street in the foreground are in the SoHo Cast Iron District extension.

Photo 2.4-13

View south from northeast corner of Broadway and Canal Street towards 401 Broadway, the tallest building in the study area with a height of 347 feet.

Photo 2.4-14

View south from northwest corner of Broadway and Canal Street. The buildings in the foreground are within the TriBeca East Historic District.

Photo 2.4-15

View from northeast corner of Canal Street and Mercer Street north along Mercer Street in the SoHo Cast Iron Historic District.

Photo 2.4-16

View of 21 and 25 Mercer Street, located on the west side of Mercer Street in the SoHo Cast Iron Historic District.

Photo 2.4-17

View west along the north side of Canal Street in the SoHo Cast Iron Historic District.

Photo 2.4-18

View west along Howard Street towards Broadway in the SoHo Cast Iron Historic District.

Photo 2.4-19

View from northwest corner of Broadway and Howard Street southeast towards the SoHo Cast Iron Historic District Extension.

Photo 2.4-20

View from northwest corner of Broadway and Howard Street northeast along Broadway in the SoHo Cast Iron Historic District Extension.

The prevailing built form in the study area includes buildings with high lot coverage that are built up to or close to the street line. Building heights vary in the study area but are predominately between three and 12 stories. Façade materials include brick, cast iron, concrete, and glazing. Observations indicate the most trafficked streets in the study area are Broadway and Canal Street, which are also the widest streets. Other streets in the study area are narrow and quieter local streets.

No-Action Condition

Absent the proposed project, the existing conditions in the project area would continue in the analysis year. At the ground level, retail uses would continue to provide active frontage to the surrounding streets. No restoration and continuing maintenance plan would be established for the existing contributing historic building on former lot 11.

As described in the land use, zoning, and public policy section, within the study area the only expected change is the construction of the six-story building at the northwest corner of Canal Street and Greene Street. This 4.99 FAR building will have a streetwall height of 85-feet with a maximum building height (including bulkhead) of 111.6-feet. The ground floor will contain commercial and residential lobby uses. The NYC LPC issued a Certificate of Appropriateness (16-1766) for this building on May 20, 2014. Other than this development, no other changes are anticipated within the study area by the analysis year.

With-Action Condition

In the With-Action condition, the proposed action would facilitate the development of an eight-story commercial building on former lots 1 and 12 within the project area. The proposed modifications to the existing contributing historic building on former lot 11, a visual resource, would be undertaken with a preservation purpose as described in Section 1.0, "Project Description". This contributing building would be protected through the proposed restoration and continuing maintenance program, which would improve this visual resource and ensure it continues to contribute to the surrounding streetscape.

The proposed project would have a FAR of 5.00, with retail at the ground and cellar levels and with office uses at all levels.

The proposed development would be built to the street line and would rise to a height of 115 without setback, and a maximum height of 125 feet including the proposed bulkhead. The proposed development has been designed in coordination with LPC to ensure it responds to its location within the SoHo Cast Iron District; LPC issued a Certificate of Appropriateness on February 20, 2018, which is attached at **Appendix B**. The proposed new building height, while greater than that of the majority of buildings within the study area, would be consistent with the urban design character of the study area along both Broadway and Canal Street.

The ground floor of the proposed development would cover the entirety of the zoning lot (6,098 sf, or 100% lot coverage). Active frontage, including retail and commercial lobby space, would be located at Broadway and Canal Street. The office lobby space would be located towards the western edge of the project area along the Canal Street frontage. Pedestrian entry into the ground floor retail area would occur from two locations along the Broadway frontage. The proposed project would not physically modify the street network.

Figures 2.4-6 through **Figure 2.4-8** provide representative views that demonstrate the potential effects on views to the visual resources in the study area.

Figure 2.4-6: Representative No-Action/With-Action View Westward Across Broadway

Note: For illustrative purposes only.

Figure 2.4-7: Representative No-Action/With-Action View Eastward Along Canal Street

Note: For illustrative purposes only.

Figure 2.4-8: Representative No-Action/With-Action View Westward Along Canal Street

Note: For illustrative purposes only.

The urban design and visual resources analysis above demonstrates the proposed project would change the context of views within the SoHo Cast Iron District by replacing a non-contributing building with a new commercial building. The proposed development would replace two existing non-contributing buildings with one that would be taller than the immediately adjacent buildings but has been designed to a high architectural quality with input from LPC. Overall, the proposed development design responds to its location adjacent to a visual resource and within a historic district; and the bulk waivers would apply along the Broadway and Canal Street, the widest streets in the study area, and would enhance the visual context of other buildings in the SoHo Cast Iron District and TriBeCa East Historic District.

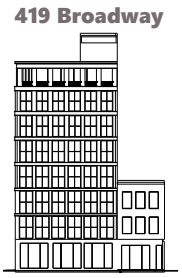
Typical of new development in dense urban areas such as Lower Manhattan, some views to visual resources in the SoHo Cast Iron District and the TriBeCa East Historic District would be impeded from discrete viewing locations, however, unimpeded views of these resources would continue to be available from other locations.

2.4-4 Conclusion

The proposed development would be built to the street line and incorporate design elements that respond to its location at a prominent corner location within the SoHo Cast Iron District and opposite from the TriBeCa East Historic District. The proposed project would provide active ground floor uses, with office lobby space and retail at the Canal Street frontage and retail uses at the Broadway frontage.

The proposed development has been designed with input from LPC, and would rise without setback to a height of 115 feet, with a maximum height of up to 125 feet (including the building bulkhead). The proposed new building height is not dissimilar to other buildings in the vicinity and would affect the viewing context and some views from discrete locations of visual resources. However, such impediment of views is typical of highly dense urban areas, and views along the surrounding street grid would be unaffected or enhanced by replacing a non-contributing building in the SoHo Cast Iron District with a new commercial building designed to a very high architectural quality. Additionally, the proposed restoration to the historic building would improve the appearance of this contributing building.

Overall, the proposed project would not have a significant adverse effect on the urban design of the street network, open spaces, visual resources, and buildings of the study area. Accordingly, no significant adverse impacts to urban design or visual resources would result from the proposed project.



2.5

Hazardous Materials

The goal of the hazardous materials assessment is to determine whether a proposed action would lead to a potential increase in exposure of hazardous materials to people or the environment or whether the increased exposure would lead to significant public health impacts or environmental damage.

2.5-1 Introduction

As described in the *2014 CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds, methane, polychlorinated biphenyls and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic).

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when:

- hazardous materials exist on a site;
- an action would increase pathways to their exposure; or
- an action would introduce new activities or processes using hazardous materials.

2.5-2 Methodology

The potential for hazardous materials was evaluated based on a Phase I Environmental Site Assessment (ESA), dated March 27, 2017 prepared by CBRE, Inc (CBRE). This Phase I ESA was prepared in accordance with the American Society for Testing and Materials (ASTM) Practice E1527-13, inclusive of the "All Appropriate Inquiry" requirement amended in the Federal Register on December 30, 2013. The USEPA "All Appropriate Inquiry" requirement establishes specific regulatory requirements for conducting appropriate inquiries into the previous ownership, uses, and environmental conditions of a property for the purposes of qualifying for certain landowner liability protections under Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

2.5-3 Assessment

Existing Conditions

The project area comprises Manhattan Block 231, Lot 1, and is located at the northwest corner of the intersection of Broadway and Canal Street in the SoHo neighborhood of Manhattan, Community District 2. The project area has a zoning lot area of 6,098 square feet (sf).

The project area is improved with a 1,748 gsf two-story building with office over ground floor retail, a three-story 4,808 gsf building with office space over ground floor retail and a 2,679 gsf one-story retail building.

The proposed project involves the demolition of two of the existing buildings located on former tax lots 1 and 12 (the "development site"), as indicated in **Section 1.0, "Project Description"**, to facilitate the construction of an 8-story building with cellar and ground floor retail use with office space above. The historic building (located at 423 Broadway) will be retained and restored under the proposed action. The historic building's basement would require excavation to a depth of 8 feet to accommodate the proposed development.

Phase I Environmental Site Assessment

As described above, a Phase I ESA, dated March 27, 2017 was completed by CBRE for the project area and included all analyses as specified in the American Society for Testing and Materials (ASTM) Method E 1527-13. The goal of the Phase I ESA process is to identify "recognized environmental conditions" (RECs), which means the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property.

Per the ASTM Standard, the Phase I ESA reviewed a variety of information sources, including current and historic Sanborn Fire Insurance Maps and aerial photographs;

state and federal environmental regulatory databases identifying listed sites; and local environmental records. The Phase I ESA also included reconnaissance of the project area and surrounding neighborhood, and interviews with the building manager.

As stated in Practice E1527-13, there may be environmental issues or conditions at the site, which may be requested by the user to be addressed as part of the Phase I ESA, which are not covered within the scope of ASTM Practice E1527-13. These issues are referred to as non-scope considerations. The following non-scope considerations were addressed in a limited capacity within the Phase I ESA: radon, lead-based paint (LBP), asbestos-containing materials (ACM), wetlands, and mold and water damage.

The Phase I ESA indicates the project area is improved with three (3) mixed-use buildings constructed circa 1894 (419 Broadway and 301 Canal Street) and circa 1886 (423 Broadway).

The following pertinent information and findings were presented in CBRE's March 27, 2017 Phase I ESA:

- The project area is located at a surface elevation of approximately 18-feet above mean sea level (amsl).
- The nearest surface water body is the Hudson River, located approximately 0.55-mile to the northwest.
- There were no wetlands identified subject to permitting near the project area.
- Stormwater runoff generated at the project area discharges into the municipal stormwater management system.
- Sanitary wastes generated at the project area discharge into the municipal sewer system.
- The project area is provided heat via natural gas-fired heating units.
- The regulatory agency database search prepared by Environmental Data Resources, Inc. (EDR) contained in the Phase I ESA identified several adjacent Consolidated Edison service boxes that were addressed to the project area. However, the Phase I ESA indicates the service boxes are adjacent uses and are not an environmental risk.
- There were no adjacent or surrounding New York State or federal database listings identified in the EDR database report with the potential to represent an environmental concern for the project area.
- Working quantities of maintenance and cleaning products were identified in the basements of the project area. However, none of these materials were stored near floor drains and were not considered an environmental concern.
- A cut vent pipe was observed along 423 Broadway, suggesting the presence of a former basement aboveground storage tank (AST). However, no tanks were observed at the project area during the site reconnaissance. Furthermore, the project area is currently heated via natural gas-fired heating units.

- No environmental concerns were identified in association with solid waste generation, storage of hazardous materials, sanitary waste discharges, stained soils, liquid discharges, pools, pits, ponds, lagoons, drums, wells, odors, polychlorinated biphenyls (PCBs), elevators or compactors were identified.
- No fill materials other than typical engineered fill utilized in foundation construction was identified in the Phase I ESA.
- A vapor encroachment screening (VES) was conducted as part of the Phase I ESA in accordance with appropriate ASTM standards. Based upon the findings of the VES, a vapor encroachment condition (VEC) did not exist at the project area.

Based upon the results of the Phase I ESA, it was determined that there were no RECs for the project area. However, the following business environmental risks (BERs) were identified in CBRE's Phase I ESA for the project area:

- Based on the age of the buildings, the potential for ACM exists. Several forms of potential friable and non-friable ACM were identified in the buildings. Based on an understanding of demolition at the project area, there is a potential for suspect ACM to be disturbed as part of these activities. The Phase I ESA recommended a pre-demolition survey be conducted, and that all confirmed ACM be abated in accordance with government regulations.
- Given the age, there is a potential that LBP may have been applied at the site. Painted surfaces were in generally good conditions and did not exhibit evidence of significant peeling or flaking. However, there is a potential for LBP to be disturbed as part of demolition activities. The Phase I ESA recommended all activities involving LBP be conducted in accordance with the Occupational Safety and Health Administration (OSHA) Lead in Construction (CFR Part 1926.62) and USEPA Renovate Right regulations and RCRA guidelines.

The Phase I ESA was submitted to the lead agency and associated reviewing agency (New York City Department of Environmental Protection [DEP]) for review. Although no RECs were identified for the project area in CBRE's Phase I ESA, in correspondence issued to the lead agency on August 22, 2018, DEP indicated that based on historical on-site and surrounding area land uses, a comprehensive Phase II ESA was necessary to adequately identify/characterize the surface and subsurface soils at the project area. In response to these requirements, a comprehensive Phase II ESA Work Plan and site-specific Health and Safety Plan (HASP) was prepared by VHB and submitted to the lead agency for review and approval on October 12, 2018. The Phase II ESA Work Plan outlined a subsurface testing protocol that included an analysis of soil, groundwater and soil vapor, and was prepared in accordance with the 2014 *CEQR Technical Manual*. Upon receipt and review, DEP issued correspondence to the lead agency on November 9, 2018 approving VHB's Phase II ESA Work Plan and HASP.

Phase II Environmental Site Assessment

Based upon DEP's approval and in accordance with the approved Work Plan, VHB completed a Phase II ESA at the project area that included a comprehensive analysis

of on-site soil, groundwater and soil vapor conditions. The results of the Phase II ESA were summarized in a Phase II ESA report issued on April 15, 2019. The Phase II ESA involved the installation of four (4) soil borings, the collection, field screening, and analysis of eight (8) multi-depth soil samples; the collection and analysis of two (2) groundwater samples; and the collection and analysis of two (2) soil vapor samples and one (1) indoor air sample within the historic building to be retained as part of the proposed project. Sample results were compared to applicable regulatory criteria as required in the 2014 *CEQR Technical Manual*. A summary of the comprehensive Phase II ESA results is provided, below.

Soils

In accordance with the approved Work Plan and 2014 *CEQR Technical Manual, s*oils collected at the project area during the Phase II ESA field activities were analyzed for volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), heavy metals, pesticides and polychlorinated biphenyls (PCBs). The analytical results indicated that project area soils are slightly *impaired* or minimally *impacted* with one pesticide, two PCBs and several elements in the metal category, which were detected at concentrations above regulatory soil cleanup objectives (SCOs), including several above the NYSDEC Track Two SCOs in shallow soil samples. These analytes included 4,4'-DDT, aroclor 1254 and aroclor 1260, arsenic, lead, mercury and nickel.

The detections of these analytes at varying concentrations in both shallow and deeper soil samples is indicative of the presence of urban fill at the project area, which were encountered during the Phase II ESA field activities.

Groundwater

Based upon the results of the groundwater sampling, elevated total concentrations of metals were detected above regulatory criteria. However, the majority of these analytes were not detected above applicable standards in dissolved concentrations and, as such, total concentration detections were largely attributed to turbid groundwater. With respect to dissolved metals, only iron, manganese and sodium were detected at concentrations that exceeded regulatory criteria in both groundwater samples collected from the project area.

Based upon the elevated detections of metals above regulatory criteria, groundwater at the project area was characterized as slightly *impaired* or minimally *impacted* and would likely require disposal or appropriate discharge permitting during dewatering activities. Given the depth-to-groundwater at approximately 15 feet bgs, the impaired groundwater at the project area would likely be encountered as part of the proposed development.

Soil Vapor

Based upon the results of the soil vapor sampling, elevated VOCs were detected at the screening depths within the project area including acetone, tetrahydrofuran, n-Hexane, benzene, tetrachloroethylene (PCE), ethylbenzene, xylenes, 1,3,5-trimethylbenzene and 1,2,4-trimethylbenzene. The compounds are related to petroleum products, solvents and gasoline breakdown compounds. No VOCs were detected in indoor air at the breathing level above regulatory guidance values.

Furthermore, there were no compounds detected at actionable concentrations that are subject to the NYSDOH Soil Vapor/Indoor Air Matrices. However, given the presence of petroleum- and solvent-related VOCs in the soil vapor beneath the project area, VHB recommended soil vapor beneath the project area be considered as *impaired* or slightly *impacted*. However, soil vapor results compared to indoor air results in the historic building revealed that sub-slab soil vapors are not substantially impacting indoor air quality.

Remedial Action Plan

Based upon the results of the comprehensive Phase II ESA, a Remedial Action Plan (RAP) was developed for the project area. The RAP included a site-specific Construction Health and Safety Plan (CHASP) and Community Air Monitoring Plan (CAMP), dated April 15, 2019, and submitted to the lead agency on April 16, 2019. The goal of the RAP is to remediate existing environmental conditions that were determined to be present during the Phase II ESA subsurface investigations in order to create environmentally safe space to the maximum extent practicable for future on-site occupants subsequent to proposed development activities. The following remedies are outlined in the RAP:

Soils

- Completion of a waste characterization study prior to excavation activities to identify a proper disposal facility for *minimally contaminated soils*.
- Excavation and proper removal of the minimally contaminated soils in accordance with prevailing regulations.
- Endpoint sampling to determine the performance of the remedy.
- Performance of a CAMP for particulates during excavation activities.

Groundwater

Given the depth-to-groundwater, determined to be approximately 15-feet below grade surface (bgs), it is expected that groundwater will be encountered during the redevelopment activities and dewatering activities will be required. Under the RAP, *minimally contaminated* groundwater will be discharged to the municipal sewer system under appropriate dewatering and discharge permit requirements.

Soil Vapor

Although there were no actionable concentrations of VOCs detected in soil vapor that were subject to regulatory criteria and NYSDOH matrices, an engineered composite cover consisting of reinforced footings and concrete slab that will vary in thickness will serve as protection for future occupants from minimally contaminated soil vapors present in the surrounding areas. Furthermore, a GCP Applied Technologies (GCP) Preprufe 300R and 160R Plus Membrane, or functionally equivalent product will be installed beneath the proposed new building slabs and up the sidewalls of the excavation in order to encapsulate the proposed new building basement, thereby providing waterproofing as well as reducing/eliminating the potential for a lateral vapor encroachment condition (VEC) into the project area.

CHASP

A site-specific CHASP was prepared for the project area that outlines specific remedial activity protocols. The CHASP was developed to minimize the potential for work-related injury through awareness, qualified supervision, health and safety training, medical monitoring, use of personal protective equipment (PPE) and activity-specific safety protocols. The CHASP was issued as an append to the RAP.

In correspondence issued to the lead agency dated May 14, 2019, DEP conditionally approved the RAP and CHASP prepared by VHB with several additional minor provisions that will be met by the applicant. The aforementioned correspondence with DEP is provided in **Appendix B**.

Future No-Action Condition

Absent the proposed project (No-Action condition), the project area would remain as per existing conditions in the analysis year. Under the No-Action condition, minimally contaminated fill materials and additional minor contaminants would not be remediated under an approved RAP and CHASP. Therefore, contaminants identified at the project area would remain in-place and unmitigated. In addition, potential LBP and ACM would not be abated under the No-Action condition.

Future With-Action Condition

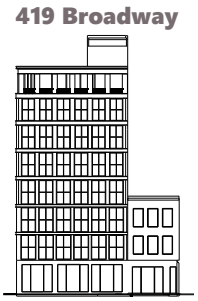
As detailed in **Section 1.0, "Project Description"**, the With-Action condition involves the demolition of two of the existing buildings located on former lots 1 and 12 and the construction of an 8-story building with ground floor retail use and office space on the project area. The historic building (located at 423 Broadway) will be retained and restored under the proposed action. The historic building's basement will require excavation to accommodate the proposed development. Under the proposed action, confirmed contaminants would be addressed through the implementation of the DEP-approved RAP, CHASP and CAMP. Specifically, all minimally-contaminated soils would be disposed at an approved facility following a waste characterization study. In addition, minimally-contaminated groundwater would be discharged to the municipal sewer system through appropriate dewatering permitting. Furthermore, the proposed development would be protected from a potential soil vapor encroachment condition through the incorporation of a GCP Preprufe 300R and 160R Plus Membrane, or functionally equivalent product which would be installed beneath the proposed new building slabs and up the sidewalls of the excavation.

Any potential lead-based paint and ACM would be remediated/abated as part of standard renovation practice under appropriate local, state and federal requirements, including New York State Department of Labor (NYSDOL) and/or New York State Department of Health (NYSDOH) protocols. With the implementation of

the above measures, no significant adverse impacts related to hazardous materials would be expected during construction and operation of the proposed action.

2.5-4 Conclusion

To reduce the potential for exposure to future site occupants, confirmed contaminants would be addressed through the implementation of a DEP-approved RAP, CHASP and CAMP. The Applicant is committing to implement the required measures delineated in the DEP-approved RAP and CHASP as per DEP's letter dated May 14, 2019, and that a Remedial Closure Report would be submitted to DEP for review and approval after completion of the project, and that all remediation measures would be implemented prior to obtaining a Certificate of Occupancy from the New York City Department of Buildings. With the implementation of the above measures, no significant adverse impacts related to hazardous materials would be expected during construction and operation of the proposed action.



2.6

Air Quality

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources"; by fixed facilities, usually referenced as "stationary sources"; or by a combination of both. Under CEQR, an air quality assessment determines both a proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project.

2.6-1 Introduction

This section examines the potential for air quality impacts from the proposed project. According to the *2014 CEQR Technical Manual*, air quality impacts can be characterized as either direct or indirect impacts. Direct impacts result from emissions generated by stationary sources, such as stack emissions from on-site fuel burned for boilers and heating, ventilation, and air conditioning (HVAC) systems. Indirect effects are caused by off-site emissions associated with a project, such as emissions from on-road motor vehicles ("mobile sources") traveling to and from a development site.

The proposed project would not exceed the threshold of incremental development density which warrants a preliminary transportation analysis, thus the limited

number of incremental trips generated by the proposed action would be lower than the *CEQR Technical Manual* CO-based screening threshold of 170 vehicles per hour and the $PM_{2.5}$-based screening threshold for HHDV. Therefore, traffic from the proposed action would not result in a significant adverse impact related to mobile sources of pollutants and additional assessment of on-street mobile source emissions is not warranted.

The proposed project would not introduce additional parking spaces over the No-Action condition, and therefore, would not exceed the threshold that triggers a detailed parking facility analysis according to Table 16-1 in Chapter 16, "Transportation", in the *CEQR Technical Manual*. Thus, no significant adverse impact would be anticipated associated with the proposed parking spaces and no additional analysis is warranted.

Therefore, the following assessment is limited to the analysis of stationary sources of emissions associated with or with the potential to impact the proposed project.

Pollutants of Concern

Air pollution is of concern because of its demonstrated effects on human health. Of special concern are the respiratory effects of the pollutants and their potential toxic effects, as described below.

Carbon monoxide (CO) is a colorless and odorless gas that is a product of incomplete combustion. Carbon monoxide is absorbed by the lungs and reacts with hemoglobin to reduce the oxygen carrying capacity of the blood. At low concentrations, CO has been shown to aggravate the symptoms of cardiovascular disease. It can cause headaches, nausea, and at sustained high concentration levels, can lead to coma and death.

Particulate matter is made up of small solid particles and liquid droplets. PM_{10} refers to particulate matter with a nominal aerodynamic diameter of 10 micrometers or less, and $PM_{2.5}$ refers to particulate matter with an aerodynamic diameter of 2.5 micrometers or less. Particulates can enter the body through the respiratory system. Particulates over 10 micrometers in size are generally captured in the nose and throat and are readily expelled from the body. Particulates smaller than 10 micrometers, and especially particles smaller than 2.5 micrometers, can reach the air ducts (bronchi) and the air sacs (alveoli) in the lungs. Particulates are associated with increased incidence of respiratory diseases, cardiopulmonary disease, and cancer.

Nitrogen oxides (NO_X), the most significant of which are nitric oxide (NO) and nitrogen dioxide (NO_2), can occur when combustion temperatures are extremely high (such as in engines) and atmosphere nitrogen gas combines with oxygen gas. NO is relatively harmless to humans but quickly converts to NO_2. Nitrogen dioxide has been found to be a lung irritant and can lead to respiratory illnesses. Nitrogen oxides, along with VOCs, are also precursors to ozone formation.

Sulfur Dioxide (SO_2) emissions are the main components of the "oxides of sulfur," a group of highly reactive gases from fossil fuel combustion at power plants, other

industrial facilities, industrial processes, and burning of high sulfur containing fuels by locomotives, large ships, and non-road equipment. High concentrations of SO_2 will lead to formation of other sulfur oxides. By reducing the SO_2 emissions, other forms of sulfur oxides are also expected to decrease. When oxides of sulfur react with other compounds in the atmosphere, small particles that can affect the lungs can be formed. This can lead to respiratory disease and aggravate existing heart disease.

Non-criteria pollutants may be of concern in addition to the criteria pollutants discussed above. Non-criteria pollutants are emitted by a wide range of man-made and naturally occurring sources. These pollutants are sometimes referred to as hazardous air pollutants (HAP) and when emitted from mobile sources, as Mobile Source Air Toxics (MSATs). Emissions of non-criteria pollutants from industrial sources are regulated by the United States Environmental Protection Agency (EPA).

Federal ambient air quality standards do not exist for non-criteria pollutants; however, the New York State Department of Environmental Conservation (NYSDEC) has issued standards for certain non-criteria compounds, including beryllium, gaseous fluorides, and hydrogen sulfide. NYSDEC has also developed guidance document DAR-1 (February 2014). DAR-1 contains a compilation of annual and short term (1-hour) guideline concentrations for these compounds. The NYSDEC guidance thresholds represent ambient levels that are considered safe for public exposure. EPA has also developed guidelines for assessing exposure to non-criteria pollutants. These exposure guidelines are used in health risk assessments to determine the potential effects to the public.

Impact Criteria

The predicted concentrations of pollutants of concern associated with a proposed project are compared with either the National Ambient Air Quality Standards (NAAQS) for criteria air pollutants or ambient guideline concentrations for non-criteria pollutants. In general, if a project would cause the standards for any pollutant to be exceeded, it would likely result in a significant adverse air quality impact. In addition, for CO from mobile sources and for $PM_{2.5}$, the City's de minimis criteria are also used to determine significance of impacts.

National Ambient Air Quality Standards

The Clean Air Act (CAA) requires the EPA to set standards on the pollutants that are considered harmful to public health and the environment. The NAAQS were implemented as a result of the CAA, amended in 1990 (see **Table 2.6-1**)[1] . The NAAQS applies to six principal ("criteria") pollutants: carbon monoxide (CO), nitrogen dioxide (NO_2), particulate matter 10 (PM_{10}), particulate matter 2.5 ($PM_{2.5}$), sulfur dioxide (SO_2), and ozone.

[1] United States Environmental Protection Agency (October 2011). National Ambient Air Quality Standards. Retrieved from http://www.epa.gov/air/criteria.html.

Table 2.6-1 National and New York State Ambient Air Quality Standards

Pollutant	Averaging Time	Standard
Carbon Monoxide	1-Hour	35 ppm (40,000 µg/m^3)
	8-Hour	9 ppm (10,000 µg/m^3)
Nitrogen Dioxide	Annual	53 ppb (100 µg/m^3)
	1-Hour	100 ppb (188 µg/m^3)
Ozone	8-Hour	0.075 ppm
Particulate Matter (PM_{10})	24-Hour	150 µg/m^3
Particulate Matter ($PM_{2.5}$)	Annual	12.0 µg/m^3
	24-Hour	35.0 µg/m^3
Sulfur Dioxide	Annual	0.03 ppm (80 µg/m3)
	24-Hour	0.14 ppm (365 µg/m3)
	3-Hour	0.5 ppm (1,300 µg/m3)
	1-Hour	75 ppb (196 µg/m3)

Source: *2014 CEQR Technical Manual*

Non-criteria Pollutant Thresholds

Non-criteria, or toxic, air pollutants include a multitude of pollutants of variable toxicity. No federal ambient air quality standards have been promulgated for toxic air pollutants. However, EPA and NYSDEC have issued guidelines that establish acceptable ambient levels for these pollutants based on human exposure.

The NYSDEC DAR-1 guidance document presents guideline concentrations in micrograms per cubic meter (µg/m^3) for the one-hour and annual average time periods for various air toxic compounds[2].

To evaluate impacts of non-carcinogenic toxic air emissions, EPA developed a methodology called the "Hazard Index Approach." The acute hazard index is based on short-term exposure, while the chronic non-carcinogenic hazard index is based on annual exposure limits. If the combined ratio of pollutant concentration divided by its respective short-term or annual exposure threshold for each of the toxic pollutants is found to be less than 1.0, no significant adverse air quality impacts are predicted to occur due to these pollutant releases.

In addition, EPA has developed unit risk factors for carcinogenic pollutants. EPA considers an overall incremental cancer risk from a proposed action of less than one-in-one million to be insignificant. Using these factors, the potential cancer risk associated with each carcinogenic pollutant, as well as the total cancer risk of the releases of all carcinogenic toxic pollutants combined, can be estimated. If the total incremental cancer risk of all the carcinogenic toxic pollutants combined is less than one-in-one million, no significant adverse air quality impacts are predicted to occur due to these pollutant releases.

[2] NYSDEC DAR-1 - http://www.dec.ny.gov/docs/air_pdf/dar1.pdf

CO *De Minimis* Criteria

New York City has developed *de minimis* criteria to assess the significance of the increase in CO concentrations that would result from the impact of project-generated mobile sources, as set forth in the *CEQR Technical Manual*. These criteria set the minimum change in CO concentration that defines a significant adverse environmental impact. Significant increases of CO concentrations in New York City are defined as:

- an increase of 0.5 ppm or more in the maximum eight-hour average CO concentration at a location where the predicted No-Action eight-hour concentration is equal to or between 8.0 and 9.0 ppm; or
- an increase of more than half the difference between baseline (i.e., No-Action) concentrations and the eight-hour standard, when No-Action concentrations are below 8.0 ppm.

$PM_{2.5}$ *De Minimis* Criteria

New York City uses de minimis criteria to determine a project's potential to result in a significant adverse $PM_{2.5}$ impact under CEQR. The de minimis criteria are as follows:

- Predicted increase of more than half the difference between the background concentration and the 24-hour standard;
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Annual average $PM_{2.5}$ concentration increments which are predicted to be greater than 0.3 $\mu g/m^3$ at a discrete receptor location (elevated or ground level).

2.6-2 Methodology

Stationary Sources

According to the *CEQR Technical Manual* guidelines, air quality analyses of stationary sources may be warranted if a project would:

- Create new stationary sources of pollutants – such as emission stacks of industrial plants, hospitals, other large institutional uses, or even a building's boilers – that may affect surrounding uses;
- Introduce certain new uses near existing or planned emissions stacks that may affect the use; or

› Introduce structures near such stacks so that changes in the dispersion of emissions from the stacks may affect surrounding uses.

HVAC Systems

As described in Section 220 and Section 321 in Chapter 17 of the *CEQR Technical Manual*, for single-building projects that would use fossil fuels (i.e., fuel oil or natural gas) for HVAC systems, a preliminary stationary source screening analysis is typically warranted to evaluate the potential for impacts on existing buildings from HVAC systems emissions. The *CEQR Technical Manual* provides screening nomographs based on fuel type, stack height, minimum distance from the source to the nearest receptor buildings with similar or greater heights, and floor area of development resulting from the proposed project. There are three different curves representing three different stack heights (30 feet, 100 feet and 165 feet) on the figures, and the height closest to but not higher than the proposed stack height should be selected. Based on the development size, if the distance from the development site to the nearest building of similar or greater height is less than the distance threshold, there is the potential for a significant air quality impact from the project's boilers, and further analysis is warranted using the USEPA's AERSCREEN and/or AERMOD model.

Industrial Source Analysis

As described in Section 220 and Section 321 in Chapter 17 of the *CEQR Technical* Manual, an air quality assessment is required to evaluate the potential impacts of air toxics emissions from ventilation exhaust systems of manufacturing or processing facilities when a project would result in new sensitive uses (particularly schools, hospitals, parks, and residences) within a 400-foot radius. A screening analysis is usually performed based on Table 17-3 in Chapter 17 of the *CEQR Technical Manual*. The screening table provides the maximum 1-hour, 8-hour, 24-hour and annual average modeled values based on a generic emission rate of 1 gram per second of a pollutant from a 20-foot tall point source for the distances between 30 feet and 400 feet from the receptor of same height. Potential impacts predicted from the industrial source of concern based on the screen table are compared with the short-term guideline concentrations (SGCs) and annual guideline concentration (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC Tables. If a proposed project fails the above screening analysis, or the screening analysis methodology is not applicable to the project, further refined analysis using EPA's AERSCREEN and/or AERMOD model is warranted to determine any potential for significant adverse impacts.

