NYCPLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

NOTICE OF CERTIFICATION

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 160137 ZMM**	Project Name: **East Houston Street Rezoning**
CEQR Number: 16DCP077M	Borough(s): Manhattan
	Community District Number(s): 3

Please use the above application number on all correspondence concerning this application

Docket Description:

IN THE MATTER OF an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from an existing R8A District a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and

2. establishing within an existing R8A District a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street;

Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

Related Applications:				

Applicant(s):	**Applicant's Representative:**
SMBRO Rivington, LLC 185 Great Neck Road, Suite 250 Great Neck, NY 11021	S. Nicholas Hockens Greenberg Traurig, LLP 200 Park Avenue New York, NY 10166

Contact:
Address questions about this application to the following DCP office:
DEPARTMENT OF CITY PLANNING
Manhattan Office
Address: 120 Broadway, 31st Floor, New York, NY 10271
Phone: 212-720-3480
Fax: 212-720-3488

Public Review Timeline:

On **February 22, 2016** the above listed application was certified as complete by the Department of City Planning. The period for community board review begins on **March 2, 2016** and must be completed by **May 2, 2016**

DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

NOTIFICATION OF COMMUNITY/BOROUGH BOARD PUBLIC HEARING

Application #: **C 160137 ZMM** CEQR Number: 16DCP077M	Project Name: **East Houston Street Rezoning** Borough(s): Manhattan Community District Number(s): 3

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Return this completed page at least fourteen **(**14) days before the scheduled hearing date by one of the following options:
   - **EMAIL (recommended):** Send email to **CalendarOffice@planning.nyc.gov** and include in the subject line: (CB or BB) Public Hearing Notice + (6-digit application number), e.g., "CB Public Hearing Notice #C100000ZSQ"
   - **MAIL:** Calendar Office, City Planning Commission, 120 Broadway, 31ST Floor, New York, NY 10271
   - **FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy to the applicant's representative at the address listed below at least (10) days before the scheduled hearing date.

Docket Description:

IN THE MATTER OF an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from an existing R8A District a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and

2. establishing within an existing R8A District a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street;

Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

Applicant(s):	**Applicant's Representative:**
SMBRO Rivington, LLC 185 Great Neck Road, Suite 250 Great Neck, NY 11021	S. Nicholas Hockens Greenberg Traurig, LLP 200 Park Avenue New York, NY 10166

Contact:
Address questions about this application to the following DCP office:
DEPARTMENT OF CITY PLANNING
Manhattan Office
Address: 120 Broadway, 31st Floor, New York, NY 10271
Phone: 212-720-3480
Fax: 212-720-3488

Notification submitted by:

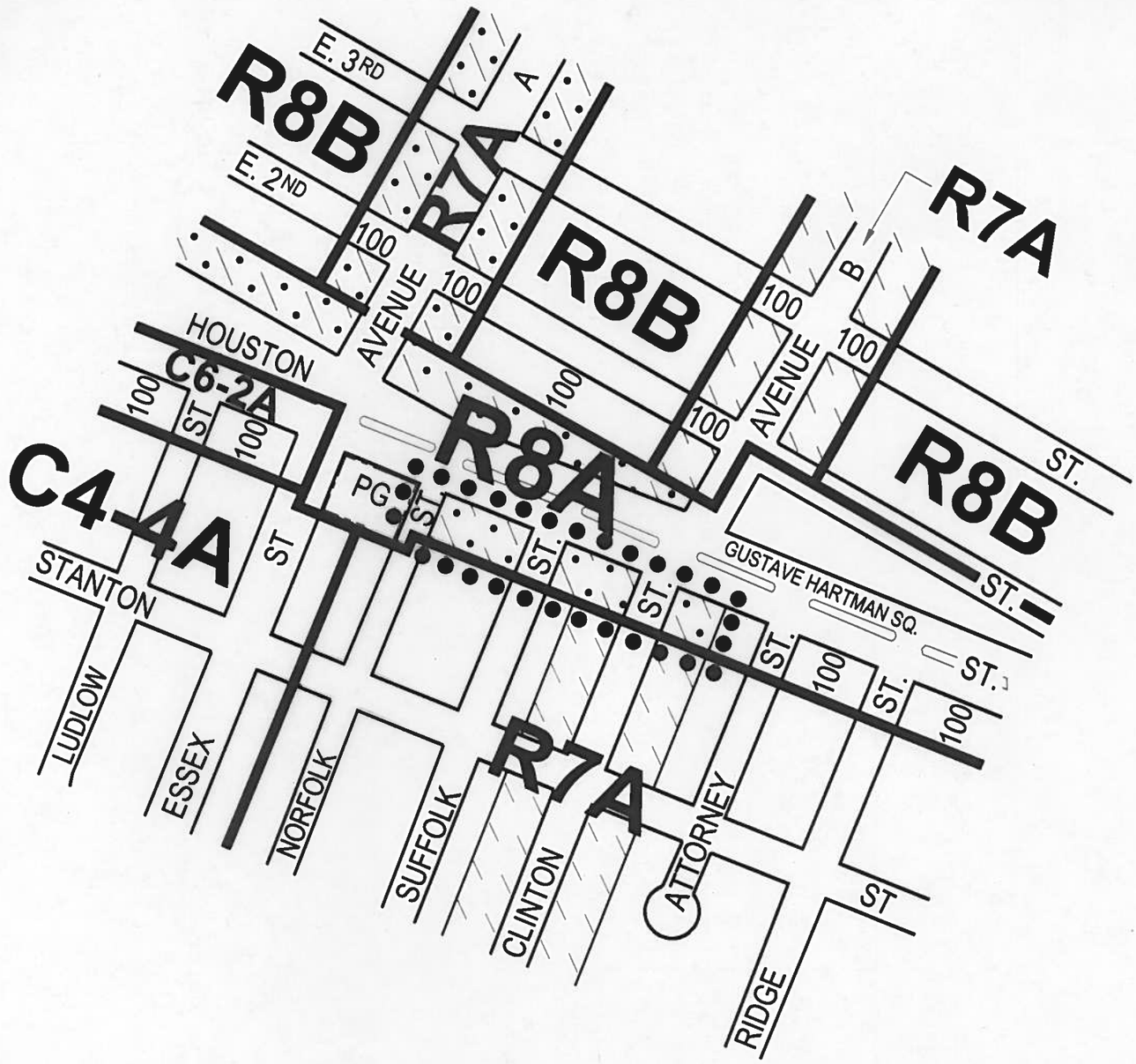
Manhattan Community Board 3

Date of Public Hearing:	***Time:***
Hearing Location:	

Name of CB/BB officer completing this form	***Title***	***Date***

C.D. 03

C 160137 ZMM



CITY PLANNING COMMISSION

CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED

ZONING CHANGE

ON SECTIONAL MAP

12c

BOROUGH OF

MANHATTAN

New York, Certification Date
FEBRUARY 22, 2016

J. Miraglia, Director
Technical Review Division

SCALE IN FEET

300 0 300

NOTE:

Indicates Zoning District Boundary.

The area enclosed by the dotted line is proposed to be rezoned by eliminating a C1-5 District from an existing R8A District and by establishing a C2-5 District within an existing R8A District.

Indicates a C1-5 District.

Indicates a C2-5 District.

NOTE: THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

NYC PLANNING
DEPARTMENT OF CITY PLANNING CITY OF NEW YORK

Community/Borough Board Recommendation

Pursuant to the **U**niform **L**and **U**se **R**eview **P**rocedure

Application #: **C 160137 ZMM**	Project Name: **East Houston Street Rezoning**
CEQR Number: 16DCP077M	Borough(s): Manhattan Community District Number(s): 3

Please use the above application number on all correspondence concerning this application

SUBMISSION INSTRUCTIONS

1. Complete this form and return to the Department of City Planning by one of the following options:
   - **EMAIL (recommended):** Send email to **CalendarOffice@planning.nyc.gov** and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
   - **MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31st Floor, New York, NY 10271
   - **FAX**: to (212) 720-3488 and note "Attention of the Calendar Office"
2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by SMBRO Rivington, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from an existing R8A District a C1-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and a line midway between Suffolk Street and Clinton Street; and

2. establishing within an existing R8A District a C2-5 District bounded by East Houston Street, a line midway between Clinton Avenue and Attorney Street, a line 100 feet southerly of East Houston Street, and Norfolk Street;

Borough of Manhattan, Community District 3, as shown on a diagram (for illustrative purposes only) dated February 22, 2016.

Applicant(s):	**Applicant's Representative:**
SMBRO Rivington, LLC 185 Great Neck Road, Suite 250 Great Neck, NY 11021	S. Nicholas Hockens Greenberg Traurig, LLP 200 Park Avenue New York, NY 10166

Recommendation submitted by:

Manhattan Community Board 3

Date of public hearing: **Location:**

Was a quorum present? **YES** ☐ **NO** ☐ *A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.*

Date of Vote: **Location:**

RECOMMENDATION

☐ Approve ☐ Approve With Modifications/Conditions

☐ Disapprove ☐ Disapprove With Modifications/Conditions

Please attach any further explanation of the recommendation on additional sheets, as necessary.

Voting

 # In Favor: **# Against:** **# Abstaining:** **Total members appointed to the board:**

Name of CB/BB officer completing this form	*Title*	*Date*

Land Use Review Application

Department of City Planning — 22 Reade Street, New York, NY 10007-1216

City Planning will assign and stamp reference numbers here

160137 ZMM
APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

1. APPLICANT AND APPLICANT'S REPRESENTATIVES

SMBRO Rivington, LLC
APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) *

185 Great Neck Road, Suite 250
STREET ADDRESS

Great Neck | **NY** | **11021**
CITY | STATE | ZIP

AREA CODE | TELEPHONE # | FAX#

S. Nicholas Hockens
APPLICANT'S PRIMARY REPRESENTATIVE

Greenberg Traurig, LLP
REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

200 Park Avenue
STREET ADDRESS

New York | **NY** | **10166**
CITY | STATE | ZIP

(212) 801-9200 | **(212) 801-6400**
AREA CODE TELEPHONE # | FAX#

* List additional applicants below:

SIMSIS Rivington, LLC; SM Hillel, LLC; Suffolk MS, LLC
CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

ADDITIONAL APPLICANT REPRESENTATIVE:

S. Nicholas Hockens (Attorney) | **(212) 801-9200** | **(212) 801-6400**
NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) | TELEPHONE # | FAX #

2. SITE DATA

(If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

See LR Item 2
STREET ADDRESS

East Houston Street Rezoning
PROJECT NAME (IF ANY)

Norfolk Street, East Houston Street & Attorney Street
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

R8A (IHDA); R8A/C1-5 (IHDA)
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY)

12c
ZONING SECTIONAL MAP NO(S).

See LR Item 2 | **Manhattan** | **3**
TAX BLOCK AND LOT NUMBER | BOROUGH | COMM. DIST.

Inclusionary Housing Designated Area
URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO ☒ YES ☐ IF YES, IDENTIFY

3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")

Application for a zoning map amendment to map a C2-5 commercial overlay to a depth of 100 feet along two and a half blocks on the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street to facilitate the construction of a 13-story mixed-use building.

4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

* No supplemental form required

☐	CHANGE IN CITY MAP.....MM	$	
☒	ZONING MAP AMENDMENT.....ZM	$	5,445
☐	ZONING TEXT AMENDMENT..... ZR	$	
☐	ZONING SPECIAL PERMIT.....ZS	$	
☐	ZONING AUTHORIZATION.....ZA	$	
☐	ZONING CERTIFICATION.....ZC	$	
☐	PUBLIC FACILITY, SEL../ACQ.....PF	$	
☐	DISPOSITION OF REAL PROP.....PP	$	
☐	URBAN DEVELOP=T ACTION.....HA	$	
☐	URBAN RENEWAL PROJECT.....*	$	
☐	HOUSING PLAN & PROJECT.....*	$	
☐	FRANCHISE.....*	$	
☐	REVOCABLE CONSENT.....*	$	
☐	CONCESSION.....*	$	
☐	LANDFILL.....*	$	
☐	OTHER (Describe)	$	

☐ MODIFICATION

APPLICATION NO.

☐ FOLLOW-UP

APPLICATION NO.

☐ RENEWAL

APPLICATION NO.

☒ OTHER — CEQR — SPECIFY — 8,195

TOTAL FEE (For all actions) 13,640

Make Check or Money Order payable to Department of City Planning.

If fee exemption is claimed check box below and explain

☐

Has pre-application meeting been held? ☐ NO ☒ YES

If yes **Yasmine Robinson** — DCP Office/Representative

3/20/15 — Date of meeting

PAID 12-18-15

2015 DEC 18 PM 3:08 DEPT OF CITY PLANNING CITY PLANNING COMMISSION

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)

LEAD AGENCY: **Department of City Planning** | CEQR NUMBER: **77DCP060M**

PAID 12-18-15

TYPE OF CEQR ACTION:

☐ TYPE II — Type II category: ____ — Date determination was made: ____

☒ TYPE I } ☐ UNLISTED — Has EAS been filed? Yes ☒ No ☐

If yes, Date EAS filed: **12/18/15**

Has CEQR determination been made? Yes ☐ No ☒

If yes, what was determination? Negative Declaration ☐ / CND ☐ / Positive Declaration ☐ — Date determination made: ____ (Attach Copy)

If Positive Declaration, has PDEIS been filed? ____

Has Notice of Completion (NOC) for DEIS been issued? ____ If yes, attach copy.

If PDEIS has not been filed, has final scope been issued? ____ If yes, date issued: ____

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZM)? AREA? No ☒ Yes ☐

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:

APPLICATION NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE
C 920104 PQM	**255 East Houston Street - Approved**	**28**	**12/16/1992**

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:

REFERENCE NO.	DESCRIPTION/ DISPOSITION/STATUS	CAL. NO.	DATE

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT (Attach authorizing resolution(s), if applicable)

S. Nicholas Hockens
NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF APPLICANT — DATE 12/18/15

Greenberg Traurig, LLP
APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE — SIGNATURE OF CO-APPLICANT — DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS — CITY — STATE — ZIP — TEL.NO. — FAX

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE — SIGNATURE OF CO-APPLICANT — DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS — CITY — STATE — ZIP — TEL.NO. — FAX

RECEIVED 2015 DEC 18 PM 3:08 DEPT. OF CITY PLANNING CITY PLANNING COMMISSION

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

160137 ZMM

New York City Department of City Planning
Land Use Review Application — Supplemental Form

City Map Change . . . . . MM

APPLICATION NO

Proposed City Map Change
(Check appropriate boxes)

1. ESTABLISH NEW..... ☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE
2. ELIMINATE EXISTING..... ☐ STREET ☐ PARK ☐ PUBLIC PLACE ☐ GRADE
3. CHANGE EXISTING STREET..... ☐ WIDTH ☐ ALIGNMENT ☐ GRADE
4. EASEMENT
   Delineate New..... ☐ Remove Existing..... ☐ Modify Existing..... ☐
5. RELATED ACQUISITION OR DISPOSITION OF PROPERTY ..... ☐

Zoning Map Change . . . . . ZM

160137 ZMM
APPLICATION NO

(If more than five changes are being requested, enter "see attached" below and list ALL PROPOSED ZONING CHANGES in the same format as below on a separate sheet titled "Proposed Zoning Map Changes")

Proposed Zoning Map Change(s)

		EXISTING		PROPOSED
CHANGE #1	FROM:	R8A⊥	TO:	R8A/C2-5⊥
CHANGE #2	FROM:	R8A/C1-5⊥	TO:	R8A/C2-5⊥
CHANGE #3	FROM:	⊥	TO:	⊥
CHANGE #4	FROM:	⊥	TO:	⊥
CHANGE #5	FROM:	⊥	TO:	⊥

Zoning Text Amendment . . . . . ZR

APPLICATION NO.

If more than five sections are proposed to be amended, enter "see attached" below, and list ALL PROPOSED TEXT AMENDMENTS in the same format as below on a separate sheet titled "Proposed Zoning Text Amendments.")

Affected Zoning Resolution (ZR) Sections

ZR SECTION NUMBER	ZONING RESOLUTION SECTION TITLE
⊥	⊥
⊥	⊥
⊥	⊥
⊥	⊥
⊥	⊥
⊥	⊥

DEC 18 PM 3:08
OF CITY PLANNING
PLANNING COMM. SIO

CITY PLANNING COMMISSION

Attachment Sheet

Land Use Review Application (LR) ..... Item 2, Site Data

2015 DEC 18 PM 3:08
DEPT. OF CITY PLANNING

160137 ZMM
Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)	TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)
Manhattan Block 350⊥	8 (p/o)⊥	180 Suffolk Street (between Houston and Stanton Streets)⊥
Manhattan Block 350⊥	12⊥	271 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	14⊥	273 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	16 (p/o)⊥	279 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	17⊥	283 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	18⊥	287 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	20⊥	287 East Houston Street (between Suffolk and Clinton Streets)⊥
Manhattan Block 350⊥	50⊥	6 Clinton Street (between Houston and Stanton Streets)⊥
Manhattan Block 350⊥	51⊥	299 East Houston Street (between Clinton and Attorney Streets)⊥
Manhattan Block 350⊥	54⊥	301 East Houston Street (between Clinton and Attorney Streets)⊥
Manhattan Block 350⊥	55⊥	303 East Houston Street (between Clinton and Attorney Streets)⊥
Manhattan Block 350⊥	56⊥	305 East Houston Street (between Clinton and Attorney Streets)⊥
Manhattan Block 350⊥	57 (p/o)⊥	309 East Houston Street (between Clinton and Attorney Streets)⊥
Manhattan Block 355⊥	48⊥	188 Norfolk Street (between Houston and Stanton Streets)⊥
Manhattan Block 355⊥	49⊥	245 East Houston Street (Between Norfolk and Suffok Streets)⊥
Manhattan Block 355⊥	51⊥	249 East Houston Street (Between Norfolk and Suffok Streets)⊥

CITY PLANNING COMMISSION
2015 DEC 18 PM 3:08
DEPT. OF CITY PLANNING

Land Use Review Application (LR) ..... Item 2. Site Data

160137 ZMM
Application No.

Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)	TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)
Manhattan Block 355	52	251 East Houston Street (between Norfolk and Suffolk Streets)
Manhattan Block 355	53	253 East Houston Street (between Norfolk and Suffolk Streets)
Manhattan Block 355	54 (p/o)	255 East Houston Street; 171 Suffolk Street
Manhattan Block 355	57	265 East Houston Street (between Norfolk and Suffolk Streets)
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥
⊥	⊥	⊥

East Houston Street Rezoning
255 East Houston Street
December 18, 2015

1. Introduction

SMBRO Rivington, LLC, SIMSIS Rivington, LLC, SM Hillel, LLC and Suffolk MS, LLC (collectively, the "Applicant") are seeking a rezoning (the "Rezoning") to map a C2-5 commercial overlay to a depth of 100 feet along two and a half blocks on the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street (the "Rezoning Area") to facilitate the construction of a 13-story mixed use building (the "New Building") containing up to approximately 69,740 square feet ("sf") of floor area, of which approximately 7,240 sf would be ground floor commercial retail use and the remaining approximately 62,500 sf would be residential use (approximately 63 units) at 255 East Houston Street (Block 355, Lot 54 (Former Lots 54 and 59)); the "Development Site"). The Rezoning Area is located in the Lower East Side neighborhood of Manhattan in Community District 3.

The portion of the Rezoning Area between Norfolk Street and the centerline of the block between Suffolk Street and Clinton Street is currently zoned as an R8A residential district (the "R8A Portion"), while the remainder of the Rezoning Area within 100 feet of either side of Clinton Street is zoned as an R8A residential district with a C1-5 overlay (the "R8A/C1-5 Portion"). The Rezoning Area is an Inclusionary Housing Designated Area. The Rezoning would enable the New Building to include ground floor commercial retail use. No other discretionary relief is required.

2. Background

In 2008, the City Council adopted the East Village/Lower East Side Rezoning, covering a 111-block area generally bounded by East 13th Street, Avenue D, East Houston Street, Pitt Street, Ludlow Street, Grand Street, the Bowery and Third Avenue (the "EV/LES Rezoning"). The East Village and Lower East Side has maintained a low- to mid-rise character typified by uniform street walls and consistent building heights since the early 20th century, but an increasing number of as-of-right buildings had been constructed at heights significantly above existing buildings. The EV/LES Rezoning sought to preserve the established neighborhood scale and character by creating contextual zoning districts with height limits (R7A, R7B, R8B, C4-4A, R8A, and C6-2A) while providing opportunities for residential growth and Inclusionary Housing Program incentives for transit-oriented affordable housing development along the area's widest streets that are well served by bus or subway lines. The different densities and building forms permitted by the contextual zoning districts were intended to reflect the variation in existing built conditions in the neighborhoods.

The EV/LES Rezoning changed the Rezoning Area from an R7-2 district, which did not limit building heights or require new developments to align with adjacent buildings at the street line,

to an R8A district. R8A districts limit overall building heights to 120 feet and street wall heights to 85 feet; base heights are required to be a minimum of 60 feet. New construction is required to line up with adjacent structures to maintain existing street wall characteristics.

There have been two applications regarding individual properties on or near the Development Site. In 1992, the City Planning Commission approved applications by the Human Resources Administration ("HRA") and the Department of General Services to occupy space in two nearby privately-owned buildings for use as day care centers. The first application (C 920273 PQM) gave approval for HRA to acquire 180 Suffolk Street through renewal of a prior 20-year lease or by purchase or condemnation, enabling the Puerto Rican Council Day Care Center to operate social, educational and cultural programs for approximately 200 children. The second application (C 920104 PQM) gave approval for HRA to acquire 255 East Houston (Block 355, Former Lots 54 and 59), which is part of the Development Site, through renewal of a prior 20-year lease or by purchase or condemnation, for use by the Action for Progress Day Care Center to serve approximately 150 children. The City Planning Commission reports for both applications noted concerns about the physical condition and maintenance of the day care centers.

3. Description of the Surrounding Area

Lower East Side

The Rezoning Area is located on the northern edge of Manhattan Community District 3's Lower East Side neighborhood, which is generally bounded by East Houston Street to the north, the East River to the east and south, and the Bowery and Forsyth Street to the west. The Lower East Side is a residential neighborhood comprised mostly of 19th-century tenements with supporting commercial and community facility uses. At the turn of the 20th century, the Lower East Side – perhaps the most famous immigrant neighborhood in the United States – was known for its bustling streets and overcrowded tenement buildings. In the 1960s and 1970s, the City deemed large tracts of land on the Lower East Side as appropriate for urban renewal. Development in these urban renewal areas typically took the form of multi-tower residential buildings on large superblocks.

The surrounding area features mixed residential and commercial buildings, as well as multi-family walk-up and elevator buildings. Restaurants, delis, small grocery stores, hair and nail salons, tailors and dry cleaners, and discount stores make up the local commercial uses.

Community facilities are a common land use on the Lower East Side and include P.S. 20 Anna Silver School, P.S. 140 Nathan Straus School, P.S. 142 Amalia Castro School, and a shared facility occupied by the Lower East Side Preparatory School and the Marta Valle High School. Other community facilities located nearby are the Clemente Soto Vélez Cultural & Educational Center, the Angel Orensanz Center, a variety of churches, and the city's second oldest synagogue.

The largest public open spaces are ABC Playground (immediately west of the Rezoning Area), Nathan Straus Playground, and Hamilton Fish Park. There are also two nearby community gardens: the Dorothy Strelsin Community Garden and the Children's Magical Garden. Additionally, portions of East Houston are classified as "greenstreets," a citywide program to convert paved, vacant traffic islands and medians into green spaces filled with shade trees, flowering trees, shrubs, and groundcover.

Houston Street is the main east-west thoroughfare in the project area and Essex Street/Avenue A, to the east, is the main north-south thoroughfare. The closest subway stations are located at Second Avenue and East Houston Street (serving the 6th Avenue F local line) and Delancey Street and Essex Street (serving the 6th Avenue F local line and the J/M/Z lines). The M9 and M21 bus lines serve East Houston Street directly; the M14A, M15, M15 Select Bus Service, and B39 bus lines also operate nearby.

Two City programs support the development of public amenities in the Rezoning Area. Under the Food Retail Expansion to Support Health (FRESH) program, eligible grocery store operators and developers may receive discretionary tax incentives through the New York City Industrial Development Agency to develop grocery stores. The Inclusionary Housing Program (the "IHP"), which offers a floor area ratio ("FAR") bonus for developments that provide affordable housing, is applicable to R7A, R8A, and R9A districts within the areas of Manhattan Community District 3 shown in the Zoning Resolution (the "ZR") (Appendix F).

Alphabet City

East Houston Street separates the Lower East Side from Alphabet City, which is generally bounded by East 13th Street to the north, the East River to the east, East Houston to the south, and Avenue A to the west. Like the Lower East Side, Alphabet City is comprised of four- to six-story residential buildings on small lots. Ground floor commercial uses are common and include restaurants, apparel stores, specialty shops, delis, bars, small grocery stores, and other local retail uses.

