

# 270 Park Avenue Text Amendment

Environmental Assessment Statement\*

*CEQR No. 19DCP085M*

*ULURP Nos. N 190180 ZRM and N 190180(A) ZRM*

Prepared for: JPMorgan Chase Bank, N.A.

Prepared by: VHB

November 9, 2018

*REVISED March 21, 2019*

Since referral of the original application (N 190180 ZRM) on November 13, 2018, the Applicant has filed an amended land use application for a zoning text amendment (N 190180(A) ZRM) and the original application was withdrawn on March 20, 2019. The amended proposed zoning text amendment would facilitate the proposed project providing a 10,000 square foot unenclosed public open space in lieu of a 7,000 gsf enclosed public open space. The proposed location of the unenclosed open space would remain primarily along Madison Avenue. Additionally, the amended proposal includes several waivers pertaining to the orientation and design of the public open space. These changes would not alter the conclusions of the environmental review as described in the revised EAS which includes updated project information related to the size of the open space, as well as a revised With Action figures and Urban Design and Visual Resources Assessment. The quantitative Open Space analysis included in the original EAS issued on November 9, 2018 (provided in Appendix A) is no longer required and has been replaced with a qualitative assessment in the revised EAS.



## 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** 270 Park Avenue Text Amendment**1. Reference Numbers**CEQR REFERENCE NUMBER (to be assigned by lead agency)  
19DCP085M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
N 190180(A) ZRMOTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)**2a. Lead Agency Information**NAME OF LEAD AGENCY  
New York City Department of City PlanningNAME OF LEAD AGENCY CONTACT PERSON  
Olga Abinader, Acting Director

ADDRESS 120 Broadway

CITY New York

STATE NY

ZIP 10271

TELEPHONE (212) 720-3493

EMAIL  
oabinad@planning.nyc.gov**2b. Applicant Information**NAME OF APPLICANT  
JPMorgan Chase Bank, N.A.NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
David A. Karnovsky, Esq. - Fried, Frank, Harris, Shriver, & Jacobson, LLP

ADDRESS One New York Plaza

CITY New York

STATE NY

ZIP 10004

TELEPHONE (212) 859-8927

EMAIL  
David.Karnovsky@friedfrank.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): 617.4(b)(9)**Action Type** (refer to [Chapter 2](#), "Establishing the Analysis Framework" for guidance)☒ LOCALIZED ACTION, SITE SPECIFIC☐ LOCALIZED ACTION, SMALL AREA☐ GENERIC ACTION**4. Project Description**

The proposed action is a text amendment of Section 81-681(b) of the Zoning Resolution of the City of New York to modify publicly accessible space requirements to permit an unenclosed 10,000 square-foot publicly accessible space primarily on the Madison Avenue frontage of the property at 270 Park Avenue, to waive retail continuity and streetwall requirements in order to permit the enclosed publicly accessible open space at this alternative location, and to modify certain design requirements for publicly accessible spaces.

**Project Location**

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 5

STREET ADDRESS 270 Park Avenue

TAX BLOCK(S) AND LOT(S) Block 1283, Lot 21

ZIP CODE 10017

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Madison Avenue to the west, Park Avenue to the east, East 48th Street to the north, and East 47th Street to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C5-3, Special Midtown District, East Midtown Subdistrict, Park Avenue and Southern Subareas

ZONING SECTIONAL MAP NUMBER 8d

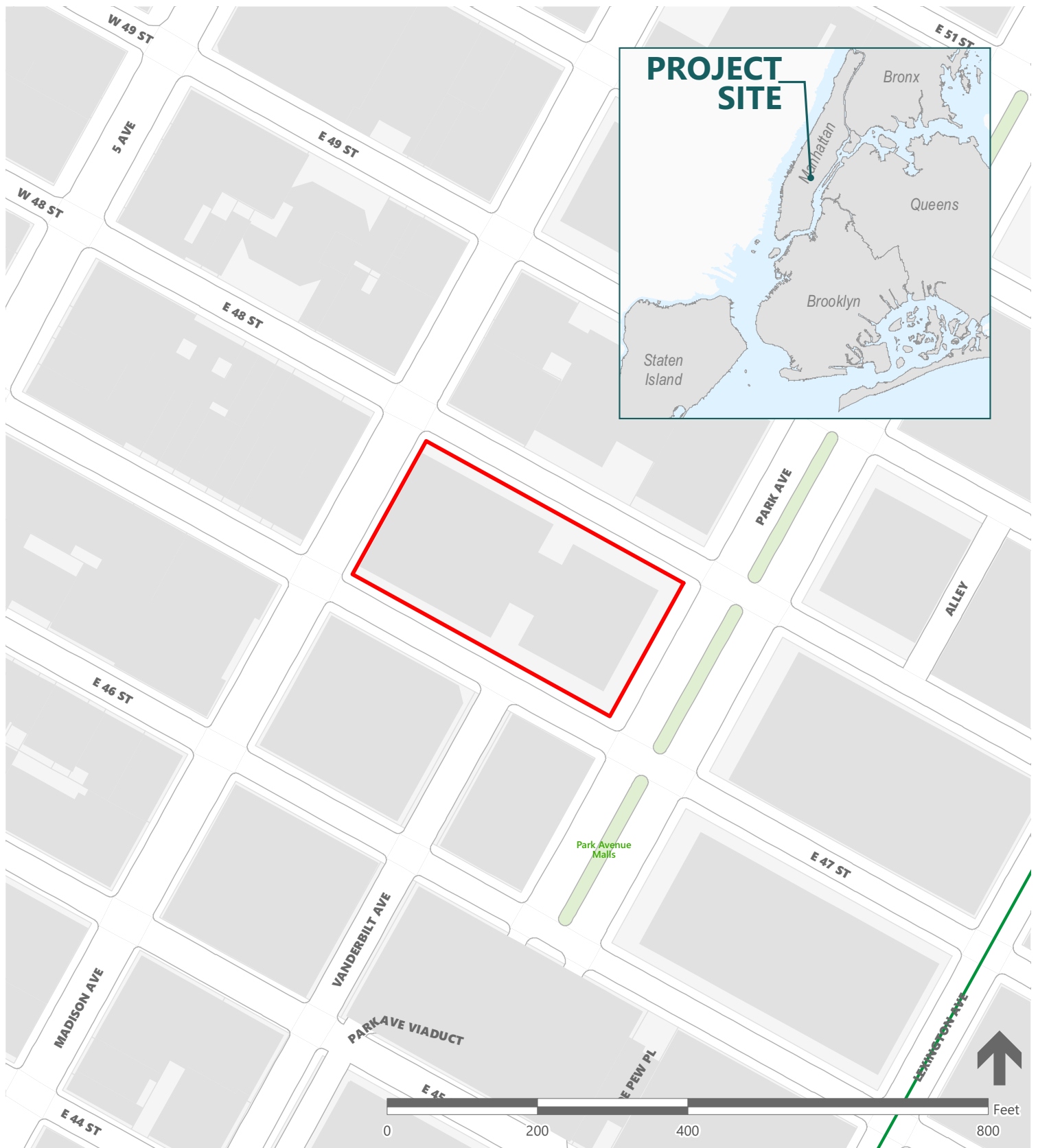
**5. Required Actions or Approvals** (check all that apply)**City Planning Commission:** ☒ YES ☐ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)☐ CITY MAP AMENDMENT☐ ZONING CERTIFICATION☐ CONCESSION☐ ZONING MAP AMENDMENT☐ ZONING AUTHORIZATION☐ UDAAP☒ ZONING TEXT AMENDMENT☐ ACQUISITION—REAL PROPERTY☐ REVOCABLE CONSENT☐ SITE SELECTION—PUBLIC FACILITY☐ DISPOSITION—REAL PROPERTY☐ FRANCHISE☐ HOUSING PLAN & PROJECT☐ OTHER, explain:☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Board of Standards and Appeals:** ☐ YES ☒ NO☐ VARIANCE (use)



<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"/> RULEMAKING <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES <input type="checkbox"/> 384(b)(4) APPROVAL <input type="checkbox"/> OTHER, explain:	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: <input type="checkbox"/> POLICY OR PLAN, specify: <input type="checkbox"/> FUNDING OF PROGRAMS, specify: <input type="checkbox"/> PERMITS, specify:	
<b>Other City Approvals Not Subject to CEQR</b> (check all that apply)		
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain:	
<b>State or Federal Actions/Approvals/Funding:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
<b>6. Site Description:</b> 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. <b>Graphics:</b> 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.		
<input checked="" type="checkbox"/> SITE LOCATION MAP <input checked="" type="checkbox"/> TAX MAP <input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<b>Physical Setting</b> (both developed and undeveloped areas)		
Total directly affected area (sq. ft.): 80,333		Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 80,333		Other, describe (sq. ft.):
<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): 10,000 gsf of unenclosed publicly accessible space		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A	
HEIGHT OF EACH BUILDING (ft.): N/A (see attached Project Description)	NUMBER OF STORIES OF EACH BUILDING: N/A (see attached Project Description)	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
If "yes," specify: The total square feet owned or controlled by the applicant:		
The total square feet not owned or controlled by the applicant:		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input 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: 80,333 sq. ft. (width x length)		VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 80,333 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): 2024		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 48 months		
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 type="checkbox"/> RESIDENTIAL <input type="checkbox"/> MANUFACTURING <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK/FOREST/OPEN SPACE <input type="checkbox"/> OTHER, specify:		

