



## 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** 27 East 4<sup>th</sup> Street

##### 1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency)  
15DCP145M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
N170115ZRM, 170116ZSM, 170117ZSM

OTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)

##### 2a. Lead Agency Information

NAME OF LEAD AGENCY  
New York City Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON  
Robert Dobruskin

ADDRESS 120 Broadway

CITY New York

STATE NY

ZIP 10007

TELEPHONE 212-720-3493

EMAIL  
Rdobrus@planning.nyc.gov

##### 2b. Applicant Information

NAME OF APPLICANT  
Kalodop II Park Corp.

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
Jeremiah H. Candreva

ADDRESS 875 Third Avenue, 16<sup>th</sup> Floor

CITY New York

STATE NY

ZIP 10022

TELEPHONE 212-704-6292

EMAIL  
jed.candreva@troutmansand  
ers.com

##### 3. Action Classification and Type

###### SEQRA Classification

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

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

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

##### 4. Project Description

Kalodop II Park Corp is seeking the following discretionary actions: 1) A special permit pursuant to ZR Section 74-712(a) ("Developments in Historic Districts") for the modification of use regulations. 2) A special permit pursuant to ZR Section 74-712(b) ("Developments in Historic Districts") for the modification of bulk regulations. 3) A text amendment to the provisions of ZR Section 74-712 to make the provisions of ZR Section 74-712 applicable to the project site. The proposed actions would facilitate the development of a new, 8-story contextual street-wall building at the property located at 27 East 4th Street in Manhattan. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). The proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only.

###### Project Location

BOROUGH Manhattan COMMUNITY DISTRICT(S) 2 STREET ADDRESS 27 East 4<sup>th</sup> Street

TAX BLOCK(S) AND LOT(S) Block 544, Lot 72 ZIP CODE 10003

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The project site is located on the north side of East 4th Street between Bowery to the east and Lafayette to the west

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5B ZONING SECTIONAL MAP NUMBER 12c

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

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

CITY MAP AMENDMENT

ZONING CERTIFICATION

CONCESSION

ZONING MAP AMENDMENT

ZONING AUTHORIZATION

UDAAP

ZONING TEXT AMENDMENT

ACQUISITION—REAL PROPERTY

REVOCABLE CONSENT

SITE SELECTION—PUBLIC FACILITY

DISPOSITION—REAL PROPERTY

FRANCHISE

HOUSING PLAN & PROJECT

OTHER, explain:

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

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION 74-712(a) & 74-712(b)

<b>Board of Standards and Appeals:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
<input type="checkbox"/> VARIANCE (use)		
<input type="checkbox"/> VARIANCE (bulk)		
<input type="checkbox"/> SPECIAL PERMIT (if appropriate, specify type: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:		
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION		
<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 checked="" type="checkbox"/> OTHER, explain: New Building permit from the NYC Department of Buildings	
<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 checked="" type="checkbox"/> SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<input checked="" type="checkbox"/> TAX MAP	<input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	
<input checked="" 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.): 3,456 (lot area)	Waterbody area (sq. ft.) and type: 0	
Roads, buildings, and other paved surfaces (sq. ft.): 0	Other, describe (sq. ft.): 0	
<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): 20,814		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 20,814	
HEIGHT OF EACH BUILDING (ft.): 94' 10" to the parapet	NUMBER OF STORIES OF EACH BUILDING: 8	
Does the proposed project involve changes in zoning on one or more sites? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
If "yes," specify: The total square feet owned or controlled by the applicant: 3,456		
The total square feet not owned or controlled by the applicant: n/a		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):		
AREA OF TEMPORARY DISTURBANCE: 2,540 sq. ft. (width x length)	VOLUME OF DISTURBANCE: 25,400 cubic ft. (width x length x depth)	
AREA OF PERMANENT DISTURBANCE: 2,540 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): 2020		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF MULTIPLE PHASES, HOW MANY?		
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		
<b>9. Predominant Land Use in the Vicinity of the Project</b> (check all that apply)		
<input checked="" type="checkbox"/> RESIDENTIAL	<input checked="" type="checkbox"/> MANUFACTURING	<input checked="" type="checkbox"/> COMMERCIAL
<input type="checkbox"/> PARK/FOREST/OPEN SPACE	<input checked="" type="checkbox"/> OTHER, specify: JLWQA	

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

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

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>LAND USE</b>				
<b>Residential</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
<b>Commercial</b>	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)	storage of food carts	storage of food carts	hotel with ground floor retail	28 hotel rooms with ground floor hotel
Gross floor area (sq. ft.)	3,456	3,456	20,814	17,358
<b>Manufacturing/Industrial</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
<b>Community Facility</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
<b>Vacant Land</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>Publicly Accessible Open Space</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
<b>Other Land Uses</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>PARKING</b>				
<b>Garages</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
<b>Lots</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:				
<b>POPULATION</b>				
<b>Residents</b>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify number:				
Briefly explain how the number of residents				

**DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS**

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

	EXISTING CONDITION		NO-ACTION CONDITION		WITH-ACTION CONDITION		INCREMENT
<b>LAND USE</b>							
<b>Residential</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
Describe type of residential structures							
No. of dwelling units							
No. of low- to moderate-income units							
Gross floor area (sq. ft.)							
<b>Commercial</b>	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
If "yes," specify the following:							
Describe type (retail, office, other)	storage of food carts		storage of food carts		office with ground floor retail		office with ground floor hotel
Gross floor area (sq. ft.)	3,456		3,456		20,814		17,358
<b>Manufacturing/Industrial</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
Type of use							
Gross floor area (sq. ft.)							
Open storage area (sq. ft.)							
If any unenclosed activities, specify:							
<b>Community Facility</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
Type							
Gross floor area (sq. ft.)							
<b>Vacant Land</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
<b>Publicly Accessible Open Space</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):							
<b>Other Land Uses</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
<b>PARKING</b>							
<b>Garages</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
No. of public spaces							
No. of accessory spaces							
Operating hours							
Attended or non-attended							
<b>Lots</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify the following:							
No. of public spaces							
No. of accessory spaces							
Operating hours							
<b>Other</b> (includes street parking)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," describe:							
<b>POPULATION</b>							
<b>Residents</b>	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
If "yes," specify 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 checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. and type				
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
<b>Other</b> (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
<b>ZONING</b>				
Zoning classification	M1-5B	M1-5B	M1-5B	
Maximum amount of floor area that can be developed	5.0	5.0	5.0	0
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	commercial and residential	commercial and residential	commercial and residential	0
Attach any additional information that may be needed to describe the project.				
If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

**Part II: TECHNICAL ANALYSIS**

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

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the “no” box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the “yes” box.
- For each “yes” response, provide additional analyses (and, 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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(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 type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete the <a href="#">Consistency Assessment Form</a> .		
<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii. Indirect Residential Displacement</b>		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes” to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
<b>3. COMMUNITY FACILITIES: <a href="#">CEQR Technical Manual Chapter 6</a></b>		
<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 checked="" type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
<b>4. OPEN SPACE: <a href="#">CEQR Technical Manual Chapter 7</a></b>		
<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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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? Please specify:</li> </ul>	<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 checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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? Yes	<input checked="" type="checkbox"/>	<input 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 sewered 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 sewered or currently unsewered?	<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):		
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 checked="" 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):		
(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 checked="" type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? **It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input checked="" 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 checked="" 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) see attached	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in <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 <i>Jeremiah Chandra</i>	SIGNATURE 	DATE <i>2-8-19</i>
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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.

<p><b>1.</b> 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.</p>		<p><b>Potentially Significant Adverse Impact</b></p>	
<b>IMPACT CATEGORY</b>	<b>YES</b>	<b>NO</b>	
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"/>	
<p><b>2.</b> 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?</p> <p>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.</p>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>3. Check determination to be issued by the lead agency:</b></p> <p><input type="checkbox"/> <b>Positive Declaration:</b> If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).</p> <p><input type="checkbox"/> <b>Conditional Negative Declaration:</b> A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.</p> <p><input checked="" type="checkbox"/> <b>Negative Declaration:</b> If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i>. The <i>Negative Declaration</i> may be prepared as a separate document (see <a href="#">template</a>) or using the embedded Negative Declaration on the next page.</p>			
<p><b>4. LEAD AGENCY'S CERTIFICATION</b></p>			
<p>TITLE Director, Environmental Assessment and Review Division</p>		<p>LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission</p>	
<p>NAME Robert Dobruskin, AICP</p>		<p>DATE 3/23/2018</p>	
<p>SIGNATURE <i>Robert Dobruskin</i></p>			

## A. INTRODUCTION

The Applicant, Kalodop II Park Corp., seeks approval of a text amendment to Zoning Resolution Section 74-712(a) and Section 74-712(b) to permit the CPC to grant a special permit for use and bulk modifications on the proposed development site. The proposed amendment to Section 74-712(a) would permit the CPC to grant a special permit for use modification, including permitting Use Group 5 uses to be located below the floor level of the second story, on the proposed development site. The proposed amendment to Section 74-712(b) would permit the CPC to grant a special permit for height and set back modifications on the proposed development site. The applicant also seeks two special permits from the CPC pursuant to Sections 74-712(a) and 74-712(b) to facilitate the construction of a new, 8-story contextual street-wall building on the proposed development site, which is located at 27 East 4th Street in Manhattan. The proposed development site is located in the NoHo Historic District Extension and in Manhattan Community District 2.

The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). The proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a Use Group 6C restaurant. The cellar level is proposed to be utilized for either Use Group 5 and/or Use Group 6 accessory uses including commercial storage and back-of-the-house hotel uses. At 8 stories, the proposed development will rise without setback to a height of 90 feet 10 inches along East 4<sup>th</sup> Street. The proposed development site is located within an M1 -5B zoning district and within the NoHo Historic District Extension.

The Proposed Development requires a text amendment to the provisions of ZR Section 74-712 (as set forth below) to permit the proposed development site to avail itself of the special permit provisions set forth in ZR 74-712(a) and ZR 74-712(b).

The Proposed Development requires a special permit pursuant to ZR 74-712(a) because ZR Section 42-14D.(2)(b) limits, within M1-5B zoning districts, permitted uses below the second story of a building to Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E.

The Proposed Development also requires a special permit pursuant to ZR 74-712(b) because ZR Section 43-43 requires that buildings provide an initial set back distance of 20 feet at 85 feet or 6 stories (whichever is less) and compliance with the applicable sky exposure plane requirements. The development of such a complying height and set back building would vary from the contextual street wall buildings found throughout the NoHo Historic District. The extent of the waiver of sought by the applicant pursuant to this special permit is comprised of

the portion of the 7th and 8th floor located within the required setback (i.e., the volume of which measures 26'9" (L) x 20 (W) x 24'10" (H)), as more specifically shown on the plans that accompany this application.

Text Amendment ZR 74-712: The first action is a zoning text amendment that would amend ZR Section 74-712(a) and ZR Section 74-712(b), respectively.

ZR Section 74-712(a) allows the New York City Planning Commission (CPC) to grant a special permit for use modifications in M1-5A and M1-5B zoning districts, on a zoning lot that, as of December 15, 2003 is vacant, is land with minor improvements, or has not more than 40 percent of the lot area is occupied by an existing building.

The proposed zoning text amendment would amend the provisions of ZR Section 74-712(a) to permit the CPC to grant special permits for use modifications, including permitting Use Group 5 uses to be located below the floor level of the second story, for developments on zoning lots in an M1-5A and M1-5B zoning district within the NoHo Historic District Extension where such zoning lot was improved with a 1-story building as of December 15, 2003. The text amendment would affect the property located at 27 East 4th Street and the property located at 53 Great Jones Street.

ZR Section 74-712(b) allows the New York City Planning Commission (CPC) to grant a special permit for bulk modifications in M1-5A and M1-5B zoning districts, on a zoning lot that, as of December 15, 2003 is vacant, is land with minor improvements, or has not more than 40 percent of the lot area is occupied by an existing building.

The proposed zoning text amendment would amend the provisions of ZR Section 74-712(b) to permit the CPC to grant special permits for bulk modifications, except floor area regulations, for developments on zoning lots in an M1-5A and M1-5B zoning district within the NoHo Historic District Extension where such zoning lot was improved with a 1-story building as of December 15, 2003. The text amendment would affect the property located at 27 East 4th Street and the property located at 53 Great Jones Street.

Special Permit ZR 74-712(a): The second action is a special permit pursuant to ZR 74-712(a) to allow Use Group 5 (transient hotel and accessory use) and Use Group 6 (retail use) below the second story of the proposed building to be constructed at 27 East 4th Street.

The special permit is required because ZR Section 42-14D.(2)(b) limits, within M1-5B zoning districts, permitted uses below the second story of a building to Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E.

Special Permit ZR 74-712(b): The third action is a special permit pursuant to ZR 74-712(b) to modify height and setback regulations in the M1-5B zoning district. ZR 43-43 [Maximum Height of Front Wall and Required Front Setbacks] restricts the development of contextual street-wall buildings by requiring an initial set back distance of 20 feet at 85 feet or 6 stories (whichever is less) and compliance with the applicable sky exposure plane requirements. The development of a complying height and set back building would vary from the contextual street wall buildings found throughout the NoHo Historic District.

The applicant therefore proposes to construct a new contextual street-wall building that is consistent in terms of its bulk and massing with the existing built form of the NoHo Historic District. The design of the Proposed Building, which was approved by the LPC, is eight stories and rises without setbacks along its East 4th Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The extent of the waiver of sought by the applicant pursuant to this special permit is comprised of the portion of the 7th and 8th floor located within the required setback (i.e., the volume of which measures 26'9" (L) x 20 (W) x 24'10" (H)).

As the development site is located within the NoHo Historic District Extension, construction of the proposed building requires the review and approval of the LPC. On April 8, 2014, the LPC voted to approve the demolition of the existing 1-story building located at 27 East 4<sup>th</sup> Street and the construction of the new contextual street-wall building which is the subject of this EAS (see copy of the LPC Status Update Letter dated April 8, 2014 attached hereto as **Appendix A**).

## **B. BACKGROUND AND CONTEXT**

The text amendment would affect the property located at 27 East 4<sup>th</sup> Street and the property located at 53 Great Jones Street.

27 East 4<sup>th</sup> Street (block 544, lot 72): The proposed text amendment would make applicable the provisions of ZR Section 74-712 to the Property. The Property is one of two sites mapped within the NoHo Historic District Extension that is improved with a 1-story building. The Property has 26.67 feet of frontage along East 4<sup>th</sup> Street and a depth of 128.83 feet, for a total lot area of 3,456 SF. The building located at 27 East 4<sup>th</sup> Street will be demolished as part of the Project. The applicant proposes to construct a new contextual street-wall building comprised eight-stories and rising without setbacks along its East 4<sup>th</sup> Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground

floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR).

53 Great Jones Street (block 530, lot 31): If adopted, the proposed text amendment would make applicable the provisions of ZR Section 74-712 to this site. Consequently, the owners of 53 Great Jones Street could apply at some future date to the City Planning Commission for a special permit pursuant to ZR Section 74-712 for the applicable use and bulk waivers. Any subsequent application for such special permit at this location would be subject to its own environmental review. 53 Great Jones Street has 27 feet of frontage along Great Jones Street and a depth of 100 feet, for a total lot area of 2,700 SF. ZR Section 74-712 limits the maximum floor area of the zoning lot to 5.0 FAR. Therefore, the maximum floor area permitted on this site if it were to utilize the provisions of ZR Section 74-712 would be 13,500 square feet (2,700 times 5.0) for a conforming use. However, the property located at 53 Great Jones Street is part of a combined zoning lot that includes the property located at 48 Bond Street (Block 530, Lot 44) and is subject to the provisions of a Zoning Lot Development and Easement Declaration (CRFN#'s 2006000231397 & 2006000352104) wherein all excess floor area development rights appurtenant to 53 Great Jones Street were previously conveyed to the property located at 48 Bond Street. In fact, floor area was removed from the 53 Great Jones Street building and utilized by 48 Bond Street pursuant to the provisions of such Zoning Lot Development and Easement Declaration. Further, the property located at 53 Great Jones Street is encumbered by an easement for light, air and view that prohibits new construction above a height greater than 22 inches higher than the top of the parapet of the roof of the building which existed as of the date of such agreement. The Zoning Lot Development and Easement Declaration therefore limits all future development of 53 Great Jones Street pursuant to its terms. No development is anticipated to occur at 53 Great Jones Street and the conditions that exist on that site is expected to remain unchanged from existing conditions.

Therefore, this EAS analyzes the potential environmental effects of the applicant's proposed development program at 27 East 4<sup>th</sup> Street.

### **C. PROPOSED ACTIONS**

As noted above, the actions necessary to facilitate the proposed project are:

- A text amendment to ZR Section 74-712(a) to permit the CPC to grant special permits for use modifications (Use Group 5 use below the level of the second floor), for developments on zoning lots in an M1-5A and M1-5B zoning district within the NoHo Historic District Extension where such zoning lot was improved with a 1-story building as of December 15, 2003.
- A text amendment to ZR Section 74-712(b) to permit the CPC to grant special permits for bulk modifications, except floor area regulations, for developments on zoning lots in an M1-5A and M1-5B zoning district within the NoHo Historic District Extension where such zoning lot was improved with a 1-story building as of December 15, 2003.
- A special permit for the 27 East 4<sup>th</sup> Street site (Block 544, Lot 72), pursuant to the revised zoning text to permit waiver of the applicable use regulations set forth in ZR Section 42-14(D) to permit Use Group 5 and Use Group 6 uses below the level of the second floor.
- A special permit for the 27 East 4<sup>th</sup> Street site (Block 544, Lot 72), pursuant to the revised zoning text to permit waiver of the applicable height and setback regulations of ZR Section 43-43, “Maximum Height of Front Wall and Required Front Setbacks,” to allow the 8-story building to exceed the maximum street wall height; to encroach into the initial setback distance at the seventh and eighth floors; and to allow the street wall to penetrate the sky exposure plain.



**D. EXISTING CONDITIONS**

As described above, the development site is located at 27 East 4<sup>th</sup> Street (Manhattan Block 544 Lot 72) in the NoHo Historic District Extension. The development site has 26.67 feet of frontage along East 4<sup>th</sup> Street and a depth of 128.83 feet, for a total lot area of 3,456 SF. The development site is improved with a 1-story non-contributing tax payer building that is located within an M1-5B zoning district.

**E. DESCRIPTION OF THE PROPOSED DEVELOPMENT**

With the proposed action, the existing 1-story building would be demolished and replaced with a new contextual street-wall building comprised eight-stories and rising without setbacks along its East 4<sup>th</sup> Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR).

**F. FRAMEWORK FOR ANALYSIS**

This document has been prepared in accordance with the guidelines presented in the *City Environmental Quality Review (CEQR) Technical Manual*. For each Environmental Assessment Statement (EAS) technical assessment, the analysis includes descriptions of existing conditions, conditions in the future without the proposed project (the “No Action” condition), and conditions in the future with the proposed project (the “With Action” condition). For each relevant technical area, the incremental difference between the No Action and With Action condition is analyzed to determine the potential environmental effects of the proposed project.

**NO ACTION SCENARIO**

For the purposes of providing a conservative analysis for the EAS, it is assumed that the 27 East 4<sup>th</sup> Street development site would remain in its current use, with the existing one-story building remaining unchanged in the No Action Scenario.

**WITH ACTION SCENARIO**

With the proposed action, the existing 1-story building would be demolished and replaced with a new contextual street-wall building comprised eight-stories and rising without setbacks along its East 4th Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The With Action Scenario included within this EAS includes an analysis of two potential development programs for the site, as the proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR).

The Reasonable Worst Case Development Scenario for the proposed project is summarized below in Table A-1.

**Table A-1**  
**RWCDS for the**  
**Proposed 27 East 4<sup>th</sup> Street Site Project**

	<b>Existing Conditions</b>	<b>No-Action Condition</b>	<b>With-Action Condition</b>	<b>Increment for Analysis</b>
Built Floor Area	3,456 gsf	3,456 gsf	20,814 gsf	17,141 gsf
Uses	3,456 gsf food cart storage	3,456 gsf Food cart storage	20,814 gsf either hotel (w/28 rooms) or office use and ground floor restaurant	17,141 gsf either hotel (w/ 28 rooms) or office use and ground floor restaurant

**G. PURPOSE AND NEED**

The property located at 27 East 4<sup>th</sup> Street is mapped within an M1-5B zoning district and is within the NoHo Historic District Extension.

In 1971, the City Planning Commission adopted zoning amendments which created the M1-5A and M1-5B districts. By permitting the conversion of underutilized loft buildings to artists' living-work quarters, the M1-5A/5B districts were intended to balance the needs of the artists that were moving into the SoHo area with those of the area's remaining manufacturing and warehouse uses. In 1976 the M1-5B district was extended to include NoHo. The M1-5A/5B zoning designations are unique to SoHo and NoHo. Although these areas still play a vital role in the city's artistic life, over the past forty years they

have evolved into more mixed-use communities with residential and commercial uses predominating. In 1973 the Landmarks Preservation Commission (LPC) designated the SoHo-Cast Iron Historic District. The NoHo Historic District was designated by the LPC in 1999. The NoHo Historic District Extension was approved by the LPC in 2008.

Development of vacant sites in the M1-5A/5B districts is significantly restricted by the districts' use regulations. Implicit in the Section 42-14D regulations governing the M1-5A/5B districts is the prohibition on new Use Group 2 residential uses and the restriction of as-of-right new construction to a specific set of conforming uses which include light industry, warehousing, wholesaling, parking facilities, and hotels. Floor area below the second story is limited to certain use groups which include wholesale, warehouse and light manufacturing uses. Use Group 6 (retail and services) use below the second floor is allowed in buildings with lot coverage of less than 3,600 square feet in the M1-5A District and is not allowed in buildings of any size in M1-5B Districts.