There are five mid-rise NYCHA developments (Mariana Bracetti Plaza, East 4th Street Rehab, Lower East Side II, Lower East Side III, and Lower East Side Rehab Group 5) and three high-rise NYCHA developments (Campos Plaza, Riis Houses, and Wald Houses). Tompkins Square Park, which measures approximately 10.5 acres, is a notable public space in Alphabet City. There are several community gardens but they are more varied in size than the small Lower East Side community gardens. Finally, there is a similar mix of community facilities – including schools, community centers, churches, and synagogues – in Alphabet City as compared to the Lower East Side.

4. Description of the Proposed Project Area

The Rezoning Area comprises the following tax blocks and lots on East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street:

Block	Lot
350	8 (p/o), 12, 14, 16 (p/o), 17, 18, 20, 50, 51, 54, 55, 56, 57 (p/o)
355	48, 49, 51, 52, 53, 54 (p/o), 57

A portion of the Rezoning Area is currently zoned as an R8A residential district, while the remainder of the Rezoning Area is zoned as an R8A residential district with a C1-5 overlay. The base permitted residential FAR for R8A districts in Inclusionary Housing Designated Areas is 5.4, which may be increased to 7.2 by providing affordable housing complying with the provisions of ZR Section 23-952. The maximum permitted FAR for community facility uses is 6.5.[1] The maximum permitted commercial FAR in the C1-5 overlay is 2.0.

The Rezoning Area consists of multi-family residential buildings and mixed residential and commercial buildings ranging from three to six stories. Currently, 4 of the 12 lots in the R8A district (Block 350, Lots 12, 16, 49 and 52) are occupied by commercial uses, all of which are legal non-conforming. These legal non-conforming uses include retail stores and eating and drinking establishments. The commercial uses in the R8A/C1-5 district include eating and drinking establishments, retail, a hair salon and a laundromat; there are a number of vacant ground floor spaces.

5. Description of Proposed Development Site

The Applicant controls the Development Site (255 East Houston Street, Manhattan, Block 355, Lot 54), which has approximately 78 feet of frontage along East Houston Street and approximately 46 feet of frontage along Suffolk Street. East Houston Street is approximately 125-feet wide and constitutes a wide street under ZR Section 12-10, while Suffolk Street is approximately 50-feet wide and constitutes a narrow street under ZR Section 12-10. There is an existing curb cut providing access to Lot 59 along Suffolk Street.

The Development Site has a combined lot area of approximately 10,843 sf, of which 8,420 sf are within the R8A Portion of the Rezoning Area. The remaining 2,603 sf of the Development Site falls within an R7A district outside of the Rezoning Area. The Development Site contains a vacant, four-story, 50-foot building constructed in the 1960s with 27,560 sf of floor area (approximately 4.0 FAR). The Development Site was formerly occupied on all four stories by a daycare center, and contains a paved space that was used as an outdoor play area.

[1] In Inclusionary Housing Designated Areas in R8A/C1-5 and R8A/C2-5 districts, the maximum permitted FAR for zoning lots containing residential and community facility or commercial uses is 5.4, which may be increased to up to 7.2 FAR only by providing affordable housing (ZR Section 35-31).

6. Description of the Proposed Development

The Applicant plans to demolish the existing building on the Development Site and replace it with a New Building that utilizes the maximum permitted FAR of 6.70 (7.2 FAR in the R8A district, including the IHP bonus, and 4.0 in the R7A district). The New Building would contain approximately 69,740 sf of floor area. Approximately 62,500 sf of the floor area (comprising approximately 63 units) would be used for residential uses. Twenty percent of the residential floor area (comprising approximately 20 percent of the units) would be reserved for affordable housing in compliance with the provisions of the IHP. The New Building would also contain up to approximately 7,240 sf of ground floor commercial use, most likely Use Group 6 retail and/or an eating and drinking establishment. Entrances to the residential uses would be located on Suffolk Street, while commercial or community facility entrances and a residential service entrance would be located on East Houston Street. The New Building will not exceed the as-of-right lot coverage requirements for the Development Site.

Building massing will comply with the maximum envelopes permitted under the R8A and R7A districts. Along East Houston Street, the Building would have a 10-story street wall (approximately 85 feet) that, after setting back 10 feet, would rise to up to 13 stories. Along Suffolk Street, the Building would have a six-story street wall (approximately 65 feet) that, after setting back 15 feet, would rise to up to eight stories. A cellar would contain mechanical spaces, accessory residential uses and, possibly, retail or community facility storage.

No accessory off-street parking is required in the Manhattan core and no permitted parking is anticipated.

7. Action Necessary to Facilitate the Project

The Applicant is proposing a zoning map amendment that will facilitate the construction of a new mixed-use Building on the Development Site. Commercial uses are not permitted in new developments in residential districts, including R8A districts. The proposed Rezoning would map a C2-5 commercial overlap over the entire Rezoning Area, which would allow the Applicant to use portions of the ground floor of the Building for Use Group 6 retail and/or eating and drinking establishments. No other discretionary relief is required.

The proposed Rezoning is compatible with local zoning. There is a C2-5 commercial overlay on the north side of East Houston Street between First Avenue and Avenue B, so the proposed action will create consistency in the permitted retail uses along each side of East Houston Street. The proposed Rezoning would also connect with a C6-2A district that runs along the south side of East Houston Street from Chrystie Street to Essex Street (to the west of the Rezoning Area, separated only by ABC Playground) and an existing C1-5 commercial overlay mapped along either side of Clinton Street, running from East Houston Street south to Delancey Street. The ground floor of the New Building developed pursuant to the proposed Rezoning will fit in with the neighborhood context.

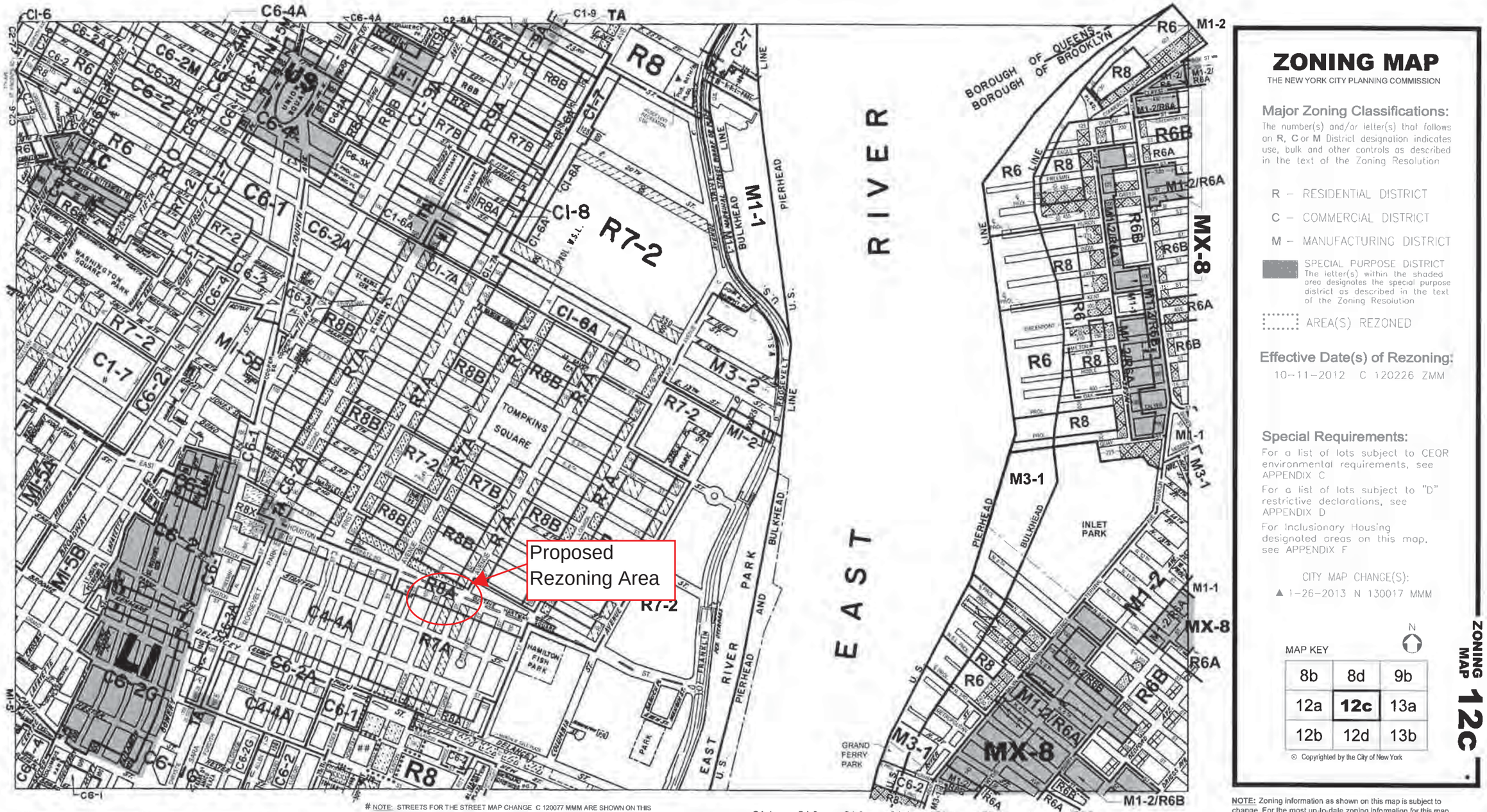
Unlike the C6-2A district mapped to the west of the Rezoning Area, which allows higher density commercial uses, the proposed C2-5 overlay would limit commercial uses to 2.0 FAR. The supplementary use regulations set forth in ZR Sec. 32-421, provide that for a building in a C2 district containing residential or community facility uses on its upper stories, no commercial uses in Use Groups 6 through 9 and 14 are permitted above the level of the first story ceiling, which effectively limits the maximum commercial FAR in mixed buildings to 1.0 or less (since a portion of the first story would typically also be used to provide access to the residential and community facility uses above). Given the significantly greater residential density permitted in the underlying R8A district, it is likely that commercial uses will be limited to ground floor or basement uses of mixed residential buildings.

The proposed Rezoning would synchronize the Zoning Resolution with the neighborhood character and the actual uses that existed even before the Zoning Resolution took effect. Many of the lots with East Houston Street frontage in the R8A Portion contain legal, non-conforming commercial uses. The proposed Rezoning will ensure that future developments, including the New Building, reflect the traditional, mixed-use character of the Lower East Side.

Finally, commercial retail uses are much more appropriate for the ground floor than dwelling units on a wide, heavily-travelled street such as East Houston Street. Retail is also more desirable than ground floor community facility uses, such as doctors' offices, because retail will activate the streetscape and provide a greater variety of services to Lower East Side residents. C2 districts allow for a slightly wider range of commercial uses than C1 districts, including bicycle rental and repair shops and physical culture or health establishments, which would be appropriate on East Houston Street. The C2-5 overlay is also appropriate given that the Rezoning Area is subject to the comprehensive off-street parking and loading regulations in the Manhattan Core set forth in Article I, Chapter 3, pursuant to which accessory off-street parking for commercial uses is not required. The proposed Rezoning will facilitate the redevelopment of the Development Site from its current vacant status to active use.

8. Conclusion

For the foregoing reasons, the Applicant believes that mapping the C2-5 overlay in the Rezoning Area is appropriate and consistent with the current and future context of the area. Accordingly, the application should be granted.



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

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

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

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

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution

AREA(S) REZONED

Effective Date(s) of Rezoning:

10-11-2012 C 120226 ZMM

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C

For a list of lots subject to "D" restrictive declarations, see APPENDIX D

For Inclusionary Housing designated areas on this map, see APPENDIX F

CITY MAP CHANGE(S):

▲ 1-26-2013 N 130017 MMM

MAP KEY

8b	8d	9b
12a	**12c**	13a
12b	12d	13b

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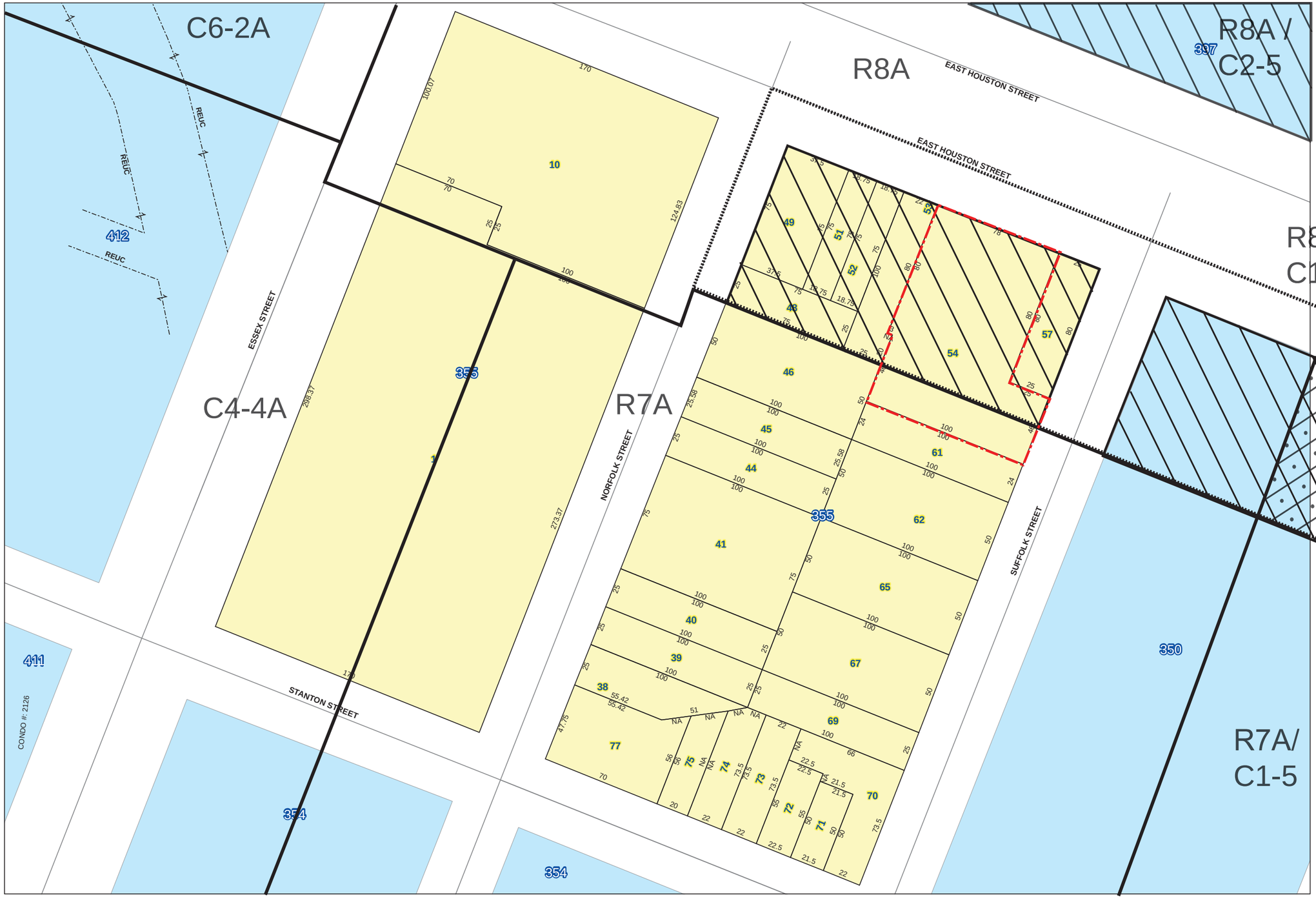
ZONING MAP **12c**

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

NYC Digital Tax Map

Effective Date : 08-25-2015 15:34:23
End Date : Current

Manhattan Block: 355



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning District Line
- R7A Existing Zoning District
- Proposed C2-5 District
- Existing C2-5 District
- Existing C1-5 District
- Area of Rezoning
- Development Site

0 5 10 20 30 40 Feet

NYC Finance

NYC Digital Tax Map

Effective Date : 07-31-2009 16:16:17
End Date : Current

Manhattan Block: 350



Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning District Line
- R7A Existing Zoning District
- Proposed C2-5 District
- Existing C1-5 District
- Area of Rezoning
- Development Site

Feet
0 5 10 20 30 40



1. View of Norfolk Street facing north.



2. View of the sidewalk along the east side of Norfolk Street facing north.



3. View of the side of Norfolk Street facing northeast.





4. View of the side of Norfolk Street facing northwest.



5. View of the sidewalk along the east side of Norfolk Street facing south from East Houston Street.



6. View of the sidewalk along the south side of East Houston Street facing east from Norfolk Street.





7. View of East Houston Street facing east from Norfolk Street.



8. View of the side of East Houston Street facing southeast from Norfolk Street.



9. View of the side of East Houston Street facing southwest from Norfolk Street.





10. View of the side of East Houston Street facing northwest from the Site.



11. View of the side of East Houston Street facing northeast from the Site.



12. View of the sidewalk along the south side of East Houston Street facing west from Suffolk Street (Site at left).





13. View of Suffolk Street facing south from East Houston Street (Site at right).



14. View of the Site facing southwest from the intersection of East Houston Street and Suffolk Street.



15. View of the intersection of East Houston Street and Suffolk Street facing southeast.





16. View of the side of Suffolk Street facing northwest.



17. View of Suffolk Street facing north (Site at left).



18. View of the side of Suffolk Street facing northeast from the Site.





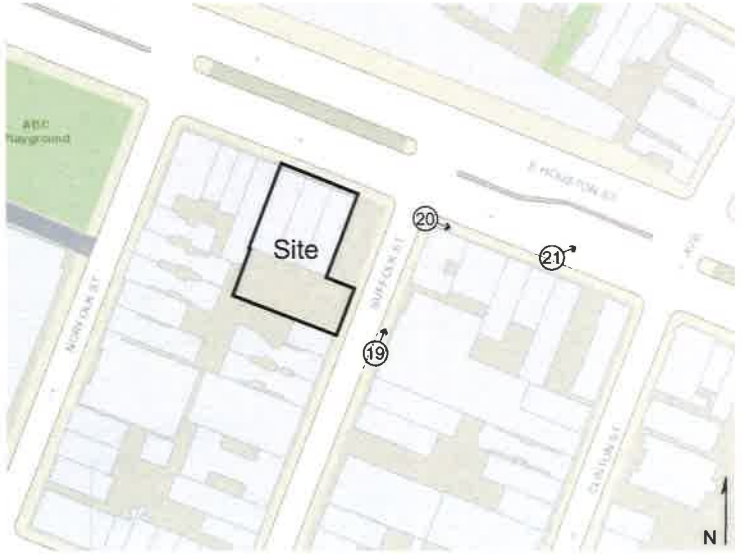
19. View of the sidewalk along the east side of Suffolk Street facing north (Site at left).



20. View of the sidewalk along the south side of East Houston Street facing east from Suffolk Street.



21. View of the side of East Houston Street facing northeast.





22. View of East Houston Street facing east.



23. View of the sidewalk along the south side of East Houston Street facing west.



24. View of the side of East Houston Street facing northwest.





25. View of the sidewalk along the west side of Clinton Street facing south from East Houston Street.



26. View of the side of Clinton Street facing northeast.



27. View of the side of Clinton Street facing northwest.





28. View of East Houston Street facing west from Clinton Street.



29. View of the side of East Houston Street facing southeast.



30. View of the intersection of East Houston Street and Clinton Street facing southwest.



Area Map

255 East Houston Street, Manhattan
Block 355, Lot 54

Project Information

- 600' Radius
- Development Site
- Project Area
- Zoning Districts
- Special Districts

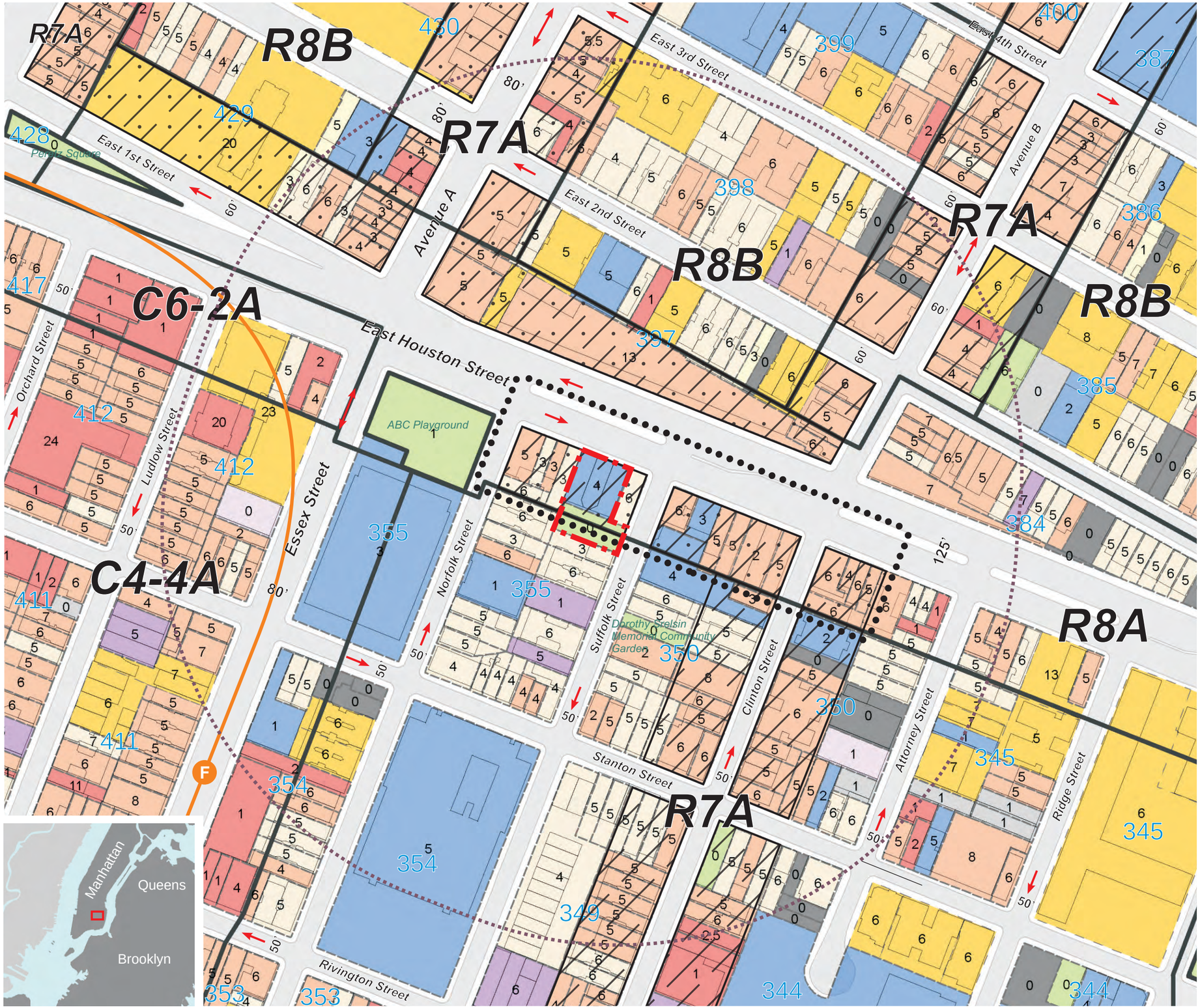
Existing Commercial Overlays

- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings (Walk-up)
- Multi-Family Residential Buildings (Elevator)
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land



