



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

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

Part I: GENERAL INFORMATION					
PROJECT NAME Kips Bay Towers Condominium					
1. Reference Numbers					
CEQR REFERENCE NUMBER (to be assigned by lead agency) 18DCP068M			BSA REFERENCE NUMBER (if applicable)		
ULURP REFERENCE NUMBER (if applicable) 180025 ZSM; 180026 ZSM			OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA)		
2a. Lead Agency Information			2b. Applicant Information		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT Kips Bay Towers Condominium, Inc.		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin, Director, EARD, NYC Department of City Planning			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON c/o Robert A. Jacobs, Esq., Belkin Burden Wenig & Goldman, LLP		
ADDRESS 120 Broadway			ADDRESS 270 Madison Avenue		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10016
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212-867-4466	EMAIL rjacobs@bbwg.com	
3. Action Classification and Type					
SEQRA Classification					
<input type="checkbox"/> UNLISTED <input checked="" type="checkbox"/> TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(9)					
Action Type (refer to Chapter 2 , "Establishing the Analysis Framework" for guidance)					
<input checked="" type="checkbox"/> LOCALIZED ACTION, SITE SPECIFIC		<input type="checkbox"/> LOCALIZED ACTION, SMALL AREA		<input type="checkbox"/> GENERIC ACTION	
4. Project Description					
The proposed applications by the Kips Bay Towers Condominium, Inc., collectively seek two special permits from the New York City Planning Commission (CPC) under the Manhattan Core parking regulations pursuant to Zoning Resolution (ZR) Sections 13-45 ("Special Permits for Additional Parking Spaces") and 13-455 ("Additional parking spaces for existing accessory off-street parking facilities") for each of two at-grade parking lots servicing the North and South Towers of the Condominium. One special permit would allow an increase in the legal capacity by eighteen (18) spaces in the North Lot, increasing the legal capacity of the lot from 50 spaces to 68 spaces; and the other special permit would allow an increase in the legal capacity by nineteen (19) parking spaces on the south lot, increasing the legal capacity of the lot from 50 spaces to 69 spaces. See Page 1a for a detailed project description.					
Project Location					
BOROUGH Manhattan	COMMUNITY DISTRICT(S) 6		STREET ADDRESS 300-330 East 33rd Street and 319-351 East 30th Street		
TAX BLOCK(S) AND LOT(S) Block 936; Lot 7501			ZIP CODE 10016		
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The project site is located on the block bounded by East 33rd Street to the north, East 30th Street to the south, Second Avenue to the west and First Avenue to the east					
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R8; C2-5 commercial overlay; within Manhattan Core area				ZONING SECTIONAL MAP NUMBER 8d	
5. Required Actions or Approvals (check all that apply)					
City Planning Commission: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNIFORM LAND USE REVIEW PROCEDURE (ULURP)					
<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION			
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP			
<input type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT			
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE			
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> OTHER, explain:				
<input checked="" type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input checked="" type="checkbox"/> other); EXPIRATION DATE:					
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION ZR Section 13-45 and ZR Section 13-455					

Project Description

A. INTRODUCTION

The proposed applications by The Kips Bay Towers Condominium, Inc. (the “Condominium”) collectively seek two Special Permits from the City Planning Commission (CPC) under the Manhattan Core parking regulations, one for each of two at-grade parking lots servicing the Condominium, a complex located on the block bounded by Second Avenue, East 33rd Street, First Avenue, and East 30th Street in the Kips Bay neighborhood of Manhattan, Community District 6 (Block 936, Lot 7501, f/k/a Block 936, 937, and 938). The Condominium is composed of two 21-story high-rise residential towers—the North Tower and the South Tower—containing 1,118 residential units. The project was developed in early 1960s and was converted to condominium apartments in the mid-1980s. Today, the Kips Bay Towers complex still contains tenants subject to rent stabilization laws.

The complex also contains a below-grade 300-space parking garage, which is not operated by the Condominium.¹ In addition to the below-grade parking garage, there are two at-grade parking lots that are the subject of this application: one lot is adjacent to the North Tower on East 33rd Street and one lot is adjacent to the South Tower on East 30th Street (see **Figure 6**), each of which has a legal capacity of 50 parking spaces. Currently, the North Parking Lot has 58 spaces (50 of which are legal) and the South Parking Lot has 65 spaces (50 of which are legal).

B. PROPOSED ACTIONS

The applicant is seeking two special permits under the Manhattan Core parking regulations pursuant to ZR Sections 13-45 (“Special Permits for Additional Parking Spaces”) and 13-455 (“Additional parking spaces for existing accessory off-street parking facilities”) to allow an increase in the legal capacity for each of the two existing parking facilities accessory to the Kips Bay Towers Condominium residential complex. One special permit would allow an increase in the legal capacity by 18 spaces in the North Parking Lot (from 50 to 68), and the other special permit would allow an increase in the legal capacity by 19 spaces on the South Parking Lot (from 50 to 69) (see **Figure 7**).

C. PURPOSE AND NEED OF THE PROPOSED ACTION

The existing North and South Parking Lots currently exceed their legal capacity by 23 spaces (8 spaces on the North Parking Lot and 15 spaces on the South Parking Lot)—these spaces have existed and been in use by the Condominium residents for over 15 years as a result of the parking lots being restriped by the Condominium’s prior management to accommodate additional parking spaces, albeit without obtaining the proper agency approval. The proposed actions would “legalize” the 23 additional spaces, which have been used by the same residents since they were created, which include a number of elderly residents, at least one handicapped resident, and several rent regulated tenants for whom

¹ The parking garage contains 300 spaces and is operated by a third-party garage operator unrelated to the applicant. Pursuant to a Board of Standards and Appeals (BSA) variance (1045-64-BZ), 120 of the 300 spaces in the garage may be used for transient parking for a term of 10 years, renewable on June 21, 2021. Pursuant to the terms of the BSA resolution, residents of the Kips Bay Towers Condominium are provided the right to “recapture” any parking space being utilized for transient purposes on 30 days’ notice.

the parking space may constitute a “required ancillary service” under the Rent Stabilization Code (RSC).² This application would also add 14 additional parking spaces to the project site. In total, the capacity of the parking lots would increase from 123 spaces (of which only 100 spaces are legal) to 137 spaces.

The proposed increase in legal capacity of the two parking facilities on the project site would serve the parking needs of the residents of the North and South Towers. Currently, there is a waiting list of 249 residents for a parking space in the at-grade parking lots, which are more accessible to the Towers’ entrances and less expensive than the below-grade garage on the project site. The proposed special permits would maintain the 23 spaces previously added and allow for additional spaces by increasing the legal capacity of the two parking facilities to serve the parking needs of the existing residential population on the project site. In order to accommodate the additional spaces, the Condominium therefore would restripe the parking lot areas to add a total of 14 new accessory parking spaces (10 spaces to the North Parking Lot area and 4 spaces to the South Parking Lot area) in addition to the 23 pre-existing spaces, as well as new pedestrian cross-walks in unused space in the parking lots.

D. ANALYSIS FRAMEWORK

NO ACTION SCENARIO

As noted above, the project site currently contains the Kips Bay Towers residential complex, which includes two residential towers, two at-grade accessory parking lots, and a below-grade parking garage. Including the legal capacity of the two at-grade parking lots and the capacity of the below-grade garage, the complex contains a total of 400 parking spaces.³ Absent the proposed actions, there will be no changes to the complex, and the residential towers and parking facilities will remain in their current condition with a legal capacity of 400 spaces, subject to the elimination of the 23 spaces (8 spaces in the North Parking Lot and 15 spaces in the South Parking Lot) that were added by the Condominium’s prior management without agency approval. If any of the spaces eliminated are for rent-stabilized tenants, such elimination could expose the applicant to diminution of services complaints pursuant to RSC 2523.4 (a).

WITH ACTION SCENARIO

As described above, with the proposed actions 18 parking spaces would be added to the North Parking Lot and 19 parking spaces would be added to the South Parking Lot, as shown on **Figure 7**. Therefore, the total parking capacity in the Kips Bay Towers complex would increase from 423 spaces (of which 400 spaces are legal) to 437 spaces (all of which would be legal). In addition, the proposed actions would allow for the addition of a total of 8 handicapped (ADA-accessible) parking spaces⁴ and 14 bicycle racks to both parking lots. There would be no changes to the other portions of the complex (the residential towers and the below-grade garage), which would remain in their current conditions. There would be no construction, excavation, or physical alterations to the complex, as the additional parking capacity would be accommodated by restriping the at-grade parking lots. There would be no changes to the curb cuts serving the parking lots (which have been in their current configuration since the complex was constructed), and, because the parking lots are well-screened from the surrounding streets by 5- to 12-foot high retaining walls and mature trees and bushes, and the proposed increase in capacity at the existing parking facility is not subject to the screening requirements of the Manhattan Core parking regulations (ZR Section 13-221), no additional screening is proposed.