Section 74-712 (Developments in Historic Districts) was adopted in 1997 to allow the modification of bulk regulations (except FAR) by special permit on vacant lots within historic districts. In its report (N 970654 ZRY), the Commission stated that it “supports the as-of-right modifications of minimum streetwall height and street-wall or front yard location requirements. The Commission believes that providing a limited range for these requirements will permit the development of buildings that are more responsive to the built form of the historic district without raising other land use concerns.” Further, “the Commission believes this new tool may help promote development of buildings that are more contextual to historic districts than buildings that might be developed as-of-right pursuant to existing zoning. (pgs, 22-23).” The Commission’s Report in respect of a subsequent text amendment (030490ARY) states: “The Commission does not believe that the increased demolition of these building would occur to any significant extent, particularly given the likelihood that the LPC will only approve the demolition of a building of “little interest architecturally” or of “*no style*” concurrent with the approval of a new replacement structure [*emphasis added*].”

Further “the Commission also does not believe that the replacement of any of these buildings with new structures approved by LPC would be adverse to the historic district and contrary to public policy; recent approvals of new structures in historic districts by the LPC demonstrate how these can be compatible with the historic character of a district. The Commission nevertheless notes that the environmental review conducted for the text amendment did not consider the potential use of the special permit on sites made vacant through demolition of any of these buildings. Accordingly, the Commission believes limiting the applicability of the

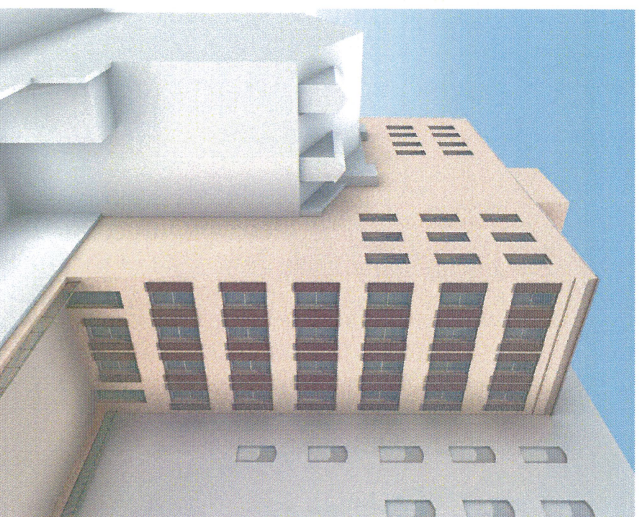
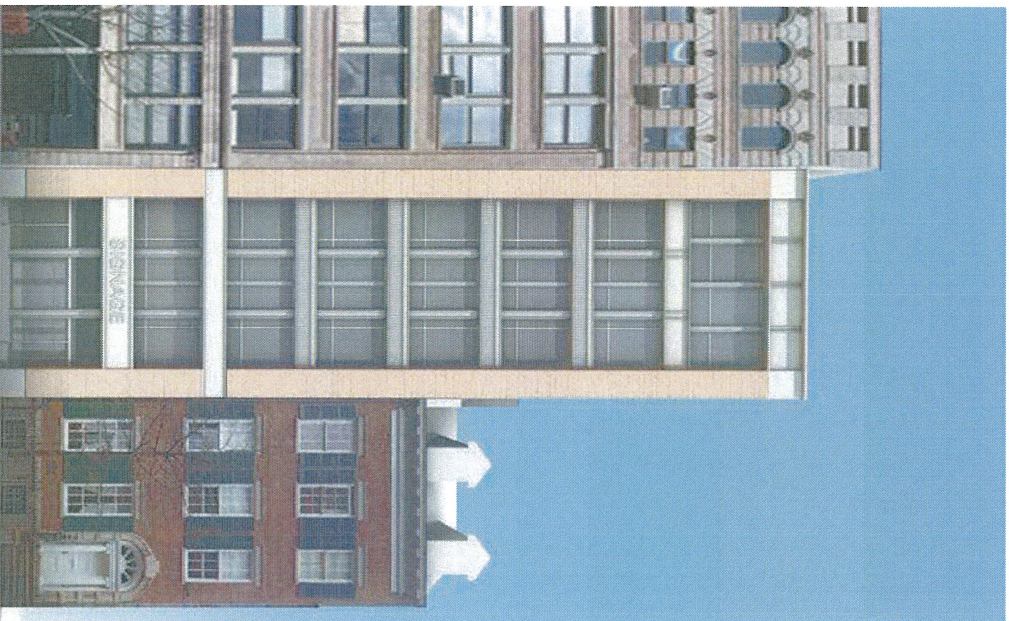
special permit to sites which are vacant, contain minor improvements or where not more than 20 percent of the lot area is occupied by an existing building at the time of the adoption of the text, is appropriate.” The Commission would have adopted broader text amendments that included the demolition of existing buildings but were limited to sites that were vacant, contained minor improvements or where not more than 20 percent of the lot area was occupied by an existing building. Subsequent text amendments to the provisions of ZR Section 74-712 have expanded the applicability of its provisions to sites which occupy greater percentages of lot area. The proposed text amendment is consistent with these historical prior text amendments in its application of the provision of ZR Section 74-712 to the Property. Land uses within 400 feet of the 27 East 4<sup>th</sup> Street and 53 Great Jones Street and within the NoHo Historic District Extension are predominantly commercial and residential, often within mixed-use buildings. The surrounding area is predominantly developed with buildings ranging from 2 to 11 stories, which contain a mix of residential, commercial, and industrial uses. The industrial and commercial uses are mainly art-related factories, many of which include Use Group 17 Joint Living-Work Quarters for Artists.

27 East 4<sup>th</sup> Street is adjacent to the Merchant House Museum, which is an individual landmark designated by the New York City Landmarks Preservation Commission on October 14, 1965. The Merchant’s House Museum was designated as an interior landmark by LPC on December 22, 1981.

27 East 4<sup>th</sup> Street is currently improved with an underutilized, non-contributing 1-story building that requires the proposed text amendments and special permits for redevelopment which is consistent with the fabric of the NoHo Historic District Extension.

# 27 East 4th Street

City Planning Commission Presentation



## Sheet Index

- Z-00 ZONING ANALYSIS
- Z-01 ZONING LOT SITE PLAN
- Z-02 GROUND FLOOR PLAN
- Z-03 CELLAR
- Z-04 WAIVER PLAN
- Z-05 BUILDING SECTION
- Z-06 BUILDING FRONT ELEVATION
- Z-07 BUILDING REAR ELEVATION
- Z-08 BUILDING SIDE ELEVATION
- Z-09 NEIGHBORHOOD CHARACTER DIAGRAM

City Planning Commission Presentation | 27 East 4th Street  
August 7, 2017

**SRAA+E**  
Architecture & Engineering, P.C.

**NEW HOTEL**  
27 EAST 4TH STREET  
NEW YORK, NY 10003  
SPECIAL DISTRICT  
LOT # 72  
ECCS# 24

**LIST OF REQUIRED ACTIONS:**  
SPECIAL PERMIT BY CITY PLANNING COMMISSION PURSUANT TO SECTION 24-172(a) TO MODIFY USE REGULATIONS  
SPECIAL PERMIT BY THE CITY PLANNING COMMISSION PURSUANT TO SECTION 24-172(b) TO MODIFY BULK REGULATIONS

FLOOR	GROSS FL AREA (SF)	MECHANICAL DEDUCTIONS	ZFA	FAR	USE GROUP
CELLAR	3,456	..	..	..	59 & 6
1ST FL	3,456	70	3,386	0.89	59 & 6
2ND FL	1,986	21	1,965	0.57	5 OR 6
3RD FL	1,986	21	1,965	0.57	5 OR 6
4TH FL	1,986	21	1,965	0.57	5 OR 6
5TH FL	1,986	21	1,965	0.57	5 OR 6
6TH FL	1,986	21	1,965	0.57	5 OR 6
7TH FL	1,986	21	1,965	0.57	5 OR 6
8TH FL	1,986	21	1,965	0.57	5 OR 6
<b>TOTAL</b>	<b>20,914</b>	<b>217</b>	<b>17,141</b>	<b>4.97</b>	<b>5 OR 6</b>

**CURB LEVEL CALCULATIONS:**  
WEST ELEVATION AT PROPOSED FRONT BUILDING LINE = 42.84 ft.  
EAST ELEVATION AT PROPOSED FRONT BUILDING LINE = 42.54 ft.  
TOTAL = 85.18 ft.  
(85.18 / 2 = 42.59 ft)  
AVERAGE CURB LEVEL = 42.59 ft.

**SITE DATA**

BLOCK NUMBER	544
LOT NUMBER	72
BUILDING ADDRESS	27 EAST 4TH STREET
COMMUNITY BOARD	2
ZONING DISTRICT	M1-5B
ZONING MAP	12C
ZONING LOT AREA	3,456 SF

**USE REGULATIONS**

ZONING RESOLUTION	TITLE	PERMITTED / REQUIRED	PROPOSED	COMPLIANCE / NOTES
ZR 42-11, 42-12, 42-14(Q)(2)(b)	USES	USE GROUPS 4A, 4B, 4C, 5, 6C, 6E, 7A, 9A, 12B, 3A, 6A, 6B, 6D, 6F, 7B, 7C, 7D, 7E, 8, 9B, 9C, 10A, 10B, 10C, 11, 12A, 12C, 12D, 12E, 13, 14, 16	USE GROUP 5 OR 6 ABOVE 2ND FLOOR	COMPLIES WITH ZR 42-11, ZR 42-12 & ZR 42-14(D)(2)(b)
		ONLY USE GROUPS 7, 9, 11, 16, 17A, 17B, 17C, 17E PERMITTED BELOW 2ND FLOOR	USE GROUP 5B AND / OR 6 BELOW 2ND FLOOR	DOES NOT COMPLY, REQUIRES CPC SPECIAL PERMIT PURSUANT TO ZR 74-712(a)

**42-50 SIGNAGE REGULATIONS**

ZONING RESOLUTION	TITLE	PERMITTED / REQUIRED	PROPOSED	COMPLIANCE / NOTES
43-53	SIGNAGE REGULATIONS	ILLUMINATED NON-FLASHING SIGNS, NON-ILLUMINATED SIGNS, AND ILLUMINATED FLASHING NON-ADVERTISING SIGNS PERMITTED IN ACCORDANCE WITH SECTIONS 42-531 TO 42-533	TBD	BUILDING SIGNAGE SHALL COMPLY WITH ZR SECTION 42-53
42-54	PERMITTED PROJECTION OR HEIGHT OF SIGNS	PROJECTION AND HEIGHT OF SIGNS PERMITTED IN ACCORDANCE WITH SECTIONS 42-541 TO 42-543		BUILDING SIGNAGE SHALL COMPLY WITH ZR SECTION 42-543

**BULK REGULATIONS FOR BUILDINGS IN MANUFACTURING DISTRICTS**

ZONING RESOLUTION	TITLE	ALLOWED / REQUIRED	PROPOSED	COMPLIANCE
ZR 43-12	FAR REGULATIONS	MAX 5.0 FAR 3,456 SF x 5.0 = 17,280 MAX SF	17,141 SF < 17,280 SF	COMPLIES
ZR 43-43	HEIGHT AND SETBACK REGULATIONS	MAX HT OF FRONT WALL: 88 FT OR 6 STORIES SKY EXPOSURE PLANE: 2.7 TO 1 INITIAL SETBACK 20 FEET ON NARROW STREET	90'-10" (8 STORIES) > 85'-0" NONE PROVIDED NONE PROVIDED	DOES NOT COMPLY, REQUIRES CPC SPECIAL PERMIT PURSUANT TO ZR 74-712(b)
ZR 43-25	SIDE YARD	NO SIDE YARD SHALL BE REQUIRED ALTHOUGH, IF ANY OPEN AREA PROVIDED, IT SHALL BE MINIMUM OF 8 FEET	NONE PROVIDED	COMPLIES
ZR 43-26	REAR YARD	20 FEET REAR YARD REQUIRED	51'-4" REAR YARD PROVIDED	COMPLIES
ZR 43-02	STREET TREE REGULATIONS	PROVIDE 1 TREE FOR EVERY 25 FEET OS STREET FRONTAGE	26.75' / 25' = 2 TREES*	COMPLIES *PROVIDED OFF SITE PURSUANT TO ZR 26-41

**ACCESSORY OFF-STREET PARKING AND LOADING REGULATIONS OFF-STREET PARKING REGULATIONS**

ZONING RESOLUTION	TITLE	ALLOWED / REQUIRED	PROPOSED	COMPLIANCE
ZR 44-20	PARKING	NO PARKING REQUIRED	NONE PROVIDED	COMPLIES
ZR 44-52	LOADING	HOTEL (USE GROUP 5) OR OFFICE (USE GROUP 6) FIRST 100,000 SF - NONE REQUIRED	NONE PROVIDED	COMPLIES

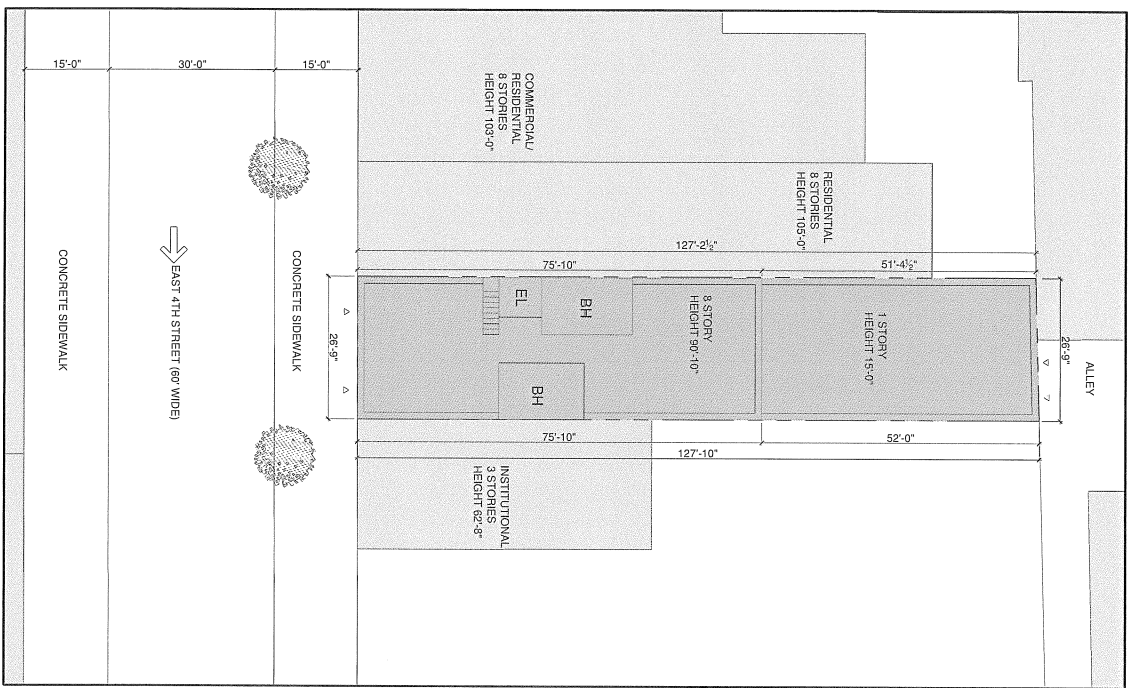


**Z-00**  
NOTES

DATE PREPARED: JANUARY 31ST, 2018  
LAST REVISION: JANUARY 31ST, 2018  
SHEET NO.

**ZONING ANALYSIS**

NOTE: Applicant's zoning and suit compliance to the information regarding the development site, regarding the surrounding properties, is for illustrative purposes only.



SCALE: 3/32" = 1'  
NOTE: GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

- LEGEND**
- TRAFFIC DIRECTION
  - ▷ BUILDING ENTRANCE
  - ZONING LOT
  - ▭ ADJACENT BUILDING FOOTPRINTS

- ▭ PROPOSED BUILDING FOOTPRINT
- EXISTING STREET TREES\* ONLY TREES ADJACENT TO SITE ARE SHOWN
- BH: BULKHEAD ELEVATOR

NOTE: Applicant's stamp and seal corresponds to the information regarding the development site, including the surrounding properties. It is the applicant's responsibility to ensure the information is accurate and complete.

**ZONING LOT SITE PLAN**

DUE HEREON: AUGUST 19th, 2016  
LAST REVISION: JANUARY 17th, 2016  
SCALE: 1/8" = 1'

**Z-01**

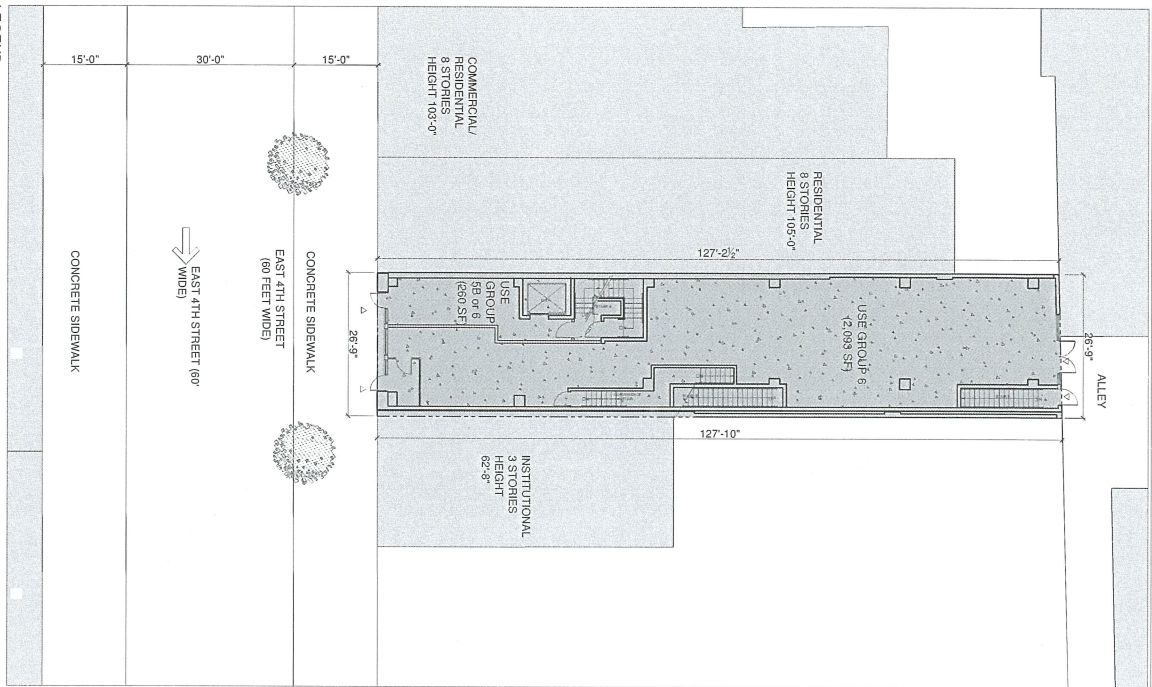
NOTE: Applicant's stamp and seal corresponds to the information regarding the development site, including, but not limited to, responses to the following questions for information purposes only.

**ZONING GROUND FLOOR PLAN**

DATE PREPARED: AUGUST 20th, 2018  
LAST REVISION: AUGUST 7th, 2017  
SHEET NO.



NOTES



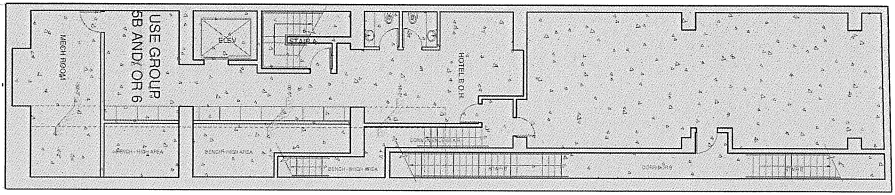
- LEGEND**
- TRAFFIC DIRECTION
  - ▷ BUILDING ENTRANCE
  - ZONING LOT
  - ▭ ADJACENT BUILDING FOOTPRINTS

AREA SUBJECTED TO SPECIAL PERMIT PURSUANT TO ZR74-712(a)

EXISTING STREET TREES\*  
ONLY TREES ADJACENT TO SITE ARE SHOWN

SCALE: 3/32" = 1'  
NOTE: GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS





1 CELLAR FLOOR PLAN  
SCALE: 1/8" = 1'-0"

**LEGEND**  
AREA SUBJECT TO A SPECIAL PERMIT  
PURSUANT TO NYC CODES (24-259 CSJ)



0 4 8 16'  
SCALE: 1/8" = 1'-0"  
NOTE: GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

NOTE: Applicant's stamp and seal corresponds to the drawing. The seal is not to be used for any other project. The seal is not to be used for any other project. The seal is not to be used for any other project.

**CELLAR PLAN**

DATE REVISION: AUGUST 19TH 2015  
LAST REVISION: JANUARY 29TH 2015  
SHEET NO.