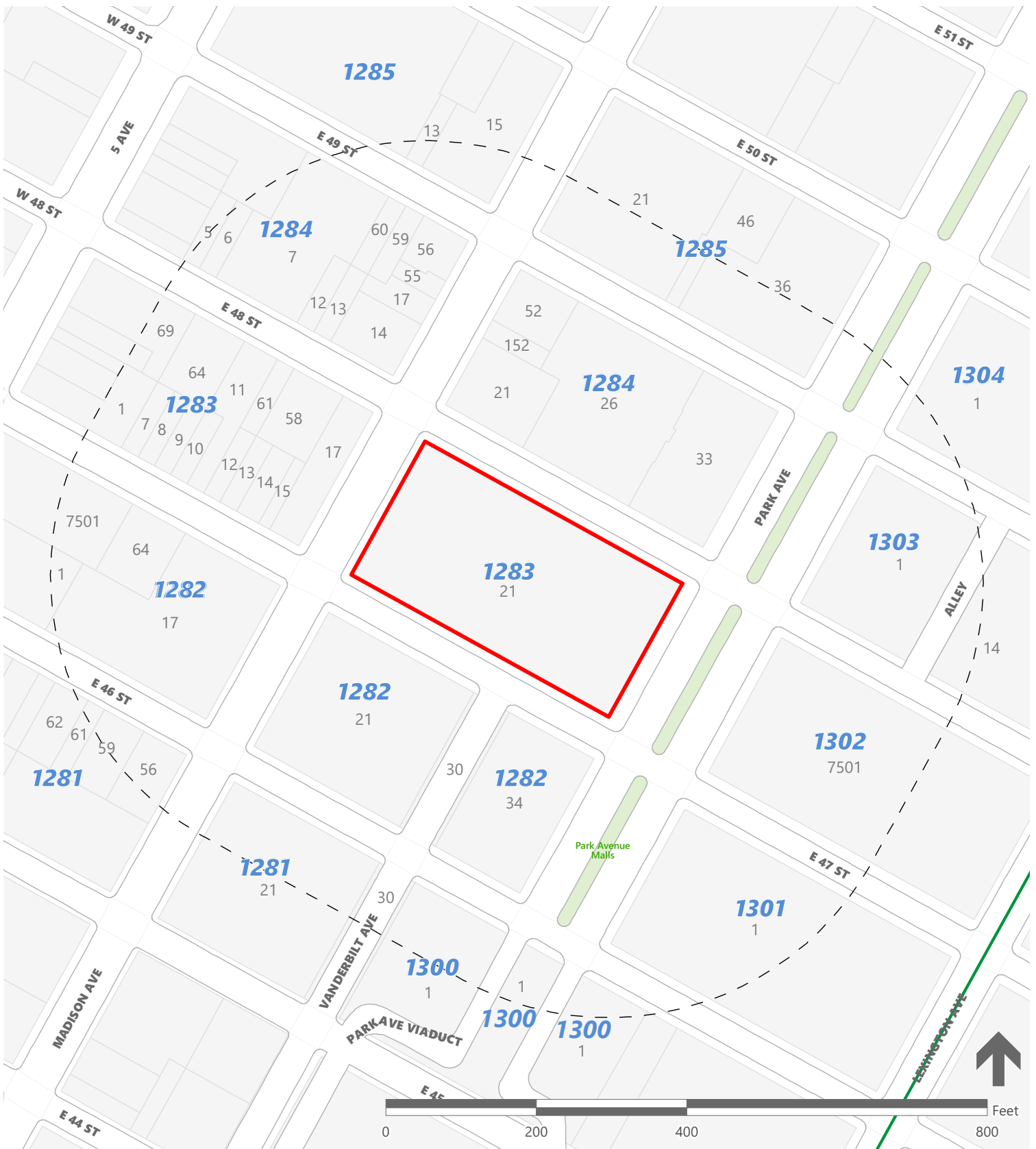


 Project Site



## EAS Figure 1 - Site Location Map

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Project Site
  400-Foot Study Area



## EAS Figure 2 - Tax Map

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Project Site
  400 Foot Study Area
  Zoning District

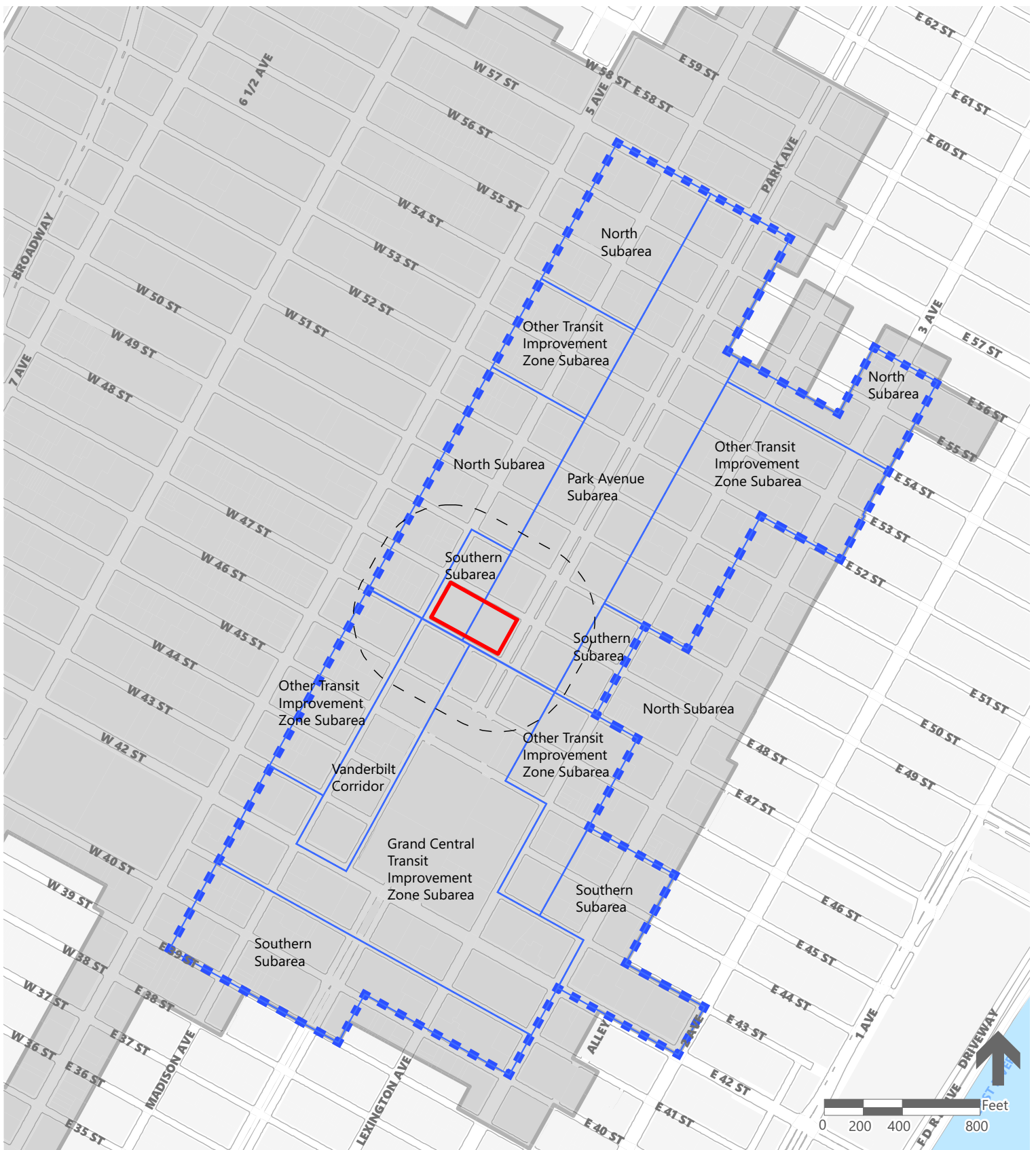


## EAS Figure 3.1 - Underlying Zoning Districts Map

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Note: See EAS Figure 3.2 for map of Special District/Subdistricts.