² Pursuant to RSC § 2520.6(r)(3), parking services provided to rent regulated tenants are considered “required ancillary services,” such that parking service may not be discontinued, terminated or modified without prior approval from the New York State Division of Housing and Community Renewal (DHCR).

³ The below-grade garage contains 300 spaces, which are partially accessory to the residential towers on the project site and partially used as transient parking pursuant to a BSA variance, described above.

⁴ None of the existing spaces in the parking lots are ADA-accessible.

Board of Standards and Appeals: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> VARIANCE (use) <input type="checkbox"/> VARIANCE (bulk) <input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE: SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION	
Department of Environmental Protection: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:	
Other City Approvals Subject to CEQR (check all that apply)	
<input type="checkbox"/> LEGISLATION <input type="checkbox"/> RULEMAKING <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES <input type="checkbox"/> 384(b)(4) APPROVAL <input type="checkbox"/> OTHER, explain:	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: <input type="checkbox"/> POLICY OR PLAN, specify: <input type="checkbox"/> FUNDING OF PROGRAMS, specify: <input type="checkbox"/> PERMITS, specify:
Other City Approvals Not Subject to CEQR (check all that apply)	
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain:
State or Federal Actions/Approvals/Funding: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:	
6. Site Description: <i>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.</i> Graphics: <i>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.</i>	
<input checked="" type="checkbox"/> SITE LOCATION MAP <input checked="" type="checkbox"/> TAX MAP <input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S) <input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
Physical Setting (both developed and undeveloped areas)	
Total directly affected area (sq. ft.): 28,870 (North Parking Lot); 28,133 (South Parking Lot)	
Waterbody area (sq. ft.) and type: 0	
Roads, buildings, and other paved surfaces (sq. ft.): 28,870 (North Parking Lot); 28,133 (South Parking lot)	
Other, describe (sq. ft.): 0	
7. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)	
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): N/A--the proposed special permits would result in the legalization of 37 existing accessory parking spaces and would not result in any changes to the Condominium parking lots or buildings other than the re-striping of the parking lots and the addition of 14 bicycle racks.	
NUMBER OF BUILDINGS: N/A	
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A	
HEIGHT OF EACH BUILDING (ft.): N/A	
NUMBER OF STORIES OF EACH BUILDING: N/A	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify: The total square feet owned or controlled by the applicant:	
The total square feet not owned or controlled by the applicant:	
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):	
AREA OF TEMPORARY DISTURBANCE: N/A sq. ft. (width x length)	
VOLUME OF DISTURBANCE: N/A cubic ft. (width x length x depth)	
AREA OF PERMANENT DISTURBANCE: N/A sq. ft. (width x length)	
8. Analysis Year CEQR Technical Manual Chapter 2	
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2018	
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A	
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?	
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Both parking lots contain parking zones that exceed the current recommended square feet per parking space; therefore, the parking lot can accommodate the requested additional spaces. Construction activities would be limited to additional striping on the existing asphalt footprint of the parking lots and the addition of pedestrian cross-walks using unused space in the parking lots.	
9. Predominant Land Use in the Vicinity of the Project (check all that apply)	