**Z-03**  
NOTES OF NEW YORK

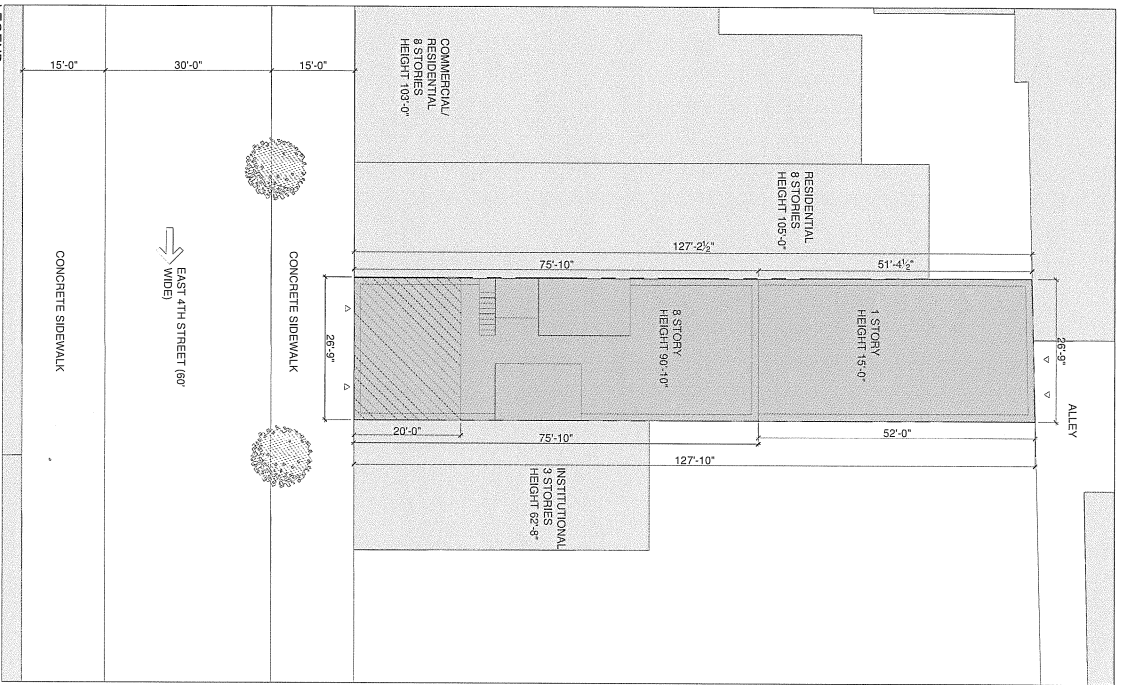
NOTE: Applicant's stamp and seal correspond to the information regarding the development site, including the surrounding properties, for administrative purposes only.

**BULK WAIVER PLAN**

DATE PREPARED: AUGUST 31st, 2016  
DATE REVISION: JANUARY 28th, 2018  
SHEET NO.

**Z-04**

NOTES



- LEGEND**
- TRAFFIC DIRECTION
  - BUILDING ENTRANCE
  - ZONING LOT
  - ADJACENT BUILDING FOOTPRINTS
  - BUILDING FOOTPRINT
  - AREA OF HEIGHT AND SETBACK WAIVER, SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR 74-7(12)(b)
  - EXISTING STREET TREES\* ONLY TREES ADJACENT TO SITE ARE SHOWN
  - COMMERCIAL - 8 STORIES
  - SCALE: 3/32" = 1'
  - NOTE: GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

NOTICE: Applicant, owner and user acknowledge to the information regarding the development also regarding the surrounding properties is for illustrative purposes only.

**WAIVER SECTION**

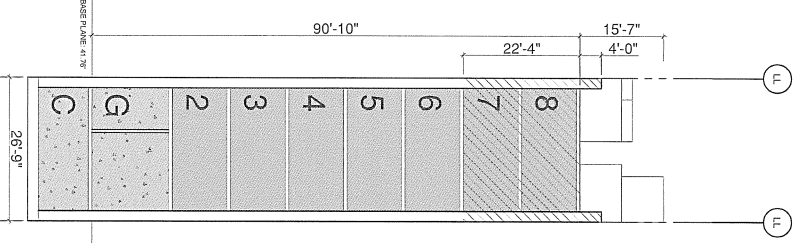
DATE PREPARED: AUGUST 7TH, 2018  
LIST PREPARED: JANUARY 31ST, 2019  
SHEET NO. \_\_\_\_\_



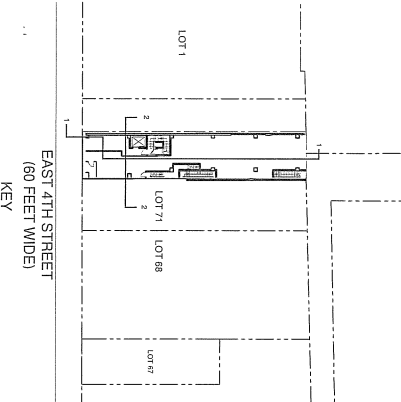
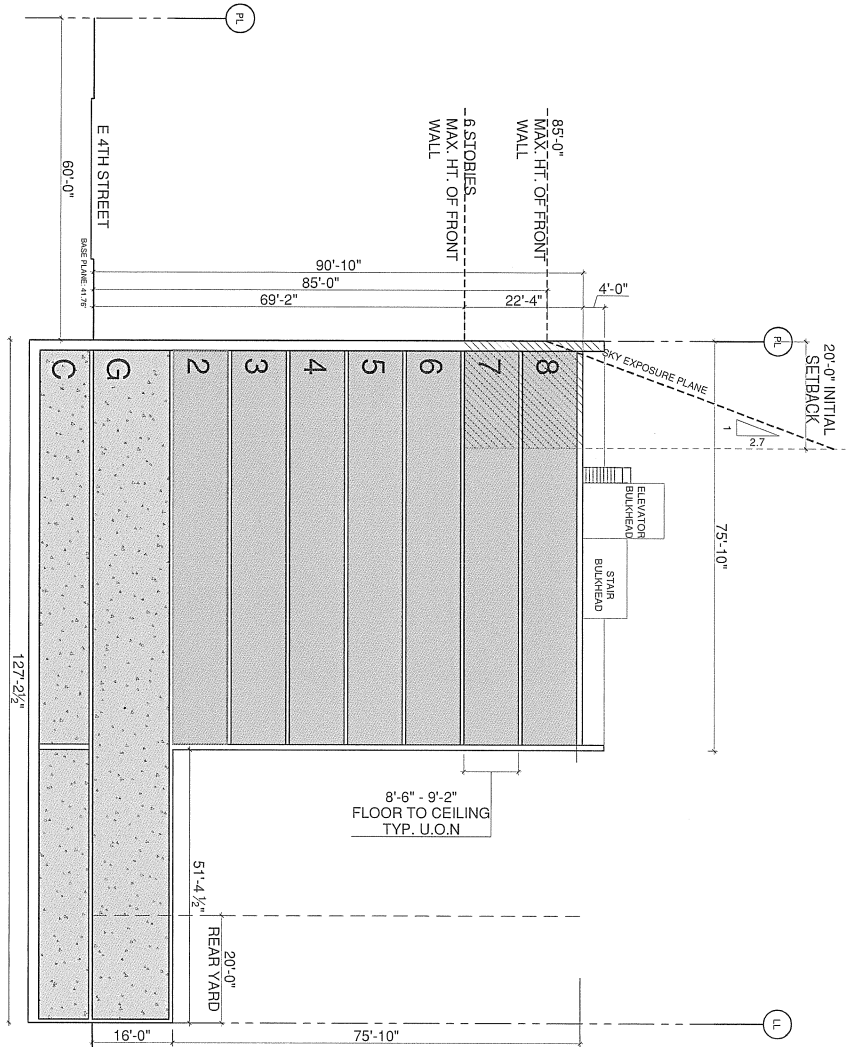
NOTES

- REAR YARD SETBACK
- LL LOT LINE
- PL PROPERTY LINE
- PROPERTY LINE
- AREA SUBJECT TO A SPECIAL PERMIT PURSUANT TO 74-712(A)
- BUILDING FOOTPRINT COMMERCIAL - 8 STORIES
- AREA OF HEIGHT AND SETBACK WAIVER, SUBJECT TO SPECIAL PERMIT PURSUANT TO ZR 74-712(b)

**2 EAST - WEST SECTION**  
SCALE: 3/32" = 1'-0"



**1 NORTH - SOUTH SECTION**  
SCALE: 3/32" = 1'-0"



EAST 4TH STREET  
(60 FEET WIDE)  
KEY

NOTE: Applicant, using and seal, consents to the information regarding the development, site, and/or design submitted in this application regarding the underlying property is for illustrative purposes only.

**FRONT ELEVATION**

DATE PREPARED: AUGUST 19th, 2016  
LAST REVISION: AUGUST 27th, 2017  
SHEET NO.

**Z-06**

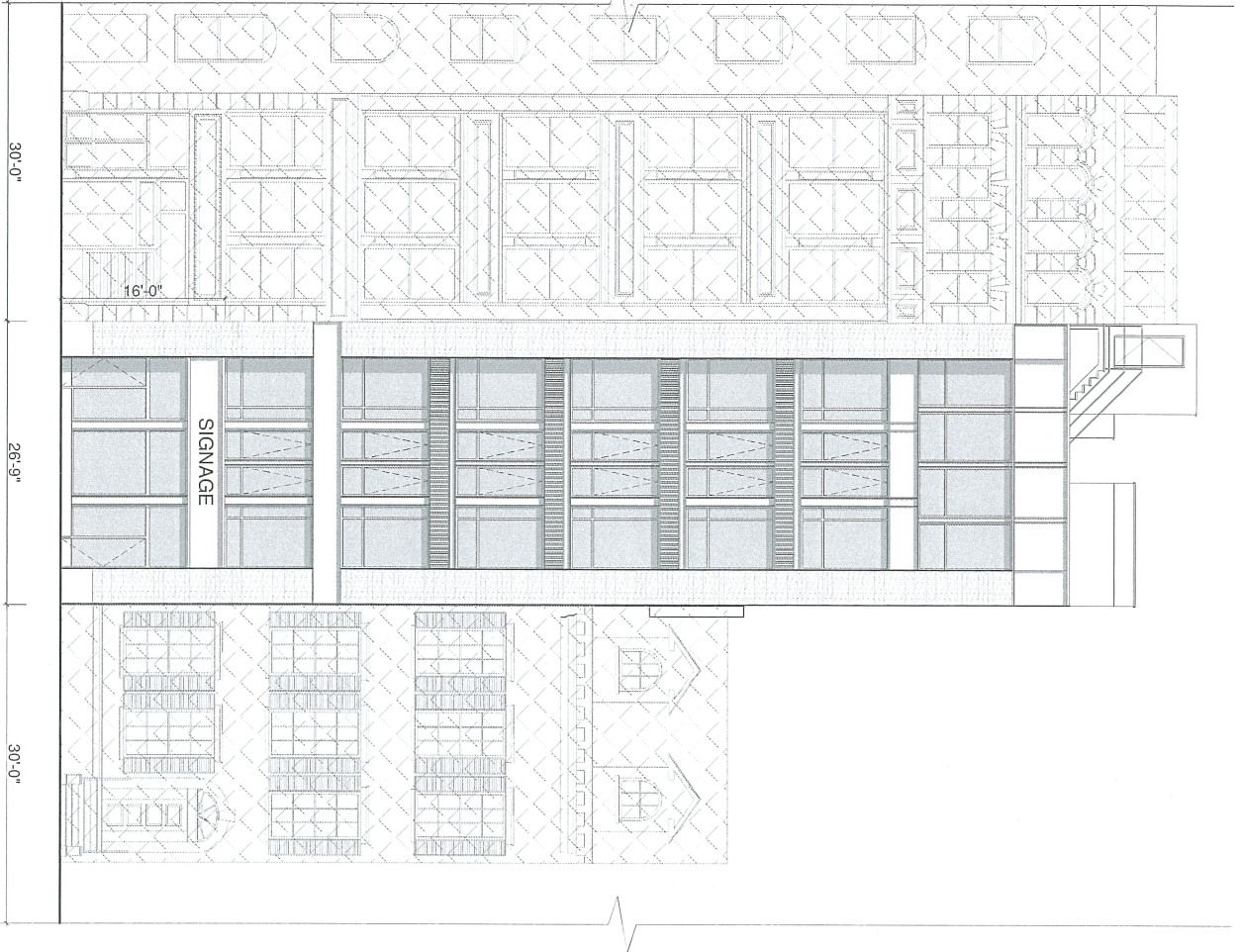


NOTES



**LEGEND**  
--- PROPERTY LINE  
▨ ADJACENT BUILDING

SCALE: 3/16" = 1'  
SCALE: 3/16" = 1'  
TO ALL NON-DIMENSIONED ELEMENTS



NOTICE: Applicant, Owner and user acknowledge that the information regarding the development shown herein is for informational purposes only and does not constitute a guarantee, warranty or representation by the undersigned professional. It is for illustrative purposes only.

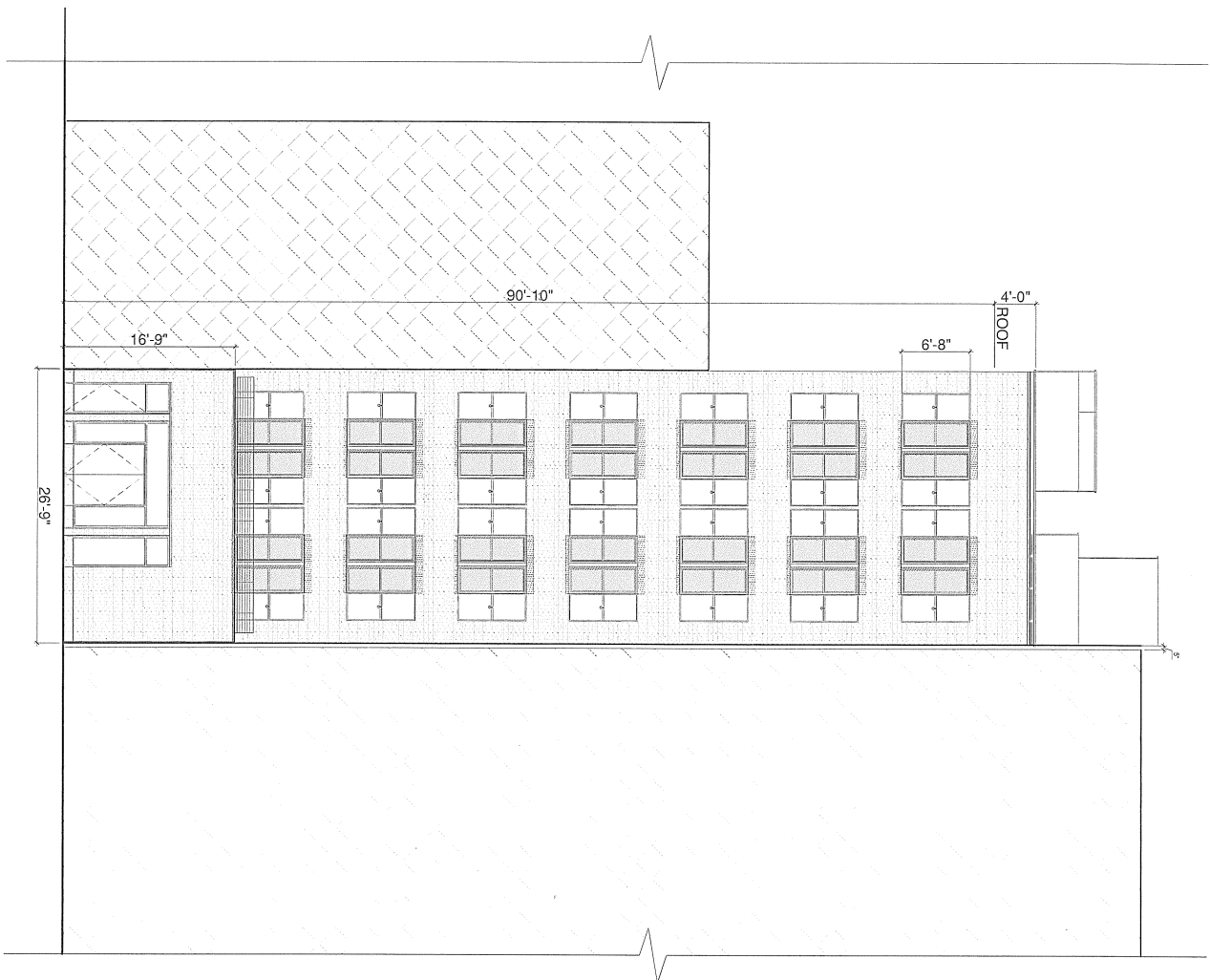
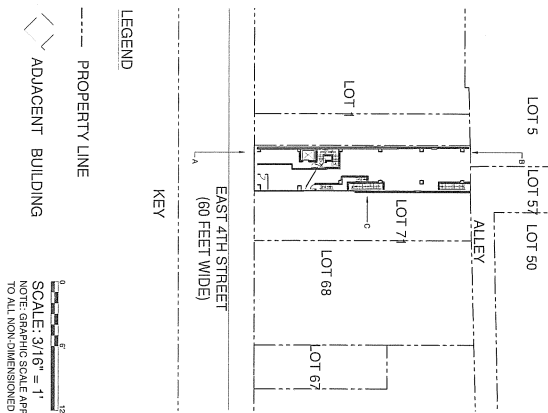
**BUILDING REAR ELEVATION**

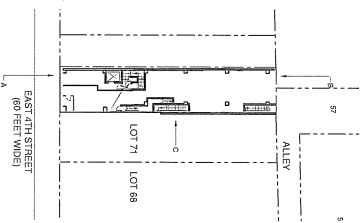
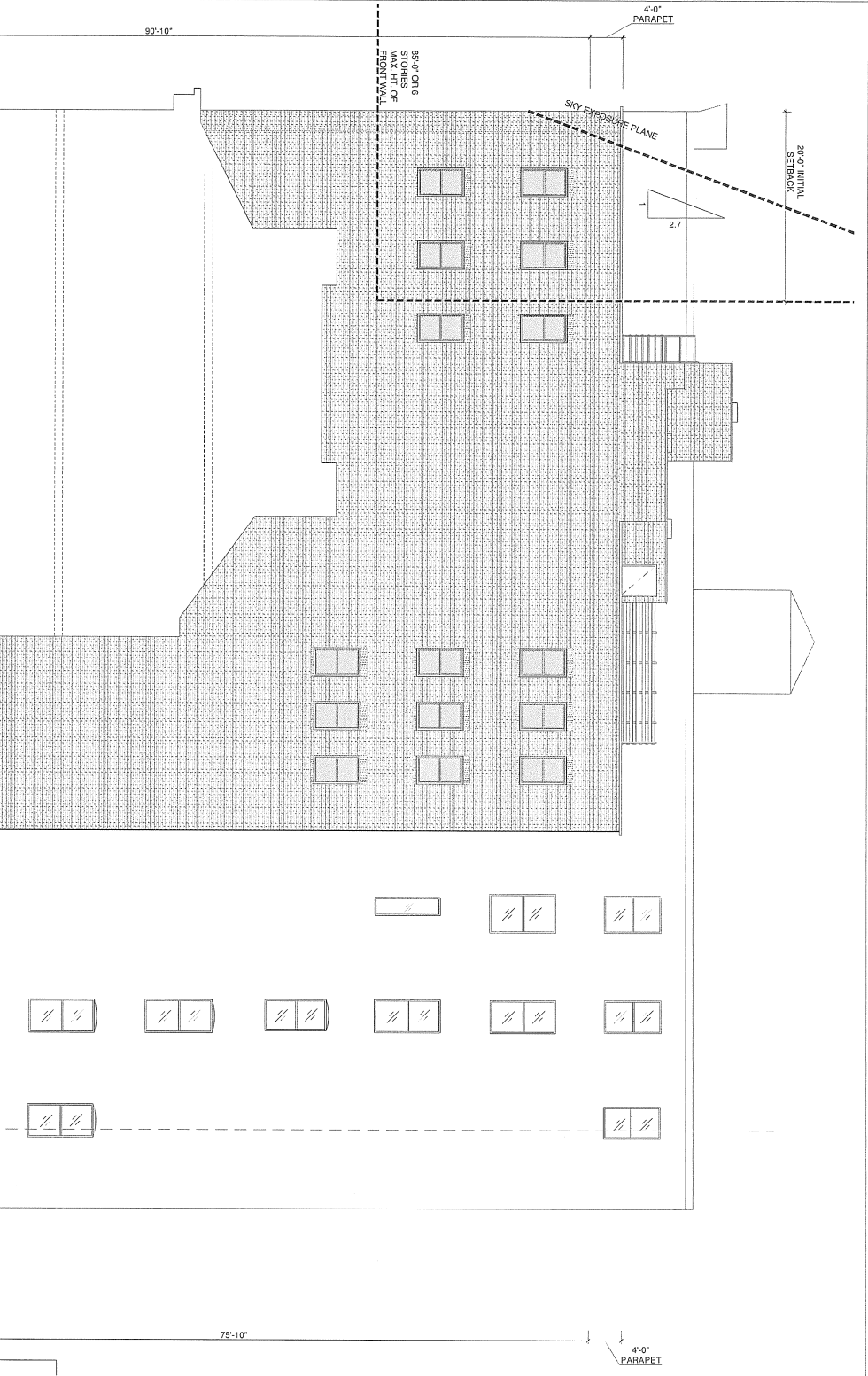
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DRAWN BY: [unintelligible]  
CHECKED BY: [unintelligible]  
DATE PLOTTED: AUGUST 17, 2017  
SHEET NO. [unintelligible]



NOTES

**Z-07**





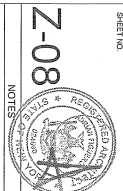
**LEGEND**

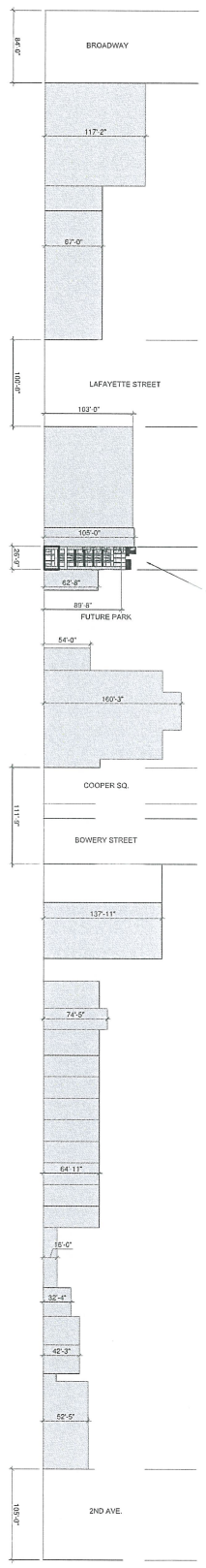
- KEY
- PROPERTY LINE
- REAR YARD LINE

**SCALE: 3/16" = 1'**  
NOTE: GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

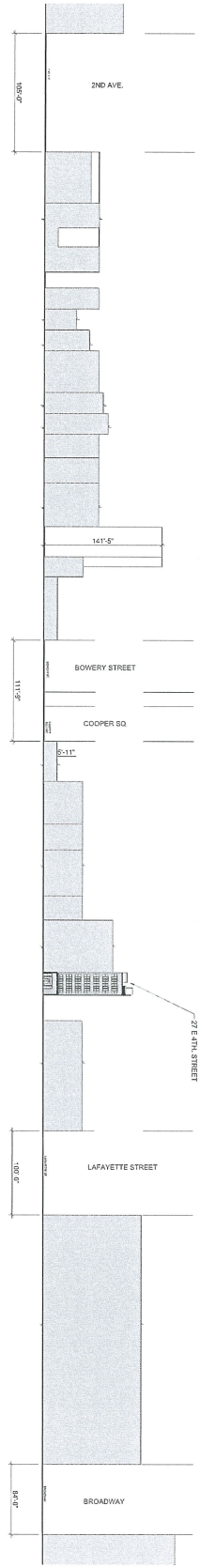
**C-SIDE ELEVATION (EAST)**

DATE PREPARED: AUGUST 19th, 2015  
LAST REVISION: AUGUST 19th, 2015  
SHEET NO.

