



## 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** Stairwells Text Amendment

#### 1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
15DCP071Y

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)

OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA) WRP 14-134

#### 2a. Lead Agency Information

NAME OF LEAD AGENCY  
NYC Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON  
Robert Dobruskin

ADDRESS 22 Reade St.

CITY New York

STATE NY

ZIP 10007

TELEPHONE 212 720-3423

EMAIL  
rdobrus@planning.nyc.gov

#### 2b. Applicant Information

NAME OF APPLICANT  
NYC Department of City Planning

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
Beth Lebowitz, NYC DCP - Zoning Division

ADDRESS 22 Reade St.

CITY New York

STATE NY

ZIP 10007

TELEPHONE 212 720-3263

EMAIL  
blebowi@planning.nyc.gov

#### 3. Action Classification and Type

##### SEQRA Classification

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

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

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

#### 4. Project Description

The Department of City Planning is proposing a citywide zoning text amendment to facilitate the effectuation of additional safety measures required in the 2014 Building Code in all new non-residential buildings taller than 420 feet. Although the text is citywide, it would only affect zoning districts in which buildings taller than 420 ft. are permitted. SEE ATTACHED PROJECT DESCRIPTION

#### Project Location

BOROUGH

COMMUNITY DISTRICT(S)  
Manhattan CD 1, 2, 3, 4, 5,  
6, 7 and 8; Brooklyn CD 2;  
Queens CD 1, 2

STREET ADDRESS

TAX BLOCK(S) AND LOT(S)

ZIP CODE

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY

ZONING SECTIONAL MAP NUMBER

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

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

CITY MAP AMENDMENT

ZONING CERTIFICATION

CONCESSION

ZONING MAP AMENDMENT

ZONING AUTHORIZATION

UDAAP

ZONING TEXT AMENDMENT

ACQUISITION—REAL PROPERTY

REVOCABLE CONSENT

SITE SELECTION—PUBLIC FACILITY

DISPOSITION—REAL PROPERTY

FRANCHISE

HOUSING PLAN & PROJECT

OTHER, explain:

SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

VARIANCE (use)

VARIANCE (bulk)

SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

<b>Department of Environmental Protection:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO      If "yes," specify:		
<b>Other City Approvals Subject to CEQR</b> (check all that apply)		
<input type="checkbox"/> LEGISLATION	<input type="checkbox"/> FUNDING OF 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 PROGRAMS, specify:	
<input type="checkbox"/> 384(b)(4) APPROVAL	<input type="checkbox"/> PERMITS, specify:	
<input type="checkbox"/> OTHER, explain:		
<b>Other City Approvals Not Subject to CEQR</b> (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:		
<b>State or Federal Actions/Approvals/Funding:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO      If "yes," specify:		
<b>6. Site Description:</b> <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>		
<b>Graphics:</b> <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 type="checkbox"/> SITE LOCATION MAP	<input type="checkbox"/> ZONING MAP	<input type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP		
<b>Physical Setting</b> (both developed and undeveloped areas)		
Total directly affected area (sq. ft.): n/a	Waterbody area (sq. ft.) and type: n/a	
Roads, buildings, and other paved surfaces (sq. ft.): n/a	Other, describe (sq. ft.): n/a	
<b>7. Physical Dimensions and Scale of Project</b> (if the project affects multiple sites, provide the total development facilitated by the action)		
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): citywide zoning text amendment		
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:      sq. ft. (width x length)	VOLUME OF DISTURBANCE:	cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE:      sq. ft. (width x length)		
<b>8. Analysis Year</b> <a href="#">CEQR Technical Manual Chapter 2</a>		
ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2025		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: n/a		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input type="checkbox"/> YES <input type="checkbox"/> NO      IF MULTIPLE PHASES, HOW MANY?		
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		
<b>9. Predominant Land Use in the Vicinity of the Project</b> (check all that apply)		
<input checked="" type="checkbox"/> RESIDENTIAL	<input type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL
<input checked="" type="checkbox"/> PARK/FOREST/OPEN SPACE	<input type="checkbox"/> OTHER, specify:	

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

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

	<b>EXISTING CONDITION</b>	<b>NO-ACTION CONDITION</b>	<b>WITH-ACTION CONDITION</b>	<b>INCREMENT</b>
<b>LAND USE</b>				
<b>Residential</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
<b>Commercial</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)				
<b>Manufacturing/Industrial</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input 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:				
<b>Community Facility</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
<b>Vacant Land</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
<b>Publicly Accessible Open Space</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
<b>PARKING</b>				
<b>Garages</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
<b>Lots</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:				
<b>POPULATION</b>				
<b>Residents</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify number:				
Briefly explain how the number of residents				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
was calculated:				
<b>Businesses</b>	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input 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:				
<b>Other</b> (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
<b>ZONING</b>				
Zoning classification	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION	SEE PROJECT DESCRIPTION
Maximum amount of floor area that can be developed				n/a
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project				n/a
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
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(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 checked="" type="checkbox"/>	<input type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach. See Attached		
(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 <a href="#">Consistency Assessment Form</a> . See Attached		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(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.		
<b>i. Direct Residential Displacement</b>		
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?		
<b>ii. Indirect Residential Displacement</b>		
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?		
<b>iii. Direct Business Displacement</b>		
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?		
<b>iv. Indirect Business Displacement</b>		
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"/>
<b>v. Effects on Industry</b>		
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"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
<b>(a) Direct Effects</b>		
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>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
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 <a href="#">Chapter 6</a> )	<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 checked="" 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 checked="" type="checkbox"/>
<b>ii. Libraries</b>		
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 <a href="#">Chapter 6</a> )	<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"/>
<b>iii. Public Schools</b>		
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 <a href="#">Chapter 6</a> )	<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"/>
<b>iv. Health Care Facilities</b>		
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"/>
<b>v. Fire and Police Protection</b>		
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"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(c)</b> If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(d)</b> Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>(e)</b> If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(f)</b> 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"/>
<b>(g)</b> 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 checked="" 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 checked="" type="checkbox"/>

	YES	NO
percent?		
<ul style="list-style-type: none"> <li>o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered?</li> </ul> Please specify:	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(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 checked="" type="checkbox"/>	<input 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. See Attached		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(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 <a href="#">GIS System for Archaeology and National Register</a> 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 Attached		
<b>7. URBAN DESIGN AND VISUAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 10</a>		
(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 <a href="#">Chapter 10</a> .		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<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 <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(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 <a href="#">Appendix 1</a> (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 checked="" type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. WATER AND SEWER INFRASTRUCTURE:</b> <a href="#">CEQR Technical Manual Chapter 13</a>		
(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 <a href="#">separately sewerred area</a> , would it result in the same or greater development than that listed in Table 13-1 in <a href="#">Chapter 13</a> ?	<input type="checkbox"/>	<input checked="" 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 <a href="#">Jamaica Bay Watershed</a> or in certain <a href="#">specific drainage areas</a> , 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 checked="" 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.		
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , 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"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , 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"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<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 <a href="#">Chapter 16</a> 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"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<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 <a href="#">Chapter 17</a> ?	<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 <a href="#">Chapter 17</a> ? (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.		
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(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 <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a> ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(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 <a href="#">Chapter 19</a> ) 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.		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(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 <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(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 <a href="#">Chapter 21</a> , "Neighborhood Character." Attach a preliminary analysis, if necessary.		
<b>19. CONSTRUCTION:</b> <a href="#">CEQR Technical Manual Chapter 22</a>		
(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 type="checkbox"/>	<input checked="" 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 <a href="#">Chapter 22</a> , "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.		

**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 Beth Lebowitz	SIGNATURE Beth Lebowitz	DATE 11/10/2014
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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**

IMPACT CATEGORY	YES	NO
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?

YES  NO

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

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

- Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).
- Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.
- Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

**4. LEAD AGENCY'S CERTIFICATION**

TITLE Director	LEAD AGENCY NYC Department of City Planning
NAME Robert Dobruskin, AICP	DATE November 10, 2014
SIGNATURE <i>Robert Dobruskin</i>	

For Internal Use Only:

WRP no. 14-134

Date Received: \_\_\_\_\_

DOS no. \_\_\_\_\_

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's designated coastal zone, must be reviewed and assessed for their consistency with the New York City Waterfront Revitalization Program (WRP). The WRP was adopted as a 197-a Plan by the Council of the City of New York on October 13, 1999, and subsequently approved by the New York State Department of State 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. As a result of these approvals, state and federal discretionary actions within the city's coastal zone must be consistent to the maximum extent practicable with the WRP policies and the city must be given the opportunity to comment on all state and federal projects within its coastal zone.

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, other state agencies or the New York City Department of City Planning in their review of the applicant's certification of consistency.

### A. APPLICANT

1. Name: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-mail: \_\_\_\_\_
4. Project site owner: \_\_\_\_\_

### B. PROPOSED ACTIVITY

1. Brief description of activity:
  
  
  
  
  
  
  
  
  
  
2. Purpose of activity:
  
  
  
  
  
  
  
  
  
  
3. Location of activity: (street address/borough or site description):

**Proposed Activity Cont'd**

- 4. If a federal or state permit or license was issued or is required for the proposed activity, identify the permit type(s), the authorizing agency and provide the application or permit number(s), if known:
  
- 5. Is federal or state funding being used to finance the project? If so, please identify the funding source(s).
  
- 6. Will the proposed project require the preparation of an environmental impact statement?  
 Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, identify Lead Agency:
  
- 7. Identify **city** discretionary actions, such as a zoning amendment or adoption of an urban renewal plan, required for the proposed project.

**C. COASTAL ASSESSMENT**

**Location Questions:**

**Yes No**

- 1. Is the project site on the waterfront or at the water's edge? \_\_\_\_\_
- 2. Does the proposed project require a waterfront site? \_\_\_\_\_
- 3. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land underwater, or coastal waters? \_\_\_\_\_

**Policy Questions**

**Yes No**

The following questions represent, in a broad sense, the policies of the WRP. Numbers in parentheses after each question indicate the policy or policies addressed by the question. The new Waterfront Revitalization Program offers detailed explanations of the policies, including criteria for consistency determinations.

Check either "Yes" or "No" for each of the following questions. For all "yes" responses, provide an attachment assessing the effects of the proposed activity on the relevant policies or standards. Explain how the action would be consistent with the goals of those policies and standards.