RESIDENTIAL

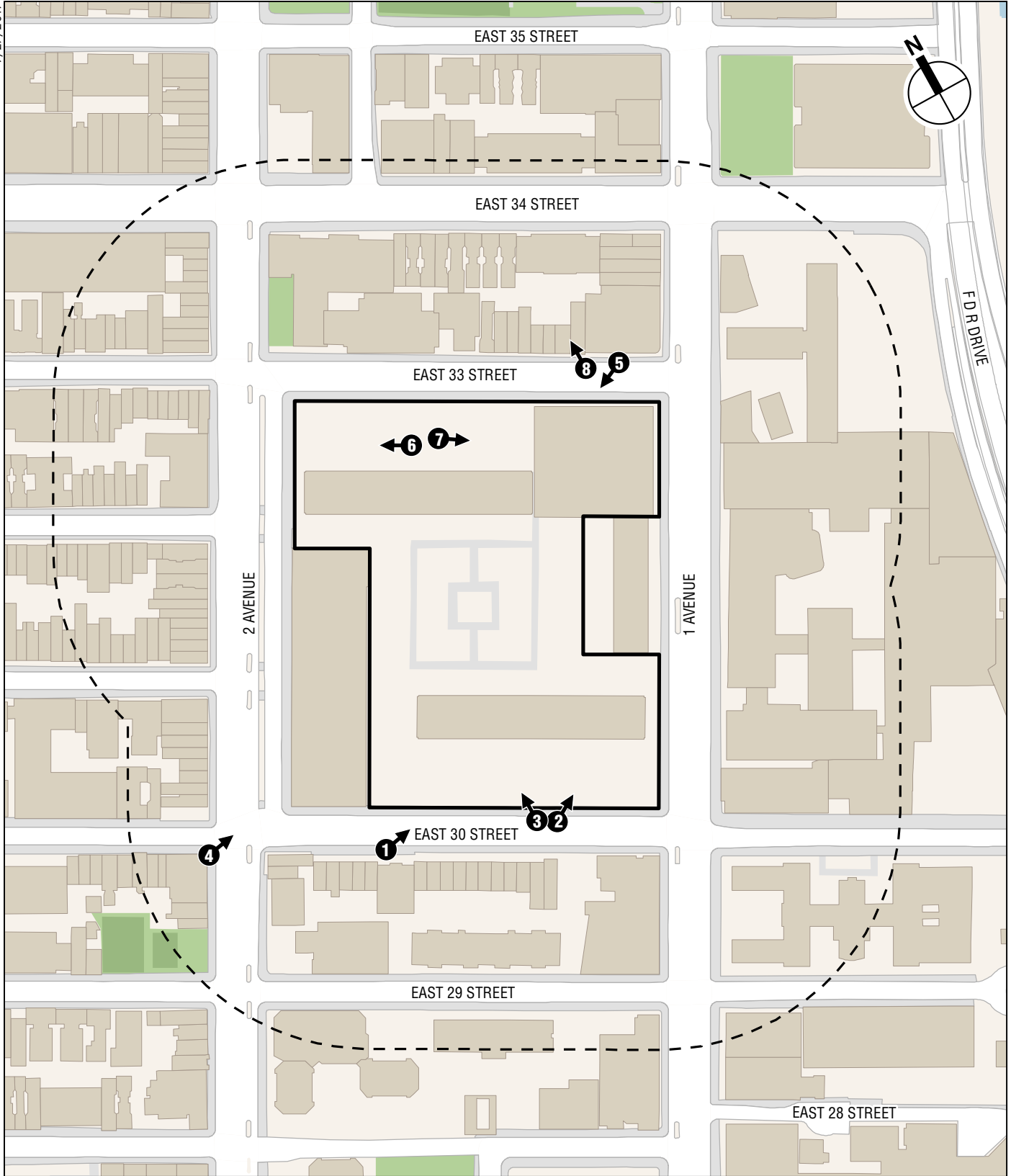
MANUFACTURING

COMMERCIAL

PARK/FOREST/OPEN SPACE

OTHER, specify:
Institutional and Public
facilities

9/27/2017



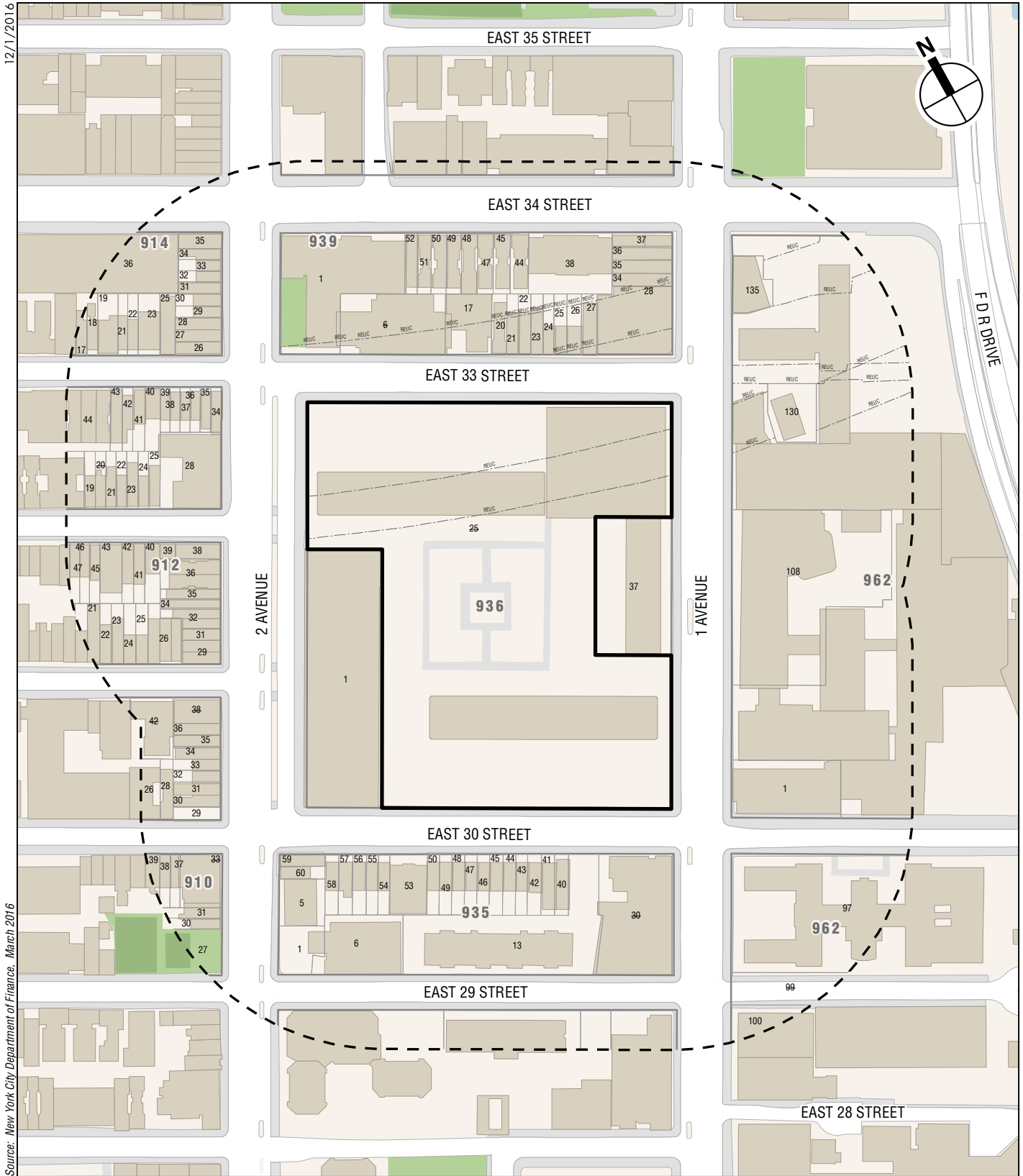
-  Project Site
-  Study Area (400-foot boundary)

 Photograph View Direction and Reference No.

0 200 FEET

KIPS BAY TOWERS

Project Location
Figure 1



Source: New York City Department of Finance, March 2016

- Project Site
- Study Area (400-foot boundary)
- Tax Block Boundary
- Tax Lot Boundary

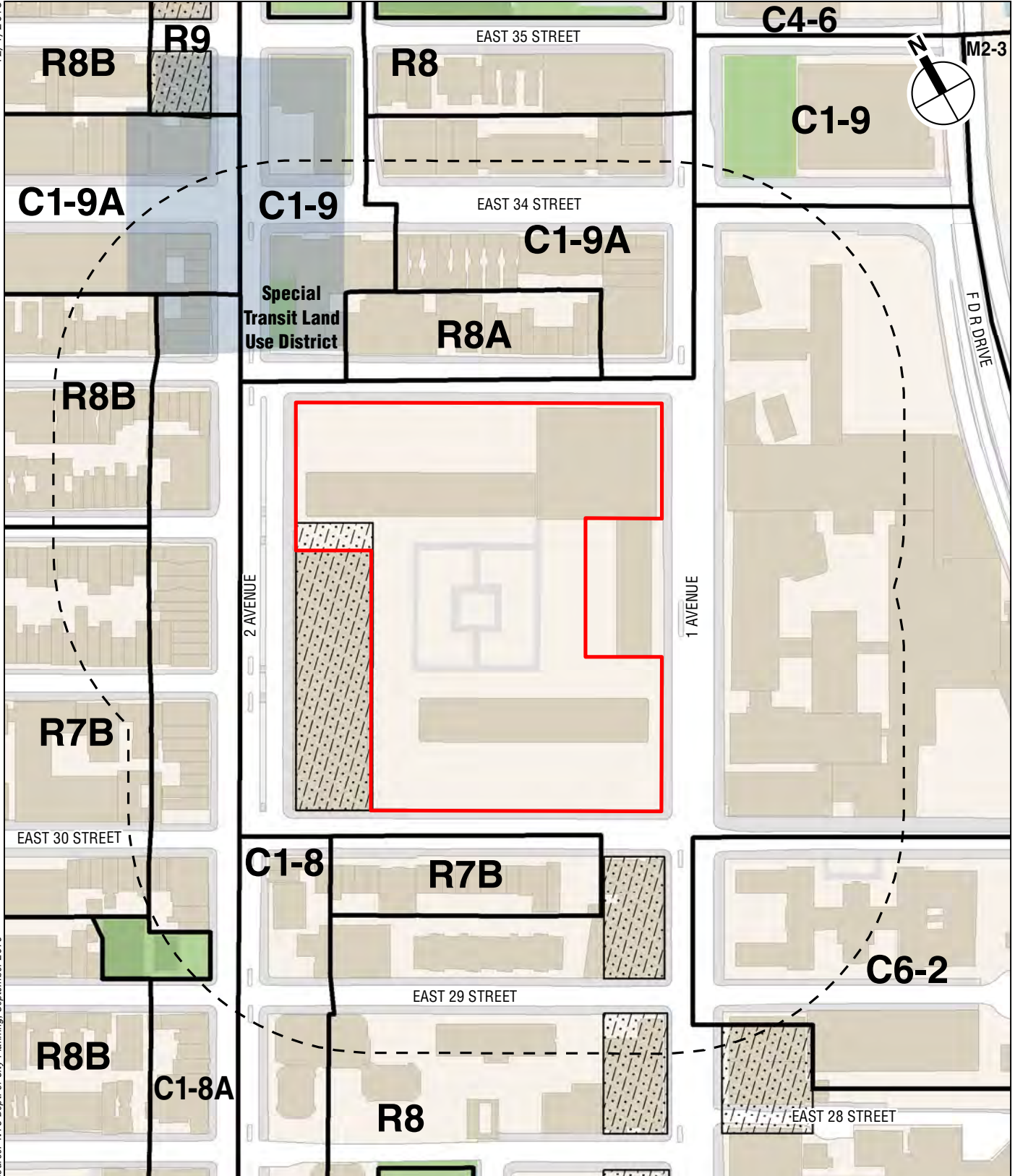
- 33 Tax Lot Number
- 33 Condo Tax Lot Number
- C: 40 Condo Flag/Condo Number
- Other Tax Boundary