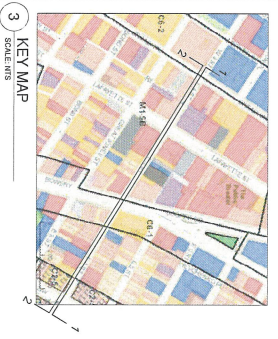




1 NORTHERN VIEW FROM BROADWAY TO 2ND AVE.  
SCALE: 1/8" = 1'-0"



2 SOUTHERN VIEW FROM BROADWAY TO 2ND AVE.  
SCALE: 1/8" = 1'-0"



3 KEY MAP  
SCALE: 1/16" = 1'-0"

NOTE  
1. HEIGHT INFORMATION TAKEN FROM GOOGLE EARTH.  
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS

NOTE: Applicant's stamp and seal correspond to the information regarding the development file, regarding the surrounding properties is for illustrative purposes only.

**STREETS SCAPENBHD CHARACTER DIAGRAM**

DATE PREPARED: AUGUST 24TH, 2018  
LAST REVISION: JANUARY 17TH, 2018  
SHEET NO.

**Z-09**  
NOTES

## A. INTRODUCTION

As described in Attachment A, “Project Description,” the proposed actions would result in the development of either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). This analysis characterizes the existing conditions in the surrounding area, anticipates those changes in land use and zoning that are expected independent of the proposed actions, and addresses any potential impacts to land use, zoning, and public policy associated with the proposed actions.

## B. METHODOLOGY

To determine existing conditions and assess the potential for project-related impacts, the land use study area for the development site was defined as the area within 400 feet of the site, the area in which the proposed actions could reasonably be expected to create potential direct and indirect impacts. Various sources have been utilized to prepare an analysis of the land use, zoning, and public policy characteristics of the study area, including field surveys, evaluation of land use and zoning maps, and the Zoning Resolution of the City of New York. To determine future conditions without the proposed actions, those changes in land use and zoning that are likely to occur by the build year of 2018 were also evaluated.

## C. EXISTING CONDITIONS

### LAND USE

#### *DEVELOPMENT SITE*

The development site is located on Block 544 (Lot 72) within the NoHo Historic District Extension in Manhattan. The development site has 26.67 feet of frontage along East 4<sup>th</sup> Street and a depth of 128.83 feet, for a total lot area of 3,456 SF. The development site is mapped within an M1-5B zoning district.

#### *STUDY AREA*

Land uses within the 400 feet of the 27 East 4<sup>th</sup> Street and 53 Great Jones Street and within the NoHo Historic District Extension are predominantly commercial and residential, often within mixed-use buildings. The surrounding area is predominantly developed with buildings ranging from 2 to 11 stories, which contain a mix of residential, commercial, and industrial uses. The industrial and commercial uses are mainly art-related factories, many of which include Use Group 17 Joint Living-Work Quarters for Artists.



## ZONING

### *DEVELOPMENT SITE*

The development site is located within an M1-5B zoning district, which is described in more detail below.

### *STUDY AREA*

#### Zoning

Both 27 East 4<sup>th</sup> Street and 53 Great Jones Street are located within an M1-5B zoning district (as shown on Zoning Map 12c). The M1-5B zoning district permits manufacturing and commercial uses and certain community facility uses. Joint Living-Work Quarters for Artists are permitted as-of-right in conversions of buildings constructed prior to December 15, 1961, and that have a lot coverage of 5,000 square feet or less (except for buildings with frontage on Broadway, for which the lot coverage must be 3,600 square feet or less). In M1-5B zoning districts, Use Group 6 commercial and retail uses are not permitted below the second floor.

The M1-5B zoning district permits a maximum manufacturing and commercial FAR of 5.0 and a maximum community facility FAR of 6.5. Residential use is not permitted as of right. A setback is required below the lower of the sixth floor or 85 feet, and the applicable sky exposure plane is 2.7 to 1 on narrow streets and 5.6 to 1 on wide streets. The setback required is 15 feet on wide streets and 20 feet on narrow streets. A rear yard of 20 feet is required for interior lots, but no rear yard is required for corner lots within 100 feet of the street line.

The study area for the development site is located entirely within an M1-5B zoning district, except for a small area of the street frontage along Cooper Square (less than 100 feet) that is located within the C6-1 zoning district to the east of the development site (see Site Location Map). M1 districts are light manufacturing, high-performance districts that serve as a buffer to adjacent residential and commercial districts. In addition to manufacturing uses, commercial uses are also permitted in this district. The maximum FAR for commercial and manufacturing uses is 5.0. The maximum FAR for community facilities is 6.5.

**Table B-1**  
**Zoning Districts Located in the Study Areas**

Zoning District	Maximum FAR'	Uses/Zone Type
<b>Manufacturing Districts</b>		
M1-5B	5.0 commercial or manufacturing; 6.5 community facility (use group 4 only) <sup>2</sup>	Medium-density light industrial uses (high performance), commercial, and certain community facilities (for loft areas); JLVQAs
<b>Commercial Districts</b>		
C6-1	6.0 commercial, 3.44 residential, 6.5 community facility	Commercial districts, predominantly with commercial and residential use
<p><b>Notes:</b> <sup>1</sup>Floor area ratio (FAR) is a measure of density establishing the amount of development allowed in proportion to the base lot area. For example, a lot of 10,000 square feet with a FAR of 1 has an allowable building area of 10,000 square feet. The same lot with an FAR of 10 has an allowable building area of 100,000 square feet.</p> <p><sup>2</sup> Use group 4A by Special Permit only.</p> <p><b>Sources:</b> <i>New York City Zoning Resolution.</i></p>		

## PUBLIC POLICY

As stated in Section 41-00 of the Zoning Resolution, the city's manufacturing districts (including M1-5A and M1-5B districts) were established in order to protect light manufacturing uses; to encourage stability and growth in appropriate mixed-use areas by permitting light manufacturing to co-exist where such uses are deemed compatible; and to protect residences by separating them from manufacturing activities, and by generally prohibiting the use of such areas for new residential development. However, manufacturing uses in the City have declined substantially since the zoning districts were enacted, and the spaces previously devoted to manufacturing largely have been changed to commercial uses and units that permit dwellings (including JLVQAs and IMDs). As described above, the NoHo area is now primarily occupied by commercial uses and residences. The area continues to experience considerable pressure for changes to commercial and residential uses, as described below in "The Future Without the Proposed Actions."

The proposed zoning text amendment would apply to the NoHo Historic District Extension. In order to protect the historic districts' contributing resources from inappropriate changes or destruction, the New York City Landmarks Preservation Commission must approve in advance any alteration, reconstruction, demolition, or new construction within the districts' boundaries.

**D. NO ACTION CONDITION****LAND USE***DEVELOPMENT SITE*

Absent the proposed actions, the development site is assumed to remain in its current use. Therefore, the existing one-story commercial uses on the project site are assumed to remain unchanged in the No Action scenario.

*STUDY AREA*

There are no planned development projects within the study area that are expected to be complete by 2018. As such, no changes to land use are expected in the future without the proposed actions.

**ZONING**

No changes to zoning on the development site or study area are currently anticipated in the No Action condition. The development site is assumed to remain in an M1-5B zoning district, as described above.

**PUBLIC POLICY**

No changes to relevant public policies affecting the project site or study area are currently anticipated in the No Action condition, by 2018.

**E. WITH ACTION CONDITION****LAND USE***DEVELOPMENT SITE*

The proposed actions would result in the construction of a new contextual street wall building that contains 8-stories and rises to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed actions would result in the development of either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). The proposed actions would improve land use conditions on the development site by replacing underutilized land with a new commercial development with active ground floor uses.

*STUDY AREA*

While the proposed building at 27 East 4<sup>th</sup> Street would represent a change in land use from the existing 1-story commercial building, the new development would be consistent with existing land-use conditions and anticipated development projects

in the surrounding area. As described above, the study area contains a vibrant mix of residential, commercial, and community facility uses, which the proposed project would complement. Therefore, the proposed project would not result in any significant adverse land use impacts.

## **ZONING**

### *DEVELOPMENT SITE*

The underlying zoning designation of the development site (M1-5B) would remain unchanged. As described in Attachment A, “Project Description,” approval of the proposed text amendments and special permits would facilitate the construction of the LPC approved contextual street wall building comprised of eight-stories and rising without setbacks along its East 4<sup>th</sup> Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed development would be utilized for the either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). The proposed text amendment and special permits would facilitate the development of the proposed project on development site that, as described above, would improve land use conditions on the site. Therefore, the proposed actions would not result in any significant adverse zoning impacts on the development site.

### *STUDY AREA*

As with the development site, the underlying zoning of the study area would remain unchanged in the With Action condition. The proposed text amendment would apply to the development site and the site located at 53 Great Jones Street. Therefore, the proposed actions would not result in any significant adverse zoning impacts on the development site study area.

## **PUBLIC POLICY**

Allowing modification of the development, use and bulk regulations via the text amendment and special permits facilitates development of underutilized land improved with 1-story buildings located within the NoHo Historic District Extension. In light of the declining market for manufacturing uses, the proposed actions respond to the demand for commercial uses in this area by providing the opportunity for new commercial construction within the NoHo Historic District Extension that would be compatible with the existing uses in the study area. Therefore, the proposed actions would be consistent with existing public policy.

Overall, the approval of the text amendments and special permits for the development site is not expected to result in significant adverse impacts on land use, zoning, or public policy.

# LAND USE/AREA MAP

## 27 EAST 4TH STREET, MANHATTAN

### BLOCK #544, LOT #72

#### Project Information

- 600' Radius
- Development Site
- Zoning Districts
- \* Ground Floor USC 6
- JLW Joint Living/Work Quarters
- Noted Historic District Extension

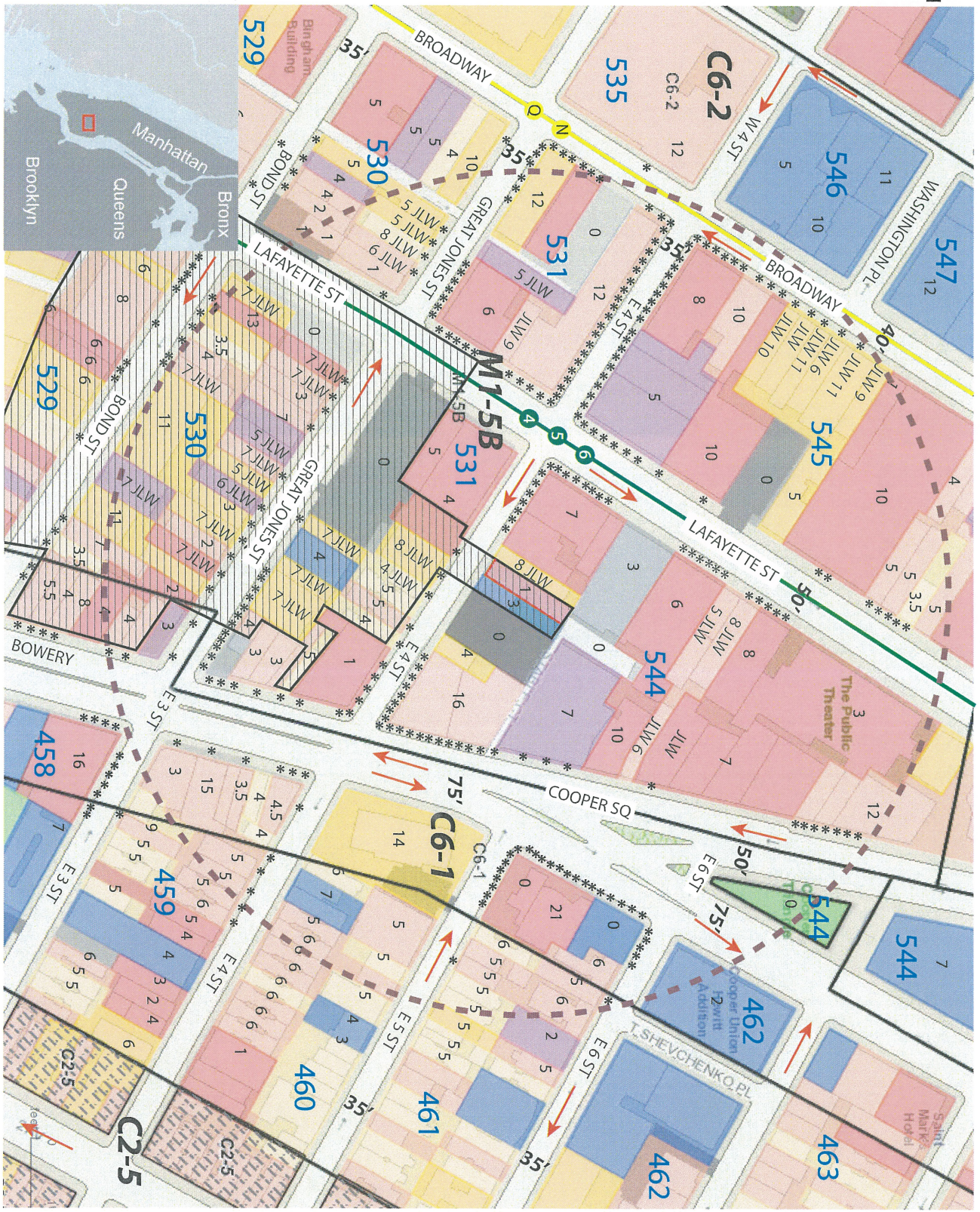
#### Existing Commercial Overlays

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

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

#### Land Uses

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





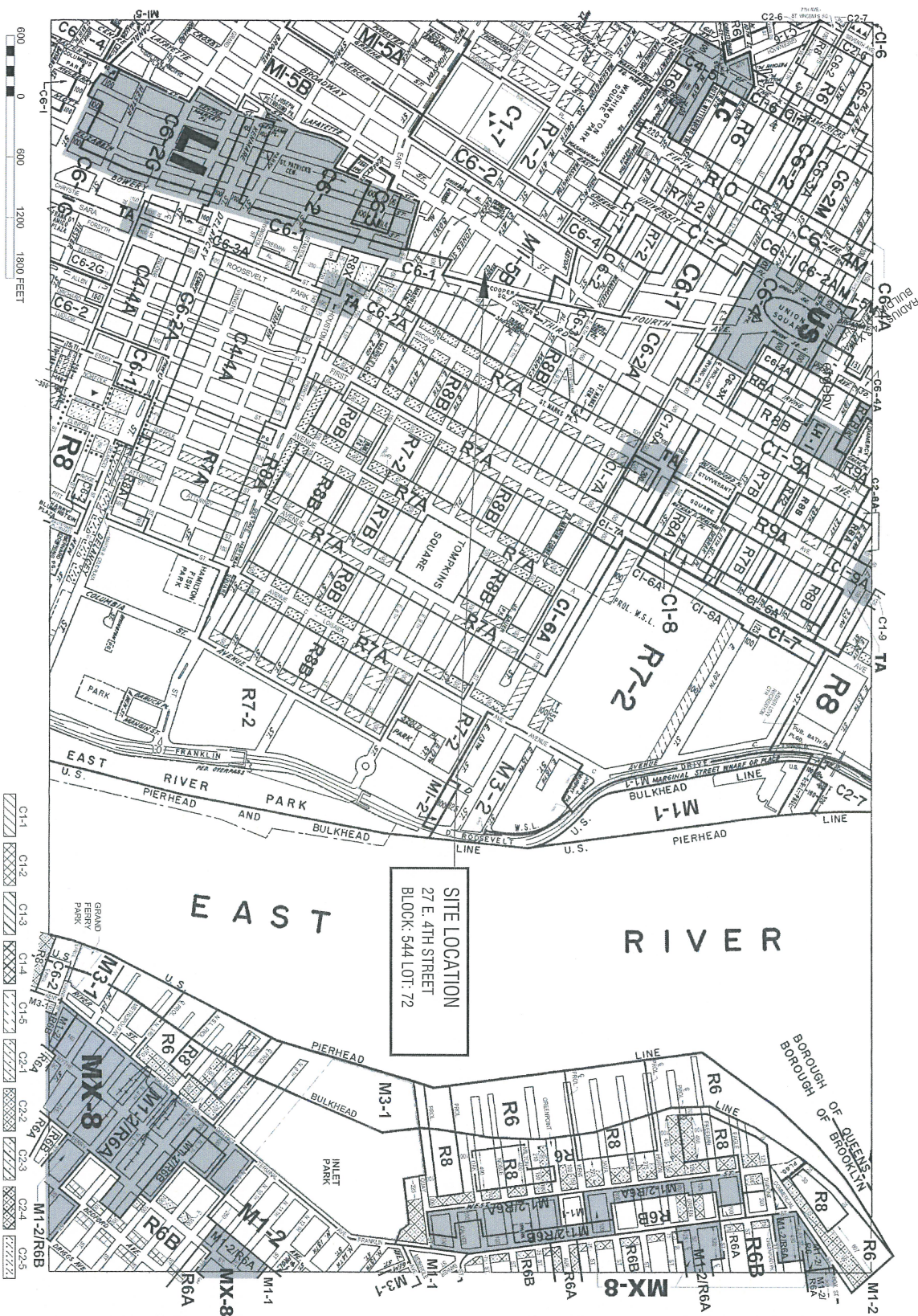
# NYC Digital Tax Map

Effective Date : 08-29-2013 09:02:19  
End Date : Current  
Manhattan Block: 544



- Legend**
- Streets
  - Miscellaneous That
  - Assessable Units
  - Lot Easement Possession Hooks
  - Regular
  - Underwater
  - Tax Lot Polygon
  - Condo Number
  - Tax Block Polygon





# ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

**Major Zoning Classifications:**

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

- R - RESIDENTIAL DISTRICT
- C - COMMERCIAL DISTRICT
- M - MANUFACTURING DISTRICT

**SPECIAL PURPOSE DISTRICT**

The letter(s) within the shaded area designate the special purpose district as described in the text of the Zoning Resolution.

**AREAS REZONED**

**Effective Date(s) of Rezoning:**

10-11-2012 C 120226 ZMM

**Special Requirements:**

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

For a list of lots subject to "P" restrictive dispositions, see APPENDIX D.

For Inclusionary Housing designation areas on this map, see APPENDIX F.

**CITY MAP CHANGE(S):**

- ▲▲ 8-28-2015 C 150203 MAM
- ▲▲ 7-25-2015 C 120077 MAM
- ▲▲ 6-01-2013 C 120155 MAM

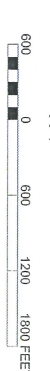
**MAP KEY**

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

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- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5
- M1-2/R6B

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Volume VII, Chapter 6 (Division of General Enforcement) of the Zoning Resolution.



SITE LOCATION  
27 E. 4TH STREET  
BLOCK: 544 LOT: 72

## EAST RIVER

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website [www.nyc.gov/zoning](http://www.nyc.gov/zoning) or contact the Zoning Information Desk at (212) 312-2321.



## A. INTRODUCTION

The proposed project at 27 East 4<sup>th</sup> Street would result in a new building reaching approximately 90, feet 10 inches to its roofline. The total height of the building would be 98 feet, 10 inches with the inclusion of rooftop mechanical structures. This attachment examines whether the proposed building would cast new shadows on any publicly accessible sunlight-sensitive resources. Sunlight-sensitive resources can include parks, playgrounds, gardens, and other publicly accessible open spaces; sunlight-dependent architectural features of historic resources; and natural resources such as water bodies.

The detailed analysis presented in this attachment concludes that the proposed project would not result in any significant shadow impacts on sunlight-sensitive resources, at any time of year.

## B. DEFINITIONS AND METHODOLOGY

This analysis has been prepared in accordance with CEQR procedures and follows the guidelines of the 2014 *CEQR Technical Manual*.