North

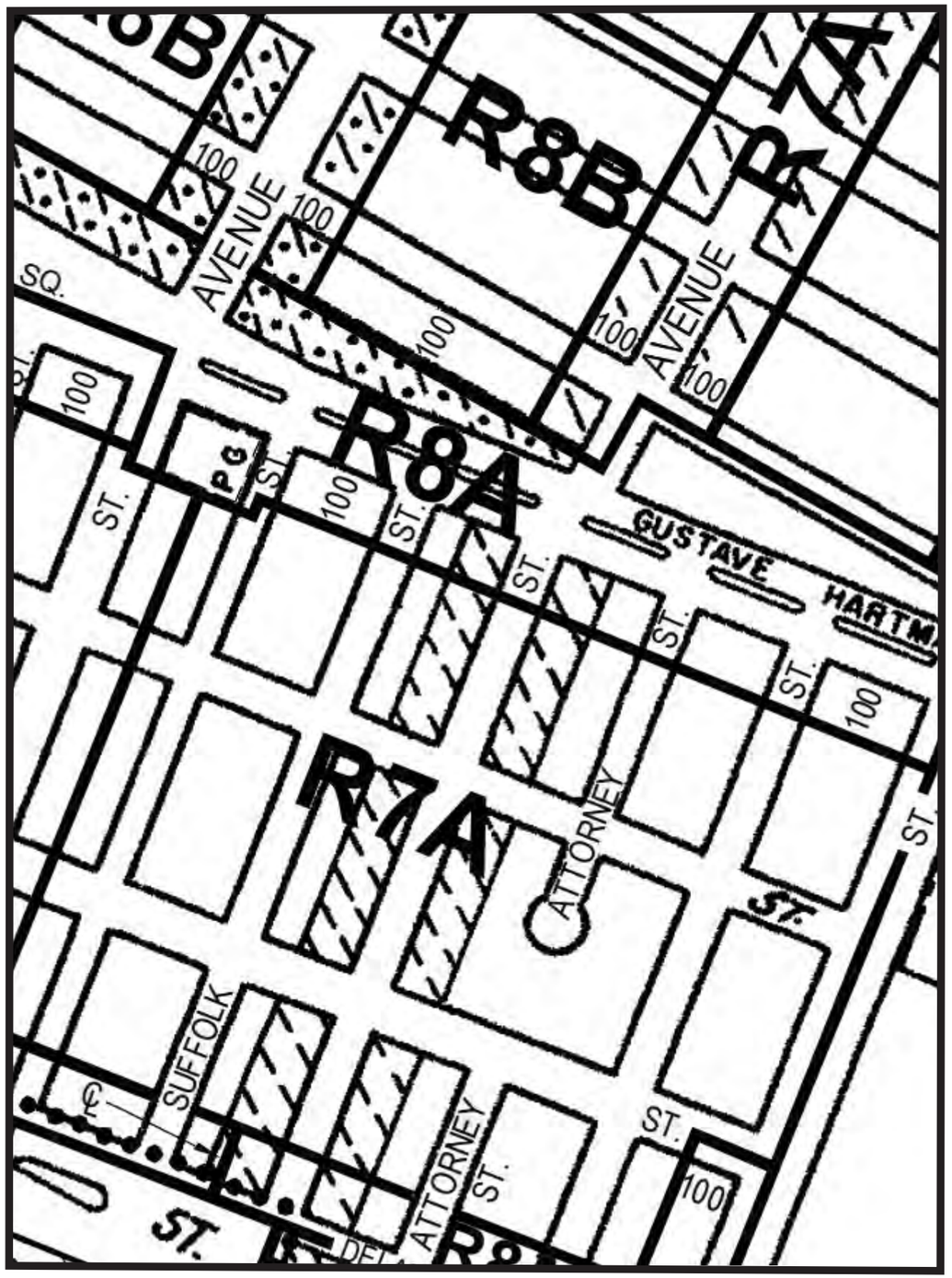
0 200 400 600 Feet

Prepared by Urban Cartographics February 2016

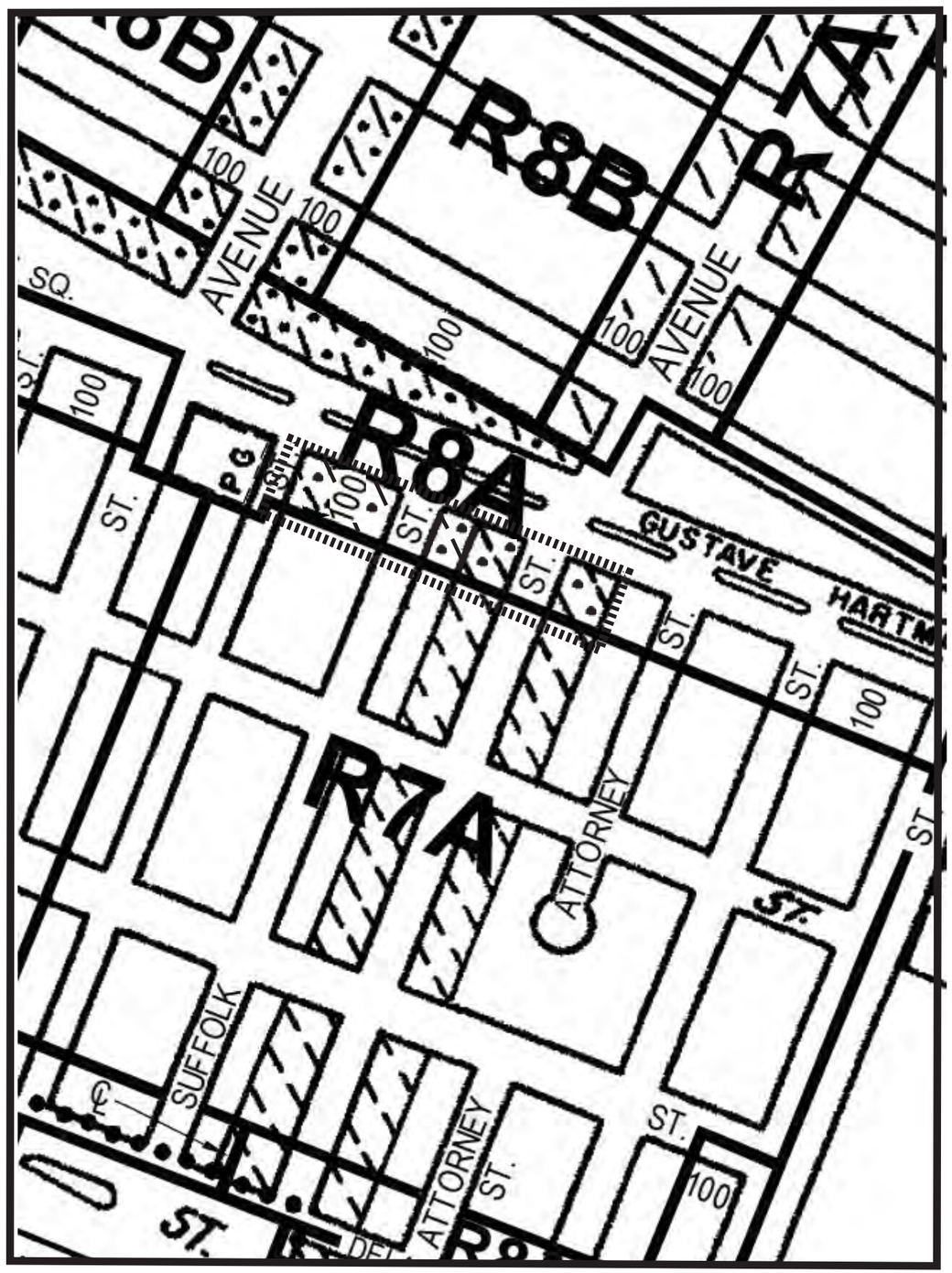
Zoning Change Map

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

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



CURRENT ZONING MAP



PROPOSED ZONING MAP - Area being rezoned is outlined with dotted lines

Changing a R8A district and R8A/C1-5 district to a R8A/C2-5 district

Zoning Comparison Table

	Permitted/Required				
	Existing R8A and R8A w/C1-5 (IHDA)			Proposed R8A w/C2-5 (IHDA)	
Zoning Requirement	**ZR Section #**	**R8A**	**R8A w/C1-5**	**ZR Section #**	**R8A w/C2-5**
USE GROUPS	22-10, 32-10	1-4	1-6	22-10, 32-10	1-9, 14
Maximum FAR (Total)					
Residential	23-952	7.2[1]	7.2[1]	23-952	7.2[1]
Community Facility	24-11	6.5	6.5	24-11	6.5
Commercial	33-121	Not Permitted	2	33-121	2
YARDS					
Front Yard	23-45	None	None	23-45	None
Side Yard	23-462	None	None	23-462	None
Rear Yard	23-47	30 ft	30 ft	23-47	30 ft
Open Space	N/A	N/A	N/A	N/A	N/A
Lot Coverage	23-145	80%[2]	80%[2]	23-145	80%[2]
HEIGHT AND SETBACKS					
Maximum Height of Front Wall	23-633	85	85	23-633	85
Maximum Building Height	23-633	120	120	23-633	120
Sky Exposure Plane	N/A	N/A	N/A	N/A	N/A
Setbacks from Narrow Streets	23-633	15 ft	15 ft	23-633	15 ft
Setbacks from Wide Streets	23-633	10 ft	10 ft	23-633	10 ft
DENSITY REGULATIONS	23-22	740 sf/DU	740 sf/DU	23-22	740 sf/DU
PARKING AND LOADING					
Parking	13-11, 13-12	20% of DU	20% of DU[3]	13-11, 13-12	20% of DU[3]
Loading	N/A	N/A	N/A	N/A	N/A

[1]The base permitted residential FAR for R8A districts in Inclusionary Housing Designated Areas is 5.4, which may be increased to 7.2 by providing affordable housing complying with the provisions of ZR Section 23-952.

[2]Lot coverage for the corner lot portion is 80% and for the interior/through lot portion is 70%.

[3]No parking is required but parking may be provided for 20% of dwelling units in developments or enlargements. Permitted parking for commercial uses depends on the use, but 1 space may be provided for every 4,000 square feet of retail space.

Land Use, Conformance and Compliance Table

		Existing Conditions							Proposed Conditions				
Block	Lot	Zoning District	Existing Land Use	Conformance	Permitted FAR	Built FAR*	FAR Compliance		Zoning District	Proposed Land Use	Conformance	Permitted FAR	Compliance
Applicant's Property													
Development Site #1: Block [X]													
355	54	R8A (IHDA); R7A	Vacant	Yes	5.40/7.20; 4.00	2.54	Yes		R8A/C2-5 (IHDA); R7A	Residential/ Commercial	Yes	5.40/7.20; 4.00	Yes
Other Properties													
350	8 (p/o)	R8A (IHDA)	Community Facility	Yes	5.40/7.20	2.71	Yes		R8A/C2-5 (IHDA)	Commercial	Yes	5.40/7.20	Yes
350	12	R8A (IHDA)	Residential/ Commercial	No	5.40/7.20	4.92	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	14	R8A (IHDA)	Residential	Yes	5.40/7.20	3.25	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	16	R8A (IHDA)	Residential/ Commercial	No	5.40/7.20	4.85	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	17	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	4.85	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	18	R8A/C1-5 (IHDA)	Commercial	Yes	5.40/7.20	0.49	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	20	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	4.66	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	50	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	4.74	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	51	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	4.47	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	54	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	3.88	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	55	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	5.82	No		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	No
350	56	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	3.46	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
350	57 (p/o)	R8A/C1-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	3.60	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
355	48	R8A (IHDA)	Residential	Yes	5.40/7.20	4.88	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
355	49	R8A (IHDA)	Residential/ Commercial	No	5.40/7.20	3.88	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes
355	51	R8A (IHDA)	Residential	Yes	5.40/7.20	2.10	Yes		R8A/C2-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	Yes
355	52	R8A (IHDA)	Residential/ Commercial	No	5.40/7.20	2.91	Yes		R8A/C2-5 (IHDA)	No Change	Yes	5.40/7.20	Yes

Land Use, Conformance and Compliance Table

		Existing Conditions						Proposed Conditions				
Block	Lot	Zoning District	Existing Land Use	Conformance	Permitted FAR	Built FAR*	FAR Compliance	Zoning District	Proposed Land Use	Conformance	Permitted FAR	Compliance
355	53	R8A (IHDA)	Residential/ Community Facility	Yes	5.40/7.20	2.86	Yes	R8A/C2-5 (IHDA)	Residential/ Commercial	Yes	5.40/7.20	Yes
355	57	R8A (IHDA)	Under Construction (Residential/ Community Facility	Yes	5.40/7.20	N/A	N/A	R8A/C2-5 (IHDA)	No Change	N/A	5.40/7.20	N/A
Total # of Lots**	**65**		**% of Conformance*** **	**80%**		**% Compliant**	**90%**		**% of Conformance*** **	**95%**	**% Compliant**	**90%**

* Built FAR for other properties is estimated based upon aerial and street-level images, ZoLa estimates and certificates of occupancy available in the BIS database

** All Properties including development sites

*** Calculate vacant lots as in conformance and compliance

Environmental Assessment Statement
and
Supplemental Report

for

East Houston Street Rezoning
255 East Houston Street
New York, NY

Prepared by:

Compliance Solutions Services, LLC
434 West 20th Street
New York, NY 10011

February 2016

EAS FORM

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

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* East Houston Street Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
16DCP077M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
160137ZMM	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT SMBRO Rivington, LLC, SIMSIS Rivington, LLC, SM Hillel, LLC and Suffolk MS, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON John J. Strauss, Compliance Solutions Services, LLC		
ADDRESS 120 Broadway, 31st floor			ADDRESS 434 West 20th Street, Suite 8		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10011
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212-741-3432	EMAIL jstrauss-css@nyc.rr.com	

5. *Project Description*

The Applicants, SMBRO Rivington, LLC, SIMSIS Rivington, LLC, SM Hillel, LLC and Suffolk MS, LLC, are seeking a Zoning Map Amendment from R8A and R8A/C1-5 to R8A/C2-5 affecting 20 sites (Block 350, Lots 8 (p/o), 12, 14, 16 (p/o), 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48, 49, 51, 52, 53, 54 (former Lots 54 and 59) and 57, the "Rezoning Area") located in the Lower East Side neighborhood of Manhattan, Community District 3. The proposed action would map a C2-5 commercial overlay to a depth of 100 feet along the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street. The proposed action would facilitate a proposal by the applicant to provide 7,240 gross square feet (gsf) of commercial retail uses within a 93,015 gsf mixed use building at 255 East Houston Street (Block 355, Lot 54, the "Proposed Development Site"). The proposed action would also bring existing legal non-conforming commercial uses in the R8A district into conformance with the Zoning Resolution. See attached Project Description.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 3	STREET ADDRESS 255 East Houston Street, 171 Suffolk Street
TAX BLOCK(S) AND LOT(S) Block 355, Lot 54		ZIP CODE 10002
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Southeast corner of East Houston and Suffolk Streets		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R7A, R8A (IHDA)		ZONING SECTIONAL MAP NUMBER 12c

6. *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

***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: Dept. of Buildings buildings permit

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

7. *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.): 50,992
Waterbody area (sq. ft) and type: 0
Roads, buildings, and other paved surfaces (sq. ft.): 50,992
Other, describe (sq. ft.): 0

8. *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): 93,015
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 93,015
HEIGHT OF EACH BUILDING (ft.): 120
NUMBER OF STORIES OF EACH BUILDING: 13

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: 10,843
The total square feet not owned or controlled by the applicant: 40,149

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 permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: 86,744 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 10,843 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	78,535	7,240	0	0
Type (*e.g.,* retail, office, school)	63 units	local retail	N/A	N/A

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 114 NUMBER OF ADDITIONAL WORKERS: 22
Provide a brief explanation of how these numbers were determined: Residents based on average household size of 1.82 persons per dwelling unit in census tract 30.01 (2010 census); Retail workers based on 3 employees per 1,000 sf of retail floor area

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: Absent the rezoning, the building on the project site

would contain approximately 93,015 gsf (including cellar and mechanical space). Approximately 62,500 zsf of the floor area (comprising approximately 63 units and approximately 78,535 gsf) would be used for residential uses. Portions of the ground floor of the building, comprising up to 7,240 gsf of floor area in the aggregate, would be utilized for Use Group 4A ambulatory diagnostic or treatment healthcare facilities.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

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

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 Short 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. See attached report.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed 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?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

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

	YES	NO
(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 generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 4,321		
○ 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?	☐	☒
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): 11,516,396		
(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 screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) See attached report.	☒	☐
(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?	☒	☐
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) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
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?	☒	☐
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;	☐	☒

	YES	NO
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.		
See attached report.		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	DATE
John J. Strauss, Compliance Solutions Services, LLC	February 17, 2016

SIGNATURE John J. Strauss

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	
Deputy Director, EARD	NYC Department of City Planning	
NAME	SIGNATURE	DATE
Olga Abinader	Olga Abinader	February 19, 2016

PROJECT DESCRIPTION

East Houston Street Rezoning Project Description

Introduction

The Applicants, SMBRO Rivington, LLC, SIMSIS Rivington, LLC, SM Hillel, LLC and Suffolk MS, LLC, are seeking a Zoning Map Amendment from R8A and R8A/C1-5 to R8A/C2-5 affecting 20 sites (Block 350, Lots 8 (p/o), 12, 14, 16 (p/o), 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48, 49, 51, 52, 53, 54 (former Lots 54 and 59) and 57, the "Rezoning Area") located in the Lower East Side neighborhood of Manhattan, Community District 3. The proposed action would map a C2-5 commercial overlay to a depth of 100 feet along the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street. The proposed action would facilitate a proposal by the applicant to provide 7,240 gross square feet (gsf) of commercial retail uses within a 93,015 gsf mixed use building at 255 East Houston Street (Block 355, Lot 54, the "Proposed Development Site"). The proposed action would also bring existing legal non-conforming commercial uses in the R8A district into conformance with the Zoning Resolution.

Commercial uses are currently not permitted in new developments in R8A districts. Residential districts with C1-5 commercial overlays allow ground floor commercial uses, including Use Groups 5 and 6, up to a Floor Area Ratio (FAR) of 2. The proposed C2-5 commercial overlay would allow a greater number of commercial uses than C1-5, including UG 7-9 and 14, up to an FAR of 2 on the ground floors of sites currently zoned R8A. The proposed action would legalize existing non-conforming commercial uses in the R8A portion of the Rezoning Area and would also allow the existing uses on the ground floors of the existing buildings on Projected Development Sites to be converted to commercial uses in the future.

Currently, the Proposed Development Site contains a vacant, four-story, 27,560 gsf building formerly occupied by a day care center (Use Group 3). An existing curb cut provides access to former Lot 59 along Suffolk Street. The Proposed Development Site could be developed on an as-of-right basis under current zoning with an approximately 93,015 gsf mixed-use building containing 78,535 gsf (63 units) of residential uses and 7,240 gsf ambulatory diagnostic or treatment healthcare facilities ground floor uses (Use Group 4A). The allowable FAR for the proposed building includes the bonus granted under the voluntary inclusionary housing program, with approximately 20% of the residential floor area (comprising approximately 12 units) reserved for low-income affordable housing (i.e., 80% of AMI or less) in compliance with the provisions of the Inclusionary Housing Program.

In addition to the Proposed Development Site, two sites included in the Rezoning Area were identified as projected development sites (Block 355, Lots 51 "Projected Development Site 2" and Block 355, Lot 53 "Projected Development Site 3"). Projected Development Site 2 is currently developed with a three-story, 2,799 gsf multi-family apartment building containing four residential dwelling units. Projected Development Site 3 is developed with a three-story 6,780 gsf mixed use building containing a 1,960 gsf non-profit art gallery on the ground floor. For the purposes of a conservative analysis, the Environmental Assessment Statement assumes that these two sites would each be developed with approximately 1 FAR of ground floor commercial uses, totaling 3,065 gsf (1,105 gsf of retail use at Projected Development Site 2, and 1,960 gsf of retail use at Projected Development Site 3).

Four additional sites in the Rezoning Area (Block 350, Lots 12 and 16 and Block 355, Lots 49 and 52) are currently developed with legal non-conforming commercial uses including restaurants, offices, and cafes. Commercial uses are not permitted under the R8A zoning currently mapped on these parcels. The proposed action would bring these uses into conformance with the zoning resolution. The remaining thirteen sites in the Rezoning Area consist of lots where the current uses are in conformance with the proposed zoning use regulations and where these uses are not projected to change under the proposed action. Existing uses include dwelling units, eating and drinking establishments, offices, bakeries, hair salons and other local retail. These properties include Block 350, Lots 8, 14, 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48 and 57.

Absent the proposed rezoning, the Proposed Development Site (Block 355, Lot 54/59) would be developed with an approximately 93,015 gsf mixed-use building containing 78,535 gsf (63 units) of residential uses and 7,240 gsf ambulatory diagnostic or treatment healthcare facilities uses (Use Group 4A). The existing ground floor/basement uses on both conforming and legal non-conforming sites are expected to remain in their current condition.

The proposed project is expected to be completed by 2020.

In 2008, the CPC adopted the Lower East Side/East Village Rezoning (CEQR No. 07DCP078M). In connection with the Lower East Side/East Village Rezoning proposal, an Environmental Impact Statement was issued on September 26, 2008. An (E) designation (E-216) related to air quality and noise was assigned to the projected development sites (Block 355, Lots 54, 51 and 52) to ensure that the proposed actions would not result in significant adverse impacts. The (E) designation (E-216) would continue to apply to these sites. Since the proposed action would introduce a change in ground floor uses on Projected Development Sites 1-3, and would not introduce new sensitive receptors, no significant adverse impacts related to air quality and noise would result from the proposed actions.

Existing Conditions

Applicant Controlled Proposed Development Site (Projected Development Site 1)

The Applicant controlled Proposed Development Site (Projected Development Site 1), Block 355, Lot 54, has a lot area of approximately 10,843 square feet, of which 8,240 square feet lies within an existing R8A district within the Rezoning Area and 2,603 square feet of which lies within an R7A district located outside of the Rezoning Area. The Development Site currently contains a vacant, 4-story building which was formerly entirely occupied by a day care center, and a paved area that was used as an outdoor play area. There is an existing curb cut providing access to former Lot 59 along Suffolk Street. The Development Site has approximately 78 feet of frontage along East Houston Street and approximately 46 feet of frontage along Suffolk Street.

Non-Applicant Controlled Sites

Projected Development Sites 2 and 3

Projected Development Sites 2 and 3 are sites where presently conforming non-commercial uses on the ground or basement floors of the existing buildings on these properties are expected to be converted to commercial uses in the future. The commercial uses would not be permitted under the current R8A zoning mapped on these parcels. Under the proposed rezoning, the

anticipated commercial uses at these sites would be conforming with the proposed R8A/C2-5 zoning. Detailed information about these sites is presented in Table A.

Projected Development Site 2 at 249 East Houston Street (Block 355, Lot 51) consists of an approximately 1,406 square foot lot developed with a 3-story, approximately 2,799 gsf multi-family apartment building containing four residential dwelling units. It is anticipated that a retail use(s) would be developed on the ground floor/basement of this building. Commercial uses that would not have been permitted by extending the existing C1-5 district would include uses such as bicycle rental and repair shops, automobile rental establishments, and physical culture or health establishments (pursuant to a Board of Standards and Appeals Special Permit).

Projected Development Site 3 at 253 East Houston Street (Block 355, Lot 53) consists of an approximately 2,260 square foot lot developed with a 3-story, approximately 6,780 gsf building containing an approximately 1,960 gsf non-profit art gallery on the building's ground floor. It is anticipated that a retail use(s) would be developed on the ground floor of this building.

Non-Conforming Sites 1 through 4

Non-Conforming Sites 1 through 4 are sites containing legal non-conforming commercial uses on the ground or basement floors of the existing buildings on these properties which are not permitted as-of-right under the R8A zoning currently mapped on these parcels. A non-conforming use is any lawful use which does not conform to applicable use regulations of the district in which the use is located, either on December 15, 1961 (the effective date of the Zoning Resolution) or as a result of any subsequent amendment thereto (ZR Section 12-10). Non-conforming commercial uses in residence districts are permitted to remain (ZR Section 52-11) and may be changed to other conforming uses or to Use Group 6 commercial uses (ZR Section 52-34).[1] Under the proposed rezoning, the existing non-conforming commercial uses at these sites would be brought into conformance with zoning. Detailed information about these sites is presented in Table A.

Non-Conforming Site 1 at 249 East Houston Street (Block 350, Lot 12) consists of an approximately 2,285 square foot lot developed with a 6-story, approximately 12,200 gsf mixed-use building containing 15 residential dwelling units and two non-conforming commercial uses (eating and drinking establishments).

Non-Conforming Site 2 at 279 East Houston Street (Block 350, Lot 16) consists of an approximately 2,556 square foot lot developed with a 5-story, approximately 9,432 gsf mixed-use building containing 18 residential dwelling units and two non-conforming commercial uses (offices and restaurant).

[1] There are Certificates of Occupancy listing commercial uses for four (4) of the buildings in the R8A portion of the Rezoning Area: Block 350, Lots 12 and 16 and Block 355, Lots 49 and 52. The NYC Charter provides that a Certificate of Occupancy is binding and conclusive upon the NYC Department of Buildings and all other City agencies with respect to the matters identified therein and may only be revoked by the Board of Standards and Appeals or a court of competent jurisdiction (§645(b)(3)(b)). Accordingly, inclusion of commercial uses on the Certificates of Occupancy for buildings in the Rezoning Area is evidence that such uses are legal non-conforming.

Non-Conforming Site 3 at 245 East Houston Street (Block 355, Lot 49) consists of an approximately 2,813 square foot lot developed with a 5-story, approximately 10,657 gsf mixed-use building containing 18 residential dwelling units and two non-conforming commercial uses (restaurant).

Non-Conforming Site 4 at 251 East Houston Street (Block 355, Lot 52) consists of an approximately 1,406 square foot lot developed with a 3-story, approximately 2,450 gsf mixed-use building containing 3 residential dwelling units and one non-conforming commercial use (café).

Remaining Sites

The remaining sites in the Rezoning Area are lots where the current ground floor/basement uses are conforming and where these uses are not projected to change under the proposed action. These properties include Block 350, Lots 8 (p/o), 14, 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48 and 57. Detailed information about these sites is presented in Table A.

Description of the Proposed Development

The Applicant plans to demolish the existing building on the Proposed Development Site (Projected Development Site 1) and replace it with a new mixed-use building that utilizes the maximum permitted FAR of 6.70 (7.2 FAR in the R8A District and 4.0 FAR in the R7A District, including the bonus for inclusionary housing that is available in the R8A district under ZR Section 23-952. The proposed building would contain approximately 93,015 gsf of floor area (including cellar and mechanical space). Approximately 62,500 zoning square feet (zsf) of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Approximately 20% of the residential floor area (comprising approximately 12 units) would be reserved for low-income affordable housing (i.e., 80% of AMI or less) in compliance with the provisions of the Inclusionary Housing Program. Approximately 7,240 gsf of the building would be occupied by a ground floor commercial use, most likely Use Group 6 retail and/or an eating and drinking establishment. Entrances to the residential uses would be located on Suffolk Street, while commercial (or community facility) entrances and a residential service entrance would be located on East Houston Street.