KIPS BAY TOWERS

Tax Map Figure 2

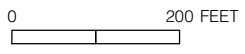
12/1/2016

Source: NYC Dept. of City Planning, September 2016



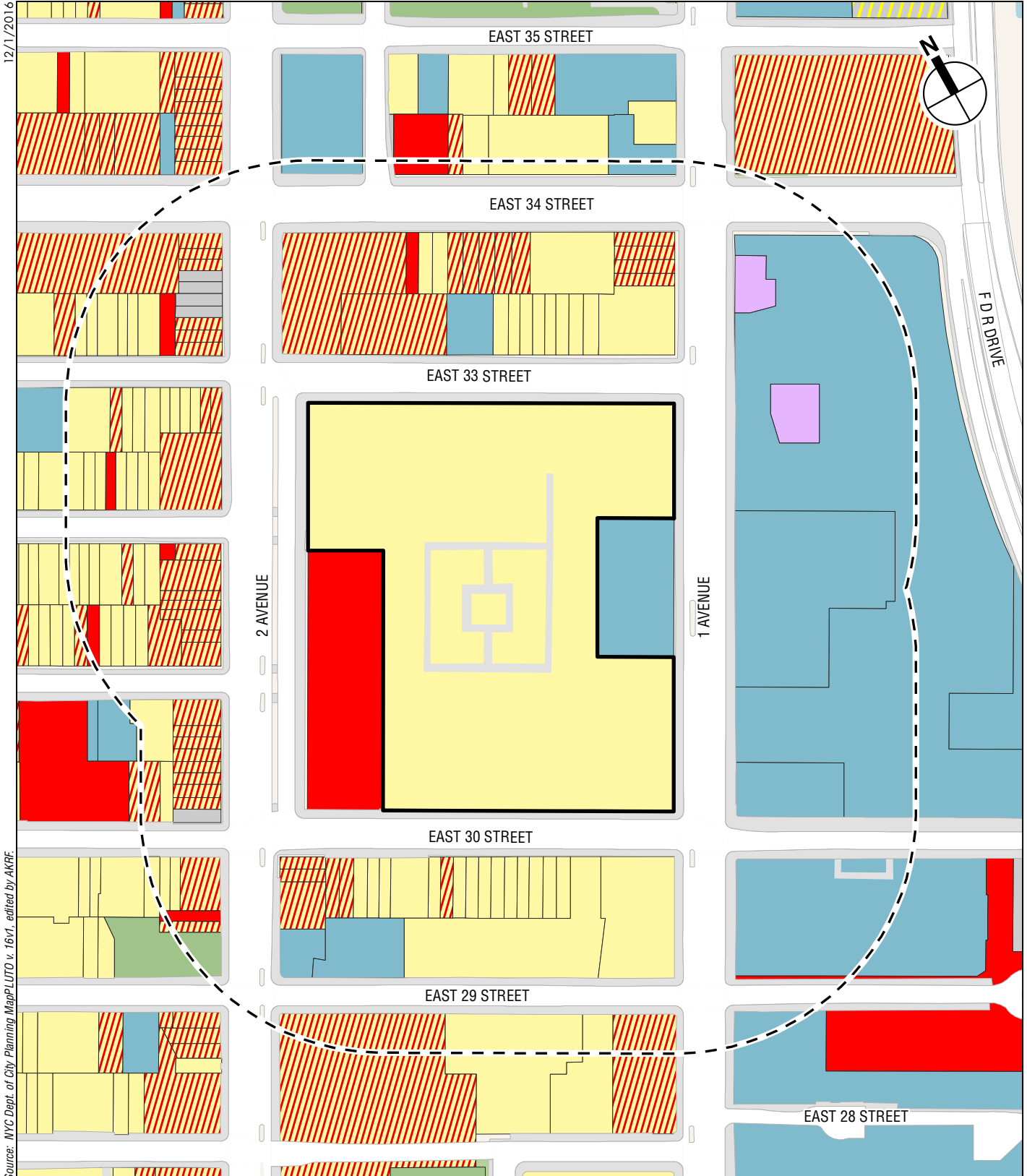
- Project Site
- Study Area (400-foot boundary)
- Zoning Districts

- C2-5 Commercial Overlay District
- Special Purpose District



KIPS BAY TOWERS

Zoning Figure 3



12/1/2016

Source: NYC Dept. of City Planning MapPLUTO v. 16v1, edited by AKRF.

- Project Site
- Study Area (400-foot boundary)
- Commercial and Office Buildings
- Open Space and Outdoor Recreation
- Public Facilities and Institutions
- Residential
- Residential with Commercial Below
- Transportation and Utility
- Vacant Land
- Under Construction