"Large" or "Major" Source Analysis

As described in Section 220 and Section 321 in Chapter 17 of the *CEQR Technical Manual*, an air quality assessment is required to evaluate the potential impacts of emissions from a "large" or "major" emission source when a project would result in new uses within a 1,000-foot radius. "Major" sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. "Large" sources are identified as sources located at facilities that require a

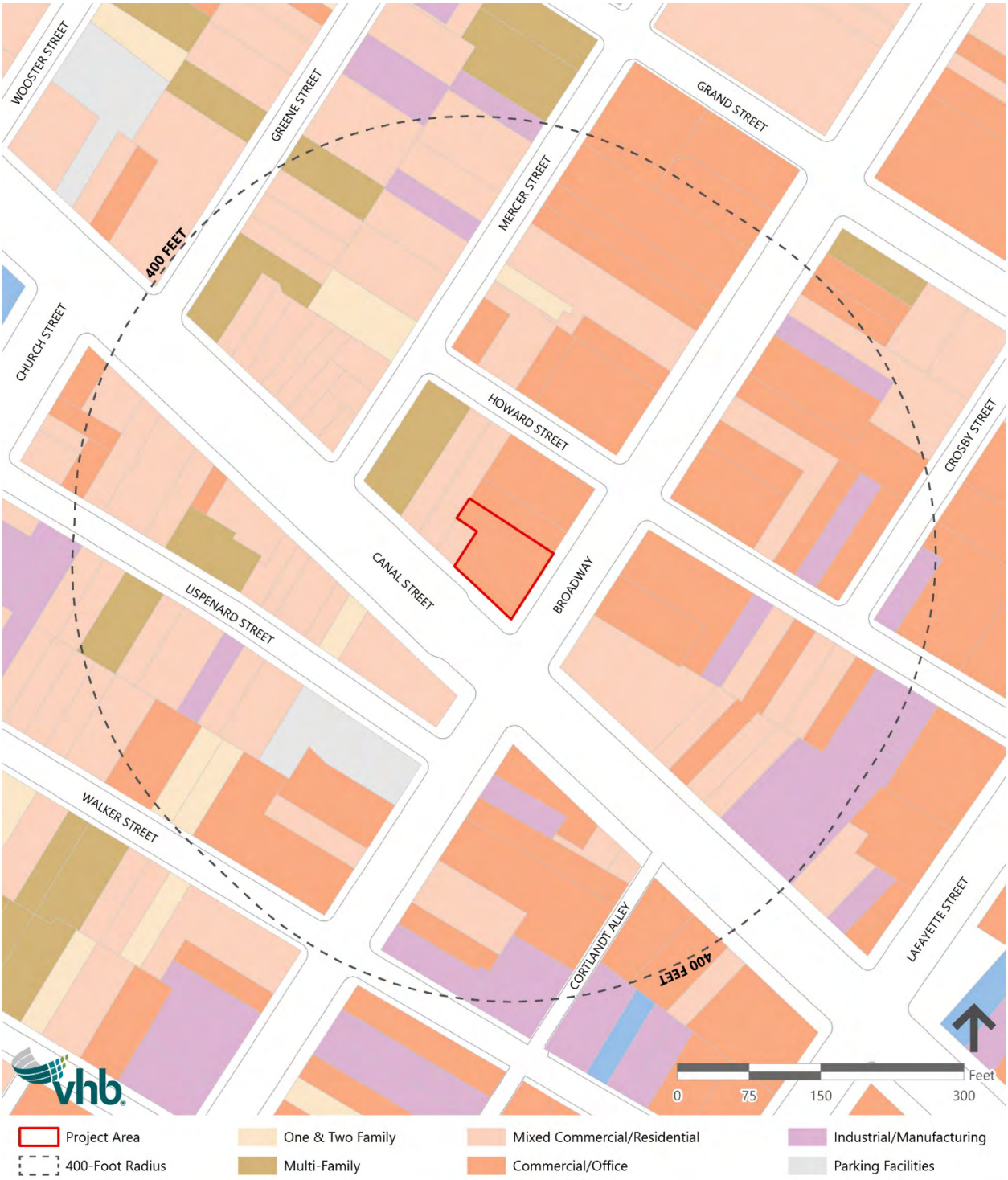
State Facility Permit. A detailed analysis is usually performed for such sources to determine any potential for significant adverse impact.

2.6-3 Assessment

Existing Conditions

Land uses within 400 feet of the project area are shown in **Figure 2.6-1** below.

Figure 2.6-1 Land Use Map



Source: MapPLUTO18v1 and land use survey conducted by VHB on March 23, 2018

Future No-Action Condition

As described in **Section 1.0, "Project Description"**, in the future no-action condition the project area would remain as per existing conditions.

Future With-Action Condition

In the With-Action scenario, the buildings located on former Lots 1 and 12 would be demolished, and the site would be redeveloped with a new 8-story commercial building comprised of ground floor retail and offices above. The historic building occupying former Lot 11 would be preserved and renovated in accordance with a continuing maintenance plan that the applicant proposes to establish. The project would result in a total of 37,794 gsf and have a roof height of 115' without an initial setback. The maximum height of the building with the proposed bulkhead would be 125 feet.

Stationary Sources

HVAC Screening Analysis

The proposed project consists of the construction of a new building that would reach a maximum height of approximately 115', without the proposed bulkhead. It is assumed that the HVAC stack will be located on the roof of the proposed new building. Consistent with *CEQR Technical Manual* guidelines, it is assumed that the stack would rise three feet above the proposed roof, reaching a total height of approximately 118' above grade.

A survey of existing land uses within a 400-foot radius of the project area identified three potential sensitive receptor sites that have similar or greater height than the proposed development, as shown in **Table 2.6-3** below:

Table 2.6-3 Identified Potential Sensitive Receptor Sites

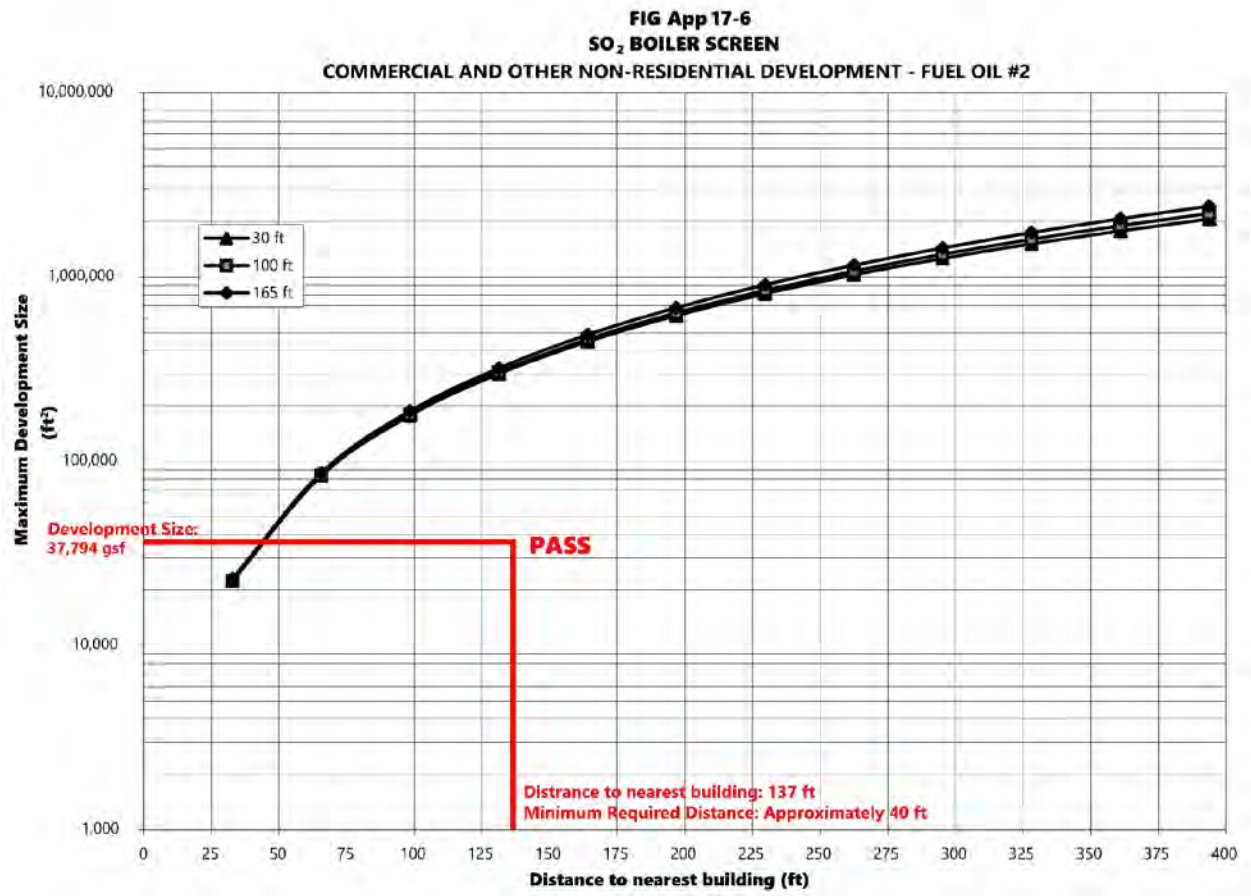
Block	Lot	Address	Approx. Building Height (ft)	Approx. Distance (ft)
210	26	45 Lispenard St	110	205
231	14	433 Broadway	116	155
232	1	434 Broadway	136	160
196	9	416 Broadway	124	137

The nearest sensitive receptor is 416 Broadway (Soho Garden Hotel), which has an approximate height of 124 feet.

An HVAC screening analysis was performed to assess the potential impact from emissions from the HVAC system at the project area, using the screening procedures described previously. Based upon the proposed project's height and square footage, the minimum screening distance necessary to avoid potential adverse air quality impacts was determined to be approximately 40 feet, assuming No. 2 fuel oil is used

for the HVAC systems[3] (see **Figure 2.6-2**). Therefore, regardless of fuel type, the screening distance requirement is met and there would be no significant adverse stationary source impacts related to the proposed project's HVAC systems and no further analysis is necessary.

Figure 2.6-2 No. 2 Oil HVAC Screening



Industrial Source Analysis

To assess potential air quality impacts to the proposed project from existing industrial sources that would emit toxic air contaminants, an investigation of existing land uses within a 400-foot radius of the project area was conducted. Land use maps were reviewed to identify surrounding land uses that could have New York City Department of Environmental Protection (DEP) issued industrial permits (i.e., sites classified as Industrial/Manufacturing, Transportation/Utility, or Public Facilities/Institutions). **Table 2.6-4** shows the only existing land use that has potential air toxics concerns within a 400-foot radius of the project area.

To identify facilities listed in **Table 2.6-4**, a preliminary survey was conducted including online searches of DEP's Clean Air Tracking System (CATS), New York City's Open Accessible Space Information System Cooperative (OASIS) database,

[3] This is a conservative assumption for the screening analysis since the proposed project would likely use a natural gas system.

telephone directory listings, available aerial photos provided by Google and Bing, internet websites, etc. There were no industrial permit records identified from the DEP CATS online database.

Table 2.6-4 Industrial Sources within 400 Feet of Development Site

Address	Land Use*	Owner Name	DEP CATS
28 Howard Street (Block 233, Lot 33)	Industrial/Manufacturing	28 Howard Fashions Inc.	No industrial permit
32 Howard Street (Block 232, Lot 22)	Industrial/Manufacturing	Putnam Rolling Ladder Corp.	No industrial permit
450 Broadway (Block 232, Lot 8)	Industrial/Manufacturing	450 Broadway Owners, LLC	No permit record
19 Mercer Street (Block 230, Lot 37)	Industrial/Manufacturing	Alan Feierstein, LLC	No industrial permit
10 Greene Street (Block 230, Lot 13)	Industrial/Manufacturing	Meli Renting Corp.	No industrial permit
35 Howard Street (Block 209, Lot 7)	Industrial/Manufacturing	Harry Spitzer Inc.	No permit record
261 Canal Street (Block 209, Lot 27)	Industrial/Manufacturing	267 Canal Street Corp.	No permit record
56 Lispenard Street (Block 194, Lot 30)	Industrial/Manufacturing	Fifth Six Lispenard St	No permit record
414 Broadway (Block 196, Lot 8)	Industrial/Manufacturing	Forty East Broadway Corp.	No industrial permit
400 Broadway (Block 196, Lot 1)	Industrial/Manufacturing	400 Broadway Associates	No industrial permit
72 Walker Street (Block 196, Lot 31)	Industrial/Manufacturing	Hardot LLC	No industrial permit
78 Walker Street (Block 196, Lot 29)	Industrial/Manufacturing	Tungdot LLC	No industrial permit

*As per MapPLUTO18v1
Source: NYCDEP's Clean Air Tracking System (CATS). https://a826-web01.nyc.gov/DEP.BoilerInformationExt/

"Large" or "Major" Source Analysis

To assess the potential impacts of any "large" or "major" sources on the project area, a review of existing permitted facilities was conducted. "Major" sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. "Large" sources are identified as sources located at facilities that require a State Facility Permit. Sources of information reviewed include the NYSDEC Title V and State Facility Permit websites and available aerial photos provided by Google and Bing.[4,5]

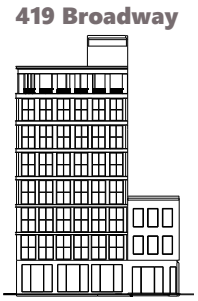
Based on review of available information mentioned above, there are no existing "large" or "major" emission sources within a 1,000-foot radius of the project area. Therefore, no significant adverse impacts from existing "large" or "major" emission sources on the proposed project are anticipated, and no further analysis is warranted.

2.6-4 Conclusion

Based on the findings of the detailed HVAC screening analysis, there would be no potential for significant adverse stationary source air quality impacts from the proposed project's HVAC systems, even assuming No. 2 fuel oil would be used. Additionally, no significant adverse impacts are expected from existing industrial sources within a 400-foot radius of the project area, and no "large" or "major" emission sources were identified in a 1,000-foot radius of the project area.

[4] NYSDEC Title V- http://www.dec.ny.gov/dardata/boss/afs/issued_atv.html
[5] State Permit- http://www.dec.ny.gov/dardata/boss/afs/issued_asf.html

Therefore, the proposed project would not result in a significant adverse air quality impact.



2.7

Noise

This section presents the results of the noise assessment to determine whether the requested discretionary action and the development project that could be facilitated by the requested action would increase noise exposure at existing receptors and whether new receptors that would be introduced by the development project would be in an acceptable ambient noise environment.

2.7-1 Introduction

The proposed project would introduce new noise-sensitive receptors to the project area, consisting of office and retail spaces. The purpose of the noise assessment under CEQR is to determine if:

- The proposed project would significantly increase sound levels from mobile and stationary sources at existing noise receptors adjacent to the project area, including retail and office spaces; and
- New noise receptors introduced at the project area would be in an acceptable ambient sound level environment.

Per the *2014 CEQR Technical Manual*, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be sited in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include rooftop equipment such as emergency generators, cooling towers, and other mechanical equipment.

Noise assessment includes the following:

- Background on metrics used to describe noise;
- The methodology and criteria used to assess potential impacts;
- An assessment of the potential for the proposed project to significantly affect existing receptors due to the introduction of new mobile or stationary sources;
- Results from ambient sound level monitoring; and
- An evaluation of the ambient sound levels at new receptor locations.

Noise Background

Noise is defined as unwanted or excessive sound. Sound becomes unwanted when it interferes with normal activities such as sleep, work, or recreation. How people perceive sound depends on several measurable physical characteristics. These factors include:

- Level - Sound level is based on the amplitude of sound pressure fluctuations and is often equated to perceived loudness.
- Frequency - Sounds are comprised of acoustic energy distributed over a variety of frequencies. Acoustic frequencies, commonly referred to as tone or pitch, are typically measured in Hertz (Hz). Pure tones have energy concentrated in a narrow frequency range and can be more audible to humans than broadband sounds. Sound levels are most often measured on a logarithmic scale of decibels (dB). The decibel scale compresses the audible acoustic pressure levels which can vary from the threshold of hearing (0 dB) to the threshold of pain (120 dB). Because sound levels are measured in dB, the addition of two sound levels is not linear. Adding two equal sound levels results in a 3 dB increase in the overall level. Research indicates the following general relationships between sound level and human perception:
  - A 3-dB increase is a doubling of acoustic energy and is the threshold of perceptibility to the average person.
  - A 10-dB increase is a tenfold increase in acoustic energy and is perceived as a doubling in loudness to the average person.

Audible sound is comprised of acoustic energy over a range of frequencies typically from 20 to 20,000 Hz. The human ear does not perceive sound levels at each frequency as equally loud. To compensate for this phenomenon in perception, a frequency filter known as A-weighting (dBA) is used to evaluate environmental noise levels. **Table 2.7-1** presents a list of common outdoor and indoor sound levels.

Table 2.7-1: Common Indoor and Outdoor Sound Levels

Outdoor Sound Levels	Sound Pressure μPa		Sound Level dBA	Indoor Sound Levels
	6,324,555	-	110	Rock Band at 5 m
Jet Over-Flight at 300 m		-	105	
	2,000,000	-	100	Inside New York Subway Train
Gas Lawn Mower at 1 m		-	95	
	632,456	-	90	Food Blender at 1 m
Diesel Truck at 15 m		-	85	
Noisy Urban Area—Daytime	200,000	-	80	Garbage Disposal at 1 m
		-	75	Shouting at 1 m
Gas Lawn Mower at 30 m	63,246	-	70	Vacuum Cleaner at 3 m
Suburban Commercial Area		-	65	Normal Speech at 1 m
	20,000	-	60	
Quiet Urban Area—Daytime		-	55	Quiet Conversation at 1 m
	6,325	-	50	Dishwasher Next Room
Quiet Urban Area—Nighttime		-	45	
	2,000	-	40	Empty Theater or Library
Quiet Suburb—Nighttime		-	35	
	632	-	30	Quiet Bedroom at Night
Quiet Rural Area—Nighttime		-	25	Empty Concert Hall
Rustling Leaves	200	-	20	
		-	15	Broadcast and Recording Studios
	63	-	10	
		-	5	
Reference Pressure Level	20	-	0	Threshold of Hearing

μPA MicroPascals describe pressure. The pressure level is what sound level monitors measure.
dBA A-weighted decibels describe pressure logarithmically with respect to 20 μPa (the reference pressure level).
Source: Highway Noise Fundamentals, Federal Highway Administration, September 1980.

Because sound levels change over time, a variety of sound level metrics can be used to describe environmental noise. The following is a list of sound level descriptors that are used in the noise analysis:

- L_{10} is the sound level which is exceeded for 10 percent of the time during a given time period. Therefore, it represents the higher end of the range of sound levels. The unit is commonly used in the *CEQR Technical Manual* to evaluate acceptable thresholds for noise exposure for new receptors that would be introduced by a proposed project.
- L_{eq} is the energy-average A-weighted sound level. The L_{eq} is a single value that is equivalent in sound energy to the fluctuating levels over a period of time. Therefore, the L_{eq} considers how loud noise events are during the period, how long they last, and how many times they occur. L_{eq} is commonly used to describe environmental noise and relates well to human annoyance. In accordance with the *CEQR Technical Manual*, the L_{eq} sound level is used to assess the potential for significant increases in noise due to a proposed project at existing receptors in the study area.

Assessment Methodology

This noise analysis considers two receptor types when evaluating noise for the proposed project; existing and new receptor(s). The proposed project would introduce new commercial uses including retail and office spaces, which are considered "new receptors." The analysis also considers "existing receptors" which are the current noise-sensitive uses such as commercial and residential properties surrounding the project area. The following describes the results of the noise assessment for these two types of receptors.

2.7-2 Noise Assessment for Existing Receptors

Noise impact at existing nearby sensitive receptors is assessed according to the relative increase between No-Action and With-Action sound levels. Noise impact is assessed according to the increase in the L_{eq} sound level in accordance with the *CEQR Technical Manual*. If mobile or stationary sources associated with the proposed project would increase L_{eq} sound levels by 3 dB or more and absolute levels would exceed 65 dBA L_{eq}, the proposed project would cause a significant adverse impact prior to mitigation. Additionally, if No-Action condition noise levels are 60 dBA L_{eq} or less, a 5-dB increase would be considered a significant adverse noise impact.

Mobile Sources

Since the With-Action scenario would not generate sufficient vehicular traffic to exceed the threshold for a detailed transportation analysis according to Table 16-1 in the *CEQR Technical Manual*, the proposed project would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the proposed project would not cause a significant adverse vehicular noise impact.

Stationary Sources

The proposed project is not anticipated to include any substantial stationary source noise generators, such as unenclosed cooling or ventilation equipment, loudspeaker systems, stationary diesel engines, car washes, or other similar types of uses. The design and specifications for the mechanical equipment, such as heating, ventilation, and air conditioning, are not known at this time. As the proposed project design advances, mechanical equipment will be selected that incorporates sufficient noise reduction to comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code. This will ensure that mechanical equipment does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources. Therefore, the proposed project would not introduce a stationary noise source which could result in significant adverse noise.

2.7-3 Noise Assessment for New Receptors

With-Action noise conditions at new sensitive receptors that would be introduced by the proposed project are evaluated according to absolute exterior sound level. The noise exposure guidelines for acceptable ambient conditions depend on the type of land use; for residential buildings, the goal is to maintain interior noise levels of 45 dBA or lower. With-Action exterior sound levels are evaluated to determine if receptors would be in an acceptable ambient sound level environment. It is generally assumed that without specific information on a building's window and wall construction, the outdoor-to-indoor noise reduction of the building is 25 decibels. Therefore, exterior ambient sound levels exceeding 70 dBA (L_{10}) at retail or office receptors during the daytime (7:00 A.M. to 10:00 P.M.) are considered Marginally Unacceptable. Exterior sound levels exceeding 80 dBA (L10) are considered Clearly Unacceptable. If there would be Marginally Unacceptable or Clearly Unacceptable ambient noise conditions, there is a need to provide window/wall sound attenuation that is sufficient to reduce interior sound levels to acceptable levels.

Since the proposed project would introduce retail and office space to the project area, the highest L_{10} sound level is used to evaluate whether the proposed project would introduce new receptors into an acceptable noise environment. The analysis presents the results of ambient noise monitoring that was conducted adjacent to the project area and the assessment of whether new receptors would be in a high ambient noise environment.

Noise Exposure Guidelines

The *CEQR Technical Manual* provides noise exposure guidelines for assessing ambient noise conditions at new residential and commercial receptors, as shown in **Table 2.7-2**.

Table 2.7-2: Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable External Exposure	Marginally Acceptable External Exposure	Marginally Unacceptable External Exposure	Clearly Unacceptable External Exposure
Commercial, or Office	All Times	L10 ≤ 65 dBA	65 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA
Residence	7 AM to 10 PM				
Residence	10 PM to 7 AM	L10 ≤ 55 dBA	55 < L10 ≤ 70 dBA	70 < L10 ≤ 80 dBA	L10 > 80 dBA

Source: Table 19-2, CEQR Technical Manual.

Existing Sound Levels

Noise monitoring was conducted at two sites on Tuesday October 16, 2018 in accordance with the *CEQR Technical Manual*. Noise monitors were placed with a minimum of four feet between the microphone and nearby reflecting surfaces. With

roadway activity dominating the overall noise environment, 20-minute noise measurements were conducted during morning peak periods (8:00 – 9:00 AM), midday period (12:00 – 1:00 PM) and evening peak period (5:00 – 6:00 PM). Measurements were conducted using a Type I sound level meter at ground level.

Table 2.7-3 summarizes the measurement results. The measured L_{eq} levels ranged from 71 dBA to 79 dBA and the L_{10} levels ranged between 75 and 79 dBA.

Table 2.7-3: Ambient Sound Level Measurements

Site	Monitoring Location	Period	Duration	L_{eq}	L_{min}	L_{max}	L_5	L_{10}	L_{50}	L_{90}
1	Broadway	Morning	20 Min	75.4	61.0	86.7	80.6	**78.7**	73.1	67.1
		Midday	20 Min	73.6	61.1	91.4	77.5	**75.8**	70.8	65.6
		Evening	20 Min	71.1	60.8	89.3	76.2	**74.9**	67.8	63.7
2	Canal Street	Morning	20 Min	74.7	62.7	90.8	79.7	**78.1**	71.6	66.4
		Midday	20 Min	74.9	65.3	87.6	80.1	**78.3**	72.5	68.4
		Evening	20 Min	79.4	60.8	95.3	87.3	**79.0**	71.3	65.7

Source: Measurements conducted by VHB on October 16, 2018.

Figure 2.7-1 Noise Monitoring Locations

Acceptability Assessment

The *CEQR Technical Manual* provides noise exposure guidelines for assessing ambient sound levels, as shown in **Table 2.7-2**. Based on these noise exposure guidelines, noise impact has been assessed to determine the level of acceptability for new sensitive receptors at the project area. **Table 2.7-3** summarizes the L_{10} sound levels at each measurement location. The table indicates whether the existing sound levels are considered acceptable per the *CEQR Technical Manual*.

Table 2.7-3: Existing Sound Level Acceptability, dBA

Site	Monitoring Location	Period	L_{10}	Acceptability
1	Broadway	Morning	**78.7**	**Marginally Unacceptable**
		Midday	**75.8**	**Marginally Unacceptable**
		Evening	**74.9**	**Marginally Unacceptable**
2	Canal Street	Morning	**78.1**	**Marginally Unacceptable**
		Midday	**78.3**	**Marginally Unacceptable**
		Evening	**79.0**	**Marginally Unacceptable**

Source: VHB, 2018.

According to the noise exposure guidelines in the *CEQR Technical Manual*, existing L_{10} sound levels are Marginally Unacceptable at each building façade during all measurement periods. The highest measured L_{10} sound level was 79 dBA during the evening peak period on Canal Street. Based on the finding of Marginally Unacceptable sound levels, sufficient outdoor-to-indoor sound attenuation of the window/wall must be specified to provide acceptable sound attenuation from the window/wall materials of the proposed development.

2.7-4 Noise Attenuation Measures

The most common measure for reducing interior noise from ambient sources is to specify sufficient outdoor-to-indoor sound attenuation for the proposed development. As shown in **Table 2.7-4**, the required level of attenuation varies based on the exterior sound levels and type of receptor. Based on a maximum L_{10} sound level of 79 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 30 dBA or more is required to obtain acceptable interior noise conditions in commercial office spaces, as well as alternate means of ventilation such as well-sealed air conditioners, package-terminal air conditioners, or central air conditioning.

Table 2.7-4: Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
With-Action Sound Level	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Attenuation [A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36+(L_{10}-80)$[B] dBA

Note: [A] The above composite window-wall attenuation values are for residential dwellings and community facility development. Commercial office spaces and meeting rooms would be 5 dBA less in each category. All of the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.
Source: New York City Department of Environmental Protection (*CEQR Technical Manual*, Table 19-3)

The composite outdoor-to-indoor transmission classification (OITC) value of the window-wall structure is used to determine the necessary sound attenuation.

At the proposed development, sound attenuation measures would be achieved through new construction materials and techniques with sufficient OITC-rated windows and walls. In order to maintain a closed-window condition, central air-conditioning will be provided to allow for an alternate means of ventilation. The facades of the proposed new building are proposed to be primarily floor-to-ceiling aluminum windows with painted metal panels. Since the facades primarily include window area compared to wall area (metal panels), the windows will achieve a minimum OITC of 30 to achieve the necessary composite window/wall sound attenuation. At the historic building, sound attenuation measures would be achieved through specifying wood windows that would meet requirements determined in coordination with DCP and/or LPC and that would also provide sufficient sound attenuation to achieve a composite window/wall OITC of 30. To maintain a closed-window condition, central air-conditioning will be provided to allow for an alternate means of ventilation.

An E-designation (E-542) would be established as part of the proposed actions to ensure that the proposed actions would not result in significant adverse noise impacts. The E-designation would require the following:

Manhattan Block 231, Lot 1

"In order to ensure an acceptable interior noise environment, future commercial office uses must provide a closed-window condition with a minimum of 30 dB(A) window/wall attenuation on all building facades to maintain an interior noise level of 50 dB(A) for commercial office uses. 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, central air conditioning or air conditioning sleeves containing air conditioners."

2.7-5 Conclusion

A noise assessment was conducted to determine whether the proposed project would significantly increase sound levels from mobile and stationary sources at

existing noise receptors adjacent to the project area, and if new noise receptors that would be introduced by the proposed project would be in an acceptable ambient sound level environment.

As the proposed project does not exceed the detailed transportation analysis thresholds of Table 16-1 in the *CEQR Technical Manual*, it would not result in a doubling of noise passenger car equivalents (PCEs), which would be necessary to cause a 3-dBA increase in noise levels. Therefore, the proposed project would not result in a significant adverse vehicular noise impact.

The proposed project is not anticipated to include any substantial stationary source noise generators. The design and specifications for the proposed new building's mechanical equipment would incorporate sufficient noise reduction devices that would comply with applicable noise regulations and standards, including the standards contained in the revised New York City Noise Control Code.

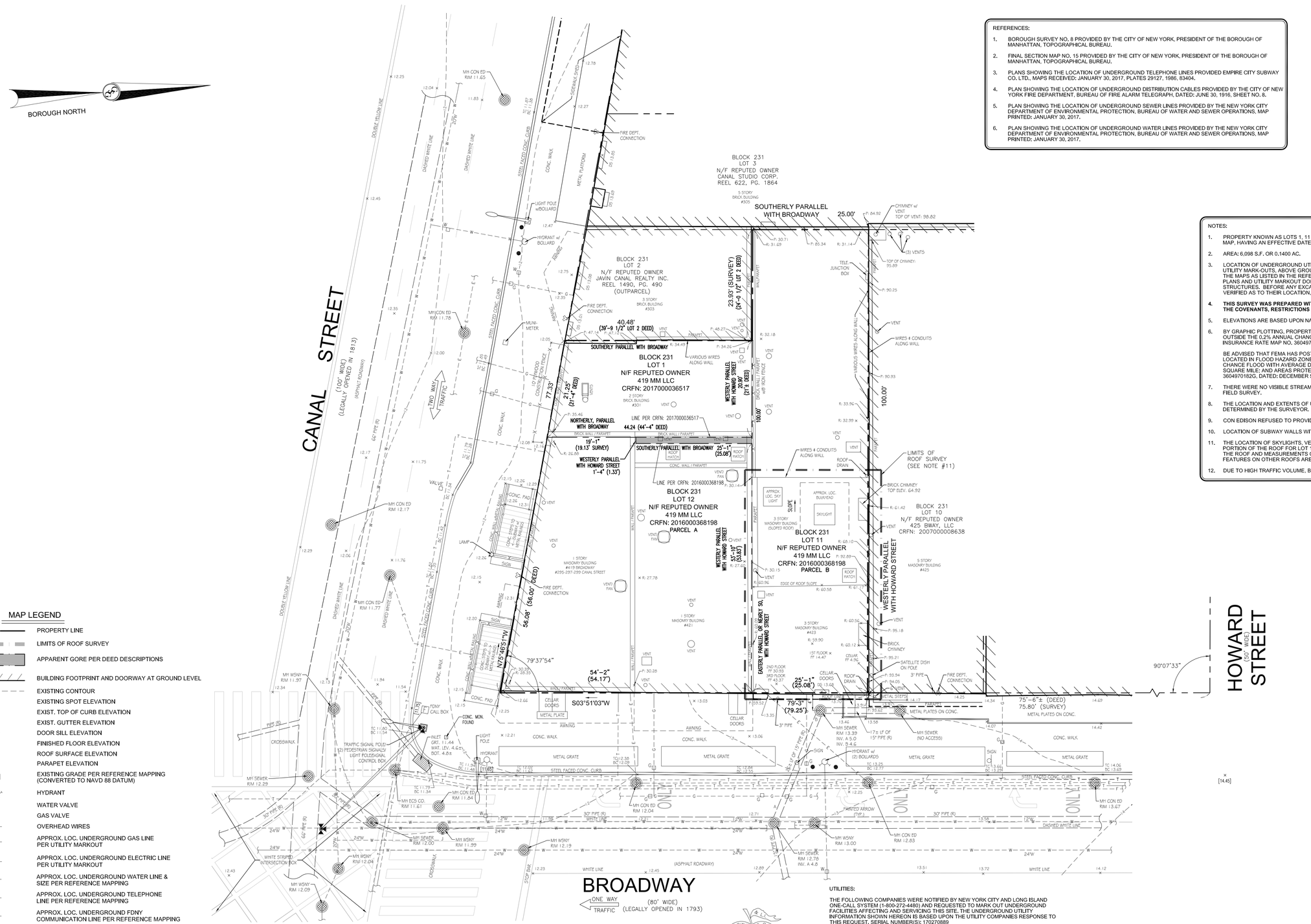
Based on a maximum L_{10} sound level of 79 dBA, a composite outdoor-to-indoor window/wall sound attenuation of 30 dBA or more is required to obtain acceptable interior noise conditions in the project area, as well as alternate means of ventilation.