- 4. Will the proposed project result in revitalization or redevelopment of a deteriorated or under-used waterfront site? (1) \_\_\_\_\_
- 5. Is the project site appropriate for residential or commercial redevelopment? (1.1) \_\_\_\_\_
- 6. Will the action result in a change in scale or character of a neighborhood? (1.2) \_\_\_\_\_



**Policy Questions cont'd**

**Yes No**

7. Will the proposed activity require provision of new public services or infrastructure in undeveloped or sparsely populated sections of the coastal area? (1.3) \_\_\_\_\_
8. Is the action located in one of the designated Significant Maritime and Industrial Areas (SMIA): South Bronx, Newtown Creek, Brooklyn Navy Yard, Red Hook, Sunset Park, or Staten Island? (2) \_\_\_\_\_
9. Are there any waterfront structures, such as piers, docks, bulkheads or wharves, located on the project sites? (2) \_\_\_\_\_
10. Would the action involve the siting or construction of a facility essential to the generation or transmission of energy, or a natural gas facility, or would it develop new energy resources? (2.1) \_\_\_\_\_
11. Does the action involve the siting of a working waterfront use outside of a SMIA? (2.2) \_\_\_\_\_
12. Does the proposed project involve infrastructure improvement, such as construction or repair of piers, docks, or bulkheads? (2.3, 3.2) \_\_\_\_\_
13. Would the action involve mining, dredging, or dredge disposal, or placement of dredged or fill materials in coastal waters? (2.3, 3.1, 4, 5.3, 6.3) \_\_\_\_\_
14. Would the action be located in a commercial or recreational boating center, such as City Island, Sheepshead Bay or Great Kills or an area devoted to water-dependent transportation? (3) \_\_\_\_\_
15. Would the proposed project have an adverse effect upon the land or water uses within a commercial or recreation boating center or water-dependent transportation center? (3.1) \_\_\_\_\_
16. Would the proposed project create any conflicts between commercial and recreational boating? (3.2) \_\_\_\_\_
17. Does the proposed project involve any boating activity that would have an impact on the aquatic environment or surrounding land and water uses? (3.3) \_\_\_\_\_
18. Is the action located in one of the designated Special Natural Waterfront Areas (SNWA): Long Island Sound- East River, Jamaica Bay, or Northwest Staten Island? (4 and 9.2) \_\_\_\_\_
19. Is the project site in or adjacent to a Significant Coastal Fish and Wildlife Habitat? (4.1) \_\_\_\_\_
20. Is the site located within or adjacent to a Recognized Ecological Complex: South Shore of Staten Island or Riverdale Natural Area District? (4.1and 9.2) \_\_\_\_\_
21. Would the action involve any activity in or near a tidal or freshwater wetland? (4.2) \_\_\_\_\_
22. Does the project site contain a rare ecological community or would the proposed project affect a vulnerable plant, fish, or wildlife species? (4.3) \_\_\_\_\_
23. Would the action have any effects on commercial or recreational use of fish resources? (4.4) \_\_\_\_\_
24. Would the proposed project in any way affect the water quality classification of nearby waters or be unable to be consistent with that classification? (5) \_\_\_\_\_
25. Would the action result in any direct or indirect discharges, including toxins, hazardous substances, or other pollutants, effluent, or waste, into any waterbody? (5.1) \_\_\_\_\_
26. Would the action result in the draining of stormwater runoff or sewer overflows into coastal waters? (5.1) \_\_\_\_\_
27. Will any activity associated with the project generate nonpoint source pollution? (5.2) \_\_\_\_\_
28. Would the action cause violations of the National or State air quality standards? (5.2) \_\_\_\_\_

**Policy Questions cont'd**

**Yes No**

29. Would the action result in significant amounts of acid rain precursors (nitrates and sulfates)? (5.2C)

\_\_\_\_\_

30. Will the project involve the excavation or placing of fill in or near navigable waters, marshes, estuaries, tidal marshes or other wetlands? (5.3)

\_\_\_\_\_

31. Would the proposed action have any effects on surface or ground water supplies? (5.4)

\_\_\_\_\_

32. Would the action result in any activities within a federally designated flood hazard area or state-designated erosion hazards area? (6)

\_\_\_\_\_

33. Would the action result in any construction activities that would lead to erosion? (6)

\_\_\_\_\_

34. Would the action involve construction or reconstruction of a flood or erosion control structure? (6.1)

\_\_\_\_\_

35. Would the action involve any new or increased activity on or near any beach, dune, barrier island, or bluff? (6.1)

\_\_\_\_\_

36. Does the proposed project involve use of public funds for flood prevention or erosion control? (6.2)

\_\_\_\_\_

37. Would the proposed project affect a non-renewable source of sand ? (6.3)

\_\_\_\_\_

38. Would the action result in shipping, handling, or storing of solid wastes, hazardous materials, or other pollutants? (7)

\_\_\_\_\_

39. Would the action affect any sites that have been used as landfills? (7.1)

\_\_\_\_\_

40. Would the action result in development of a site that may contain contamination or that has a history of underground fuel tanks, oil spills, or other form or petroleum product use or storage? (7.2)

\_\_\_\_\_

41. Will the proposed activity result in any transport, storage, treatment, or disposal of solid wastes or hazardous materials, or the siting of a solid or hazardous waste facility? (7.3)

\_\_\_\_\_

42. Would the action result in a reduction of existing or required access to or along coastal waters, public access areas, or public parks or open spaces? (8)

\_\_\_\_\_

43. Will the proposed project affect or be located in, on, or adjacent to any federal, state, or city park or other land in public ownership protected for open space preservation? (8)

\_\_\_\_\_

44. Would the action result in the provision of open space without provision for its maintenance? (8.1)

\_\_\_\_\_

45. Would the action result in any development along the shoreline but NOT include new water-enhanced or water-dependent recreational space? (8.2)

\_\_\_\_\_

46. Will the proposed project impede visual access to coastal lands, waters and open space? (8.3)

\_\_\_\_\_

47. Does the proposed project involve publicly owned or acquired land that could accommodate waterfront open space or recreation? (8.4)

\_\_\_\_\_

48. Does the project site involve lands or waters held in public trust by the state or city? (8.5)

\_\_\_\_\_

49. Would the action affect natural or built resources that contribute to the scenic quality of a coastal area? (9)

\_\_\_\_\_

50. Does the site currently include elements that degrade the area's scenic quality or block views to the water? (9.1)

\_\_\_\_\_

**Policy Questions cont'd**

**Yes      No**

51. Would the proposed action have a significant adverse impact on historic, archeological, or cultural resources? (10)

\_\_\_\_\_

52. Will the proposed activity affect or be located in, on, or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York? (10)

\_\_\_\_\_

**D. CERTIFICATION**

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

"The proposed activity complies with New York State's 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 Name: NYC Department of City Planning, Beth Lebowitz

Address: 22 Reade Street 3 East

New York, NY 10007 Telephone 212-720-3263

Applicant/Agent Signature: Beth Lebowitz Date: 11/10/14

Supplemental Information CEQR EAS Full Form

**ATTACHMENT I: PROJECT DESCRIPTION**

**Introduction**

The Department of City Planning (DCP), in collaboration with the Department of Buildings (DOB) and the Fire Department (FDNY), is proposing a city-wide Zoning Text Amendment to facilitate and make effective additional safety measures that are part of New York City's 2014 Building Code. The proposed action consists of an amendment to the New York City Zoning Resolution, Section 12-10 (Definitions), to exempt floor space that is occupied by the additional safety measures from counting towards zoning floor area (zfa). The safety measures are intended to enhance public safety in the affected buildings by providing additional exiting capacity for building occupants during emergency situations that require full building evacuation. These safety measures may be provided as designated emergency elevators, increased exit stair width, or as an additional exit stairway.

The proposed action would modify the definition of *floor area* to exempt floor space that would be occupied by the required additional safety measures, such as an additional stairway or increased stair width, from counting towards zoning floor area (zfa). Such measures are required for all new non-residential buildings that are greater than 420 feet in height but **do not apply** to residential buildings. Although the proposed action involves a city-wide zoning text amendment, the affected area would be limited to those zoning districts without set height limits that allow a floor area ratio (FAR) of 10 or greater where buildings taller than 420 feet are typically found. These zoning districts can be found in mid- and downtown Manhattan, downtown Brooklyn and portions of Long Island City in Queens. As stipulated in Local Law 141 of 2013, the new safety provisions will become effective after the approval of the subject zoning text amendment.

**II. Background**

The New York City Construction Codes, including the Building Code, affect all aspects of construction and development in the City. The Codes establish minimum standards for design, construction and public safety, regulate the materials that may be used, set forth the procedural steps and review processes that must be followed to ensure that permits are issued only for code compliant projects, and prescribe enforcement measures for non-compliance.

After the collapse of the World Trade Center towers in 2001, the City recognized the need to comprehensively review and modernize the 1968 Building Code to bring construction requirements up to date. The work to modernize the 1968 Building Code began in 2002. It was administered by the DOB, and utilized the 2003 edition of the International Code Council's (ICC) family of codes as the basis for updating. The DOB organized more than 400 industry stakeholders, including architects, engineers, city planners, representatives of building owners, labor, affordable housing and government, into technical, advisory and managing committees. These committees reviewed the entire 1968 Building Code and compared it with the 2003 editions of the International Building, Mechanical, Fuel Gas and Plumbing Codes to identify the "new" code provisions. This work culminated with the passage of Local Law 99 of 2005 and

Local Law 33 of 2007, also known as the 2008 New York City Construction Codes. An important feature of the legislation was the mandatory three-year revision cycle, a system designed to prevent code standards from becoming obsolete for want of timely revision. It is believed that if New York's buildings are to continue to function as monuments of the City's ingenuity, vision and expertise, its Construction Codes should do the same.

In 2011 the Department of Buildings began to work on the first Construction Codes revision mandated by Local Law 33 of 2007. Once again it was a public/private partnership involving more than 350 participants on 11 technical, advisory and managing committees. The committees reviewed the changes from the 2009 editions of the International Building, Mechanical, Fuel Gas and Plumbing Codes. In more than 48,500 hours attending more than 255 technical, advisory, and managing committee meetings the members worked together to resolve issues and craft the revisions to the code that reflect the needs of the city. The Technical Committees, by consensus, either adopted the ICC revisions, or modified the changes to fit the needs and conditions of New York City. If an impasse was reached, and the committee could not reach consensus, it was forwarded to the DOB for mediation among stakeholders. Local Law 141 of 2013, the revisions to the 2008 NYC Construction Codes, was passed by the City Council and signed by the Mayor in December 2013. These new provisions are collectively known as the 2014 NYC Construction Codes.

Included in the latest revisions are many provisions that increase safety within buildings, especially high-rise buildings. Some of these safety provisions implement the recommendations of the National Institute of Standards and Technology (NIST) World Trade Center Report that include decreasing the time it takes to evacuate an entire building in an emergency, increasing the ability of first responders to access building occupants, and providing greater redundancy in escape routes to ensure that, should one such route become unavailable for building occupants, there is still adequate capacity to exit or evacuate the building. The practice of safety procedures during emergencies, including emergency occupant evacuation is evolving. Currently, the 2008 Construction Codes assume a "typical" firefighting strategy to shelter in place, thereby focusing on providing capacity to evacuate only one or two stories. The 2009 International Building Code, NIST and general building industry recognize an increased need for full building evacuation. These concepts were incorporated in the revisions to Section 403.5.2 of the Building Code contained in Section 1 of Subpart 4 of part C of Local Law 141 of 2013.

Briefly summarized, Building Code Section 403.5.2 is a new provision that requires that **one** of the following options be incorporated into the design of all new **non-residential** buildings **greater than 420 feet in height, or any new<sup>1</sup> mixed-use building that contains non-residential use above a height of 420 feet:**

1. Construct all passenger elevators in the building as "occupant self evacuation" type, with the safety requirements of such elevators that include connection to emergency standby power, emergency communications, and special lobby dimensions to accommodate floor occupants, including wheelchairs; or

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<sup>1</sup> The additional fire safety requirements are applicable to all new non-residential buildings and certain enlargements that are subject to the 2014 NYC Building Code.

2. Increase the required width of all “emergency” exit stairways by 25 percent above what is otherwise required **and** construct all passenger elevators as “occupant self evacuation” type **but** the standby power generating equipment must only be sized to accommodate a limited number of the elevators (defined by an approved timed egress analysis); or
3. Construct one additional “emergency” exit stairway than is normally required based on the number of building occupants.