0 200 FEET

KIPS BAY TOWERS

Existing Land Use
Figure 4



View North from E. 30th Street 1



View Northeast of South Parking Lot 2



View Northwest of South Parking Lot 3



View East along E. 30th Street 4



View South from E. 33rd Street 5



View West of North Parking Lot 6

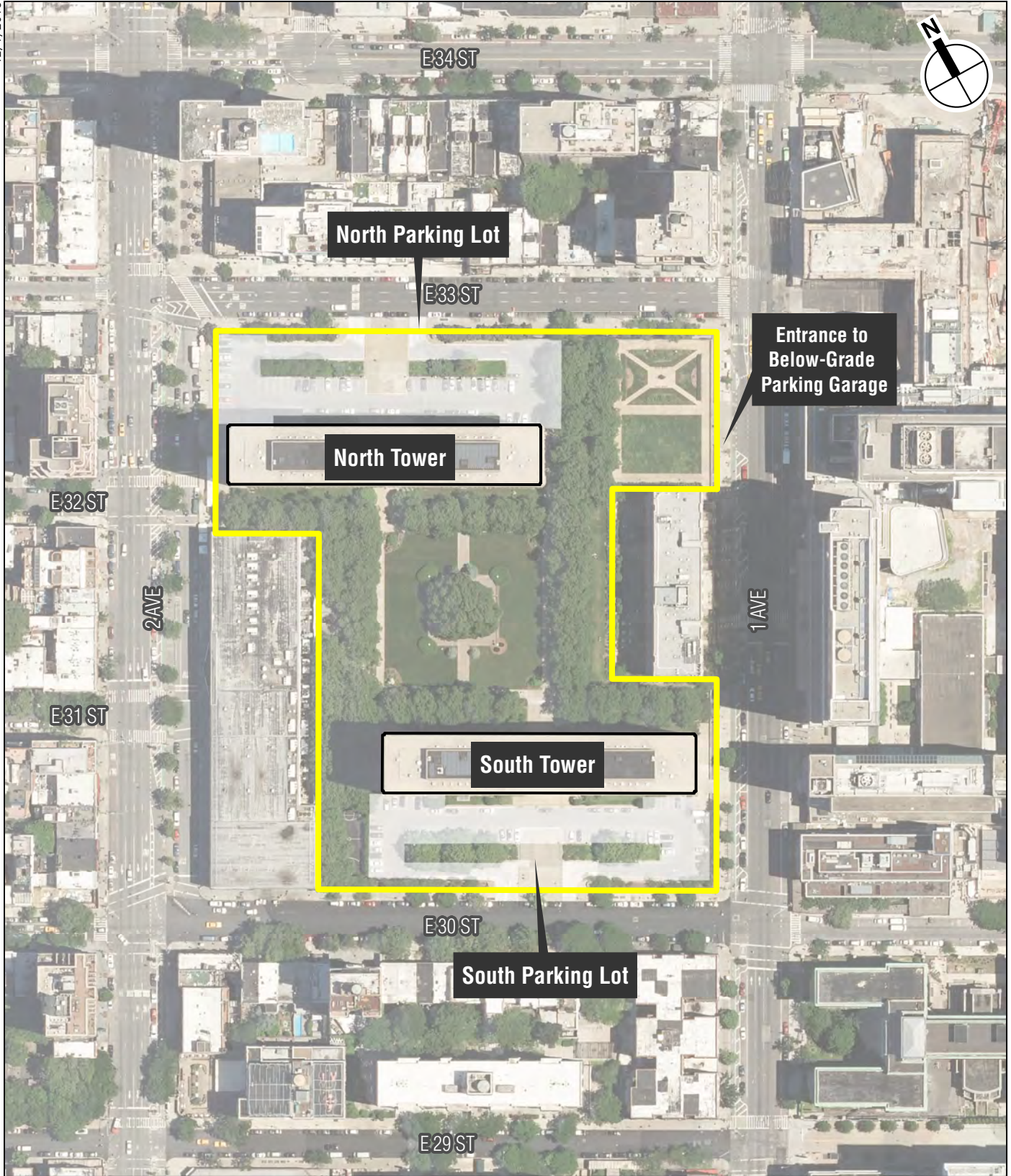


View West of North Parking Lot 7



View West along E. 33rd Street 8

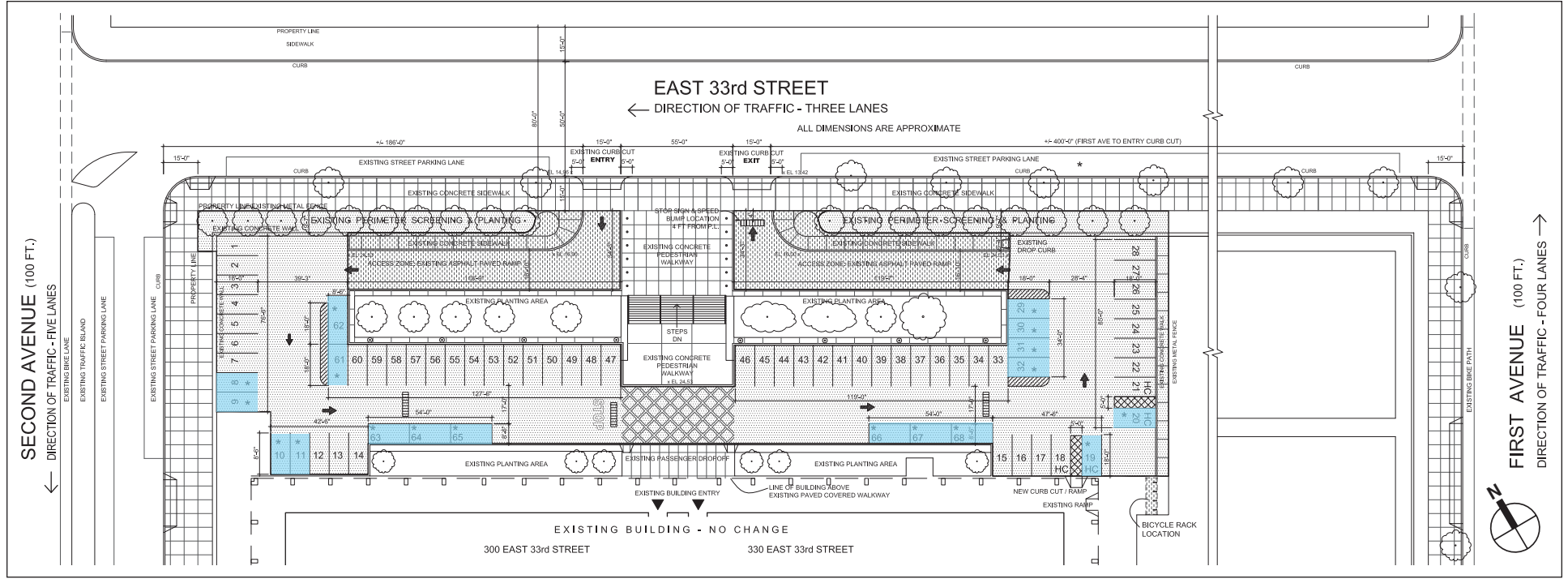
12/1/2016



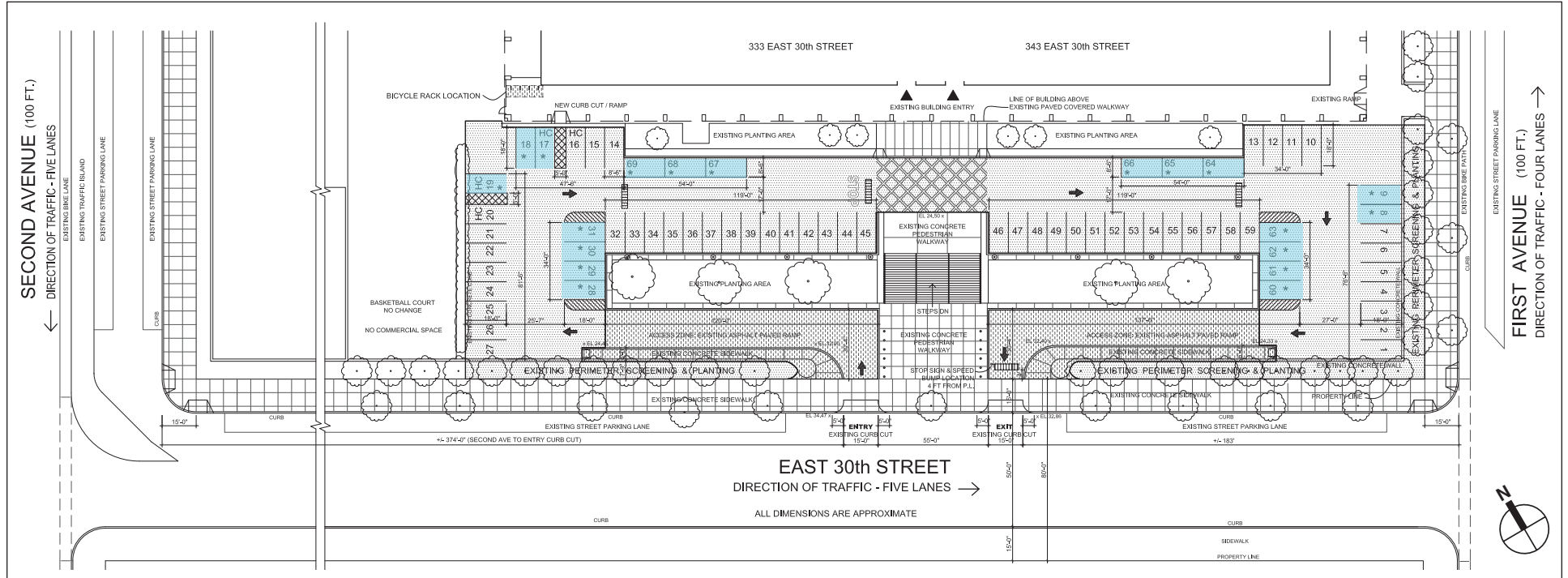
-  Project Site
-  North and South Towers

0 200 FEET

Source: Hal A. Dorfman Architect



Source: Hal A. Dorfman Architect



DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

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

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	Two apartment towers	Two apartment towers	Two apartment towers	No change
No. of dwelling units	1,118	1,118	1,118	No change
No. of low- to moderate-income units	0 (some units are rent stabilized apartments subject to the Rent Stabilization Law and Code)	0 (some units are rent stabilized apartments subject to the Rent Stabilization Law and Code)	0 (some units are rent stabilized apartments subject to the Rent Stabilization Law and Code)	No change
Gross floor area (sq. ft.)	869,426	869,426	869,426	No change
Commercial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
Publicly Accessible Open Space	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
PARKING				
Garages	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	120	120	120	No change
No. of accessory spaces	180	180	180	No change
Operating hours	24 hours	24 hours	24 hours	No change
Attended or non-attended	Attended	Attended	Attended	No change
Lots	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	0	0	0	No change
No. of accessory spaces	123 (legal capacity: 100)	100 (legal capacity: 100)	137 (legal capacity: 137)	+37
Operating hours	24 hours	24 hours	24 hours	No change
Other (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
POPULATION				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Residents	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:	N/A--Condominium currently contains 1,118 residential units; proposed special permit would only affect number of legal parking spaces in the Condominium's North and South Parking Lots and would not affect the residential space.			
Businesses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	R8 with C2-5 overlay within Manhattan Core area	R8 with C2-5 overlay within Manhattan Core area	R8 with C2-5 overlay within Manhattan Core area	No change
Maximum amount of floor area that can be developed	0.94-6.02 residential; 6.5 community facility; 2.0 commercial	0.94-6.02 residential; 6.5 community facility; 2.0 commercial	0.94-6.02 residential; 6.5 community facility; 2.0 commercial	No change
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Residential (R7B, R8, R8B); commercial (C1-8, C1-8A, C1-9, C1-9A, C6-2); Special Transit Land Use District	Residential (R7B, R8, R8B); commercial (C1-8, C1-8A, C1-9, C1-9A, C6-2); Special Transit Land Use District	Residential (R7B, R8, R8B); commercial (C1-8, C1-8A, C1-9, C1-9A, C6-2); Special Transit Land Use District	No change
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

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

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

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

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Part II, Screening Analyses		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, please provide the information requested in Chapter 10 .		
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions .		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(c) If the proposed project located in a separately sewerred area , would it result in the same or greater development than that listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): N/A		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
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): N/A		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**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.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008 ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

Part II: Screening Analyses

A. HISTORIC RESOURCES

According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a historic resources impact assessment is required if there is the potential for a proposal to impact either archaeological or architectural (i.e., structural) resources. Actions that typically require a historic resources impact assessment for archaeology are those that involve in-ground disturbance, or below-grade construction and excavation. Actions that can trigger an assessment of impacts to architectural resources include new construction, demolition, or significant alteration to any historic building, structure, or object; a change in scale, visual prominence, or visual context of any historic building, structure, object or landscape; construction, activities near historic resources; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views of historic resources; or the introduction of significant new shadows over an historic landscape or historic structure with sunlight dependent features. The assessment of potential impacts to archaeological and historical resources is presented below.

ARCHAEOLOGICAL RESOURCES

On September 28, 2011, the New York City Landmarks Preservation Commission (LPC) determined that they have no archaeological concerns for the project site (see **Appendix A**). Therefore, the proposed action would not result in potential significant adverse impacts on archaeological resources.

ARCHITECTURAL RESOURCES

PROJECT SITE

There are no known historic resources—properties listed on or determined eligible for listing on the State/National Registers of Historic Places (S/NR) and New York City Landmarks (NYCL) and properties pending such designation—on the project site.

The existing parking facility is located on the project site, which contains the Kips Bay Towers (formerly the Kips Bay Plaza) complex between First and Second Avenues and East 33rd and 30th Streets. Kips Bay Towers was determined by LPC as appearing eligible for LPC and S/NR listing in comments dated February 25, 2015 (see **Appendix A**). This residential complex was designed by I.M. Pei & Associates with S.J. Kessler & Sons, and built in 1958–1963. It was constructed by developer William Zeckendorf and also sponsored by Webb & Knapp, as a component of Robert Moses’s urban renewal plan for the east side of Manhattan, which included the medical corridor that contains the NYU Langone Medical Center complex. Kips Bay Towers are twin 21-story apartment buildings (the North and South Towers) flanking a public plaza, with a retail arcade, and parking. The two towers, approximately 330- and 350-foot-long slabs, are aligned parallel to one another and the east-west cross streets. Designed in the International Style, sources indicate that this was one of Pei’s first major projects in New York City and was influenced by Le Corbusier’s *Unite de Habitation* built in 1952 in Marseille, France.