To implement these attenuation requirements, an E-designation (E-542) commitment would be assigned to the project area.

With these commitments, no significant adverse impacts related to noise are expected and no further analysis is warranted.

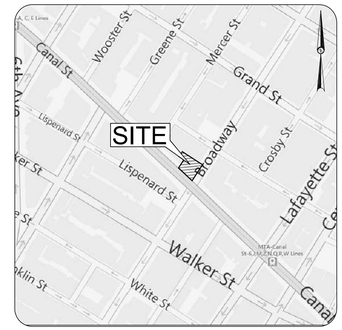
Appendix A: Land Survey

Prepared by Roguski Land Surveying, P.C.



REFERENCES:

1. BOROUGH SURVEY NO. 8 PROVIDED BY THE CITY OF NEW YORK, PRESIDENT OF THE BOROUGH OF MANHATTAN, TOPOGRAPHICAL BUREAU.
2. FINAL SECTION MAP NO. 15 PROVIDED BY THE CITY OF NEW YORK, PRESIDENT OF THE BOROUGH OF MANHATTAN, TOPOGRAPHICAL BUREAU.
3. PLANS SHOWING THE LOCATION OF UNDERGROUND TELEPHONE LINES PROVIDED EMPIRE CITY SUBWAY CO, LTD,. MAPS RECEIVED: JANUARY 30, 2017, PLATES 29127, 1986, 83404.
4. PLAN SHOWING THE LOCATION OF UNDERGROUND DISTRIBUTION CABLES PROVIDED BY THE CITY OF NEW YORK FIRE DEPARTMENT, BUREAU OF FIRE ALARM TELEGRAPH, DATED: JUNE 30, 1916, SHEET NO. 8.
5. PLAN SHOWING THE LOCATION OF UNDERGROUND SEWER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED: JANUARY 30, 2017.
6. PLAN SHOWING THE LOCATION OF UNDERGROUND WATER LINES PROVIDED BY THE NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF WATER AND SEWER OPERATIONS, MAP PRINTED: JANUARY 30, 2017.



VICINITY MAP

NOTES:

1. PROPERTY KNOWN AS LOTS 1, 11 & 12, IN BLOCK 231 AS DESIGNATED ON THE NEW YORK CITY DIGITAL TAX MAP, HAVING AN EFFECTIVE DATE OF JULY 22, 2008.
2. AREA: 6,098 S.F., OR 0.1400 AC.
3. LOCATION OF UNDERGROUND UTILITIES ARE APPROXIMATE. LOCATIONS AND SIZES ARE BASED ON UTILITY MARK-OUTS, ABOVE GROUND STRUCTURES THAT WERE VISIBLE & ACCESSIBLE IN THE FIELD, AND THE MAPS AS LISTED IN THE REFERENCES AVAILABLE AT THE TIME OF THE SURVEY. AVAILABLE ASBUILT PLANS AND UTILITY MARKOUT DOES NOT ENSURE MAPPING OF ALL UNDERGROUND UTILITIES AND STRUCTURES. BEFORE ANY EXCAVATION IS TO BEGIN, ALL UNDERGROUND UTILITIES SHOULD BE VERIFIED AS TO THEIR LOCATION, SIZE AND TYPE BY THE PROPER UTILITY COMPANIES.
4. **THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT REPORT AND IS SUBJECT TO THE COVENANTS, RESTRICTIONS AND EASEMENTS THAT MAY BE CONTAINED THEREIN.**
5. ELEVATIONS ARE BASED UPON NAVD 88 DATUM.
6. BY GRAPHIC PLOTTING, PROPERTY IS LOCATED IN FLOOD HAZARD ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) PER NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NO. 3604970182F, MAP REVISED: SEPTEMBER 5, 2007.

   BE ADVISED THAT FEMA HAS POSTED A PRELIMINARY MAP FOR THIS AREA AND SHOWS THE PROPERTY LOCATED IN FLOOD HAZARD ZONE X (AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) MAP NUMBER 3604970182G, DATED: DECEMBER 5, 2013.
7. THERE WERE NO VISIBLE STREAMS OR NATURAL WATER COURSES IN THE PROPERTY AT THE TIME OF FIELD SURVEY.
8. THE LOCATION AND EXTENTS OF UNDERGROUND TANKS AND VAULTS, IF ANY EXIST, HAVE NOT BEEN DETERMINED BY THE SURVEYOR.
9. CON EDISON REFUSED TO PROVIDE UNDERGROUND GAS AND ELECTRIC MAPPING FOR THIS PROJECT.
10. LOCATION OF SUBWAY WALLS WITHIN BROADWAY AND CANAL STREET HAVE NOT BEEN SHOWN.
11. THE LOCATION OF SKYLIGHTS, VENTS, BULKHEADS, HATCHES, ETC. WERE LIMITED TO THE SLOPED PORTION OF THE ROOF FOR LOT 11. THE LOCATIONS ARE APPROXIMATE DUE TO THE STEEP SLOPE OF THE ROOF AND MEASUREMENTS COULD NOT BE OBTAINED. LOCATIONS OF VENTS AND MECHANICAL FEATURES ON OTHER ROOFS ARE APPROXIMATE AND FOR ILLUSTRATIVE PURPOSES ONLY.
12. DUE TO HIGH TRAFFIC VOLUME, BROADWAY & CANAL STREET SEWER INVERTS WERE NOT OBTAINABLE.

MAP LEGEND

- PROPERTY LINE
- LIMITS OF ROOF SURVEY
- APPARENT GORE PER DEED DESCRIPTIONS
- BUILDING FOOTPRINT AND DOORWAY AT GROUND LEVEL
- EXISTING CONTOUR
- x 12.34 EXISTING SPOT ELEVATION
- x TC 12.34 EXIST. TOP OF CURB ELEVATION
- x BC 12.34 EXIST. GUTTER ELEVATION
- x DS 12.34 DOOR SILL ELEVATION
- x FF 12.34 FINISHED FLOOR ELEVATION
- x R: 60.12 ROOF SURFACE ELEVATION
- x P: 95.18 PARAPET ELEVATION
- x [11.65] EXISTING GRADE PER REFERENCE MAPPING (CONVERTED TO NAVD 88 DATUM)
- HYDRANT
- W WATER VALVE
- G GAS VALVE
- OH OVERHEAD WIRES
- G APPROX. LOC. UNDERGROUND GAS LINE PER UTILITY MARKOUT
- E APPROX. LOC. UNDERGROUND ELECTRIC LINE PER UTILITY MARKOUT
- 24"W W APPROX. LOC. UNDERGROUND WATER LINE & SIZE PER REFERENCE MAPPING
- T APPROX. LOC. UNDERGROUND TELEPHONE LINE PER REFERENCE MAPPING
- F APPROX. LOC. UNDERGROUND FDNY COMMUNICATION LINE PER REFERENCE MAPPING
- MANHOLE
- INLET
- LIGHT POLE
- BOLLARD
- SIGN

UTILITIES:

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(IN FEET)
1 inch = 10 ft.

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BOUNDARY & TOPOGRAPHIC SURVEY

LOTS 1, 11 & 12, BLOCK 231

419-423 BROADWAY & 295-301 CANAL STREET
BOROUGH OF MANHATTAN
CITY, COUNTY & STATE OF NEW YORK

GALLAS SURVEYING GROUP
2865 U.S. ROUTE 1
NORTH BRUNSWICK, NJ 08902
TELE: 732-422-6700
FAX: 732-940-8786
www.gallassurvey.com

DATE	SCALE	DRAWN:	CHECKED:
02-17-2017	1"=10'	E.C.R.	D.A.H.
FIELD DATE	FIELD BOOK	PAGE	FIELD CREW
02-06-2017	72	38	M.C./J.V.
FILE NO.: G17011		DRAWING NAME/SHEET NO. G17011.DWG	1 OF 1

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GREGORY S. GALLAS
NEW YORK PROFESSIONAL LAND SURVEYOR #50124

DATE

Appendix B: Archaeological Documentary Study (Phase 1A) and Agency Correspondence

419 Broadway

PREPARED FOR

419 MM LLC
430 Broadway
New York, NY, 10012
212.431.7500

PREPARED BY

VHB Engineering, Surveying, Landscape Architecture, and Geology, P.C.
1 Penn Plaza
Suite 715
New York, NY 10119
212.857.7368

August 2018

Project Summary

SHPO Project Review Number: N/A

Involved Local, State and Federal Agencies: New York City Landmarks Preservation Commission (LPC), New York City Department of City Planning

Phase of Survey: Phase 1A Documentary Study

Survey Area (English & Metric)

Number of Acres Surveyed: 0.14 acre (0.06 hectare)

- Number of Square Meters and Feet Excavated: None
- Percentage of Site Excavated: N/A

USGS 7.5 Minute Quadrangle Maps: *Jersey City, New Jersey*, 1981

Results of Archaeological Assessment

Number & Name of Archaeological Sites identified: None

Number & Name of Historic Sites identified: None

Number & Name of Sites Recommended for Phase II/Avoidance: None

Recommendations: Due to more than a century of disturbance at the site, no further archaeological investigations are recommended

Report Author(s): Allison McGovern, PhD (RPA 16468)

Date of Report: August 10, 2018

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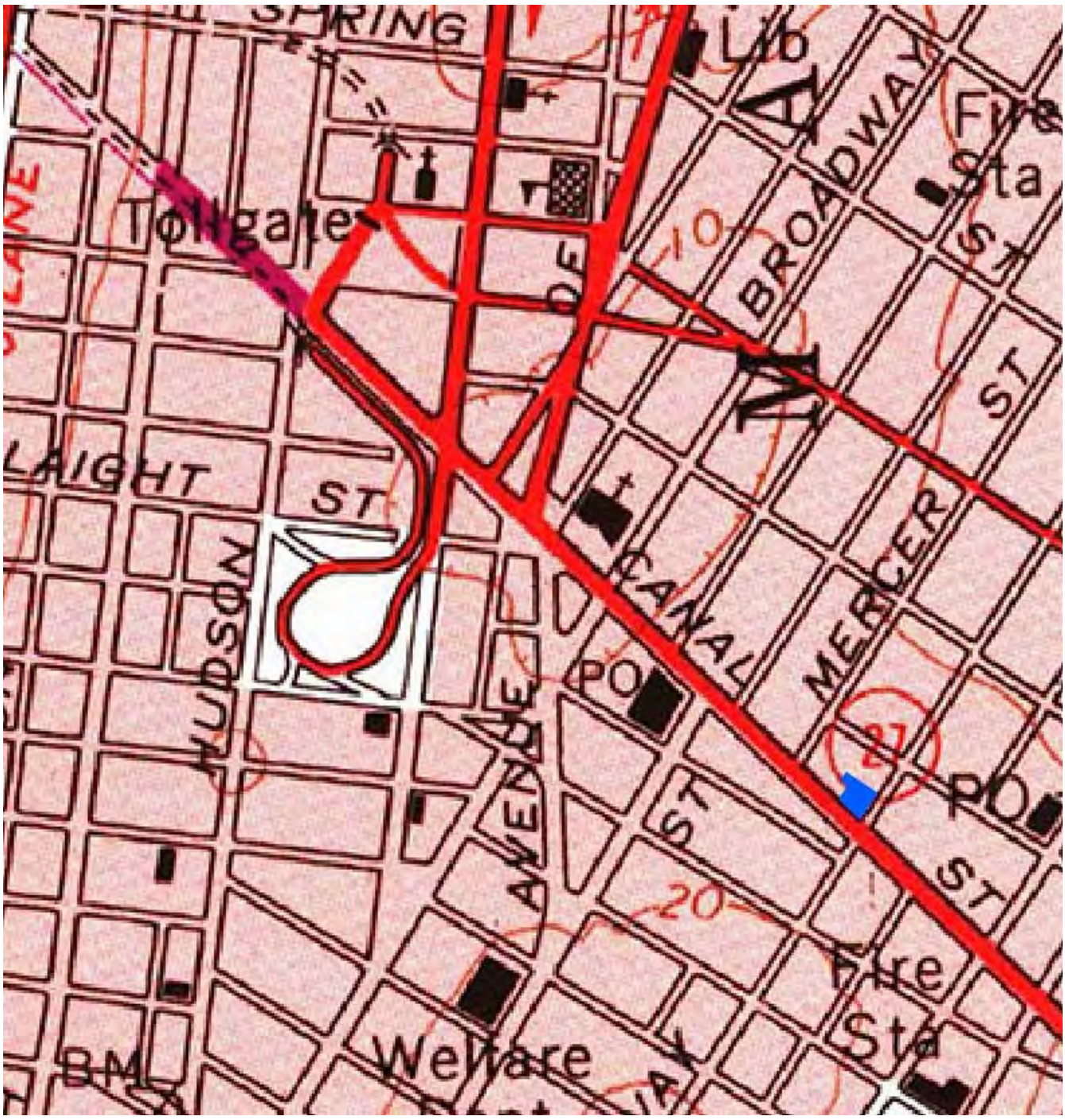
1

Introduction

VHB Engineering, Surveying, Landscape Architecture, and Geology P.C. (VHB), New York, New York, has prepared this Phase IA Archaeological Documentary Study report in accordance with the City Environmental Quality Review (CEQR) process for applications to the Department of City Planning ("DCP") on behalf of the City Planning Commission by UAL, ("the Applicant") for the property at 419 Broadway (Block 231, Lot 1), Manhattan, New York.

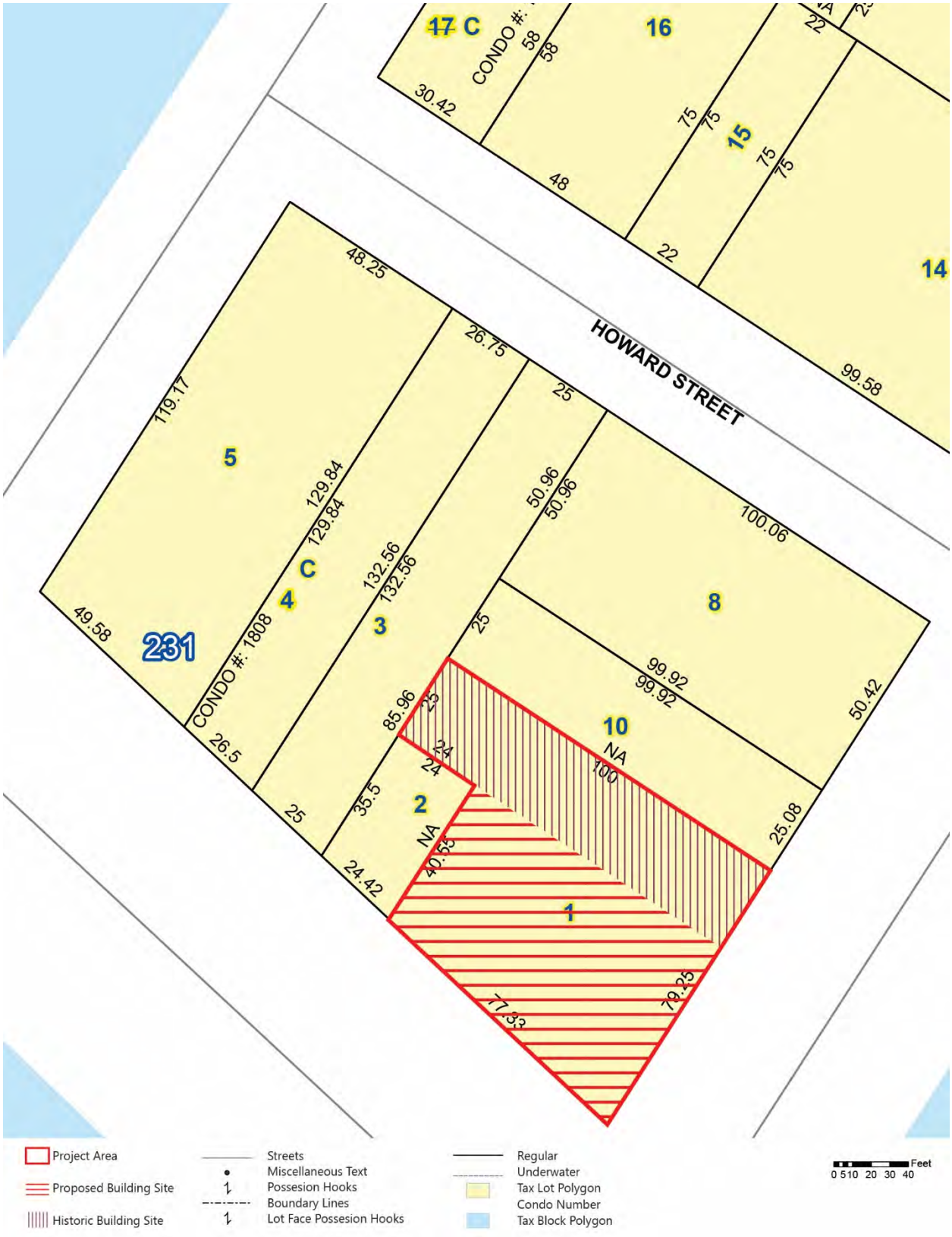
The Project Area is located at the northwest corner of Broadway and Canal Street in the SoHo neighborhood of Manhattan, Community District 2 (Figures 1 and 2). Three buildings are located within the 0.14-acre parcel: 301 Canal Street, 419-421 Broadway, and 423 Broadway. The Project Area is within the National Register ("NR") listed (90NR00770) and Landmarks Preservation Commission ("LPC") Designated (LPC-00768) SOHO Cast Iron Historic District and contains one building that is listed as contributing to the NR-listed district (USN 06101.003371). The Project Area is opposite Broadway from the LPC-designated SoHo Cast Iron Historic District Extension and is opposite Canal Street from the LPC-designated TriBeCa East Historic District. The proposed project would demolish two non-contributing buildings in the Project Area (on former tax lots 1 and 12, "the Development Site") and develop a new commercial building ("the Proposed Building") with convenience openings to the contributing building at 423 Broadway (the "Historic Building").

Figure 1: 1981 USGS Topographic Map, Jersey City, New Jersey (1:24,000)



7.5-minute USGS series showing the location of the Project Area in blue.

Figure 2: Tax Map Showing Location of the Project Area



According to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resources Information System (CRIS), the development site is within an Archaeological Sensitive Area. Consistent with the *CEQR Technical Manual*, VHB prepared a Request for Environmental Review to the NYC Landmarks Preservation Commission (LPC) on May 3, 2018 for the proposed project. In a response letter dated May 16, 2018, LPC noted that based on their review of archaeological sensitivity models, reports, and historic maps, there is potential for the recovery of remains from 18th & 19th occupation on the Project Area. LPC recommended "that an archaeological documentary study (Phase 1A) be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary."

The goals of this study are to research the archaeological sensitivity of the development site, and to determine the extent of historic-period and modern-era disturbances within the Project Area. The study was performed in accordance with the *CEQR Technical Manual* (2014), the LPC Guidelines for Archaeological Work in New York City (2002), the guidelines outlined in the Standards for Cultural Resource Investigations and the Curation of Archaeological Collections issued by the New York Archaeological Council (1995) and the Phase I Archaeological Report Format Requirements issued by the New York State Office of Parks, Recreation, and Historic Preservation (2005).

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Project Description

The Project Area is comprised of Block 231, Lot 1 (formerly Lots 1, 11, and 12, which were merged in November 2017) at the northwest corner of the intersection between Broadway and Canal Street in the SoHo neighborhood of Manhattan. As previously mentioned, the Project Area is within the National Register listed (90NR00770) and LPC Designated (LPC-00768) SoHo Cast Iron Historic District.

The Project Area includes three buildings, one of which (423 Broadway) is listed with the OPRHP and LPC as contributing to the National/State Register ("N/SR") and LPC listed SoHo Cast Iron Historic District. The restoration of this building is incorporated in the proposed project.

The applicant is proposing to demolish the buildings on former lots 1 and 12 ("the development site") to allow for construction of an 8-story building with ground floor retail and office lobby use and office space above. The proposed project would require a CPC Special Permit pursuant to ZR 74-711 to modify the initial setback and maximum permitted height requirements. The Historic Building (on former lot 11) was constructed in 1823 as a residential home with ground floor retail and is in the Federal style, will be preserved and restored pursuant to the mechanism established by the 74-711 special permit. Photographs representative of current conditions at the Project Area are shown in Figure 3 and Photo 1 through Photo 6.

Figure 3: Photograph Location Map

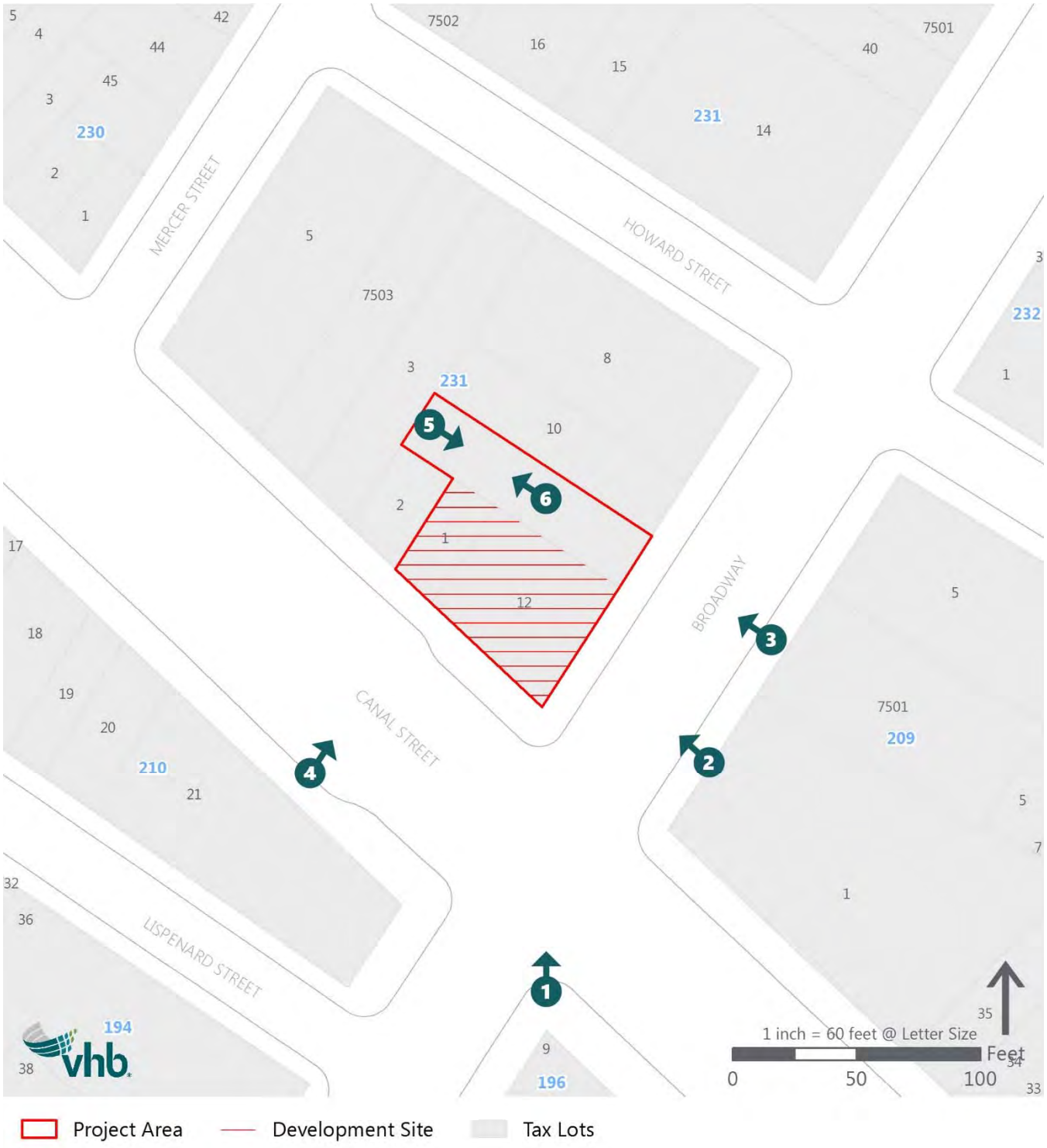


Photo 1 **Looking North from the Southeast Corner of Broadway and Canal Street Towards the Project Area**

Photo 2 **Looking West at Extant Buildings at 419-421 Broadway**

Photo 3 View of Historic Building at 423 Broadway

Photo 4 **Northeast view of 301 Canal Street**

Photo 5 Southwest View of the Rooftop at 423 Broadway

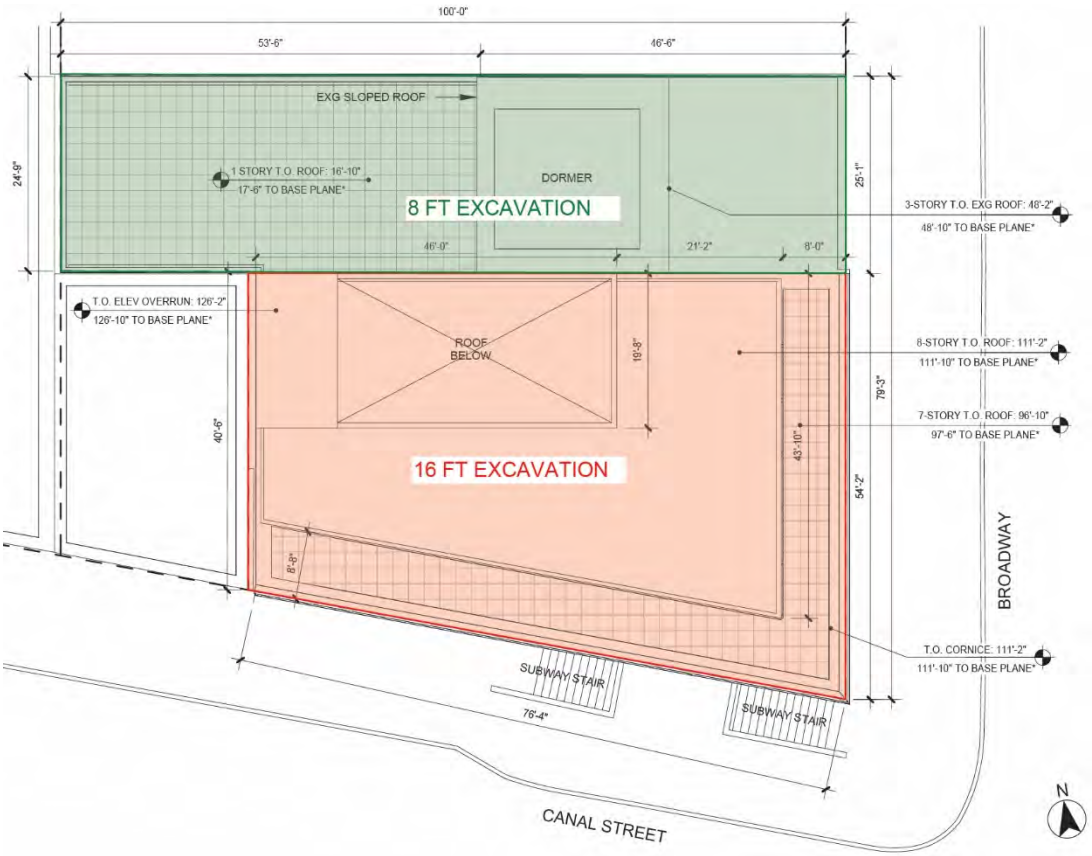
Photo 6 Looking Southeast at the Roof of 423 Broadway

As currently designed, the proposed building would rise to a height of 111'2" without setback and contain approximately 30,359 zoning square feet ("zsf") including floor area in the Restored Building. Ground floors and cellars in both the proposed building and the restored building are proposed to be occupied by UG 6 retail and accessory office uses. Upper floors will be occupied by UG 6 office use as-of-right. Internal access would be provided between the Proposed Building and the Historic Building at all four levels, including the cellar. The project would result in a total of 38,705 gsf and have a maximum height, including bulkhead, of 125'2".

On December 12, 2017 at the Public Meeting, the LPC voted to approve a proposal to modify the interior structure, construct a dormer at the rear sloped roof, excavate the cellar floor, and alter the fire escapes at the subject premises, as put forward in an application completed on November 15, 2017 (Appendix A). A Certificate of Appropriateness for the proposed project was subsequently issued on February 20, 2018 (Appendix B).

Currently, the basement of 423 Broadway extends to roughly 8 feet below ground surface ("bgs"). As proposed, the project would involve ground disturbance to approximately 16 feet bgs for the proposed new building on former lots 1 and 12, as well as 8 feet below the basement of the existing building that is to be restored on former Lot 11 at 423 Broadway, as shown in Figure 4.

Figure 4: Concept Excavation Diagram Showing Proposed Depths of Disturbance



Source: Morris Adjmi Architects

3

Research Design

A Phase I archaeological survey typically involves archival research (reconnaissance, or Phase IA) and archaeological testing (intensive, or Phase IB). Initial consultation with LPC resulted in a review letter issued by LPC on May 16, 2018 noting that the Project Area is potentially sensitive for the remains of 18th and 19th century sites and that a Phase IA Documentary Study is warranted.

According to LPC guidelines, the Phase 1A documentary study must:

- Document the site's use and occupation
- Assess whether the site has been so disturbed in the past that it no longer has potential for intact archaeological remains to be present
- Assess the probability that potential archeological resources will be disturbed by the proposed project
- Explain why further archaeological work should or should not be required

In order to accomplish this, this documentary study includes a review of data from a variety of digital and archival repositories for relevant information, including archaeological site forms and archaeological surveys conducted near the Project Area; archival research to determine the range of potential archaeological sites that may exist within the Project Area; a summary of the specific land use history for the Project Area that focuses on the physical integrity of potential archaeological resources and the impact of previous disturbance to the archaeological record; a brief sketch of the area history and how the specific history of the Project Area fits within that general historical context; and evidence of historic and existing ground disturbance.

A variety of published and unpublished materials was reviewed for this study, including historic maps and photographs, local histories, building records, and secondary historical accounts. In addition to historic/archival research, VHB consulted resources on soils, geology, hazardous materials, and soil borings to describe evidence of historic and recent-period disturbance at the site (e.g., CBRE 2017). VHB conducted research at the repositories noted in Table 1.

Table 1: Archival Research and Repositories

Source Repository	Information Obtained
New York City Department of Buildings, Building Information System and Records Department	Jobs and Actions, Lots 1, 11, and 12, 1905-Present, microfilm records and approved drawings
New York City Department of Environmental Protection, Manhattan Water and Sewer Office	Water Tap Cards for years 1937, 1938, 1961, 1966, 1972, 1978, 1986, 2000, and 2002 Sewer connection records not available for the project parcels
New York City Department of Finance, City Register	Property Conveyance Books Property Deed, 1767-1956
New York City Department of Records, Municipal Archives	Property Cards, Lots 1, 11 and 12
New York City Landmarks Preservation Commission	Archaeological reports, historic photographs
New York County Office of the Register, Deeds and Conveyances	Conveyance records, 1, 11 and 12
New York State Office of Parks, Recreation and Historic Preservation, Cultural Resource Information System	Archaeological report and archaeological form records
New York Public Library, Pincus and Princess Fayal Map Division	Historic maps, 1776-1921
New York Public Library, Microforms Section	City Directories, 1893-1898 Reverse Phone Directories, 1929, 1935, and 1940
New York Historical Society	Historic photographs
Museum of the City of New York	Historic photographs
Metropolitan Museum of Art	Historic photographs
NYCityMap	1926 and 1951 aerial photographs
U.S. Library of Congress	Historic maps, 1800-1896
Historic Map Works	Historic maps, 1890
USGS Map Locator	Topographic maps
Web Soil Survey	Soil map

4

Environmental Setting

The Project Area, comprised of three lots measuring roughly 0.14 acres, lies in lower Manhattan, a densely-settled urban landscape comprising, residential, retail, and commercial office properties. Topography of the area is gently sloping, but the Project Area surface is relatively level with an average elevation of 18 feet (5.4 meters) above mean sea level (Figure 1). There are no surface forms of fresh water within or adjacent to the Project Area. The nearest source of water is the Hudson River, located 0.55 mile (885 meters) to the northwest.