The above requirements of Section 403.5.2 of the Building Code resulted from mediation process that included all stakeholders in both the Egress and Elevator Technical Committees. (See the **DOB website** for a copy of the 2011 construction Codes Revision Handbook that provides a detailed description of the code revision process, including mediation.) The International Building Code provisions were modified during the mediation process to accommodate NYC building conditions and resulted in the requirements summarized above, and in further detail below. These modifications are necessary to increase safety in high-rise buildings while also accommodating the vastly different types of development sites, and buildings, in New York City.

### **What is an “occupant self evacuation” type elevator?**

The *2009 International Building Code Commentary* explains that the intent behind occupant self evacuation type elevators (OEEs) is that they provide additional exit capacity in emergencies that require total building evacuation. During situations of simultaneous firefighting and total building evacuations, OEEs provide an alternative and timely way to meet a portion of the evacuation needs (in addition to the minimum number of emergency exit stairways required by the Building Code.) The all OEE provision comes directly from the International Building Code (IBC). OEEs require that all public passenger elevators in the building be constructed utilizing a very high standard of safety with added safety features so that they may be used for evacuation in an emergency. These safety features include:

- connection to a backup source of power by fire-resistance-rated wiring,
- ability to be monitored by a central command station, with pertinent information displayed (location, travel direction, etc.) at the command center, elevator lobbies that are constructed to resist smoke penetration and fire and sized to accommodate waiting occupants, including those in wheelchairs
- provision of a two-way voice communication system,
- designed to prevent water from sprinklers getting into the hoistway
- elevator lobby doors that are self-closing, and equipped with a vision panel
- proper signage, and
- provision of a lobby status indicator.

If this option is utilized no exemption from floor area is necessitated or provided by this action.

### **Why the 25% increased stair width and limited number of OEEs option?**

This option arose out of the NYC Code Revision mediation process and consists of increasing the width of all required “emergency” exit stairways by 25% above what is ordinarily required by the building code and constructing all elevators as OEEs, with standby emergency power capable of running a limited number of elevators in the case of emergency. The number of elevators required to run on emergency standby power is determined by an approved egress analysis. It was formulated to address the types of buildings that may not be able to reasonably comply with either the additional stairwell requirement (explained below) or the all-OEE requirement. To use this option, the building developer must first conduct an analysis to calculate egress time for the proposed building, including an additional stairwell. That egress time would then be compared to the egress time for the proposed building with no additional stairwell, but with at least one elevator per public elevator bank designated as an OEE. If the egress time for the partial-OEE option is greater than that for the additional stairwell option, additional OEEs are added to the assessment until the egress time is below the egress time of the building with the additional stairway. The final building configuration must have at least as many OEEs as required by the analysis that provides a faster egress time. Because the provision of a limited number of OEEs does not provide enough egress redundancy, the final building design is required to **ALSO** increase the width of all currently required emergency exit stairwells by at least 25% over what was used in the analysis. This compliance option is more complicated, but it is likely to be used in buildings that have many elevators, as the cost and emergency power requirements to convert them all to OEE type may be too large to meet the needs of the development program of the building. The 25% wider stair requirement would use less floor space than the provision of an additional stairwell. If this option is utilized, the proposed zoning text amendment would only exempt the area occupied by the additional 25% of width. The exemption would not include enclosing walls.

### **Why the additional stair option?**

The number of emergency exit stairways is determined by the number of occupants in a building per floor. A minimum of two emergency exit stairways are currently required by the 2008 NYC Building Code. The *2009 International Building Code Commentary* explains that the intent of this option is to accommodate simultaneous evacuation and firefighting operations in high rise buildings. Typically firefighters will commandeer one of the two stairways to move up or down in the building to another story that is relatively safe from the effects of the fire. Fire fighters will usually set up a staging point one or two stories below the fire. If for some reason it becomes necessary to evacuate the building during active firefighting, the capacity of the means of egress can be cut in half. The provision of an additional stair implements a recommendation of the NIST WTC report. The report states that buildings should be designed to accommodate timely full building evacuation of occupants when required by extreme emergencies (fires, earthquakes, tornadoes, explosions, terrorist activities, etc.) The building code requires that the additional stairway be sized so that the loss of any one stairway will still result in the remaining stairways being of sufficient size to accommodate the building’s occupant load.

The additional stairwell option comes directly from the IBC, but with the important NYC modification that the additional exit stairwell must have its own structural enclosure and not share walls, floors, or ceilings with other stairwells (i.e. as part of a scissor stair assembly). This

modification provides additional safety for building occupants because damage to one stairwell will not affect the others. If this option is utilized, the proposed zoning text amendment would exempt the area of the additional stairwell and the enclosing walls from counting towards zoning floor area (zfa).

### **III. Purpose & Need**

The majority of the provisions of Local Law 141/2013 (the 2014 NYC Construction Codes) will take effect on December 31, 2014. However, *Section 403.5.2* of the Building Code, *Additional Exit Stairway*, states that the provisions shall take effect the later of 18 months after the date of enactment of this local law **or the date of an amendment to the New York City Zoning Resolution** modifying the definition of floor area to exempt the floor area of an additional exit stairway and increased exit stairway width from the calculation of zoning floor area. (Section 14 of Local Law 141 of 2013, **See Appendix A**)

The purpose of this action is to enhance public safety in affected buildings by providing additional exit capacity for building occupants during emergency situations that require safe, orderly and timely full building evacuation. The text amendment is necessary in order to effectuate these additional safety measures, as required by Building Code section 403.5.2 (aka Section 1 of Subpart 4 of part C of Local Law 141 of 2013).

### **IV. Proposed Action**

As previously noted, the proposed action consists of a zoning text amendment to Section 12-10 (Definitions) of the New York City Zoning Resolution. The amendment will modify the definition of *floor area* to exempt the floor space of the required increased stair width or the additional stair from zoning floor area (zfa), when such safety measure is provided pursuant to the 2014 Building Code. Such floor space may come in two forms:

- 1) As a 25% enlargement in width of the stairwells already required by code, in which case the added width of the stairs and landings is exempted, but not the enclosing walls; or
- 2) As an additional stairwell structurally separate from the stairwells already required by code, in which case the floor area of the additional stairwell's stairs, landings, and enclosing structural walls is exempted.

The proposed exemption would allow for the restoration of the minor loss of zoning floor area that would result from the provision of these safety measures. The zoning text amendment would not increase the allowable zoning floor area of any affected building and the net usable square footage would remain the same as currently permitted. Please refer to the attached Zoning Text Amendment (Appendix B).



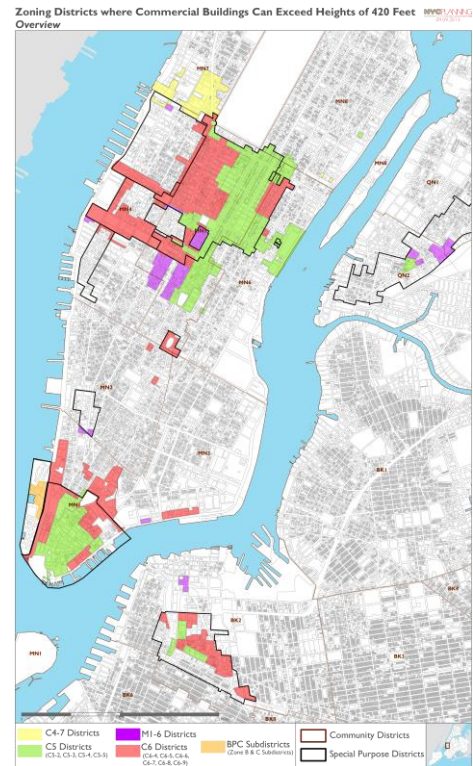
## V. Affected Area

The proposed text amendment is limited to non-residential buildings greater than 420 feet in height. Buildings of this size are typically found in zoning districts without set height limits and with allowed floor area ratios (FAR) of 10 or more. These districts include the following:

10 FAR: C4-7, C5-2, C5-4, C6-4, C6-5, C6-8, M1-6

15 FAR: C5-3, C5-5, C6-6, C6-7, C6-9

These districts are commonly located in mid- and downtown Manhattan (Manhattan CD 1, 2, 3, 4, 5, 6, 7 and 8), downtown Brooklyn (Brooklyn CD 2) and small areas in Long Island City Queens (Queens CD 1, 2). **See overview map and additional maps in Appendix C.**



## VI. Analysis Framework

A review of DOB records indicated that from Jan 1, 1997 through June 31, 2014, only 29 non-residential buildings over 420 feet in height (less than 2 per year) were constructed or are under construction. Of these 29 buildings, 18 are office buildings, 10 are hotels, and 1 is a hospital. In the same time period 73 residential buildings over 420 feet in height were constructed or are in under construction. Residential buildings are not affected by the proposed zoning text amendment, and are therefore not considered in this CEQR analysis. Therefore, based on the DOB data, office and hotels are the primary types of high-rise development affected by this action and are the focus of this CEQR analysis.

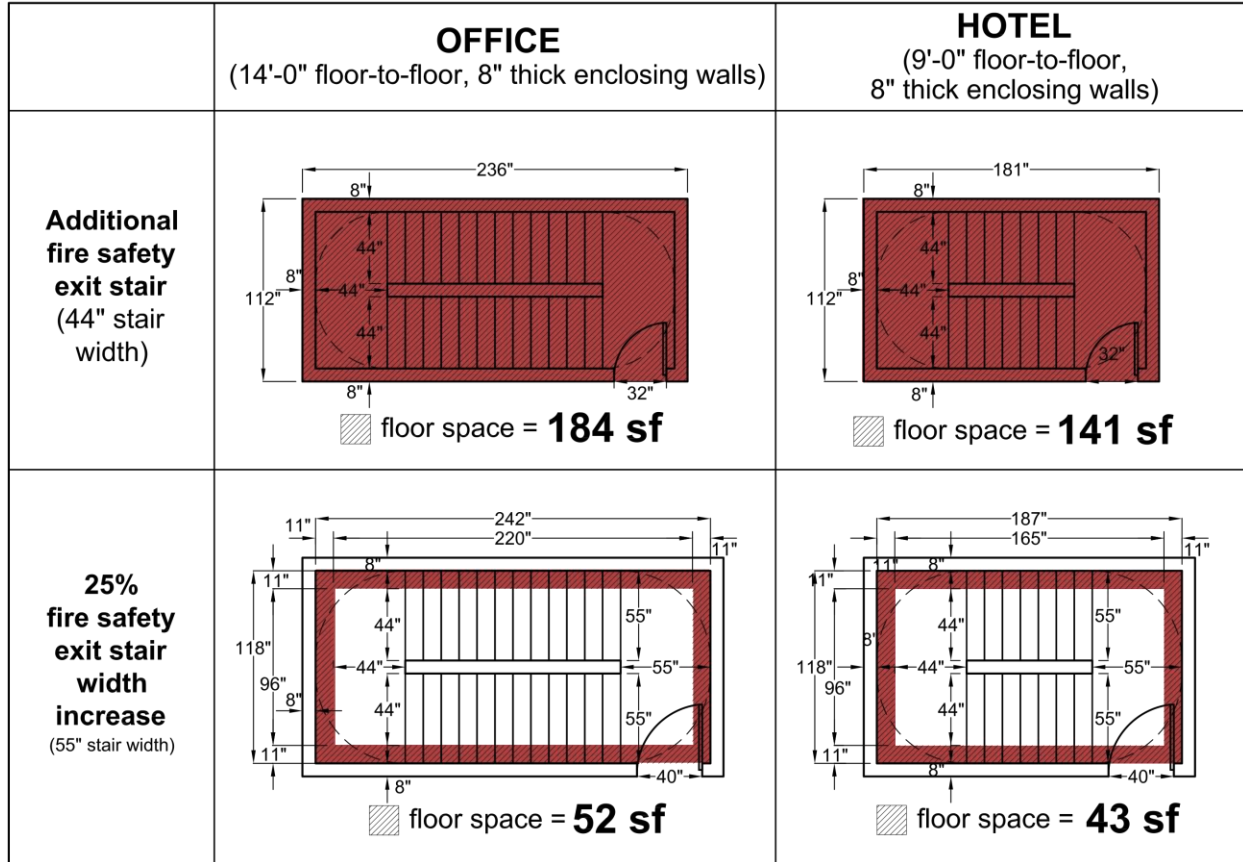
For the reasons described above, prototypical hotel and office development were assessed. The proposed zoning text amendment would allow new non-residential high-rise buildings taller than 420 feet to exempt the floor area that would be taken up by the additional emergency egress stairway or the increased width added to required stairways, from counting as zoning floor area. This may result either in a small increase to the height or lot coverage, but no increase in usable floor area. Such increases would need to be within the permitted zoning envelope for both lot coverage and maximum height, as no additional bulk changes are proposed. The proposed action would not introduce new or significantly different building forms, nor would it induce any use or development.