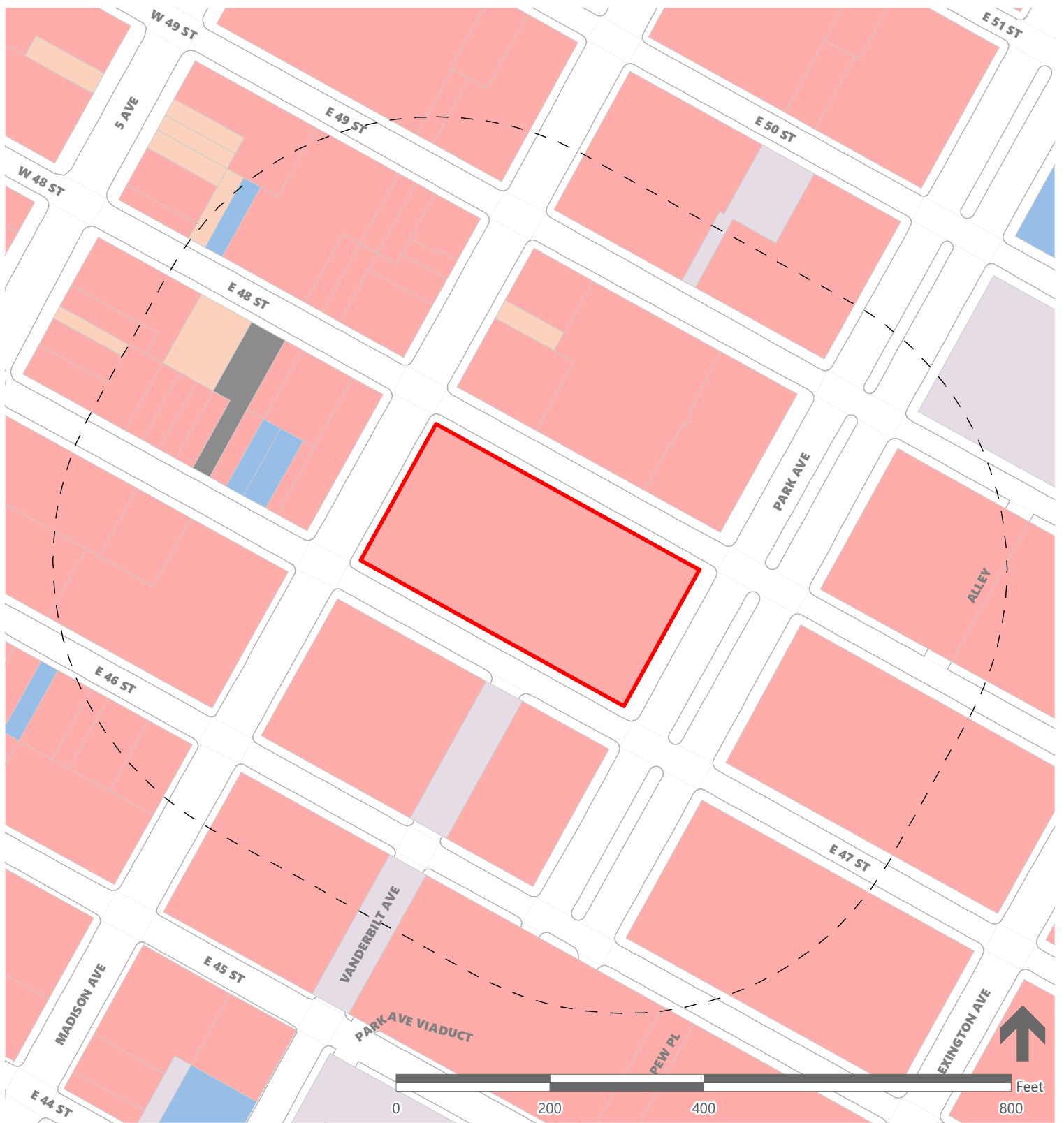











  Project Site   
  400-Foot Study Area   
  Special Midtown District   
  East Midtown Subdistrict   
   Subdistrict Subarea



## EAS Figure 3.2 - Special District and Subdistrict Map

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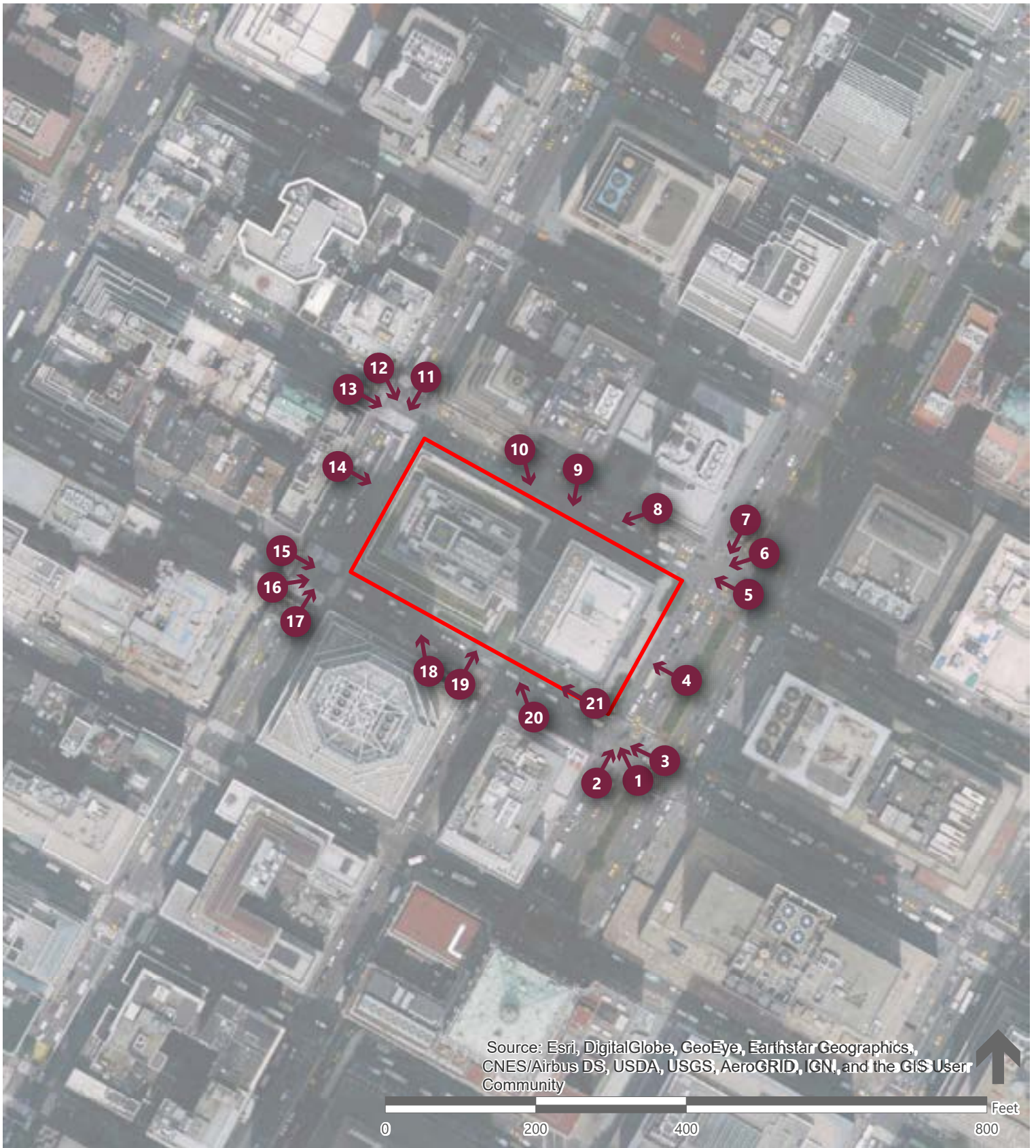
- |   |  |   |
|---|--|---|
|  Project Site                   |  Commercial                         |  Open Space and Recreation |
|  400-Foot Study Area            |  Transportation / Utility           |  Parking                   |
|  Mixed Residential & Commercial |  Public Facilities and Institutions |  Vacant Land               |



## EAS Figure 4 - Land Use Map

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Project Site
  400 Foot Study Area
  # Photo Location



## EAS Figure 5 - Photo Key Map

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1. View of the project site facing northwest from the intersection of Park Avenue and East 47th Street.