There is generally some disagreement as to the age and classification of Manhattan geology (see Gratacap 1909; Kieran 1982; Schuberth 1968). According to the United States Geological Survey ("USGS"), Manhattan island is situated geologically within the bedrock region known as the Manhattan Prong of the Highlands Province, a portion of the Appalachian Piedmont (US DOI 2017). Manhattan is underlaid by metamorphic and sedimentary rock of Late Precambrian and Early Paleozoic age. The most recent geological strata, the Manhattan Schist, serves as an anchor for Manhattan architecture in most sections of the city (Kieran 1982; Taterka 1987). During the Wisconsin period (the last glacial period) of the Pleistocene, a mantling of glacial drift was deposited over the older bedrock. This left gravel and boulders deposited around 15,000 years ago, along with deposits of both unsorted till (a clay matrix with boulder to pebble-sized rocks intermixed), and sorted and stratified sand and gravel (the result of glacial outwash). Glacial till fills the valley between Washington Street and Chambers Street, where bedrock is so far below the surface that it cannot support the foundation of modern skyscrapers. In fact, according to Kieran:

> This is also the explanation of the famous Canal Street that bisects the area. All through the colonial period this was a region of tidal flats, marshes and river inlets. There were

> times when the tides ran so high that the waters of the Hudson and the East River reached through these marshes to meet and mingle and make two islands out of Manhattan instead of one. It was to remedy this nuisance that a canal across the island was opened in 1809 with tree-lined roadways on each side and numerous bridges for north and south traffic. However, the canal became Canal Street a few years later when the waterway was bricked over and its function changed to that of a sewer" (1982:23).

Soils in the Project Area consist of Urban land, tidal marsh substratum (UmA), 0-3% slopes. Urban land, which is commonly found in dense, urban areas, is characterized by soils that have been heavily disturbed by anthropogenic activities. In the case of the Project Area, the Urban land soils likely represent filling of the marshy, low-lying areas in the 18th century, and subsequent development in the 19th and 20th centuries. The representative profiles for Urban land, which correspond with data from soil borings taken in 2017 (see Boring Plan – Subsurface Investigation prepared by Soil Mechanics Drilling Corporation in Appendix A) are presented in Table 2.

Table 2: Mapped Soils Within the Project Area

Name	Soil Horizon Depth	Color	Texture	Slope %
Urban land, tidal marsh substratum	0-6 inches (0-15 cm)	N/A	Cemented material	0-3
	6-20 inches (15-50 cm)	N/A	Cemented material	
	20-79 inches (50 cm-2 m)	N/A	Very sandy gravel	

5

Existing Conditions

There is no vegetation visible within the Project Area. All portions of the Project Area appear to be occupied to the lot lines by existing buildings (Photographs 1-6) with basements. The Historic Building at 423 Broadway (former Lot 11), which will be restored, currently has a basement level that extends 8 feet (2.4 meters) bgs. The building at 301 Canal Street also has a basement that is excavated to 7 feet (2 meters) bgs. The buildings located at 419-421 Broadway (Lot 12) are single-story structures with a basement, constructed around 1955 (see Boring Plan – Subsurface Investigation prepared by Soil Mechanics Drilling Corporation in Appendix A). In addition to these structures, there is an entrance for the Canal Street MTA Subway Station along Canal Street, parallel to the building at 419 Broadway (Photograph 1).

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Archaeological Site File Search

Consultation with the NYC LPC and the NYS CRIS indicates that the project lies within an Area of Archaeological Sensitivity. Nine archaeological sites and one New York State Museum area (NYSM 4059) have been documented within a half-mile radius of the Project Area and 14 archaeological survey reports have been completed and filed with the OPRHP and/or LPC, as shown in Table 3.

Table 3: Archaeological Sites Identified Within 0.5-miles (0.8-kilometers) of the Project Area

Site Identifier	Site Name	Period/ Cultural Affiliation	Description	References
NYSM 4059; ACP NYRK 9	Shell Point	Pre-contact	Village, shell middens.	(Parker 1920)
06101.007671	576 Broome Street	Historic/Euro-American?	Backyard of 576 Broome Street (Block 578 Lot 79), a four-story brick building; privy excavation	(Frissell, Clark, and Wall 1997)
06101.017265	Spring Street Presbyterian Church Cemetery/Vaults	Historic with human remains	Human burials associated with the Spring Street Presbyterian Church	URS Corp (Mooney, Morin, Wiencek and White 2008)
06101.001285	Washington Street Urban Renewal site	19th century	1826 Foundry and historic land fill	

Site Identifier	Site Name	Period/ Cultural Affiliation	Description	References
06101.018564	St. Philip Cemetery	19th century with human remains	Partially mortared stone and brick retaining wall; human remains uncovered; this was the former site of the St. Philips Cemetery (c.1795-1853).	Historical Perspectives, Inc. (HPI 2006)
06101.016117	Columbus Park Pavilion cistern	19th century	Cistern excavation and monitoring	Chrysalis Archaeology (Loorya and Ricciardi 2007)
06101.012569	Worth Street Historic Site	19th century	Foundation remains of Broadway Tabernacle Church, foundation remains of late 19th century building, truncated mid-19th century well	URS Corps (Morin 2003)
06101.013335	Tweed Courthouse Area	Historic with human remains	Burials, structures, and other deposits.	Hartgen Archaeological Associates (Raemsch 2003)
06101.006980	African Burial Ground	Historic/African American with human remains	A portion of an 18th century cemetery with unmarked graves for free and captive Africans and African Americans.	John Milner Associates (Perry, Howson, and Bianco 2006)
06101.006981	Five Points Archaeology area	Historic/Irish, African American	Archaeological remains of 19th century Five Points neighborhood	John Milner Associates (Yamin *et al.* 2000)

The archaeological sensitivity of the area is based on documentary and archaeological evidence for 18th and 19th century settlements and burial locations that have been identified south of Worth Street (including those associated with the African Burial Ground and the First Almshouse [Raemsch 2003]). The African Burial Ground and the Commons Historic District was designated by LPC in 1991 due to its archaeological sensitivity. The northern boundary of this archaeological district extends to Duane Street and Pearl Street between Broadway and Centre Street, roughly six blocks south of the Project Area.

The Project Area is within the NR-listed (90NR00770) and LPC Designated (LPC-00768) SoHo Cast Iron Historic District. The SoHo Cast Iron Historic District is historically significant for its contribution to residential and commercial history, and its architecture. This district comprises roughly 500 buildings within 28 blocks bounded by Broadway, West Broadway, Canal, Howard, Crosby, East Houston and West Houston Streets. According to the NR nomination form, this district has "the largest concentration of full and partial cast-iron facades anywhere in the world" (LPC 1973). These buildings mostly date to between 1860 and 1890, and exhibit an ornate style of decoration in Italianate, Renaissance Revival, French Second Empire, Queen Anne, and Romanesque styles that, through the use of cast-iron, were less expensive to produce than in stone. As mentioned earlier, the Project Area includes one building listed with the OPRHP and LPC as a building contributing to the N/SR and LPC listed SoHo Cast Iron Historic District, 423 Broadway.

7

Prehistoric Sensitivity

Prehistoric cultural sequences represented in New York comprise the three major archaeological time periods known as the Paleoindian (c. 13,500-10,000 years Before Present, or B.P.), Archaic (10,000-3,000 years B.P.), and Woodland (3,000-350 years B.P.). Overall, these generalized cultural sequences, with minor localized subdivisions (e.g., Early Archaic, Late Woodland), conform well to the wider settlement and site patterns observed throughout the Mid-Atlantic and Northeast regions of eastern North America.

The results of more than twenty years of archaeological studies in New York and the southern New England region suggests that the locations of pre-contact archaeological sites appear to be strongly influenced by the proximity of navigable bodies of water (e.g., streams, rivers, bays), natural sources of fresh drinking water (e.g., springs, seeps), elevated landforms, and lithic outcrops (sources of raw material for the manufacture of stone tools). Typically, pre-contact archaeological deposits encountered on landforms associated with larger water bodies like rivers or bays, contain a greater diversity of artifact assemblages, subsurface features, and overall dimensions. Sites located away from water sources are typically considered to be short-term resource procurement zones. These are considered logistically mobile sites where a limited range of activities were performed, such as hunting, nut collecting, plant processing, or lithic raw material procurement (i.e. quarries). Archaeological assemblages recovered from these loci frequently contain a low diversity of artefactual remains, due to the short term/specialized use of resource procurement zones.

One pre-contact archaeological site, NYSM area 4059, is documented within a half-mile of the Project Area. This site, a Native American village, was located north of City Hall Park in the location of the former Collect Pond, known to the indigenous peoples as "Klock" (Bolton 1975) and to the Dutch as "Kolch" (small pond or pit-hole). Identified as Shell Point, it likely marks the presence of shell middens that were identified in the area during the early historic period.

Although the NSYM area 4059 is mapped in CRIS across a broad area that includes the Project Area, the boundaries of the site are not substantiated by archaeological investigation. Prior to the arrival of Europeans, the Project Area was a marshy, swampy area prone to flooding from the Hudson and East Rivers. The marshy area may have been an area where hunting took place during the pre-contact area. However, because of the fluctuations in water level, the Project Area is unlikely to contain evidence of pre-contact habitation. As mentioned earlier, 19th century cutting and filling, followed by construction, also impacted the Project Area and vicinity. Based on this understanding, the Project Area has a low potential for the presence of intact soils and archaeological deposits dating to the pre-contact era.

8

Historic Context

Several sources (primary and secondary) were consulted to develop the historic context for the Project Area and surroundings. For instance, trends in development and land use can be discerned by a study of historic-period maps. In combination with deeds and conveyances, these data can shed light on ownership and development. Photography became more widely used beginning in the mid-19th century, offering snapshots of streetscapes and buildings. Together with secondary accounts, these resources provide the pieces for reconstructing past landscapes.

Beginning with the earliest available conveyance records, the Project Area was documented as part of the larger landholdings of Nicholas Bayard, a nephew of Peter Stuyvesant (Table 4).

Table 4: Historic Deeds and Conveyances

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1767	Dirck Lefferts to Leonard and Elsie Lispenhard and Henry and Mary Barclay								
1783	Nicholas Bayard leased to Abraham Mortier								
1788	Nicholas and Stephen Bayard and John Dyckman								

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1792				Nicholas Bayard, Peter Van Livingston, William, Mary and Catharine Beekman, John A. Graham, Henry Ten Eyck, Peter W. Dowe, and Elias Smith	Daniel Ludlow and Brockhust Livingston	Liber 48:191; lots 3, 7 1/2-11			
1808	Joseph and William Blackwell, James G. and Frances E. Forbes, William and Harriet Howell	William and Harriet Howell	Partition deed lots 1, 2, 8, 10, 12 Liber 81:382				Joseph and William Blackwell, James G. and Frances E. Forbes, William and Harriet Howell	William and Harriet Howell	Partition deed lots 1, 2, 8, 10, 12 Liber 81:382
1821				Joseph and William Blackwell	William and Harriet Howell, James Grant and Frances Elizabeth Forbes	Liber 155:199			
1821				William and Harriet Howell	Benjamin Lord	Liber 156:161			
1822	John and Mary Ashfield	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:397				John and Mary Ashfield	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:397
1822	Thomas and Ann Stevenson	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:399				Thomas and Ann Stevenson	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:399
1822	James Kip	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:402				James Kip	Joseph Blackwell	Lots 1, 2, 8-12 Liber 155:402
1822	John J. and Martha Montayne	Joseph Blackwell	Lots 1, 2, 8-12 Liber 157:202				John J. and Martha Montayne	Joseph Blackwell	Lots 1, 2, 8-12 Liber 157:202

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1822	Thomas and Elizabeth Duggan	Joseph Blackwell	Lots 1, 2, 8-12 Liber 157:205				Thomas and Elizabeth Duggan	Joseph Blackwell	Lots 1, 2, 8-12 Liber 157:205
1826	Joseph Blackwell (ex)	Frances Elizabeth Forbes	Lots 1, 2, 10, 11, 12 Liber 203:62	Joseph Blackwell (ex)	Frances Elizabeth Forbes	Lots 1, 2, 10, 11, 12 Liber 203:62	Joseph Blackwell (ex)	Frances Elizabeth Forbes	Lots 1, 2, 10, 11, 12 Liber 203:62
1827	Frances Elizabeth Forbes	Thomas W. Marshall	Lots 1, 2, 12 Liber 213:132				Frances Elizabeth Forbes	Thomas W. Marshall	Lots 1, 2, 12 Liber 213:132
1848				Benjamin Lord, Edward O. West, and Anna Lord	separation agreement	Liber 593:11			
1856				Jacob Smith (heir), John, Levey and Betsey E. Smith	Charles H. Dearborn	Liber 708:678			
1862				Lemuel Goodwin	Lucretia P. Woodman	Lots 10, 11 Liber 1036:147 Asst of Interest			
1865				Albert Varney	Joseph Cushing and Andrew T. Roberts	Liber 917:589			
1866				Joseph A. Vaisin	Peter Schenck	Liber 981:144 Trust Deed			
1867				Elizabeth Ann and Benjamin Berry	Charles W. Woodman	Liber 1008:651 1/99 int.			
1868				Elizabeth Ann and Benjamin Berry	Charles W. Woodman	Liber 1026:500 1/99 int.			
1868				Wentworth, Andrew J. Sr.	James S. Kimball	Liber 1026:503 1/16 int, 1/11 int.			
1868				Amaziah Goodwin (heir), Amy and Hannah Goodwin	Increase S. Kimball	Liber 1036:375 1/9 int, 1/11 int			

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1868				Lydia Jane Morse (heir), Amy Goodwin and Stephen N. Morse	Increase S. Kimball	Liber 1028:601 1/11 int			
1870				Peter Schenck (trustee)	Certificate	Liber 1139:117, Discharge of Mortgage			
1870				Hannah M. (signs only) and Joseph Cushing	Andrew T. Roberts	Liber 1140:457			
1871				Charles H. Dearborn	Thomas W. Marshall	Liber 1127:299			
1871				Joseph and Catherine M. Goodwin	William Emery	Liber 1172:503			
1872				Isaac Wentworh	Jeremiah G. Shaw	Liber 1224:682			
1872				Joanna and William Carter	William Emery	Liber 1224:684			
1873				Mary Staples	Edmund Grant	Liber 1265:514			
1873				Mary Elisabeth Foye (heir), Benjamin Lord and Merrith S. Foye	Charles W. Woodman	Liber 1273:182			
1875				Joanna Bell, William Carter or Emery	Jeremiah G. Shaw	Liber 1321:7			
1875	Ann Marshall, widow; Thomas Marshall, deceased	Mary Louise Van Ness	Quitclaim; Liber 1340:10						
1878				Benjamin Lord (ex of)	Benjamin Lord (ex of)	Liber 1441:418			
1882				Edmund and Mary J. Grant	Jeremiah G. Shaw	Liber 1648:466			

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1883	Ann Marshall (devisee of) Thomas W. Marshall	Mary L. Van Ness	Liber 1727:326				Ann Marshall (devisee of) Thomas W. Marshall	Mary L. Van Ness	Liber 1727:326
1883							Ann Marshall widow and devisee of Thomas W. Marshall	Mary L. Van Ness and Caroline E. Marshall	Liber 1731:399
1883				Abraham Wentworth (ex od)	Jeremiah G. Shaw	Liber 1749:270			
1883				Lydia Goodwin	Harriette Emery	Liber 1749:273			
1886							Caroline E. Marshall and Mary L. Van Ness	Mary L. Van Ness and Caroline E. Marshall	Liber 1996:227
1886							Caroline E. Marshall and Mary L. Van Ness	Ann Marshall	Liber 1996:229
1886							Gilbert N., Edmund C., Albert A., Herbert, and Robert T. Marshall	Mary L. Van Ness and Caroline E. Marshall	Liber 1991:455
1886				John W. Wentworth, heir of Benjamin Lord	Patience McCrillis	Liber 2004:126			
1887							Gilbert N., Edmund C., Albert A., Herbert, and Robert T. Marshall	Mary L. Van Ness and Caroline E. Marshall	Liber 2007:444

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1887				Sophronia A. Witham	Jeremiah G. Shaw	Liber 2022:253			
1887				Nancy and John Perkins	Jeremiah G. Shaw	Liber 2022:255			
1887				Simon Ricker	James P. Jones	Liber 2022:257			
1887				Charles H. and Almon F. Wentworth, Melissa Grant, Isa M. Wentworth, Isaac Grant	Jeremiah G. Shaw	Liber 2022:259			
1887				Joel and Fannie Goodwin	Jeremiah G. Shaw	Liber 2022:262			
1887				William, Alonso, Melisa, and Catharine W. Wentworth	Jeremiah G. Shaw	Liber 2022:264			
1887				Benjamin L. and Sarah A. Staples	Jeremiah G. Shaw	Liber 2022:289			
1887				Christopher Staples	Jeremiah G. Shaw	Liber 2022:291			
1889				Augustus Cruikshank, trustee of Benjamin Lord	Samuel Inslee	Conveyance; Liber 2229:1			
1893							George Putnam Smith (referee), Mary L. Van Ness, Plaintiff, against Mutual Life Insurance Company, et al. Defendents	Samuel Inslee	Conveyances Liber 16:268

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1893							Samuel Inslee	Leon Wasserman	Liber 13:399 Lease
1894	Mary L. Van Ness	E. Wachsman	Liber 23:222 Lease						
1901	Mary L. Van Ness	E. Wachsman	Liber 66:140 Lease						
1901	Mary L. Van Ness	E. Wachsman	Liber 67:100 Lease						
1904	Mary L. Van Ness	Emmanuel Wachsman	Liber 83:189 Lease						
1907	Mary L. Van Ness	Emmanuel Wachsman	Liber 110:279 Lease						
1911	Mary L. Van Ness	Emmanuel Wachsman	Liber 133:336 Lease						
1918	Mary L. Van Ness	Mary K. Marshall , Penelope A. Luttgen	Deed; Liber 3091:398						
1924-31	Mary K. Marshall, P. Agnes, Luttgen	Edward Katz and Louse Wender	Lease; Liber 3411:199						
1927	Beatrice Churchin	Mary K. Marshall (executors)	1/2 interest; Liber 3628:189						
1929	Agnes Madeline Sack	Elmer Marshall Luttgen	RTI of 1; Liber 3740:413						
1943	Beatrice Churchin	Louis Kohn	Liber 4232:33						
1943	Ellmer Marshall Luttgen	Louis Kohn	Liber 4235:320						
1944	Frederick Williams Luttgen	Louis Kohn	Liber 4292:461						

	Former Lot 1			Former Lot 11			Former Lot 12		
Year	Grantor	Grantee	Notes	Grantor	Grantee	Notes	Grantor	Grantee	Notes
1946				Walter B. and Frieda B. Mount, Raymond I. and Eunice O. Mount, Russell T. and Nora S. Mount, and Grace Inslee Hepburn	Weissleder Realty Corp, 270 Bway, NYC	Deed Liber 4439:326			
1946				Weissleder Realty Corp	Samuel Weissleder	Deed Liber 4439:331			
1952				Weissleder Realty Corp	Samuel Weissleder	Correction Deed Liber 4770:140			
1953				Samuel Weissleder	Max Gordon	Deed Liber 4847:427 (1st mortgage)			
1954							Grace Inslee Hepburn	Broadway-Canal Corp	Deed Liber 4885:357
1954							Russell, Raymond, Eunice and Frieda Mount	Broadway-Canal Corp	Deed Liber 4885:381
1955							Broadway-Canal Corp	Gene Kohn (Lawrence, LI), Cynthia Wulwick, Julie Bass	Deed Liber 4944:10 (mortg)
1956				Samuel Weissleder, Max Gordon	Suffern Sportswear, Inc.	Deed Liber 4981:613 (mortg)			
1956				Suffern Sportswear, Inc.	Broadway Canal Co., Gene Kohn	Deed Liber: 4981:615			

The property had passed to Bayard in the late 17th century from his brother-in-law Augustine Herrman, who acquired extensive tracts of land in the 1660s (LPC 1973). The property came to be known as the Bayard Farm in the 18th century and retained its rural

character because of its separation from the core of the city, in lower Manhattan. Frequent flooding of the area near present-day Canal Street caused the farm and nearby territories north of Canal Street to remain outskirts of the city. According to the LPC designation report for the SOHO Historic District, the district lies in part within the western section of the Bayard Farm.

Also of note is the settlement of African men and women, once captive but eventually freed after a period of twenty-year service to the Dutch West Indian Company. Indeed, the historic district was home to the first free black settlement on Manhattan Island (Stokes 1915, LPC 1973). Archival research indicates that Domingo and Marycke Angola, a free black married couple, owned land between Houston Street, Prince Street, Greene Street, and Broadway in 1663. A free black settlement remained in this area for roughly two hundred years, until the character of the area changed from residential to commercial in the 19th century (LPC 1973).

Because the Project Area remained on the outskirts of city-limits until the late 18th century, mid-18th-century plans of the city are among the earliest to include the Project Area. The Ratzer *Plan of the City of New York, in North America: Surveyed in the Years 1766 & 1767* shows the Project Area as part of swampy Lispenard's Meadow surrounded by farmland. As shown in Figure 5, no development is shown within the Project Area.

Figure 5: 1767 Ratzer Plan of the City of New York

In *North America: Surveyed in the Years 1766 & 1767*, the plan shows the Project Area as marshy land. The Project Area is part of extensive farmland that was situated north of the city limits.

The 1797 *A new & accurate plan of the city of New York in the state of New York in North America* shows no change to the Project Area, as shown in Figure 6.

Figure 6: 1797 A New & Accurate Plan for the City of New York in the State of New York in North America

This resource shows Broadway extended north of present-day Canal Street. However, Canal Street is not yet depicted, as the area is still illustrated by swamps and tributaries.

Several Revolutionary War-era fortifications and redoubts were established throughout Manhattan: two were on Mercer Street between Broome and Spring Streets, one stood in the center of the block bounded by Grand, Broome, Mercer and Greene Streets, and one stood between Grand and Broome Streets (Stokes 1915).

Following the war, Nicholas Bayard, III mortgaged his farm. It was later divided into lots near the end of the 18th century, with little development taking place until the first decade of the 19th century (LPC 1973; Table 4). One of the earliest businesses to have operated near the Project Area was Blackwell's Foundry, a cast-iron foundry and sales shop that was established at the corner of Broadway and Canal by 1794. This business is documented within present-day Lot 2 of Block 231, outside the limits of the Project Area.

By 1808, the Project Area was part of a partition deed that comprised of (then) Lots 1, 2, 8, 10, and 12. The Blackwells retained ownership of former Lots 1 and 12 until 1826, when this portion of Blackwell's estate was conveyed to Frances Elizabeth Forbes (Table 4). Meanwhile, the history of Lot 11 followed a slightly different path, as it passed through ownership of the Bayards to Ludlow and Livingston, then Blackwell, followed by Howell and others, until Howell sold the parcel to Benjamin Lord in 1821 (Table 4). It was Lord who built the brick, Federal-style building that stands on former Lot 11 today.

Early 19th-century development of the area was facilitated by the municipal closing of Collect Pond, which was located roughly 0.24-miles (0.39 kilometers) southeast of the Project Area. At the time, the Collect was a health hazard to Manhattan residents. According to the Historic District designation report:

> "the shores of the Collect were strewn with a sluggish sewer of green water and parts of Lispenard's Meadow was a bog that yearly claimed a number of cows. It was also a breeding ground for the mosquitoes that almost every summer spread the dreaded yellow fever plagues. After years of bickering and numerous plans and proposals, Bayard's Hill which stood over one hundred feet above the present grade of Grand Street and the other hills in the vicinity were cut down and used, together with the City's rubbish, to fill in the marshy land" (LPC 1973:5)."

Surface recontouring included filling the stream that ran from the Collect, through Lispenard's Meadow, and fed into the Hudson River. The polluted stream contained sewage and run-off from the tanneries and other manufactories that bordered the Collect. This stream ran parallel to present-day Canal Street. Draining the meadow was a constant project, and in 1805 a ditch was dug along present-day Canal Street to drain the meadow and the Collect (Kadinsky 2016). A c.1886 illustration shown in Figure 7, intended to represent c.1800, shows a stone bridge built over the canal to extend Broadway to the north and a tavern on the corner of Broadway and the canal, across the street from the Project Area.

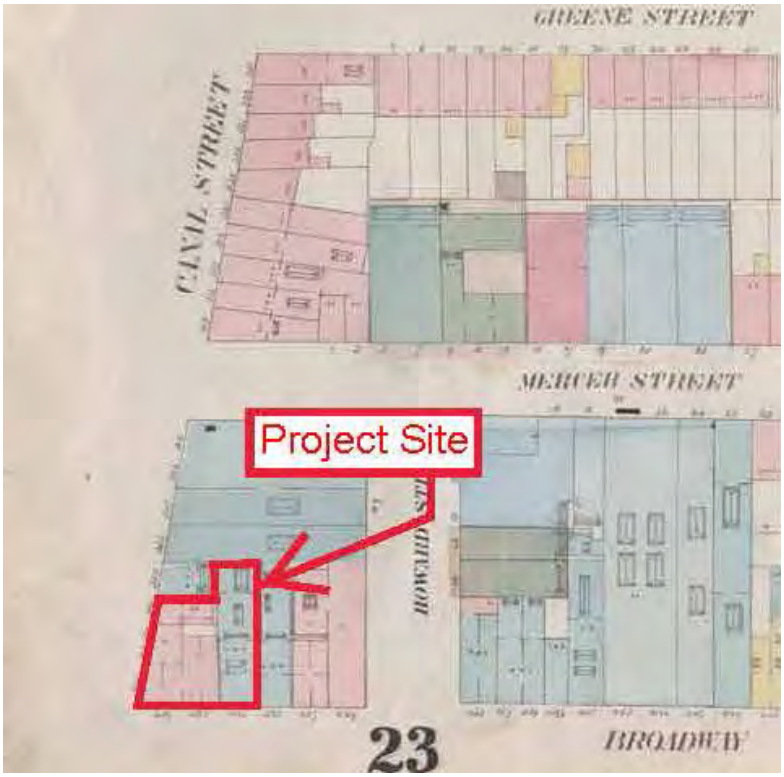
Figure 7: c1886 Illustration of a c. 1800 Stone Bridge over the canal at present-day Canal Street

Broadway was paved and sidewalks constructed from present-day Canal Street to Astor Place in 1809. By 1817, the canal was filled, and from that point on, development of the present-day SOHO Historic District accelerated. Between 1815 and 1850, Broadway north of Houston Street was an affluent and fashionable residential district. Rows of houses in the Federal style were constructed along portions of Canal Street and Spring Street. At this time, the extant house at 423 Broadway was constructed. But by 1850, the character of the district changed from residential to commercial, as brick retail shops were replaced by cast iron, marble and brownstone storefronts (LPC 1973). In addition to stores and warehouses, the area became home to hotels and musical venues, making Broadway between Canal and Houston Streets the "entertainment center of the city" (LPC 1973:6). Fire insurance maps dating to 1854 shown in Figure 8 and 1857 shown in Figure 9 show the Project Area is improved with several buildings.

Figure 8: 1854 Sanborn Fire Insurance Map

Building development is shown within former Lots 1, 11, and 12.

Figure 9: 1857 Fire Insurance Map



Two buildings are shown on former Lot 12 (419-421 Broadway), one building on former Lot 1 (301 Canal Street), and one building on former Lot 11 (423 Broadway).

An 1856 photograph of Broadway at Figure 10 shows three buildings standing in former Lots 11 and 12: the extant building at 423 Broadway (pointed out with an arrow above it) and two, taller buildings at the corner of Broadway and Canal Street.

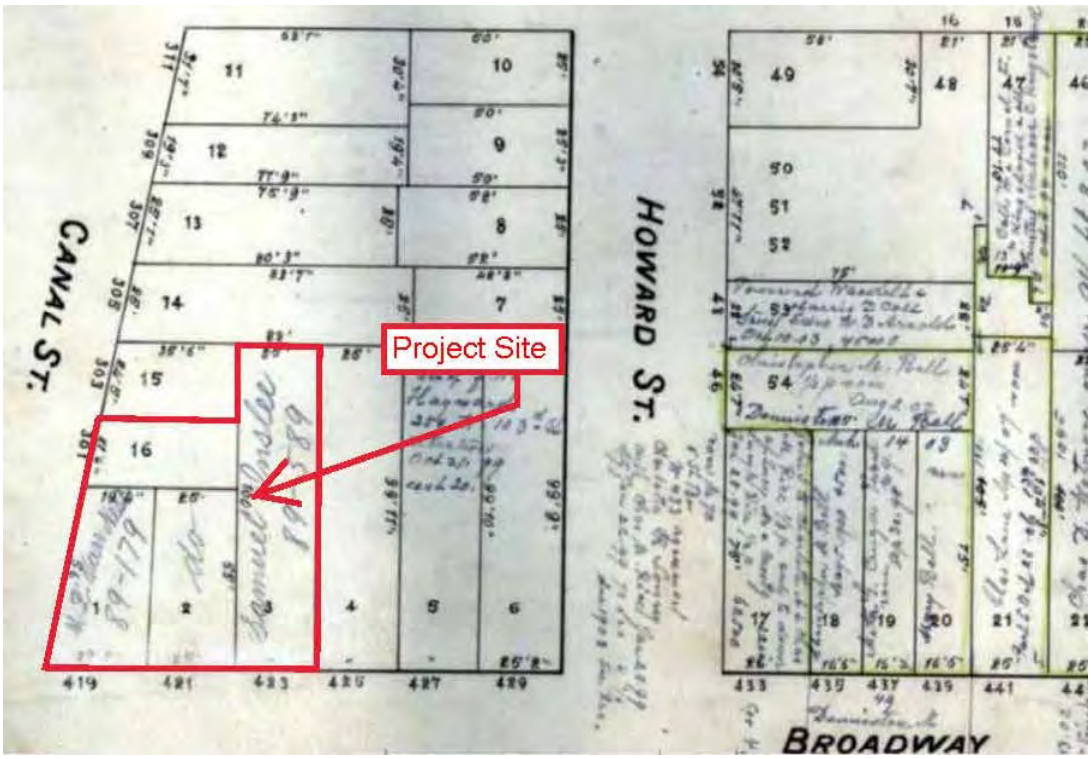
Figure 10: 1856 Photograph from the Metropolitan Museum of Art

Three buildings are shown within the Project Area facing Broadway on former Lots 11 and 12.

The area changed again from entertainment-centered to commercial from 1860 through the 1890s. Large factories and stores were constructed throughout the district to accommodate

the mercantile and dry-goods trade. Lace, silk, and other textiles are some of the specialized commodities manufactured and sold in the area at that time (LPC 1973). However, no change is shown in Lots 11 and 12, as shown in Figure 11 through Figure 13.

Figure 11: Exerpt from c1890 Block Book Vol. 2 Canal to Fourteenth Street



Property ownership is shown within the Project Area.