### DEFINITIONS

**Incremental shadow** is the additional, or new, shadow that a structure resulting from a proposed project would cast on a sunlight-sensitive resource.

**Sunlight-sensitive resources** are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include:

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

**Non-sunlight-sensitive resources** include, for the purposes of CEQR:

- *City streets and sidewalks* (except Greenstreets);
- *Private open space* (e.g. front and back yards, stoops, vacant lots, and any private, non-publicly-accessible open space);
- *Project-generated open space* cannot experience a significant adverse shadow impact from the project, according to CEQR, because without the project the open space would not exist. However, if the condition of project-generated open space is included in the qualitative analysis presented in the Open Space chapter of the EIS, a discussion of how shadows would affect the new space may be warranted.

A significant adverse shadow impact occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Each case must be considered on its own merits based on the extent and duration of new shadow and an analysis of the resource's sensitivity to reduced sunlight.

## METHODOLOGY

Following the guidelines of the *CEQR Technical Manual*, a preliminary screening assessment must first be conducted to ascertain whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City.

If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days in each season and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and

assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

### C. PRELIMINARY ASSESSMENT

A base map was developed showing the location of the proposed project and the surrounding street layout. In coordination with the land use and historic resources assessments presented in other attachments of this EAS, no potential sunlight-sensitive resources were identified to be shown on the map.

#### TIER 1 SCREENING ASSESSMENT

For the Tier 1 assessment, the longest shadow that the proposed structure could cast is calculated, and, using this length as the radius, a perimeter is drawn around the project site. Anything outside this perimeter representing the longest possible shadow could never be affected by project generated shadow, while anything inside the perimeter needs additional assessment.

According to the *CEQR Technical Manual*, the longest shadow that a structure can cast at the latitude of New York City occurs on December 21, the winter solstice, at the start of the analysis day at 8:51 AM, and is equal to 4.3 times the height of the structure.

Therefore, at a maximum height of 98 feet, 10 inches above curb level, including rooftop mechanical structures, the proposed mixed-use building could cast a shadow up to 424 feet, 11 inches in length (90 feet, 10 inches x 4.3). Using this length as the radius, a perimeter was drawn around the project site (see Site Location Map), this perimeter area generally coincides with the boundary of the 400 foot land use study area. Since there are no sun-sensitive resources located within the perimeter or longest shadow study area, the next tier of screening assessment is not necessary. Notwithstanding, the Tier 2 Screening Assessment was provided for informational purposes.

#### TIER 2 SCREENING ASSESSMENT


Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City this area lies between -108 and +108 degrees from true north. The attached figure illustrates this triangular area south of the project site. The complementing area to the north within the longest shadow study area represents the remaining area that could potentially experience new project-generated shadow. However, we note that buildings located immediately west of and immediately adjacent to the development site at 25 East 4<sup>th</sup> Street (at 106 feet to its roofline at its East 4<sup>th</sup> Street frontage) and 393-399 Lafayette Street (the DeVine Press


Building) (at 98 feet, 3 inches to its roofline at its East 4<sup>th</sup> Street frontage) are taller than the proposed development and would cast longer and wider shadows that that which would be cast by the proposed development. Further, no sunlight-sensitive resources are located in the longest-shadow study area, and therefore the next tier of assessment was not necessary.


### **CONCLUSIONS**


No new shadow would fall on any sunlight sensitive resources. Overall, the proposed project would not result in any significant adverse shadows impacts.


**LEGEND**


SITE -  27 EAST 4TH STREET


VACANT - 


10°-50° - 

50°-90° - 

90°+ - 

 N

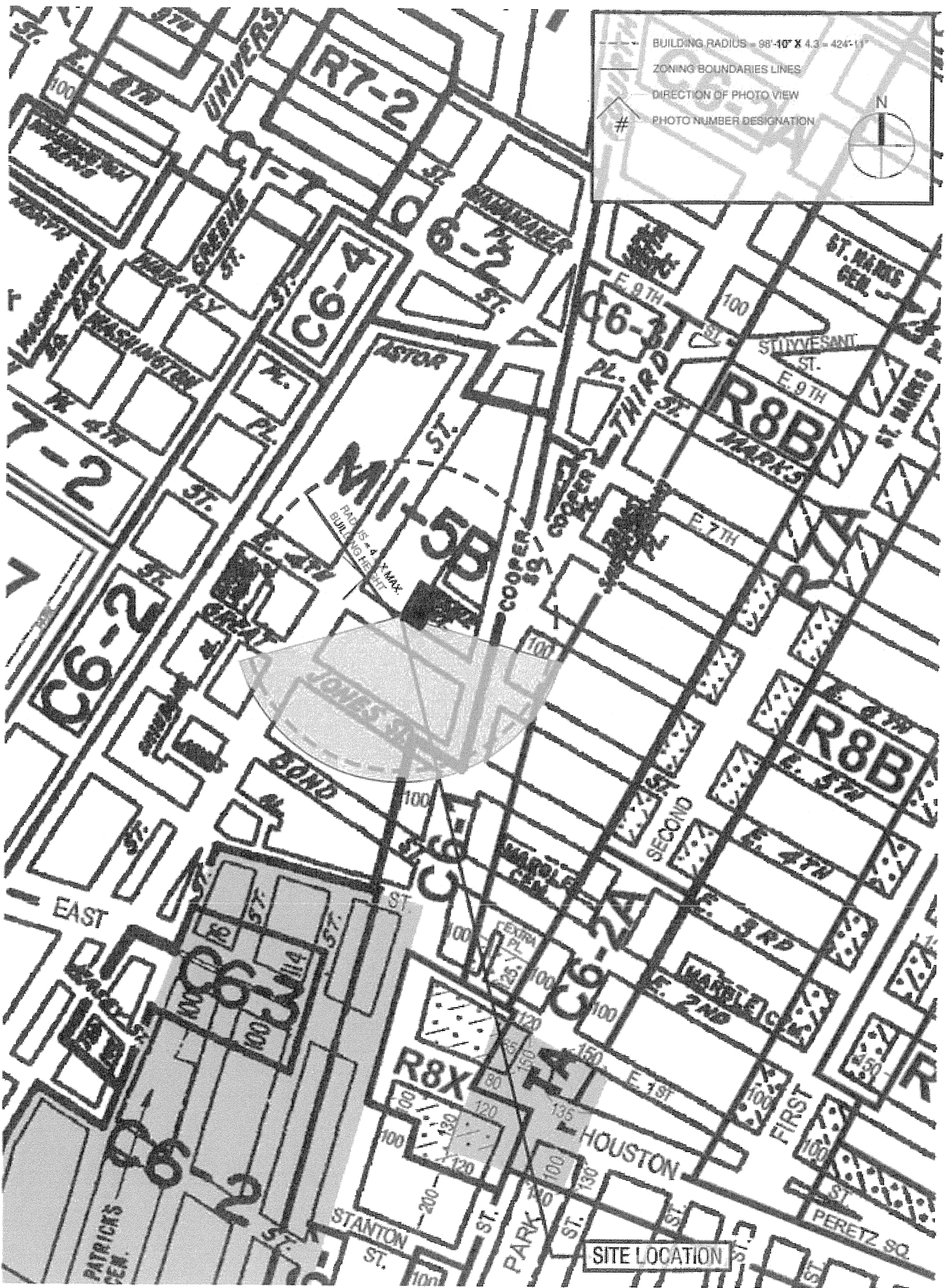
 DIRECTION OF PHOTO VIEW

 PHOTO NUMBER DESIGNATION



**LAND USE MAP**

ZONING MAP | 27 EAST 4TH STREET (01-11025)



**SITE LOCATION MAP**

ZONING MAP | 27 EAST 4TH STREET (01-11025)

## A. INTRODUCTION

According to the *CEQR Technical Manual*, a historic resources assessment is required if there is the potential to affect either archaeological or architectural resources. Actions that could affect archaeological resources and that typically require an assessment are those that involve in-ground disturbance or excavation. Actions that trigger an architectural resources assessment include new construction, demolition, or significant alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; construction, including but not limited to, excavation, vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and the introduction of significant new shadows or significant lengthening of the duration of existing shadows over a historic landscape or on a historic structure with sunlight-dependent features.

## B. SCREENING ANALYSIS

Screening Analysis - Archaeology: The 27 East 4<sup>th</sup> Street project would involve subsurface disturbance to a portion of the property located in Block 544, Lot 72.<sup>1</sup> Thus an analysis of potential impacts to archaeological resources is required. The applicant's contractor has on prior occasions opened test pits which indicate the existence of rubble foundations, concrete fragments, broken concrete rubble, sand and silt to the depth of the proposed cellar. On October 28, 2015, LPC notified the applicant that its review of archaeological sensitivity models and historic maps indicates that "there is potential for the recovery of remains from 19th Century occupation on the project site." Accordingly, LPC recommended that a Phase IA archaeological documentary study be performed to clarify their initial findings and to provide the threshold for the next level of review, if such review is necessary. The applicant prepared and submitted to LPC a Phase IA Archaeological Survey of subsurface conditions at the 27 East 4<sup>th</sup> Street site. On June 10, 2016, LPC determined "that there are no further archaeological concerns." Consequently, the proposed project at 27 East 4<sup>th</sup> Street project would not result in any significant adverse impacts on archaeological resources.

NoHo Historic District Extension: The project site is located within the NoHo Historic District Extension, which was designated an historic district by the Landmarks Preservation Commission on May 13, 2008 (Designation List 403, LP-2287). Abutted on three sides by the previously designated NoHo and NoHo East Historic Districts, the NoHo Historic District Extension consists of fifty-six buildings centered on Bond, Great Jones, and East 4th Streets between Lafayette

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<sup>1</sup> The applicant does not propose to excavate within 6 feet of the foundations of the adjacent Merchant's House Museum to remain outside of the potential "influence area" as a construction protection measure.

Street and the Bowery plus the northeast corner of Bleecker Street and Lafayette Street. Built primarily between the early nineteenth and early twentieth centuries, the area, which is dominated by mid-rise store-and-loft buildings, includes residential, commercial and civic buildings.

The modern development of the NoHo Historic District Extension began in the 1820s and 30s. The older residential neighborhoods of lower Manhattan were becoming increasingly commercial at that time and upper-class New Yorkers moved northward into elegant Federal and Greek Revival style rowhouses along Bond Street. While many of the houses of this period were later demolished or altered, the c. 1830-31 Federal style house at 26 Bond Street and c. 1836-38 Greek Revival style house at 52 Bond Street have remained mostly intact examples of their styles. By mid-century, as the more affluent residents moved to neighborhoods farther uptown, a new phase of residential development took place. Former single-family homes were converted to multiple dwellings or mixed-use structures to meet the needs of a population growing with the arrival of increasing numbers of immigrants. Some buildings like 332, 342, 354 and 356 Bowery, which had been built in the 1820s and 30s, were enlarged or replaced with larger dwellings in the Italianate style. Also in the era immediately before the Civil War purpose-built tenements with stores, like the Italianate style 28 Bond Street began to appear. After the war, residential development essentially ended, with only one project, the matching German Renaissance Revival style tenements with stores at 34 and 36 East 4th Street (1888-89, designed by Alexander I. Finkle), constructed.

Commercial development increased in the late 1860s and continued into the twentieth century, as many of the older buildings were converted to factories, shops and warehouses or were demolished to make way for the construction of the store-and-loft buildings that are a distinctive feature of the area. The development of the larger scale commercial structures, five to eight stories in height and one to three lots in width, began slowly. Only three of the district extension's twenty-five store-and-loft buildings were erected prior to 1890: 27 Great Jones Street (1868-70), designed in the Italianate style by architect Louis Burger for Frederick A. Vilmar; 17-19 Bond Street (1879-80), designed by Peter Tostevin in the Neo-Grec style for the firm of Bouton and Smith; and 31 Bond Street (1888-89), designed in the Renaissance Revival style by De Lemos & Cordes. The greatest period of loft construction occurred during the 1890s, when nineteen buildings were constructed along Bond and Great Jones Streets, and to a lesser extent East 4th Street and the Bowery, designed by some of the city's noted firms of the period. Employing Romanesque, Renaissance and Classical Revival styles, firms such as Cleverdon & Putzel, Buchman & Deisler, and individual architects like A. V. Porter, were responsible for the majority of these structures. Cleverdon & Putzel, Buchman & Deisler along with other firms and individual architects who designed buildings in the NoHo Historic District Extension also designed buildings located in the NoHo and NoHo East Historic Districts. After the turn of the century, loft construction dwindled with only three buildings, including the Classical Revival style 334



Bowery (1908-09) and 28-30 East 4th Street (1901-02) being built. The neighborhood's twentieth-century commercial structures were smaller and more utilitarian in design.

While store-and-loft building construction dominated the latter half of the nineteenth century, the NoHo Historic District Extension was also the location of institutional and civic buildings. Henry Engelbert's Second Empire style Bond Street Savings Bank (1873-74) at 330 Bowery (an individually designated New York City landmark) is the only cast-iron-clad building in the extension. Small structures such as the 1870-71 Italianate style stable at 31 Great Jones Street served Fire Patrol 2 of the New York Board of Fire Underwriters until 1907. Fire Engine Company 33, displaced by the creation of modern-day Lafayette Street from its home farther west on Great Jones Street, moved into its individually designated New York City landmark firehouse at 42-44 Great Jones Street, designed in the Beaux-Arts style by Ernest Flagg and W. B. Chambers in 1898-99. Rather than construct a new building, the newly formed Free Circulating Library (which later merged with the New York Public Library) altered the Federal style dwelling at 49 Bond Street c. 1882 to house its first branch library offering circulating books to the general public, and remained there until 1919.

Following World War II, the city's manufacturing base declined as companies left Manhattan for areas outside the city. Landlords began to rent the large vacant spaces to artists and small theatre companies. The artists won a prolonged battle over the right to live, as well as work, in these spaces, heralding the revitalization of the NoHo Historic District Extension as a residential neighborhood. Today, zoning changes have enabled not only the conversion of former store-and-loft buildings into residential structures but also have led to the construction of three new luxury residential buildings along Belgian block-paved Bond Street in the twenty-first century.

Today, the fifty-six buildings that comprise the NoHo Historic District Extension represent a thriving neighborhood, dominated by store-and-loft buildings, that illustrates nearly two centuries of development from the early nineteenth century to the present day that is a distinctive part of the history and character of NoHo.

Photos of representative examples of contributing historic structures located within the NoHo Historic District Extension are attached hereto.

Screening Analysis - Architecture: Since the project would involve the demolition of the existing building and the construction of a new building within the NoHo Historic District Extension, an analysis of potential impacts to architectural resources is required. Consistent with *CEQR Technical Manual* methodology, the study area for this analysis has been defined as the project site and the area within 400 feet of the development site's boundaries. To assess the potential impacts of the proposed project, an inventory of known and potential architectural resources in the study area was compiled. Accordingly, the known architectural resources within the study area include: (i) the Merchant House Museum (S, NR, NYCL), an

individual landmark designated by LPC on October 14, 1965; and further designated as an interior landmark by LPC on December 22, 1981; (ii) the Samuel Tredwell Skidmore House located at 37 East 4<sup>th</sup> Street (S/NR, NYC L); (iii) the DeVine Press Building located at 393-399 Lafayette Street (NYCL); (iv) the Fire Engine Company No. 33 at 44 Great Jones Street (S/NR, NYCL); and (v) the Schermerhorn Building located at 376-380 Lafayette Street (S/NR, NYCL).

As the development site is located within the NoHo Historic District Extension, construction of the proposed building requires the review and approval of the LPC. On April 8, 2014, the LPC voted to approve the demolition of the existing 1-story building located at 27 East 4<sup>th</sup> Street and the construction of the new contextual street-wall building which is the subject of this EAS (see copy of the LPC Status Update Letter dated April 8, 2014 attached hereto as **Appendix A**). As a result, the proposed project would not have a significant adverse effect on architectural resources.

As a condition of LPC's approval, the project would comply with LPC's *Guidelines for Construction Adjacent to a Historic Landmark* as well as the guidelines set forth in section 523 of the *CEQR Technical Manual* and the procedures set forth in the New York City Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88, to avoid the potential for construction-related impacts to nearby buildings including the Merchant's House and within the historic district. This includes preparation of a Construction Protection Plan (CPP), to be prepared prior to construction activities and submitted to LPC for review and approval. The CPP would contain measures to avoid construction-related impacts including ground-borne vibration and accidental damage from heavy machinery, as appropriate. The CPP would be developed in consultation with LPC and implemented by a professional engineer prior to the project. The CPP would follow the guidelines set forth in section 523 of the *CEQR Technical Manual*.

In summary, the proposed project would not have any significant adverse impacts on architectural resources, and no further analysis is required.

# **NOHO HISTORIC DISTRICT EXTENSION Designation Report**







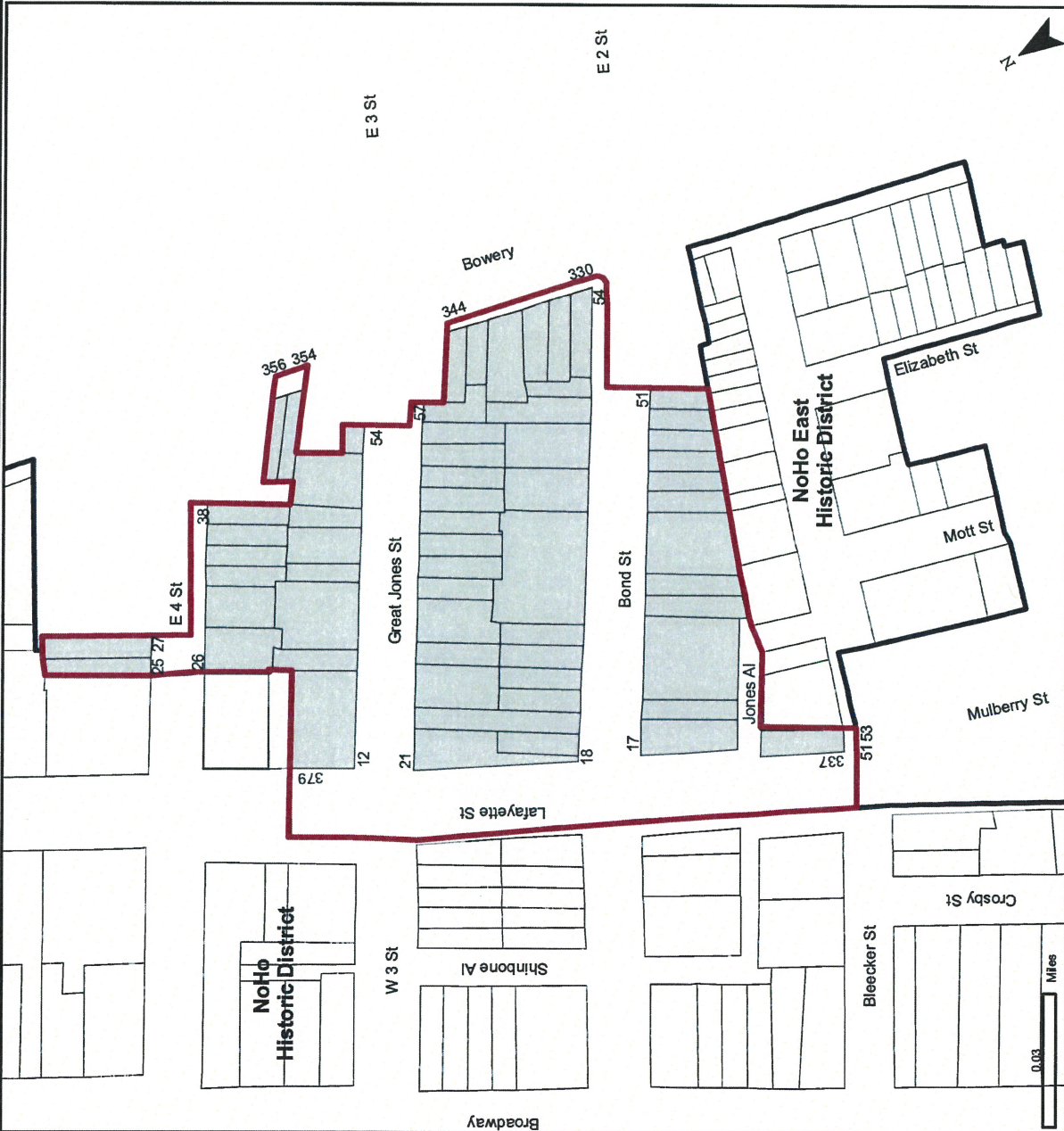
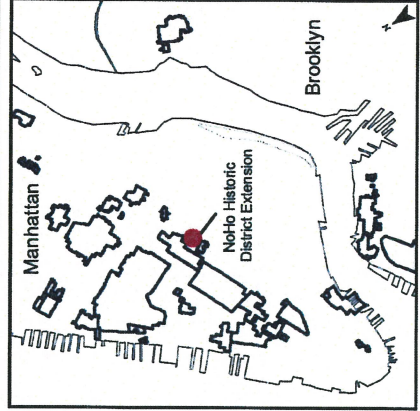
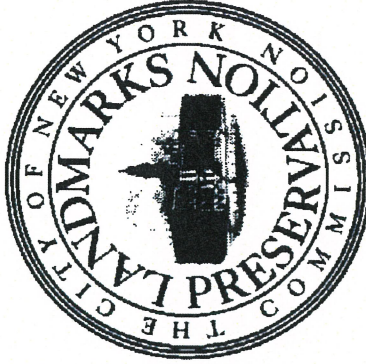
**New York City Landmarks Preservation Commission  
May 13, 2008**

# NoHo Historic District Extension

NoHo Historic District Extension  
 Borough of Manhattan, NY  
 Landmarks Preservation Commission

Calendared: January 15, 2008  
 Public Hearing: March 18, 2008  
 Designated: May 13, 2008

-  NoHo & NoHo East Historic Districts
-  Tax Lots NoHo & NoHo East HDs
-  NoHo Historic District Extension
-  Tax Lots in NoHo HD Extension



Graphic Sources: New York City Department of City Planning, MapPLUTO, Edition 06C, 2006. Date: May 13, 2008.