It is recognized that the slight increase in bulk resulting from the proposed action may affect development sites of different sizes differently. Therefore, hotels and office buildings on large-, medium- and small foot-print sites were assessed.

**Figure 1** indicates the typical fire safety exit stairways found in high-rise office and hotel developments. It illustrates the amount of floor space taken up by the additional safety exit stair (184 square feet per office floor; 141 square feet per hotel floor) and the amount of floor space

taken up by the 25% increase in width of the current stairways (52 square feet per office stairway; 47 square feet per hotel stairway), using typical floor to floor heights in each building type.

**Figure 1: Floor Space Used by Fire Safety Requirement**



Revision: 2/10/2013

Prototypical buildings were developed for each type so that the effects of the proposed action could be assessed. For CEQR purposes, buildings with small, medium and large footprints were analyzed:

The proposed action would not result in incremental increases to the permitted zoning floor area compared to what would be developed under the future no-action condition, without the proposed zoning text amendment. The proposed action would allow for the continuation of existing permitted zoning floor area for development sites located within the affected zoning districts described above. Depending on the design option selected from Building Code, Section 403.5.2, the re-configuration of total net floor area could result in slightly bulkier buildings; either with slightly larger floorplates, or slightly increased height.

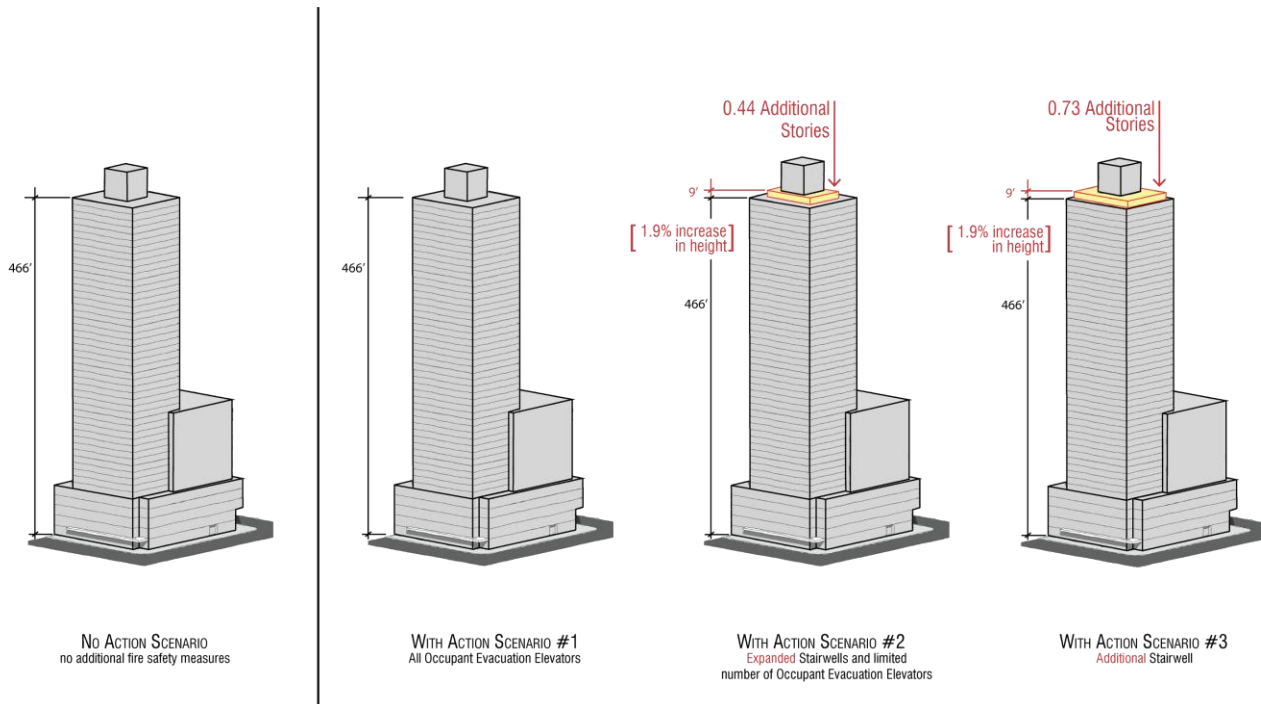
In zoning districts that accommodate as-of-right high-rise development, one may find small and large development sites. Buildings with small footprints have a tight building core, and usually a small number of elevators are adequate to serve the building occupants. Because of the limited amount of square feet per floor, the designers of such buildings typically seek to maximize the amount of usable floor area per floor. The provision of all occupant self evacuation elevators

(OEEs) occupies the least amount of usable floor area per floor, thus maximizing efficiency, and would therefore be the most likely design option for these small footprint buildings. The fact that fewer elevators are provided in small floor plate buildings, construction cost associated with adding the OEEs is also less.

By contrast, high-rise buildings with large floorplates need significantly more elevators to efficiently transport the building occupants. Therefore, the added cost for all OEEs is greatly multiplied and the provision of backup power for all the elevators is more expensive as well. Overall, development sites with larger floorplates allow the project designer a greater amount of design flexibility. The designer of these buildings would most likely choose options 2 or 3, the 25% wider stairways with OEEs or the additional exit stairway.

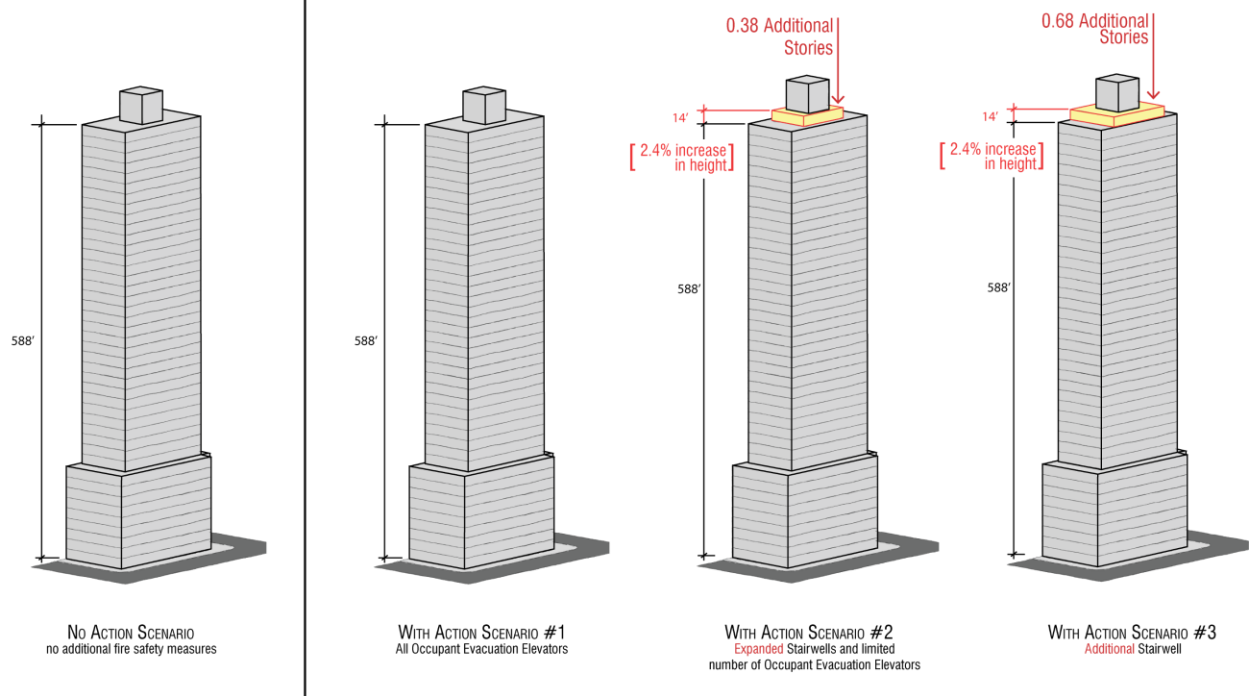
**Figures 2, 3 and 4**, below, illustrate the net effect of the added bulk in each of the analyzed scenarios. In each building type, gross square footage and height are compared to the existing conditions and each of the fire safety options. The resulting exempted square footage is added to the top of the building and shown as a ratio of the floorplate of the highest story.

**Figure 2: Small Floor Plate (less than 10k sf)**



Small Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<p><b>Scenario 4: SMALL (HOTEL)</b></p> <p>Location: <b>Midtown Manhattan</b></p> <p>Height: 466' (&gt; 420')</p> <p>Stories: 49 (5 stories @ 14' high, 44 stories @ 9' high)</p> <p>Dimensions of Lowest Story: <b>180' x 120'</b></p> <p>Dimensions of Highest Story: <b>90' x 110'</b></p> <p>Gross Floor Area: <b>543,600 sf</b></p>	<p>Floor space for one 44" wide, 9' high stair = 141 sf (as per attached drawing)</p> <p>Floor space for one 44" wide, 14' high stair = 184 sf (same as office)</p> <p>Final # of stories = 49 + 1* = 50 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>141 sf per story x 45 stories = 6,345 sf 184 sf per story x 5 stories = 920 sf</p> <p>Area of highest story = 90' x 110' = 9,900 sf</p> <p>(6,345 + 920 = 7,265) sf / 9,900 sf = 0.73 additional stories</p> <p>The proposed action results in 7,265 square feet added to the bulk of the 543,600 sf building, which is 1.3% of the original building's floor area or about ¼ of an additional story.</p>	<p>25% increase in stair width, 9' high stair = 43 sf (as per attached drawing)</p> <p>25% increase in stair width, 14' high stair = 52 sf (same as office)</p> <p>43 sf x 2 (stairways, required) = 86 sf 52 sf x 2 (stairways, required) = 104 sf</p> <p>Final # of stories = 49 + 1* = 50 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>86 sf per story x 45 stories = 3,870 sf 104 sf per story x 5 stories = 520 sf</p> <p>Area of highest story = 90' x 110' = 9,900 sf</p> <p>(3,870 + 520 = 4,390) sf / 9,900 sf = 0.44 additional stories</p> <p>The proposed action results in 4,390 square feet added to the bulk of the 543,600 square foot building, which is 0.8% of the original building's floor area or less than ½ of an additional story.</p>