The design pioneered the use of cast-in-place concrete to create New York’s first exposed concrete apartment houses. The façades, composed of a concrete grid, are structural load-bearing components which allowed for the reduction of internal supports typically required in apartment buildings, resulting in a more open, flexible floor plan. The concrete grid also reduced direct sun and glare on the buildings’ windows.

Since the proposed actions would only result in modifications to existing parking lots, consisting of the restriping of surface parking lot areas to add or legalize a total of 37 new accessory parking spaces (18 spaces to the North Parking Lot area and 19 spaces to the South Parking Lot area), as well as the creation of new pedestrian crosswalks in unused space in the parking lots and the installation of bike racks, the proposed action would not affect any of the historic characteristics of the Kips Bay Towers complex. Therefore, the proposed actions would not result in potential significant adverse impacts to Kips Bay Towers.

STUDY AREA

Due to the limited scope of the proposed actions, which consist of restriping and creation of pedestrian crosswalks in the parking lots that would not be visible beyond the streets surrounding the project site, the study area has been limited to the streets surrounding the project site.


There is one historic resource in the study area. The former Bellevue Psychiatric Building, located at 500 First Avenue at the southeast corner of First Avenue and East 30th Street, is a 10-story red brick, limestone, and granite structure with a modified H-plan. Designed by Charles B. Meyers and Thompson, Holmes & Converse and completed in 1936, the building is very similar in design to the earlier McKim, Mead, & White-designed buildings of the Bellevue Hospital complex, particularly in its façade materials and its Italian Renaissance style.


The proposed actions would not result in any physical or visual impacts to this historic building, which is located across First Avenue, a wide and heavily trafficked street. Therefore, the proposed actions would not result in potential significant adverse impacts to historic architectural resources in the study area.

B. CONSTRUCTION

The proposed project's construction activities, comprising primarily the restriping of the existing open parking lots and constructing new crosswalks within the parking lots, would be implemented in one phase over approximately 1 month. There may be temporary displacement of some parking spaces during a specific period to accommodate the addition of the new spaces; this temporary change would not be considered significant.

Construction noise is regulated by the New York City Noise Control Code and by the U.S. Environmental Protection Agency noise emission standards for construction equipment. These requirements mandate that certain classifications of equipment and construction vehicles meet specified noise emission standards; that, except under extreme circumstances, construction activities be limited to weekdays between 7 AM and 6 PM; and that construction material be handled and transported in such a manner as not to create unnecessary noise. During construction of the proposed project, all necessary measures would be implemented to ensure adherence to the *New York City Noise Control Code* regulating construction noise. The *New York City Noise Control Code* regulations would minimize noise disruption to the nearby community during the construction of the proposed project. Therefore, in consideration of the limited duration and intensity of construction activities and the measures implemented to minimize noise, construction of the proposed project would not have the potential to result in any significant adverse noise impacts, and no further analysis is required.

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 Part II, Screening Analyses		
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 Lisa M. Lau, AKRF, Inc	SIGNATURE 	DATE November 20, 2017
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.	Potentially Significant Adverse Impact	
	YES	NO
IMPACT CATEGORY		
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency: <input type="checkbox"/> 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 <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS). <input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (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. <input checked="" type="checkbox"/> 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 <i>Negative Declaration</i> . The <i>Negative Declaration</i> 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 Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning	
NAME Robert Dobruskin, AICP	DATE 01/26/18	
SIGNATURE 		

A. INTRODUCTION

Under *City Environmental Quality Review (CEQR) Technical Manual* guidelines, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed project and determines whether that proposed project is compatible with those conditions or may affect them. The analysis also considers the proposed project's consistency with, and effect on, the area's zoning and other applicable public policies.

In order to facilitate the proposed project, the applicant is seeking two special permits under the Manhattan Core parking regulations allowing for the legalization of 18 additional parking spaces on the North Parking Lot and 19 parking spaces on the South Parking Lot. As noted in "Project Description," no other development is currently proposed for the Kips Bay Towers Condominium (the "project site") and the proposed actions would only apply to the project site.

As described below, this analysis concludes that the proposed actions would not result in significant adverse impacts on land use, zoning, or public policy.

B. METHODOLOGY

The study area for this analysis of land use, zoning, and public policy encompasses the area within 400 feet of the project site because this is the area in which the proposed project could reasonably be expected to have the greatest influence. As shown in Figure 1 of the EAS, the 400-foot study area roughly extends from 29th Street in the south to 34th Street in the north, and from 300 feet west of Second Avenue to 300 feet east of First Avenue. The project site and the study area are located in the Kips Bay neighborhood of Manhattan and are within the boundaries of Manhattan Community District 6 (CD6). Sources for this analysis include online resources of the New York City Department of Planning (DCP) and the New York City Department of Buildings (DOB).

C. EXISTING CONDITIONS

LAND USE

PROJECT SITE

The project site (Block 936, Lot 7501) contains the Kips Bay Towers Condominium complex, which includes two 21-story residential towers (containing 1,118 residential units), a below-grade garage, and two accessory parking lots (the North Parking Lot and the South Parking Lot). The North Parking Lot is located on East 33rd Street on the northwest portion of the block near Second Avenue. This lot is accessed by two mid-block curb cuts on East 33rd Street. Although the lot has a legal capacity of 50 spaces, due to spaces added by prior condominium management without obtaining proper agency approval, the lot has 68 spaces. The South Parking Lot is

Kips Bay Towers Condominium

located on East 30th Street on the southeast portion of the block near First Avenue. This lot is accessed by two mid-block curb cuts on East 30th Street. Prior condominium management also added additional spaces to the lot above the legal capacity of 50 spaces, increasing the lot capacity to 69 parking spaces.

The below-grade parking garage on the project site, which is run by a third-party operator unrelated to the applicant, contains 300 spaces. Pursuant to a Board of Standards and Appeals (BSA) variance (1045-64-BZ), 120 of the 300 spaces in the garage may be used for transient parking for a term of 10 years, renewable on June 21, 2021 and residents of the Kips Bay Towers Condominium are provided the right to “recapture” any parking space being utilized for transient purposes on 30 days’ notice. In total, the legal parking capacity on the project site (including the at-grade parking lots and the garage) is 400 spaces.

STUDY AREA

As shown in Figure 4 of the EAS, the study area contains residential, commercial, community facility/institutional (medical and non-medical), and open space uses. Residential uses are found throughout the study area, consisting of a mix of high-rise residential towers and mid- to low-rise residential buildings. In addition to the Kips Bay Towers Condominium, a second large residential complex, the Henry Phipps Plaza, spans from East 29th Street to East 26th Street along Second Avenue. Other large residential buildings within the study area include the Rivergate at East 34th Street and First Avenue, Riverview East on East 32nd Street and Second Avenue, the Anthem on East 34th Street and Second Avenue, 303 East 33rd Street, and Archstone Kips Bay on East 33rd Street and First Avenue. Smaller-scale apartment buildings and row houses line the remainder of the blocks west of First Avenue.

Commercial uses in the study area are concentrated in the ground floors of buildings on First and Second Avenues. The Kips Bay Center commercial strip, which includes a cinema and a Fairway supermarket, is located adjacent to the project site on the east side of Second Avenue from East 30th Street to East 32nd Street. Open spaces within the study area include the Vincent F. Albano Playground, located at the corner of Second Avenue and East 29th Street, and several privately owned publicly accessible open spaces associated with the larger residential buildings.

Community facility uses in the study area are primarily medical facilities, which are located on the east side of First Avenue. These include the NYU Langone Medical Center campus to the east of the project site on the block bounded by East 34th Street to the north, East 30th Street to the south, the FDR Drive to the east and First Avenue to the west. Additional institutional uses within the study area include the Churchill School and Center on East 29th Street between First and Second Avenues, the Chapel of the Sacred Hearts of Jesus and Mary on East 33rd Street, St. Vartan Armenian Cathedral on Second Avenue between East 34th and East 35th Streets, and the Chinese Mission to the United Nations at the corner of East 34th Street and First Avenue. In addition, FDNY Engine Company 16/Ladder Company 7 is located on East 29th Street between Second and Third Avenues.