2. View of Park Avenue facing north from East 47th Street (project site at left).



3. View of East 47th Street facing west from Park Avenue (project site at right).



4. View of the project site facing west from Park Avenue.





5. View of East 48th Street facing west from Park Avenue (project site at left).



6. View of the project site facing southwest from the intersection of Park Avenue and East 48th Street.



7. View of Park Avenue facing south from East 48th Street (project site at right).



8. View of the project site facing southwest from East 48th Street.

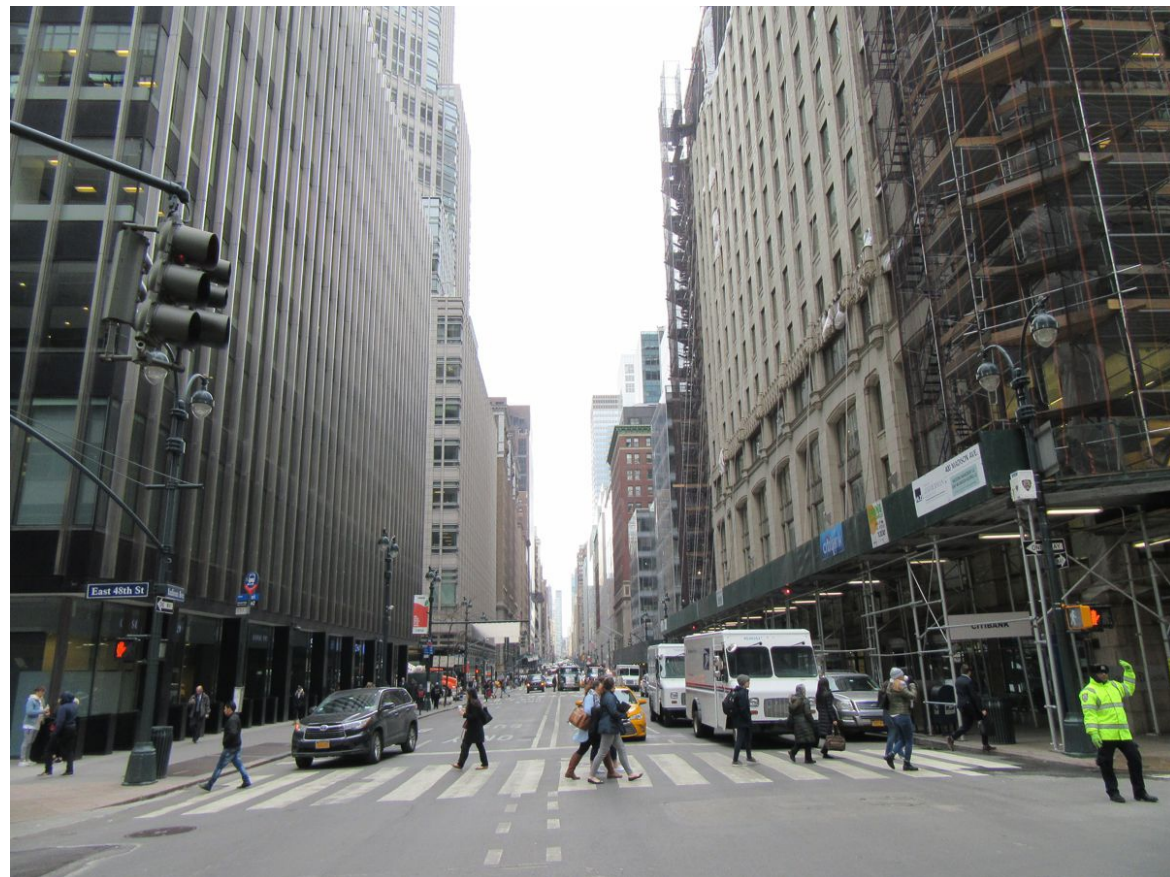




9. View of the project site facing south from East 48th Street.



10. View of the project site facing southeast from East 48th Street.



11. View of Madison Avenue facing south from East 48th Street (project site at left).



12. View of the project site facing southeast from the intersection of Madison Avenue and East 48th Street.





13. View of East 48th Street facing east from Madison Avenue (project site at right).



14. View of the project site facing east from Madison Avenue.



15. View of East 47th Street facing east from Madison Avenue (project site at left).



16. View of the project site facing northeast from the intersection of Madison Avenue and East 47th Street.





17. View of Madison Avenue facing north from East 47th Street (project site at right).



18. View of the project site facing northwest from East 47th Street.



19. View of the project site facing north from East 47th Street.



20. View of the project site facing northwest from East 47th Street.





21. View of the sidewalk along the north side of East 47th Street facing west from Park Avenue (project site at right).

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## **Description of Existing and Proposed Conditions**

The proposed action is a text amendment to modify Section 81-681(b) of the New York City Zoning Resolution (ZR) with respect to publicly accessible open space requirements (the proposed action).

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### **Existing Conditions**

The project site is currently improved with a 50-story 1.351 million gross square-foot commercial office building with ground floor bank use, which is used as the Applicant's world headquarters

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### **No-Action Condition**

In the No-Action condition, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant.

Under the No-Action condition, in accordance with the East Midtown zoning regulations, a 10,000-square foot unenclosed publicly accessible space would be located midblock on East 47th Street across the through block portion of the project site.

The No-Action condition would result in an approximately 1,567-foot tall commercial office building totaling approximately 2,419,377 gross square feet (gsf) to accommodate approximately 11,757 employees (see Figure 6.1).

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### **With-Action Condition**

In the With-Action condition, the existing building on the project site would be demolished (same as under the No-Action condition) and redeveloped with a new office headquarters building for the Applicant.

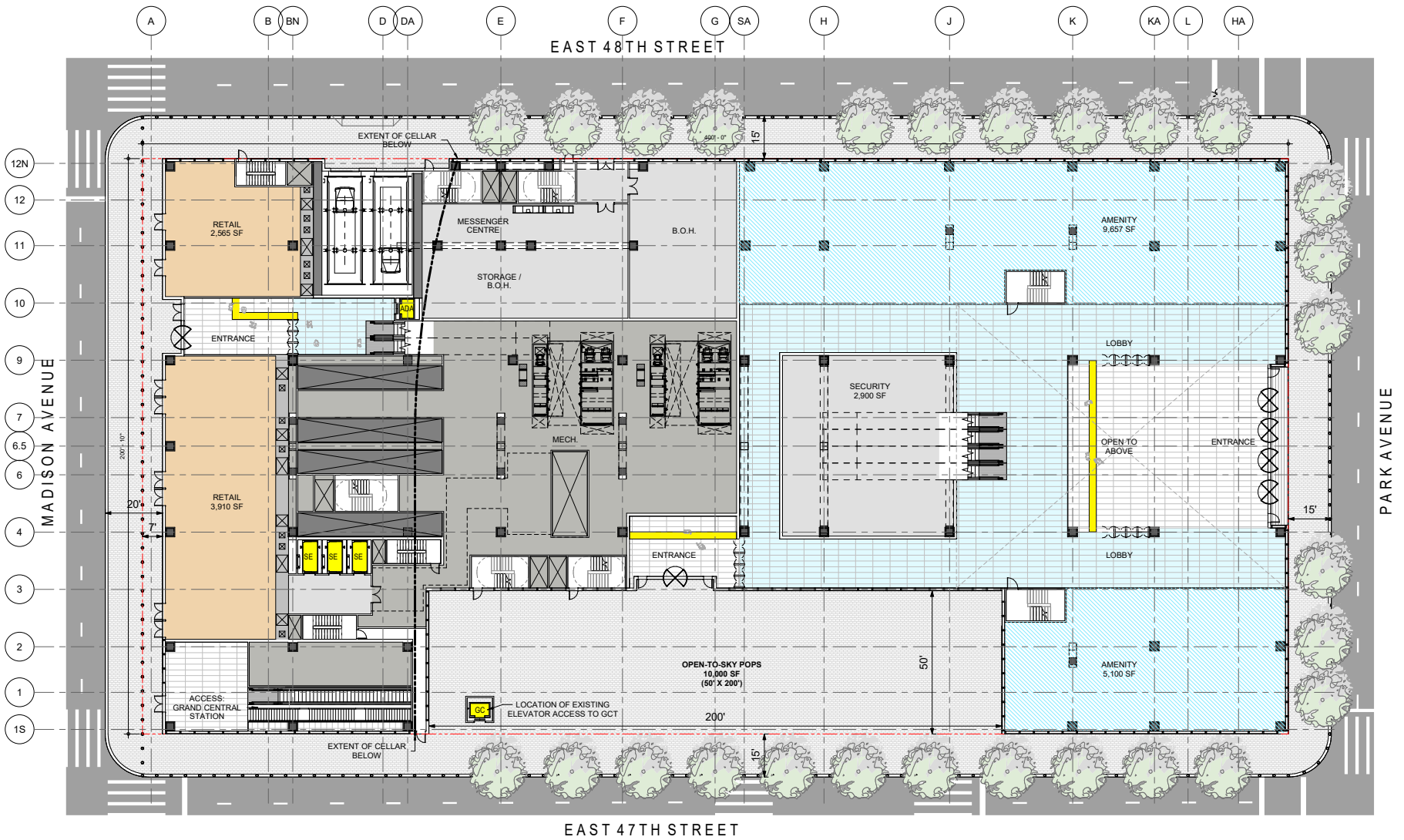
Under the With-Action condition, in accordance with the proposed text amendment, a 10,000-square foot unenclosed publicly accessible space would be located primarily along the project site's Madison Avenue frontage.

The With-Action condition would result in an approximately 1,400-foot tall commercial office building totaling approximately 2,420,609 gsf to accommodate approximately 11,757 employees (see Figure 6.2).

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### **Increment**

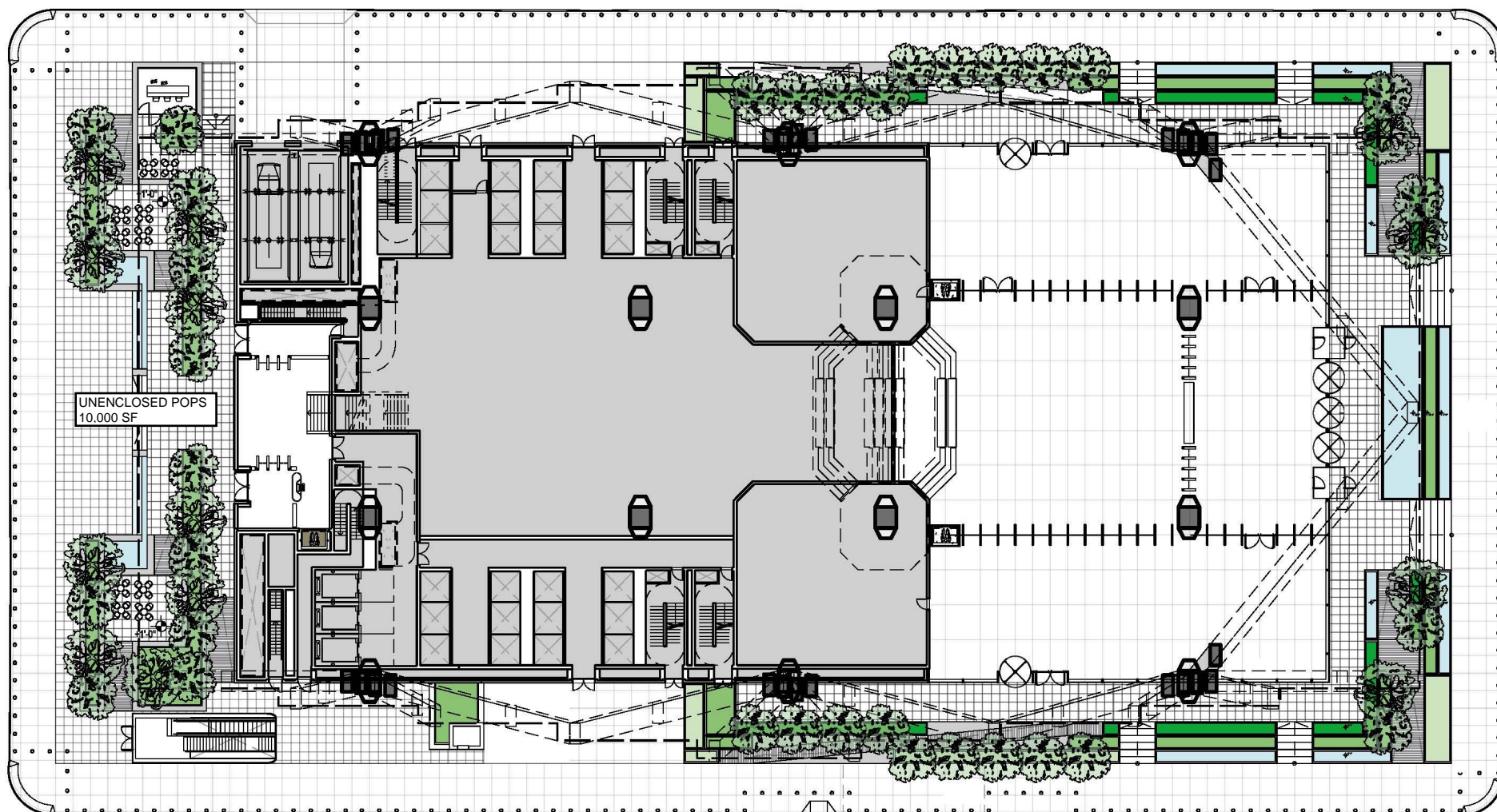
In total, the With-Action condition would result in a net overall increase of 1,232 gsf over the No-Action scenario and an approximate decrease in the height of the building of 167 feet (see Figure 6.3).