Massing for the building would comply with the maximum envelopes permitted under the R8A and R7A zoning districts. The building would have a 10-story (approximately 85-foot) street wall along East Houston Street, which after setting back 10 feet, would rise to up to 13-stories. The building would have a 6-story (approximately 65-foot) street wall along Suffolk Street, which after setting back 15 feet, would rise to up to 8-stories. The building's cellar would contain mechanical spaces, accessory residential uses and, possibly, retail or community facility storage.

Build Year

The Project Build Year is 2020. The Proposed Development Site (Projected Development Site 1) is the only site on which new construction is planned to occur. It is assumed that approval of the proposed rezoning would occur by early 2016. Construction of the proposed building is expected to take approximately 18 months with occupancy expected to begin by late 2017. Development at Projected Development Sites 2 and 3 would consist of changes in use rather

than construction of new buildings. As such use changes require considerably less time to complete than new construction, a Project Build Year of 2020 is considered to be reasonable.

Table A

Existing and Future No-Action Ground Floor/Basement Uses in the Rezoning Area

Lot	Use (per Certificate of Occupancy)	Use (Observed)	Use Status	Commercial GSF (est.)	Comm Facil GSF (est.)	Projected Development Site (Y/N)
Block 355 (R8A Portion)						
54	Day Care Center	Vacant	Conforming	0	7,240	Y – Projected Development Site 1
48	Dwelling Units	Dwelling Units	Conforming	0	0	N
49	Eating & Drinking	Restaurant	Non-Conforming	2,515	0	N
51	N/A	Residential	Conforming	0	0	Y – Projected Development Site 2
52	Shop	Café	Non-Conforming	1,105	0	N
53	N/A (Permits for Non-Profit Gallery)	Non-Profit Gallery	Conforming	0	1,960	Y – Projected Development Site 3
57	N/A (Permits for Community Facility)	Under Construction	Conforming	0	1,800	N
Block 350 (R8A Portion)						
8 p/o	Day Care Center	Universal Pre-K/Head Start Learning Center	Conforming	0	2,965	N
12	Stores	Eating & Drinking	Non-Conforming	1,985	0	N
14	N/A (Permanent / Transitional Rental Housing subject to HPD Regulatory Agreement)	Residential	Conforming	0	0	N
16	2 Stores	Offices / Restaurant	Non-Conforming	1,280	0	N
Block 350 (R8A/C1-5 Portion)						
17	N/A	Bagel Shop	Conforming	2,200	0	N
18	Offices	Offices	Conforming	4,000	0	N
20	N/A (Permit for Coffee Shop)	Restaurant / Café /Hair Salon	Conforming	2,200	0	N
50	N/A	Bakery	Conforming	2,700	0	N
51	N/A (Permit for Eating & Drinking)	Under renovation	Conforming	2,545	0	N
54	N/A	Vacant – Store for Rent	Conforming	635	0	N
55	Retail (6A)	Laundromat	Conforming	960	0	N
56	N/A	Tax Preparation	Conforming	960	0	N
57 p/o	N/A	Beauty Supply, Deli, Pawn Shop	Conforming	700	0	N
	Total			23,785	13,965	

Purpose and Need of the Proposed Action

Commercial uses are not permitted in new developments in residential districts, including R8A districts. The proposed rezoning would map a C2-5 commercial overlay over the entire Rezoning Area, which would allow the Applicant to use portions of the ground floor of the proposed building on the Proposed Development Site (Projected Development Site 1) for Use Group 6 retail uses and/or eating and drinking establishments.

The proposed rezoning would allow the existing non-commercial uses on the ground floors/basements of the existing buildings on Projected Development Sites 2 and 3 to be legally converted to commercial uses in the future. These uses would otherwise not be permitted under the R8A zoning mapped on these parcels. Under the proposed rezoning, the anticipated non-conforming commercial uses at these sites would be made conforming with zoning.

The proposed rezoning would legalize existing non-conforming commercial uses in the R8A portion of the Rezoning Area. Currently, 4 of the 12 lots (Non-Conforming Sites 1 through 4) in the R8A portion are occupied by commercial uses, all of which are legal non-conforming uses as discussed above.

The proposed C2-5 commercial overlay would link to existing zoning districts and overlays along both sides of East Houston Street which allow commercial uses. The mapping of a C2-5 commercial overlay on the south side of East Houston Street between Norfolk Street and the centerline of the block between Clinton Street and Attorney Street would complement the existing commercial overlays in the surrounding area. Specifically, there is a C2-5 commercial overlay directly across the street on the north side of Houston Street between 1st Avenue and Avenue B. The proposed action would therefore create a consistency in the permitted retail uses in developments along this section of East Houston Street on both sides of the street.

A C6-2A district runs along the south side of East Houston Street from Chrystie Street to Essex Street to the west of the Rezoning Area. (A playground for P.S. 20 occupies the north portion of the block between Essex and Norfolk Streets which would not be rezoned to allow ground floor commercial use under the proposed rezoning.)The proposed C2-5 overlay would link with the existing C1-5 commercial overlay mapped along either side of Clinton Street, running from East Houston Street to Delancey Street three blocks to the south.

Unlike the C6-2A district mapped to the west of the Rezoning Area, which allows higher density commercial uses, the proposed C2-5 overlay would limit commercial uses to an FAR of 2.0. The supplementary use regulations set forth in ZR Section 32-421 provide that for a building in a C2 district containing residential or community facility uses on its upper stories, no commercial uses in Use Groups 6 through 9 and 14 are permitted above the level of the first story ceiling. This requirement effectively limits the maximum commercial FAR in mixed buildings to 1.0 or less since a portion of the first story would also be used to provide access to the residential and community facility uses above. Given the significantly greater residential density permitted in the underlying R8A district, it is likely that commercial uses would be limited to ground floor or basement uses of mixed residential buildings which would provide a commercial density that is in character with the generally residential uses to the south of the Rezoning Area.

C2 districts allow for a slightly wider array of commercial uses than C1 districts, including bicycle rental and repair shops, automobile rental establishments, and physical culture or health establishments (pursuant to a Board of Standards and Appeals Special Permit). The Applicant believes that all of these uses would be appropriate along a wide, heavily travelled street such as East Houston Street. Likewise, the Applicant believes that the proposed C2-5 district is appropriate given that the Rezoning Area is subject to the comprehensive off-street parking regulations set forth in Article I, Chapter 3, pursuant to which accessory off-street parking for commercial uses is not required.

According to the Commission Report (C 080397(A) ZMM), the 2008 East Village/Lower East Side Rezoning was enacted in response to strong community concerns regarding out-of-scale development that had been occurring in the 111 blocks comprising the rezoning area and the desire to fuel the development of affordable housing. Given the extent of the rezoning area, the 2008 East Village/Lower East Side Rezoning focused on two specific goals to address these concerns: (i) fostering new development that reflects the existing built character of the area by rezoning existing R7-2 and C6-1 districts with new contextual districts including R7A, R7B, R8A, R8B, C4-4A, C6-2A and C6-3A, and (ii) creating new opportunities for affordable housing by mapping Inclusionary Housing Designated Areas along identified streets, where appropriate. Accordingly, zoning changes to allow commercial uses in existing residential districts were not considered as part of the 2008 rezoning.

Future No-Action Scenario

In the future without the action, the Reasonable Worst Case Development Scenario (RWCDS) would reflect the following assumptions:

The Final Environmental Impact Statement (FEIS) that was completed in connection with the 2008 East Village/Lower East Side Rezoning (the EV/LES FEIS) identified a portion of the Proposed Development Site (Projected Development Site 1) as a projected development site. The Proposed Development Site consists of Block 355, Lot 54 (former Lots 54 and 59). The EV/LES FEIS identified former Lot 59 (which has been merged into Lot 54), which has frontage on Suffolk Street, as a projected development site that would be developed with an 18,400 square foot entirely residential building containing 18 dwelling units. The former Lot 54, which has frontage on East Houston Street, however, was not identified as a projected development site in the EV/LES FEIS.

Absent the proposed rezoning, the Proposed Development Site would be developed with an approximately 93,015 gsf building (including cellar and mechanical space). Approximately 62,500 zsf of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Twenty percent of the residential floor area, comprising approximately 20 percent of the dwelling units, would be reserved for affordable housing in compliance with the provisions of the Inclusionary Housing Program. Portions of the ground floor of the building, comprising up to 7,240 gsf of floor area in the aggregate, would be utilized for Use Group 4A ambulatory diagnostic or treatment health care facilities. Entrances to the residential uses would be located on Suffolk Street, while community facility entrances and a residential service entrance would be located along East Houston Street.

The EV/LES FEIS identified the parcel to the east of the Proposed Development Site as a projected development site (Block 355, Lot 57). The Department of Buildings had issued a new building permit and related post-application amendments to the Iglesia Pentecostal Arca de Salvacion for a 10-story building containing approximately 2,500 square feet of community facility floor area at the base of the building and 11,975 square feet of residential floor area above for 14 dwelling units. Construction on Lot 57 is ongoing at this time.

The 2008 EV/LES FEIS identified Block 355, Lot 51 (Projected Development Site 2) as a site that would be developed with a 10,123 gsf building containing 10 residential dwelling units. It also identified Block 355, Lot 53 (Projected Development Site 3) as a site that would be developed

with a 16,272 gsf building containing 16 residential dwelling units. In the 7 to 8 years since the rezoning, market conditions have changed and the buildings projected for Projected Development Sites 2 and 3 were never constructed. Therefore, it is reasonable to assume that the existing buildings and occupancies on Projected Development Sites 1 and 2 would remain.

Block 355, Lot 8, previously identified as Projected Development Site 4, is no longer anticipated to be a projected development site (previously identified as Projected Development Site 4). The ground floor use of the building on this property is for the Escuela Hispana Montessori Early Learning Center, which is a Universal Pre-K / Head Start facility. According to the school administrator, the facility has been in operation for over 30 years and has a long term sublease with ACS for the space. Therefore, the existing community facility occupancy of the ground floor of the building is anticipated to remain.

As noted in the EV/LES FEIS, commercial uses east of Essex Street and north of the Delancey Street commercial corridor are typically older local retail uses and include restaurants, delis, small grocery stores, hair and nail salons, tailors and dry cleaners, and discount stores. Along Clinton Street, these local retail shops mix with the increasing number of specialty apparel shops, coffee shops, and upscale restaurants. Given these trends, approximately 6,885 gsf of other existing ground-floor and basement non-conforming commercial uses in the R8A portion of the Rezoning Area would be assumed to remain under the No-Action Scenario on Non-Conforming Sites 1 through 4. These commercial uses are identified on the Certificates of Occupancy for the respective buildings, and therefore are legal non-conforming uses which are permitted to remain or to be converted to other Use Group 6 uses under the applicable provisions of the Zoning Resolution. Similarly, approximately 1,960 gsf of ground floor community facility uses that are existing or under construction in the R8A portion of the Rezoning Area would be expected to remain on Projected Development Sites 2 and 3. Finally, the approximately 16,900 gsf of existing conforming ground-floor commercial uses on the Remaining Sites in the R8A/C1-5 portion of the Rezoning Area (Block 350, Lots 17, 18, 20, 50, 51, 54, 55, 56, 57 [p/o]) and the approximately 2,965 gsf of existing conforming community facility space on Block 350, Lot 8 (p/o) would be expected to remain.

As noted above, the existing ground floor/basement uses are expected to remain under the No-Action Scenario, with the exception of the Proposed Development Site. See Tables A and B.

Future With-Action Scenario

In the future with the action, the RWCDS would reflect the following assumptions:

The With-Action RWCDS for the Proposed Development Site (Projected Development Site 1) would be the same as the proposed development described above. The proposed building would contain approximately 93,015 gsf of floor area (including cellar and mechanical space). Approximately 62,500 zsf of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Twenty percent of the residential floor area, comprising approximately 20 percent of the dwelling units, would be reserved for affordable housing in compliance with the provisions of the Inclusionary Housing Program. Approximately 7,240 gsf of the building would occupied by ground floor Use Group 6 commercial uses. Entrances to the residential uses would be located on Suffolk Street, while commercial (or community facility) entrances and a residential service entrance would be located on East Houston Street.

Under the With-Action RWCDS for Projected Development Sites 2 and 3, conforming residential or community facility ground floor uses would be converted to commercial uses[2], except for portions of these buildings along side streets that are occupied by dwelling units (Block 355, Lot 48), buildings subject to recorded use restrictions (Block 350, Lot 14), portions of buildings leased by the City and operated for Universal Pre-K/Head Start facilities (Block 350, Lot 8), and portions of buildings used for residential lobbies, resulting in approximately 3,065 gsf of additional new ground floor commercial use for a total aggregate increase on Projected Development Sites 1 through 3 of 10,305 gsf as compared to the No-Action Scenario.

The development on Block 355, Lot 57 is expected to remain the same as under the No-Action Scenario as this property is being developed by a religious institution and is currently under construction.

A wider array of commercial uses would be permitted under the proposed rezoning than currently exist on Non-Conforming Sites 1 through 4 including Use Group 7 home maintenance and repair services, Use Group 8 amusement and service establishments, Use Group 9 retail uses, and Use Group 14 retail or service establishments and clubs. The Rezoning Area, however, is part of the former "Bargain District" described in the EV/LES FEIS, which was "formerly known for the discounted apparel shops, tailors, and fabric stores that once dominated its streetscapes but is now home to an increasing number of upscale restaurants, boutiques, specialty shops, signature clothing shops, spas, and lounges."[3] Accordingly, the With-Action Scenario assumes that the existing non-conforming commercial uses in the R8A portion of the Rezoning Area, which are primarily retail shops and eating and drinking establishments, will remain. Likewise, the commercial uses in the existing C1-5 overlay on the Remaining Sites on Block 350, Lots 17, 18, 20, 50, 51, 54, 55, 56, 57 (p/o), which are also primarily retail shops and eating and drinking establishments. While a wider array of commercial uses would be allowed on these sites under the proposed C2-5 zoning district, given the existing uses and current neighborhood development trends, it is unlikely that the C2-5 rezoning would impact the existing commercial uses. The existing commercial uses are therefore expected to remain under the proposed action.

Table B identifies projected ground floor/basement uses for all sites in the Rezoning Area under the With-Action Scenario on a lot by lot basis.

[2] Commercial uses that would not have been permitted by extending the existing C1-5 district would include uses such as bicycle rental and repair shops, automobile rental establishments, and physical culture or health establishments (pursuant to a Board of Standards and Appeals Special Permit).
[3] See Chapter 2, Pages 2-8.

Table B

Projected Future With-Action Ground Floor/Basement Uses in the Rezoning Area

Lot	Projected Use	Commercial GSF (est.)			Comm. Fac. GSF (Est.)	Projected Dev. Site Y/N
		No-Action	With-Action	Change	Change	
Block 355						
54	Retail / Restaurant	0	7,240	7,240	(7,240)	Y – Proj. Dev. Site 1
48	Dwelling Units	0	0	0	0	N
49	Restaurant	2,515	2,515	0	0	N
51	Retail	0	1,105	1,105	0	Y – Proj. Dev. Site 2
52	Café	1,105	1,105	0	0	N
53	Retail	0	1,960	1,960	(1,960)	Y – Proj. Dev. Site 3
57	Community Facility	0	0	0	0	N
Block 350						
8 p/o	Universal Pre-K/Head Start Learning Center	0	0	0	0	N
12	Retail / Restaurant	1,985	1,985	0	0	N
14	Permanent / Transitional Rental Housing	0	0	0	0	N
16	Offices / Restaurant	1,280	1,280	0	0	N
17	Bagel Shop	2,200	2,200	0	0	N
18	Offices	4,000	4,000	0	0	N
20	Restaurant / Café / Hair Salon	2,200	2,200	0	0	N
50	Bakery	2,700	2,700	0	0	N
51	Eating & Drinking	2,545	2,545	0	0	N
54	Retail	635	635	0	0	N
55	Laundromat	960	960	0	0	N
56	Tax Preparation	960	960	0	0	N
57 p/o	Beauty Supply, Deli, Pawn Shop	700	700	0	0	N
	Total	23,785	34,090	10,305	(9,200)	

Table 1 summarizes the development on the Proposed Development Site (Projected Development Site 1). Tables 2 and 3 summarize the Future No-Action and the Future With-Action development scenarios on all lots within the Rezoning Area. Tables 4 and 5 summarize the maximum development allowed on Projected Development Sites 1 through 3 under the Future No-Action and the Future With-Action scenarios.

EXHIBIT I – TABLES 1 - 5

Table 1: Proposed Development Project Site

Dev. Site	Projected Development Site Number	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade	Total GSF	Ground Floor Commercial GSF	Ground Floor Community Facility GSF	Residential GSF	Manu-facturing GSF	# of Residential Units	# of Accessory Parking Spaces	Accessory Parking GSF	Building Height (in feet)
Applicant	1	10,843	82,172	10,843	93,015	7,240	0	78,535	0	63	0	0	120

Table 2: Proposed No-Action Scenario

Dev. Site	Projected Development Site Number	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade	Total GSF	Ground Floor Commercial GSF	Ground Floor Community Facility GSF	Residential GSF	Manu-facturing GSF	# of Residential Units	# of Accessory Parking Spaces	Accessory Parking GSF	Building Height (in feet)
Applicant	1	10,843	82,172	10,843	93,015	0	7,240	78,535	0	63	0	0	120
Non-Applicant		40,149				23,785	6,725						
Block 355, Lot 57		2,000	14,900	2,000	16,900	0	1,800	14,600	0	8	0	0	119
Other Non-Applicant Sites	2 and 3	38,149				23,785	4,925						
Total		50,992				23,785	13,965		0				

Table 3: Proposed With-Action Scenario *(if different from Table 1: Proposed Development Project)*

Dev. Site	Projected Development Site Number	Zoning Lot Size (SF)	GSF Above Grade	GSF Below Grade	Total GSF	Ground Floor Commercial GSF	Ground Floor Community Facility GSF	Residential GSF	Manu-facturing GSF	# of Residential Units	# of Accessory Parking Spaces	Accessory Parking GSF	Building Height (in feet)
Applicant	1	10,843	82,172	10,843	93,015	7,240	0	78,535	0	63	0	0	120
Non-Applicant													
Legal Non-Conforming Conversion to Commercial:		3,666				3,065							
Block 355, Lot 51	2	1,406				1,105							
Block 355, Lot 53	3	2,260				1,960							
No Change:		36,483				26,750							
Block 355, Lot 57		2,000	14,900	2,000	16,900	0	1,800	14,600	0	8	0	0	119
Remaining Parcels		34,483				26,750							
Non-Applicant Subtotal:		40,149				29,815							
Total		50,992				37,055							

Table 4: Maximum SF of Other Uses Allowed Under the No-Action Scenario

Development Site	Projected Development Site Number	Maximum ZSF for Commercial	Maximum ZSF for Community Facility	Maximum ZSF for Residential	Maximum ZSF for Manufacturing
Applicant	1	0	58,536	69,740	0
Non-Applicant	2 and 3	0	273,969	303,473	0
Total		0	332,505	373,201	0

Table 5: Maximum SF of Other Uses Allowed Under the With-Action Scenario

Development Site	Projected Development Site Number	Maximum ZSF for Commercial	Maximum ZSF for Community Facility	Maximum ZSF for Residential	Maximum ZSF for Manufacturing
Applicant	1	16,480	58,536	69,740	0
Non-Applicant	2 and 3	84,298	273,969	303,473	0
Total		100,778	332,505	373,201	0

FIGURES & PHOTOGRAPHS



Legend

- (#) - Lot Numbers
- (###) - Block Numbers
- 400 Foot Radius

North

Scale: 1" = 200'

0 20 50 100

East Houston Street, Manhattan

Site Location Map



North

Scale: .28” = 100’

Urban Cartographics 112 West 34th Street 18th Floor New York, NY 10120 718.427.5299 urbancartographics@gmail.com www.urbancartographics.com



1. View of Norfolk Street facing north.



2. View of the sidewalk along the east side of Norfolk Street facing north.



3. View of the side of Norfolk Street facing northeast.





4. View of the side of Norfolk Street facing northwest.



5. View of the sidewalk along the east side of Norfolk Street facing south from East Houston Street.



6. View of the sidewalk along the south side of East Houston Street facing east from Norfolk Street.





7. View of East Houston Street facing east from Norfolk Street.



8. View of the side of East Houston Street facing southeast from Norfolk Street.



9. View of the side of East Houston Street facing southwest from Norfolk Street.





10. View of the side of East Houston Street facing northwest from the Site.



11. View of the side of East Houston Street facing northeast from the Site.



12. View of the sidewalk along the south side of East Houston Street facing west from Suffolk Street (Site at left).





13. View of Suffolk Street facing south from East Houston Street (Site at right).



14. View of the Site facing southwest from the intersection of East Houston Street and Suffolk Street.



15. View of the intersection of East Houston Street and Suffolk Street facing southeast.





16. View of the side of Suffolk Street facing northwest.



17. View of Suffolk Street facing north (Site at left).



18. View of the side of Suffolk Street facing northeast from the Site.





19. View of the sidewalk along the east side of Suffolk Street facing north (Site at left).



20. View of the sidewalk along the south side of East Houston Street facing east from Suffolk Street.



21. View of the side of East Houston Street facing northeast.





22. View of East Houston Street facing east.



23. View of the sidewalk along the south side of East Houston Street facing west.



24. View of the side of East Houston Street facing northwest.





25. View of the sidewalk along the west side of Clinton Street facing south from East Houston Street.



27. View of the side of Clinton Street facing northwest.



26. View of the side of Clinton Street facing northeast.





28. View of East Houston Street facing west from Clinton Street.



29. View of the side of East Houston Street facing southeast.



30. View of the intersection of East Houston Street and Clinton Street facing southwest.





Land Uses

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

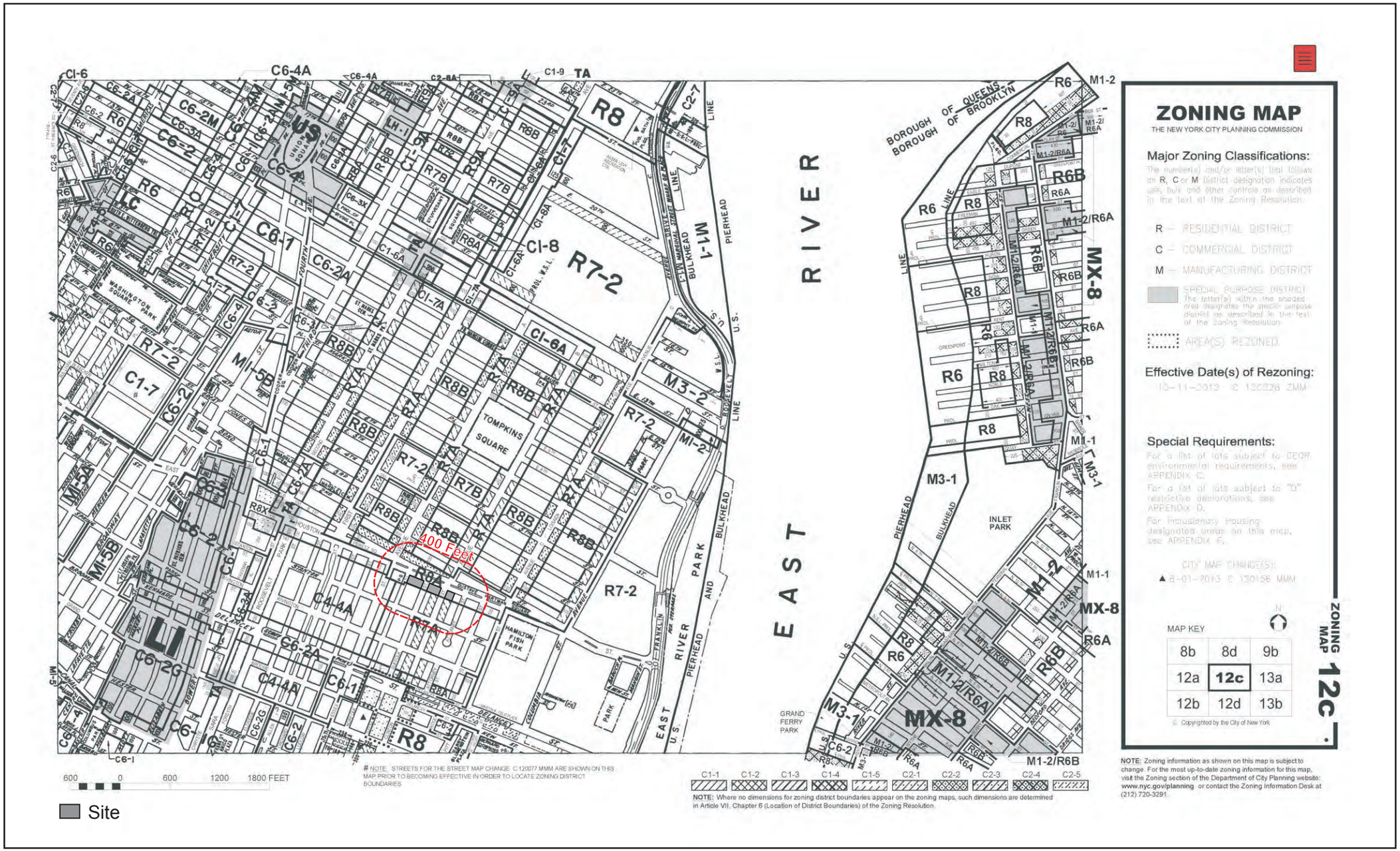
Legend

- (#) - Lot Numbers
- [###] - Block Numbers
- I, II, III - Story Height
- MD - Multiple Dwelling
- D - Dwelling
- R - Retail
- G - Garage
- C - Commercial
- I - Industrial
- M - Manufacturing
- W - Warehouse
- Vac. - Vacant