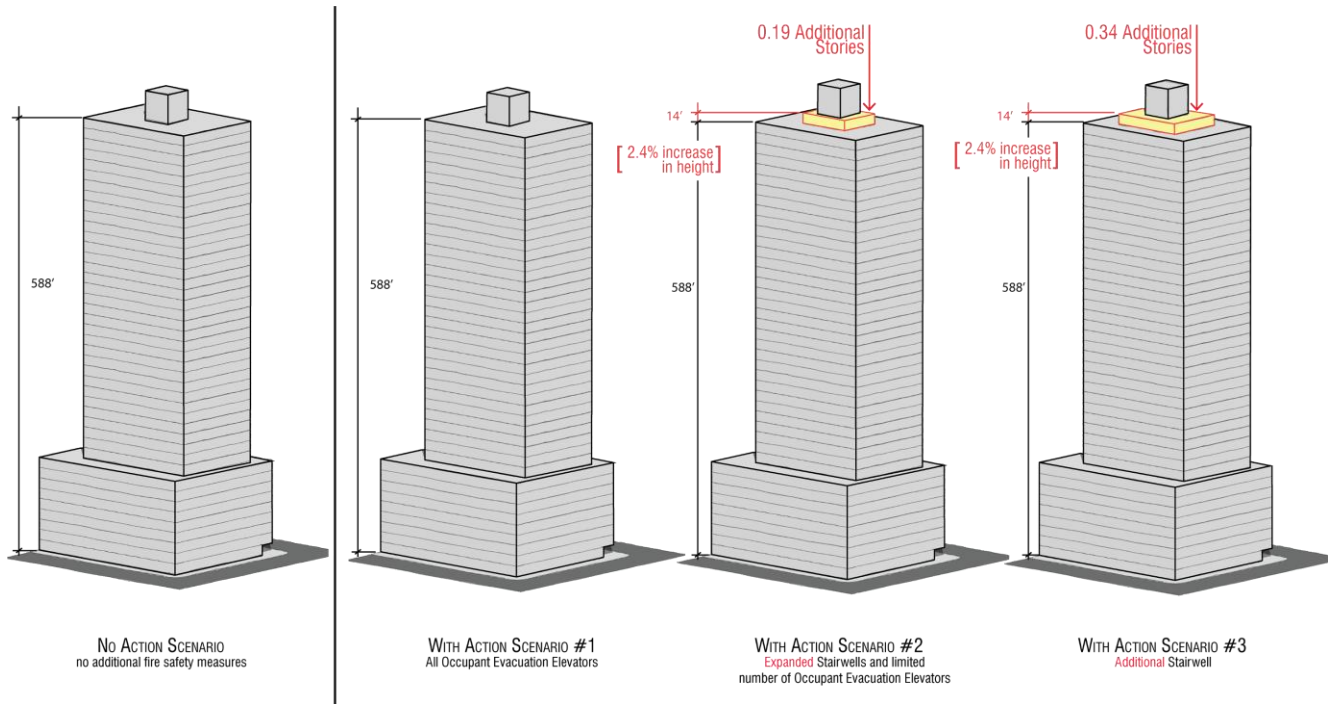
**Figure 3: Medium Floor Plate (10k – 15k sf)**



Medium Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<p><b>Scenario 1: Medium (OFFICE)</b></p> <p>Location: <b>Midtown Manhattan</b></p> <p>Height: 588' (&gt; 420')</p> <p>Stories: 42</p> <p>Dimensions of Lowest Story: <b>100' x 190'</b></p> <p>Dimensions of Highest Story: <b>78' x 150'</b></p> <p>Gross Floor Area: <b>557,100 sf</b></p>	<p>Floor space for one 44" wide stair = 184 sf (as per attached drawing)</p> <p>Final # of stories = 42 + 1* = 43 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>184 sf per story x 43 stories = 7,912 sf</p> <p>Area of highest story = 78' x 150' = 11,700 sf</p> <p>7,912 sf / 11,700 sf = 0.68 additional story</p> <p>The proposed action results in 7,912 square feet added to the bulk of the 557,100 square foot building, which is 1.4% of the original building's floor area or less than ¼ of an additional story.</p>	<p>25% increase in stair width = 52 sf (as per attached drawing)</p> <p>52 sf x 2 (stairways, required) = 104 sf</p> <p>Final # of stories = 42 + 1* = 43 stories</p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>104 sf per story x 43 stories = 4,472 sf</p> <p>Area of highest story = 11,700 sf</p> <p>4,472 sf / 11,700 sf = 0.38 additional story</p> <p>The proposed action results in 4,472 square feet added to the bulk of the 557,100 square foot building, which is 0.8% of the original building's floor area or less than ½ of an additional story.</p>



**Figure 4: Large Floor Plate (greater than 15k sf)**



Large Floor Plate	Additional Fire Safety Exit Stair	25% Fire Safety Exit Stair Width Increase
<p><b>Scenario 2: LARGE (OFFICE)</b></p> <p>Location: <b>Midtown Manhattan</b></p> <p>Height: <b>588'</b> (&gt; 420')</p> <p>Stories: <b>42</b></p> <p>Dimensions of Lowest Story: <b>200' x 190'</b></p> <p>Dimensions of Highest Story: <b>180' x 130'</b></p> <p>Gross Floor Area: <b>1,142,200 sf</b></p>	<p>Floor space for one 44" wide stair = <b>184 sf</b> (attached as per drawing)</p> <p>Final # of stories = 42 + 1* = <b>43 stories</b></p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>184 sf per story x 43 stories = <b>7,912 sf</b></p> <p>Area of highest story = 181 x 130 = <b>23,400 sf</b></p> <p>7,912 sf / 23,400 sf = <b>0.34 additional story</b></p> <p>The proposed action results in 7,912 square feet added to the bulk of the 1,142,200 square foot building, which is 0.7% of the original building's floor area or about 1/5 of an additional story.</p>	<p>25% increase in stair width = <b>52 sf</b> (as per attached drawing)</p> <p>52 sf x 2 (stairways, required) = <b>104 sf</b></p> <p>Final # of stories = 42 + 1* = <b>43 stories</b></p> <p><i>*Additional story to accommodate exempted square footage.</i></p> <p>104 sf per story x 43 stories = <b>4,472 sf</b></p> <p>Area of highest story = <b>23,400 sf</b></p> <p>4,472 sf / 23,400 sf = <b>0.19 additional story</b></p> <p>The proposed action results in 4,472 square feet added to the bulk of the 1,142,200 square foot building, which is 0.4% of the original building's floor area or less than 1/5 of an additional story.</p>

### **Reasonable Worst Case Development Scenario**

In order to assess the possible effects of the proposed action, a Reasonable Worst-Case Development Scenario (RWCDS) was developed for both the current regulations (“Future No-Action”) and the proposed regulations with the exempted floor area (“Future With-Action”) for a ten-year period (Build Year 2025). The Future No-Action condition identifies the amount, type, and location of development that is expected to occur by 2025 absent the proposed changes (the “action”), while the Future With-Action condition identifies similar development projections expected to occur in the event the proposed zoning text amendment is adopted. A RWCDS is a targeted study designed to capture the likely environmental consequences of a proposed action. The incremental difference between the With-Action and No-Action conditions will serve as the basis for the impact analyses of the Environmental Assessment Statement.

The next steps are to define the build year and the study area. The study area for the proposed action is all districts in the City of New York where very tall non-residential buildings may be constructed. These areas are generally located in Midtown Manhattan, Lower Manhattan, Downtown Brooklyn, and Long Island City (see map in Appendix C). DOB statistics tell us that there were 24 non-residential buildings more than 420 feet high completed between the year 2000 and the end of 2012, with the rate holding steady over time. For the purposes of this environmental analysis we expect that this trend will continue and that there will be slightly fewer than two buildings per year affected by the proposed action. The build year for the proposed action is 2025. After the broad boundaries of the additional stairwell analysis are established, existing conditions are described and both No-Action and With-Action scenarios are projected.

#### ***Future without the Proposed Action (No-Action Condition)***

For this particular proposal, the existing conditions and the No-Action condition are similar in that they both include non-residential buildings more than 420 feet in height, none of which are beneficiaries of the additional stairwell floor area exemption and none of which are safer in an emergency than a building with an additional stairwell. The only difference between existing conditions and the No-Action scenario would be the additional new towers added during the build years, which as noted previously is estimated to be slightly fewer than two towers per year.

#### ***Future with the Proposed Action (Build Condition)***

The With-Action scenario contains the same number of new towers as the No-Action condition, except that the towers in this case are subject to the additional fire safety exit stairwell requirement of the 2014 Building Code, described earlier.

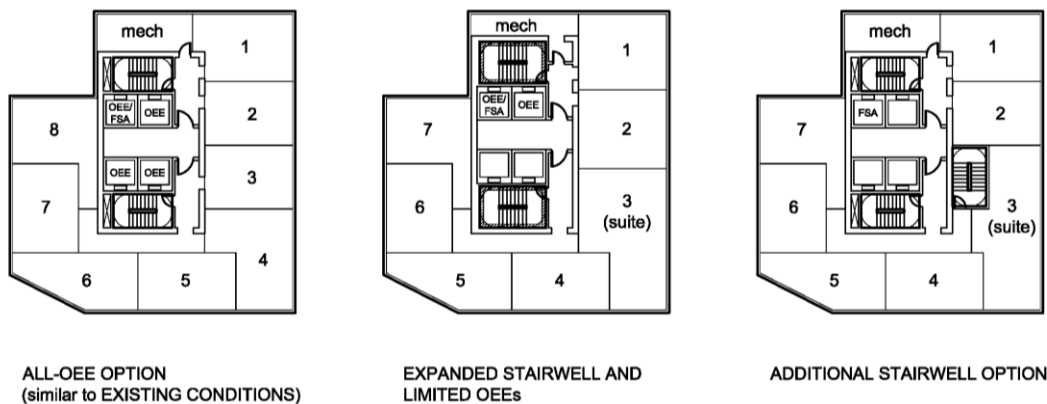
The amount of floor space exempted by the proposed action varies according to the form of additional exit capacity chosen and by the type of building based on the size of its floorplate. All occupant evacuation elevators (OEEs) results in no floor space exemption, the 25% increase in stair width results in an exemption that is about 1/3 as large as the additional stairway, and the additional stairway results in the largest exemption.

If a building with additional exit stairwell capacity chooses to reallocate its exempted floor space to maintain the same total floor area, they can add the square footage either as increased bulk (lot coverage) or as increased height. Lot coverage is usually already maximized in these types of buildings and would generally have very minimal effect compared to additional height. Therefore, this **RWCDS** analyzes the effects of the proposed zoning text amendment as an increase in building height, with the additional stairway leading to the greatest increase in height, the increased stair width leading to an increase smaller than that of a full additional stairway, and the all OEE option resulting in no increase.

The amount of exempted floor space is based on the number of floors and the size of the exemption (either the 25% wider stairwells or the additional stair). However, as discussed, the effect would be different depending upon the size of the building's floor plate.