## EAS Figure 6.1 - No-Action Condition Site Plan

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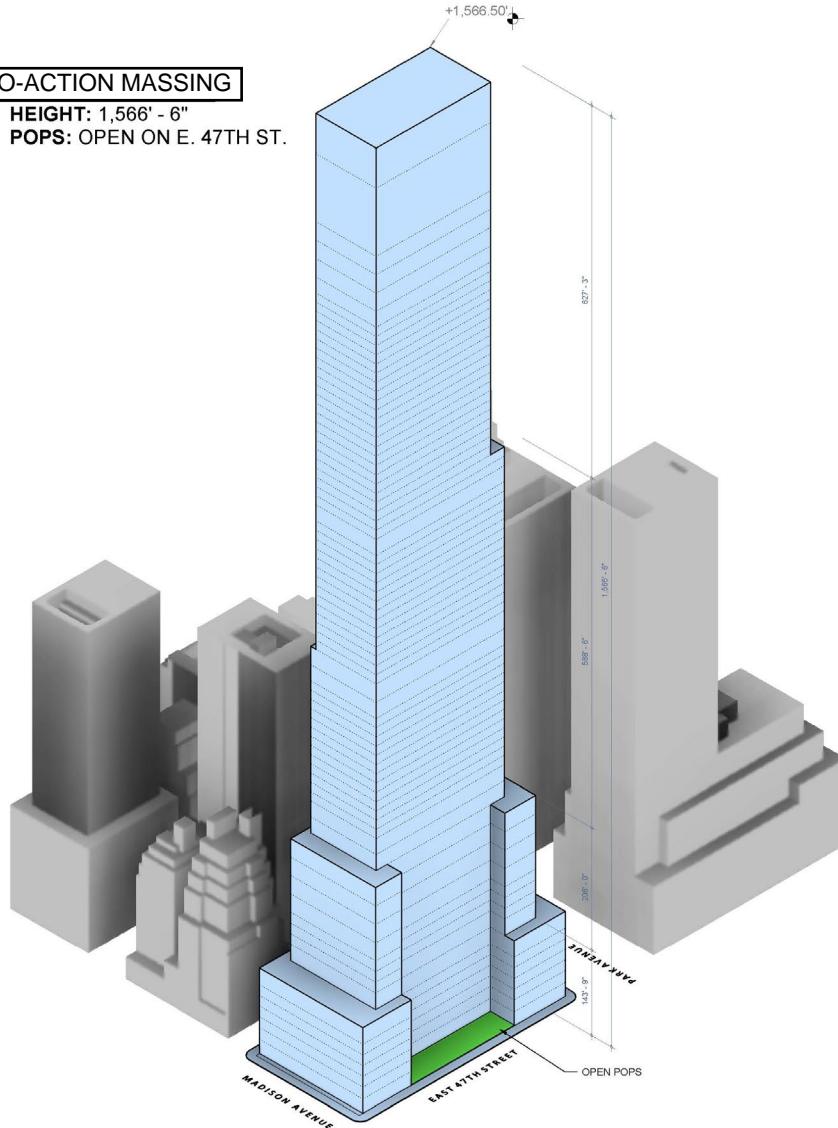
## EAS Figure 6.2 - With-Action Condition Site Plan

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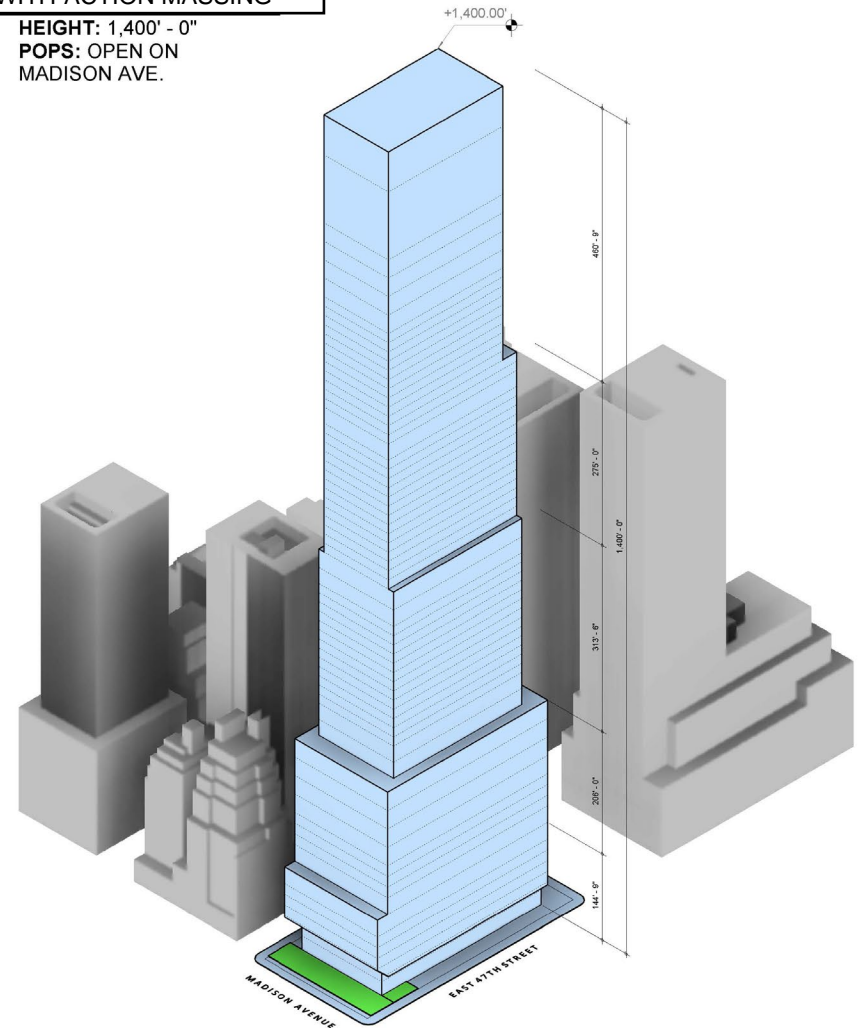
### NO-ACTION MASSING

- HEIGHT: 1,566' - 6"
- POPS: OPEN ON E. 47TH ST.



### WITH-ACTION MASSING

- HEIGHT: 1,400' - 0"
- POPS: OPEN ON MADISON AVE.



## EAS Figure 6.3 - No-Action and With-Action Massings

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## 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)	Office Headquarters	Office Headquarters	Office Headquarters	
Gross floor area (sq. ft.)	1,351,000 gsf	2,419,377 gsf	2,420,609 gsf	+ 1,232 gsf
<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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	0	10,000 sf unenclosed	10,000 sf unenclosed	0
<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	25	25	25	0
Operating hours				
Attended or non-attended	attended	attended	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 was calculated:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<b>Businesses</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:				
No. and type	Commercial (Office Headquarters)	Commercial (Office Headquarters)	Commercial (Office Headquarters)	
No. and type of workers by business	6,000 employees	11,757 employees	11,757 employees	0
No. and type of non-residents who are not workers	0	0	0	0
Briefly explain how the number of businesses was calculated:	Applicant provided			
<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	C5-3/Special Midtown District	C5-3/Special Midtown District	C5-3/Special Midtown District	
Maximum amount of floor area that can be developed	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial, Community Facility	Commercial, Community Facility	Commercial, Community Facility	
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.				