North

Scale: 1" = 200'

0 20 50 100

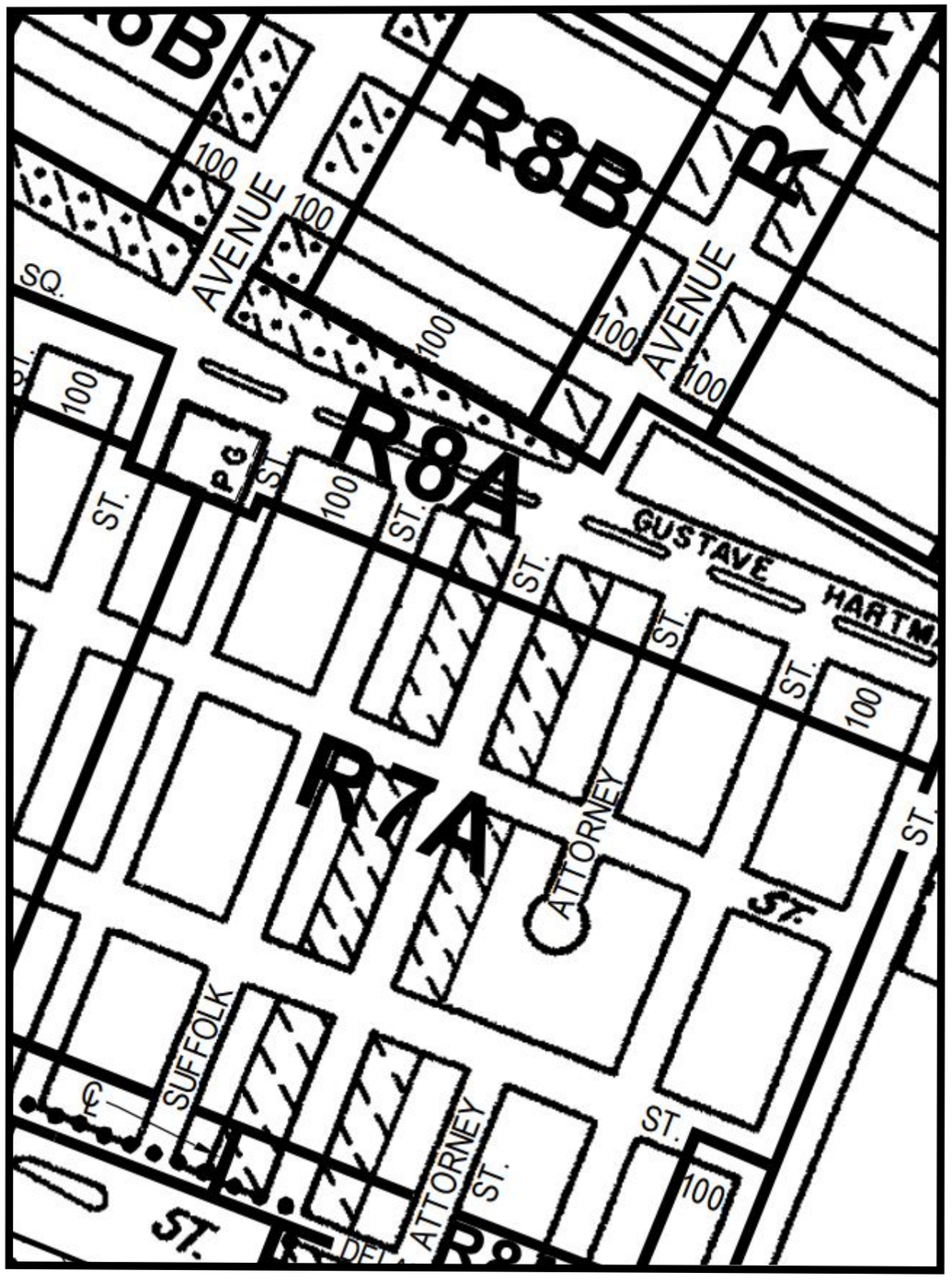

ZONING MAP
THE NEW YORK CITY PLANNING COMMISSION
Major Zoning Classifications:
The number(s) and/or letter(s) that follow an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.
R — RESIDENTIAL DISTRICT
C — COMMERCIAL DISTRICT
M — MANUFACTURING DISTRICT
SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.
AREA(S) REZONED
Effective Date(s) of Rezoning:
10-11-2012 C 120028 ZMM
Special Requirements:
For a list of lots subject to CEQR environmental requirements, see APPENDIX C.
For a list of lots subject to "D" restrictive declarations, see APPENDIX D.
For Inclusionary Housing designated areas on this map, see APPENDIX F.
CITY MAP CHANGE(S):
▲ 8-01-2013 C 130156 MMM
MAP KEY
8b 8d 9b
12a 12c 13a
12b 12d 13b
ZONING MAP 12c
© Copyrighted by the City of New York
NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.
400 Feet
600 0 600 1200 1800 FEET
Site
NOTE: STREETS FOR THE STREET MAP CHANGE C 120077 MMM ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES
C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.
EAST RIVER
BOROUGH OF QUEENS
BOROUGH OF BROOKLYN
TOMPKINS SQUARE
HAMILTON FISH PARK
INLET PARK
GRAND FERRY PARK
WASHINGTON SQUARE
UNION SQUARE

C1-1 C1-2 C1-3 C1-4 C1-5 C2-1 C2-2 C2-3 C2-4 C2-5

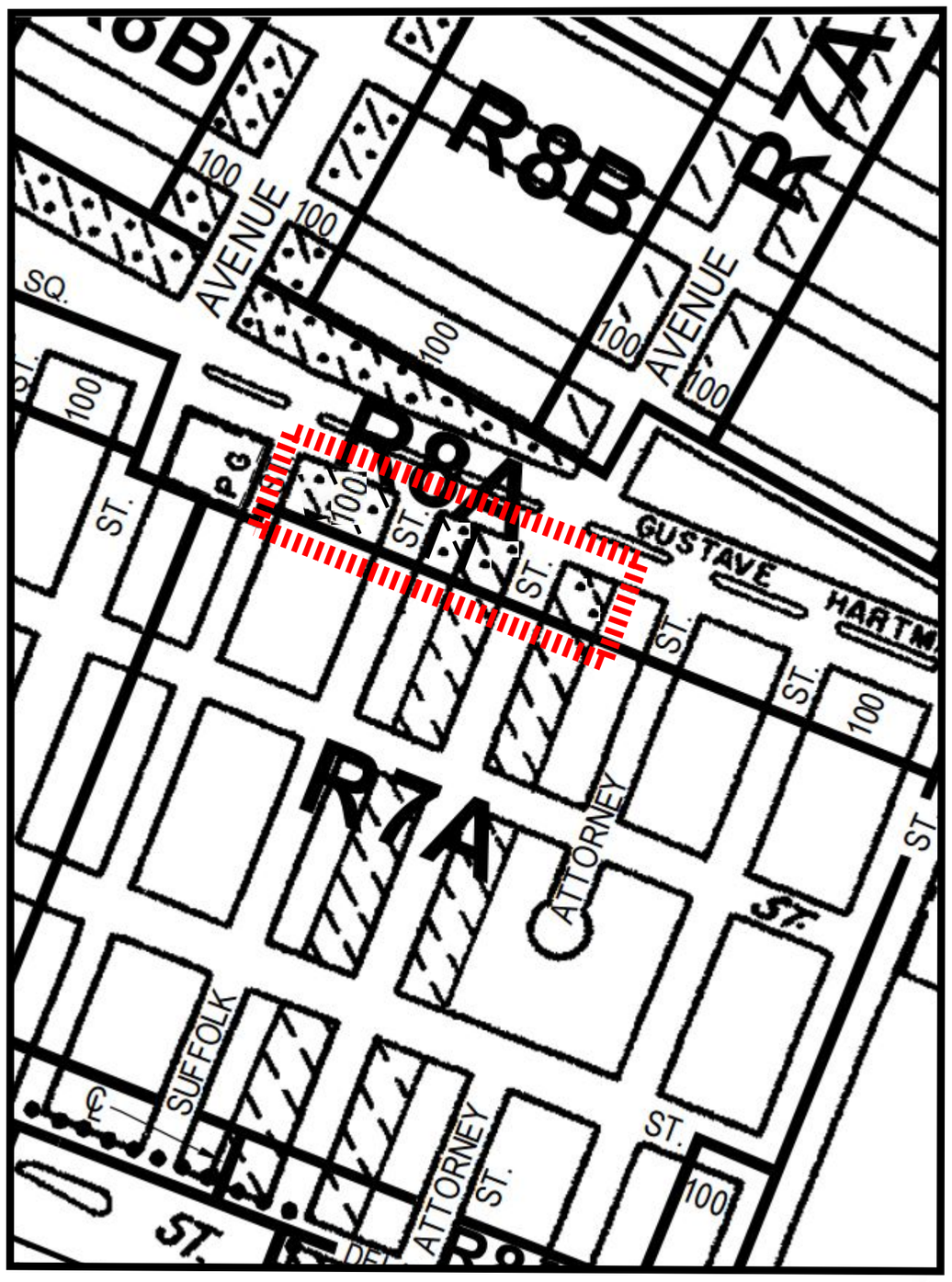
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

Zoning Change Map

N

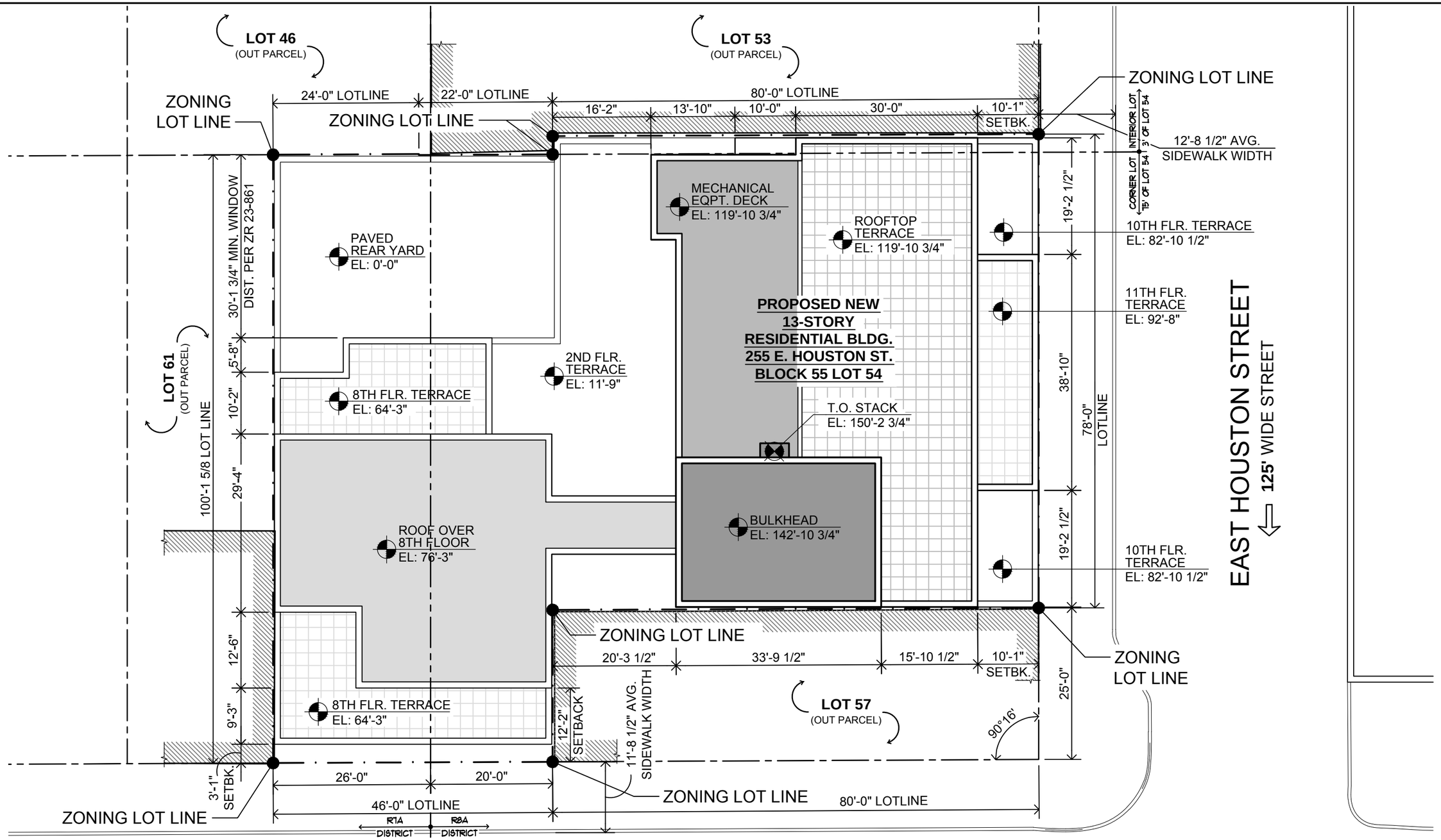


CURRENT ZONING MAP



PROPOSED ZONING MAP - Area being rezoned is outlined with red lines

Changing a R8A district and R8A/C1-5 district to a R8A/C2-5 district



1 **SITE PLAN**
SCALE: 1/16" = 1'-0"

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255 EAST HOUSTON
NEW YORK, NY

January 26, 2016
A001



Proposed Commercial Area

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T: 212.421.3712 F: 212.421.8471

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255 EAST HOUSTON

NEW YORK, NY

PROPOSED DEVELOPMENT

January 27, 2016



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255 EAST HOUSTON

NEW YORK, NY

PROPOSED DEVELOPMENT

January 27, 2016

SUPPLEMENTAL REPORT

EAS NARRATIVE ATTACHMENT

EAST HOUSTON STREET REZONING

ENVIRONMENTAL ASSESSMENT STATEMENT

INTRODUCTION

Based on the analysis and the screens contained in the Environmental Assessment Statement Form, the analysis areas that require further explanation include land use, zoning, and public policy, air quality, noise, and construction as further detailed below. Urban design and visual resources, hazardous materials, and transportation are also addressed below to provide information about the potential of the project to affect these areas of concern. The section numbers below correspond to the relevant chapters of the 2014 *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

EXISTING CONDITIONS

Land Use

Rezoning Area

The proposed Rezoning Area (the area subject to the proposed Zoning Map Amendment) is located on the following Tax Blocks and Lots in the Lower East Side neighborhood of Manhattan, Community District 3. These lots are located within an area extending to a depth of 100 feet along the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street.

Block	Lots
350	8 (p/o), 12, 14, 16 (p/o), 17, 18, 20, 50, 51, 54, 55, 56, 57 (p/o)
355	48, 49, 51, 52, 53, 54 (p/o), 57

Applicant Controlled Proposed Development Site (Projected Development Site 1)

The Applicant controlled Proposed Development Site (Projected Development Site 1), Block 355, Lot 54, has a lot area of approximately 10,843 square feet. The Development Site currently contains a vacant, 4-story building which was formerly entirely occupied by a day care center, and a paved area that was used as an outdoor play area. There is an existing curb cut providing access to Lot 54 along Suffolk Street. The Development Site has approximately 78 feet of frontage along East Houston Street and approximately 46 feet of frontage along Suffolk Street.

Non-Applicant Controlled Sites

Projected Development Sites 2 and 3

Projected Development Sites 2 and 3 are sites where presently conforming non-commercial uses on the ground or basement floors of the existing buildings on these properties are expected to be converted to commercial uses in the future. The commercial uses would not be permitted

under the R8A zoning currently mapped on these parcels. Detailed information about these sites is presented in Table 4-1.

Projected Development Site 2 at 249 East Houston Street (Block 355, Lot 51) consists of an approximately 1,406 square foot lot developed with a 3-story, approximately 2,799 gsf multi-family apartment building containing four residential dwelling units.

Projected Development Site 3 at 253 East Houston Street (Block 355, Lot 53) consists of an approximately 2,260 square foot lot developed with a 3-story, approximately 6,780 gsf building containing an approximately 1,960 gsf non-profit art gallery on the building's ground floor.

Non-Conforming Sites 1 through 4

Non-Conforming Sites 1 through 4 are sites containing legal non-conforming commercial uses on the ground or basement floors of the existing buildings on these properties which are not permitted as-of-right under the R8A zoning mapped on these parcels. Detailed information about these sites is presented in Table 4-1.

Non-Conforming Site 1 at 249 East Houston Street (Block 350, Lot 12) consists of an approximately 2,285 square foot lot developed with a 6-story, approximately 12,200 gsf mixed-use building containing 15 residential dwelling units and two non-conforming commercial uses (eating and drinking establishments).

Non-Conforming Site 2 at 279 East Houston Street (Block 350, Lot 16) consists of an approximately 2,556 square foot lot developed with a 5-story, approximately 9,432 gsf mixed-use building containing 18 residential dwelling units and two non-conforming commercial uses (offices and restaurant).

Non-Conforming Site 3 at 245 East Houston Street (Block 355, Lot 49) consists of an approximately 2,813 square foot lot developed with a 5-story, approximately 10,657 gsf mixed-use building containing 18 residential dwelling units and two non-conforming commercial uses (restaurant).

Non-Conforming Site 4 at 251 East Houston Street (Block 355, Lot 52) consists of an approximately 1,406 square foot lot developed with a 3-story, approximately 2,450 gsf mixed-use building containing 3 residential dwelling units and one non-conforming commercial use (café).

Remaining Sites

The remaining sites in the Rezoning Area are lots where the current ground floor/basement uses are conforming and where these uses are not projected to change under the proposed action. These properties include Block 350, Lots 8 (p/o), 14, 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48 and 57. Detailed information about these sites is presented in Table 4-1.

Table 4-1

Existing and Future No-Action Ground Floor/Basement Uses in the Rezoning Area

Lot	Use (per Certificate of Occupancy)	Use (Observed)	Use Status	Commercial GSF (est.)	Comm Facil GSF (est.)	Projected Development Site (Y/N)
Block 355 (R8A Portion)						
54	Day Care Center	Vacant	Conforming	0	7,240	Y – Projected Development Site 1
48	Dwelling Units	Dwelling Units	Conforming	0	0	N
49	Eating & Drinking	Restaurant	Non-Conforming	2,515	0	N
51	N/A	Residential	Conforming	0		Y – Projected Development Site 2
52	Shop	Café	Non-Conforming	1,105		N
53	N/A (Permits for Non-Profit Gallery)	Non-Profit Gallery	Conforming	0	1,960	Y – Projected Development Site 3
57	N/A (Permits for Community Facility)	Under Construction	Conforming	0	1,800	N
Block 350 (R8A Portion)						
8 p/o	Day Care Center	Universal Pre-K/Head Start Learning Center	Conforming	0	2,965	N
12	Stores	Eating & Drinking	Non-Conforming	1,985	0	N
14	N/A (Permanent / Transitional Rental Housing subject to HPD Regulatory Agreement)	Residential	Conforming	0	0	N
16	2 Stores	Offices / Restaurant	Non-Conforming	1,280	0	N
Block 350 (R8A /C1-5 Portion)						
17	N/A	Bagel Shop	Conforming	2,200	0	N
18	Offices	Offices	Conforming	4,000	0	N
20	N/A (Permit for Coffee Shop)	Restaurant / Café /Hair Salon	Conforming	2,200	0	N
50	N/A	Bakery	Conforming	2,700	0	N
51	N/A (Permit for Eating & Drinking)	Under renovation	Conforming	2,545	0	N
54	N/A	Vacant – Store for Rent	Conforming	635	0	N
55	Retail (6A)	Laundromat	Conforming	960	0	N
56	N/A	Tax Preparation	Conforming	960	0	N
57 p/o	N/A	Beauty Supply, Deli, Pawn Shop	Conforming	700	0	N
	Total			23,785	13,965	

Study Area

The primary study area extends approximately 400 feet in all directions from the boundaries of the Rezoning Area. The study area is roughly bounded by an area between East 2nd and East 3rd Streets on the north, an area between Stanton and Rivington Streets on the south, Ridge Street to the east, and an area between Essex and Ludlow Streets to the west. Information was obtained from the NYC PLUTO database.

The area surrounding the Rezoning Area is primarily characterized by a mixture of low- to mid-rise multiple dwellings, many of which contain ground floor retail uses, locally oriented

commercial/retail uses, and community facilities including schools and churches. Other scattered uses include a few manufacturing facilities, several parking lots and garages, and vacant lots.

Proceeding clockwise around the Rezoning Area starting in the northwest corner of the project study area, the blocks or portions of blocks located within 400 feet of the Rezoning Area contain the following development:

- The eastern portion of Block 429 along East Houston Street and Avenue A, is primarily developed with three- to four-story multiple dwellings most of which also contain a ground floor retail component. There is also a four-story commercial/retail building in this area.

- Block 397, bounded by East Houston and East 2nd Streets and Avenues A and B, is primarily developed with five- to six-story multiple dwellings approximately half of which also contain a ground floor retail component. A large 13-story multiple dwelling with ground floor retail space occupies most of the East Houston Street frontage of the block. The block also contains a one-story commercial retail building and a vacant lot.

- The southern portion of Block 398, bounded by East 2nd Street and Avenue B, is primarily developed with four- to six-story multiple dwellings approximately half of which also contain a ground floor retail component. This portion of the block also contains a four-story commercial retail building and a one-story warehouse.

- The southwestern portion of Block 385, bounded by East 2nd Street and Avenue B, is primarily developed with four- to six-story multiple dwellings several of which also contain a ground floor retail component. This portion of the block also contains a one-story commercial retail building, a park/parking lot, a FDNY station house (Engine Company 28, Ladder Company 11), and a vacant lot.

- The western two-thirds of Block 384, bounded by East Houston and East 2nd Streets and Avenue B, is primarily developed with five- to seven-story multiple dwellings approximately half of which also contain a ground floor retail component. This portion of the block also contains a seven-story loft building and a vacant lot.

- The western edge of Block 345 (east) along East Houston and Ridge Streets, is developed with a six-story multiple dwelling.

- Block 345 (west), bounded by East Houston, Stanton, Attorney, and Ridge Streets, is primarily developed with multiple dwellings which range from four- to twelve-stories in height. Approximately half of these buildings contain a ground floor retail component. The block also contains a one-story and a two-story commercial retail building, a church, a half-way house, and three lots used for parking.

- Block 350 (east) [not including the Rezoning Area parcels], bounded by East Houston, Stanton, Attorney, and Clinton Streets, is primarily developed with four- to six-story multiple dwellings approximately half of which also contain a ground floor retail component. The block also contains two 1-story commercial retail buildings, two synagogues, a garage, a parking lot, and two vacant lots.

- Block 350 (west) [not including the Rezoning Area parcels], bounded by East Houston, Stanton, Suffolk, and Clinton Streets, is primarily developed with multiple dwellings which range from two- to eight-stories in height. Approximately half of these buildings contain a ground floor retail component. The block also contains a community garden and the rear portion of the now vacant day care center fronting on East Houston Street within the Rezoning Area.

- Block 355 (east) [not including the Rezoning Area parcels], bounded by East Houston, Stanton, Suffolk, and Norfolk Streets, is primarily developed with multiple dwellings which range from three- to six-stories in height several of which also contain a ground floor retail component. The block also contains a church, an open space area, a five-story loft building, and a one-story manufacturing building.

- Block 355 (west), bounded by East Houston, Stanton, Essex, and Norfolk Streets, is developed with a three-story public school (P S 20) and the adjacent ABC Playground.

- The eastern portion of Block 412 bounded by East Houston and Essex Streets, is primarily developed with multiple dwellings which range from two- to 23-stories in height, several of which also contain a ground floor retail component. This portion of the block also contains a two-story and a twenty-story commercial retail building and a vacant lot.

- The northwestern corner of Block 344 (east) at Stanton and Attorney Streets, is developed with two 6-story multiple dwellings.

- The northern portion of Block 344 (west) bounded by Stanton, Clinton, and Attorney Streets, is primarily developed with five- to six-story multiple dwellings, one of which contains ground floor retail space. This portion of the block also includes an open space area and a vacant lot.

- The northern portion of Block 349 bounded by Stanton, Clinton, and Suffolk Streets, is primarily developed with four- to five-story multiple dwellings, one of which contains ground floor retail space. This portion of the block also includes an open space area and a vacant lot.

- The northern portion of Block 354 (east) bounded by Stanton, Norfolk, and Suffolk Streets, is entirely developed with a five-story public school (Marte Valle high school).

- The northern portion of Block 354 (west) bounded by Stanton, Norfolk, and Essex Streets, is primarily developed with five- and six-story multiple dwellings, a health clinic, and two vacant lots.