Figure 1  
17-19 Bond Street  
Peter Tostevin, 1879-80  
Photo: Carl Forster



Figure 2  
21 Bond Street  
Buchman & Deisler, 1892-93  
Photo: Carl Forster



Figure 22  
(Former) Bond Street Savings Bank aka Bouwerie Lane Theatre  
330 Bowery  
Henry Engelbert, 1873-74  
Photo: Carl Forster



Figure 49  
Firehouse Engine Co. Thirty-Three  
42-44 Great Jones Street  
Ernest Flagg and W. B. Chambers, 1898-99  
Photo: Carl Forster





Figure 36  
27 Great Jones Street, Louis Burger, 1868-70  
29 Great Jones Street, Charles W. Clinton, 1891  
Photo: Jennifer Most



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



April 8, 2014

ISSUED TO:

Gary Spindler  
Kalodop Park Corp.  
250 West 26th Street  
New York, NY 10001

Re: **STATUS UPDATE LETTER**  
LPC - 130884  
SUL 15-6190  
27 EAST 4TH STREET  
HISTORIC DISTRICT  
NOHO EXTENSION  
Borough of Manhattan  
Block/Lot: 544 / 72

This letter is to inform you that at the Public Meeting of April 8, 2014, following the Public Meeting of February 11, 2014, March 12, 2013 and September 11, 2012, and the Public Hearing of September 4, 2011, the Landmarks Preservation Commission voted to approve a proposal to demolish an existing building and construct a new building, as put forward in your application completed on March 28, 2014. The approval will expire on April 8, 2020.

However, in voting to grant the approval, the Commission stipulated that two signed and sealed copies of the final Department of Buildings filing drawings be submitted to the staff of the Commission for review and approval. Upon review and approval of these materials, a Certificate of Appropriateness will be issued.

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

Gabriela Gutowski

**Please Note: THIS IS NOT A PERMIT**

cc: Jared Knowles, Deputy Director of Preservation/LPC

## ARCHAEOLOGY

**Project number:** DEPARTMENT OF CITY PLANNING / PR-CEQR-M

**Project:**

**Address:** 27 EAST 4 STREET, **BBL:** 1005440072

**Date Received:** 6/2/2016

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

**No archaeological significance**

**Designated New York City Landmark or Within Designated Historic District**

**Listed on National Register of Historic Places**

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

**May be archaeologically significant; requesting additional materials**

**Comments:** The LPC is in receipt of the, "Phase 1A Archaeological Survey for the Proposed Hotel at 27 East 4th Street, NY, NY," prepared by AHRS and dated June 2, 2016. The LPC concurs that there are no further archaeological concerns. Please send a bound copy of the report to the LPC.



6/10/2016

---

SIGNATURE

Amanda Sutphin, Director of Archaeology

DATE

**File Name:** 30892\_FSO\_ALS\_06062016.doc

## A. INTRODUCTION

This section considers the potential of the proposed actions to affect urban design and visual resources. The proposed actions would result in the demolition of the existing 1-story building and the construction of a new contextual street-wall building comprised eight-stories and rising without setbacks along its East 4<sup>th</sup> Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet on the 27 East 4<sup>th</sup> Street development site.

Under *CEQR Technical Manual* guidelines, urban design is defined as the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. An urban design assessment under CEQR must consider whether and how a project may change the experience of a pedestrian in a project area. The *CEQR Technical Manual* guidelines recommend the preparation of a preliminary assessment of urban design and visual resources, followed by a detailed analysis, if warranted based on the conclusions of the preliminary assessment. The analysis provided below addresses urban design characteristics and visual resources for existing conditions and the future without and with the proposed actions.

As described below, the proposed actions would not result in any significant adverse changes to building types, arrangements, or uses, street patterns, streetscape elements, open spaces, natural resources, or wind or sunlight characteristics. The proposed actions would not obstruct or significantly affect any existing view corridors or views to visual resources.

## B. METHODOLOGY

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed project.

The proposed actions would permit modifications of height and setback requirements along the East 4<sup>th</sup> Street frontage. More specifically, the third requested action is a special permit pursuant to ZR 74-712(b) to modify height and setback regulations in the M1-5B zoning district that require buildings to be setback a distance of 20 feet at a height of 85 feet or 6 stories (whichever is less). The proposed special permit would facilitate the construction of a new contextual street-wall building, as approved by the Landmarks Preservation Commission pursuant to the Status Update Letter dated April 8, 2014 (LPC – 130884, SUL 15 – 6190), which is comprised eight-stories that rises without setbacks along its East 4<sup>th</sup> Street

frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The extent of the waiver of sought by the applicant pursuant to this special permit is comprised of the portion of the 7<sup>th</sup> and 8<sup>th</sup> floor located within the required setback (i.e., the volume of which measures 26'9" (L) x 20 (W) x 24'10" (H), See Bulk Waiver Plan/Section (Drawings Z-04 & Z-05) set forth in "Attachment: A Project Description").

According to the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis. For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. The land use study area may serve as the initial basis for analysis; however, in cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of this area, as is often the case with waterfront sites or sites within or near historic districts.

The project area does not include any waterfront sites. While the 27 East 4<sup>th</sup> Street site is located within a historic district, views to the site are limited to directly adjacent streets. Therefore, consistent with the analysis of land use, zoning, and public policy, the study area for the urban design and visual resources analysis has been defined as a 400-foot radius around the 27 East 4<sup>th</sup> Street site.

The 2014 *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as along the waterfront, or other location where winds from the waterfront are not attenuated by buildings or natural features), which may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. The proposed action would not result in the construction of large buildings at locations that experience high wind conditions, and thus a pedestrian wind analysis is not warranted.

## C. EXISTING CONDITIONS

### URBAN DESIGN

#### *DEVELOPMENT SITE*

The development site is located at 27 East 4th Street (Manhattan Block 544, Lot 72) in the NoHo Historic District Extension. The development site, is mapped within an M1-5B zoning district, has 26.67 feet of frontage along East 4th Street and a depth of 128.83 feet, for a total lot area of 3,456 SF. The development site is today improved with a 1-story non-contributing tax payer building (See photo #4, #5, #6 and #7 set forth in "Attachment E: Urban Design and Visual Resources.")

The Applicant proposed to demolish the existing 1-story building located at 27 East 4<sup>th</sup> Street and construct a new contextual street-wall building comprised eight-stories and rising without setbacks along its East 4<sup>th</sup> Street frontage to a height of 90 feet, 10 inches to the roof and 94 feet, 10 inches to the top of the parapet. The proposed development would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR).

#### *STUDY AREA*

The character of the 27 East 4<sup>th</sup> Street study area is largely defined by the scale, character and materials of the surrounding historic buildings. The buildings within the study area are predominantly older loft and store structures, which fully occupy their lots and rise to their full height without setback. The buildings in this portion of the study area are mainly faced in cast iron and masonry. There are very few breaks in the strong street-walls created by these buildings. The streets within this portion of the study area have active pedestrian use because of the neighborhood's many ground-floor boutiques, art galleries, and restaurants.

Although the majority of the buildings in the study area are historic, there is a limited amount of new development. The new development in the general area is mainly residential, but also includes commercial offices and hotels. Recent construction includes two modern residential buildings, each with 6- and 8-story portions, located on the south side of West Houston Street between Wooster and Mercer; and a new 6-story (72-foot-tall) through-block residential building west of the development site.

#### **VIEW CORRIDORS AND VISUAL RESOURCES**

The *CEQR Technical Manual* defines a visual resource as “the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.”

#### *DEVELOPMENT SITE*

As described above, the 27 East 4<sup>th</sup> Street site is located within the NoHo Historic District Extension. However, the building on this site is nondescript and not prominent or distinct in surrounding views, and thus it is not considered to be a visual resource. Views from the sidewalk adjacent to the 27 East 4<sup>th</sup> Street site are primarily of the surrounding historic structures.

**D. NO ACTION CONDITION**

Absent the proposed action, the development site would remain in its current use. The development site is today improved with a 1-story non-contributing tax payer building (See photo #4, #5, #6 and #7 set forth in “Attachment E: Urban Design and Visual Resources.”) In the future No-Action Scenario, no development is anticipated on the development site.

As described in Attachment A, “Land Use, Zoning and Public Policy,” there are no planned development projects within the study area that are expected to be complete by 2020. As a result, it is not anticipated that any notable changes to the study area’s view corridors or significant views to visual resources will take place.

**E. WITH ACTION CONDITION**

The *CEQR Technical Manual* guidelines state that if the preliminary assessment shows that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed analysis is appropriate. Examples include projects that would potentially obstruct view corridors, compete with icons in the skyline, or make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings. Detailed analyses also are generally appropriate for areawide rezonings that include an increase in permitted floor area or changes in height and setback requirements, general large-scale developments, or projects that would result in substantial changes to the built environment of a historic district or components of a historic building that contribute to the resource’s historic significance. The Proposed Development was designed to mirror the existing built form by rising without setback to its roof and by maintaining its street-wall along the sites entire frontage so that it may relate harmoniously to the buildings in the NoHo Historic District Extension (See Bulk Waiver Plan/Section (Drawings Z-04 & Z-05), Front Elevation (Z-06), Rear Elevation (Z-07), Side Elevation (Z-08) and Streetscape Fabric Characteristic Diagram (Z-09), all as set forth in “Attachment: A Project Description”). The proposed actions would not noticeably change the scale of buildings; would not involve an area-wide rezoning that includes an increase in permitted floor area or significant changes in height or setback requirements; would not involve a general large-scale development; and would not result in substantial changes to the built environment of a historic district or components of a historic building that contribute to the resource’s historic significance (See Streetscape Fabric Characteristic Diagram (Z-09), set forth in “Attachment: A Project Description”). Therefore, the proposed actions would not noticeably change the scale of buildings, and the floor area, lot coverage, and setbacks of the proposed building on this site would not result in substantial changes to the built environment of a historic district.

Overall, the proposed actions would not be anticipated to significantly affect any urban design features of the 27 East 4<sup>th</sup> Street site, or the general urban design character of the neighborhood.

According to the guidance of the *CEQR Technical Manual*, additional visual resources analysis is required if: a project would partially or totally block a view corridor or a natural or built resource or a natural or built visual resource, and that resource is rare in the area or considered a defining feature of the neighborhood; or, a project would change urban design features so that the context of a natural or built visual resource is altered (for example, if a project alters the street grid so that the approach to the resource changes; if a project changes the scale of surrounding buildings so that the context changes; or if a project removes lawns or other open areas that serve as a setting for the resource). While the proposed actions would permit a de-minimus variation in the street wall of the proposed development (See Bulk Waiver Plan/Section (Drawings Z-04 & Z-05), Front Elevation (Z-06), Rear Elevation (Z-07), Side Elevation (Z-08), all as set forth in “Attachment: A Project Description”), this variation does not to meet this threshold, and would not be anticipated to significantly affect visual corridors or visual resources (See Streetscape Fabric Characteristic Diagram (Z-09), all as set forth in “Attachment: A Project Description”).

The Proposed Development is expected to reach 8-stories tall, comparable in height to the adjacent buildings to the west of the site both along East 4th Street and along Lafayette Street. In addition to aligning with the existing buildings, the Proposed Development would fill in an uncharacteristic gap in the street-wall along East 4th Street, all of which is consistent with the existing built character of the NoHo Historic District Extension (See photo #4, #5, #6 and #7 set forth in “Attachment E: Urban Design and Visual Resources”).

## **E. CONCLUSION**

Overall, it is considered that the Proposed Actions would result in development that adheres to the existing design of the urban fabric within the project area as compared to the No-Action scenario. Therefore, the Proposed Actions would not result in any significant adverse impacts on urban design and visual resources, and no further analysis is required.



Street view - East 4th Street



Lafayette Street

21 East 4th St

25 East 4th St

27 East 4th St

Merchant's House Museum

Future park

Landmarks Preservation Commission Presentation | 27 East 4th Street  
April 8, 2014

**SPRAA + E**  
Architecture & Engineering, P.C.



PHOTO #1



PHOTO #2



PHOTO #3

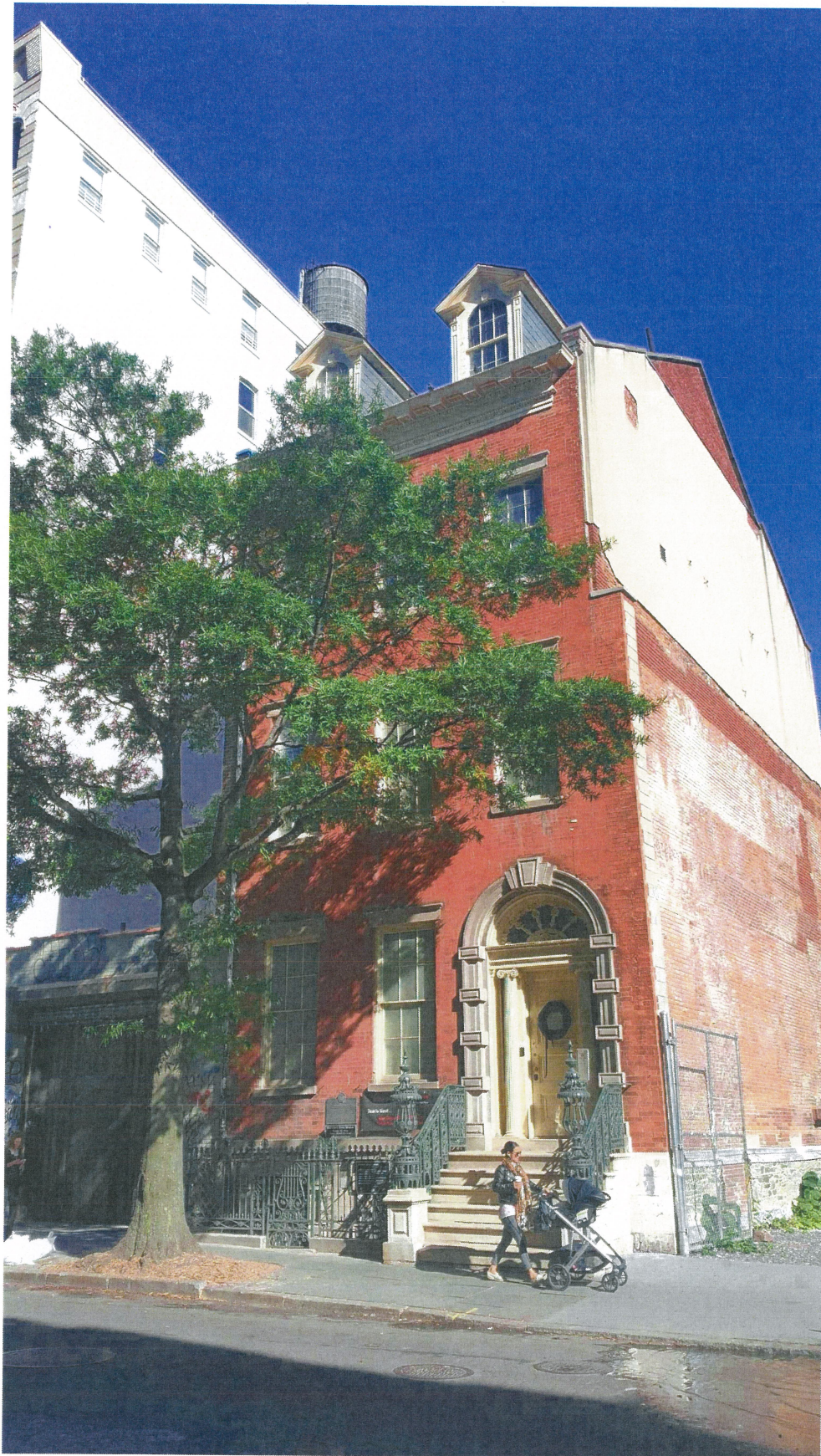


PHOTO #4

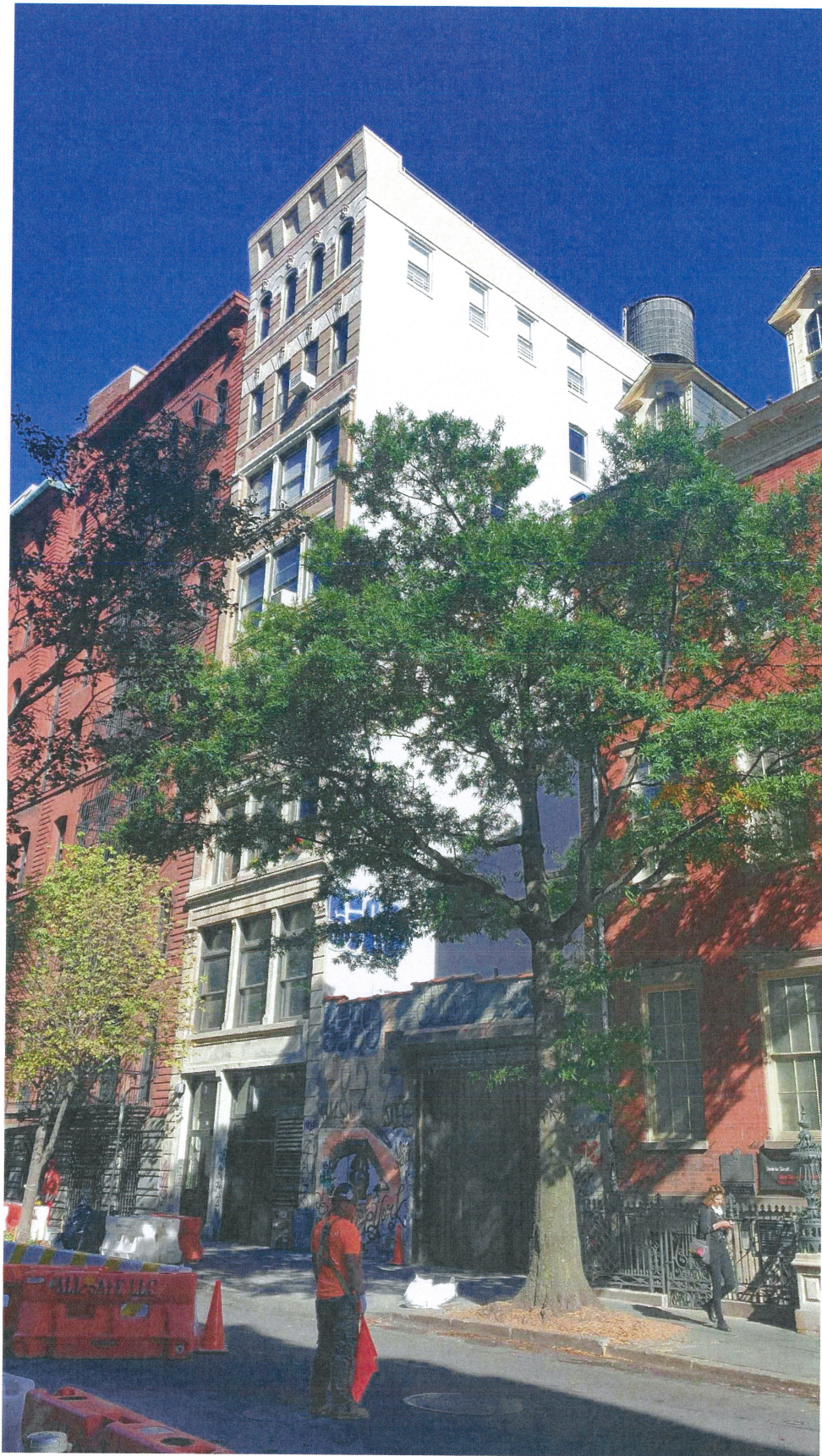


PHOTO #5



PHOTO #6



PHOTO #7

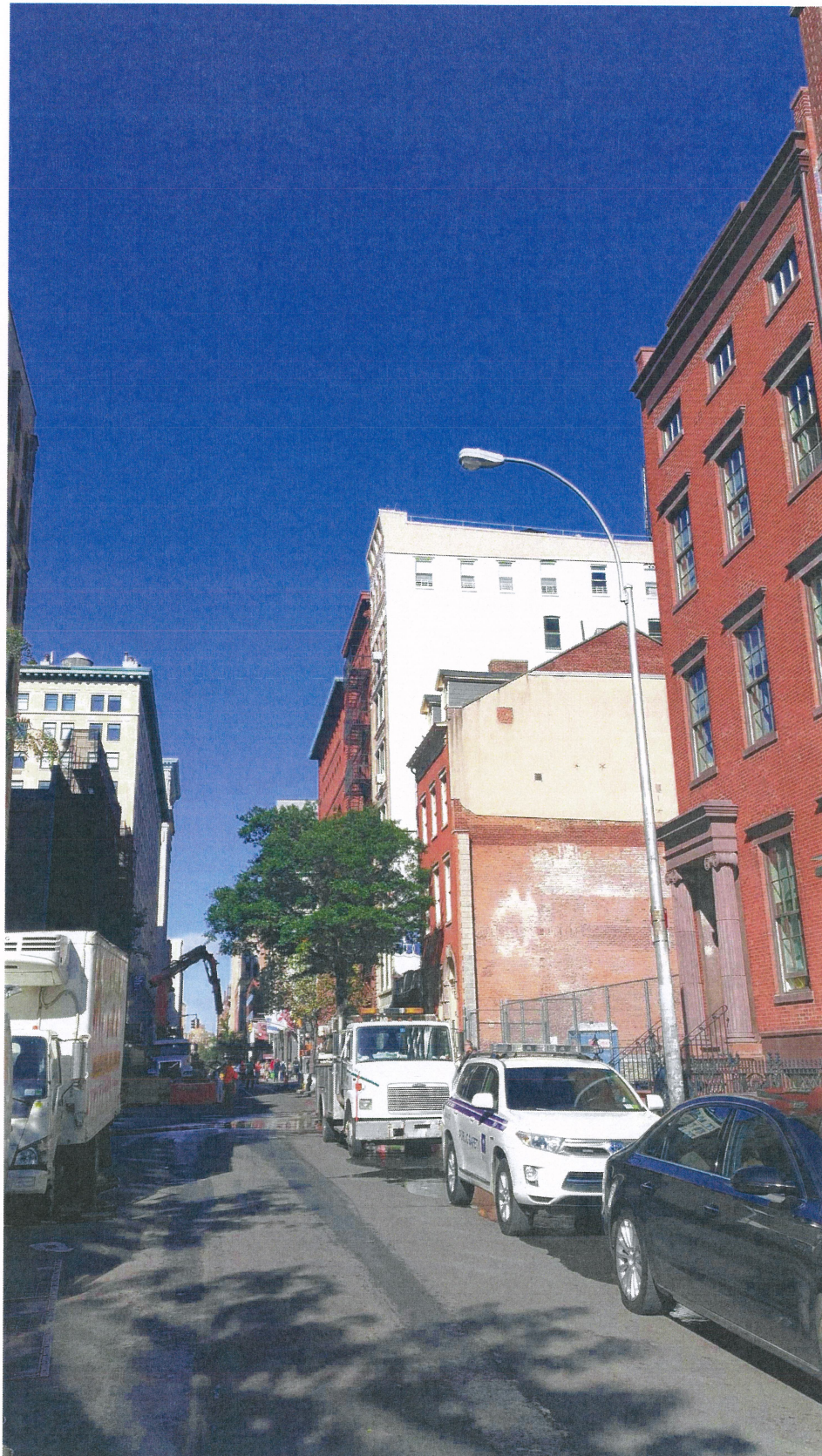


PHOTO #8

## A. INTRODUCTION

This attachment addresses the potential for the presence of hazardous materials resulting from previous and existing uses both on-site and in the surrounding area, and potential risks related to the proposed project with respect to any such hazardous materials. The proposed project would entail demolition of the existing on-site building followed by soil disturbance for the construction of the proposed project at the 27 East 4th Street development site.