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## TECHNICAL ANALYSIS

As described in pages 3 and 4, as a result of the proposed action, the change between the No-Action and With-Action conditions is:

- net overall increase of 1,232 gsf of total building space
- decrease in the height of the building of 167 feet
- Location of the publicly accessible open space would change:
  - No-Action condition - midblock location on East 47th Street across the through block portion of the project site
  - With-Action condition – primarily along Madison Avenue frontage

### Future No-Action and Future With-Action Comparison

	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
<b>Total GSF</b>	› 2,419,377	2,420,609	+1,232
<b>Commercial Office, Trading Floor and Ancillary Spaces</b>	› 2,354,258	2,355,490	+1,232
<b>Retail</b>	› 6,475	6,475	0
<b>Cellar Space<sup>1</sup></b>	› 58,644	58,644	0
<b>Total Publicly Accessible Open Space</b>	› 10,000 (unenclosed)	10,000 (unenclosed)	0
<b>Building Height</b>	› 1,567 feet	1,400 feet	- 167 feet

Both the No-Action and With Action condition would have the same condition in terms of:

- Total number of employees
- Demolition of existing building
- Area of disturbance

The analyses presented on the following pages in Part II of the EAS is based on the incremental change and differences between the No-Action and With-Action conditions.

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<sup>1</sup> Cellar space consists of multiple levels underground.

**Part II: TECHNICAL ANALYSIS**

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

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

	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See attachment		
(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 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 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 type="checkbox"/>
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input 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 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 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 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 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 type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Effects on Industry</b>		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
<b>(a) Direct Effects</b>		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input 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 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 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: See attachment.</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 type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See attachment		
<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> . See attachment		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
<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"/>

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## **Hazardous Materials**

For hazardous materials, the goal for CEQR is to determine whether the proposed project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. If significant adverse impacts are identified, CEQR requires that the impacts be disclosed and mitigated or avoided to the greatest extent practicable.

As described above and in the attached Section 1.0, Project Description, the proposed project involves an as-of-right building practically the same size under both the No-Action and With-Action conditions and would result in the same amount of ground and below-grade disturbance under both the No-Action and With-Action conditions. The demolition of the existing 50-story building and any removal of existing storage tanks would also be the same under the No-Action and With- Action conditions and would be conducted in accordance with all applicable laws and regulations related to the handling of hazardous materials. Therefore, the proposed project would not result in any significant adverse impacts related to hazardous materials.



	YES	NO
(c) If the proposed project located in a <a href="#">separately sewer 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 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 type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewer 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): N/A		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): N/A		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input 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 following page	<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 type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a> ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>

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## Air Quality

As described in Section 1.0, "Project Description," the No-Action condition would result in a 1,567-foot tall building totaling approximately 2,419,377 gross square feet (gsf). It would encompass a 10,000 square-foot (sf) unenclosed publicly accessible space along East 47th Street.

The With-Action condition would result in a 1,400-foot tall building totaling approximately 2,420,609 gsf. This building would encompass a 10,000-sf unenclosed publicly accessible space primarily along Madison Avenue.

Since the height of the proposed building is lower in the With-Action condition than the No-Action condition, an HVAC screening analysis was performed.

Additionally, since there would be no incremental traffic generated as a result of the difference between the No-Action and With-Action conditions, there is no need to perform a mobile source analysis for carbon monoxide (CO) or particulate matter (PM<sub>10</sub> and/or PM<sub>2.5</sub>).

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## Stationary Sources

A screening analysis was performed for the No-Action and With-Action conditions using the methodology described in the *CEQR Technical Manual* to evaluate whether the proposed project's HVAC system could have potential significant adverse impacts on existing or future development projects in the No-Action condition, i.e. projected and potential development sites in the *Greater East Midtown Rezoning Final Environmental Impact Statement (FEIS)* dated May 26, 2017

There are no buildings of similar or greater height (i.e., at or greater than 1,400 feet), existing or projected in the No-Action condition as a result of the Greater East Midtown Rezoning project (identified as Projected or Potential Development Sites in the *Greater East Midtown Rezoning FEIS*), within a 400-foot radius of the project site. Therefore, a distance of 400 feet was assumed between the source to the receptor for both conditions.

The following table shows the Projected or Potential Development Sites in the *Greater East Midtown Rezoning FEIS* within a 400-foot radius of the project site.

### Greater East Midtown Rezoning Projected and Potential Development Sites Within 400 feet of Project Site

Site	Projected/Potential	Height (feet)	Distance from project site (feet)
C	Potential	650	74
6	Projected	776.1	95
D	Potential	524	109
P	Potential	440	131
5	Projected	748	343
7	Projected	818	382
10	Projected	580	430

Development sizes of 2,419,377 sf and 2,420,609 sf, respectively, were used for the No-Action and With-Action conditions.

It is assumed that the stacks would rise three feet above the bulkheads for total heights of 1,570-feet and 1,403-feet (including a 3-foot stack), respectively.

With the minimum source to receptor distance determined to be 400 feet, the screening distance requirements for no. 2 fuel oil and natural gas are met, and there would be no significant adverse stationary source impacts related to the proposed building's HVAC system. Thus, no further analysis is warranted and there would be no significant adverse air quality impacts as a result of the proposed action.

The table below presents a summary of the HVAC screening analysis results for the project site under the No-Action and With-Action conditions.

### HVAC Screening Analysis Results

Analysis Scenario	Development Size (gsf)	Building Height (feet) <sup>1</sup>	Receptor <sup>2</sup>	Distance to Receptor	No. 2 Fuel Oil Distance Threshold (feet)	No. 2 Fuel Oil Screen Result	Natural Gas Distance Threshold (feet)	Natural Gas Screen Result
No-Action	2,419,377	1,403	N/A	400	385	PASS	321	PASS
With-Action	2,420,609	1,570	N/A	400	387	PASS	321	PASS

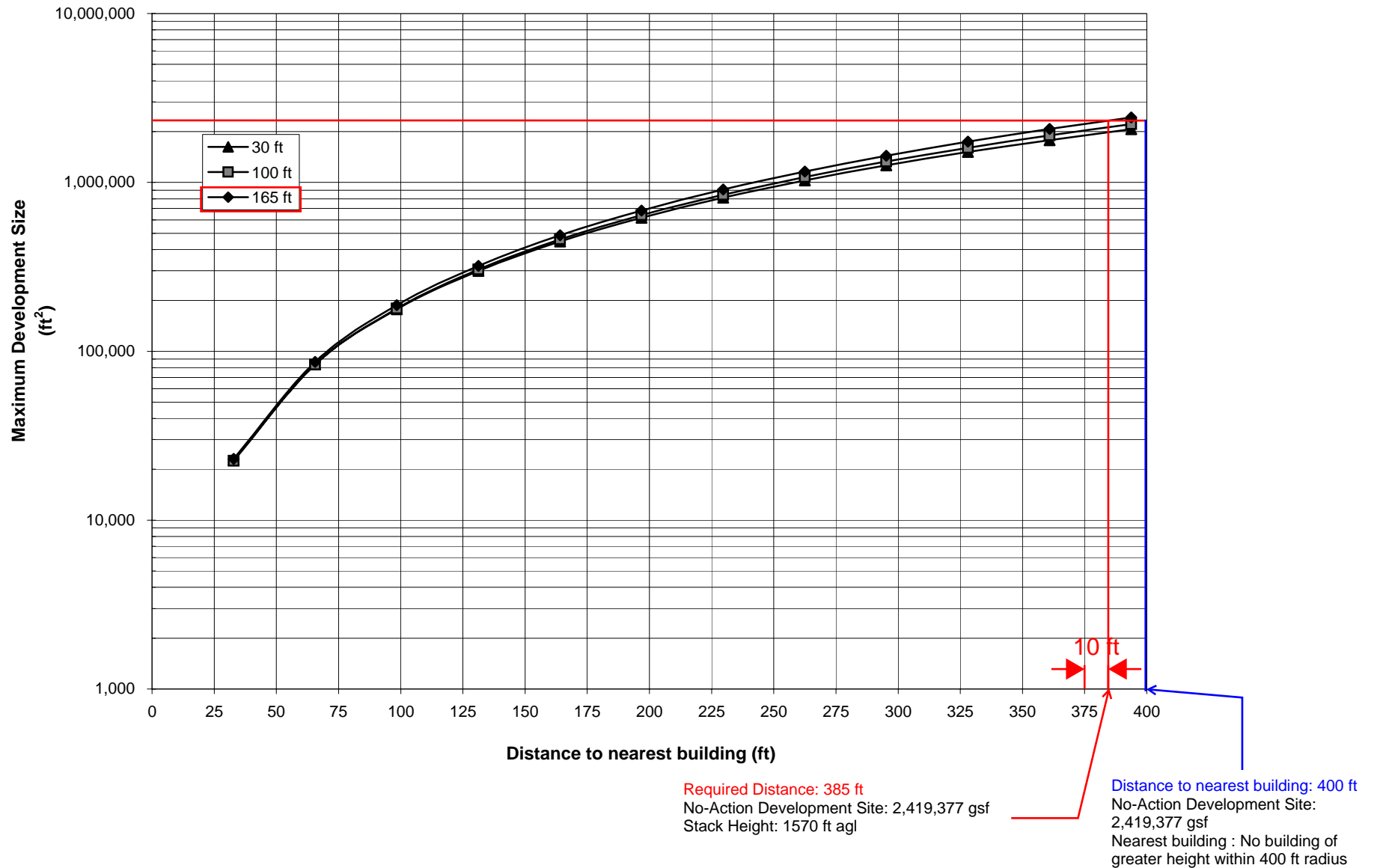
Notes: <sup>1</sup> The building heights include an additional 3 feet of stack height.