ZONING

Rezoning Area

The portion of the Rezoning Area between Norfolk Street and the centerline of the block between Suffolk Street and Clinton Street is currently zoned as an R8A residential district, while the remainder of the Rezoning Area (within 100 feet of either side of Clinton Street) is zoned as an R8A district with a C1-5 overlay. The entire Rezoning Area is also designated as an

Inclusionary Housing Designated Area. It is also entirely located within the City's Food Retail Expansion to Support Health (FRESH) program area which is eligible for various tax incentives related to grocery store development and operation.

Applicant Controlled Proposed Development Site (Projected Development Site 1)

The Applicant controlled Proposed Development Site (Projected Development Site 1), Block 355, Lot 54, has a lot area of approximately 10,843 square feet, of which 8,240 square feet lies within an existing R8A district (IHDA) within the Rezoning Area and 2,603 square feet of which lies within an R7A district located outside of the Rezoning Area.

Non-Applicant Controlled Sites

Projected Development Sites 2 and 3

Projected Development Sites 2 and 3 are currently zoned R8A.

Non-Conforming Sites 1 through 4

Non-Conforming Sites 1 through 4 contain legal non-conforming commercial uses on the ground or basement floors of the existing buildings on these properties which are not permitted as-of-right under the R8A zoning mapped on these parcels. A non-conforming use is any lawful use which does not conform to applicable use regulations of the district in which the use is located, either on December 15, 1961 (the effective date of the Zoning Resolution) or as a result of any subsequent amendment thereto (ZR Section 12-10). Non-conforming commercial uses in residence districts are permitted to remain (ZR Section 52-11) and may be changed to other conforming uses or to Use Group 6 commercial uses (ZR Section 52-34).[1]

Remaining Sites

The remaining sites in the Rezoning Area are lots where the current ground floor/basement uses are conforming and where these uses are not projected to change under the proposed action. These properties include Block 350, Lots 8 (p/o), 14, 17, 18, 20, 50, 51, 54, 55, 56, and 57 (p/o) and Block 355, Lots 48 and 57. As shown in Table 4-1, these sites are zoned a combination of R8A and R8A/C1-5 districts.

R8A Zoning District

The contextual Quality Housing bulk regulations, which are mandatory in R8A districts, typically result in high lot coverage 10- to 12-story apartment buildings, set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. The base permitted residential FAR for R8A districts in Inclusionary Housing Designated Areas is 5.4, which may be increased to 7.2 by

[1] There are Certificates of Occupancy listing commercial uses for four (4) of the buildings in the R8A portion of the Rezoning Area: Block 350, Lots 12 and 16 and Block 355, Lots 49 and 52. The NYC Charter provides that a Certificate of Occupancy is binding and conclusive upon the NYC Department of Buildings and all other City agencies with respect to the matters identified therein and may only be revoked by the Board of Standards and Appeals or a court of competent jurisdiction (§645(b)(3)(b)). Accordingly, inclusion of commercial uses on the Certificates of Occupancy for buildings in the Rezoning Area is evidence that such uses are legal non-conforming.

providing affordable housing complying with the provisions of ZR Section 23-952. The maximum permitted FAR for community facility uses is 6.5. Above a base height of 60 to 85 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to its maximum height of 120 feet. On a wide street, the street wall must extend along the entire width of the zoning lot and at least 70% of the street wall must be within eight feet of the street line. The area between a building's street wall and the street line must be planted and the building must have interior amenities pursuant to the Quality Housing Program. As the Rezoning Area is within the Manhattan Core, no parking is required, but parking is permitted for 20% of the total number of new dwelling units.

C1-5 Commercial Overlay District

The C1-5 commercial overlay district mapped within the R8A residential district extends along East Houston and Clinton Streets in the Rezoning Area and is intended to serve local retail needs. Typical retail uses include neighborhood grocery stores, restaurants, and beauty parlors. In mixed buildings, commercial uses are limited to one or two floors and must always be located below the residential use. The maximum commercial FAR for the C1-5 district when mapped in the R8A district is 2.0. Commercial buildings are subject to commercial bulk rules and residential bulk is governed by the R8A residence district. The depth of the overlay district along both East Houston and Clinton Streets is 100 feet. No parking is required, but 1 parking space may be provided for every 4,000 square feet of retail or community facility space.

Inclusionary Housing Designated Area

The Inclusionary Housing Program promotes economic integration in areas of the City undergoing substantial new residential development by offering an optional floor area bonus in exchange for the creation or preservation of affordable housing, on-site or off-site, principally for low-income households. The Inclusionary Housing Program requires a percentage of the dwelling units within a building to be set aside, or new or rehabilitated affordable units be provided off-site within the same community district or within one-half mile of the bonused development. All affordable residential units created through the Inclusionary Housing Program must remain permanently affordable. Affordable apartments may be rental units or, under modifications made to the program in 2009, available in an ownership plan.

Food Retail Expansion to Support Health (FRESH) Program

The City has established the Food Retail Expansion to Support Health (FRESH) program in response to the issues raised in neighborhoods that are underserved by grocery stores. FRESH provides zoning and financial incentives to promote the establishment and retention of neighborhood grocery stores in underserved communities throughout the five boroughs. The FRESH program is open to grocery store operators renovating existing retail space or developers seeking to construct or renovate retail space that will be leased by a full-line grocery store operator. The project site is eligible for various tax incentives related to grocery store development and operation. As the proposed action would not displace or introduce a grocery store to the area, it would not be affected by or have a significant adverse impact on the FRESH program.

Study Area

Most of the area within 400 feet of the Rezoning Area shares the property's R8A zoning. C1-5 commercial overlays are also mapped along Avenue B across East Houston Street from the

Rezoning Area to the north. Inclusionary Housing Designated Areas are mapped along both sides of East Houston Street as well as along Avenue A in the vicinity of the Rezoning Area. The entire project study area is also located within a FRESH area. Therefore, the zoning use and bulk provisions relevant to the Rezoning Area also apply to these portions of the project study area.

Other zoning districts mapped within 400 feet of the Rezoning Area are all within the Manhattan Core for parking purposes and include the R7A district immediately to the south of the Rezoning Area east of the mid-block area between Essex and Norfolk Streets and along either side of Avenues A and B north of East Houston Street. A C4-4A district is mapped immediately to the west of the R7A district as is a C6-2A district within 100 feet of the south side of East Houston Street. While the R8A district is mapped along the northern frontage of East Houston Street, the area to the north is zoned R8B. C2-5 commercial overlays are mapped along the northern frontage of East Houston Street between Avenue B and an area west of Avenue A. Descriptions of these districts are presented below.

R7A Zoning District

The contextual Quality Housing regulations, which are mandatory in R7A districts, typically produce high lot coverage, seven- and eight-story apartment buildings, blending with existing buildings in many established neighborhoods. The R7A district permits an FAR of 4.0 for residential and community facility uses. Above a base height of 40 to 65 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 80 feet. In order to preserve the traditional streetscape, the street wall of a new building can be no closer to the street line, than any building within 150 feet on the same block, but need not be farther than 15 feet. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Parking is permitted for 20% of the total number of new dwelling units.

R8B Zoning District

The R8B zoning district is a contextual zone that usually presents the same unified blocks of "brownstone" rowhouses with residential and community facility FAR of 4.0 that creates a tall building that is commonly found on the narrow side streets of Manhattan's Upper West and Upper East Sides. The mandatory Quality Housing bulk regulations encourage new six-story apartment buildings, with a setback at the top story, that fits in well with rows of 19th century houses. Buildings must have interior amenities for residents pursuant to the Quality Housing Program. The maximum building height is 75 feet. Parking is permitted for 20% of the total number of new dwelling units.

C4-4A Zoning District

C4 districts are mapped in regional commercial centers that are located outside of the central business districts. In these areas, specialty and department stores, theaters and other commercial and office uses serve a larger region and generate more traffic than neighborhood shopping areas. Use Groups 5, 6, 8, 9, 10, and 12, which include most retail establishments, are permitted in C4 districts. Uses that would interrupt the desired continuous retail frontage, such as home maintenance and repair service stores listed in Use Group 7, are not allowed. The C4-4A district is a contextual district in which the commercial and residential bulk and density regulations can differ from corresponding non-contextual district. The C4-4A district permits a

commercial FAR of 4.0 and has the residential district equivalent of the R7A district permitting a residential and community facility FAR of 4.0.

C6-2A Zoning District

C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted in C6 districts. C6-2 district are typically mapped in areas outside central business cores and have a commercial FAR of 6.0. The C6-2A district permits a residential FAR of 6.02 and has the residential district equivalent to the R8A district. The base permitted residential FAR for R8A districts in Inclusionary Housing Designated Areas is 5.4, which may be increased to 7.2 by providing affordable housing complying with the provisions of ZR Section 23-952. The maximum permitted FAR for community facility uses is 6.5. The C6-2A district is a contextual district with maximum building heights.

C2-5 Commercial Overlay District

The C2-5 commercial overlay district mapped within the R7A and R8A residential districts along the northern frontage of East Houston Street between Avenue B and an area west of Avenue A is similar to the C1-5 commercial overlay discussed above. The only difference is that C2 districts permit a slightly wider range of uses, such as health clubs (physical culture establishments), funeral homes, and repair services.

PUBLIC POLICY

Rezoning Area

The Rezoning Area is not located within any designated Historic Districts and does not contain any individually designated historic resources. The property is therefore not subject to any New York City or New York State landmarks preservation regulations. The Area is not located within the City's Coastal Zone Boundary and is therefore not subject to the provisions of the New York City Waterfront Revitalization Program. The Rezoning Area is not covered by any 197-a or other community plans, and it is not within an urban renewal area and is therefore not subject to the provisions of an urban renewal plan. Therefore, no public policies would apply to the Rezoning Area.

Study Area

The 400-foot radius project study area includes one individually designated historic resource, that being the Anshe Slonim Synagogue at 172 Norfolk Street (Block 355, Lot 41) located a short distance south of the Rezoning Area. No other public policy consideration s would apply to the project study area.

THE FUTURE WITHOUT THE PROJECT

Land Use

Rezoning Area

In the future without the action, the Reasonable Worst Case Development Scenario (RWCDS) would reflect the following assumptions:

The Final Environmental Impact Statement (FEIS) that was completed in connection with the 2008 East Village/Lower East Side Rezoning (the EV/LES FEIS) identified a portion of the

Proposed Development Site (Projected Development Site 1) as a projected development site. The Proposed Development Site consists of Block 355, Lot 54. The EV/LES FEIS identified former Lot 59, which has frontage on Suffolk Street, as a projected development site that would be developed with an 18,400 square foot entirely residential building containing 18 dwelling units. Lot 54, which has frontage on East Houston Street, however, was not identified as a projected development site in the EV/LES FEIS.

Absent the proposed rezoning, the Proposed Development Site would be developed with an approximately 93,015 gsf building (including cellar and mechanical space). Approximately 62,500 zsf of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Twenty percent of the residential floor area, comprising approximately 20 percent of the dwelling units, would be reserved for affordable housing in compliance with the provisions of the Inclusionary Housing Program. Portions of the ground floor of the building, comprising up to 7,240 gsf of floor area in the aggregate, would be utilized for Use Group 4A ambulatory diagnostic or treatment health care facilities. Entrances to the residential uses would be located on Suffolk Street, while community facility entrances and a residential service entrance would be located along East Houston Street.

The EV/LES FEIS identified the parcel to the east of the Proposed Development Site (Block 355, Lot 57) as a projected development site. The Department of Buildings had issued a new building permit and related post-application amendments to the Iglesia Pentecostal Arca de Salvacion for a 10-story building containing approximately 2,500 square feet of community facility floor area at the base of the building and 11,975 square feet of residential floor area above for 14 dwelling units. Construction on Lot 57 is ongoing at this time.

The 2008 EV/LES FEIS identified Block 355, Lot 51 (Projected Development Site 2) as a site that would be developed with a 10,123 gsf building containing 10 residential dwelling units. It also identified Block 355, Lot 53 (Projected Development Site 3) as a site that would be developed with a 16,272 gsf building containing 16 residential dwelling units. In the 7 to 8 years since the rezoning, market conditions have changed and the buildings projected for Projected Development Sites 2 and 3 were never constructed. Therefore, it is reasonable to assume that the existing buildings and occupancies on Projected Development Sites 1 and 2 would remain.

Block 355, Lot 8, previously identified as Projected Development Site 4, is no longer anticipated to be a projected development site (previously identified as Projected Development Site 4). The ground floor use of the building on this property is for the Escuela Hispana Montessori Early Learning Center, which is a Universal Pre-K / Head Start facility. According to the school administrator, the facility has been in operation for over 30 years and has a long term sublease with ACS for the space. Therefore, the existing community facility occupancy of the ground floor of the building is anticipated to remain.

As noted in the EV/LES FEIS, commercial uses east of Essex Street and north of the Delancey Street commercial corridor are typically older local retail uses and include restaurants, delis, small grocery stores, hair and nail salons, tailors and dry cleaners, and discount stores. Along Clinton Street, these local retail shops mix with the increasing number of specialty apparel shops, coffee shops, and upscale restaurants. Given these trends, approximately 6,885 gsf of other existing ground-floor and basement non-conforming commercial uses in the R8A portion

of the Rezoning Area would be assumed to remain under the No-Action Scenario on Non-Conforming Sites 1 through 4. These commercial uses are identified on the Certificates of Occupancy for the respective buildings, and therefore are legal non-conforming uses which are permitted to remain or to be converted to other Use Group 6 uses under the applicable provisions of the Zoning Resolution. Similarly, approximately 1,960 gsf of ground floor community facility uses that are existing or under construction in the R8A portion of the Rezoning Area would be expected to remain on Projected Development Sites 2 and 3. Finally, the approximately 16,900 gsf of existing conforming ground-floor commercial uses on the Remaining Sites in the R8A/C1-5 portion of the Rezoning Area (Block 350, Lots 17, 18, 20, 50, 51, 54, 55, 56, 57 [p/o]) and the approximately 2,965 gsf of existing conforming community facility space on Block 350, Lot 8 (p/o) would be expected to remain.

As noted above, the existing ground floor/basement uses are expected to remain under the No-Action Scenario, with the exception of the Proposed Development Site. See Tables 4-1 and 4-2.

Table 4-2

Projected Future With-Action Ground Floor/Basement Uses in the Rezoning Area

Lot	Projected Use	Commercial GSF (est.)			Comm. Fac. GSF (Est.)	Projected Dev. Site Y/N
		No-Action	With-Action	Change	Change	
Block 355						
54	Retail / Restaurant	0	7,240	7,240	(7,240)	Y – Proj. Dev. Site 1
48	Dwelling Units	0	0	0	0	N
49	Restaurant	2,515	2,515	0	0	N
51	Retail	0	1,105	1,105	0	Y – Proj. Dev. Site 2
52	Café	1,105	1,105	0	0	N
53	Retail	0	1,960	1,960	(1,960)	Y – Proj. Dev. Site 3
57	Community Facility	0	0	0	0	N
Block 350						
8 p/o	Universal Pre-K/Head Start Learning Center	0	0	0	0	N
12	Retail / Restaurant	1,985	1,985	0	0	N
14	Permanent / Transitional Rental Housing	0	0	0	0	N
16	Offices / Restaurant	1,280	1,280	0	0	N
17	Bagel Shop	2,200	2,200	0	0	N
18	Offices	4,000	4,000	0	0	N
20	Restaurant / Café / Hair Salon	2,200	2,200	0	0	N
50	Bakery	2,700	2,700	0	0	N
51	Eating & Drinking	2,545	2,545	0	0	N
54	Retail	635	635	0	0	N
55	Laundromat	960	960	0	0	N
56	Tax Preparation	960	960	0	0	N
57 p/o	Beauty Supply, Deli, Pawn Shop	700	700	0	0	N
	Total	23,785	34,090	10,305	(9,200)	

Study Area

No development plans are known to exist for the 400-foot radius project study area by the project build year of 2020. No new development projects have been identified for the 400-foot radius project study area based on a review of the CEQR listings of the NYC Department of City

Planning's (DCP) Land Use & CEQR Application Tracking System (LUCATS) for Manhattan Community District 3.

ZONING AND PUBLIC POLICY

Based on a review of the CEQR listings of the DCP's LUCATS list for Manhattan Community District 3, no rezonings are proposed for the 400-foot radius project study area by the project build year of 2020. In addition, the DCP website does not indicate any proposed changes to the zoning districts and zoning regulations or to any public policy documents relating to the project site or the surrounding study area in the near future.

THE FUTURE WITH THE PROJECT

Land Use

Description of the Proposed Development

The Applicant plans to demolish the existing building on the Proposed Development Site (Projected Development Site 1) and replace it with a new mixed-use building that utilizes the maximum permitted FAR of 6.70 (7.2 FAR in the R8A District and 4.0 FAR in the R7A District, including the bonus for inclusionary housing that is available in the R8A district under ZR Section 23-952). The proposed building would contain approximately 93,015 gsf of floor area (including cellar and mechanical space). Approximately 62,500 zsf of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Approximately twenty percent of the residential floor area, comprising approximately 12 dwelling units, would be reserved for low-income affordable housing (i.e., 80% of AMI or less) in compliance with the provisions of the Inclusionary Housing Program. Approximately 7,240 gsf of the building would be occupied by a ground floor commercial use, most likely Use Group 6 retail and/or an eating and drinking establishment. Entrances to the residential uses would be located on Suffolk Street, while commercial (or community facility) entrances and a residential service entrance would be located on East Houston Street.

Massing for the building would comply with the maximum envelopes permitted under the R8A and R7A zoning districts. The building would have a 10-story (approximately 85-foot) street wall along East Houston Street, which after setting back 10 feet, would rise to up to 13-stories. The building would have a 6-story (approximately 65-foot) street wall along Suffolk Street, which after setting back 15 feet, would rise to up to 8-stories. The building's cellar would contain mechanical spaces, accessory residential uses and, possibly, retail or community facility storage.

Future With-Action Scenario

In the future with the action, the RWCDS would reflect the following assumptions:

The With-Action RWCDS for the Proposed Development Site (Projected Development Site 1) would be the same as the proposed development described above. The proposed building would contain approximately 93,015 gsf of floor area (including cellar and mechanical space). Approximately 62,500 zsf of the building's floor area would be occupied by residential uses, comprising approximately 63 dwelling units within approximately 78,535 gsf. Twenty percent of the residential floor area, comprising approximately 20 percent of the dwelling units, would be reserved for affordable housing in compliance with the provisions of the Inclusionary

Housing Program. Approximately 7,240 gsf of the building would occupied by ground floor Use Group 6 commercial uses. Entrances to the residential uses would be located on Suffolk Street, while commercial (or community facility) entrances and a residential service entrance would be located on East Houston Street.

Under the With-Action RWCDS for Projected Development Sites 2 and 3, conforming residential or community facility ground floor uses would be converted to commercial uses, except for portions of these buildings along side streets that are occupied by dwelling units (Block 355, Lot 48), buildings subject to recorded use restrictions (Block 350, Lot 14), portions of buildings leased by the City and operated for Universal Pre-K/Head Start facilities (Block 350, Lot 8), and portions of buildings used for residential lobbies. It is anticipated that a retail use(s) would be developed on the ground floor/basement of the existing buildings on Projected Development Sites 2 and 3. This would result in approximately 3,065 gsf of additional new ground floor commercial use for a total aggregate increase on Projected Development Sites 1 through 3 of 10,305 gsf as compared to the No-Action Scenario.

The development on Block 355, Lot 57 is expected to remain the same as under the No-Action Scenario as this property is being developed by a religious institution and is currently under construction.

A wider array of commercial uses would be permitted under the proposed rezoning than currently exist on Non-Conforming Sites 1 through 4 including Use Group 7 home maintenance and repair services, Use Group 8 amusement and service establishments, Use Group 9 retail uses, and Use Group 14 retail or service establishments and clubs. Under the proposed rezoning, the existing non-conforming commercial uses at these sites would be brought into conformance with zoning. The Rezoning Area, however, is part of the former "Bargain District" described in the EV/LES FEIS, which was "formerly known for the discounted apparel shops, tailors, and fabric stores that once dominated its streetscapes but is now home to an increasing number of upscale restaurants, boutiques, specialty shops, signature clothing shops, spas, and lounges."[2] Accordingly, the With-Action Scenario assumes that the existing non-conforming commercial uses in the R8A portion of the Rezoning Area, which are primarily retail shops and eating and drinking establishments, will remain. Likewise, the commercial uses in the existing C1-5 overlay on the Remaining Sites on Block 350, Lots 17, 18, 20, 50, 51, 54, 55, 56, 57 (p/o), which are also primarily retail shops and eating and drinking establishments, are expected to remain under the proposed action.

Table 4-2 identifies projected ground floor/basement uses for all sites in the Rezoning Area under the With-Action Scenario on a lot by lot basis.

The Project Build Year is 2020. The Proposed Development Site (Projected Development Site 1) is the only site on which new construction is planned to occur. It is assumed that approval of the proposed rezoning would occur by early 2016. Construction of the proposed building is expected to take approximately 18 months with occupancy expected to begin by late 2017. Development at Projected Development Sites 2 and 3 would consist of changes in use rather than construction of new buildings. As such use changes require considerably less time to complete than new construction, a Project Build Year of 2020 is considered to be reasonable.

[2] See Chapter 2, Pages 2-8.

The existing/proposed ground floor retail uses are similar to and compatible with many similar uses located in the surrounding area. No adverse impact to land use patterns in the area is expected to arise as a result of the proposed project, and further assessment of land use is not warranted.

ZONING

The proposed action includes a Zoning Map Amendment to Sectional Map # 12c to map a C2-5 commercial overlay to a depth of 100 feet along the south side of East Houston Street between the east side of Norfolk Street and the centerline of the block between Clinton Street and Attorney Street. The portion of the Rezoning Area between Norfolk Street and the centerline of the block between Suffolk Street and Clinton Street is currently zoned as an R8A residential district, while the remainder of the Rezoning Area (within 100 feet of either side of Clinton Street) is zoned as an R8A district with a C1-5 overlay. Under the proposed rezoning, both the R8A and the R8A/C1-5 portions of the Rezoning Area would be rezoned to R8A/C2-5. The entire Rezoning Area is also designated as an Inclusionary Housing Designated Area and the rezoning would not alter this designation.

Commercial uses are not permitted in new developments in residential districts, including R8A districts. The proposed rezoning would map a C2-5 commercial overlay over the entire Rezoning Area, which would allow the Applicant to use portions of the ground floor of the proposed building on the Proposed Development Site (Projected Development Site 1) for Use Group 6 retail uses and/or eating and drinking establishments. No other discretionary relief is required for the subject building.

The proposed rezoning would allow portions of the ground or basement floors of the existing buildings on Projected Development Sites 2 and 3 to be converted to commercial use in the future. These uses would otherwise not be permitted under the R8A zoning mapped on these parcels. Under the proposed rezoning, the anticipated non-conforming commercial uses at these sites would be made conforming with zoning.

The proposed rezoning would legalize existing non-conforming commercial uses in the R8A portion of the Rezoning Area. Currently, 4 of the 12 lots (Non-Conforming Sites 1 through 4) in the R8A portion are occupied by commercial uses, all of which are legal non-conforming uses as discussed above.

The proposed C2-5 commercial overlay would link to existing zoning districts and overlays along both sides of East Houston Street which allow commercial uses. The mapping of a C2-5 commercial overlay on the south side of East Houston Street between Norfolk Street and the centerline of the block between Clinton Street and Attorney Street would complement the existing commercial overlays in the surrounding area. Specifically, there is a C2-5 commercial overlay directly across the street on the north side of Houston Street between 1st Avenue and Avenue B. The proposed action would therefore create a consistency in the permitted retail uses in developments along this section of East Houston Street on both sides of the street.

A C6-2A district runs along the south side of East Houston Street from Chrystie Street to Essex Street to the west of the Rezoning Area. (A playground for P.S. 20 occupies the north portion of the block between Essex and Norfolk Streets which would not be rezoned to allow ground floor commercial use under the proposed rezoning.) The proposed C2-5 overlay would link with the

existing C1-5 commercial overlay mapped along either side of Clinton Street, running from East Houston Street to Delancey Street three blocks to the south.

Unlike the C6-2A district mapped to the west of the Rezoning Area, which allows higher density commercial uses, the proposed C2-5 overlay would limit commercial uses to an FAR of 2.0. The supplementary use regulations set forth in ZR Section 32-421 provide that for a building in a C2 district containing residential or community facility uses on its upper stories, no commercial uses in Use Groups 6 through 9 and 14 are permitted above the level of the first story ceiling. This requirement effectively limits the maximum commercial FAR in mixed buildings to 1.0 or less since a portion of the first story would typically also be used to provide access to the residential and community facility uses above. Given the significantly greater residential density permitted in the underlying R8A district, it is likely that commercial uses would be limited to ground floor or basement uses of mixed residential buildings which would provide a commercial density that is in character with the generally residential uses to the south of the Rezoning Area.

C2 districts allow for a slightly wider array of commercial uses than C1 districts, including bicycle rental and repair shops, automobile rental establishments, and physical culture or health establishments (pursuant to a Board of Standards and Appeals Special Permit). The Applicant believes that all of these uses would be appropriate along a wide, heavily travelled street such as East Houston Street. Likewise, the Applicant believes that the proposed C2-5 district is appropriate given that the Rezoning Area is subject to the comprehensive off-street parking regulations set forth in Article I, Chapter 3, pursuant to which accessory off-street parking for commercial uses is not required.