## B. HAZARDOUS MATERIALS ASSESSMENT

A *Phase I Environmental Site Assessment* (ESA) was prepared for the project site in October, 2015 and subsequently revised in March, 2016. It included a reconnaissance of the project site and surrounding area, an examination of historical Sanborn fire insurance maps, and a review of pertinent federal, state, and local databases.

The proposed 27 East 4th Street project would require demolition of the existing on-site building and site wide excavation to a depth of approximately ten (10) feet for a new commercial structure with one below-grade level (no excavation is proposed to be undertaken by the applicant within 6 feet of the foundation of Merchant's House Museum as a protective measure).

The Phase I Assessment was reviewed by the NYC Department of Environmental Protection (DEP) to determine if a Phase II was required. On April 21, 2016, DEP determined that based upon the historical on-site and/or surrounding area land uses that the applicant should prepare a Phase II Assessment to adequately identify/characterize the surface and subsurface soil/groundwater of the subject parcel.

A *Phase II Environmental Site Assessment* (ESA) was prepared for the project site submitted to and reviewed by DEP in January 2017. The applicant also submitted a Remedial Action Work Plan (RAP) and Construction Health and Safety Plan (CHASP) in May 2017. On July 14, 2017, DEP concluded its review of hazardous materials and accepted the applicant's RAP and CHASP (see copy of DEP letter dated July 14, 2017 attached hereto as **Appendix B**).

According to the RAP and CHASP all excavated soil would be handled and disposed of in accordance with applicable regulatory requirements and measures to control dust during excavation would be implemented to protect both the workers and the community. Should petroleum USTs be encountered, applicable regulatory requirements (e.g., those relating to NYSDEC spill reporting and tank registration) would be followed to address removal of the tanks and any associated soil or groundwater contamination. Although not anticipated, if dewatering is required for the proposed construction, water would only be discharged in accordance with NYCDEP sewer use requirements.



Demolition of the building would be conducted in accordance with applicable regulatory requirements, including those for the testing and removal of asbestos-containing materials (if any), the management of lead-based paint (if any) and the proper disposal of lighting fixtures and electrical equipment.

Therefore, the proposed actions do not merit further analysis of hazardous material issues and is not expected to result in any significant adverse impacts on hazardous materials.



July 14, 2017

Robert Dobruskin  
Director, Environmental Assessment and Review Division  
New York City Department of City Planning  
120 Broadway, 31st Floor  
New York, NY 10271

Vincent Saplenza, P.E.  
*Acting Commissioner*

**Re: 27 East 4th Street  
Block 544, Lot 72  
CEQR # 15DCP145M**

Angela Licata  
*Deputy Commissioner of  
Sustainability*

Dear Mr. Dobruskin:

59-17 Junction Blvd.  
Flushing, NY 11373

Tel. (718) 595-4398  
Fax (718) 595-4479  
alicata@dep.nyc.gov

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the May 2017 Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) prepared by People's Environmental Inc., on behalf of Kalodop Park Corp c/o Park-It Management Corporation (applicant) for the above referenced project. It is our understanding that the applicant is seeking discretionary actions from the New York City Department of City Planning (DCP) including 1) A special permit pursuant to Zoning Resolution (ZR) Section 74-712(a), in M1-5A and M1-5B districts for the modification of use regulations; 2) A special permit pursuant to ZR Section 74-712(b), in M1-5A and M1-5B districts for the modification of bulk regulations; and 3) A text amendment to the provisions of ZR Section 74-712 to make the provisions of Section 74-712 applicable to the project site. The proposed actions would facilitate the development of 27 East 4th Street, which is located in an M1-5B zoning district. The proposed development is an eight-story transient hotel (Use Group 5) above the second story and both transient hotel (accessory use) and retail use (Use Group 6) below the second story. As currently proposed, the development will contain approximately 20,912 gross square feet with up to 17,107 square feet of zoning floor area. The project site consists of a 3,400 square feet area with one story garage like structure (with no basement) used as storage of street vendors food carts and groceries. The subject site is located on the north side of East 4th street between Bowery and Lafayette Streets in Manhattan Community District 2.

The May 2017 RAP proposes the removal and disposal of petroleum-impacted soils in accordance with all New York State Department of Environmental Conservation (NYSDEC) regulations; dust control; underground storage tanks and aboveground storage tanks encountered including dispensers, piping and fill ports shall be properly removed and closed in accordance with all applicable NYSDEC regulations; if dewatering into New York City storm/sewer drains will occur during the proposed construction, a New York City Department of Environmental Protection Sewer Discharge Permit will be obtained prior to the start of any dewatering activities on the site; excavated soils which are

temporarily stockpiled on-site will be covered with polyethylene sheeting; and if any landscaped or areas covered with grass (i.e., not capped) will be installed at the site, a minimum of one (1) foot of approved clean fill/top soil will be imported from an approved facility/source and graded across all landscaped/grass covered areas of the site not capped with concrete/asphalt. The May 2017 CHASP addresses worker and community health and safety during redevelopment.

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

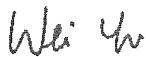
CHASP

- DCP should instruct the applicant to include the names and phone numbers of the site safety personnel (i.e., Project Manager, Site Supervisor, Site Health and Safety Officer, and Alternate Site Health and Safety Officer).

DEP finds the May 2017 RAP and CHASP for the proposed project acceptable as long as the aforementioned information is incorporated into the CHASP. DCP should instruct the applicant that at the completion of the project, a Professional Engineer (P.E.) certified Remedial Closure Report should be submitted to DEP for review and approval for the proposed project. The P.E. certified Remedial Closure Report should indicate that all remedial requirements have been properly implemented (i.e., transportation/disposal manifests for removal and disposal of soil in accordance with NYSDEC regulations; and one foot of DEP approved certified clean fill/top soil capping requirement in any landscaped/grass covered areas not capped with concrete/asphalt, etc.).

Future correspondence and submittals related to this project should include the following CEQR number **15DCP145M**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445.

Sincerely,



Wei Yu  
Acting Deputy Director, Hazardous Materials

- c: R. Weissbard  
M. Khaja-Moinuddin  
T. Estes  
M. Wimbish  
A. Meunier – DCP  
O. Abinader – DCP

## A. INTRODUCTION

This section examines the potential for the proposed project to result in significant adverse impacts on study area transportation systems, through a comparison of conditions with the proposed project (the With Action condition) to conditions in the future without the proposed project (the No Action condition).

## B. SCREENING ASSESSMENT

The proposed project would be utilized for either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only. The proposed development will contain approximately 20,814 gross square feet with up to 17,141 square feet of zoning floor area (4.97 FAR). up to 28 hotel rooms with approximately 20,814 gross square feet (gsf) of floor area.

Compared to the No Action condition, the proposed development would add an increment of 17,358 gross square feet of commercial use at the project site. As described above, the proposed actions would facilitate either Use Group 5 transient hotel (with a total of 28 hotel units) or Use Group 6 office above the second story. Uses proposed to be located below the level of the second story include on the ground floor an accessory lobby for the hotel or office use, as well as a neighborhood restaurant. The cellar level will be used for accessory use only.

According to the annotated version of Table 16-1 of the *CEQR Technical Manual* set forth below, the minimum development density for uses in Zone 1 (Manhattan, 110th Street and south; Downtown Brooklyn) potentially requiring a transportation analysis is 240 dwelling units, 115,000 gross square feet of office, 30,000 gross square feet of regional retail, 15,000 gross square feet of local retail, 25,000 gross square feet of restaurant\*\*, 25,000 gross square feet of community facility use or off-street parking facilities with 85 new spaces.

**TRANSPORTATION** Table 16-1**Minimum Development Densities Potentially Requiring Transportation Analysis****Development            Zone 1****Type**

Residential (number of new dwelling units)	240
Office (number of additional 1,000 gross square feet (gsf))	115
Regional Retail (number of additional 1,000 gsf)	30
Local Retail (number of additional 1,000 gsf)	15
Restaurant** (number of additional 1,000 gsf)	20
Community Facility (number of additional 1,000 gsf)	25
Off-Street Parking Facility (number of new spaces)	85

With the following zone definitions:

Zone 1: Manhattan, 110th Street and south; Downtown Brooklyn.

\*\*In all zones, fast food restaurants of 2,500 gsf or more potentially require transportation analyses.

The scale of proposed project, which will provide an increment of up to 17,358 gross square feet of new commercial use at the project site including a ground floor restaurant and either a Use Group 5 transient hotel (with a total of 28 hotel units) or a Use Group 6 office use above the second story, is below the minimum CEQR development densities triggering the need for a trip generation assessment. As a result, no further transportation analyses are warranted, and the proposed project would not result in the potential for any transportation-related significant adverse impacts.

## A. INTRODUCTION

The potential for air quality impacts from the proposed project on the 27 East 4th Street development site is examined in this section. Air quality impacts can be either direct or indirect. Direct impacts result from emissions generated by stationary sources at a development site, such as emissions from on-site fuel combustion for heating and hot water systems. Indirect impacts result from emissions from nearby existing sources (impacts on the proposed project) or from emissions from on-road vehicle trips generated by a project or other changes to future traffic conditions due to a project.

The maximum hourly traffic generated by the proposed project would not exceed the 2014 *CEQR Technical Manual* carbon monoxide screening threshold of 170 peak hour vehicle trips at an intersection in the study area or the particulate matter emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, there would be no potential for significant adverse impact from project generated traffic on air quality, and a quantified assessment is not warranted.

The proposed project would include natural gas, electric and solar heating and hot water systems. Natural gas is proposed to be included and will be made available to the first-floor commercial tenant. Therefore, a stationary source screening analysis was conducted to evaluate the potential for an impact on air quality from the proposed emission sources.

## B. METHODOLOGY FOR PREDICTING POLLUTANT CONCENTRATIONS

### HEATING AND HOT WATER SYSTEMS

A screening analysis was performed following the *CEQR Technical Manual* procedures to evaluate potential impacts from the proposed project's heating and hot water systems.

#### *SCREENING ANALYSIS*

To assess air quality impacts associated with emissions from the proposed project's heating and hot water systems, a screening analysis was performed, following the methodology described in the *CEQR Technical Manual*. This methodology determines the threshold of development size below which the action would not have a significant impact. The screening procedure utilizes information on the type of fuel to be burned, the maximum development size, the type of development, and the stack exhaust height. Based on the distance to the nearest building of similar or greater height, if the maximum development size is greater than the threshold size in the *CEQR Technical Manual*, then there is the potential for significant air

quality impacts and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis and no further study is required.

#### *INDUSTRIAL SOURCES*

To assess air quality impacts on the proposed project associated with emissions from nearby industrial sources, an investigation of industrial sources was conducted. Initially, land use and Sanborn maps were reviewed to identify potential sources of emissions from manufacturing/industrial operations. Next, a field survey was conducted to identify buildings within 400 *feet* of the project site that have the potential for emitting air pollutant. The survey was conducted on February 21, 2014. In addition, a search of federal and state-permitted facilities within the study area was conducted using the U.S. Environmental Protection Agency's (EPA's) Envirofacts database

It was determined from the site visit that a number of businesses in the area had the potential to be an air quality concern. The property located at 41 Great Jones Street was previously used for non-residential use and had an air quality permit (expired), is now utilized for residential use. There is an expired air quality permit for the building located at 33 Great Jones Street. No visible or odorous emissions were *detected* from any of the existing uses during the site visit. A list of the identified businesses was then submitted to NYCDEP's Bureau of Environmental Compliance (BEC) to obtain the available certificates of operation for these locations and to determine whether manufacturing or industrial emissions occur. No permitted industrial sources were identified within the study area. Therefore, there would be no significant adverse air quality impacts *from industrial facilities on the* proposed project

#### *ADDITIONAL SOURCES*

The *CEQR Technical Manual* also requires an assessment of any actions that could result in the location of sensitive uses within 1,000 feet of a 'large' emission source (examples of large emission sources provided in the *CEQR Technical Manual* include solid and medical waste incinerators, cogeneration plants, asphalt and concrete plants, or power plants). To assess the potential effects of these existing sources on the proposed project, a review of existing permitted facilities was conducted. Within the study area boundaries, sources permitted under the NYSDEC Title V program and State Facility permit program were considered.

The analysis indicates that a Title V permit was issued to NYU Co-Generation (CoGen) Plant located at 251 Mercer Street. This natural gas CoGen facility was recently upgraded by NYU and it produces 13.4 megawatts of electricity. It is the one of the largest private CoGen plants in New York City and it provides

electricity to 22 NYU buildings. This CoGen system also produces heat and hot and chilled water to 37 buildings on the Washington Square Campus. Additional information can be obtained on the CoGen upgrades at the following link:

<https://www.nyu.edu/about/news-publications/news/2011/january/nyu-switches-on-green-cogen-plant-and-powers-up-for-the-sustainable-future.html>).

## WITH-ACTION CONDITION

### *HEATING AND HOT WATER SYSTEMS*

A screening analysis was performed to assess the potential for air quality impacts from the proposed project's heating and hot water systems. The analysis was based on the development of 20,814 gsf, with an exhaust height of approximately 8 feet (i.e., 8 feet above the proposed building's rooftop). Although the applicant proposed to utilize solar installations for its heating and hot water systems, natural gas is proposed to be included for the ground floor commercial tenant. It was therefore conservatively assumed that natural gas would be used.

We note that there are no existing residential buildings in close proximity to the project site of equal or greater height, as the adjacent building located at 25 East 4<sup>th</sup> Street is permitted to be occupied by up to eight (8) JLVQA units (a Use Group 17D use) pursuant to the Final Certificate of Occupancy No. 103342483F dated March 8, 2006. We also note that although the building located at 393-399 Lafayette Street (which is immediately to the west of 25 East 4<sup>th</sup> Street) is of similar or greater height than the proposed building, that 393 -399 Lafayette Street is a commercial structure utilized primarily as an office building. The nearest residential building (2 Cooper Square), which is located at the corner of East 4<sup>th</sup> Street and Cooper Square, rises to a height of approximately 178 feet.

Consequently, the use of natural gas would not result in a significant adverse impact on air quality because the proposed project would be below the maximum permitted size shown in Figure 17-7 (residential) and Figure 17-8 (commercial) in the Air Quality Appendix of the *CEQR Technical Manual*. (See, attached Figures, 17-7 (residential) and 17-8 (commercial). See also attached letter of Spence Engineering PC dated July 18, 2016). Therefore, there would be no potential significant adverse air quality impacts from the proposed project's heat and hot water systems.

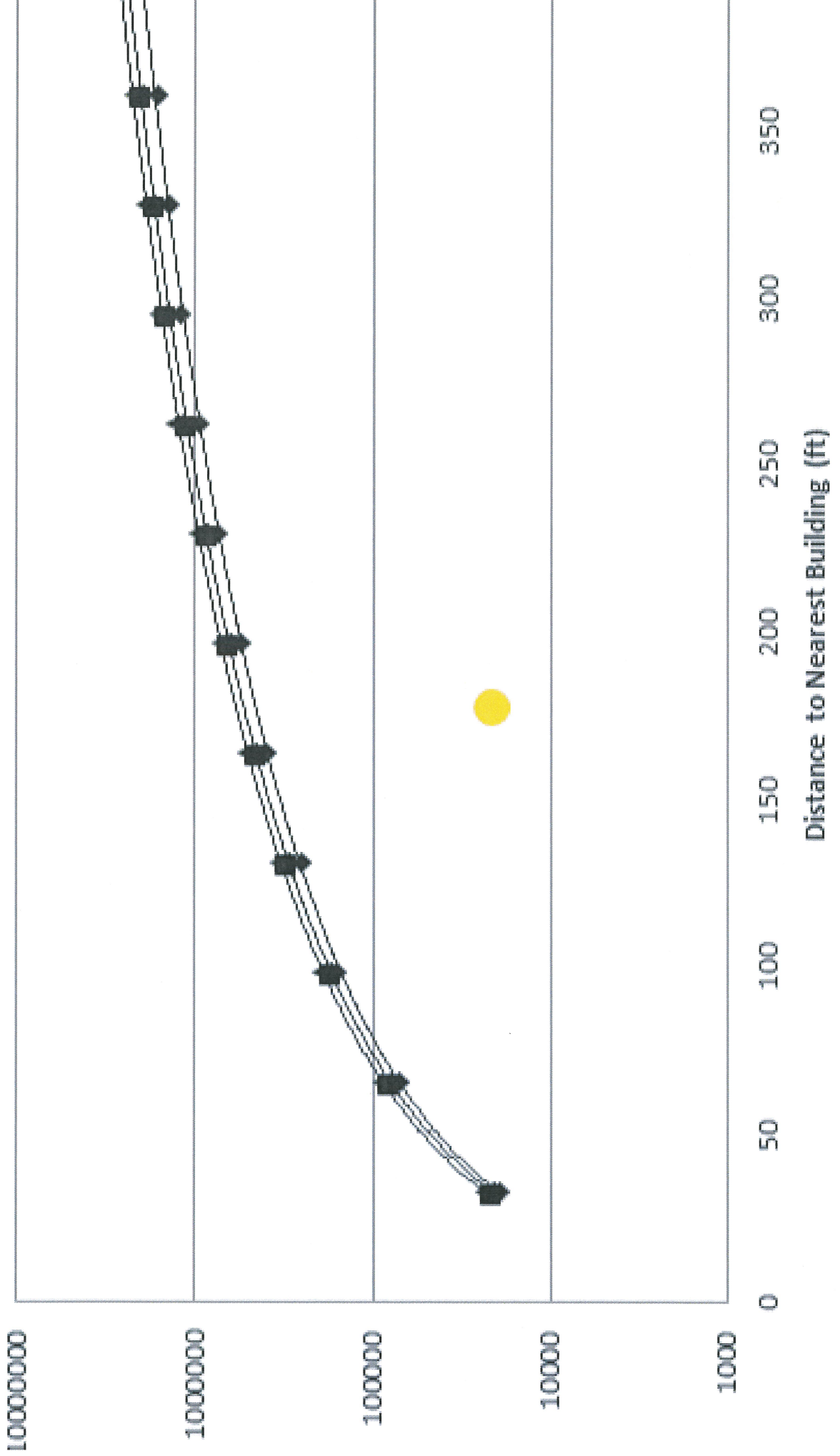
To ensure that there would be no significant adverse air quality impacts an (E) designation would be placed on the project site. The text of the (E) designation related to air quality for Block 544, Lot 72 would be as follows:

Any new development or enlargement on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning for the (HVAC) system and ensure that the HVAC stack is located at the height highest tier or at least 102 feet above the grade to avoid any potential significant adverse air quality impacts.