Figure 12: 1891 Photograph of the Northwest Corner of Canal Street and Broadway

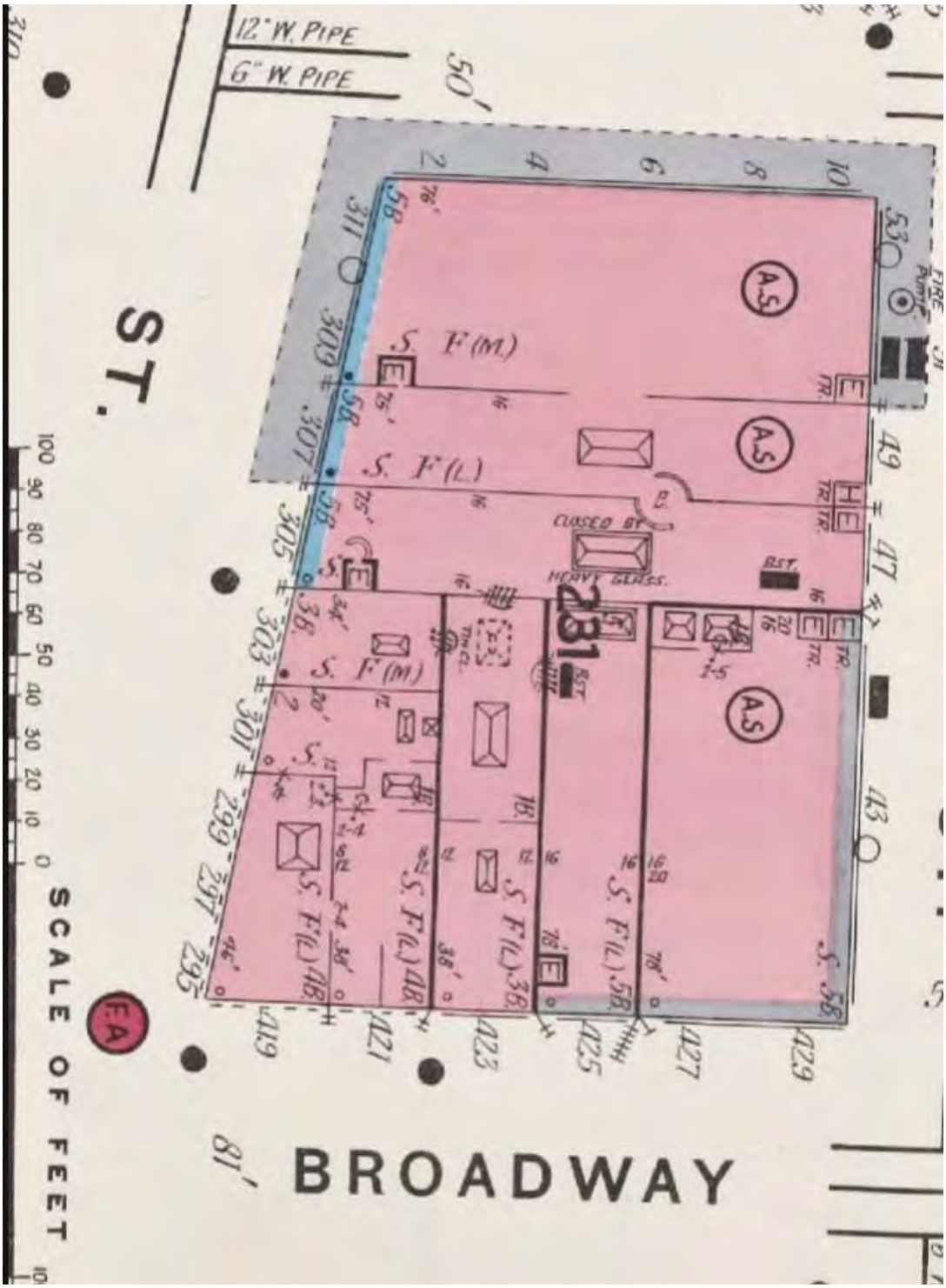
Source: The Museum of the City of New York

Figure 13: 1894 Map

A dwelling is shown at 301 Canal Street, manufacturing at 419-421 Broadway, and light manufacturing at 423 Broadway

The area drew little attention from developers at the turn of the 20th century, and many of the buildings fell into decay. Fire insurance maps from 1903 and 1921 illustrate the Project Area had remained much the same as it had since the mid-19th century, while development occurred in all areas surrounding the Project Area, as shown in Figure 14 through Figure 17.

Figure 14: 1901 Fire Insurance Map



The same structures are shown in the Project Area.

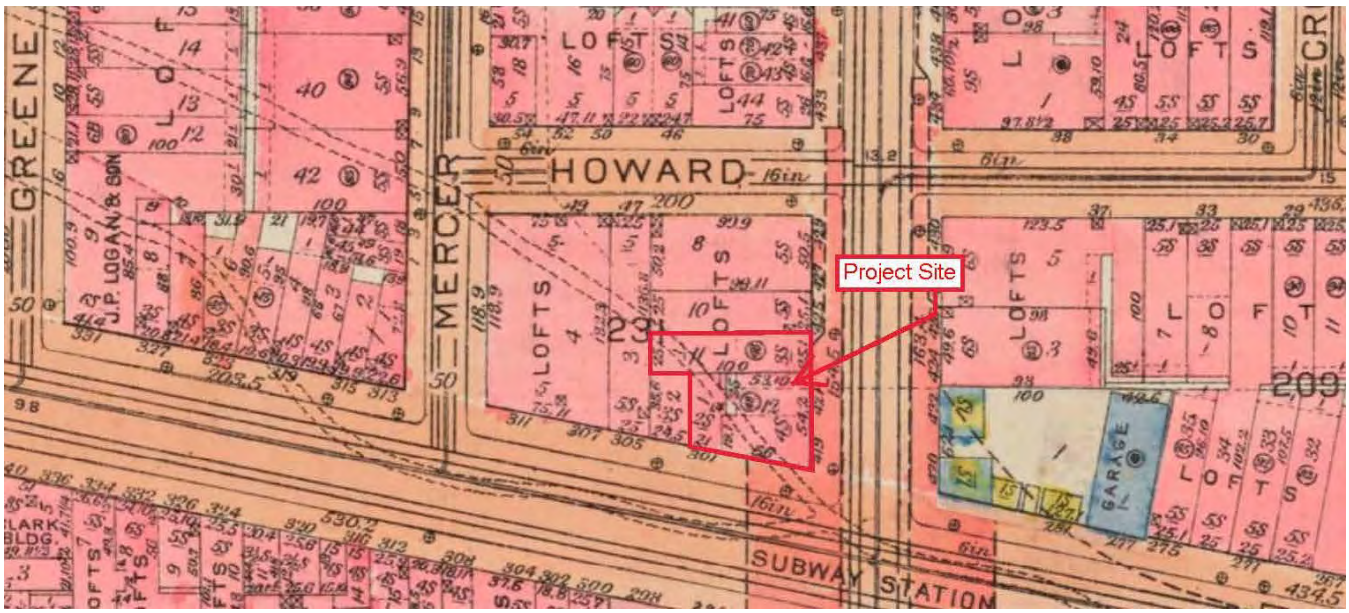
Figure 15: 1910 Photograph

The buildings at 419-421 and 423 Broadway are shown (source: New York Historical Society)

Figure 16: 1914 Photograph

Photograph of the northwest corner of Canal Street and Broadway (source: the New York Historical Society)

Figure 17: 1920 Fire Insurance Map



The development conditions of the site in 1920 are shown

Around the 1950s, the two buildings on Lot 11 were demolished and replaced by the extant, single-story structures at 419-421 Broadway. One of these buildings was a Nedick's restaurant in 1973, as shown in Figure 18 and Figure 19.

Figure 18: 1973 Photograph of 419-421 Broadway

The extant single-story building on former Lot 11 is shown as constructed. Nednick's restaurant occupied the building at 419 Broadway. The Historic Building is shown at right of photograph (source: LPC).

Figure 19: 1973 Photograph of the Historic Building

The three-story Historic Building at 423 Broadway is shown in the center of this 1973 photograph (source: LPC).

By the 1960s, the growing presence of artists in the area once again led to a character change for the neighborhoods, who were interested in the loft space that characterized the upper stories of these 19th-century buildings. This led to zoning changes and city-wide attention to the history and preservation of the SOHO Historic District.

A limited review of historic maps, photographs, conveyances, and historical accounts demonstrates that the SOHO district has undergone extensive landscape transformations from the late 18th to the mid-20th century. However, the Project Area seems to have remained unimproved until around 1822, when the structure at 423 Broadway was built. By 1856, two more buildings had been built on the property that comprise former Lot 11 (419-421 Broadway) and one building on former Lot 1 (301 Canal). In the 1950s, the two buildings on Lot 12 were demolished and replaced with the buildings that currently occupy the lot. Former Lots 1, 11 and 12 were disturbed by building construction by the mid-19th century that covered the entirety of all three lots through the 20th century. Based on this understanding, the Project Area has a low potential for the recovery of intact archaeological deposits dating to the historic period.

9

Results

The area in and around the Project Area was marshy and prone to floods prior to the 19th century, suggesting that the Canal Street area was close to sea level. At times, flooding from both the Hudson and the East Rivers cut directly across Manhattan Island at present-day Canal Street, virtually creating two islands out of one. This was likely the case during the pre-contact era, making the area a likely place for hunting but generally uninhabitable for indigenous peoples. These environmental conditions were exacerbated during the colonial and early historic periods by growing populations around the Collect Pond, as well as the growth of tanneries and other manufactories that polluted the fresh and brackish waterways. By the early 19th century, the meadow and Collect were drained and subsequently filled, enabling new development and growth of the city northward. These conditions- the cutting and filling of previously flood-prone and marshy land to today's elevation (roughly 18 feet [5.4 meters] amsl) – makes the sensitivity of the Project Area for pre-contact sites low.

In 1775, Broadway was extended north of Canal Street to Astor Place, though it was known as Great George Street at the time. In 1794, the street name was changed to Broadway. At that time, the area around Canal Street was still largely agricultural, and Broadway was primarily a residential street, akin to a suburb to the denser settlement to the south (LPC 1973, Kieran 1982). Indeed, the area was seemingly cut-off from the city settlement to the south by the frequent floods and marshy lands that characterized the Canal Street area. This landscape changed in the early 19th century when present-day Canal Street was cut and filled, and residential settlement soon followed. By late 1820 into the early 1830s, the character of Broadway changed from residences to small retail shops. Commercial

development of the area continued rapidly from that point on. Below is a review of the history of development on former Lots 1, 11 and 12.

Former Lot 1- 301 Canal Street

Between 1767 and the 1790s, the area around the Project Area remained part of the farm and extensive landholdings of the Bayard family, with minimal evidence of development. By 1792, the Bayard farm was fragmented, partitioned and conveyed to various recipients. Although it is unclear when the building was constructed, it is evident on the site by 1854 as a second-class brick or stone dwelling with a store under (see Figure 8).

The building and property was owned by members of the Van Ness family in the late 19th and early 20th century (see Table 4), but the conveyance records indicate that they leased the property to others. The 1894 Fire Insurance Map indicates that the building was a two-story brick dwelling with a skylight and stand pipe (see Figure 13). In 1903, the building is illustrated as a brick building with frame cornice, party wall, stand pipe and hose, skylight and dumb waiter (see Figure 14). The building is shown on 1924 and 1951 aerial photographs. No building records prior to 1902 could be recovered for former Lot 1, however, it is evident that the building underwent some small alterations in 1914, 1919, and 1962, and an Electric Sign Application (ESA) was requested in 1919 (NYC Department of Building).

The entire lot has been occupied to the lot lines by a two-story structure since the 1850s and excavated to a depth of seven feet below grade. There is no documentary evidence of outbuildings or extramural features (and no documentary evidence of earlier structures) on the lot. Because of this, the lot is unlikely to retain any evidence of intact soils or archaeological deposits.

Former Lot 11- 423 Broadway

The 17th and 18th-century history of this site is like former Lot 1. Originally part of the Bayard farm and landholdings, the Lot was part of a partition deed in 1792. After changing hands several times, the property was conveyed to Benjamin Lord in 1822.

The LPC designation report notes that the extant structure on former Lot 11 is typical of the modified Federal style of buildings that lined Broadway in the 1820s. Construction of the building began in 1822 and was completed in 1823 by an unknown architect (LPC 1973). The original owner of the building was Benjamin Lord, who acquired the property from William and Harriet Howell. On the 1854 Fire Insurance Map, the building is illustrated as a third-class brick or stone store with three skylights, which were likely used for added lighting in the work spaces on the top floor (see Figure 8). In 1894, the building was documented as a second-class three-story brick warehouse with two skylights (see Figure 13). Little change is evident by 1903, when the building is illustrated as a three-story brick building with a basement that functioned as store and factory (light manufacturing) (see Figure 14).

The building, an extant three-story and three-bay building with a brick and iron cornice façade, originally functioned as a store and dwelling. No evidence of applications for alterations appear to have been filed (other than an ESA in 1930), but LPC noted that the

ground floor façade was new and that the iron cornices were likely added in the 1860s (LPC 1973).

Because the entire lot has been occupied by a brick structure since the 1820s (with no documentary evidence of outbuildings or extramural features) and has been excavated to a minimum of eight feet below the ground surface for the basement, the lot is unlikely to retain any evidence of intact soils or archaeological deposits.

Former Lot 12- 419-421 Broadway

Like Lots 1 and 11, Lot 12 was part of the Bayard farm and landholdings in the 18th century. It appears to be a part of the same partition as former Lot 1, with a documented parallel ownership until the 1880s when both lots were owned by the Van Ness family (see Table 4). Like Lot 1, the property at former Lot 12 was leased to various other occupants.

Two buildings were constructed on the site by 1854, as documented on the Fire Insurance Map from that year (see Figure 8) and the 1856 photograph of the corner of Broadway at Canal Street (see Figure 10). In 1894, a four-story warehouse is illustrated at 419 Broadway and a four-story second-class warehouse is illustrated at 421 Broadway (see Figure 13). In 1903, both buildings were noted as four-story stores and factories (light manufacturing) with basements. These buildings are shown on 1924 and 1951 aerial photographs. However, records from the Department of Building suggest that the buildings were demolished in the 1950s and replaced by two, single-story buildings with basements (see Appendix A). In 1973, 419 Broadway was Nedick's restaurant and shop (LPC 1073; see Figure 18 and Figure 19).

Because the entire lot was occupied by two four-story buildings with basements (without documentary evidence of outbuildings or extramural features) for roughly one hundred years between 1850s and 1950s, then replaced by new buildings and basements in 1955, the lot is unlikely to retain any evidence of intact soils or archaeological deposits. The sequence of development, demolition and redevelopment has potentially disturbed the site.

10

Conclusions

Based on the results of the site file search, as well as LPC and OPRHP sensitivity models, the Project Area appeared to have a moderate to high sensitivity for 18th and 19th century archaeological components. However, a subsequent review of historic maps, conveyance records, building records, historic photographs, and soil borings indicates that the entirety of all three former lots were impacted in the 19th century by cutting and filling of the marshy lands (which were a nuisance to city residents) and subsequent construction of multi-story retail and manufacturing buildings with basements that, in the cases of former Lots 1 and 11, are still extant. 19th-century land recontouring near Lispenard's Meadow and present-day Canal Street were different from the 18th-century episodes of filling that took place along the downtown, formerly coastal area (e.g., Water Street). Near Canal Street, the hazardous conditions of the marsh necessitated draining and cutting, followed by re-deposition of soils from Bayard's Hill. These actions, which are documented, were quickly followed by development (e.g., 19th-century building construction).

No portions of these lots were undeveloped in the mid-19th century, and there is no documentary evidence of outbuildings or extramural features, leaving very little potential for the recovery of intact soils or archaeological deposits. Like former Lots 1 and 11, Lot 12 was improved with two four-story manufacturing buildings that also contained basements from roughly 1850 to 1950. Then in the 1950s, the two buildings were demolished and replaced with smaller retail buildings that also had basements. The sequence of construction, demolition, and redevelopment on Lot 12 has very likely disturbed the site, making the sensitivity for intact soils and archaeological deposits in the lot low. Based on this assessment, no further archaeological work is recommended for the property.

11

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Appendix A

Boring Plan – Subsurface Investigation

Prepared by Soil Mechanics Drilling Corporation

Dates of Boring: August 7-9, 2017

B-1

(EL. 14.16'±) FINISHED FLOOR

FEET	NO	SB	REC	CLASSIFICATION
1				WOOD FLOOR 5"
				VOID
				(BASEMENT)
5				
				CONCRETE 5"
	1	3/3/3	14"	DARK BRN.-BRN. SAND, SILT, GRAVEL, CONCRETE, BRICK (FILL) (7)
10		5/6		
	2	10/15	20"	BRN.-REDDISH BRN. SAND, TR. GRAVEL, ROCK FRAGMENTS (SP) (3b)
		9/9		
	3	16/44	10"	BRN. GRAVELLY SAND, LITTLE SILT (SP-SM) (3a)
		75/22		
15	4	21/24	17"	BRN. SAND, LITTLE-GRAVEL, SILT (SP-SM) (3a)
		23/23		
	5	15/16	15"	BRN. SAND, LITTLE-GRAVEL, TR. SILT (SP) (3a)
		17/20		
	6	19/20	16"	BRN. GRAVELLY SAND, TR. SILT (SP) (3a)
20		20/21		
	7	14/15	13"	
		15/16		
25				BRN. SAND, TR. GRAVEL, SILT (SP) (3b)
	8	9/11	12"	
		13/13		
30				
	9	8/8	17"	
		14/17		
35				
	10	10/10	15"	
		10/13		
				END OF BORING 37'-0"

G.W.T. 16'-10"

B-2

(EL. 14.16'±) FINISHED FLOOR

FEET	NO	SB	REC	CLASSIFICATION
1		-/-		WOOD FLOOR 3-1/2"
				VOID 12"
	1	2/4-1/2/3	4"	BRN.-DARK BRN. SAND, SILT, GRAVEL, BRICK (FILL) (7)
	2	5/6	12"	BRN. SILTY SAND, TR. GRAVEL, BRICK (SM) (FILL) (7)
		8/16		
5	3	11/7	15"	BRN. SILTY SAND, TR. GRAVEL, BRICK, COAL FRAGMENTS (SM) (FILL) (7)
		7/10		
	4	7/7	16"	
		6/7		
	5	7/7	19"	BRN. SAND, TR. GRAVEL, LITTLE SILT (SP-SM) (FILL) (7)
10		6/6		
	6	5/2	14"	BRN. FINE SANDY SILT, TR. CLAY (ML) (6)
		3/4		
	7	3/5	17"	BRN.-LIGHT BRN. MEDIUM FINE SAND, SILT, COARSE SAND (SP) (3b)
		6/6		
15	8	5/6	20"	BRN. MEDIUM FINE SAND, LITTLE SILT (SP-SM) (3b)
		6/7		
	9	9/10	14"	BRN. MEDIUM FINE SAND, TR. GRAVEL, SILT (SP) (3b)
		11/14		
	10	11/11	16"	
20		13/14		
	11	16/18	15"	BRN. SAND, TR. GRAVEL, SILT (SP) (3a)
		20/21		
25				BRN. SAND, TR. GRAVEL, SILT (SP) (3b)
	12	7/9	13"	
		9/16		
30				
	13	10/9	14"	
		13/17		
35				
	14	8/12	14"	
		15/15		
				END OF BORING 37'-0"

G.W.T. 16'-8"

B-3

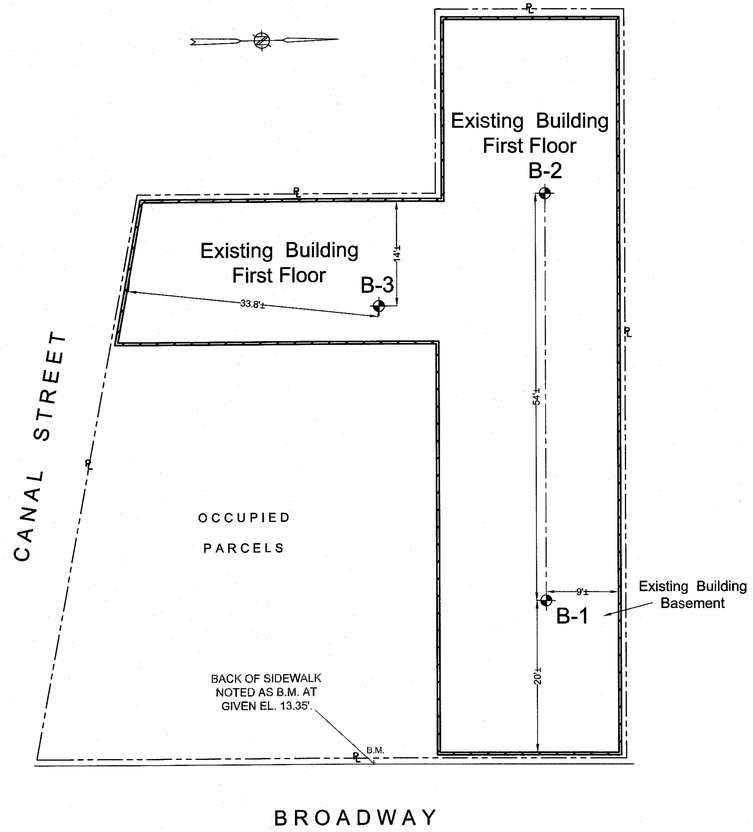
(EL. 12.40'±) FINISHED FLOOR

FEET	NO	SB	REC	CLASSIFICATION
1		1/3		VINYL/WOOD FLOOR 1"
				CONCRETE 2"
	1	1/1	7"	DARK BRN. SILTY SAND, TR. GRAVEL, BRICK (SM) (FILL) (7)
		1/2		
	2	3/6	12"	DARK BRN.-BRN. SILTY SAND, TR. GRAVEL, BRICK (SM) (FILL) (7)
		4/6		
5	3	6/12	16"	
		14/16		
	4	12/15	15"	DARK BRN. SILTY SAND, TR. GRAVEL, BRICK, COAL-FRAGMENTS (SM) (FILL) (7)
		16/19		
	5	20/9	18"	BRN.-LIGHT BRN. SILTY SAND, TR. GRAVEL (SM) (FILL) (7)
10		13/11		
	6	9/7	17"	
		5/5		GRAY-GRAY BRN. CLAYEY SILT (ML) (5b)
	7	5/5	18"	GRAY-DARK GRAY SAND, TR. FINE SAND (ML) (5b)
		6/8		
15	8	10/16	18"	BRN. FINE SANDY SILT (ML) (5b) BRN. MEDIUM FINE SAND, LITTLE SILT (SP-SM) (3a)
		17/17		
	9	18/22	16"	BRN. MEDIUM FINE SAND, TR. SILT, COARSE SAND (SP) (3a)
		21/26		
20				BRN. SAND, TR. GRAVEL, SILT (SP) (3b)
	10	8/12	13"	
		12/17		
25				
	11	9/11	14"	
		13/14		
30				
	12	10/10	15"	
		10/13		
35				BRN. MEDIUM FINE SAND, TR. SILT (SP) (3b)
	13	7/11	14"	
		11/16		
				END OF BORING 37'-0"

G.W.T. 11'-5"

NOTES

1. SOIL DESCRIPTIONS ARE BY VISUAL EXAMINATION OF SOIL SAMPLES RECOVERED DURING DRILLING OPERATIONS.
2. SOIL DESCRIPTIONS ARE IN ACCORD WITH THE UNIFIED SOIL CLASSIFICATION SYSTEM.
3. GROUND WATER TABLE WAS MEASURED INSIDE THE DRILL CASING AT THE COMPLETION OF EACH BOREHOLE.
4. SOIL STRATIFICATIONS ARE ACCURATE TO WITHIN TWO FEET VERTICALLY.
5. SOIL SAMPLES WERE OBTAINED USING PORTABLE TRIPOD MOUNTED EQUIPMENT STANDARD PENETRATION ROPE & CATHEAD 140lb. HAMMER ADVANCED 2"Ø SPLIT SPOON SAMPLER AT 30" FALL.
6. SOIL TEST BORING GROUND SURFACE ELEVATIONS SHOWN ARE REFERENCED TO BACK OF SIDEWALK AT GIVEN B.M. EL. 13.35' FROM SURVEY PREPARED BY: GALLAS SURVEYING GROUP SURVEY NO. G17011 DATED: FEB. 17, 2017.
7. SOIL TEST BORING DRILLED IN ACCORD WITH THE NEW YORK CITY BUILDING CODE.



BORING LOCATION PLAN

0 10' 20' 30' 40' 50'

DRAWING SCALE: 1" = 10'± 15' 25' 35' 45'

UNIFIED SOIL CLASSIFICATION

SOIL GROUPS	TYPICAL NAMES AND SOIL SYMBOLS
1a Thru 1d	BEDROCK
GW	WELL GRADED GRAVELS, GRAVEL SAND MIXTURES, LITTLE OR NO FINES
GP	POORLY GRADED GRAVELS OR GRAVEL SAND MIXTURES. LITTLE OR NO FINES
GM	SILTY GRAVELS, GRAVEL - SAND - SILT MIXTURE
GC	CLAYEY GRAVELS, GRAVEL - SAND - CLAY MIXTURE
SW	WELL GRADED SANDS, GRAVELLY SANDS, LITTLE OR NO FINES
SP	POORLY GRADED SANDS OR GRAVELLY SANDS, LITTLE OR NO FINES
SM	SILTY SANDS, SAND - SILT MIXTURES
SC	CLAYEY SANDS, SAND - CLAY MIXTURES
ML	INORGANIC SILTS, VERY FINE SANDS, CLAYEY SILTS, SLIGHT PLASTICITY
CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY, GRAVELLY CLAYS SANDY CLAYS, SILTY CLAYS
OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
MH	INORGANIC SILTS, MICACEOUS OR DIATOMACEOUS FINE SANDY OR SILTY SOILS, ELASTIC SILTS
CH	INORGANIC CLAYS OF HIGH PLASTICITY, FAT CLAYS
OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
Pt	PEAT AND OTHER HIGHLY ORGANIC SOILS

ALLOWABLE SOIL BEARING PRESSURES, N.Y.C. BLDG. CODE TABLE 1804.1

CLASS OF MATERIALS (Notes 1 and 3) ★	MAXIMUM ALLOWABLE FOUNDATION PRESSURE (TSF)	MAXIMUM ALLOWABLE FOUNDATION PRESSURE (kPa)
1. BEDROCK (NOTES 2 and 7) ★		
1a HARD SOUND ROCK - GNEISS, DIABASE, SCHIST	60	5,746
1b MEDIUM HARD ROCK - MARBLE, SERPENTINE	40	3,830
1c INTERMEDIATE ROCK - SHALE, SANDSTONE	20	1,915
1d SOFT ROCK - WEATHERED ROCK	8	766
2. SANDY GRAVEL & GRAVEL (GW, GP) (NOTES 3, 4, 8, and 9) ★		
2a DENSE	10	958
2b MEDIUM	6	575
3. GRANULAR SOILS (GC, GM, SW, SP, SM, & SC)(NOTES 4, 5, 8, and 9)		
3a DENSE ★	6	575
3b MEDIUM	3	287
4. CLAYS (SC, CL, & CH)(NOTES 4, 6, 8, and 9)		
4a HARD	5	479
4b STIFF	3	287
4c MEDIUM	2	192
5. SILTS & SILTY SOILS (ML & MH)(NOTES 4, 8, and 9) ★		
5a DENSE	3	287
5b MEDIUM	1.5	144
6. ORGANIC SILTS, ORGANIC CLAYS, PEATS, SOFT CLAYS, LOOSE GRANULAR SOILS, & VARVED SILTS	SEE 1804.2.1 ★	SEE 1804.2.1 ★
7. CONTROLLED & UNCONTROLLED FILLS	SEE 1804.2.2 OR 1804.2.3 ★	SEE 1804.2.2 OR 1804.2.3 ★

★ REFER TO SECTION 1804.2 OR NOTES FOLLOWING TABLE 1804.1 IN THE N.Y.C. BLDG. CODE FOR ADDITIONAL INFORMATION

COMPACTION RELATED TO SPOON BLOWS PER FOOT

SAND & SILT		CLAY	
LOOSE	LESS THAN 10	SOFT	4 OR LESS
MEDIUM	10 TO 30	MEDIUM	GREATER THAN 8 TO 30
DENSE	GREATER THAN 31	HARD	GREATER THAN 30

" N " STANDARD PENETRATION TEST - ASTM 1586 — 2" SPOON, 140lb HAMMER @ 30" FALL

N=17 BLOWS PER FOOT — SPOON BLOW COUNT IS GENERALLY SHOWN IN 6" INCREMENTS FOR 2' DRIVE

TO OBTAIN BLOWS PER FOOT (N) USE THE 2ND & 3RD 6" INCREMENT

	ROTARY CASING	EXTRA HEAVY CASING	SAMPLE SPOON
SIZES, INCHES	2.5		2.0
HAMMER WEIGHT, POUNDS	----------		140
HAMMER FALL, INCHES	----------		30

CB - CASING BLOWSPER 1 FOOT DRIVE
SB - SPOON BLOWS PER 6 INCH DRIVE
P - PUSHED BY WEIGHT OF HAMMER
WOR - WEIGHT OF ROD

UD - UNDISTURBED SOIL SAMPLE
NO - SAMPLE NUMBER
FEET - DEPTH FROM GND. SUR. NOTED AT EACH 5'
WOH - WEIGHT OF HAMMER
REC - SOIL RECOVERY IN INCHES

PROJECT:
419 BROADWAY
MANHATTAN, NEW YORK

SOIL MECHANICS DRILLING CORP.
subsoil investigations
3770 MERRICK ROAD * SEAFORD, NEW YORK 11783 * 516 - 221-2333

SUBSURFACE INVESTIGATION
419 BROADWAY
MANHATTAN, NEW YORK

VERTICAL BORING SCALE:	DRAWING DATE	DRAWING NUMBER
1/2" = 1'-0" UNLESS NOTED OTHERWISE	AUGUST 22, 2017	17R163.3
DATES OF BORING: AUGUST 7, 8, 9, 2017	DRAWN BY: NAR; CHECKED BY: CV; REVISED DATE:	SHEET 1 OF 1

BORING PLAN
SUBSURFACE INVESTIGATION

DATE: AUGUST 22, 2017
PROJECT No: 17R163.3
DRAWING BY: NAR
CHK BY: CV
DWG No: B-001.00

SEAL & SIGNATURE:
CAD FILE No: Z: 17R163.3 | SHEET 1 OF 1

Z: 17RDWGS/17R163.3

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

ARCHAEOLOGY

Final Sign-Off (Multiple Sites)

Project number: DEPARTMENT OF CITY PLANNING / 77DCP053M
Project: 419-423 BROADWAY
Date received: 8/20/2018

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

This document only contains Archaeological review findings. If your request also requires Architecture review, the findings from that review will come in a separate document.

Properties with no Archaeological significance:

1) ADDRESS: 301 CANAL STREET, BBL: 1002310001
2) ADDRESS: 423 BROADWAY, BBL: 1002310011
3) ADDRESS: 419 BROADWAY, BBL: 1002310012

Comments: The LPC is in receipt of the, "Archaeological Documentary Study Report for 419 Broadway, New York, New York," prepared by VHB and dated August 2018. We concur that there are no further archaeological concerns. Please submit a printed copy of the report to LPC.

8/23/2018

SIGNATURE DATE
Amanda Sutphin, Director of Archaeology

File Name: 33332_FSO_ALS_08222018.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
02/20/18	12/12/2023	LPC-19-20730	COFA-19-20730

ADDRESS:	BOROUGH:	BLOCK/LOT:
301 CANAL STREET	Manhattan	231 / 1
SoHo-Cast Iron Historic District		

Display This Permit While Work Is In Progress

ISSUED TO:

Albert Laboz
United American Land, LLC
73 Spring Street, 6th Floor
New York, NY 10012

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of December 12, 2017, following the Public Hearing and Public Meeting of October 24, 2017, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forward in your application completed on September 28, 2017, and as you were informed in Status Update Letter 19-16556 (LPC 19-16556), issued on December 18, 2017. This approval will expire on December 12, 2023.

The proposal, as approved, consists of demolishing the existing buildings at 301 Canal Street and 419-421 Broadway, and constructing a new 8-story building that connects internally to 423 Broadway, featuring at the Broadway and Canal Street facades, ornamental cast zinc panels, painted metal channel piers and spandrels with a dark gray finish, and clear glass and aluminum storefronts with a dark gray finish at the first floor; ornamental cast zinc panels, and painted metal channel piers and spandrels and aluminum multi-light windows with a dark gray finish, at the second through eighth floor, with an open colonnade and metal cornice at the top floor; a visible setback one-story penthouse featuring metal and glass assemblies and an elevator bulkhead and screening for mechanical equipment, featuring standing seam zinc cladding; gray brick cladding, an opening at the penthouse return, and metal lot-line windows in a regular pattern set back from the Broadway façade at the north façade; and gray brick cladding and an opening at the penthouse return at the west facade. The proposal, as initially presented, included a taller streetwall height with more

repetitive fenestration and simpler storefronts at the primary facades, a taller colonnade with rounded columns and a deeper penthouse setback at the top floor, and larger bulkheads and mechanical arrangements at the roof of the penthouse. The proposal, as approved, was shown in a digital presentation, titled "Landmarks Preservation Commission Public Meeting 419 Broadway Revised Design," dated December 12, 2017, and including 23 slides. The proposal, as initially presented, was shown in a digital presentation, titled "Landmarks Preservation Commission Presentation 419 Broadway," dated October 24, 2017, and including 54 slides. Both presentations were prepared by Morris Adjmi Architects, and consisted of drawings, historic and existing condition photographs, photomontages, building material sample colors, and renderings.

In reviewing this proposal, the Commission noted that the SoHo-Cast Iron Historic District Designation Report describes 301 Canal Street as a taxpayer built c. 1955, and 419-421 Broadway as a restaurant and shop. The Commission also noted that this application was heard in conjunction with LPC 19-16557, an application for a special permit (Modification of Use and Bulk) for use and bulk waivers pursuant to Section 74-711 of the Zoning Resolution, and LPC 19-16558, an application for a Certificate of Appropriateness to modify the interior structure, construct a dormer at the rear sloped roof, excavate the cellar floor, and alter the fire escapes at 423 Broadway.