ZONING

PROJECT SITE

The project site is located in an R8 zoning district with a C2-5 commercial overlay district (see Figure 3 of the EAS). R8 districts are higher density residential districts widely mapped throughout Manhattan. The maximum floor area ratio (FAR) in R8 districts ranges from 0.94 to

6.02 for residential uses and 6.5 FAR for community facility uses. Buildings in these districts can range from mid-rise, 8- to 10-story buildings to narrower, taller buildings set back from the street. The C2-5 overlay district is mapped along the Second Avenue over a portion of the project site. Commercial overlays are mapped along major streets in residential districts and provide for local retail and services, such as grocery stores, restaurants, beauty parlors, and other businesses that cater to nearby residents. Commercial uses are permitted to a maximum of 2.0 FAR (in the R8 district) located in individual structures or on the lower floors of residential buildings.

The project site is also within the Manhattan Core area as defined by zoning (Zoning Resolution [ZR] Article I, Chapter 3). Therefore, the site is subject to special parking regulations. For CD 6, accessory off-street parking spaces are permitted at a maximum of 20 percent of the total number of dwelling units.

STUDY AREA

In addition to the R8 zoning district described above, the study area includes C1-8A, C1-9A, and C6-2 commercial zoning districts, as well as R7B, R8A, and R8B residential zoning districts. The northwestern portion of the study area near East 34th Street and Second Avenue also includes the Transit Land Use Special District (TA), which relates to development of the future Second Avenue Subway line; for development adjoining planned subway stations, an easement must be provided to reserve space for public access to subway or other subway-related uses (see **Table A-1** and Figure 3 of the EAS).

**Table A-1
Zoning Districts in the Study Area**

Zoning District	Maximum FAR ¹	Uses/Zone Type
Residential Districts		
R8 (C2-5 Overlay)	0.94 to 6.02 residential 6.5 community facility 2.0 commercial (C2-5 overlay)	General medium-density residential district
R7B	3.0 residential 3.0 community facility	Contextual residential district
R8A	6.02 residential 6.5 community facility	Contextual residential district
R8B	4.0 residential 4.0 community facility	Contextual residential district
Commercial Districts		
C1-8A	2.0 commercial 7.52 residential 7.5 community facility	Contextual commercial district mapped in primarily residential areas along major thoroughfares (R9A residential equivalent)
C1-9A	2.0 commercial 10.0 residential 10.0 community facility	Contextual commercial district mapped in primarily residential areas along major thoroughfares (R10A residential equivalent)
C6-2	6.0 commercial ² 0.94-6.02 residential 6.5 community facility ²	High-density commercial district mapped in areas outside of central business cores (R10 residential equivalent)
Special Districts		
Transit Land Use Special District	-	Special district to reserve space for public access to subway or other subway related uses within development projects
<p>Notes: ¹ FAR is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 sf with a FAR of 1 has an allowable building area of 10,000 sf. The same lot with an FAR of 10 has an allowable building area of 100,000 sf. ² FAR Bonus of 20 percent allowed with inclusion of a public plaza.</p> <p>Source: New York City Zoning Resolution</p>		

Kips Bay Towers Condominium

C1-8A and C1-9A commercial districts are principally residential in nature, and typical uses include grocery stores, dry cleaners, restaurants, and clothing stores that cater to the needs of the local community. The maximum commercial FAR in both districts is 2.0, and the maximum residential FAR is 7.52 for C1-8A and 10.0 for C1-9A (the residential district equivalent for C1-8A districts is R9A, while the equivalent for C1-9A is R10A).

C6-2 districts are higher density commercial districts that are typically mapped in areas outside of central business cores, and have a maximum commercial FAR of 6.0, a residential FAR of 0.94-6.02, and a community facility FAR of 6.5. The residential district equivalent for C6-2 districts is R8.

Contextual residential districts (R7B, R8A, and R8B) are mapped on certain midblock areas within the study area. Contextual zoning districts apply the special lot coverage and building height regulations of the Quality Housing program to produce lower buildings with high lot coverage set at or near the street line. R7B and R8B districts are medium-density (maximum residential FARs of 3.0 and 4.0, respectively), while R8A districts are higher-density (maximum residential FAR of 6.02). As with other residential uses in the Manhattan Core, parking in these districts is not permitted for more than 20 percent of the total number of new dwelling units.

ZONING FOR QUALITY AND AFFORDABILITY

In March 2016, the New York City Council adopted a citywide zoning text amendment: Zoning for Quality and Affordability (ZQA). This zoning text amendment is intended to remedy several ways in which the zoning resolution does not permit the full utilization of a site's development rights, with particular emphasis on facilitating the construction of new affordable housing. The goal of ZQA is to help increase the construction of inclusionary affordable housing and senior housing by allowing for greater flexibility in certain building design elements, as well as by better aligning zoning regulations with financial incentive programs that fund affordable housing developments. ZQA also includes a provision to eliminate parking requirements for new affordable housing developments in areas that are zoned for multifamily housing and are proximate to public transportation and where car ownership rates are low (designated "transit zones").

Several elements of the ZQA text amendment affect the potential height of buildings located within contextual zoning districts by allowing an increase in height if a taller ground-floor is provided (this would encourage better ground-floor retail spaces); however, pursuant to the text amendment as adopted by the City Council, these modifications to building height limits are generally only applicable to areas outside of the Manhattan Core (defined as Manhattan Community Districts 1 through 8). The ZQA text amendment also allows increases in height to fit additional floor area allowed for buildings that provide affordable housing.

The zoning regulations governing potential height of buildings as modified by ZQA are not applicable to the proposed project due to the project site's location within the Manhattan Core. Additionally, because the proposed project is not a new affordable housing project, the ZQA amendment rendering parking requirements optional does not apply.

PUBLIC POLICY

WATERFRONT REVITALIZATION PROGRAM

The project site is partially located within the City's Coastal Zone. All projects that are subject to CEQR, the Uniform Land Use Review Procedure (ULURP), or other local, State, or federal

agency discretionary actions that are situated within the City's Coastal Zone boundary must be reviewed and assessed for their consistency with New York City's Waterfront Revitalization Program (WRP). The WRP is the City's principal Coastal Zone management tool and establishes a broad range of public policies for the City's coastal areas. The guiding principle of the WRP is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront, while minimizing the conflicts among these objectives. A local waterfront revitalization program, such as New York City's, is subject to approval by the New York State Department of State (NYSDOS) with the concurrence of the United States Department of Commerce, pursuant to applicable State and federal law, including the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the Federal Coastal Zone Management Act. The WRP was originally adopted in 1982 and revised in 2002. Additional revisions were approved by the New York City Council in 2013, and approved by NYSDOS (with the concurrence of the U.S. Department of Commerce) in 2016. The recent revisions include incorporation of climate change and sea level rise considerations to increase the resiliency of the waterfront area, promotion of waterfront industrial development as well as commercial and recreational water-borne activities, increased restoration of ecologically significant areas, and best practices for the design of waterfront open spaces. In addition, as part of the WRP revisions, the Coastal Zone boundary has been extended further inland in many locations to reflect alterations to Federal Emergency Management Agency (FEMA) flood zone maps.

Because the project site is located within the Coastal Zone, and the project is seeking local discretionary actions, an assessment of the proposed project's consistency with applicable WRP policies was conducted (see below).

D. THE FUTURE WITHOUT THE PROPOSED PROJECT

LAND USE

PROJECT SITE

Absent the proposed actions, there will be no changes to the Kips Bay Towers Condominium complex, and the residential towers and parking facilities on the project site will remain in their current condition with a legal capacity of 400 spaces, subject to the elimination of the 37 spaces (8 spaces in the North Parking Lot and 15 spaces in the South Parking Lot) that were added by the Condominium's prior management without agency approval.

STUDY AREA

In general, there are limited developments expected to be constructed within the study area, which is expected to remain a mix of residential, commercial, community facility/institutional (particularly medical) uses. East of the project site, NYU Langone Medical Center is constructing an 830,000-square foot (sf) expansion of its facilities (the Helen L. and Martin S. Kimmel Pavilion) which is expected to be complete in 2018.

ZONING AND PUBLIC POLICY

No changes to the applicable zoning regulations or public policies are anticipated within the study area.

E. THE FUTURE WITH THE PROPOSED PROJECT

LAND USE

PROJECT SITE

The proposed actions would legalize a total of 37 accessory spaces in the existing parking lots on the project site, increasing the total legal parking capacity of the at-grade lots to 137 spaces and the total legal parking capacity on the project site to 437 spaces (all of which would be legal). The project would include restriping the two parking lots, and new pedestrian cross-walks would also be created by restriping unused space in the parking lots. The proposed actions would also result in the creation of eight handicapped (ADA-accessible) parking spaces (four on each lot) and the installation of 14 bicycle racks (seven on each lot). The proposed actions would not result in a change of use on the project site, and the other portions of the Kips Bay Towers Condominium complex (the residential towers and the below-grade garage) would remain in their current condition.