Therefore, prototypical buildings with small, medium and large floor-plates were developed. Based upon a review of DOB information, hotels typically have smaller floorplates than office buildings. As described above, very small floorplate high-rise buildings would probably utilize Option 1: all elevators equipped as OEEs. **Figure 6** illustrates why the provision of the additional stairway or wider stairways would result in less efficient use of space, a larger building core and fewer hotel rooms per floor. Currently, the 2008 Building code, requires that all high rise buildings provide a minimum of 3 elevators with back-up emergency power. Therefore the most reasonable design choice is to provide all OEEs which would result in less additional cost, in both cost of construction and loss of usable square feet.

**Figure 6: Small Floor Plate Hotel (GFA: 4,290sf)**



Prototypical buildings with small, medium and large footprints were developed. **Figures 2, 3 and 4** (above) illustrate the effect of the exempted floor area of the wider stairways or additional emergency exit stairway (Options 2, and 3, respectively) to each of these prototype buildings. As seen in **Figure 1**, the amount of exempted floor area for the 25% increase in stairwell width, Option 2, would be 52 square feet per stairway, or 104 square feet per story in an office building. The amount of exempted floor area for the additional fire safety exit stairway, Option 3, would be 184 square feet per story in an office with a 14' floor-to-floor height. In the case of a hotel, the amount of exempted floor area would be 141 square feet and 86 square feet for option 2 and option 3 respectively.



The total exempted floor area in these prototypes utilizing Option 2, or 3 is indicated in the table below, and illustrated in **Figures 2, 3 and 4**.

<b>Prototype Building</b>	Exempted floor area: <b>Widened Stairwell</b>	Exempted floor area: <b>Additional Stairwell</b>
<b>Small Floor Plate (Hotel)</b>	4,390sf = 0.44 additional story = 9 feet (1.9%) increase in height	7,265sf = 0.73 additional story = 9 feet (1.9%) increase in height
<b>Medium Floor Plate (Office)</b>	4,472sf = 0.38 additional story = 14 feet (2.4%) increase in height	7,912sf = 0.68 additional story = 14 feet (2.4%) increase in height
<b>Large Floor Plate (Office)</b>	4,472sf = 0.19 additional story = 14 feet (2.4%) increase in height	7,912sf = 0.34 additional story = 14 feet (2.4%) increase in height

**VII. Likely effects of the proposed action**

This Environmental Assessment Statement has been prepared in accordance with the procedures set forth in the *CEQR Technical Manual*. For each technical area, the *CEQR Technical Manual* defines thresholds which, if met or exceeded, require that a detailed analysis be undertaken.

As discussed above, the proposed text change modifies the definition of *Floor Area* to exempt the additional fire exit stairway or stairway width from counting towards Zoning Floor Area. It would not result in new or increased development in the City, nor would it affect the type, amount or location of future development. It would also not change the locations where high-rise development may occur in the city. There would be no difference in permitted zoning floor area. The principal effects of the proposed action would be the effectuation of Building Code Section 403.5.1, resulting in improved safety in new high-rise, non-residential buildings. As illustrated above, it is anticipated that high-rise building designers would choose the all OEE option for very small floor plates, typical of hotels and either widened safety stairways or additional stair options for those high-rise buildings with small, medium or large floor plates, typical of offices and hotels. If the exempted floor area was cumulatively added to the top of the building, the added floor area would result in less than one, full additional story, ranging from 19% to 73% of a floor, depending on the building type and Building Code option chosen. In these cases the height of the resulting building would be approximately 9 to 14 feet taller (increase of 1.9 to 2.4 percent, from 588 feet to 612 feet or 466 feet to 475 feet, depending on the type of building.) **Figures 2, 3 and 4** illustrate these scenarios in greater detail.

Consequently, in accordance with the screening methodology described in the *CEQR Technical Manual*, because the action as proposed would not result in changes in allowable uses, density or usable square feet, analyses are not required for the following CEQR categories: *Socioeconomic Conditions, Community Facilities and Services, Open Space, Urban Design and Visual Resources, Natural Resources, Hazardous Materials, Water and Sewer Infrastructure, Solid Waste and Sanitation Services, Energy, Transportation, Air Quality, Greenhouse Gas Emissions and Climate Change, Noise and Public Health and Construction Impacts*. Additional information has been provided below to support the finding that there are no significant adverse impacts on *Land Use, Zoning and Public Policy (including Waterfront Revitalization), Shadows, Historic and Cultural Resources and Neighborhood Character*.

## ***A. Land Use, Zoning and Public Policy***

### *Land use*

The proposed action would not result in a change in the prevailing land use in the city, in general, and specifically in any of the areas where high-rise buildings are permitted. Because the proposed action would effectuate additional safety measures in Section 403.5.2 of the 2014 NYC Building Code, it would result in increased safety for the occupants of all new high-rise, non-residential buildings.

### *Zoning*

The proposed action will modify the definition of “*floor area*” in Section 12-10 (Definitions) of the Zoning Resolution in order to exempt the floor space occupied by additional safety measures from counting towards zoning floor area. The proposed action will not make any changes to allowed building height, lot coverage, open space or any other bulk requirement. While the proposed action could create buildings that contain slightly more gross floor area, the amount of achievable zoning floor area and net usable floor area are unaffected. Therefore, this action will not incentivize development, nor will it have significant impact on the size of buildings or their placement within the city.

### *Public Policy*

The proposed action would not be inconsistent with any public policies. Quite the contrary, it is consistent with public policy in the NYC Building Codes, and the NIST report that call for additional emergency egress capacity in high-rise buildings.

Consequently, the proposed action would not have a significant adverse effect on land use, zoning or public policy, and no further analysis is required.

### *Waterfront Revitalization Program*

According to the CEQR Technical Manual, actions located within the designated boundaries of NYC Coastal Zone require an assessment of the action’s consistency with the City’s Local Waterfront Revitalization Program (LWRP). The LWRP consistency review includes consideration and assessment of other local, state and federal laws and regulations governing disturbance and development within the Coastal Zone.

For generic or programmatic actions, the potential locations likely to be affected within the coastal zone boundary should be considered. Although the proposed action would be applicable to all zoning districts and boroughs, the proposed text amendment is limited to non-residential buildings greater than 420 feet in height. Such buildings are likely to be found in the following zoning districts: C4-7, C5-2, C5-3, C5-4, C5-5, C6-4, C6-5, C6-6, C6-7, C6-8, C6-9, M1-6, which permit at least 10 FAR. They are located in mid- and downtown Manhattan (Manhattan CD 1, 2, 3, 4, 5, 6, 7 and 8), downtown Brooklyn (Brooklyn CD 2) and small areas in Long Island City Queens (Queens CD 1, 2). Portions of these Community Districts, with the exception of Manhattan CD 5, lie within the WRP Coastal Zone. Consequently, the proposed actions’ consistency with the WRP has been evaluated. The completed NYC WRP Consistency Assessment Form, which supports the conclusion that the proposed action is consistent with the NYC Waterfront Revitalization Program has been evaluated.

Based on the preliminary assessment, it was determined that the proposed action is applicable to 4 LWRP policies. Following is a discussion of the consistency of the proposed action with the policies.

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

The proposed action would neither induce nor change development patterns in the City. It would not result in an increase or decrease in the areas that permit high-rise development. The proposed action would not be applicable to residential development of any kind. It would only be applicable to new non-residential high-rise buildings taller than 420 feet in appropriately zoned areas located within the boundaries of the Coastal Zone. With the proposed action, any new high-rise non-residential development over 420 feet tall will be inherently safer due to the effectuation of Section 403.5.2 of the 2014 NYC Building Code which requires additional means to facilitate timely full building evacuation of occupants when required by extreme emergencies such as fires, earthquakes, tornadoes, explosions, terrorist activities, etc. The small percentages of reconfigured bulk resulting from the proposed action would not significantly affect commercial and/or residential redevelopment. Therefore the proposed action will not hinder the achievement of this policy.

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

As discussed above, the proposed action will neither induce nor change development patterns in the City. The effect of the proposed action will effectuate safety measures thus making tall non-residential buildings within the coastal zone safer and thereby minimizing the loss of life when conditions warrant a full building evacuation. The slight increase in bulk or height that may be associated with these safety measures will not significantly alter the placement of any proposed building and will therefore not affect losses associated with flooding or erosion, nor will it affect the ability to implement structural management measures for the site or surrounding area. While the proposed action could slightly alter a buildings total height, the action would not prevent the incorporation of the latest sea level rise projections. For these reasons, the proposed action will not hinder the achievement of this policy.

***Policy 8: Provide public access to and along New York City's coastal waters***

Although the proposed action would apply citywide, it would only affect those zones which may accommodate non-residential buildings taller than 420 feet. As noted previously, these areas are located in Midtown and Downtown Manhattan, Downtown Brooklyn and Long Island City, Queens. Therefore non-residential high-rise development sites that would become subject to the provisions of Section 403.5.2 of the 2014 NYC Building Code may be located "...adjacent to any federal, state or city park or other land in public ownership protected for open space preservation". The resulting incremental shift in floor area due to the proposed exemption would not create significantly different shadows on adjacent open space, as discussed in the shadows analysis below. The NYC Zoning Resolution has requirements for waterfront development to provide public access and visual corridors to the waterfront. This proposed action would not hinder the ability of new buildings subject to waterfront zoning to comply with these regulations. It should be noted that the proposed action would not generate new development. The action as proposed would result in safer high-rise buildings. Therefore the proposed action would not

hinder the achievement of Policy 8, “Provide public access to and along New York City’s coastal waters.”

***Policy 10: Protect, preserve and enhance resources significant to the historical, archaeological and cultural legacy of the New York City coastal area.***

The Building Code, and therefore the proposed action, would apply citywide. Therefore sites that are or would become subject to the provisions of the Code may be located “in, on or adjacent to an historic resource listed on the National or State Register of Historic Places, or designated as a landmark by the City of New York”, there is no reason to believe that the activities that would occur or are likely to occur due to compliance with Section 403.5.2 of the 2014 NYC Building Code or the resulting incremental shift in floor area due to the proposed text amendment are inconsistent with Policy (10) – “Protect, preserve and enhance resources significant to the historical, archaeological, and cultural legacy of the New York City coastal area”. It should be noted that the proposed action, in and of itself, would not generate new development, nor does it affect a property owner’s responsibility to comply with the provisions of Sections 25-301 through 25-322 of the NY City Administrative Code regarding Landmarks Preservation and Historic Districts. Therefore the proposed action would not hinder the achievement of this policy.

**Coastal Zone**



Coastal Zone Boundaries  
Note: Upland Boundaries extend to the upland limit of zoning districts, natural area districts, and natural drainage basins.  
Federal Property is excluded.

**B. Shadows**

The shadow assessment considers actions that result in new shadows long enough to reach a publicly accessible open space or other sunlight-sensitive resource. Therefore, a shadow

assessment is required only if the action would result in new structures and/or additions to existing structures and those structures are tall enough for the shadows to reach a park or natural feature. For actions less than 50 feet tall, no assessment of shadows is generally necessary unless the site is adjacent to a park, historic resource, or important natural feature; however it is difficult to predict the exact location of any future development as a result of the proposed action.

Based on DOB records, it is anticipated that only 2 buildings per year would be affected by the proposed action. It is anticipated that the additional height that may result from the proposed action would be less than one entire floor, no greater than approximately 14 feet. Thus it is less than the 50 foot threshold for shadow analysis. If a site were adjacent to a park or other sun-sensitive feature, the shadow cast by the building without the proposed action would not be significantly different than the shadow cast by the building with the proposed action.