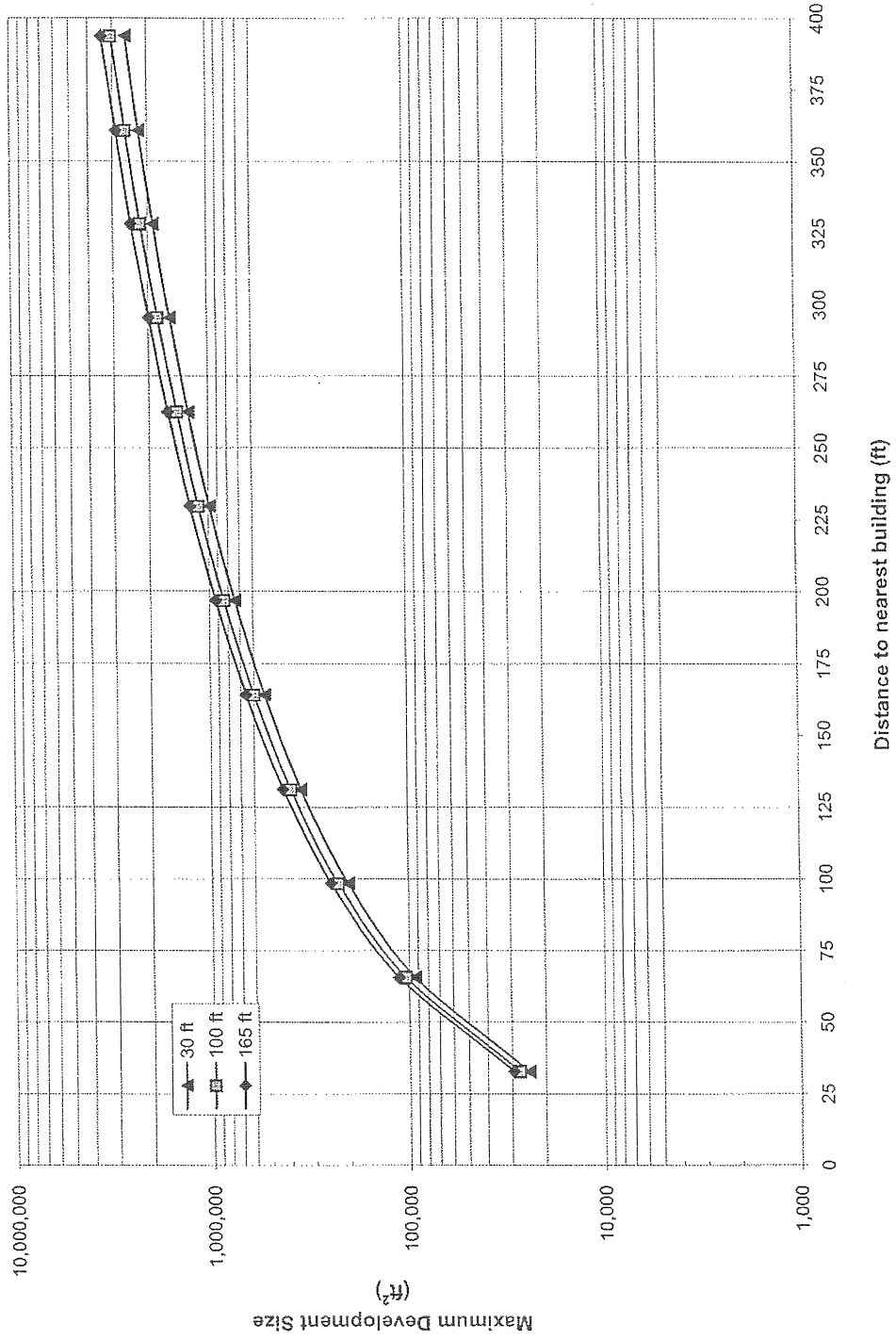
# Nitrogen Oxides Boiler Screen for Residential Development

Natural Gas Fig 17-7



WARNING: These printed materials may be out of date.  
Please ensure you have the current version that can be found on [www.nyc.gov/oec](http://www.nyc.gov/oec).

FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS





## SPENCER ENGINEERING PC

11 MELISSA COURT DIX HILLS, NY 11746

PHONE (516) 807-7974

FAX (631) 427-2707

Ariston Development Group  
76-1/2 – 78-1/2 Horatio Street  
New York, NY 10014

July 18, 2016

RE: 27 East 4<sup>th</sup> Street  
New York, NY

ATTN: Constantine Fotos

Dear Mr. Fotos

As per your request the Air Quality requirements and this building's impact on them were examined in accordance with the most recent version of the CEQR Technical Manual.

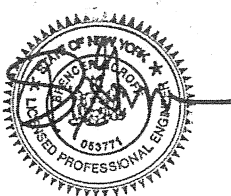
To summarize the building's proposed parameters:

Height:	90' – 10"
Number of floors:	8
Lot area:	3,456
FAR:	4.97
Total Square Feet:	20,816
Nearest Building, ft:	10

With the above parameters, CEQR Figure 17-8 was referenced to determine if a building with these parameters would have any impact of the air quality through the use of natural gas. As can be seen from figure 17-8, this build falls well below the maximum allowable NO<sub>x</sub> emission level to pose any impact on the air quality in this area.

These are my findings and conclusions based on the research conducted. If you have any questions please feel free to call the office.

Regards,



Spencer Goroff, PE

## A. INTRODUCTION

The proposed 27 East 4th Street project would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of Noise Passenger Car Equivalents [Noise PCEs] which would be necessary to cause a 3dBA increase in noise levels). However, ambient noise levels adjacent to the development site also must be examined to address any noise attenuation requirements, as found in the 2014 *CEQR Technical Manual*, for interior noise levels. This assessment is presented below.

## B. ACOUSTICS FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called “decibels” (“dB”). The particular character of the sound that we hear (a whistle compared with a French horn, for example) is determined by the speed, or “frequency,” at which the air pressure fluctuates, or “oscillates.” Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz (“Hz”). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernible and therefore more intrusive than many of the lower frequencies (e.g., the lower notes on the French horn).

### “A”-WEIGHTED SOUND LEVEL (DBA)

In order to establish a uniform noise measurement that simulates people’s perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or “dBA,” and it is the descriptor of noise levels most often used for community noise. As shown in **Table I-1**, the threshold of human hearing is defined as 0 dBA; quiet conditions (as in a library, for example) are approximately 40 dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of 10 dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least 3 dBA. At 5 dBA, the change will be readily noticeable.

**Table I-1**

## Common Noise Levels

Sound Source	(dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80-90
Busy city street, loud shout	80
Busy traffic intersection	70-80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50-60
Background noise in an office	50
Suburban areas with medium-density transportation	40-50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0
<p><b>Note:</b> A 10 dBA increase in level appears to double the loudness, and a 10 dBA decrease halves the apparent loudness.</p> <p><b>Sources:</b> Cowan, James P. <i>Handbook of Environmental Acoustics</i>, Van Nostrand Reinhold, New York, 1994. Egan, M. David, <i>Architectural Acoustics</i>. McGraw-Hill Book Company, 1988.</p>	

## SOUND LEVEL DESCRIPTORS

Because the sound pressure level unit of dBA describes a noise level at just one moment and few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the “equivalent sound level,”  $L_{eq}$ , can be computed.  $L_{eq}$  is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by  $L_{eq(1)}$ , or 24 hours, denoted by  $L_{eq(24)}$ ), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as  $L_1$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$ , and  $L_x$ , are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between  $L_{eq}$  and levels of exceedance is worth noting. Because  $L_{eq}$  is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates little,  $L_{eq}$  will approximate  $L_{50}$  or the median level. If the noise fluctuates broadly, the  $L_{eq}$  will be approximately

equal to the  $L_{10}$  value. If extreme fluctuations are present, the  $L_{eq}$  will exceed  $L_{90}$  or the background level by 10 or more decibels. Thus the relationship between  $L_{eq}$  and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the  $L_{eq}$  is generally between  $L_{10}$  and  $L_{50}$ .

For purposes of the proposed project, the  $L_{10}$  descriptor has been selected as the noise descriptor to be used in this noise impact evaluation. The 1-hour  $L_{10}$  is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines for City environmental impact review classification.

## C. NOISE STANDARDS AND CRITERIA

### NEW YORK CEQR NOISE CRITERIA

The *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise level (see **Table I-2**). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower for residential uses and interior noise levels of 50 dBA or lower for commercial uses and are determined based on exterior  $L_{10(1)}$  noise levels.

**Table I-2  
Required Attenuation Values to Achieve Acceptable Interior Noise Levels**

Marginally Unacceptable					Clearly Unacceptable
Noise Level With Proposed Action	$70 < L_{10} \leq 73$	$70 < L_{10} \leq 76$	$70 < L_{10} \leq 78$	$70 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation <sup>A</sup>	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^B$ dB(A)
<b>Notes:</b>					
A The above composite window-wall attenuation values are for residential development. Retail uses would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.					
B Required attenuation values increase by 1 dB(A) increments for L <sub>1</sub> , values greater than 80 dBA.					
<b>Source:</b> New York City Department of Environmental Protection.					

#### D. EXISTING NOISE LEVELS

Existing noise levels at 41 Great Jones (a development site in proximity to 27 East 4<sup>th</sup> Street) were measured as part of the CEQR review performed for that location (CEQR No. 15DCP025M).

At the receptor site, the existing noise levels were measured for a 20-minute period during the three weekday peak periods—AM (7:00 AM to 8:30 AM), midday (MD) (12:00 PM to 1:00 PM), and PM (5:00 PM to 6:30 PM). Measurements were taken on November 19, 2013.

#### EQUIPMENT USED DURING NOISE MONITORING

Measurements were performed using a Büel & Kjær Sound Level Meter (SLM) Type 2260, a Büel & Kjær ½-inch microphone Type 4189, and a Büel & Kjær Sound Level Calibrator Type 4231. The SLM has a valid laboratory calibration within 1 year, as is standard practice. The Büel & Kjær SLM is a Type 1 instrument according to ANSI Standard S1.4-1983 (R2006). The microphone was mounted at a height of approximately five feet above the ground surface on a tripod and at least approximately 5 feet away from any large reflecting surfaces. The SLM was calibrated before and after readings with a Büel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements were made on the A-scale (dBA). The data were digitally recorded by the sound level meter and displayed at the end of the measurement period in units of dBA. Measured quantities included  $L_{eq}$ ,  $L_1$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$ , and 1/3 octave band levels. A windscreen was used during all

sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

The results of the existing noise level measurements are summarized in Table 1-3.

**Table 1-3**  
**Existing Noise Levels in dBA**

Site	Location	Time Period	Noise Levels (dBA)				
			L <sub>eq</sub>	L <sub>1</sub>	L <sub>10</sub>	L <sub>50</sub>	L <sub>90</sub>
1	Great Jones Street between Lafayette and Bowery	AM	66.3	75.5	69.9	63.0	59.0
		MD	67.2	77.8	69.4	63.9	58.8
		PM	65.1	73.6	67.7	62.3	57.5

At the receptor site, vehicular traffic was the dominant noise source. Measured levels are relatively low to moderate and reflect the level of vehicular activity on the adjacent roadways. In terms of the CEQR criteria, the existing noise levels at Site 1 would be in the “marginally unacceptable” category.

#### E. NOISE ATTENUATION MEASURES

As shown in Table I-2, the *CEQR Technical Manual* has set noise attenuation for buildings based on exterior L<sub>10(1)</sub> noise levels in order to maintain noise levels of 45 dBA or lower for residential uses and interior noise levels of 50 dBA or lower for retail uses. The results of the building attenuation analysis for 41 Great Jones Street are summarized in Table I-4.

**Table I-4**  
**CEQR Building Attenuation Requirements**

Receptor Site	Façade Location	Maximum Measured L <sub>10(n)</sub> (dBA)	Attenuation Required
1	All	69.9	28 dB(A)

**Note:**

The CEQR attenuation requirements shown are for commercial use, which are 5 dBA less than that which is required for residential use. While the maximum measured L<sub>10(1)</sub> value is less than 70 dB(A), and the *CEQR Technical Manual* does not address noise levels this low, the level is very close to 70 dB(A), so the next category of CEQR Building attenuation requirement is applied.

The proposed building on the development site would be constructed using standard construction methods, and provide acoustically-rated windows and air conditioning as an alternate means of ventilation. The building façade, including these elements,



would be expected to provide a composite Outdoor-Indoor Transmission Class<sup>1</sup> (“OITC”) such that interior noise levels would be 50 dBA or lower for commercial use, which would be considered acceptable according to CEQR interior noise level guidelines.

In addition, the building mechanical system (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels.

Noise attenuation would not be required to the extent that the proposed development proceeded as an office use as described herein. However, to ensure a proper interior noise environment exists within the potential hotel development an (E) designation would be placed on the project site. The text of the (E) designation related to noise for Block 544, Lot 72 would be as follows:

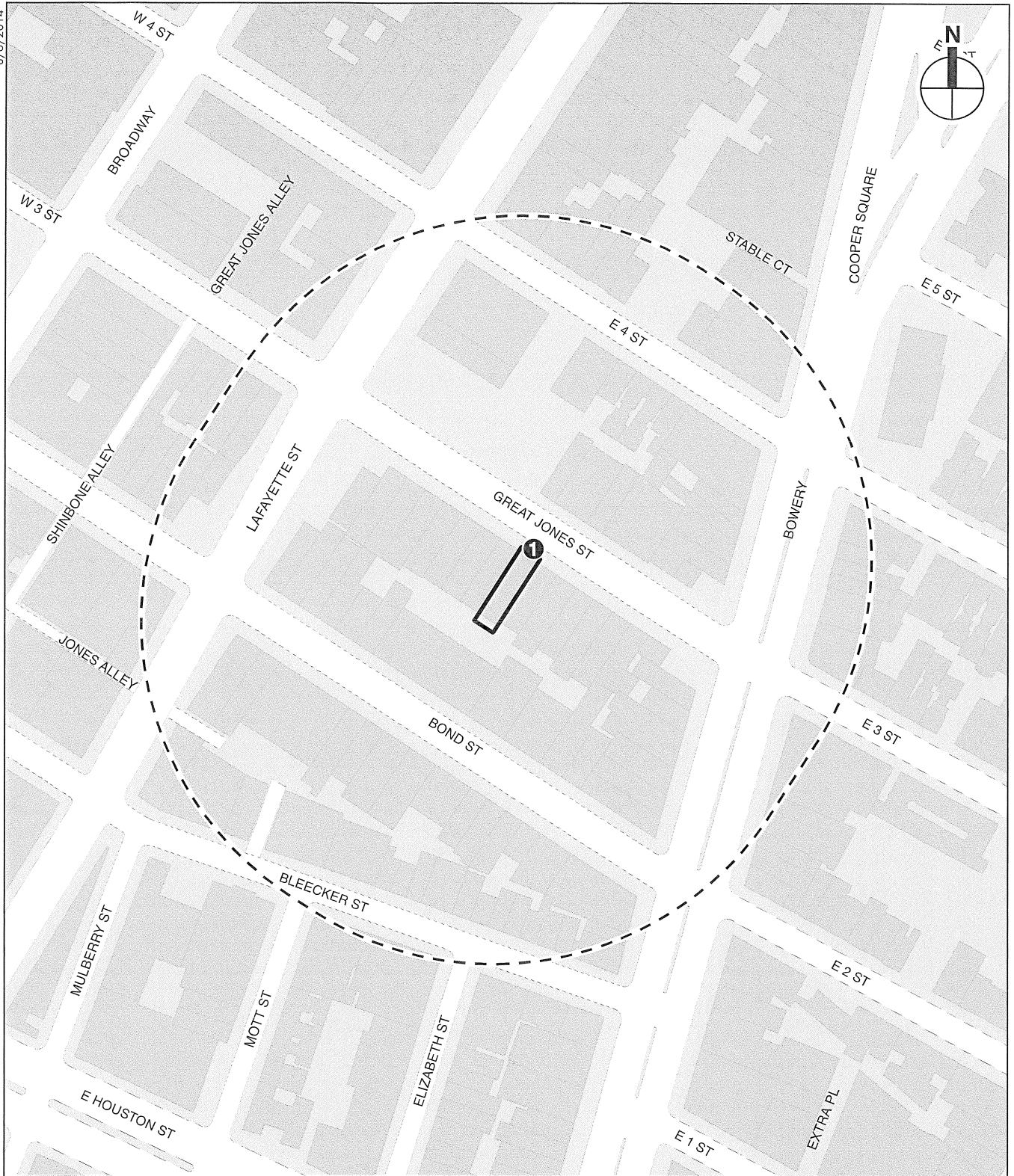
For any new hotel development on Block 544, Lot 72, a closed window condition with a minimum of 28 dB(a) window/wall attenuation must be provided in order to maintain an acceptable interior noise level. Further, to ensure a closed-window condition, an alternate means of ventilation must also be provided. Alternate Means of ventilation includes, but is not limited to, air conditioning."

With these attenuation measures, the proposed development would not result in any significant adverse noise impacts, and would meet CEQR guidelines.

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<sup>1</sup> The attenuation of a composite structure is a function of the attenuation provided by each of its component parts, and how much of the area is made up of each part. A building facade generally consists of wall, glazing, and any vents or louvers associated with building mechanical systems. The OITC classification is defined by the American Society of Testing and Materials (“ASTM”) E1332-10 and is used in the acoustical design of building facades.

8/6/2014



-  Project Site
-  Study Area (400-Foot Boundary)
-  Noise Receptor

0 200 FEET

**41 GREAT JONES STREET**

Noise Receptor Location  
**Figure 14**

**A. INTRODUCTION**

According to the *CEQR Technical Manual*, neighborhood character assessments consider how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. These elements include a neighborhood's land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. An assessment of neighborhood character is warranted when a proposed project has the potential to result in significant adverse impacts in any technical area listed above, or when the project may have moderate effects on several of these elements.

**B. SCREENING ASSESSMENT**

As described elsewhere in this EAS, the proposed 27 East 4<sup>th</sup> Street project would not result in any significant adverse impacts on land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, air quality, noise, or any moderate effects on several of these elements. Further, the proposed project would not result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. Lastly, the proposed project would not result in any significant adverse impacts to neighborhood character.

**C. NO-ACTION CONDITION**

The development site is located at 27 East 4th Street (Manhattan Block 544, Lot 72) in the NoHo Historic District Extension. The development site is today improved with a 1-story non-contributing tax payer building (See photo # 4, #5, #6 and # 7 set forth in "Attachment E: Urban Design and Visual Resources.") In the future No-Action Scenario, no development is anticipated on the development site.

**D. WITH-ACTION CONDITION**

The proposed building would not result in a significant adverse related to neighborhood character or urban design and visual resources. The proposed bulk modification, which waives the required setback at 85 feet or 6 stories, whichever is less, and penetrates the sky exposure plane above that height, will permit the massing of the proposed development to shift to the street line at the seventh and eighth stories so that the proposed building is a contextual street-wall building in keeping with the existing urban design and character of the neighborhood (See Streetscape Fabric Characteristic Diagram (Z-09) set forth in "Attachment: A Project Description").

The proposed waiver of height and setback required at the 7th and 8th floor to produce the proposed contextual street-wall building does not adversely affect any

and adjacent to the development site. The built form of surrounding buildings in the NoHo Historic District Extension reflects that of structures which rise without setbacks and which maintain their street-wall along their lot lines and along the established street grid.

The Proposed Development was designed to mirror the existing built form by rising without setback to its roof and by maintaining its street-wall along the sites entire frontage so that it may relate harmoniously to the buildings in the NoHo Historic District Extension. (See Bulk Waiver Plan/Section (Drawings Z-04 & Z-05), Front Elevation (Z-06), Rear Elevation (Z-07), Side Elevation (Z-08) and Streetscape Fabric Characteristic Diagram (Z-09), all as set forth in “Attachment: A Project Description”).

The Proposed Development is expected to reach 8-stories tall, comparable in height to the adjacent buildings to the west of the site both along East 4th Street and along Lafayette Street. In addition to aligning with the existing buildings, the Proposed Development would fill in an uncharacteristic gap in the street-wall along East 4th Street, all of which is consistent with the existing built character of the NoHo Historic District Extension.

#### **E. CONCLUSION**

Overall, it is considered that the Proposed Actions would result in development that adheres to the existing design of the urban fabric within the project area as compared to the No-Action scenario. Therefore, the Proposed Actions would not result in any significant adverse impacts on neighborhood character or urban design and visual resources, and no further analysis is required.

## A. INTRODUCTION

The *CEQR Technical Manual* calls for an assessment of construction-related impacts, with a focus on transportation, air quality, and noise, as well as consideration of other technical areas such as historic and cultural resources, hazardous materials, and natural resources.

## B. SCREENING ASSESSMENT

The proposed project would be constructed in a single-phase, approximately 18-month construction period. During this time, construction activities would take place on the development site. Construction activities associated with the proposed project would result in temporary disruption to the surrounding community, including the temporary closure of sidewalks and curb lanes bordering the development site, construction-related traffic from workers and deliveries, and occasional noise and dust. However, this would be true of any construction project and these effects would not be considered significant. All appropriate fugitive dust control measures would be employed to reduce the generation and spread of dust.

Increased noise levels created by the construction activities would also occur. Construction noise is regulated by the New York City Noise Control Code and by the Environmental Protection Agency noise emission standards for construction equipment. These federal and local requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards. Except under exceptional circumstances, construction activities must be limited to weekdays between the hours of 7 AM and 6 PM.

As a condition of LPC's approval, the project would comply with LPC's *Guidelines for Construction Adjacent to a Historic Landmark* as well as the guidelines set forth in section 523 of the *CEQR Technical Manual* and the procedures set forth in the New York City Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88, to avoid the potential for construction-related impacts to nearby buildings including the Merchant's House and within the historic district. This includes preparation of a Construction Protection Plan (CPP), to be prepared prior to construction activities and submitted to LPC for review and approval. The CPP would contain measures to avoid construction-related impacts including ground-borne vibration and accidental damage from heavy machinery, as appropriate. The CPP would be developed in consultation with LPC and implemented by a professional engineer prior to the project. The CPP would follow the guidelines set forth in section 523 of the *CEQR Technical Manual*.

No significant adverse impacts are expected to occur as a result of the construction.