With regard to this proposal, the Commission found that the existing one- and two-story buildings bear no resemblance to the historic rowhouses that once occupied the site, and retain only a few remnants of features from the earlier rowhouses, therefore demolishing these buildings will not detract from the special historic and architectural character of the SoHo-Cast Iron Historic District; that the proposed 8-story building will be consistent with other tall buildings on corner sites and mid-block on Broadway; that Broadway is wider than other north-south streets within the historic district and features corner buildings which are often notably larger than the buildings found on the east-west oriented side streets; that the proposed building will enhance the continuity of the street walls and anchor the end of the block, thereby strengthening the streetscape around this prominent site; that Canal Street features a wide variety of buildings in terms of footprint and height, where a mixture is often found from one building to the next, and that a tall building comparable to the height of the proposed building exists on the southeast corner of Canal Street and Broadway; that the ornamental cast zinc panels abstractly reference cast iron mullions and columns found on buildings throughout the historic district, and will reflect the history and tradition of artistic expression in the SoHo-Cast Iron Historic District; that the materials palette of cast zinc, painted metal panels with a channel profile, and clear glass and aluminum windows and storefronts will harmonize with the materials and finishes of neighboring buildings and buildings found throughout this historic district, while contributing to the building's contemporary design; that the design of the building base, featuring metal and glass storefronts with bulkheads divided by metal piers with cast zinc panels and a continuous lintel, will be in keeping with storefronts found at other modern buildings and will reflect elements of typical historic storefronts found throughout this historic district; that the gradual change in scale and proportion of the windows and horizontal and vertical framing elements towards the top of the building, culminating with colonnade and cornice at the penthouse floor, will recall the variation and hierarchy of fenestration and façade composition of cast iron and steel-framed masonry buildings characteristic of this historic district; that the presence of a visible setback penthouse floor, featuring metal and glass assemblies, and an elevator bulkhead and screening for mechanical equipment, featuring standing seam zinc cladding, will be consistent with visible rooftop additions, penthouses and bulkheads found in the surrounding context and within this historic district; that the design of the open colonnade and shallow loggia fronting the penthouse at the top floor is well integrated with the overall façade, effectively screening the penthouse and some mechanical rooms, and simplifies the massing of the proposed building; that the north façade, featuring gray brick cladding, an opening at the penthouse return, and lot-line windows in a regular pattern set back from the Broadway façade, will be seen as a secondary and subservient façade with a high solid to void ratio; that the west façade, featuring gray brick cladding and an opening at the penthouse return, will be seen as a secondary and subservient façade; and that the proposed work will enhance the special architectural and historic character

of the SoHo-Cast Iron Historic District.

The Commission notes that the applicant is applying to the City Planning Department for a Special Permit pursuant to Section 74-711 of the Zoning Resolution for a Modification of Use and Bulk. Any changes to the design required by the City Planning Department must be submitted to the Landmarks Preservation Commission for review and approval prior to the issuance of the final approval letter.

Subsequently, on January 4, 2018, the Commission received two final presentation sets labeled 1-52, dated December 15, 2017, prepared by Morris Adjmi Architects, drawings labeled SOE-001.00, SOE-201.00, and SOE-301.00, dated October 9, 2017, prepared by SDG Engineering, and on February 8, 2018, the Commission received a revised existing conditions survey for 423 Broadway, dated February 2, 2018, prepared by CTS Group Architecture Planning PA. Accordingly, the staff of the Commission reviewed the submitted materials and found that the proposal approved by the Commission had been maintained. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 19-20730 (LPC-19-20730) is being issued.

PLEASE NOTE: This permit is being issued in conjunction with Modification of Use and Bulk 19-21537 (LPC-19-21537).

PLEASE NOTE: This permit is issued contingent upon the Commission's review and approval of the final Department of Buildings filing drawings for the approved work; and the Commission's review and approval of the final Department of Buildings filing drawings for facade restoration work proposed under LPC-19-16559. NO WORK MAY BEGIN UNTIL THE FINAL DEPARTMENT OF BUILDINGS FILING DRAWINGS HAVE BEEN APPROVED BY THE COMMISSION. Once the final drawings have been received and approved, they will be marked as approved with a perforated seal.

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 the approval. The work is limited to what is contained in the perforated document. 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 fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Holly Hughes.

Meenakshi Srinivasan
Chair

PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:
Valerie Campbell, Kramer Levin Naftalis & Frankel

cc: Cory Herrala, First Deputy Director; Valerie Campbell, Kramer Levin Naftalis & Frankel

Landmarks Preservation Commission

Date:	12/12/2017
LPC Docket #:	LPC-19-16556
LPC Action:	Approved
Action required by other agencies:	DOB, DCP
Permit Type:	CERTIFICATE OF APPROPRIATENESS

Address: 301 Canal Street; 419-421 Broadway
Borough: Manhattan
Block: 231 **Lot:** 1/12
Historic District: SoHo-Cast Iron Historic District
Description: A taxpayer built in 1955 and a one-story restaurant and shop. Application is to demolish buildings and construct a new building on both lots.

COMMISSION FINDINGS

The Commission NOTED that this application is being heard in conjunction with LPC 19-16557, an application for a special permit (Modification of Use) for use and bulk waivers pursuant to Section 74-711 of the Zoning Resolution, and LPC 19-16558, an application for a Certificate of Appropriateness to modify the interior structure, construct a dormer at the rear sloped roof, excavate the cellar floor, and alter the fire escapes.

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Commission APPROVED the proposal, finding:

-that the existing one- and two-story buildings bear no resemblance to the historic rowhouses that once occupied the site, and retain only a few remnants of features from the earlier rowhouses, therefore demolishing these buildings will not detract from the special historic and architectural character of the SoHo-Cast Iron Historic District;
-that the proposed 8-story building will be consistent with other tall buildings on corner sites and mid-block on Broadway;
-that Broadway is wider than other north-south streets within the historic district and features corner buildings which are often notably larger than the buildings found on the east-west oriented side streets;
-that the proposed building will enhance the continuity of the street walls and anchor the end of the block, thereby strengthening the streetscape around this prominent site;
-that Canal Street features a wide variety of buildings in terms of footprint and height, where a mixture is often found from one building to the next, and that a tall building comparable to the height of the proposed building exists on the southeast corner of Canal Street and Broadway;
-that the ornamental cast zinc panels abstractly reference cast iron mullions and columns found on buildings throughout the historic district, and will reflect the history and tradition of artistic expression in the SoHo-Cast Iron Historic District;
-that the materials palette of cast zinc, painted metal panels with a channel profile, and clear glass and aluminum windows and storefronts will harmonize with the materials and finishes of neighboring buildings and buildings found throughout this historic district, while contributing to the building's contemporary design;
-that the design of the building base, featuring metal and glass storefronts with bulkheads divided by metal piers with cast zinc panels and a continuous lintel, will be in keeping with storefronts found at other modern buildings and will reflect elements of typical historic storefronts found throughout this historic district;
-that the gradual change in scale and proportion of the windows and horizontal and vertical framing elements towards the top of the building, culminating with colonnade and cornice at the penthouse floor, will recall the variation and hierarchy of fenestration and façade composition of cast iron and steel-framed masonry buildings characteristic of this historic district;
-that the presence of a visible setback penthouse floor, featuring metal and glass assemblies, and an elevator bulkhead and screening for mechanical equipment, featuring standing seam zinc cladding, will be consistent with visible rooftop additions, penthouses and bulkheads found in the surrounding context and within this historic district;
-that the design of the open colonnade and shallow loggia fronting the penthouse at the top floor is well integrated with the overall façade, effectively screening the penthouse and some mechanical rooms, and simplifies the massing of the proposed building;
-that the north façade, featuring gray brick cladding, an opening at the penthouse return, and lot-line windows in a regular pattern set back from the Broadway façade, will be seen as a secondary and subservient façade with a high solid to void ratio;
-that the west façade, featuring gray brick cladding and an opening at the penthouse return, will be seen as a secondary and subservient façade;

Landmarks Preservation Commission

Date:	12/12/2017
LPC Docket #:	LPC-19-16556
LPC Action:	Approved
Action required by other agencies:	DOB, DCP
Permit Type:	CERTIFICATE OF APPROPRIATENESS

-and that the proposed work will enhance the special architectural and historic character of the SoHo-Cast Iron Historic District.

VOTE:

Present: Meenakshi Srinivasan, Adi Shamir-Baron, Frederick Bland, Diana Chapin, Wellington Chen, Michael Devonshire, Michael Goldblum, John Gustafsson, Jeanne Lutfy, Kim Vauss

9-0-0

In Favor = M.Srinivasan, A.Shamir-Baron, F.Bland, D.Chapin, W.Chen, M.Devonshire, M.Goldblum, J.Gustafsson, J.Lutfy
Oppose =
Abstain =
Recuse = K.Vauss

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

December 18, 2017

ISSUED TO:

Albert Laboz
United American Land, LLC
73 Spring Street, 6th Floor
New York, NY 10012

Re: **STATUS UPDATE LETTER**
LPC-19-16558
SUL-19-16558
423 BROADWAY
SoHo-Cast Iron Historic District
Manhattan
Block/Lot: 231 / 11

This letter is to inform you that at the Public Meeting of December 12, 2017, following the Public Hearing and Public Meeting of October 24, 2017, the Landmarks Preservation Commission voted to approve a proposal to modify the interior structure, construct a dormer at the rear sloped roof, excavate the cellar floor, and alter the fire escapes at the subject premises, as put forward in your application completed on November 15, 2017. The approval will expire on December 12, 2023.

However, no work may begin until a Certificate of Appropriateness has been issued. Upon receipt, review and approval of two signed and sealed sets of the final Department of Buildings filing drawings for the approved work, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission.

Thank you for your cooperation.

Holly Hughes

Please Note: THIS IS NOT A PERMIT

cc: Cory Herrala, Director of Technical Affairs, Sustainability, and Resiliency; Valerie Campbell, Kramer Levin Naftalis & Frankel

LPC

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

APPROVED

February 20, 2018

ISSUED TO:

Chair Marisa Lago
City Planning Commission
120 Broadway, 31st Floor
New York, NY 10271

Re: LPC-19-21537
MOU-19-21537
423 BROADWAY
SoHo-Cast Iron Historic District
Manhattan
Block/Lot: 231 / 11

At the Public Meeting of December 12, 2017, following the Public Hearing and Public Meeting of October 24, 2017, the Landmarks Preservation Commission ("LPC") voted to issue a report to the City Planning Commission ("CPC") in support of an application for the issuance of a Special Permit, pursuant to Section 74-711 of the Zoning Resolution, to permit the Modification of Use and Bulk and other waivers at the building to be constructed at 301 Canal Street, Block 231, Lot 1, and 419 Broadway, Block 231, Lot 12 as put forward in your application completed on September 28, 2017. 423 Broadway is a modified Federal style store and dwelling built in 1822-23.

In voting to issue the report, the Landmarks Preservation Commission (LPC) found that the applicant has agreed to undertake work to restore the building at 423 Broadway and bring it up to a sound, first class condition; that the applicant has agreed to establish and maintain a program for continuing maintenance to ensure that the building is maintained in a sound, first-class condition; and that a restrictive Declaration ("Declaration") will be filed against the property which will bind the applicants and all heirs, successors and assigns to maintain the continuing maintenance program in perpetuity.

Specifically, at the Public Meeting of December 12, 2017, following the Public Hearing and Public Meeting of October 24, 2017, the Commission approved modifying the interior structure, constructing a dormer at the rear sloped roof, excavating the cellar floor, and altering the fire escapes.

The applicant also agreed to perform restorative work throughout the building at 423 Broadway, as described

in application materials filed under LPC-19-16559, including at the Broadway façade, at the first floor, removing modern storefront infill and installing replica a wood and glass storefront, featuring paired wood and glass paneled doors and a transom, two (2) display windows, detailed wood columns, decorative wood brackets and metal screens, at the wood bulkhead, and one (1) wood paneled door with transom, all flanked by cast iron piers, a cast iron cornice with a cement plaster band directly above and cast stone molding; at the second and third floors, cleaning the existing masonry with a low pressure water rinse, removing all windows and installing six (6) two-over-two wood windows and wood brickmolds, replacing one (1) deteriorated decorative brownstone lintel in kind; repairing deteriorated brick and replacing brick in select locations; repointing brick as required; removing anchors and patching in select locations; replacing deteriorated brownstone sills in kind; repairing sheet metal cornice; removing roofing and installing a metal roof system at the flat portion of the roof; at the sloped roof, installing a slate roof; at the rear façade, removing windows and security grilles, existing asphalt coating, sheet metal and asphalt lintel covers, utility service boxes, exposed conduit, sheet metal panels, and existing dunnage, roofing system and flashing; repairing segmental arched headers; removing brick infill to provide new masonry opening, and installing three (3) two-over-two double-hung wood windows, wood brickmolds and cast stone sills; preparing and painting all remaining shutter hinges; and all painted color to be based on historic finish analysis.

In reaching a decision to grant a Certificate of Appropriateness, the Commission reviewed the proposed work and found that the proposed changing of the floor heights, partial removal of the party wall, and cellar excavation are limited to the interior, and therefore will not damage or destroy any significant exterior architectural features of the building's facades or roof; that the proposed excavation at the cellar will be designed and built in compliance with Department of Buildings regulations under the supervision of a licensed professional engineer to protect the building and the adjacent buildings; that the historic fire escape baskets are being retained and restored, therefore, the proposed removal of the ladders will have limited visual impact on the façade and will not result in the loss of significant historic fabric; that the construction of a dormer at the rear of the roof will not damage or remove any significant historic material that is currently exposed; that the proposed dormer will not encompass the entire width of the roof, and the roof pitch will be maintained; that rear dormers of this size, scale, and detailing are in keeping with historic alterations to buildings of this age and style; and that the work will not detract from the special architectural and historic character of the building or historic district. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve the application.

In reaching a decision to issue a favorable report to the CPC, the LPC found that the restorative work to be approved at staff level, as recited in the revised Existing Conditions Report dated February 2, 2018, including masonry repair and cleaning, metal cornice repair and painting, wood window replacement at the primary and rear facades, installing new metal roofing at the front and slate roofing at the rear, and installing a new wood storefront and entry door featuring a cast iron cornice and piers, will restore missing architectural details and return the building closer to its historic appearance; that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building in a sound, first-class condition; and that the owners of the designated building have committed themselves to establishing a cyclical maintenance plan that will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, which will bind all heirs, successors and assigns, and which will be recorded at the New York County Registrar's Office; that the waiver for commercial use below the second floor at the designated building and the proposed new building, and the height and setback waivers for the proposed new building will result in a simple cubic massing that will not detract from the landmark and will have a harmonious relationship with the landmark and the historic district; that the proposed new building, featuring a contemporary design that utilizes cast zinc, painted metal panels with a channel profile, glass and aluminum windows, will contrast with, and be clearly independent of, the designated building; that the presence of a taller building seen adjacent to a smaller scale building, is a common occurrence within this historic district and throughout the city; that the designated building is situated next to a taller building to the north, taller

buildings across the street to the east, and taller buildings to the west in the background, therefore, the addition of the new building is consistent with the variety of scale in the immediate visual context of this designated building; and that therefore, the massing, materials, and design of the proposed building will have a harmonious relationship with the designated building and the historic district.

The Declaration requires the Declarant to hire a qualified preservation professional, whose credentials are to be approved by the Landmarks Preservation Commission, to undertake comprehensive inspections every five years of the Designated Building's exterior and such portions of the interior which, if not properly maintained, would cause the Designated Building to deteriorate. The Declarant is required to perform all work identified in the resulting professional reports as being necessary to maintain the Designated Building in sound, first-class condition within stated time periods.

This favorable report is being issued contingent upon the restoration work being found by the LPC staff to be thorough and restoring the landmark to a sound, first-class condition. Please note that the restoration work must be completed and approved by the Landmarks Preservation Commission before the owners may apply for or accept a temporary Certificate of Occupancy or a permanent Certificate of Occupancy from the Department of Buildings for the building that is the subject of this special permit.

The staff of the Commission is available to assist you with these matters. Please direct inquiries to Holly Hughes.

Meenakshi Srinivasan
Chair

cc: Cory Herrala, First Deputy Director; Valerie Campbell, Kramer Levin Naftalis & Frankel; John Weiss, Deputy Counsel/LPC; Albert Laboz/United American Land, LLC

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 / LA-CEQR-M
Project:
Date received: 5/3/2018

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with Architectural and Archaeological significance:

1) ADDRESS: 301 CANAL STREET, BBL: 1002310001, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: NON-CONTRIBUTING WITHIN NR HD

2) ADDRESS: 423 BROADWAY, BBL: 1002310011, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: NATIONAL REGISTER HISTORIC DISTRICT

3) ADDRESS: 419 BROADWAY, BBL: 1002310012, LPC FINDINGS: DESIGNATED LPC HISTORIC DISTRICT; PERMIT FROM THE LPC PRESERVATION DEPARTMENT REQUIRED, STATE/NATIONAL REGISTER FINDINGS: NON-CONTRIBUTING WITHIN NR HD, COMMENTS: WAS PARKING LOT AT TIME OF NR LISTING.

Properties with Archaeological significance:
1)ADDRESS: 301 CANAL STREET, BBL: 1002310001
2)ADDRESS: 419 BROADWAY, BBL: 1002310012
3)ADDRESS: 423 BROADWAY, BBL: 1002310011

Comments: All new construction to take place as per LPC Certificate of Appropriateness 19-20730, issued 2/20/18.

LPC review of archaeological sensitivity models, reports and historic maps indicates that there is potential for the recovery of remains from 18th & 19th occupation on the project site. Accordingly, the Commission recommends that an archaeological documentary study be performed for this site to clarify these initial findings and provide the threshold for the next level of review, if such review is necessary (see CEQR Technical Manual 2014).

cc: LPC preservation department

Gina Santucci

5/16/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33332_FSO_GS_05162018.doc

NYC Landmarks Preservation Commission

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

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ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP053M
Project: **419-413 BROADWAY**
Date received: 7/24/2018

The LPC is in receipt of the shadow study dated 6/20/18. There are no concerns.

Gina Santucci 8/9/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 33332_FSO_GS_08092018.doc

Environmental Protection

Vincent Sapienza, P.E.
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

Tel. (718) 595-4398
Fax (718) 595-4422
alicata@dep.nyc.gov

May 14, 2019

Matthew Katz
Project Manager
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Re: 419-423 Broadway
Block 231, Lot 1
CEQR # 19DCP042M

Dear Mr. Katz:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the April 2019 Phase II Environmental Site Assessment, the April 2019 Remedial Action Plan (RAP) and the April 2019 Construction Health and Safety Plan (CHASP) prepared by Vanasse Hangen Brustlin (VHB) on behalf of United American Land 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 Zoning Resolution section 74-11, to modify underlying use regulations as well as height and setback regulations. As currently proposed, the special permit would facilitate:

1. The construction of a new 8-story commercial building containing approximately 8,401 gross square feet (gsf) of retail space on the ground and cellar floors and 30,304 gsf of office space on the above floors.
2. The establishment of a restoration and maintenance plan for the existing adjacent historic building, which will also contain retail space on the ground and cellar floors, as well as office space on the upper floors. Internal access to the new proposed building would also be provided at all four levels of the historic building, including the cellar.

It should be noted that the project site is currently improved with three mixed-use buildings and is located on the corner of Broadway and Canal Street in the SoHo neighborhood of Manhattan Community District 2.

During the February 2019 fieldwork, AARCO Environmental Services Corp. installed four soil borings (VHB-1 through VHB-4), two groundwater monitoring wells (GW-1 and GW-2), two soil vapor probes (SV-1 and SV-2) and one indoor air monitor (IA-1) at the project site. Eight soil samples and two groundwater samples were collected and analyzed for Target Compound List (TCL) volatile organic compounds (VOCs) via United States Environmental Protection Agency (EPA) Method 8260, TCL semi-volatile organic compounds (SVOCs) via EPA Method 8270, pesticides via EPA Method 8081, polychlorinated biphenyls (PCBs) via EPA Method 8082A and Target Analyte List metals (filtered and unfiltered for groundwater) via EPA Methods 6010 and 7471. Two soil vapor samples and one indoor air sample were also collected and analyzed for VOCs via EPA Method TO-15.

The soil analytical results revealed SVOCs and PCBs were either non-detect (ND) or below New York State Department of Environmental Conservation (NYSDEC) 6 NYCRR Part 375 Unrestricted Use Soil Cleanup Objectives (SCOs). One VOC (acetone), four metals (arsenic, lead, mercury and nickel) and one pesticide (4,4'-DDT) were detected above NYSDEC Unrestricted Use and/or Restricted Residential Use SCOs. The groundwater analytical results revealed VOCs, SVOCs, pesticides, and PCBs were either ND or below NYSDEC Division of Water Technical Operational Guidance Series 1.1.1 Ambient Water Quality Standards and Guidance Values and Groundwater Effluent Limitations for Class GA standards. Twelve metals (barium, beryllium, chromium, copper, iron, lead, magnesium, manganese, nickel, selenium, sodium, and thallium) were detected above NYSDEC Water Quality Guideline Values. The soil vapor and indoor air analytical results revealed several VOCs including 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, 1,3-butadiene, 2,2,4-trimethylpentane, 2-butanone, 2-hexanone, 4-ethyltoluene, 4-methyl-2-pentanone, acetone benzene, carbon disulfide, carbon tetrachloride, chloromethane, cyclohexane, dichlorodifluoromethane, ethanol, ethylbenzene, isopropanol, heptane, n-hexane, o-xylene, m/p-xylene, tert-butyl-alchol, tetrachloroethene, tetrahydrofuran, toluene and trichloroethene were detected.

The April 2019 RAP proposes proper handling, transportation and disposal of excavated materials from the site in accordance with applicable NYSDEC regulations; dust suppression procedures; air monitoring procedures; stockpiling of excavated soils on, at minimum, double layers of 8-mil sheeting and covered with appropriately anchored plastic tarps; all found underground storage tanks will be properly removed and closed in accordance with applicable NYSDEC regulations; dewatering, if necessary, conducted in accordance with a DEP Bureau of Wastewater Treatment Wastewater Quality Control Permit; the installation of a composite cover system consisting of reinforced concrete footings and concrete slabs varying in thickness; as well as the installation of a GCP Applied Technologies Preprufe 300R Plus (46-mil) & 160R Plus (32-mil), or equivalent, vapor barrier/waterproofing membrane beneath the building slab, elevator pit and up the side walls. It should be noted that there are currently no landscaped/open space areas proposed under the current plans. However, should any modifications be made to the site plans that incorporates a lawn/landscaped area (not capped), a minimum of two feet of clean backfill will be imported from an approved facility prior to use at the site. The April 2019 CHASP addresses worker and community health and safety during redevelopment.

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

RAP

- DCP should instruct the applicant that the proposed vapor barrier/waterproofing membrane should be used unless an amendment is approved by DEP.

- DCP should instruct the applicant that for all areas, which will be landscaped or covered with grass (not capped), a minimum of two (2) feet of DEP approved clean fill/top soil must be imported from an approved facility/source and graded across all landscaped/grass covered areas of the sites not capped with concrete/asphalt. The clean fill/top soil must be segregated at the source/facility, have qualified environmental personnel collect representative samples at a frequency of one (1) sample for every 250 cubic yards, analyze the samples for TCL VOCs by EPA Method 8260, SVOCs by EPA Method 8270, pesticides by EPA Method 8081, PCBs by EPA Method 8082, and TAL metals by a New York State Department of Health Environmental Laboratory Approval Program certified laboratory, compared to NYSDEC 6 NYCRR Part 375 Environmental Remediation Programs. Upon completion of the clean fill/top soil investigation

activities, the applicant should submit a detailed clean soil report to DEP for review and approval prior to importation and placement on-site. The report should include, at a minimum, an executive summary, narrative of the field activities, laboratory data, and comparison of soil analytical results (i.e., NYSDEC 6 NYCRR Part 375 Environmental Remediation Programs).

- DCP should inform the applicant that asbestos containing materials and lead based paints, may be present in the on-site structures. These materials should be properly removed and/or managed prior to the start of any renovation/construction activities and disposed of in accordance with all federal, state and local regulations.

DEP finds the April 2019 RAP and CHASP, which addresses worker and community health and safety during construction acceptable, as long as the aforementioned information is incorporated into the RAP. DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., proper transportation/disposal manifests and certificates from impacted soils removed and properly disposed of in accordance with all NYSDEC regulations; proof of installation of engineering control system; and two feet of DEP approved certified clean fill/top soil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, etc.).

Future correspondence and submittals related to this project should include the following CEQR # **19DCP042M.** If you have any questions, you may contact Ms. Cassandra Scantlebury at (718) 595-6756.

Sincerely,

Wei Yu
Deputy Director, Hazardous Materials

cc: R. Weissbard
T. Estesen
C. Scantlebury
M. Wimbish
R. Lucas
O. Abinader - DCP

Appendix C: Architectural Drawings

Prepared by Morris Adjmi Architects

DRAWING LIST	
T-001	COVER PAGE
Z-001	ZONING ANALYSIS
Z-002	ZONING LOT SITE PLAN
Z-010	WAIVER PLAN - SITE
Z-011	WAIVER PLAN - CELLAR
Z-012	WAIVER PLAN - GROUND FLOOR
Z-020	WAIVER SECTION - EAST-WEST
Z-021	WAIVER SECTION - NORTH-SOUTH
Z-030	BUILDING ELEVATION - EAST
Z-031	BUILDING ELEVATION - SOUTH
Z-040	NEIGHBORHOOD CHARACTER DIAGRAMS
Z-041	NEIGHBORHOOD CHARACTER DIAGRAMS

419 Broadway

419 Broadway
New York, NY 10013

ULURP SET

OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

Morris Adjmi Architects
www.ma.com

BOROUGH: MANHATTAN
BLOCK: 321
LOT: 1
ULURP #: P2018M0030

DATE JUNE 11, 2019

COVER PAGE

T-001

SHEET OF

ZONING ANALYSIS

ZR SECTION	ITEM / DESCRIPTION	PERMITTED / REQUIRED	PROPOSED			COMPLIANCE
			EXISTING TO REMAIN	PROPOSED NEW	TOTAL	
USE REGULATIONS						
42-11; 42-12	**USE GROUPS**					
42-131	PERMITTED USES	UG 3A & 4 (LIMITED), 5-14,16, 17	UG 6			COMPLIES
42-14(D)(2)(b)	SPECIAL USES IN M1-5B	ONLY USES LISTED IN USE GROUPS 7, 9, 11, 16, 17A, 17B, 17C, OR 17E SHALL BE ALLOWED BELOW THE SECOND STORY	UG 6 USES ARE LOCATED BELOW THE LEVEL OF THE SECOND STORY			**PROPOSED USE GROUP 6 USES BELOW SECOND STORY ARE CONTRARY TO ZR 42-14(D)(2)(b); SUBJECT TO USE MODIFICATION PURSUANT TO ZR 74-711**
BULK REGULATIONS						
	F.A.R.					
	COMMERCIAL	5.00	0.78	4.22	5.00	COMPLIES
	COMMUNITY FACILITY	6.50	0.00	0.00	0.00	COMPLIES
	FLOOR AREA					
43-12	COMMERCIAL	30,490 SF	4,747.0 SF	25,743.0 SF	30,490.0 SF	COMPLIES
43-122	COMMUNITY FACILITY	39,637 SF	0 SF	0 SF	0 SF	COMPLIES
	YARDS					
43-25	SIDE YARD	NONE; 8 FT MIN. IF PROVIDED	NONE			COMPLIES
43-311	REAR YARD	WITHIN 100 FT OF CORNER - NONE	NONE			COMPLIES
	HEIGHT & SETBACK - WIDE STREETS					
	MAX. HEIGHT OF FRONT WALL	85 FT OR 6 STORIES	115 FT / 8 STORIES			**PROPOSED HEIGHT WITHIN INITIAL SETBACK DISTANCE IS CONTRARY TO ZR 43-43; SUBJECT TO BULK MODIFICATION PURSUANT TO ZR 74-711**
	INITIAL SETBACK	15 FT	0 FT			
43-43	SKY EXPOSURE PLANE	5.6:1	5.6:1			
SPECIAL URBAN DESIGN GUIDELINES						
	STREET TREE PLANTING					
43-02 26-41	STREET TREE PLANTING IN MANUFACTURING DISTRICTS	ONE STREET TREE, PRE-EXISTING OR NEWLY PLANTED, PER 25 FT OF STREET FRONTAGE OF THE ZONING LOT CANAL STREET FRONTAGE: 77.4 FT / 25 FT = 3 TREES REQUIRED BROADWAY FRONTAGE: 79.5 FT / 25 FT = 3 TREES REQUIRED 6 TOTAL TREES REQUIRED	6 TOTAL TREES OR TREE EQUIVALENT CONTRIBUTIONS PROVIDED			COMPLIES
OFF-STREET PARKING & LOADING						
	OFF-STREET PARKING					
13-10	PARKING IN MANAHTTAN CORE	NONE	NONE			COMPLIES
	LOADING BERTHS					
	OFFICE USE	FIRST 100,000 SF OF FLOOR AREA - NONE	NONE			COMPLIES
44-52	RETAIL USE	FIRST 25,000 SF OF FLOOR AREA - NONE	NONE			COMPLIES
	BICYCLE PARKING					
44-60	OFFICE USE	3 SPACES (1 PER 7,500 SF)	3 SPACES			COMPLIES
36-70	RETAIL USE	1 SPACE (1 PER 10,000 SF)	1 SPACE			COMPLIES

FLOOR AREA SCHEDULE

	ZONING FLOOR AREA (SF)											
	USE GROUP 6 OFFICE					USE GROUP 6 RETAIL					TOTAL ALL USES	
FLOOR LEVEL	EXISTING TO REMAIN GROSS	PROPOSED NEW GROSS	MECHANICAL DEDUCTIONS	ZONE GREEN	ZFA	EXISTING TO REMAIN GROSS	PROPOSED NEW GROSS	MECHANICAL DEDUCTIONS	ZONE GREEN	ZFA	TOTAL GROSS	TOTAL ZFA
8	-	2,556.0	69.0	57.0	2,430.0	-	-	-	-	-	2,556.0	2,430.0
7	-	3,458.0	77.0	84.0	3,297.0	-	-	-	-	-	3,458.0	3,297.0
6	-	3,458.0	94.0	84.0	3,280.0	-	-	-	-	-	3,458.0	3,280.0
5	-	3,458.0	94.0	84.0	3,280.0	-	-	-	-	-	3,458.0	3,280.0
4	-	3,458.0	97.0	84.0	3,277.0	-	-	-	-	-	3,458.0	3,277.0
3	1,157.0	3,474.0	142.0	61.0	4,428.0	-	-	-	-	-	4,631.0	4,428.0
2	1,145.0	3,474.0	110.0	41.0	4,468.0	-	-	-	-	-	4,619.0	4,468.0
1 - GROUND	104.0	770.0	8.0	6.0	860.0	2,341.0	2,875.0	34.0	12.0	5,170.0	6,090.0	6,030.0
TOTALS (ABOVE GRADE)	2,406.0	24,106.0	691.0	501.0	25,320.0	2,341.0	2,875.0	34.0	12.0	5,170.0	**31,728.0**	**30,490.0**
CELLAR (GROSS SF)	-	2,996.0	-	-	0.0	-	3,070.0	-	-	0.0	6,066.0	0.0

SITE DATA

BOROUGH	MANHATTAN
BLOCK	231
TAX LOTS	1
ADDRESS	419 BROADWAY
ZONING MAP	12A
ZONING DISTRICT	M1-5B
ZONING LOT AREA	6,098 SF
HISTORIC DISTRICT	SOHO-CAST IRON HISTORIC DISTRICT
COMMUNITY DISTRICT	2 -MANHATTAN

REQUESTED ACTION

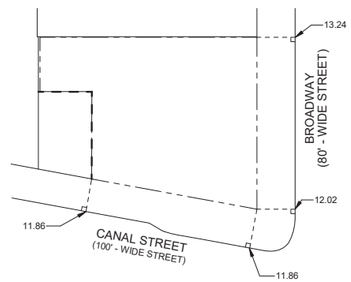
SPECIAL PERMIT PURSUANT TO ZR 74-711 (LANDMARK PRESERVATION IN ALL DISTRICTS)

CURB LEVEL CALCULATION & DIAGRAM

BROADWAY: 13.24' + 12.02' / 2 = 12.63'
CANAL STREET: 11.86' + 11.86' / 2 = 11.86'