### ***C. Neighborhood Character***

The proposed action would not reconfigure any streets or other transportation networks. It would not introduce any new building, new bulk, or new obstruction to views that is not currently allowed by existing zoning. All of the exempted fire safety exit stairwell floor space that is reallocated to the top or sides of the building must follow the same setback, open space, tower and sky exposure plane requirements as the base building.

Non-residential buildings more than 420' high are generally located in high-density districts, where the buildings are subject to tower regulations and thereby allowed to penetrate the sky exposure plane. Under tower regulations, the height of a building is only limited by allowable FAR. Although the proposed action may result in a slight increase in building height, the No-Action building would still have been able to achieve that height through a reconfiguration of available floor area. Thus, there is no significant difference between No-Action and With-Action scenarios regarding urban design and visual resources, and no further analysis is warranted.

### ***D. Historic and Cultural Resources***

The term *historic resources* includes districts, buildings, structures, sites and objects of historical, aesthetic, cultural and archeological value. Historic and cultural resources may be divided into 2 categories, archeological and architectural resources. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods. Architectural resources include historically important buildings, sites, structures, objects and districts.

Archeological resources usually need to be assessed for actions that would result in any incremental ground disturbance. Incremental ground disturbance is any disturbance to an area not previously excavated and includes new excavation deeper and/or wider than previous excavations on the same site. No amount of new-in-ground disturbance is expected as a part of the With Action Scenario due to structures that would not occur in the No Action Scenario. Therefore no archeological analysis is warranted.

In terms of potential effects to surrounding architectural resources, if a site happened to be within a historic district or if the site would result in additions to a historic landmark, the new construction would need to obtain a certificate of appropriateness from the Landmarks

Preservation Commission, which would ensure no significant architectural resource impacts. Furthermore, the additional floor area would have to comply with the zoning district's underlying bulk envelope, which minimizes the potential for the additional development to affect the architectural character and urban design of the area. Therefore, there would be no significant adverse impacts on architectural resources, and no further review is required.

**APPENDIX A : LOCAL LAW 141 OF 2013, SECTION 14**

**Local Law 141 of 2013** (as amended by Local Law 52 of 2014)

**Section 14.** This local law shall take effect on December 31, 2014 except (i) that this local law shall not apply to construction work related to applications for construction document approval filed prior to such effective date (ii) sections 28-304.6.4, 28-304.6.5 and 28-304.6.6 of the administrative code of the city of New York as amended by section 61 of part A of this local law and sections 2 through 9 of this local law shall take effect immediately and (iii) section 403.5.2 of the New York city building code as added by section 1 of subpart 4 of part C of this local law shall take effect the later of 18 months after the date of enactment of this local law or the date of an amendment of the definition of floor area in the New York city zoning resolution providing for the exclusion of the floor area of the additional exit stairway and additional exit stairway width from the calculation of floor area for purposes of the New York city zoning resolution. The commissioner of buildings may promulgate rules or take other actions for the implementation of this local law prior to such effective date.



**APPENDIX B : PROPOSED STAIRWELLS TEXT AMENDMENT**

## Proposed Stairwells Text Amendment

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Matter in underline is new, to be added;

Matter in ~~strikeout~~ is old, to be deleted;

Matter within # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

### Chapter 2

### Construction of Language and Definitions

\* \* \*

#### 12-10

#### DEFINITIONS

Words in the text or tables of this Resolution which are #italicized# shall be interpreted in accordance with the provisions set forth in this Section.

\* \* \*

Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

- (a) #basement# space, except as specifically excluded in this definition;
- (b) elevator shafts or stairwells at each floor~~;~~, except as specifically excluded in this definition;

\* \* \*

However, the #floor area# of a #building# shall not include:

\* \* \*

(11) floor space within stairwells

(i) at each floor of #buildings# containing #residences developed# or #enlarged# after April 16, 2008, that are greater than 125 feet in height, provided that:

(i) (1) such stairwells are located on a #story# containing #residences#;

(ii) (2) such stairwells are used as a required means of egress from such #residences#;

## Proposed Stairwells Text Amendment

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- ~~(iii)~~(3) such stairwells have a minimum width of 44 inches;
- ~~(iv)~~(4) such floor space excluded from #floor area# shall be limited to a maximum of eight inches of stair and landing width measured along the length of the stairwell enclosure at each floor; and
- ~~(v)~~(5) where such stairwells serve non-#residential uses# on any floor, or are located within multi-level #dwelling units#, the entire floor space within such stairwells on such floors shall count as #floor area#;
- (ii) at each floor of #buildings# #developed# or #enlarged# after (date of amendment), that are 420 feet or greater in height, provided that:
  - (1) such stairwells serve a space that is any occupancy group other than Group R-2, as classified in the New York City Building Code, that is located at or above a height of 420 feet; and
  - (2) such floor space excluded from #floor area# shall be limited to:
    - (aa) the 25 percent of stair and landing width required by the New York City Building Code which is provided in addition to the stair and landing widths required by such Code for means of egress; or
    - (bb) the one stairwell required by the New York City Building Code which is provided in addition to the stairwells required by such Code for means of egress. For the purposes of this paragraph, (11)(ii)(2)(bb), such additional stairwell shall include the stair and landings as well as any walls enclosing such stair and landings.
- (12) exterior wall thickness, up to eight inches:

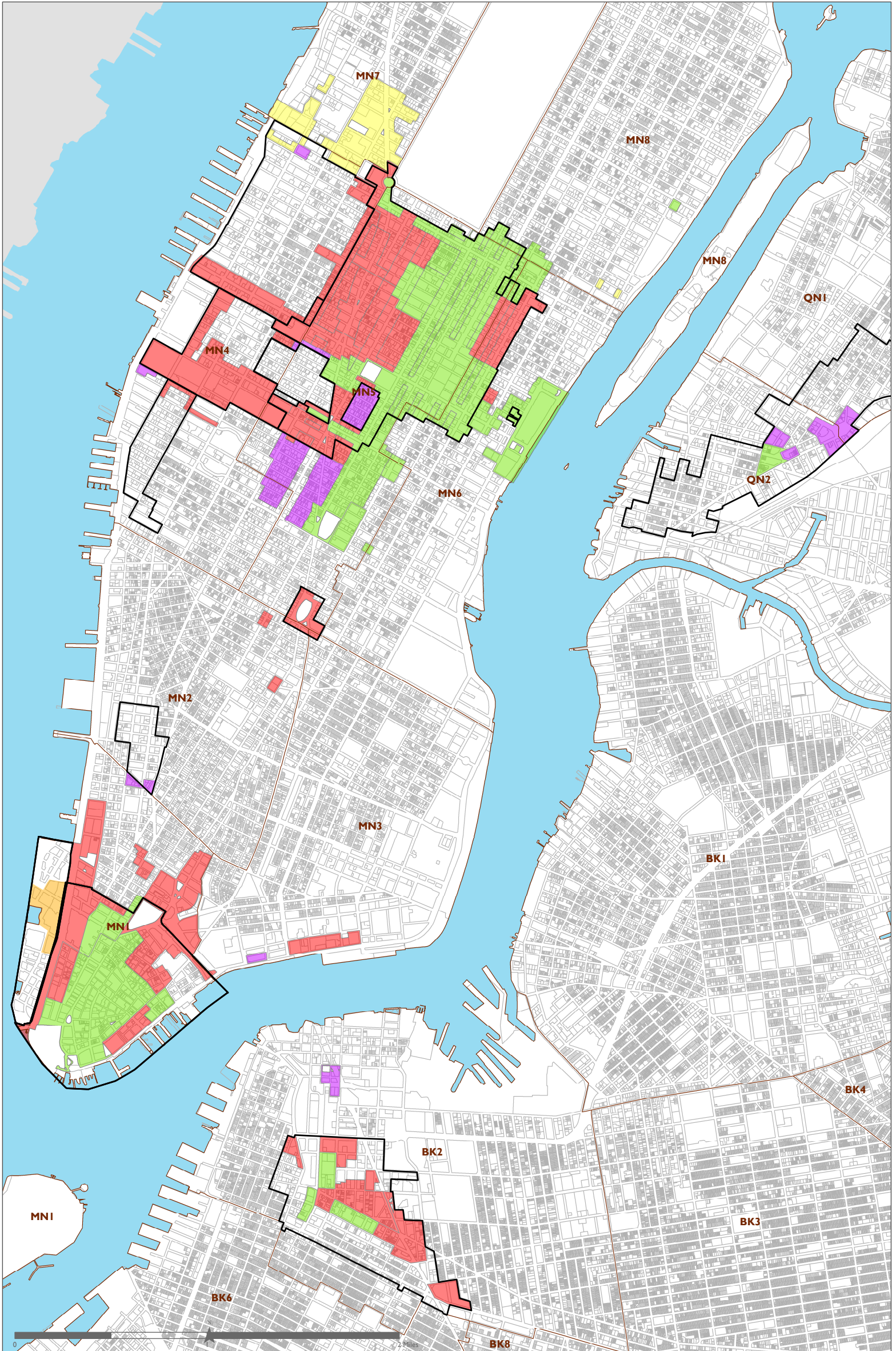
\* \* \*






**APPENDIX C : AFFECTED AREA MAPS**


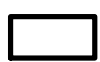


# Zoning Districts where Commercial Buildings Can Exceed Heights of 420 Feet

## Overview



- |   |  |   |
|---|--|---|
|  C4-7 Districts                           |  MI-6 Districts                                       |  BPC Subdistricts<br>(Zone B & C Subdistricts) |
|  C5 Districts<br>(C5-2, C5-3, C5-4, C5-5) |  C6 Districts<br>(C6-4, C6-5, C6-6, C6-7, C6-8, C6-9) |   |