STUDY AREA

The proposed actions would only apply to the project site and would not affect uses on any other site within the study area. Furthermore, the proposed actions would not result in a change of use on the project site and would not directly or indirectly displace any uses. Therefore, the proposed project would not result in any significant adverse impacts to land use on the project site or within the study area.

ZONING AND PUBLIC POLICY

The proposed actions would result in the legalization of 37 additional spaces to the previously approved number of off-street parking spaces on the project site. No changes to zoning or public policies applicable to the project site or the study area would occur with the proposed actions and therefore the proposed actions would not result in significant adverse impacts to zoning or public policy.

F. WATERFRONT REVITALIZATION PROGRAM

As described above, the project site is located partially within the Coastal Zone. In accordance with the City's WRP and the federal Coastal Zone Management Act, the proposed project was reviewed for its consistency with the City's WRP policies, and this section summarizes the WRP consistency assessment.

An evaluation of the proposed project's consistency with WRP policies was undertaken (see **Appendix B** for the WRP Consistency Assessment Form [CAF]). Additional information for several WRP policies, as identified by policy questions answered "promote" in the CAF, is provided below.

CONSISTENCY OF THE PROPOSED PROJECT WITH WATERFRONT REVITALIZATION PROGRAM POLICIES

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

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

The North Parking Lot and South Parking Lot on the project site, which would be subject to the proposed actions, are not located within the current 100-year floodplain or 500-year floodplain. However, the north- and east-adjacent streets to the project site mark the boundary of these floodplains, with a base flood elevation of 12 feet NAVD88. Under Policy 6, the primary goal for projects in coastal areas is to reduce risks posed by current and future coastal hazards, particularly major storms that are likely to increase due to climate change and sea level rise. The proposed actions would legalize 37 additional parking spaces (23 of which are pre-existing and 14 of which will be added) that are currently not permitted, and the proposed project would be limited to re-striping existing at-grade parking lots. There would be no complex construction, excavation, or physical alteration to the project site. As such, no non-structural or structural flood management measures are necessary to protect the proposed project. Therefore, the proposed project would meet the requirements of the applicable regulations intended to reduce risks of damage from current and future coastal hazards, and would be consistent with Policy 6.1.

Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in the New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into planning and design of projects in the city's Coastal Zone.

As discussed above, the North Parking Lot and South Parking Lot are not located within the current 100-year and 500-year floodplains, although they are located adjacent to areas within the current 100-year and 500-year floodplains. The proposed project is expected to have an extended lifespan: for the purpose of an assessment of the potential effects of climate change and sea level rise (SLR), projections of SLR by 2080 were considered utilizing a SLR planning tool provided by DCP. Based on NPCC projections, the 100-year base flood elevation may rise by approximately 1 foot (low projection) to 5 feet (high projection) NAVD88, to between approximately 13 feet and 17 feet NAVD88 by 2080. At an elevation of approximately 17 feet NAVD88, a portion of the North Parking Lot would fall within the future flood plain accounting for the highest projected SLR levels. However, as the proposed project is limited to re-striping existing at-grade parking lots, adding handicapped spots, and installing bike racks, the proposed actions would not facilitate the development of any vulnerable, critical, or potentially hazardous features in an area exposed to current or future flood hazards. Therefore, the proposed project is consistent with Policy 6.2. *

APPENDIX A

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / NL-CEQR-M
Project: KIPS BAY TOWERS ACCESS. PARKING EXP.
Address: 333 EAST 30 STREET, **BBL:** 1009367501
Date Received: 2/13/2015

No architectural significance

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

Listed on National Register of Historic Places

Appears to be eligible for National Register Listing and New York City Landmark Designation

May be archaeologically significant; requesting additional materials

Comments: Kips Bay Towers (I.M. Pei, 1960) appears eligible for LPC and S/NR listing.



2/25/2015

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 27777_FSO_GS_02252015.doc

ARCHAEOLOGY

Final Sign-Off (Single Site)

Project number: NO LEAD AGENCY / NL-CEQR-M
Project: KIPS BAY TOWERS ACCESS. PARKING EXP.
Address: 333 EAST 30 STREET, **BBL:** 1009367501
Date Received: 9/28/2011

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

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

Listed on National Register of Historic Places

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

May be archaeologically significant; requesting additional materials

Comments:



10/5/2011

SIGNATURE
Amanda Sutphin, Director of Archaeology

DATE

File Name: 27777_FSO_DNP_10052011.doc

APPENDIX B

NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

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

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

A. APPLICANT INFORMATION

Name of Applicant: Kips Bay Towers Condominium, Inc.

Name of Applicant Representative: c/o Robert A. Jacobs, Esq., Belkin Burden Weing & Goldman, LLP

Address: 270 Madison Avenue, New York, NY, 10016

Telephone: 212-867-4466 Email: rjacobs@bbwg.com

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

The proposed applications by the Kips Bay Towers Condominium, Inc., collectively seek two special permits from the New York City Planning Commission (CPC) under the Manhattan Core parking regulations for each of two at-grade parking lots servicing the North and South Towers of the Condominium. One special permit would allow an increase in the legal capacity by eighteen (18) spaces in the North Lot, increasing the legal capacity of the lot to 68 spaces; and the other special permit would allow an increase in the legal capacity by nineteen (19) parking spaces on the south lot, increasing the legal capacity of the lot to 69 spaces.

2. Purpose of activity

The existing North and South Parking Lots currently exceed their legal capacity by 23 spaces (8 spaces on the North Parking Lot and 15 spaces on the South Parking Lot)—these spaces have existed and have been in use by the Condominium residents for over 15 years as a result of the parking lots being re-stripped by the Condominium's prior management to accommodate additional parking spaces, albeit without obtaining the proper agency approval. The proposed actions would legalize the 23 additional spaces, which have been used by the same residents since they were created, which include a number of elderly residents, at least one handicapped resident, and several rent regulated tenants for whom the parking space may constitute a "required ancillary service" under the Rent Stabilization Code (RSC). The proposed action would also add 14 spaces to meet the needs of the site's residents. In total, the capacity of the parking lots would increase from 123 spaces (of which only 100 spaces are legal) to 137 spaces. The proposed increase in legal capacity of the two parking facilities on the project site would serve the parking needs of the residents of the North and South Towers.

C. PROJECT LOCATION

Borough: Manhattan Tax Block/Lot(s): Block 936, Lot 7501

Street Address: 300-330 East 33rd Street and 319-351 East 30th Street

Name of water body (if located on the waterfront): N/A

D. REQUIRED ACTIONS OR APPROVALS

Check all that apply.

City Actions/Approvals/Funding

City Planning Commission

Yes No

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

Board of Standards and Appeals

Yes No

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

Other City Approvals

- | | |
|--|---|
| <input type="checkbox"/> Legislation | <input type="checkbox"/> Funding for Construction, specify: _____ |
| <input type="checkbox"/> Rulemaking | <input type="checkbox"/> Policy or Plan, specify: _____ |
| <input type="checkbox"/> Construction of Public Facilities | <input type="checkbox"/> Funding of Program, specify: _____ |
| <input type="checkbox"/> 384 (b) (4) Approval | <input type="checkbox"/> Permits, specify: _____ |
| <input type="checkbox"/> Other, explain: _____ | |

State Actions/Approvals/Funding

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

Federal Actions/Approvals/Funding

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

Is this being reviewed in conjunction with a [Joint Application for Permits?](#) Yes No

E. LOCATION QUESTIONS

1. Does the project require a waterfront site? Yes No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters? Yes No
3. Is the project located on publicly owned land or receiving public assistance? Yes No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2) Yes No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2) Yes No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
 - Significant Maritime and Industrial Area (SMIA) (2.1)
 - Special Natural Waterfront Area (SNWA) (4.1)
 - Priority Martine Activity Zone (PMAZ) (3.5)
 - Recognized Ecological Complex (REC) (4.4)
 - West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

F. WRP POLICY ASSESSMENT

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

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

		Promote	Hinder	N/A
I	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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

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

G. CERTIFICATION

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


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

Applicant/Agent's Name: Lisa M. Lau, Senior Vice President, AKRF, Inc.

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Applicant/Agent's Signature: 

Date: November 20, 2017

Submission Requirements

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

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

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

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

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

New York City Department of City Planning

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212-720-3696
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New York State Department of State

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

Applicant Checklist

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