The proposed action would not result in significant adverse zoning impacts. The proposed action would not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties.

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

Public Policy

No adverse impacts to public policies would occur as a result of the proposed action. As explained above, no public policies pertain to the Rezoning Area. The only public policy consideration in the surrounding 400-foot radius project study area is related to an individually designated historic property to the south of the Rezoning Area. The proposed action to map a C2-5 commercial overlay over the Rezoning Area would have no impact on this property.

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

SUPPLEMENTAL MEMO:
POTENTIAL EFFECTS OF PROPOSED ZONING FOR QUALITY AND AFFORDABILITY AND MANDATORY INCLUSIONARY HOUSING TEXT AMENDMENTS

DCP is proposing two zoning text amendments that may have implications for actions currently undergoing environmental review: the Zoning for Quality and Affordability (ZQA) Text Amendment and the Mandatory Inclusionary Housing (MIH) Text Amendment. The Text Amendments are currently going through ULURP.

Zoning for Quality and Affordability (ZQA) Text Amendment

The ZQA text amendment would not directly apply to the proposed action as the action solely involves the mapping of a C2-5 commercial overlay over the Rezoning Area which is currently zoned R8A and R8A/C1-5. Under the proposed action, the entire Rezoning Area would be rezoned to R8A/C2-5. The mapping of the C2-5 commercial overlay would not result in the development of any additional residential floor area in the Rezoning Area to which the ZQA provisions would apply.

However, the ZQA text amendment would, if approved, provide some design flexibility for the project as further discussed below:

- Lot Coverage: The maximum permitted lot coverage for the portion of the development site that is within 100 feet of a corner would be increased to 100%. The project would still need to comply with court regulations to obtain legal light and air, but this change may provide some design flexibility.

- Base Height: For the portion of the development site within the R8A district, the maximum base height would increase from 85 feet to 105 feet. For the portion in the R7A district, the maximum permitted base height would increase from 65 feet to 75 feet.

- Building Height: For the portion of the development site within the R8A district, the maximum building height would increase to from 120 to 125 feet /12 stories (to allow a taller ground floor). If affordable housing is provided under the Inclusionary Housing program, the maximum building height would be increased to up to 145 feet/14 stories. For the portion of the development site within the R7A district, the maximum building height would increase from 80 to 85 feet/8 stories (to allow a taller ground floor). No inclusionary bonus is available for the R7A portion.

- Rear Setback: The requirement to provide a 10-foot setback from the rear yard line (which applies to that portion of project that is more than 100 feet from the corner) would be eliminated.

- Outer Courts: The width-to-depth ratio of narrow outer courts (i.e., courts have a width of less than 30 feet) would be reduced from 1.3:1 to 1:1.

The Applicant is currently reviewing these provisions of the ZQA text amendment and may consider implementing some or all of them if the amendment is approved.

Mandatory Inclusionary Housing (MIH) Text Amendment

The MIH text amendment would not apply to the proposed action as further explained below. The entire Rezoning Area is currently located within an Inclusionary Housing Designated Area and the rezoning from R8A and R8A/C1-5 to R8A/C2-5 would not alter this designation. Twenty percent of the residential floor area, comprising approximately 20 percent of the 63 proposed dwelling units in the project, would be reserved for affordable housing in compliance with the provisions of the Inclusionary Housing Program. The MIH text amendment would not affect existing provisions in the Zoning Resolution that apply to the regulation and administration of the Inclusionary Housing Program within existing Inclusionary Housing Designated Areas. Accordingly, the Applicant does not anticipate that any changes would be made to the proposed project if the MIH Text Amendment is approved.

10. URBAN DESIGN AND VISUAL RESOURCES

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

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

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

An urban design assessment would not be required for the proposed action as the proposed development does not request the modification of yard, height, and setback requirements nor would it result in an increase in built floor area beyond what would be allowed 'as-of-right' or in the future without the proposed project as further discussed below.

The proposed building on the Proposed Development Site (Projected Development Site 1) would be developed in accordance with the bulk regulations of the R7A and R8A zoning districts in which the Site is located. The action solely seeks to map a C2-5 commercial overlay on the Site (and the remainder of the Rezoning Area) in order allow the Applicant to use portions of the ground floor of the proposed building on the Site for Use Group 6 retail uses and/or eating and drinking establishments. Under the property's current zoning, commercial uses would not be allowed as only residential and community facility uses are permitted. In addition, the approximately 93,015 gsf of floor area that would be constructed under the proposed action is permitted as-of-right and is the same square footage that would be developed in the future without the action.

Similarly, the proposed action would not result in the development of any additional floor area or modifications to yard, height, and setback requirements on the other lots within the Rezoning Area. Development at Projected Development Sites 2 and 3 would only consist of changes in use rather than the construction of new buildings.

There are two visual resources available from Projected Development Site 1 and the Rezoning Area. These include ABC Playground on Block 355 (west) across from the western end of the Rezoning Area and an open space area on Block 355 (east) immediately to the south of the western portion of the Rezoning Area. Views of the Anshe Slonim Synagogue at 172-176 Norfolk Street, an individually designated historic resource, are generally not available from these areas. As the proposed action would not result in the development of any additional floor area or modifications to yard, height, and setback requirements within the Rezoning Area, the action would not result in the obstruction of any publicly accessible views to visual resources.

Relative to Projected Development Sites 1 through 3, a change from the currently permitted community facility uses to the proposed commercial uses would not constitute an impact relative to urban design or visual resources.

Conclusion

Under the proposed action, there would be no potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning pursuant to the

standards of the *CEQR Technical Manual*. The design and scale of the proposed building is very much in keeping with the surrounding context of the neighborhood. The proposed development would therefore conform with the urban design character of the surrounding area.

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

12. HAZARDOUS MATERIALS

The Proposed Development Site and the Proposed Rezoning Area are located within a historically residential district and are surrounded by residential, local commercial, and open space uses. Although a preliminary hazardous materials analysis would not be required for the proposed action because it would only introduce a change in ground floor use, and not an increase in in-ground disturbance, it should be noted that one property within the Rezoning Area, Block 350, Lot 54, has been mapped with an E-designation (E-216) for hazardous materials as part of the 2008 East Village/Lower East Side Rezoning. This property, located at 301 East Houston Street, is zoned R8A/C1-5 and is developed with a four-story, approximately 2,988 gsf building containing three residential dwelling units and one ground floor commercial unit. The commercial unit consists of a currently vacant store. Under the proposed action, this currently conforming use would remain conforming under the proposed C2-5 commercial overlay and no changes to the existing use would be anticipated. The proposed action would not induce any new construction or change of use on this property. Therefore, the proposed action would not result in any hazardous materials impacts.

16. TRANSPORTATION

Based on Table 16-1 of the Transportation chapter of the *CEQR Technical Manual,* the Rezoning Area is located in Zone 1 (Manhattan, 110th Street and south) where 15,000 gsf of additional local retail space would typically trigger the need for a transportation assessment. As illustrated in Table 4-2 in the Land Use section above, the proposed action is anticipated to generate a maximum of 10,305 gsf of new commercial (local retail) space in the Rezoning Area. The Rezoning Area currently contains 23,785 gsf of commercial space which would increase to 34,090 gsf under the proposed action. The action would also result in the loss of 9,200 gsf of community facility space between the No-Action and With-Action condition.

The 10,305 gsf of new local retail space that would be generated in the Rezoning Area under the proposed action falls below the City's threshold level of concern as it would not be expected to generate 50 or more peak hour vehicle trips. Therefore, it is not anticipated that the project would have any significant impacts on transportation and a transportation analysis would not be required.

17. AIR QUALITY

Introduction

Under CEQR, two potential types of air quality impacts are examined. These are mobile and stationary source impacts. Potential mobile source impacts are those which could result from an increase in traffic in the area, resulting in greater congestion and higher levels of carbon monoxide (CO). Potential stationary source impacts are those that could occur from stationary sources of air pollution, such as the heat and hot water boiler of a proposed development which could adversely affect other buildings in proximity to the proposed project. Odors resulting from the operation of a proposed development are also discussed in the assessment, if relevant.

Mobile Source

Under guidelines contained in the 2014 *CEQR Technical Manual*, and in this area of New York City, projects generating fewer than 170 additional vehicular trips in any given hour are considered as highly unlikely to result in significant mobile source impacts, and do not warrant detailed mobile source air quality studies.

The proposed action is anticipated to generate a maximum of 10,305 gsf of new commercial (local retail) space in the Rezoning Area. The action would also result in the loss of 9,200 gsf of community facility space between the No-Action and With-Action condition. As explained in the Transportation section above, the 10,305 gsf of new local retail space that would be generated in the Rezoning Area under the proposed action falls below the City's threshold level of concern in Zone 1 (Manhattan, 110th Street and south) as it would not be expected to generate 50 or more peak hour vehicle trips in any given hour.

It is therefore concluded that no significant adverse mobile source impacts would be generated by the project.

Stationary Source

The proposed action would introduce a change in ground floor uses on Projected Development Sites 1-3, and the proposed development isn't expected to introduce new sensitive receptors not already allowed per existing zoning that would be expected to exceed stationary source air quality analysis CEQR thresholds.

While the proposed action would result in a ground floor use change, for the purposes of a conservative air quality analysis, a screening assessment was performed for the Proposed Development Site, using the methodology described in the *CEQR Technical Manual*, to determine if the heat and hot water systems of the proposed building would result in potential air quality impacts to any other buildings in the vicinity. This methodology determines the threshold of development size below which the action would not have a significant impact. The results of this analysis found that there would be no significant air quality impacts from the proposed development's heating, ventilation, and air conditioning (HVAC) systems.

Impacts from boiler emissions associated with a proposed development are a function of fuel type, stack height, minimum distance from the source to the nearest building of similar or greater height, and square footage of the proposed development. The analysis was based on the proposed 13-story, 93,015 gsf building. The *CEQR Technical Manual* Stationary Source Screen graph (Figure 17-3) was used for the analysis. The nearest structure of similar or greater height

than the proposed 13-story building is the 13-story residential building with ground floor commercial space at 250 East Houston Street (Block 397, Lot 63) located directly across the East Houston Street from the Site. This existing building is located approximately 125 feet from the proposed building, which is the width of East Houston Street. In order to present a conservative analysis, it is assumed that the boiler stack for the proposed building would be located along the East Houston Street frontage of the building closest to the existing building, a distance of 125 feet. The graph indicates that the plotted point is above the curve, and therefore, a more refined screening analysis must be performed.

The Air Quality Appendix of the *CEQR Technical Manual* provides additional screening charts that account for land use and fuel type including No. 2 fuel oil and natural gas. As the No. 2 fuel oil screen is a more conservative screen than the natural gas screen, Appendix Figure 17-5 (SO2 Boiler Screen-Residential Development-Fuel Oil #2) was used for the analysis. As shown on Figure 17-5, exhaust from a building with 93,015 gsf of floor area would not have a stationary source impact on the inhabitants of a building 125 feet from the stack location.

In conclusion, the proposed building would not result in a significant adverse stationary source air quality impact on any buildings in the vicinity of the Proposed Development Site when fueled by No. 2 fuel oil or natural gas.

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

Boiler Emissions Analysis for Projected Development Sites 2 and 3

Projected Development Sites 2 and 3 are sites where new commercial uses are expected to be developed on the ground or basement floors of the existing buildings on these properties in the future.

Total emissions from these building's boiler systems would be the same regardless of whether the ground or basement floors of these building are occupied by the existing permitted residential and community facility space or the future anticipated commercial space. Therefore, no stationary source air quality impacts would be anticipated and no further analysis of these properties would be required.

E-Designation for Portion of the Proposed Development Site

As discussed in the Land Use section above, the 2008 East Village/Lower East Side Rezoning (the EV/LES) FEIS identified a portion of the Proposed Development Site (Projected Development Site 1) as a projected development site. The Proposed Development Site consists of Block 355, Lot 54 (former Lots 54 and 59). The EV/LES FEIS identified former Lot 59, which has frontage on Suffolk Street, as a projected development site that would be developed with an 18,400 square foot entirely residential building containing 18 dwelling units. The former Lot 54, which has frontage on East Houston Street, however, was not identified as a projected development site in the EV/LES FEIS.

The EV/LES FEIS included the following E-designation for air quality for former Lot 59 of the Proposed Development Site.

Any new residential and/or commercial development must use No. 2 oil or natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 30 feet from the lot line facing East Houston Street when firing No. 2 oil, and at least 20 feet from the lot line facing East Houston Street when firing natural gas, to avoid any potential significant air quality impacts.

To avoid the potential for significant adverse impacts related to air quality, an (E) designation (E-216) was assigned to Projected Development Site 1 (Block 355, Lot 54) in connection with the East Village/ Lower East Side (EV/LES) Final Environmental Impact Statement (CEQR No. 07DCP078M).

The (E) designation requirements related to air quality are noted below:

Projected Development Sites:

Block 355, Lot 54 (Projected Development Site 1)

Any new residential and/or commercial development must use No. 2 oil or natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 30 feet from the lot line facing East Houston Street when firing No. 2 oil, and at least 20 feet from the lot line facing East Houston Street when firing natural gas, to avoid any potential significant air quality impacts.

It should be noted that the Applicant has begun the process of addressing the (E) designation related to air quality as assigned to Block 355, Lot 54 (Projected Development Site 1). The Applicant previously submitted a Remedial Action Plan (RAP) dated January 2015 for Air Quality and Noise to the New York City Office of Environmental Remediation (OER). OER has completed its review of the RAP and issued a Notice to Proceed, dated January 29, 2016, based on commitments made by the Applicant to satisfy the (E) designation requirements. A Notice to Proceed addresses that the Applicant submitted plans to DOB and OER that incorporates (E) requirements. In order to satisfy the requirements of the (E) designation, natural gas will be utilized at the site for space heating, hot water, and HVAC systems. One stack will be located on the roof of the building at a distance of at least 20 feet from the lot line facing East Houston Street.

The (E) designation (E-216) would continue to apply to the Projected Development Sites.

Since the proposed action would introduce a change in ground floor uses on Projected Development Sites 1-3, and the proposed development isn't expected to introduce new sensitive air quality receptors or sources that would be expected to exceed preliminary CEQR thresholds, no significant adverse impacts related to air quality would result from the proposed actions. No further analysis is warranted.

Conclusions

As discussed above, the existing (E) designation will still apply. The proposed action will introduce a change in ground floor use for Projected Development Sites 1-3. The proposed development is not likely to introduce new sensitive receptors for air quality or significant sources that exceed CEQR thresholds. Therefore, no significant adverse impacts for air quality will result from the proposed actions.

Conditions associated with the project would not result in any violations of the ambient air quality standards. Therefore, the action would not result in any potentially significant adverse stationary or mobile source air quality impacts, and further assessment is not warranted.

Figure 17-3:
Stationary Source Screen

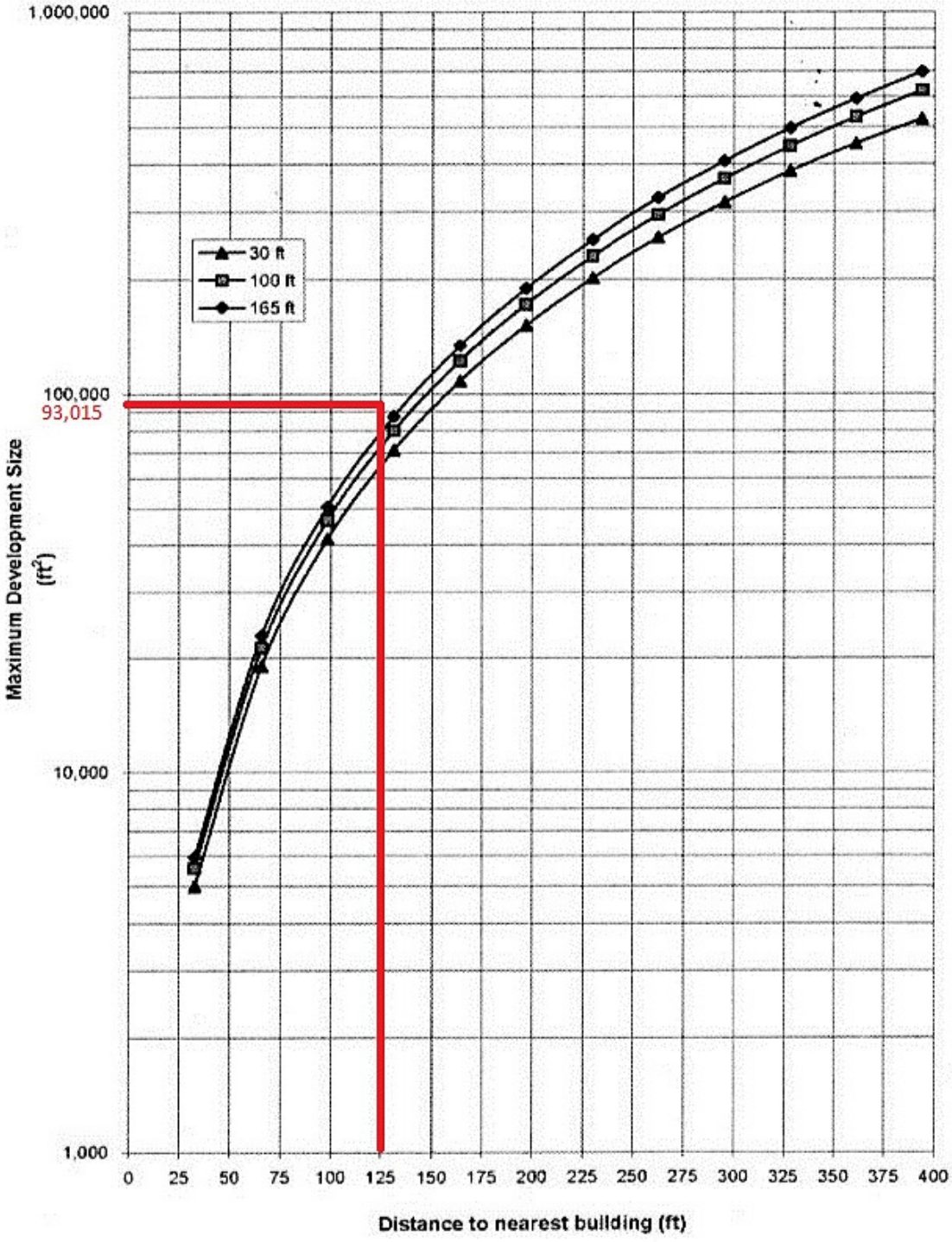
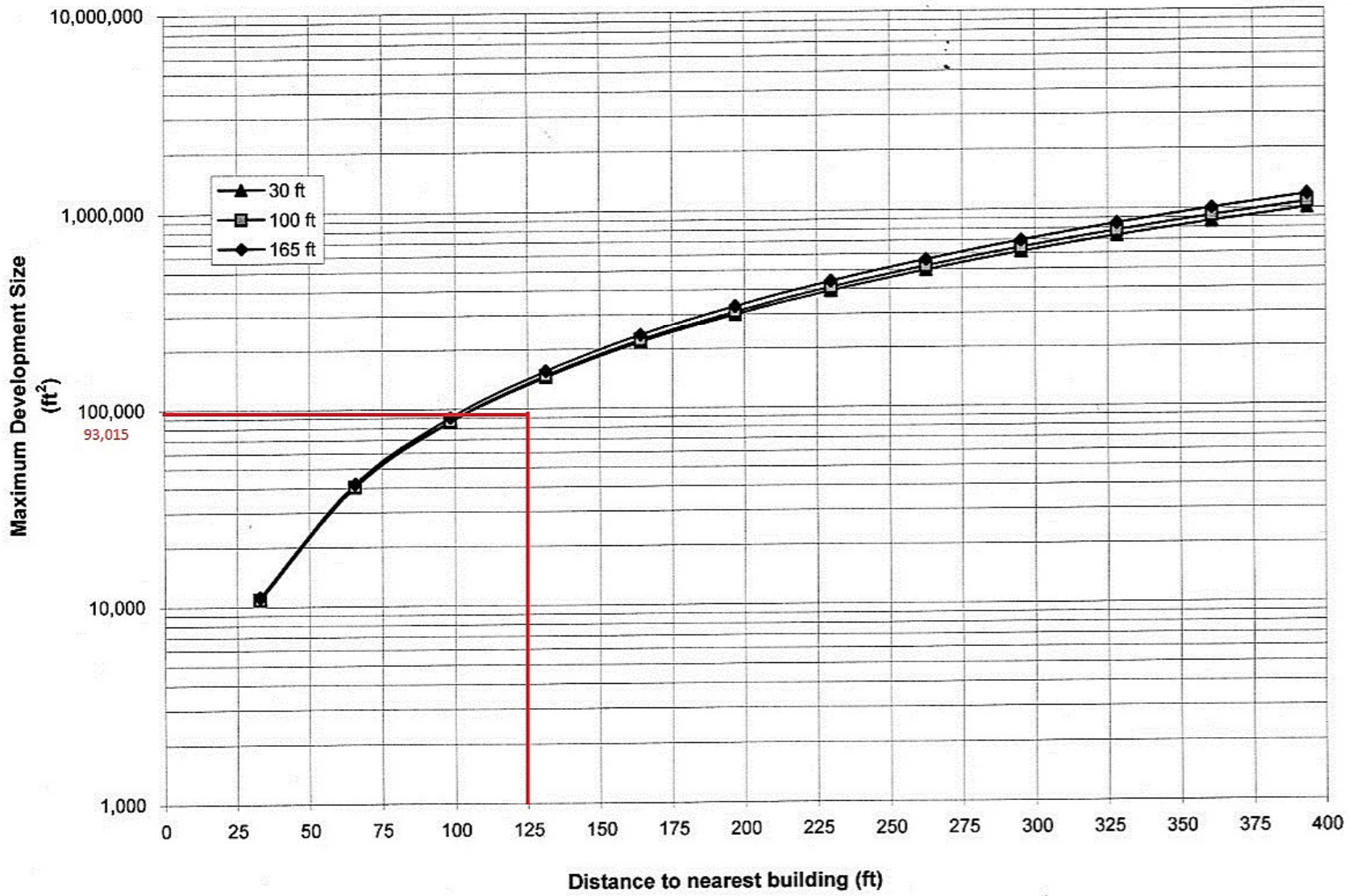


FIG App 17-5
SO_2 BOILER SCREEN
RESIDENTIAL DEVELOPMENT - FUEL OIL #2



19. NOISE

Introduction

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

Mobile Source

Relative to mobile source impacts, a noise analysis would only be required if a proposed project would at least double existing passenger car equivalent (PCE) traffic volumes along a street on which a sensitive noise receptor (such as a residence, a park, a school, etc.) was located. Residential uses are located along East Houston and Suffolk Streets which would provide vehicular access to the Proposed Development Site (Projected Development Site 1). Traffic generated by the project along East Houston and Suffolk Streets would therefore be of concern relative to mobile source noise impacts.

A detailed mobile source analysis is typically conducted when PCE values are at least doubled between the no-action and the with-action conditions during the peak hour at receptors most likely to be affected by the proposed action. The action isn't expected to double PCEs compared to the no action scenario. As explained in the Transportation section above, the proposed action would generate less than 50 peak hour vehicle trips. Houston Street is a major east-west street in lower Manhattan running the full width of the island. Suffolk Street is five blocks in length and is lined with many multiple dwellings and commercial and community facility uses generating substantial traffic volumes from their residents, patrons, and employees. Therefore, PCE values along East Houston and Suffolk Streets would not be doubled by the increase in peak hour vehicle trips generated by the proposed action, and a detailed mobile source analysis is therefore not warranted

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

Stationary Source

Since the proposed action would introduce a change in ground floor uses on Projected Development Sites 1-3, and the proposed development isn't expected to introduce new sensitive noise receptors, no significant adverse impacts related to stationary noise would result from the proposed actions. No further analysis related to stationary noise is warranted.

E-Designation for Portion of the Proposed Development Site

It should be noted that the Proposed Development Sites are assigned an (E) designation related to noise pursuant to prior CPC Approvals, as noted below. As discussed in the Land Use section above, the 2008 East Village/Lower East Side Rezoning (the EV/LES) FEIS identified a portion of the Proposed Development Site (Projected Development Site 1) as a projected development site. The Proposed Development Site consists of Block 355, Lot 54 (former Lots 54

and 59). The EV/LES FEIS identified former Lot 59, which has frontage on Suffolk Street, as a projected development site that would be developed with an 18,400 square foot entirely residential building containing 18 dwelling units. The former Lot 54, which has frontage on East Houston Street, however, was not identified as a projected development site in the EV/LES FEIS.

The EV/LES FEIS included an E-designation for noise for former Lot 59 of the Proposed Development Site requiring 30 dBA of noise attenuation for new development on this parcel.