CURB LEVEL = 12.63' + 11.86' / 2 = **12.25'**

NOTE: ALL ELEVATIONS ARE NAVD88



SCALE: 1/32" = 1'-0"

10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

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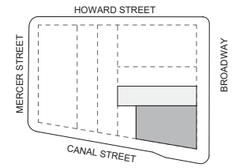


REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

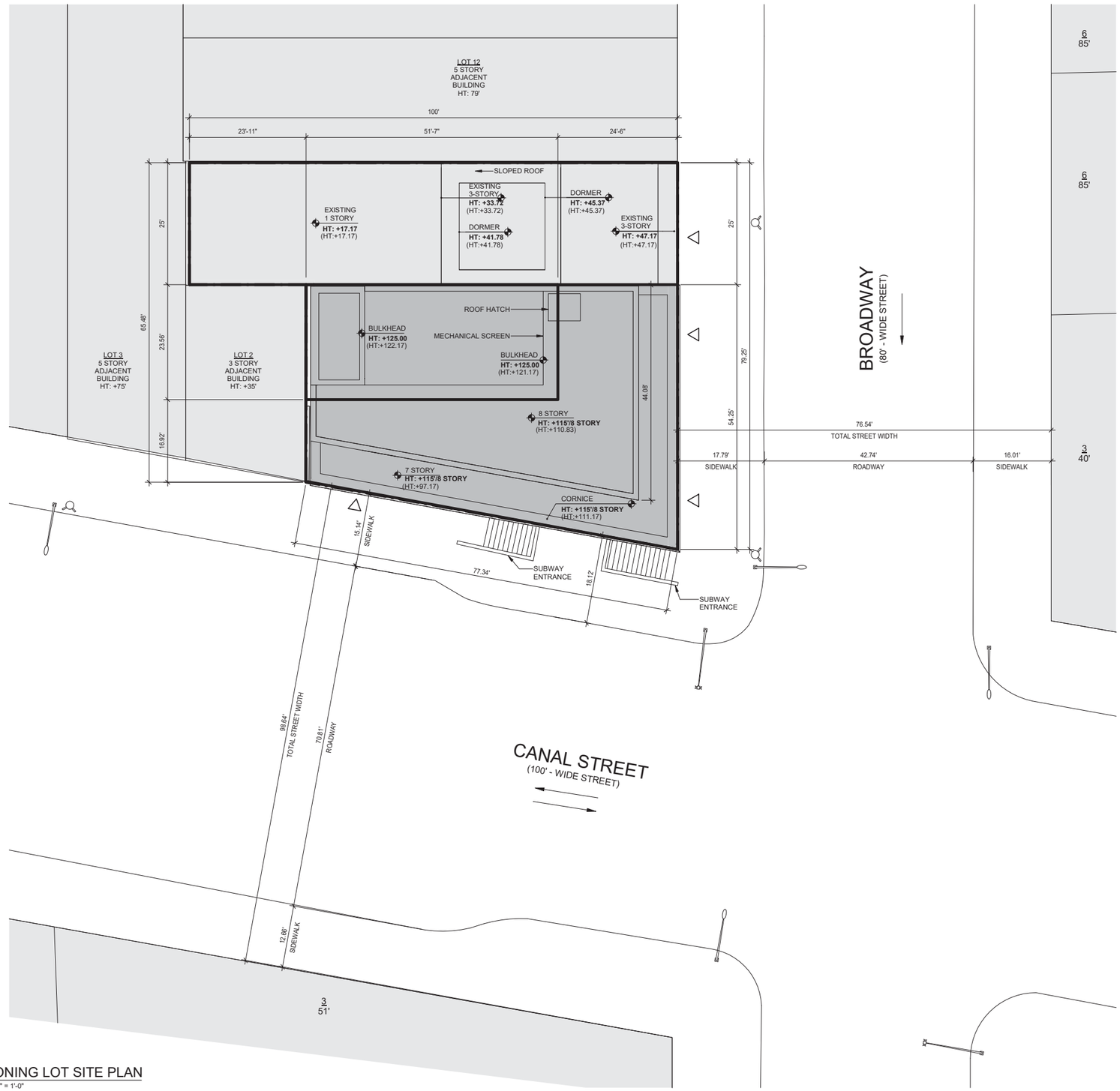
OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212–674–4511

ZONING ANALYSIS

Z-001

MA PROJECT NO:1638 SHEET OF



1 ZONING LOT SITE PLAN
3/32" = 1'-0"

LEGEND

- COMMERCIAL ENTRANCE POINT
- 8 / 90' — # STORIES / BUILDING HEIGHT
- UG # / RETAIL — USE GROUP / DESCRIPTION
- TRAFFIC DIRECTION
- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- STREET LAMP
- TRAFFIC LIGHT
- HYDRANT
- # STORY / HT: +0.00' (HT: +0.00') — DESCRIPTION / DEVELOPMENT ENVELOPE HEIGHT / ILLUSTRATIVE BUILDING HEIGHT
- S.E.P. — SKY EXPOSURE PLANE
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION

GENERAL NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO LPC APPROVAL.

SCALE: 3/32" = 1'-0"

10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

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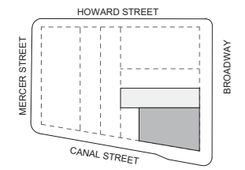

REV NO	DATE	ISSUE
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2	5/16/19	ULURP SUBMISSION
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OWNER/CLIENT:
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73 Spring Street, 6th Fl
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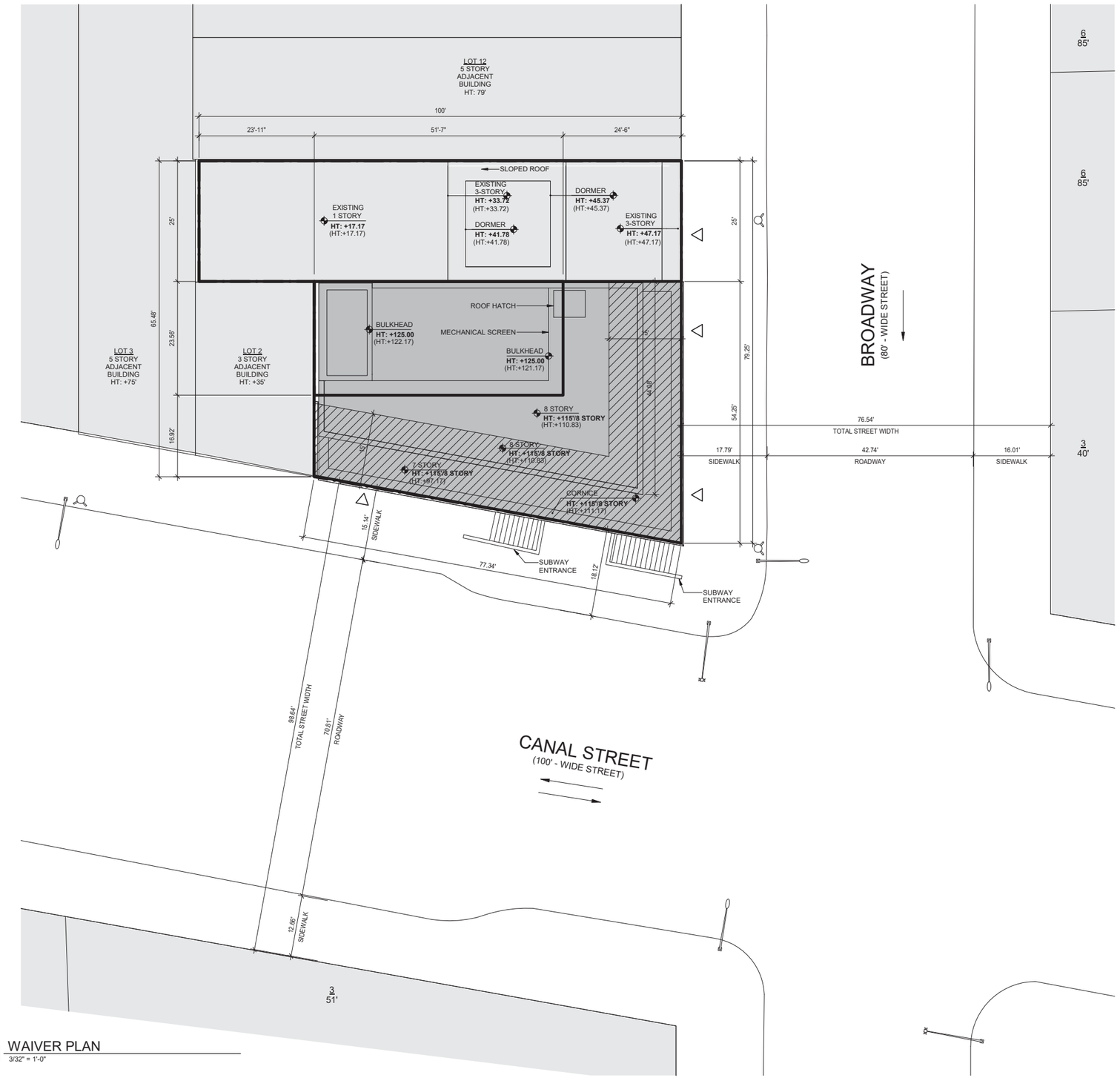
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

ZONING LOT SITE PLAN

Z-002

MA PROJECT NO:1638 SHEET OF



1 WAIVER PLAN
3/32" = 1'-0"

LEGEND

- COMMERCIAL ENTRANCE POINT
- 8 / 90' — # STORIES / BUILDING HEIGHT
- UG # / RETAIL — USE GROUP / DESCRIPTION
- TRAFFIC DIRECTION
- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- STREET LAMP
- TRAFFIC LIGHT
- HYDRANT
- # STORY / HT: +0.00' (HT: +0.00') — DESCRIPTION / DEVELOPMENT ENVELOPE HEIGHT / ILLUSTRATIVE BUILDING HEIGHT
- S.E.P. — SKY EXPOSURE PLANE
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRE SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

SCALE: 3/32" = 1'-0"

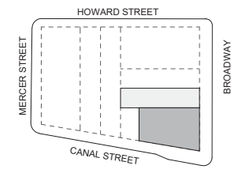
10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

MA Morris Adjmi Architects
www.ma.com



REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

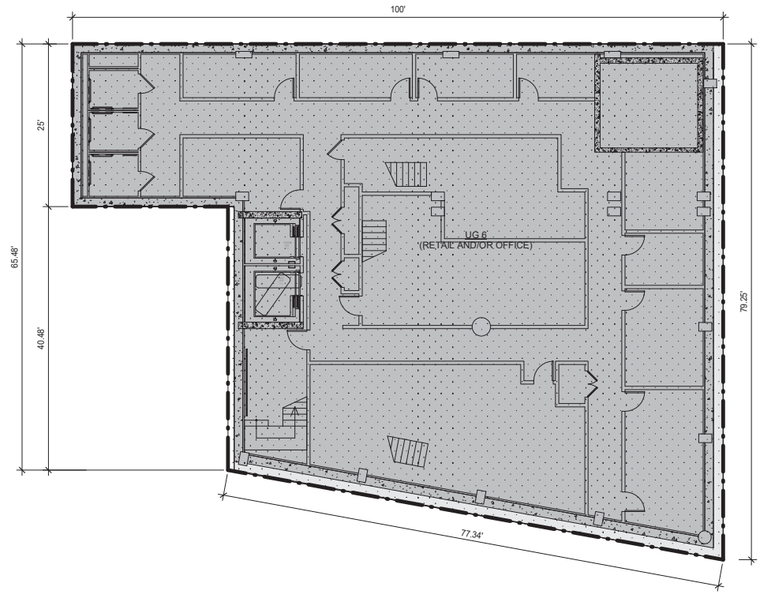
OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

WAIVER PLAN - SITE

Z-010

MA PROJECT NO:1638 SHEET OF



1 CELLAR WAIVER PLAN
3/32" = 1'-0"

LEGEND

UG #
RETAIL

USE GROUP
DESCRIPTION

ZONING LOT LINE

PROPOSED MAX. BUILDING ENVELOPE

ILLUSTRATIVE BUILDING ENVELOPE

EXISTING BUILDING

PROPOSED BUILDING / NEW CONSTRUCTION

ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711

UG6 USES LOCATED BELOW SECOND STORY REQUIRE SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.

SCALE: 3/32" = 1'-0"

10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

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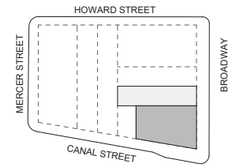
www.ma.com



REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

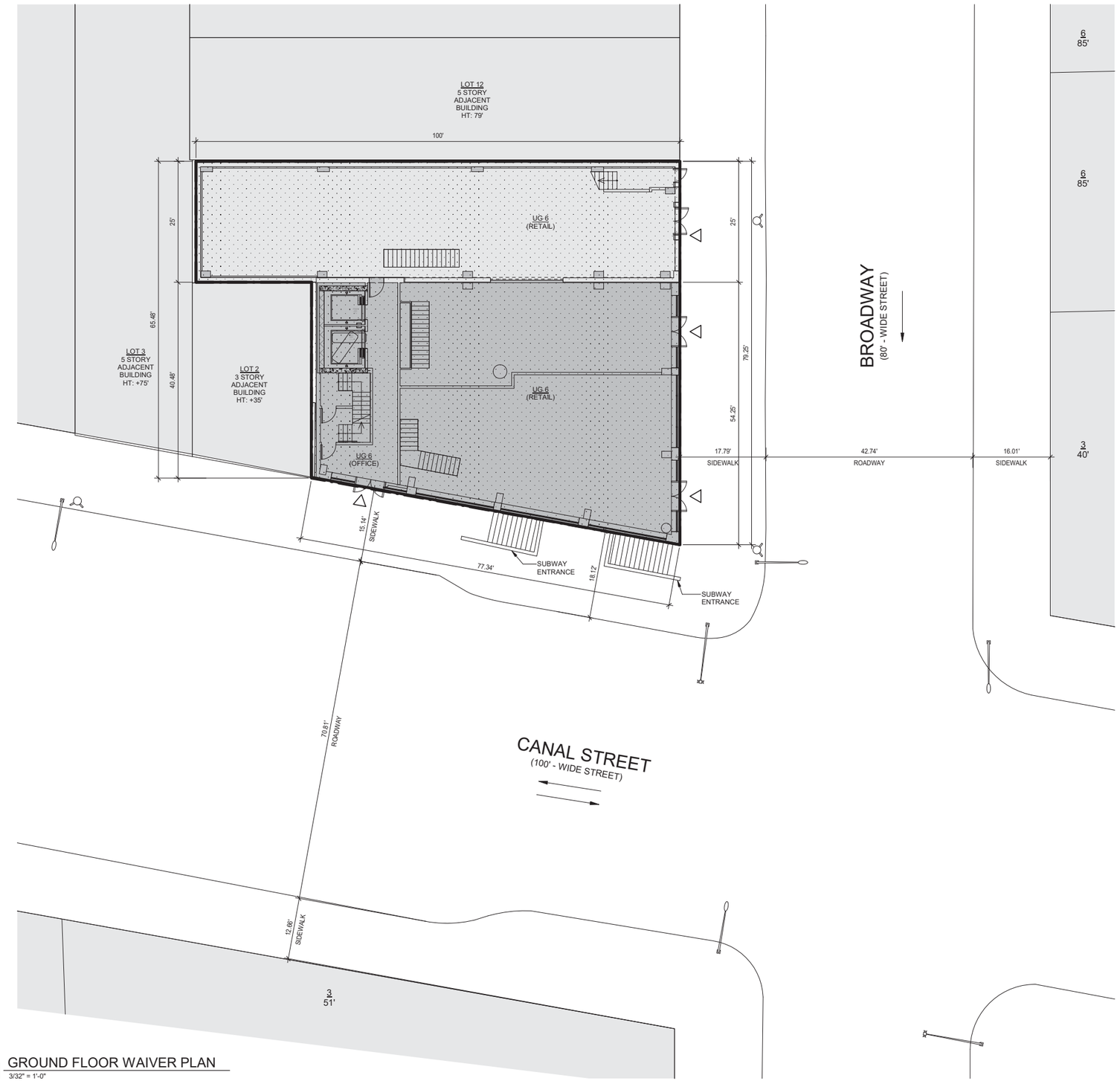
OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

WAIVER PLAN - CELLAR

Z-011

MA PROJECT NO:1638 SHEET OF



1 GROUND FLOOR WAIVER PLAN
3/32" = 1'-0"

LEGEND

- COMMERCIAL ENTRANCE POINT
- 8 — # STORIES
- 90' — BUILDING HEIGHT
- UG # — USE GROUP
- RETAIL — DESCRIPTION
- TRAFFIC DIRECTION
- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- STREET LAMP
- TRAFFIC LIGHT
- HYDRANT
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRE SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

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2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
4. BUILDING ENTRANCES ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO LPC APPROVAL.

SCALE: 3/32" = 1'-0"

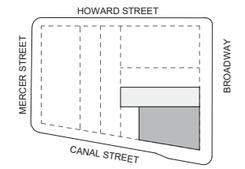
10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

MA Morris Adjmi Architects
www.ma.com



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2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

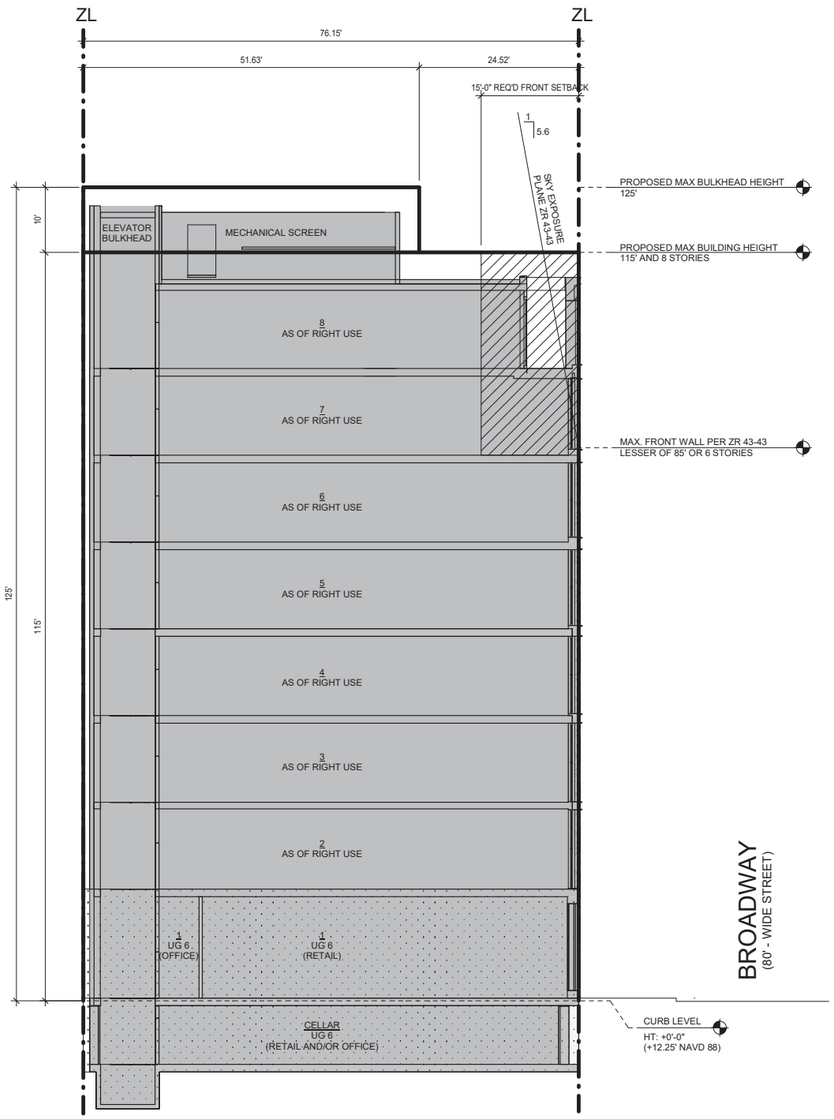
OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

WAIVER PLAN -
GROUND FLOOR

Z-012

MA PROJECT NO:1638 SHEET OF



1 WAIVER SECTION EAST-WEST
3/32" = 1'-0"

LEGEND

- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- DESCRIPTION — HEIGHT ABOVE CURB LEVEL
- STORY # — 5 — UG 6B — ZONING USE GROUP
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- 43-43 ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

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2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY ABOVE THE GROUND FLOOR.

SCALE: 3/32" = 1'-0"

10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

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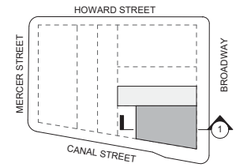
www.ma.com



REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

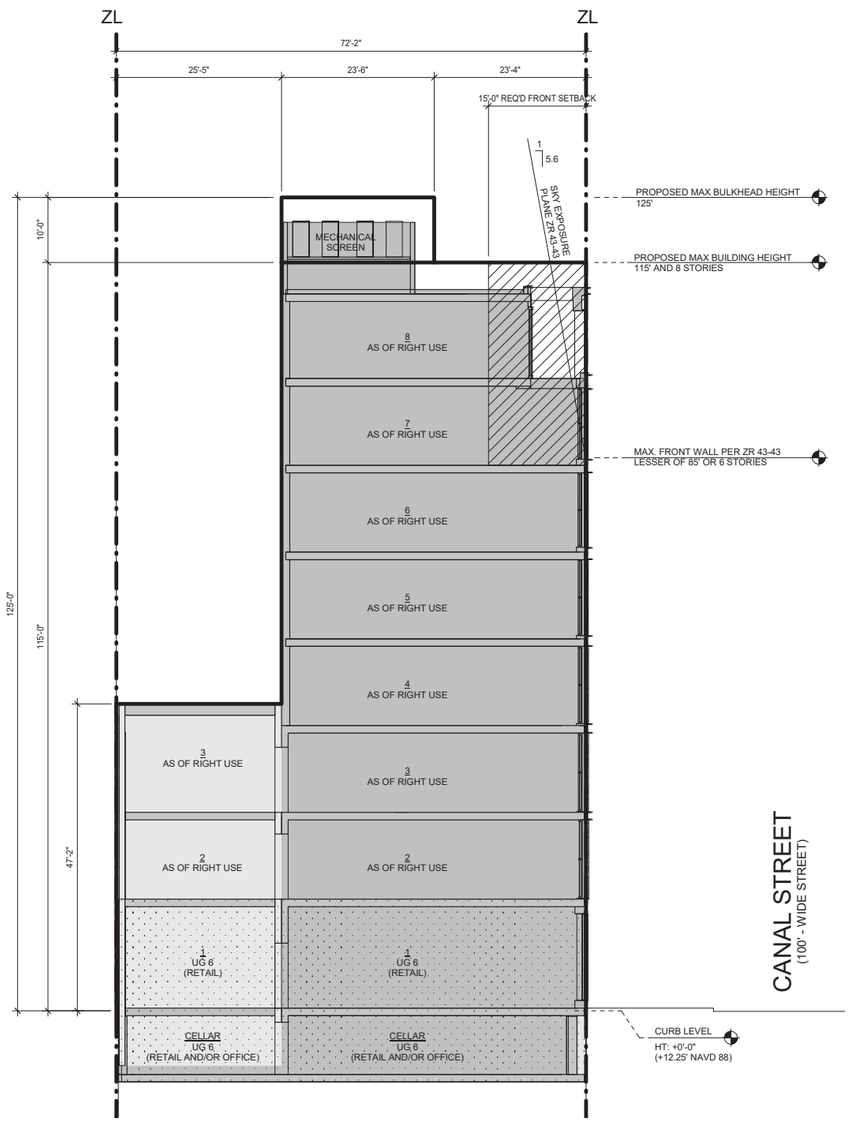
OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

WAIVER SECTION - EAST-WEST

Z-020

MA PROJECT NO:1638 SHEET OF



1 WAIVER SECTION NORTH-SOUTH
3/32" = 1'-0"

LEGEND

- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- DESCRIPTION / HEIGHT ABOVE CURB LEVEL
- STORY # / ZONING USE GROUP (5 / UG 6B)
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- 43-43 ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

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2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY ABOVE THE GROUND FLOOR.

SCALE: 3/32" = 1'-0"

10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

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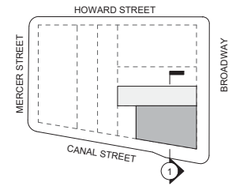

REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

OWNER/CLIENT:
United American Land LLC
73 Spring Street, 6th Fl
New York, NY 10012
Phone: 212-431-7500

ARCHITECT:
Morris Adjmi Architects
60 Broad Street, 32nd Fl.
New York, NY 10001
Phone: 212-982-2020
Fax: 212-674-4511

WAIVER SECTION - NORTH-SOUTH

Z-021

MA PROJECT NO:1638 SHEET OF

1 EAST BUILDING ELEVATION (BROADWAY)
3/32" = 1'-0"

LEGEND

- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE AT STREET LINE
- ILLUSTRATIVE BUILDING ENVELOPE
- DESCRIPTION / HEIGHT ABOVE CURB LEVEL
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- 43-43 ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

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2. GRAPHIC SCALE APPLICABLE TO ALL NON DIMENSIONED ELEMENTS.
3. BUILDING ENTRANCES, SIGNAGE, AND DETAILS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO LPC APPROVAL.

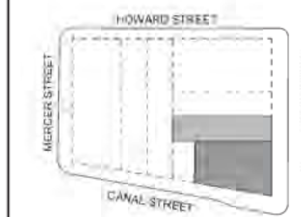
SCALE: 3/32" = 1'-0"
10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

MA Morris Adjmi Architects
www.ma.com



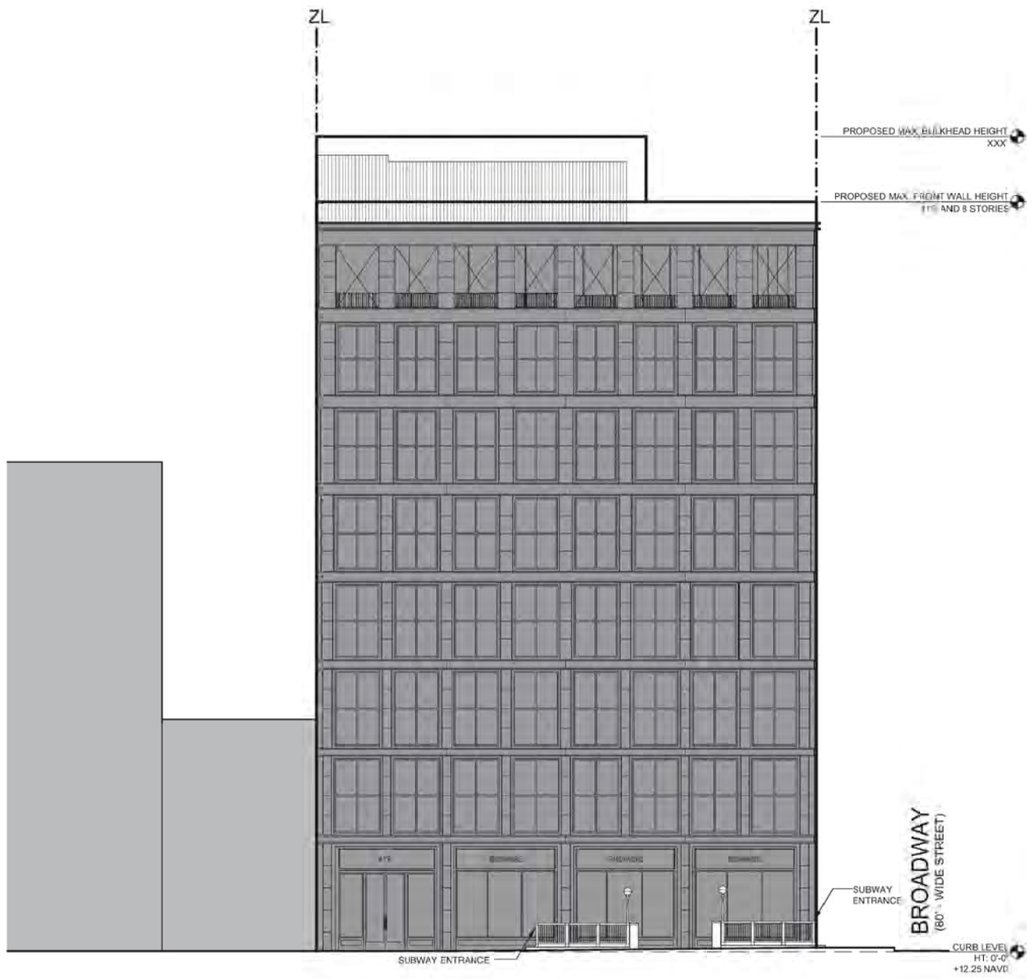
REV NO.	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

OWNER/CLIENT
ARCHITECT

EAST BUILDING ELEVATION

Z-030

MA PROJECT NO. 1638 SHEET OF



1 SOUTH BUILDING ELEVATION (CANAL STREET)
3/32" = 1'-0"

LEGEND

- ZONING LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE AT STREET LINE
- ILLUSTRATIVE BUILDING ENVELOPE
- DESCRIPTION / HEIGHT ABOVE CURB LEVEL
- EXISTING BUILDING
- PROPOSED BUILDING / NEW CONSTRUCTION
- 43-43 ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711
- UG6 USES LOCATED BELOW SECOND STORY REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-711

GENERAL NOTES

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3. BUILDING ENTRANCES, SIGNAGE, AND DETAILS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO LPC APPROVAL.

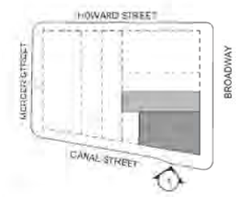
SCALE: 3/32" = 1'-0"
10' 5' 0 5' 10' 20'

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

MA Morris Adjmi Architects
www.ma.com



REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

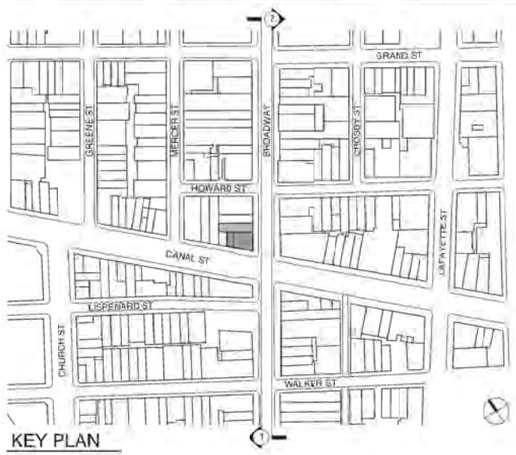
OWNER/CLIENT:
United American Land, LLC
73 Spring Street, Rm 11
New York, NY 10012
Phone: 212.431.7500

ARCHITECT:
Morris Adjmi Architects
60 Bleecker Street, 32nd Fl
New York, NY 10011
Phone: (212) 627-1811
Email: info@ma.com

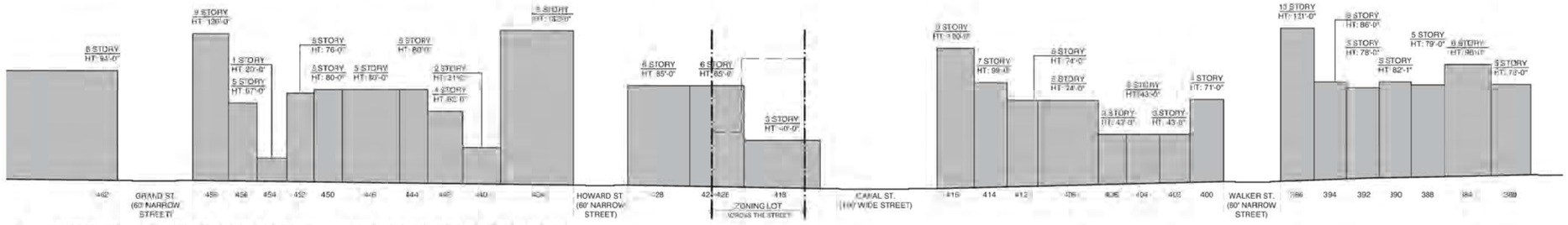
SOUTH BUILDING ELEVATION

Z-031

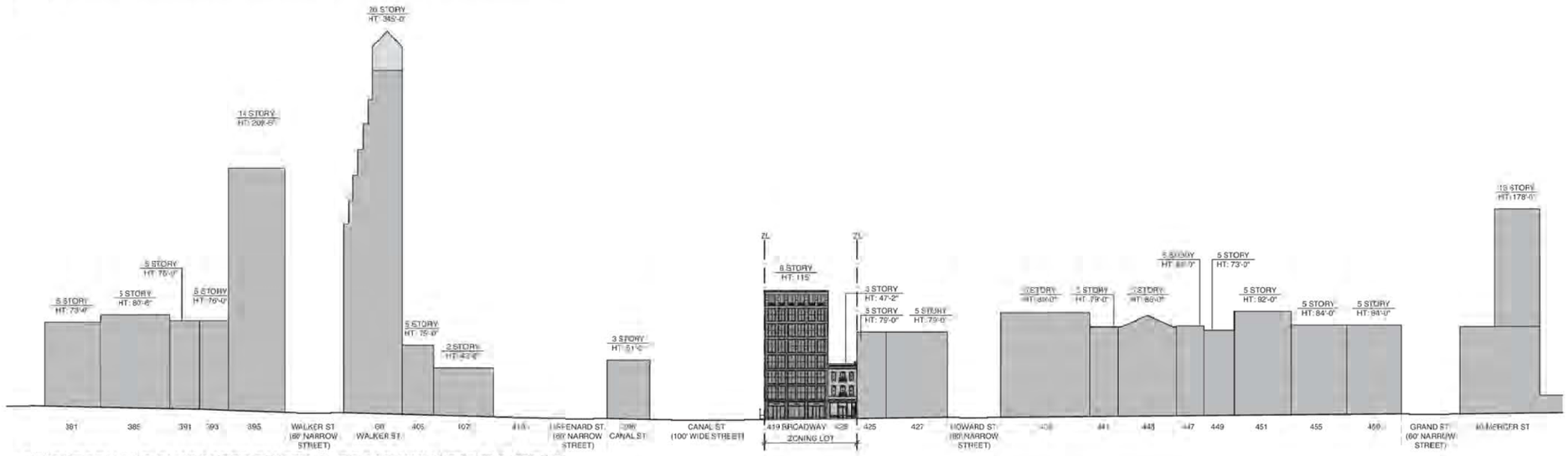
MA PROJECT NO: 1638 SHEET OF



KEY PLAN



2 NEIGHBORHOOD CHARACTER DIAGRAM - BROADWAY EAST ELEVATION
1" = 50'-0"



1 NEIGHBORHOOD CHARACTER DIAGRAM - BROADWAY WEST ELEVATION
1" = 50'-0"

LEGEND

ZONING LOT LINE

EXISTING BUILDING

PROPOSED BUILDING / NEW CONSTRUCTION

SCALE: 1" = 50'-0"

50' 25' 0 25' 50' 100'

GENERAL NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON DIMENSIONED ELEMENTS.