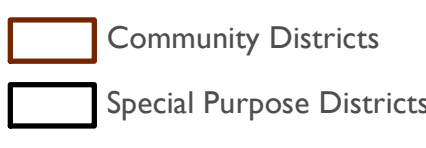
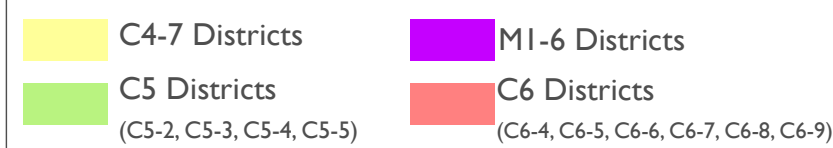
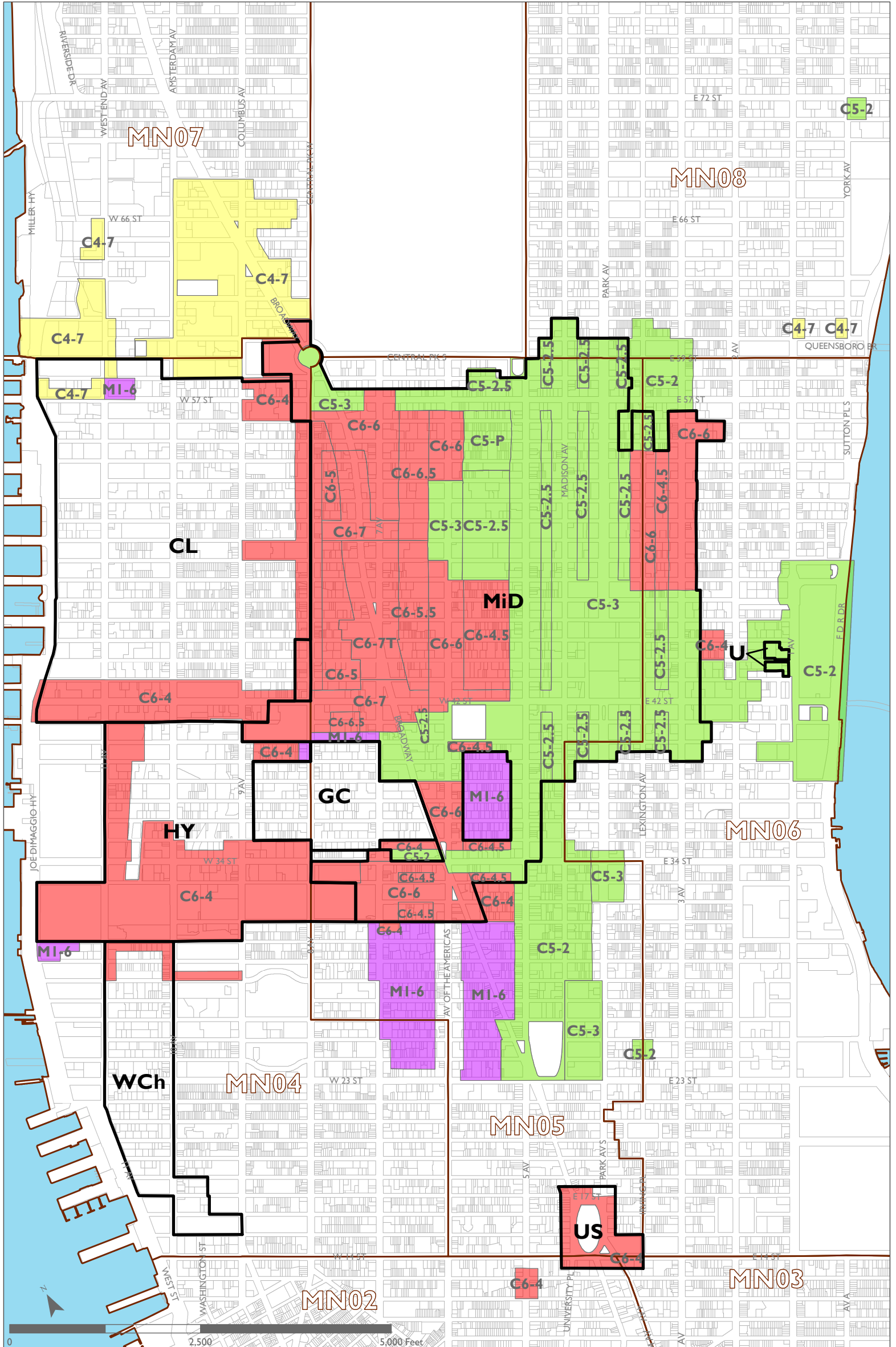
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|--|
|  Community Districts       |
|  Special Purpose Districts |





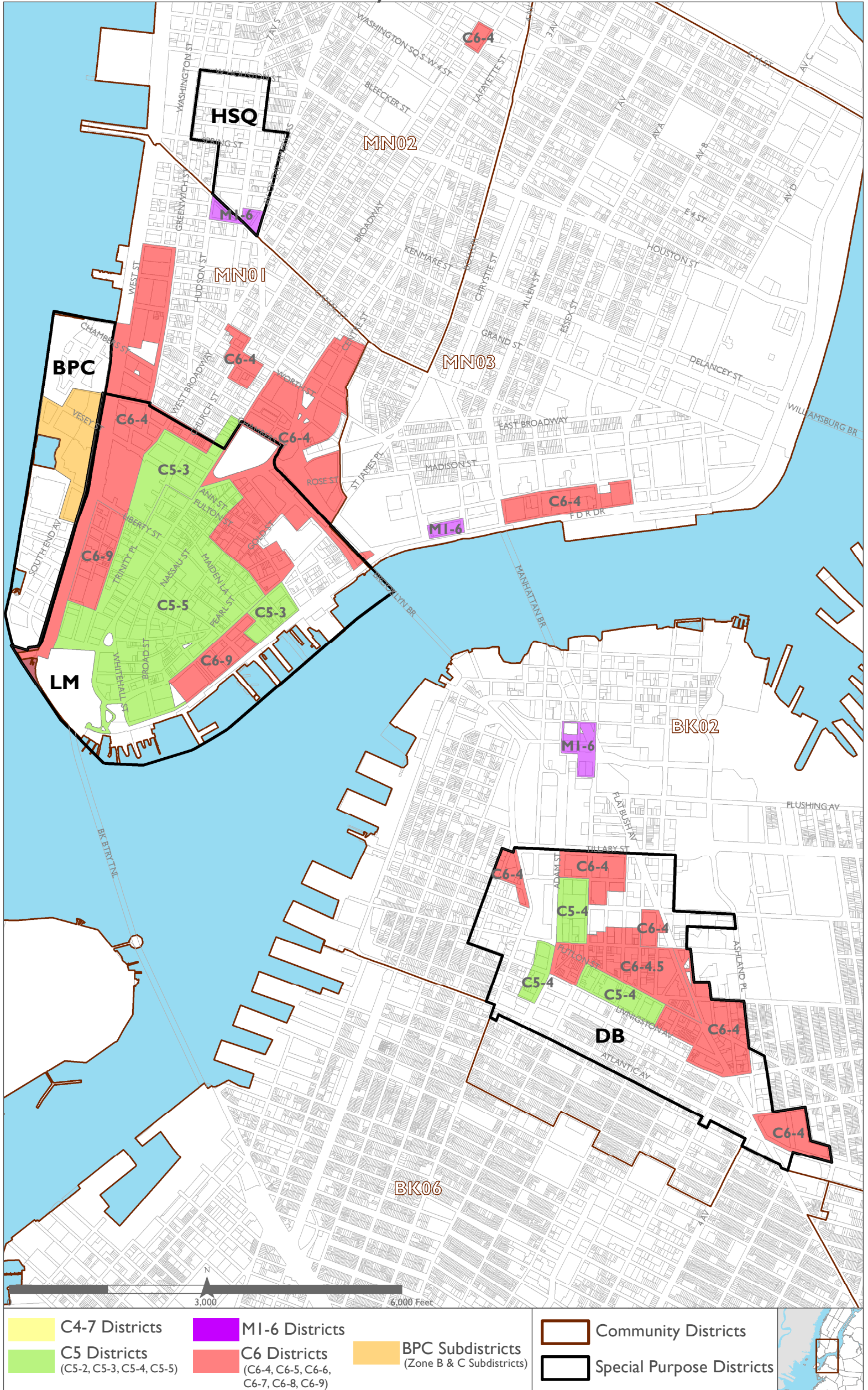
# Zoning Districts where Commercial Buildings Can Exceed Heights of 420 Feet

## Midtown Manhattan



# Zoning Districts where Commercial Buildings Can Exceed Heights of 420 Feet

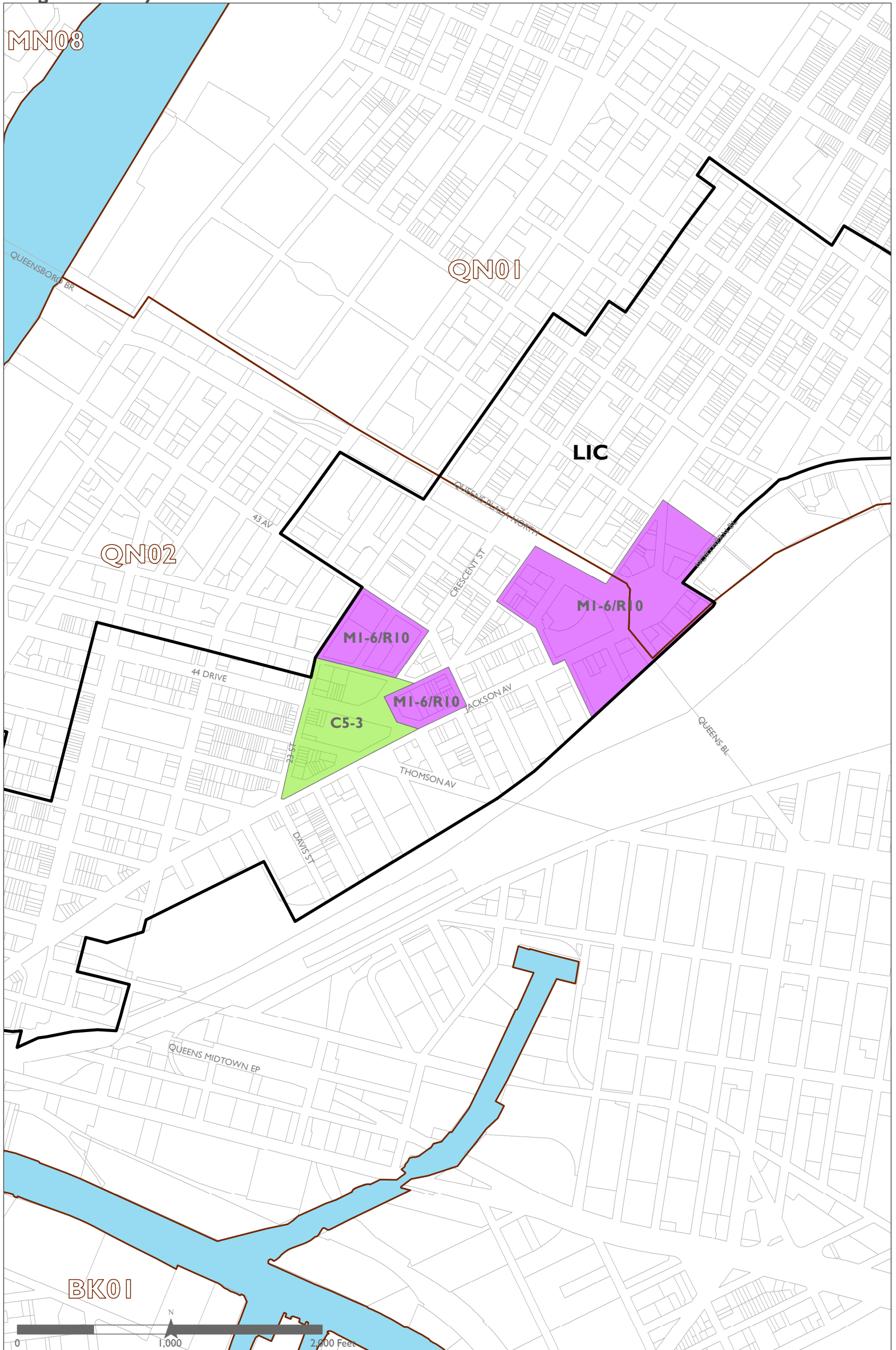
## Lower Manhattan and Downtown Brooklyn









	C4-7 Districts		MI-6 Districts		BPC Subdistricts (Zone B & C Subdistricts)		Community Districts
	C5 Districts (C5-2, C5-3, C5-4, C5-5)		C6 Districts (C6-4, C6-5, C6-6, C6-7, C6-8, C6-9)				Special Purpose Districts



# Zoning Districts where Commercial Buildings Can Exceed Heights of 420 Feet Long Island City



 C4-7 Districts	 MI-6 Districts	 Community Districts
 C5 Districts (C5-2, C5-3, C5-4, C5-5)	 C6 Districts (C6-4, C6-5, C6-6, C6-7, C6-8, C6-9)	 Special Purpose Districts