To avoid the potential for significant adverse impacts related to noise, an (E) designation (E-216) was assigned to Projected Development Site 1 (Block 355, Lot 54) and to Projected Development Sites 2 and 3 in connection with the East Village/ Lower East Side (EV/LES) Final Environmental Impact Statement (CEQR No. 07DCP078M). The (E) designation requirements related to noise are noted below:

Block 355, Lot 54 (Projected Development Site 1)

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

Block 355, Lot 51 (Projected Development Site 2)
Block 355, Lot 53 (Projected Development Site 3)

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all façades in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

It should be noted that the Applicant has begun the process of addressing the (E) designation related to air quality as assigned to Block 355, Lot 54 (Projected Development Site 1). The Applicant previously submitted a Remedial Action Plan (RAP) dated January 2015 for Air Quality and Noise to the New York City Office of Environmental Remediation (OER). OER has completed its review of the RAP and issued a Notice to Proceed, dated January 29, 2016, based on commitments made by the Applicant to satisfy the (E) designation requirements. A Notice of Proceed addresses that the Applicant submitted plans to DOB and OER that incorporates (E) requirements. In order to satisfy the requirements of the (E) Designation, the following window/wall attenuations will be achieved at the locations described below:

1. 31 dBA in residential spaces on the northern façade (along East Houston Street);
2. 26 dBA in the commercial/community facility space on the northern façade (along East Houston Street) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the (E) designation;
3. 28 dBA in residential spaces on the eastern façade (along Suffolk Street);

4. 23 dBA in the amenity space on the eastern façade (along Suffolk Street) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the (E) designation;
5. 28 dBA in the residential spaces on the southern façade (East Houston Wing courtyard façade) reduced due to shielding;
6. 25 dBA in the residential spaces on the western façade (Suffolk Wing courtyard façade) reduced due to shielding;
7. 20 dBA in the amenity space on the western façade based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the (E) designation (Suffolk Wing courtyard façade).

A Noise Installation Report (IR) will be submitted to OER following implementation of the remedial action described in the RAP. The IR will document that the remedial work required under the RAP has been completed and has been performed in compliance with the plan.

The (E) designation (E-216) would continue to apply to the Projected Development Sites.

Since the proposed action would introduce a change in ground floor uses on Projected Development Sites 1-3, and the proposed development isn't expected to introduce new sensitive noise receptors or sufficient noise sources to exceed preliminary CEQR thresholds, no significant adverse impacts related to noise would result from the proposed actions. No further analysis is warranted.

Conclusions

As discussed above, the existing (E) designation will still apply. The proposed action will introduce a change in ground floor use for Projected Development Sites 1-3. The proposed development is not likely to introduce new sensitive receptors for noise or significant sources that exceed CEQR thresholds. Therefore, no significant adverse impacts for noise will result from the proposed actions.

A detailed noise analysis is not required for the proposed action as the action would not introduce significant mobile or stationary source noise into the surrounding area. In addition, there would be no adverse ambient noise impacts to sensitive uses on Projected Development Sites 1, 2, and 3 with the incorporation of the required noise attenuation measures for these parcels. The development would not have any potentially significant adverse mobile or stationary source noise impacts, and further assessment is not warranted.

22. CONSTRUCTION

Based on *CEQR Technical Manual* guidelines, where the duration of construction is expected to be short-term (less than two years), any impacts resulting from construction generally do not require detailed assessment. Construction of the proposed project is expected to be completed within 18 months. Nevertheless, a preliminary screening of construction impacts resulting from the project is recommended because the proposed action could result in construction activities that may require the closing, narrowing, or otherwise impeding of traffic pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, etc.) along East Houston and/or Suffolk Streets bordering the site. In addition, construction activities on the site would be occurring within 400 feet of a historic and cultural resource, as identified in the Historic and Cultural Resources section above.

The Proposed Development Site (Projected Development Site 1) is located along East Houston and Suffolk Streets, and during construction the sidewalks along these streets may need to be closed at times in order to accommodate construction vehicles, equipment, and supplies. If sidewalk closure is necessary, Jersey barriers would be erected and a covered pedestrian walkway would be created to accommodate pedestrian traffic around the property. This closure would be considered to be a routine closure that would be addressed by a permit (and pedestrian access plan) to be issued by the NYC Department of Transportation (DOT) Office of Construction Mitigation and Coordination (OCMC) at the time of closure so that impacts are not expected to occur.

It is not anticipated that vehicle moving lanes adjacent to the site along either East Houston or Suffolk Streets would need to be closed during construction. Some parking spaces adjacent to the Site may be temporarily displaced during construction. An analysis of transportation impacts from construction of the project is not required as most construction traffic would take place outside of the AM and PM traffic peak hours in the vicinity of the site. In addition, the construction peak would generate fewer vehicle trips than the operational project peak and, as discussed above, the project has been determined not to produce the potential for significant adverse traffic impacts.

The Proposed Development Site is approximately 80 feet at its closest point from the LPC designated Anshe Slonim Synagogue located at 172-176 Norfolk Street. The *CEQR Technical Manual* indicates that construction impacts may occur to historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby resources. A construction assessment may be needed for historic and cultural resources if the project involves construction activities within 400 feet of a historic resource. LPC-approved construction procedures would be followed to protect historic structures in the area from damage from vibration, subsidence, dewatering, or falling objects. Construction procedures would comply with the NYC Department of Buildings memorandum Technical Policy and Procedure Notice # 10/88 (TPPN # 10/88) and with the site safety requirements of the 2008 NYC Building Code, as amended, which stipulate that certain procedures be followed for the avoidance of damage to historic and other structures resulting from construction. TPPN # 10/88 pertains to any structure which is a designated NYC Landmark or located within a historic district, or listed on the National Register of Historic Places and is contiguous to or within a lateral distance of 90 feet from a lot under development or alteration. No adverse construction impacts would occur to any historic resources within 400 feet of the project site.

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

APPENDIX

OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street, 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
Tel: (212) 788-8841
Fax: (212) 312-0885

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NOTICE TO PROCEED

DOB Job No. NB-121189711

January 29, 2016

Martin Rebholz, R.A.
Manhattan Borough Commissioner
NYC Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

Re: **255 East Houston Street**
Manhattan Block 355, Lot 54 (Formerly Lots 54 and 59)
Noise and Air Quality "E" Designation
E-216: 11/19/2008 - East Village / Lower East Side Rezoning - CEQR 07 DCP 078M
OER Project Number 16EA-N103M

Dear Commissioner Rebholz:

The New York City Office of Environmental Remediation (OER) hereby issues a Notice to Proceed for the above-referenced Department of Buildings Job Number. This correspondence is provided pursuant to OER's responsibilities as established in Chapter 24 of Title 15 of the Rules of the City of New York and Section 11-15 of the Zoning Resolution of the City of New York. The Applicant has filed an Air Quality and Noise remedial action plan that is acceptable to this Office. OER's Decision Document that defines the remedial actions required for this project has been prepared and filed and is available on request.

At the conclusion of remedial activities required under this action, the Zoning Resolution and §24-07 of the Rules of the City of New York requires that OER issue a Notice of Satisfaction signifying that all remedial action requirements established for this project have been satisfied prior to issuance of the Certificate of Occupancy or Temporary Certificate of Occupancy by Department of Buildings.

If you have any questions or comments, please feel free to contact Amanda Duchesne at (212) 341-2077.

Sincerely,

Maurizio Bertini, PhD
Assistant Director

cc: Stephen B. Jacobs, R.A. – contactus@sbjgroup.com
Lucas Johnson, AKRF – ljohnson@akrf.com
Samy Mahfar, Ownership – samy@smaequities.com
Daniel Walsh, Shaminder Chawla, Zachariah Schreiber, Hannah Moore, Amanda Duchesne – PMA-OER

OFFICE OF ENVIRONMENTAL REMEDIATION
100 Gold Street, 2nd Floor
New York, New York 10038

Daniel Walsh, Ph.D.
Director
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Fax: (212) 312-0885

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DECISION DOCUMENT

E-Designation Remedial Action Plan Approval

January 29, 2016

Re: **255 East Houston Street**
Manhattan Block 355, Lot 54 (Formerly Lots 54 and 59)
Noise and Air Quality "E" Designation
E-216: 11/19/2008 - East Village / Lower East Side Rezoning - CEQR 07 DCP 078M
OER Project Number 16EA-N103M

The New York City Office of Environmental Remediation (OER) has completed its review of the Remedial Action Plan (RAP) dated January 2015 for Air Quality and Noise for the above-referenced project. This plan was submitted to OER under the NYC E-Designation Program.

Project Description
The applicant is proposing to build a new building with two (2) wings connected via a common core: the East Houston Wing with 10 stories and a full cellar; and the Suffolk Wing with 5 stories and a full cellar. The East Houston Wing will be used for tenant amenities in the cellar, non-sensitive community facility space and residential lobby at grade, and residential units on floors 2-10. The community facility will not be used as a daycare facility. The Suffolk Wing will include residential amenities in the cellar, lobby and additional amenity space at grade, and residential units on floors 2-5.

Statement of Purpose and Basis
This document presents the remedial action for the NYC E-Designation project known as "255 East Houston Street" pursuant to the Zoning Resolution and §24-07 of the Rules of the City of New York.

Description of Selected Remedy for Noise
The elements of the remedial action selected for Noise for the 255 East Houston Street site are as follows:

In order to satisfy the requirements of the E-designation, the following window/wall attenuations will be achieved at the locations described below:

1. 31 dBA in residential spaces on the northern façade (along East Houston Street);
2. 26 dBA in the commercial/community facility space on the northern facade (along East Houston Street) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
3. 28 dBA in residential spaces on the eastern façade (along Suffolk Street);
4. 23 dBA in the amenity space on the eastern facade (along Suffolk Street) based on an allowed reduction of 5 dBA from the attenuation requirement outlined in the E-Designation;
5. 28 dB(A) on the southern façade (East Houston Wing courtyard façade) reduced due to shielding;
6. 25 dB(A) in the residential spaces on the western façade (Suffolk Wing courtyard façade) reduced due to shielding;
7. 20 dB(A) in the amenity space on the western façade based on an allowed reduction of 5 dB(A) from the attenuation requirement outlined in the E-Designation (Suffolk Wing courtyard façade).

The following window(s) will be installed:

Façade Floor Range	**OITC Rating**	**OITC Certification**	**Manufacturer and Model**	**Glazing**
Northern Facade 1st Floor (Community Facility)	30 (26 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Storefront system	1/4" – 1/2" air space – 1/4" or approved substitute
Northern Façade Floors 2-10 (Residential)	34 (31 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Window Wall and terrace door systems	5/16" - 1/2" air space – 3/8" inner lite, or approved substitute
Eastern Façade 1st Floor (Amenity)	30 (23 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Storefront system	1/4" – 1/2" air space – 1/4" or approved substitute
Eastern Façade Floors 2-5 (Residential) AND Southern Façade Floors 2-10 (Residential)	31 (28 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Window Wall and terrace door systems	1/4" – 3/4" air space – 1/4" or approved substitute
Western Façade 1st Floor (Amenity)	30 (20 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Storefront system	1/4" – 1/2" air space – 1/4" or approved substitute

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Façade Floor Range	OITC Rating	OITC Certification	Manufacturer and Model	Glazing
Western Façade Floors 2-5 (Residential)	30 (25 dB(A) requirement)	Rating based on glass only (see ASTM E-90 Lab Test Report in Appendix J of the RAP). Window ASTM E-90 Lab Test Report to be provided to OER prior to purchase and installation	Window Wall and terrace door systems	1/4" – 1/2" air space – 1/4" or approved substitute

The acoustical reports described above are representative of the acoustical performance of all proposed windows/curtain walls and terrace/balcony doors which will use the same glazing, gaskets and frame as the tested windows and therefore expected to have the same OITC rating as the tested windows. Color-coded elevations and the labeled window schedule attached in Appendix I of the RAP show the locations of the window/ door types.

A Noise Installation Report (IR) will be submitted to OER following implementation of the remedial action defined in the RAP. The IR will document that the remedial work required under the RAP has been completed and has been performed in compliance with the plan.

Description of Selected Remedy for Air Quality

The elements of the remedial action selected for Air Quality for the 255 East Houston Street site are as follows:

In order to satisfy the requirements of the E-designation, natural gas will be utilized at the site for space heating, hot water, and HVAC systems.

In order to satisfy the requirements of the E-Designation, one stack will be located on the roof on the portion of the building on Lot 54 with a height above grade of 141.4 feet.

A copy of the stamped gas riser diagram is provided in Appendix F of the RAP. A copy of plans showing stack locations and the distances to each of the lot lines and elevations are provided in Appendix G of the RAP.

An Air Quality Installation Report (IR) will be submitted to OER following implementation of the remedial action defined in the RAP. The IR will document that the remedial work required under the RAP has been completed and has been performed in compliance with the plan.

The remedies for Noise and Air Quality described above conform to the promulgated standards and criteria that are directly applicable, or that are relevant and appropriate and takes into consideration OER guidance, as appropriate.

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January 29, 2016

Date

Amanda Duchesne, Project Manager

January 29, 2016

Date

Maurizio Bertini, Ph D., Assistant Director

cc: Stephen B. Jacobs, R.A. – contactus@sbjgroup.com
Lucas Johnson, AKRF – ljohnson@akrf.com
Samy Mahfar, Ownership – samy@smaequities.comDaniel Walsh, Shaminder Chawla, Zachariah Schreiber, Hannah Moore – PMA-OER

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Premises: 255 EAST HOUSTON STREET MANHATTAN — **Job No: 121189711**
BIN: 1079669 Block: 355 Lot: 54 — **Job Type: NB - NEW BUILDING**

Required Items *(show help)*

Items Required By: (•) All Items ( ) Open Items **Prior To:** [✓] Approval [✓] Permit [✓] Signoff Display

94 TOTAL ITEMS REQUIRED FOR JOB	WHO RECV*	PRI TO	REQUIRED DATE	RECEIVED DATE	DATE CERTIFIED	WAIVED	AUTO POPULATED	UPLOAD DOC
TAX LOT: TENTATIVE LOT NUMBER ISSUED	T	APP	09/11/2015	11/09/2015			Yes	[ ]
SITE SURVEY: INITIAL	N	APP	09/11/2015	11/09/2015			No	[ ]
ZONING EXHIBIT I: CERTIFICATION	T	APP	09/11/2015	11/09/2015			No	[ ]
ZONING EXHIBIT III:DESC. & OWNRSHP.STMNT	T	APP	09/11/2015	11/09/2015			No	[ ]
BPP: FILING REQUIRED	T	APP	09/11/2015	11/09/2015			Yes	[ ]
TRASH COMPACTOR REQUIREMENTS	T	APP	09/11/2015	11/09/2015			Yes	[ ]
STREET TREE CHECKLIST	N	APP	09/11/2015	11/09/2015			Yes	[ ]
SOIL REPORT	T	APP	09/11/2015	11/09/2015			Yes	[ ]
DOB - ZONING DIAGRAM (ZD1)	T	APP	09/11/2015	11/02/2015			Yes	[ ]
VERIFY DOB PLAN NAMING STANDARD IS MET	N	APP	09/11/2015	11/09/2015			Yes	[ ]
1ST ZONING REVIEW COMPLETE	T	APP	09/11/2015	09/16/2015			Yes	[ ]

2ND ZONING REVIEW COMPLETE	T	APP	09/11/2015	11/03/2015			Yes	☐
TR8: ENERGY CODE PROGRESS INSPS TECHNICAL REPORT	N	APP	09/11/2015	11/09/2015			Yes	☐
NYCECC ANALYSIS	N	APP	09/11/2015	11/09/2015			Yes	☐
ENERGY CODE 1ST REVIEW COMPLETE	T	APP	09/11/2015	10/16/2015			Yes	☐
ENERGY CODE COMPLIANCE FEE	T	APP	09/11/2015	10/16/2015			Yes	☐
SUBSURFACE / SOILS INVESTIGATION (BORINGS/TEST PITS)	N	APP	09/11/2015	11/09/2015	11/09/2015		No	☐
ADDRESS: NEW HOUSE NUMBER APPROVED	T	APP	11/09/2015	11/09/2015			No	☐
NYCECC ANALYSIS FULL NB	T	APP	12/21/2015	12/21/2015			No	☐
STREET TREES: RECEIPT OF STREET TREES SITE PLAN	N	PER	09/11/2015	11/09/2015			Yes	☐
SITE SAFETY PLAN: BEST APPROVAL REQUIRED	T	PER	09/11/2015	11/27/2015			Yes	☐
* DEMOLITION (DM) JOB SIGNOFF	N	PER	09/11/2015	11/23/2015		X	Yes	☐
EXCAVATION OR DEMOLITION: 5-DAY NOTICE	N	PER	09/11/2015	12/07/2015			No	☐
MICROFILM/SCAN: INITIAL	N	PER	09/11/2015	12/09/2015			Yes	☐
INSURANCE: WORKERS' COMPENSATION	N	PER	09/11/2015	12/09/2015			Yes	☐
INSURANCE: LIABILITY	N	PER	09/11/2015	12/09/2015			Yes	☐
INSURANCE: DISABILITY	N	PER	09/11/2015	12/09/2015			Yes	☐
TR3: CONCRETE DESIGN MIX TECHNICAL REPORT	N	PER	09/11/2015	11/13/2015			Yes	☐
STANDPIPE ALARM DRAWINGS & AI1 (OR AI1 PROOF)	N	PER	09/11/2015	11/13/2015			Yes	☐
STANDPIPE WORK PERMIT	N	PER	09/11/2015	12/07/2015			Yes	☐
PROJECT-SPECIFIC GL INSURANCE	N	PER	09/11/2015	12/09/2015			Yes	☐
STRUCTURAL STEEL - WELDING	N	PER	09/11/2015	11/13/2015	_____		No	☐
STRUCTURAL STEEL - HIGH STRENGTH BOLTING	N	PER	09/11/2015	11/13/2015	_____		No	☐
CONCRETE - CAST-IN-PLACE	N	PER	09/11/2015	11/13/2015	_____		No	☐
TR2: CONCRETE FIELD TESTING TECHNICAL REPORT	N	PER	09/11/2015	11/13/2015	_____		Yes	☐
MASONRY	N	PER	09/11/2015	11/13/2015	_____		No	☐

SUBGRADE INSP / SOILS-SITE PREP	N	PER	09/11/2015	11/09/2015	_____		No	☐
DEEP FOUNDATIONS / PILES	N	PER	09/11/2015	11/13/2015		X	No	☐
UNDERPINNING	T	PER	09/11/2015	11/23/2015		X	No	☐
WALL PANELS, CURTAIN WALLS, AND VENEERS	N	PER	09/11/2015	11/13/2015	_____		No	☐
MECHANICAL SYSTEMS	N	PER	09/11/2015	11/13/2015	_____		No	☐
EXCAVATION - SHEETING, SHORING, AND BRACING	T	PER	09/11/2015	11/13/2015	_____		No	☐
ON-SITE STORM WATER DRAIN. DISP. /DETENT INSTALL (DRYWELL)	N	PER	09/11/2015	11/13/2015	_____		No	☐
HEATING SYSTEMS	N	PER	09/11/2015	11/13/2015	_____		No	☐
FOOTING AND FOUNDATION INSPECTION	N	PER	09/11/2015	11/13/2015	_____		No	☐
LOWEST FLOOR ELEVATION	N	PER	09/11/2015	11/23/2015		X	Yes	☐
ENERGY CODE COMPLIANCE INSPECTIONS	N	PER	09/11/2015	11/13/2015	_____		No	☐
FIRE-RESISTIVE RATED CONSTRUCTION	N	PER	09/11/2015	11/13/2015	_____		No	☐
SEWER CONNECTION: DEP SD1 & SD2	N	PER	11/09/2015	12/07/2015			No	☐
SPRAYED FIRE-RESISTANT MATERIALS	N	PER	12/21/2015	_____	_____		No	☐
FIRE-RESISTANT PENETRATIONS AND JOINTS (FIRESTOP)	N	PER	12/21/2015	_____	_____		No	☐
PROTECTION OF EXPOSED FOUNDATION INSULATION	N	PER	12/21/2015	_____	_____		No	☐
INSULATION PLACEMENT & R VALUES	N	PER	12/21/2015	_____	_____		No	☐
FENESTRATION U-FACTOR & PRODUCT RATING	N	PER	12/21/2015	_____	_____		No	☐
FENESTRATION AIR LEAKAGE	N	PER	12/21/2015	_____	_____		No	☐
FENESTRATION AREAS	N	PER	12/21/2015	_____	_____		No	☐
AIR SEALING AND INSULATION - VISUAL	N	PER	12/21/2015	_____	_____		No	☐
HVAC & SERVICE WATER HEATING EQUIPMENT	N	PER	12/21/2015	_____	_____		No	☐
HVAC & SERVICE WATER HEATING SYSTEM CONTROLS	N	PER	12/21/2015	_____	_____		No	☐
HVAC INSULATION AND SEALING	N	PER	12/21/2015	_____	_____		No	☐
DUCT LEAKAGE TESTING	N	PER	12/21/2015	_____	_____		No	☐
ELECTRICAL ENERGY CONSUMPTION	N	PER	12/21/2015	_____	_____		No	☐

ELECTRIC MOTORS	N	PER	12/21/2015	_____	_____	No	☐
LIGHTING IN DWELLING UNITS	N	PER	12/21/2015	_____	_____	No	☐
EXIT SIGNS	N	PER	12/21/2015	_____	_____	No	☐
INTERIOR LIGHTING POWER	N	PER	12/21/2015	_____	_____	No	☐
EXTERIOR LIGHTING POWER	N	PER	12/21/2015	_____	_____	No	☐
VESTIBULES	N	PER	12/21/2015	_____	_____	No	☐
PERMANENT CERTIFICATE	N	PER	12/21/2015	_____	_____	No	☐
LIGHTING CONTROLS	N	PER	12/21/2015	_____	_____	No	☐
NOTICE TO PROCEED	T	PER	01/25/2016	_____		No	☐
NOS	T	PER	01/26/2016	_____		No	☐
FEMA ELEVATION CERT (086-0-33)/ FLOODPROOFING CERT (086-0-34)	T	SGN	09/11/2015	_____		Yes	☐
CERTIFICATE OF OCCUPANCY	N	SGN	09/11/2015	_____		Yes	☐
SPRINKLER (SP) SIGNOFF	N	SGN	09/11/2015	_____		No	☐
STANDPIPE (SD) SIGNOFF	N	SGN	09/11/2015	_____		No	☐
ELEVATOR JOB SIGNOFF	N	SGN	09/11/2015	_____		No	☐
EQUIPMENT USE PERMITS	N	SGN	09/11/2015	_____		No	☐
SITE SURVEY: FINAL	N	SGN	09/11/2015	_____		Yes	☐
BPP: FINAL SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
DEMOLITION (DM) JOB SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
STREET TREE SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
AS-BUILT ENERGY ANALYSIS (EN2)	N	SGN	09/11/2015	_____		Yes	☐
PRELIMINARY COMMISSIONING REPORT CERTIFICATION	T	SGN	09/11/2015	_____		Yes	☐
FINAL PLUMBING SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
FINAL ELEVATOR SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
FINAL ELECTRICAL SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
FINAL CONSTRUCTION SIGNOFF	N	SGN	09/11/2015	_____		Yes	☐
VERIFY TAX LOT	N	SGN	09/11/2015	_____		Yes	☐
CO OBJ: VERIFY ADDRESS-TOPO STAMP	N	SGN	09/11/2015	_____		Yes	☐

VIOLATIONS SEARCH	N	SGN	09/11/2015	_____	Yes	☐
OPEN APPLICATIONS SEARCH	N	SGN	09/11/2015	_____	Yes	☐
FOLDER REVIEW	N	SGN	09/11/2015	_____	Yes	☐
TAX LOT: FINAL LOT NUMBER ISSUED	N	SGN	11/09/2015	11/09/2015	No	☐

Additional Job Documents

EXTERNAL FORMS - SUPPORTING DOCUMENTATION
EXTERNAL FORMS - SUPPORTING DOCUMENTATION
EXTERNAL FORMS - SUPPORTING DOCUMENTATION
EXTERNAL FORMS - SUPPORTING DOCUMENTATION

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1	10/13/2015	Form - AI1 - ADDITIONAL INFORMATION BIS Job Doc Number:01	PENDING		*Submitted by another User*
2	10/13/2015	Plan - COMPLETE PLAN SET BIS Job Doc Number:01	PENDING		*Submitted by another User*
3	10/15/2015	Plan - COMPLETE PLAN SET BIS Job Doc Number:02	PENDING		*Submitted by another User*
4	10/30/2015	Plan - COMPLETE PLAN SET BIS Job Doc Number:01	PENDING		*Submitted by another User*
5	11/03/2015	Plan - COMPLETE PLAN SET BIS Job Doc Number:01	PENDING		*Submitted by another User*
6	11/10/2015	Form - TR3 - TECHNICAL REPORT: CONCRETE DESIGN MIX BIS Job Doc Number:01 License Number: 081431	PENDING		*Submitted by another User*
7	11/10/2015	Form - TR2 - TECHNICAL REPORT: CONCRETE/TEST CYLINDER BIS Job Doc Number:01 License Number: 53778	PENDING		*Submitted by another User*
8	12/11/2015	Plan - COMPLETE PLAN SET BIS Job Doc Number:01	PENDING		*Submitted by another User*

9	12/11/2015	Form - AI1 - ADDITIONAL INFORMATION BIS Job Doc Number:01	PENDING	*Submitted by another User*
10	02/01/2016	Doc - NOTICE TO PROCEED	PENDING	Remove