419 Broadway

419 Broadway
New York, NY 10013

BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2019M0000

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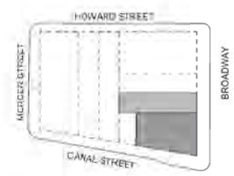
www.ma.com



REV NO	DATE	ISSUE
3	6/11/19	ULURP SUBMISSION
2	5/16/19	ULURP SUBMISSION
1	1/10/19	ULURP SUBMISSION

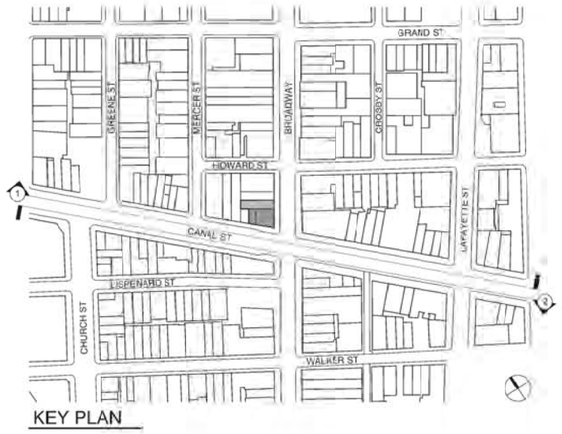
OWNER/CLIENT:
United American Land, LLC
73 Spring Street, Rm 11
New York, NY 10012
Phone: 212.431.7520

ARCHITECT:
Morris Adjmi Architects
50 Bowne Street, 32nd Fl
New York, NY 10011
Phone: (212) 627-2777
Fax: (212) 414-4101

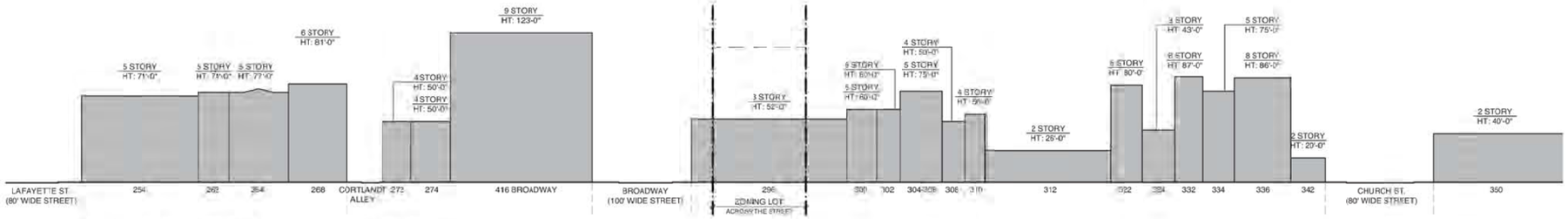
NEIGHBORHOOD CHARACTER DIAGRAMS

Z-040

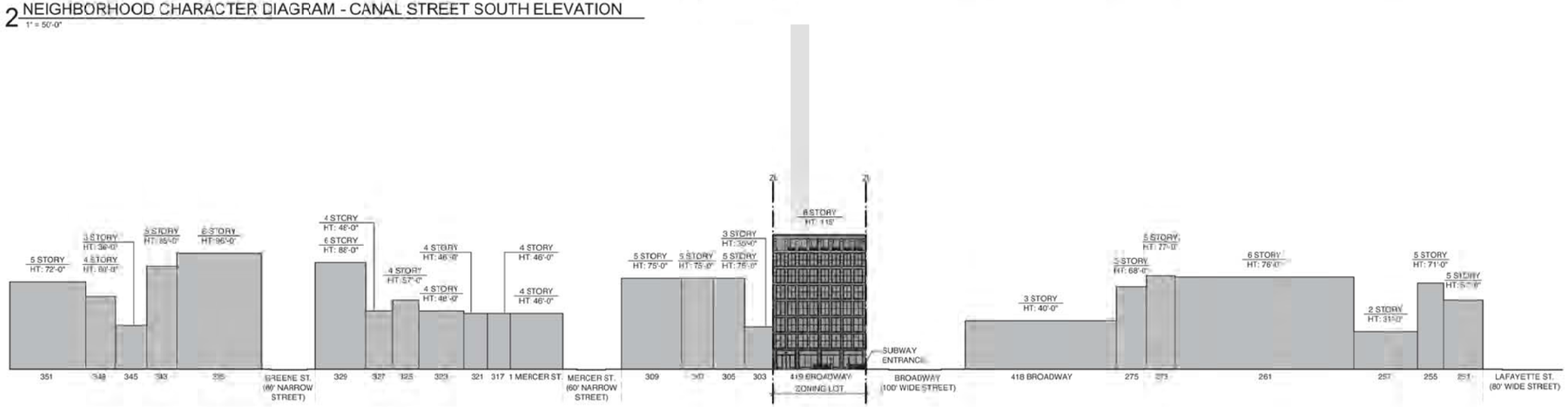
MA PROJECT NO: 1638 SHEET OF



KEY PLAN



2 NEIGHBORHOOD CHARACTER DIAGRAM - CANAL STREET SOUTH ELEVATION
1" = 50'-0"



1 NEIGHBORHOOD CHARACTER DIAGRAM - CANAL STREET NORTH ELEVATION
1" = 50'-0"

LEGEND

ZONING LOT LINE

EXISTING BUILDING

PROPOSED BUILDING / NEW CONSTRUCTION

SCALE 1" = 50'-0"

50' 25' 0 25' 50' 100'

GENERAL NOTES

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.

419 Broadway

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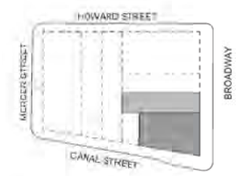
BOROUGH: MANHATTAN
BLOCK: 231
LOT: 1
ULURP: P2018M0030

MA Maria Agini Architects
www.ma.com



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1	1/10/19	ULURP SUBMISSION

OWNER/CLIENT:
Uniti American Land, LLC
73 Spring Street, Rm 711
New York, NY 10012
Phone: 212.431.7500

ARCHITECT:
Maria Agini Architects
60 Broad Street, 32nd Fl
New York, NY 10004
Phone: (212) 482-2800
Email: [illegible]

NEIGHBORHOOD CHARACTER DIAGRAMS

Z-041

MA PROJECT NO: 1638 SHEET OF

Appendix D: Waterfront Revitalization Policy (WRP) Assessment

FOR INTERNAL USE ONLY	WRP No. _____
Date Received: _____	DOS No. _____

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM
Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the *New York City Waterfront Revitalization Program (WRP)* which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

A. APPLICANT INFORMATION

Name of Applicant: 419 MM LLC

Name of Applicant Representative: Valerie Campbell, Kramer Levin Naftalis & Frankel

Address: 1177 Avenue of Americas, New York, NY

Telephone: 212-715-9183 Email: vcampbell@kramerlevin.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The proposed project seeks a CPC Special Permit pursuant to Zoning Resolution (ZR) Section 74-711 to modify underlying use and bulk requirements to facilitate a 37,730 gross square feet (GSF) commercial development comprising 8,364 GSF of retail space at the ground and cellar floors, and 28,245 GSF of office space above. The project area is wholly within the SoHo Cast Iron Historic District, and as part of the proposed project, the applicant would establish a restoration and continuing maintenance plan for an existing contributing building within the project area.

2. Purpose of activity

The proposed project seeks to redevelop a portion of an underutilized, non-contributing site at a prominent corner location within the SoHo Cast Iron Historic District with a new commercial building with ground floor retail and office space above. The proposed project would also establish a restoration and continuing maintenance plan for an existing contributing building in the project area.

C. PROJECT LOCATION

Borough: Manhattan Tax Block/Lot(s): Block 231, Lot 1

Street Address: 419 Broadway, New York, NY

Name of water body (if located on the waterfront): _____

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission ☑ Yes ☐ No

- ☐ City Map Amendment
- ☐ Zoning Map Amendment
- ☐ Zoning Text Amendment
- ☐ Site Selection – Public Facility
- ☐ Housing Plan & Project
- ☑ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____
- ☐ Zoning Certification
- ☐ Zoning Authorizations
- ☐ Acquisition – Real Property
- ☐ Disposition – Real Property
- ☐ Other, explain: _____
- ☐ Concession
- ☐ UDAAP
- ☐ Revocable Consent
- ☐ Franchise

Board of Standards and Appeals ☐ Yes ☑ No

- ☐ Variance (use)
- ☐ Variance (bulk)
- ☐ Special Permit
  (if appropriate, specify type: ☐ Modification ☐ Renewal ☐ other) Expiration Date: _____

Other City Approvals

- ☐ Legislation
- ☐ Rulemaking
- ☐ Construction of Public Facilities
- ☐ 384 (b) (4) Approval
- ☑ Other, explain: LPC Certificate of Appropriateness (received 20 February 2018)
- ☐ Funding for Construction, specify: _____
- ☐ Policy or Plan, specify: _____
- ☐ Funding of Program, specify: _____
- ☐ Permits, specify: _____

State Actions/Approvals/Funding

- ☐ State permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Federal Actions/Approvals/Funding

- ☐ Federal permit or license, specify Agency: _____ Permit type and number: _____
- ☐ Funding for Construction, specify: _____
- ☐ Funding of a Program, specify: _____
- ☐ Other, explain: _____

Is this being reviewed in conjunction with a Joint Application for Permits? ☐ Yes ☑ No

E. LOCATION QUESTIONS

1.	Does the project require a waterfront site?	☐ Yes	☑ No
2.	Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?	☐ Yes	☑ No
3.	Is the project located on publicly owned land or receiving public assistance?	☐ Yes	☑ No
4.	Is the project located within a FEMA 1% annual chance floodplain? *(6.2)*	☐ Yes	☑ No
5.	Is the project located within a FEMA 0.2% annual chance floodplain? *(6.2)*	☑ Yes	☐ No
6.	Is the project located adjacent to or within a special area designation? *See Maps – Part III of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).*	☐ Yes	☑ No

- ☐ Significant Maritime and Industrial Area (SMIA) (*2.1*)
- ☐ Special Natural Waterfront Area (SNWA) (*4.1*)
- ☐ Priority Maritime Activity Zone (PMAZ) (*3.5*)
- ☐ Recognized Ecological Complex (REC) (*4.4*)
- ☐ West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (*2.2, 4.2*)

F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder *or* Not Applicable (N/A). *For more information about consistency review process and determination, see* ***Part I*** *of the NYC Waterfront Revitalization Program. When assessing each policy, review the full policy language, including all sub-policies, contained within* ***Part II*** *of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).*

For those policies checked Promote *or* Hinder, *provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.*

		Promote	Hinder	N/A
1	**Support and facilitate commercial and residential redevelopment in areas well-suited to such development.**	☑	☐	☐
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	☑	☐	☐
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	☐	☐	☑
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	☑	☐	☐
1.4	In areas adjacent to SMIAs, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	☐	☐	☑
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	☑	☐	☐

		Promote	Hinder	N/A
2	**Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.**	☐	☐	☑
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	☐	☐	☑
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	☐	☐	☑
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	☐	☐	☑
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	☐	☐	☑
3	**Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.**	☐	☐	☑
3.1.	Support and encourage in-water recreational activities in suitable locations.	☐	☐	☑
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	☐	☐	☑
3.3	Minimize conflicts between recreational boating and commercial ship operations.	☐	☐	☑
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	☐	☐	☑
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	☐	☐	☑
4	**Protect and restore the quality and function of ecological systems within the New York City coastal area.**	☐	☐	☑
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	☐	☐	☑
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	☐	☐	☑
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	☐	☐	☑
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	☐	☐	☑
4.5	Protect and restore tidal and freshwater wetlands.	☐	☐	☑
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	☐	☐	☑
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	☐	☐	☑
4.8	Maintain and protect living aquatic resources.	☐	☐	☑

		Promote	Hinder	N/A
5	**Protect and improve water quality in the New York City coastal area.**	☐	☐	☑
5.1	Manage direct or indirect discharges to waterbodies.	☐	☐	☑
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	☐	☐	☑
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	☐	☐	☑
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	☐	☐	☑
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	☐	☐	☑
6	**Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.**	☑	☐	☐
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	☑	☐	☐
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in *New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms*) into the planning and design of projects in the city's Coastal Zone.	☑	☐	☐
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	☐	☐	☑
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	☐	☐	☑
7	**Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.**	☐	☐	☑
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	☐	☐	☑
7.2	Prevent and remediate discharge of petroleum products.	☐	☐	☑
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	☐	☐	☑
8	**Provide public access to, from, and along New York City's coastal waters.**	☐	☐	☑
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	☐	☐	☑
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	☐	☐	☑
8.3	Provide visual access to the waterfront where physically practical.	☐	☐	☑
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	☐	☐	☑

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	☐	☐	☑
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	☐	☐	☑
9	**Protect scenic resources that contribute to the visual quality of the New York City coastal area.**	☐	☐	☑
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	☐	☐	☑
9.2	Protect and enhance scenic values associated with natural resources.	☐	☐	☑
10	**Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.**	☐	☐	☑
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	☐	☐	☑
10.2	Protect and preserve archaeological resources and artifacts.	☐	☐	☑

G. CERTIFICATION

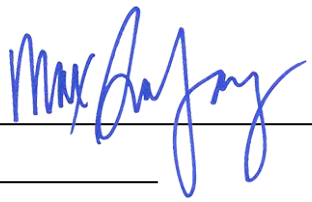
The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Max Stember-Young

Address: 1 Penn Plaza, Suite 715

Telephone: (212) 857-7368 Email: mstember-young@vhb.com

Applicant/Agent's Signature: 

Date: 2/1/19

Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the NYS Department of State Office of Planning and Development and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

New York City Department of City Planning
Waterfront and Open Space Division
120 Broadway, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State
Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

Applicant Checklist

- ☐ Copy of original signed NYC Consistency Assessment Form
- ☐ Attachment with consistency assessment statements for all relevant policies
- ☐ For Joint Applications for Permits, one (1) copy of the complete application package
- ☐ Environmental Review documents
- ☐ Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- ☐ Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

Waterfront Revitalization Policy Assessment

Policy 1: Support and facilitate commercial and residential redevelopment in areas well-suited to such development.

Policy 1.1: *Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.*

The Development Site consists of a two-story building with office over retail and a one-story retail building. These existing buildings, located at a prominent corner location within the SoHo Cast Iron Historic District, are non-contributing due to extensive alterations since their initial construction. The proposed project would result in the demolition of these buildings to allow for the construction of an 8-story building with ground floor retail use and office space above. Land uses surrounding the area are primarily commercial and mixed residential and commercial buildings. The proposed project would be consistent with these land uses, and would redevelop a portion of an underutilized, non-contributing site with a new commercial development.

Policy 1.3: *Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.*

Overall, local facilities are adequate to handle the demands of the proposed project. The proposed project would connect with water and sewer lines that are available in the nearby streets. There is adequate capacity in the system to serve the proposed project. The local street networks would provide multiple traffic routes to and from the project site. In addition, the site is well served by public transit, with the Canal Street station located adjacent to the site.

Policy 1.5: *Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.*

See response to WRP Policy 6.2.

Policy 6: Minimize loss of life, structures and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.

Policy 6.1: *Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.*

See response to WRP Policy 6.2.

Policy 6.2: *Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone.*

The entire development site is located outside the National Flood Insurance Program's (NFIP) 100-year floodplain (Zone AE), as mapped in the Preliminary Flood Insurance Rate Map (FIRM) for New York County, NY dated December 5, 2013 (Map Number 3604970182G). The base flood elevation (BFE) is 10 feet NAVD88 throughout the entire project site. The development site is within the 500-year floodplain (Zone X).

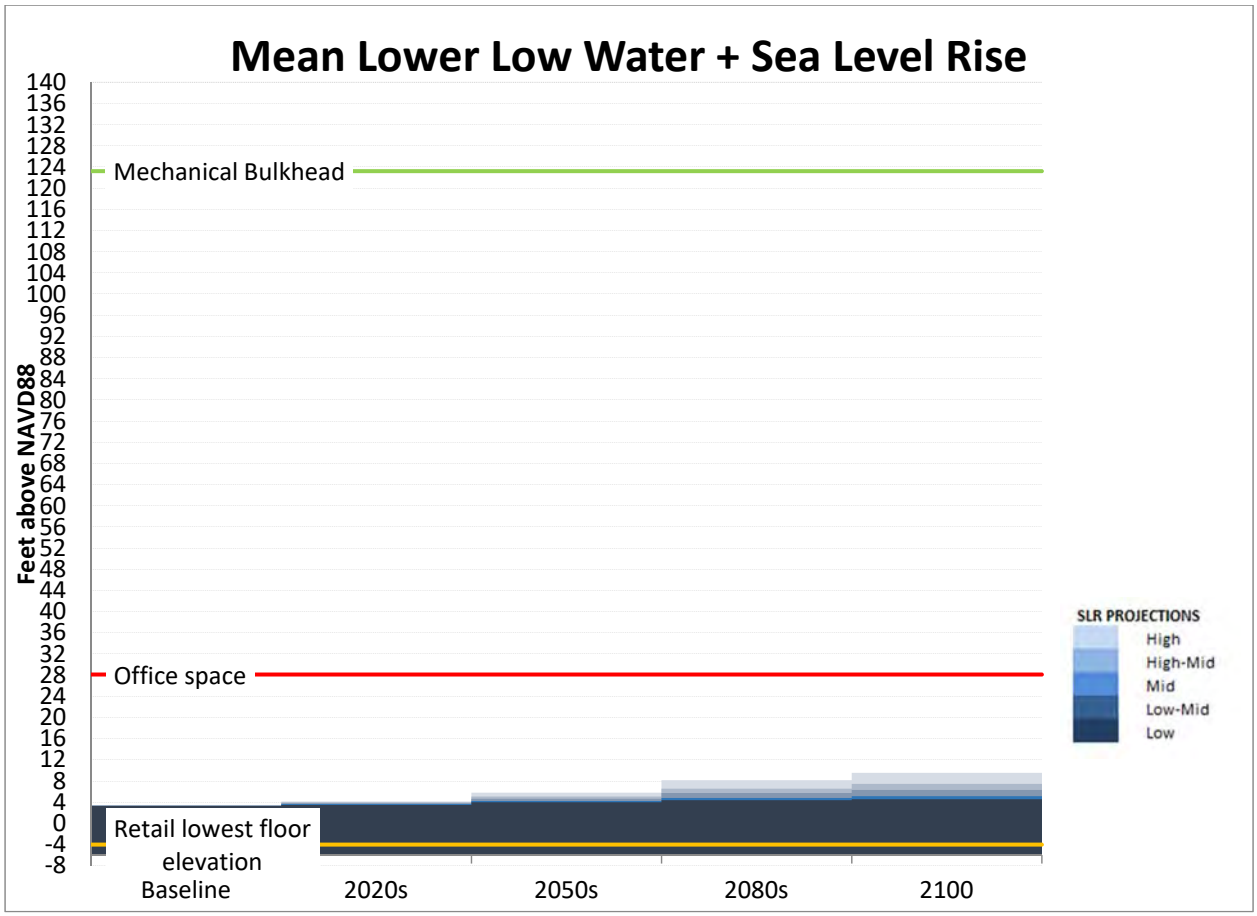
Based on sea level rise (SLR) estimates from the New York City Panel of Climate Change's 2015 report, *Building the Knowledge Base for Climate Resiliency,* predicted flood elevations for various SLR scenarios were determined, as depicted in **Table 1**. All SLR calculations are provided in the flood elevation worksheets attached.

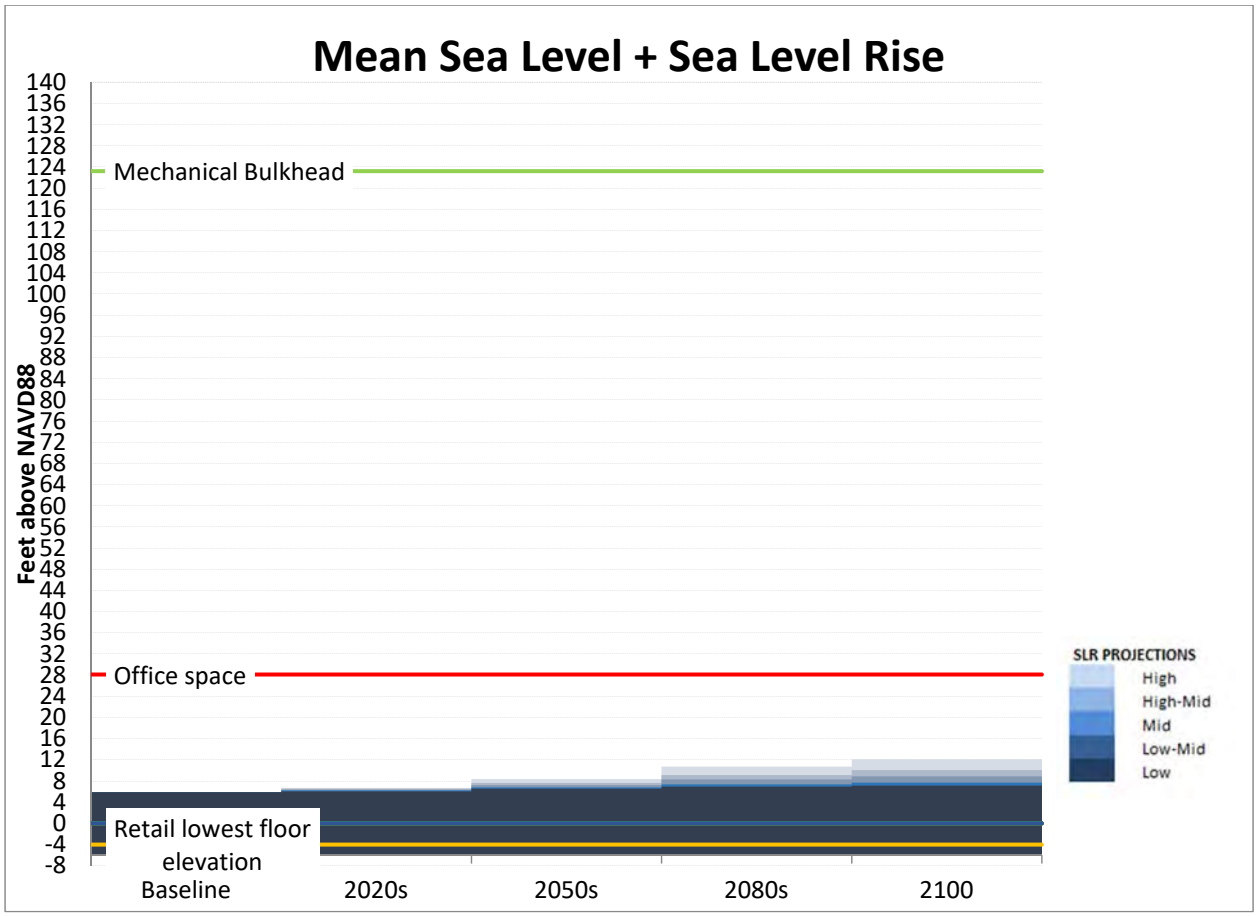
Table 1 100 Year Floodplain Elevations with Sea Level Rise

Decade	Low Estimate – 10th percentile (ft)	Mid-Range – 25th to 75th percentile (ft)		High Estimate – 90th percentile (ft)
2020	10.2	10.3	10.7	10.8
2050	10.7	10.9	11.8	12.5
2080	11.1	11.5	13.3	14.8
2100	11.3	11.8	14.2	16.3

Most of the proposed project would comply with the New York City Building Code requirements for construction within the 100-year and 500-year floodplains regarding the lowest floor elevation. The first-floor retail space would be constructed at an elevation of 11.9 feet, approximately 2 feet above the base flood elevation (BFE) and accounting for at least the mid-range elevations under the SLR scenarios above, to the year 2050. The office space would be constructed at an elevation of 28.1 feet, 18.1 feet above the BFE. The project's critical feature, the mechanical room (and elevator bulkhead) would be constructed on the roof of the building at an elevation of 123.2 feet, well above the BFE (113.2 feet).

The proposed project would consist of a cellar level retail space, which would be constructed below grade. However, as stated previously, the proposed project is not located within the 100-year floodplain, per FEMA Preliminary Flood Insurance Rate Map. The proposed project will comply with the applicable flooding regulations, including those in the NYC Building Code, and for these reasons, the proposed project would be consistent with this policy.


Mean Lower Low Water + Sea Level Rise
Feet above NAVD88
140
136
132
128
124
120
116
112
108
104
100
96
92
88
84
80
76
72
68
64
60
56
52
48
44
40
36
32
28
24
20
16
12
8
4
0
-4
-8
Mechanical Bulkhead
Office space
Retail lowest floor elevation
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low


Mean Sea Level + Sea Level Rise
Feet above NAVD88
140
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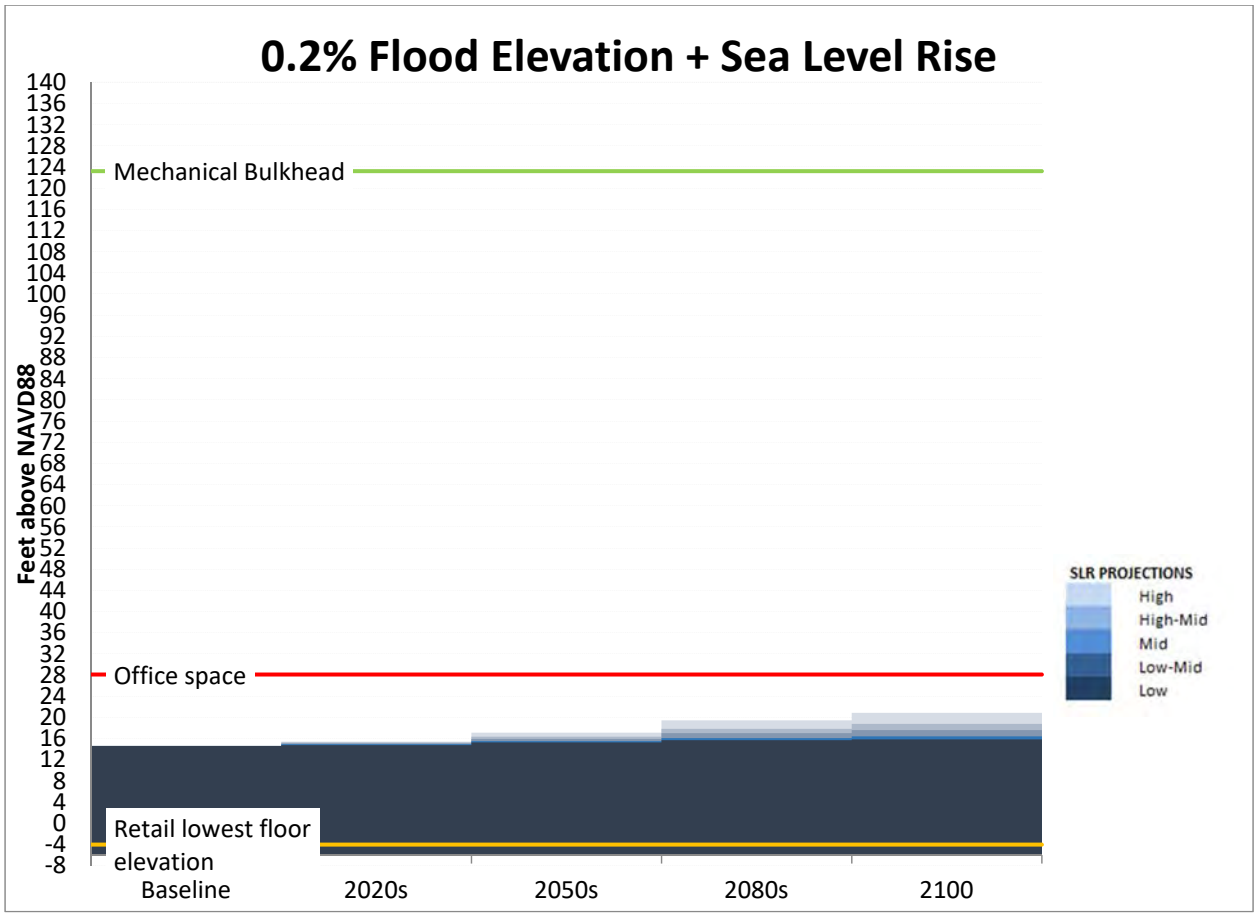
16
12
8
4
0
-4
-8
Mechanical Bulkhead
Office space
Retail lowest floor elevation
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low


0.2% Flood Elevation + Sea Level Rise
Feet above NAVD88
140
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124
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112
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92
88
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76
72
68
64
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32
28
24
20
16
12
8
4
0
-4
-8
Mechanical Bulkhead
Office space
Retail lowest floor elevation
Baseline
2020s
2050s
2080s
2100
SLR PROJECTIONS
High
High-Mid
Mid
Low-Mid
Low

Stember-Young, Max

From: Allan Zaretsky (DCP) <AZARETSKY@planning.nyc.gov>
Sent: Wednesday, September 5, 2018 12:49 PM
To: 'vcampbell@kramerlevin.com'
Cc: Stember-Young, Max; Matthew Katz (DCP); Sylvia Li (DCP); Michael Marrella (DCP)
Subject: [External] WRP Consistency Determination: 419 Broadway Special Permit (WRP #17-149) [Filed 05 Sep 2018 12:53]

Hello,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

419 Broadway Special Permit (CEQR # 19DCP042M): Special permit pursuant to ZR Section 74-711 to allow ground floor retail and height and setback waivers in M1-5B district in SoHo.

Based on the information submitted, the Waterfront Open Space Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, finds that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy and hereby determines the project consistent with the WRP policies.

This determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP # 17-149. If there are any questions regarding this review, please contact me.

Allan Zaretsky
Planner | WATERFRONT & OPEN SPACE DIVISION
Waterfront Revitalization Program Consistency Review

NYC DEPT. OF CITY PLANNING
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t 212.720.3448 • azaretsky@planning.nyc.gov

http://www1.nyc.gov/site/planning/applicants/wrp/wrp.page