<sup>2</sup> "N/A" means there are no other buildings of similar or greater height in a 400-foot radius of the project sites Per *CEQR Technical Manual*, as there are no buildings of similar or greater height within 400 feet of the project site, a distance of 400 feet was used for screening purposes.

gsf = gross square footage

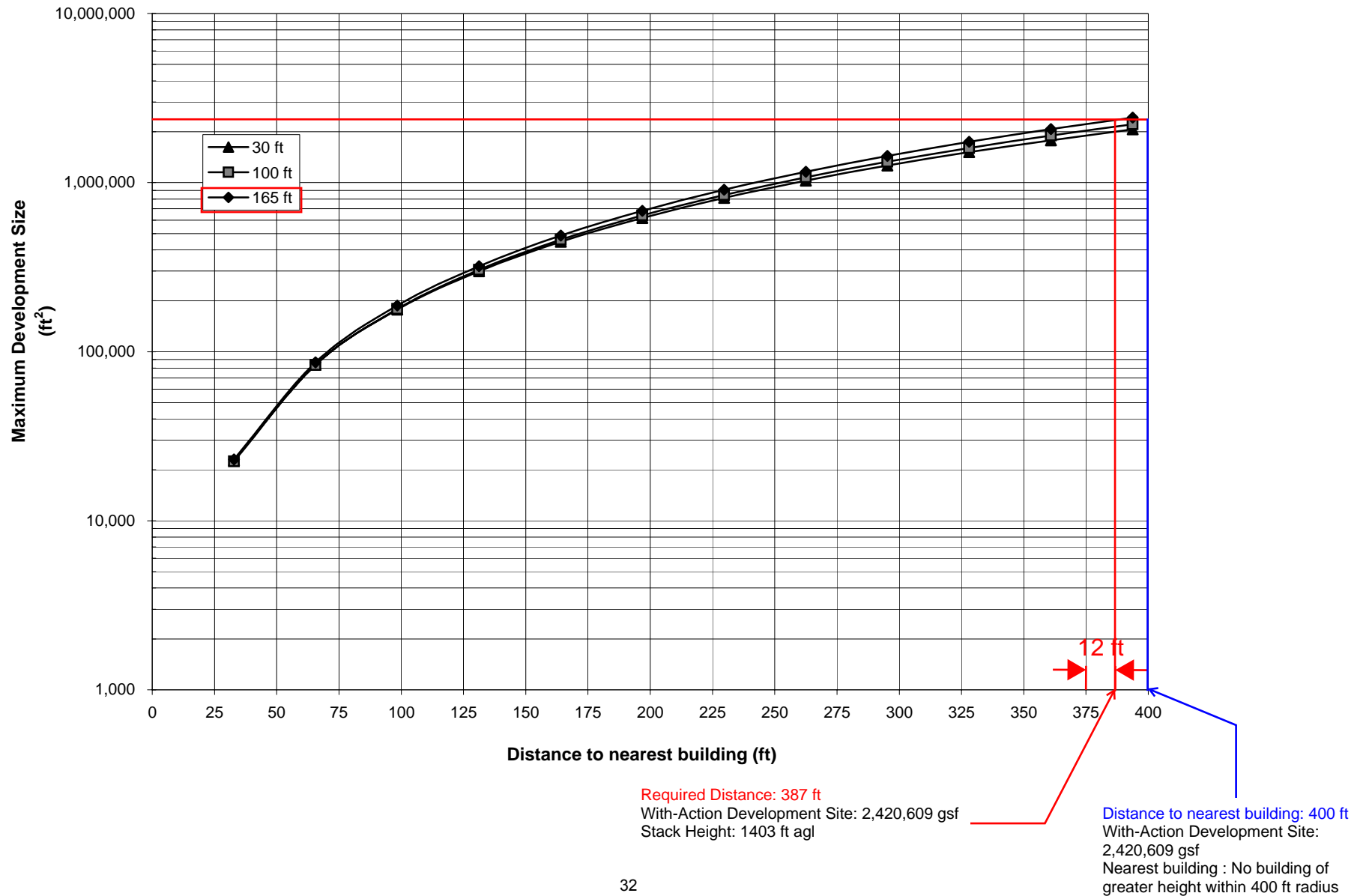
**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**NO-ACTION** **PASS**



**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**WITH-ACTION** **PASS**



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

**WITH-ACTION**

**PASS**

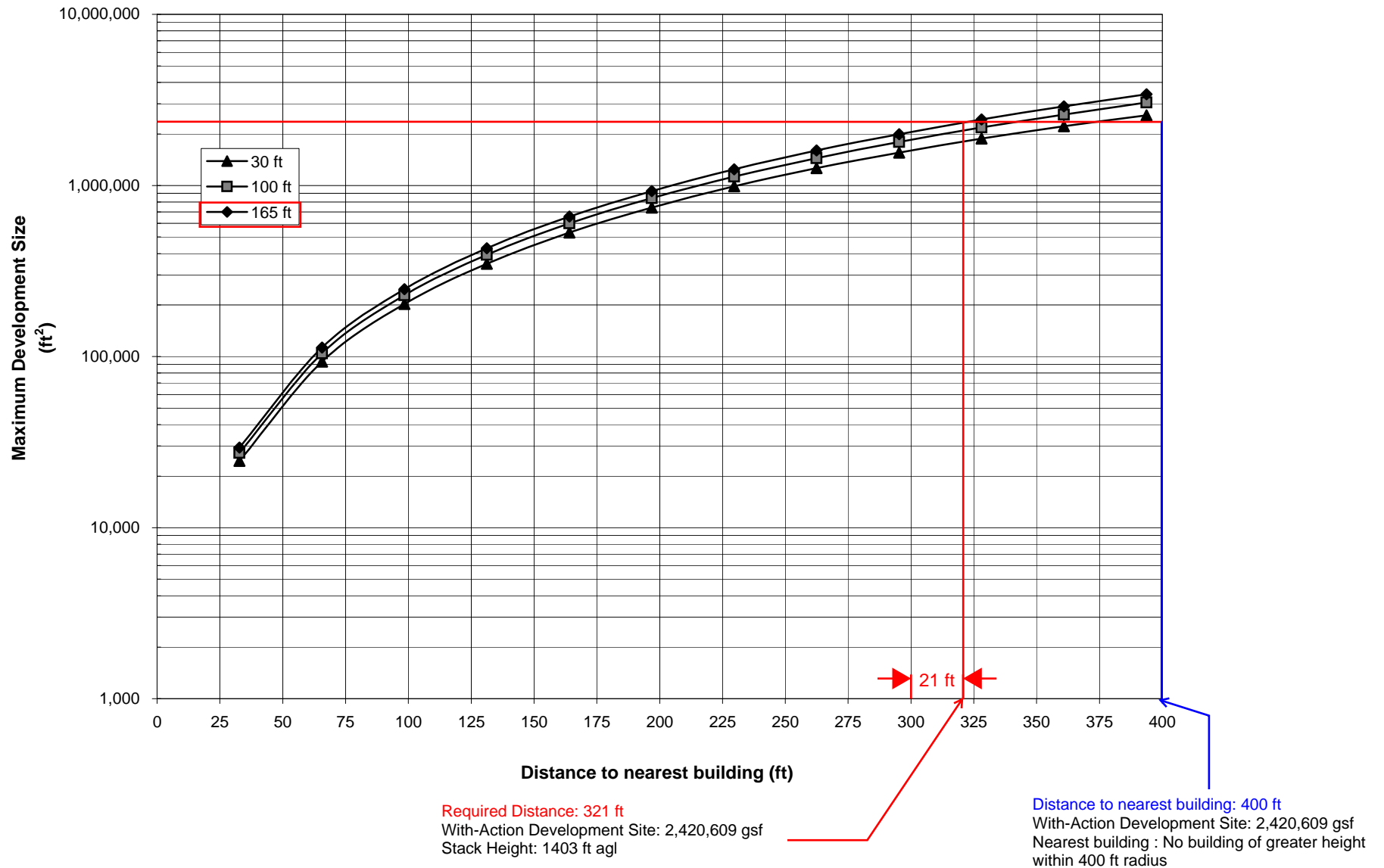
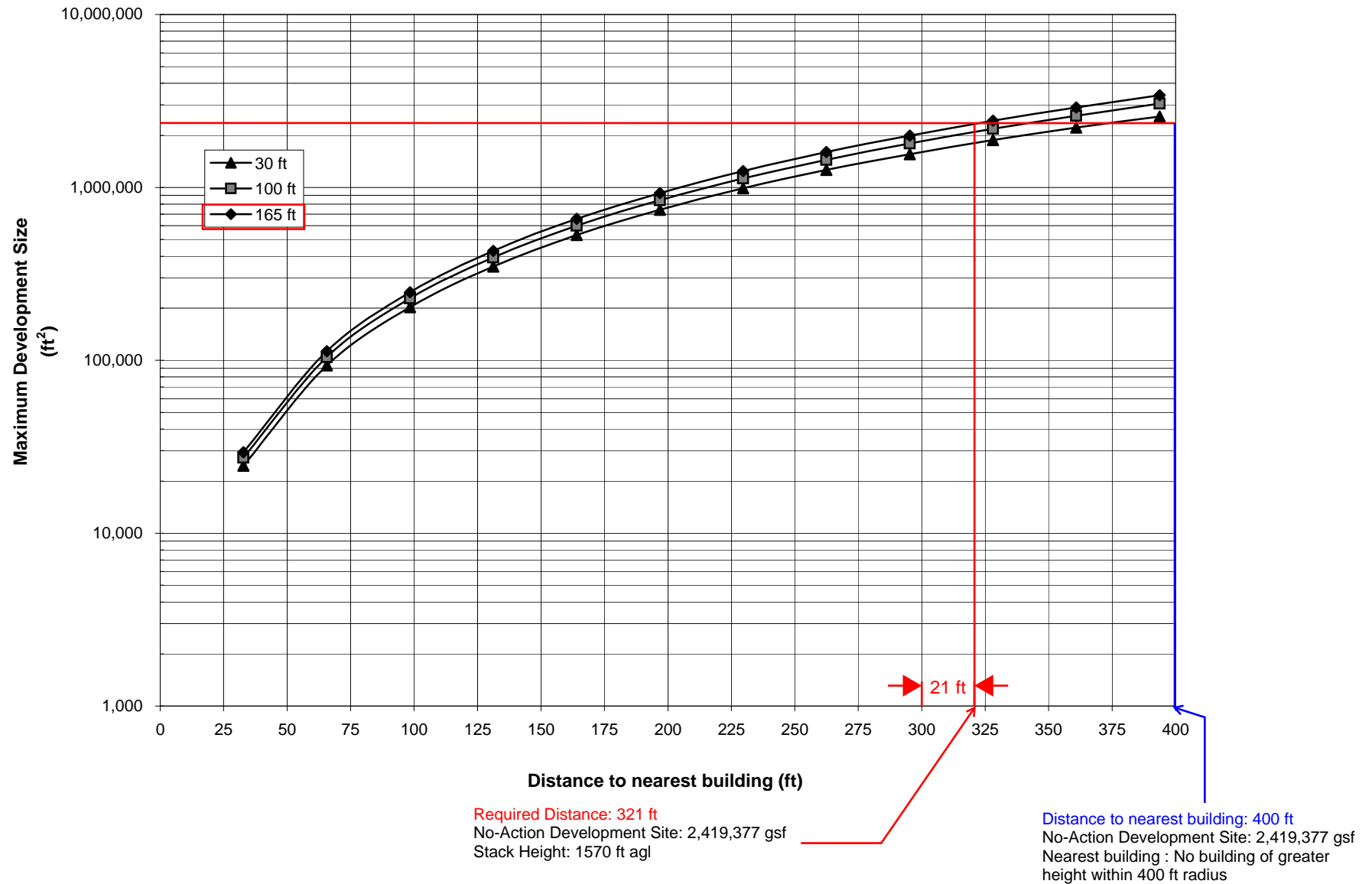


FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN

NO-ACTION

PASS

COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS



	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input 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. The proposed project would warrant further analysis on Land Use, Zoning, and Public Policy; Open Space; Historic and Cultural Resources; and Urban Design and Visual Resources. However, the proposed action would not result in significant adverse impacts to these impact categories. Therefore, an assessment of neighborhood character is not 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input 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. The project site would be developed with an as-of-right building under both the No-Action and With Action Conditions. Properties that are designated as New York City Landmarks(NYCL) would be protected under the NYCL law. In addition, all designated NYCLs and/or State and National Registers of Historic Places located within 90 feet of the project site would be protected by the New York City Department of Buildings TPPN #10/88 process. In the event that any closure of any portion of sidewalk or lane elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City Department of Transportation's Office of Construction Mitigation and Coordination prior to the closure so that impacts would not occur.		
<b>20. APPLICANT'S CERTIFICATION</b>		
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

Nancy M. Doon, AICP


SIGNATURE

Nancy Doon

DATE

03/21/2019

**PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.**

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)		
INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.		
1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.	Potentially Significant Adverse Impact	
	YES	NO
<b>IMPACT CATEGORY</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"/>
2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?  If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Check determination to be issued by the lead agency:		
<input type="checkbox"/> <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).		
<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.		
<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.		
4. LEAD AGENCY'S CERTIFICATION		
TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission	
NAME Olga Abinader	DATE 3/22/2019	
SIGNATURE 		

**NEGATIVE DECLARATION (Use of this form is optional)****Statement of No Significant Effect**

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

**Reasons Supporting this Determination**

The above determination is based on information contained in this EAS, which that finds the proposed project:

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

# 1.0

## Project Description

This section provides descriptive information about the requested discretionary land use action and the development that could be facilitated by the requested action. The purpose of this section is to convey project information relevant to environmental review.

### 1.1 Introduction

The applicant, JPMorgan Chase Bank, N.A. (JPMC or the Applicant) is seeking a zoning text amendment<sup>1</sup> from the City Planning Commission to facilitate the development of an unenclosed publicly accessible open space primarily along Madison Avenue as part of the planned development at 270 Park Avenue (Manhattan Block 1283, Lot 21) - the project site. The new publicly accessible open space would be comprised of 10,000 square feet of unenclosed space within a new, approximately 70-story, 1,400-foot-tall commercial office building that is planned to replace the existing 50-story office tower currently occupying the project site.

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<sup>1</sup> Since referral of the original application (N 190180 ZRM) on November 13, 2018, the Applicant has filed an amended land use application for a zoning text amendment (N 190180(A) ZRM) and the original application was withdrawn on March 20, 2019. The amended proposed zoning text amendment would facilitate the proposed project providing a 10,000 square foot unenclosed public open space in lieu of a 7,000 gsf enclosed public open space.

## 1.2 Project Site

The project site consists of Block 1283, Lot 21 which occupies the full block bounded by Park Avenue, East 47th Street, Madison Avenue and East 48th Street. The project site has approximately 400 feet of frontage on East 47th Street, 201 feet of frontage on Park Avenue, 400 feet of frontage on East 48th Street, 201 feet of frontage on Madison Avenue. It is located in a C5-3 district within the Southern and Park Avenue Subareas of the East Midtown Subdistrict of the Special Midtown District and has a lot area of 80,333.2 sf, with 40,166.6 sf of lot area in each subarea.

The project site is currently improved with a 50-story commercial office building with ground floor bank use, which is used as the Applicant's world headquarters. A rail mass-transit access point is located on the southwest corner of the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks located at the southwest corner of the project site.

The office tower fronts on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the 10th story occupying the midblock and Madison Avenue frontage of the project site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail (MNR) train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass-transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide.

## 1.3 Project Site Context

On August 9, 2017, the City Council approved the Greater East Midtown rezoning (Application No. N 170186(A) ZRM) within the Special Midtown District, a City initiative designed to address the long-term challenges facing East Midtown, specifically, an increasingly outdated office stock. The Department of City Planning proposed the Greater East Midtown rezoning to encourage the construction of modern Class A office buildings and reinforce East Midtown's position as a world-class business district; to facilitate the preservation of landmarks in the area by allowing the sale and transfer of floor area to a wider range of properties; and to provide for public realm improvements through the creation of a Public Realm Improvement Fund financed in connection with new commercial developments and utilized by a newly created East Midtown Public Realm Improvement Fund Governing Group to provide pedestrian realm and transit network improvements.

## 1.4 Proposed Action

The proposed action is a zoning text amendment of Section 81-681(b) of the Zoning Resolution of the City of New York (the Zoning Resolution or ZR) to modify publicly accessible space requirements to permit an unenclosed publicly accessible space on the project site's Madison Avenue frontage, to waive retail continuity and street wall requirements in order to permit the unenclosed publicly accessible open space at this

alternative location, and to modify certain design requirements for unenclosed publicly accessible spaces. The proposed action would apply only to the project site.

The new East Midtown Subdistrict regulations adopted as part of the Greater East Midtown rezoning permit the floor area of a “qualifying site” to be increased through as-of-right mechanisms, including the transfer of unused floor area from one or more properties improved with landmarked buildings to such qualifying site. The proposed development would utilize approximately 1,871,764 square feet of floor area, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification approved on December 14, 2018 pursuant to ZR Section 81-642.

Among the requirements for a project site to be a “qualifying site,” ZR Section 81-681 (Mandatory requirements for qualifying sites) requires that a new building provide publicly accessible space, open or enclosed, depending on the lot area of the property. Paragraph (b)(1) of Section 81-681 specifies the type and minimum size of such spaces, and currently requires any qualifying site that has a through lot portion and a lot area of 65,000 square feet or greater to provide an open publicly accessible space of no less than 10,000 square feet across the through lot portion of such site.

On a full block site such as the project site, which measures approximately 200 feet by 400 feet, this text requires an open space configured either as a 50-foot wide area running north-south across the through lot portion of the site, or as a 25-foot deep, 400-foot wide space running across the through lot portion along the southern lot line. The first configuration would require development of two separate buildings, with separate cores and building systems and would preclude construction of a world-class headquarters building. The second configuration would allow for construction of a single building, but would make use of the project site for a world class headquarters building less desirable for two key reasons: (i) the ‘carve out’ of space in the midblock would both reduce the size of the floor plates that can be provided at the base of the building, and result in an irregular floor plate configuration; and (ii) the floor plate of the tower that could be provided above the base would be reduced in size, requiring additional floors to be constructed in order to achieve the floor space required for headquarters use.

Under the proposed text amendment, as an alternative to the location requirements under paragraph (b)(1)(iii), where a site has a lot area of 80,000 square feet or more and includes an existing entrance to a mass-transit rail facility located outside the through lot portion of the site, the publicly accessible space may be located so as to include such entrance, provided that it would also adjoin a street or sidewalk widening. Co-location of the publicly accessible space and the transit entrance would provide commuters and visitors to the area, as well as residents, with an attractive public space convenient to East Midtown’s transportation network. Configuration of the publicly accessible space running primarily north-south primarily along the Madison Avenue frontage would allow for large, regularly configured floor plates above.

Paragraph (b)(2) of Section 81-681 sets forth design requirements for required publicly accessible spaces, including for open publicly accessible spaces. The proposed text amendment would allow for waiver of street wall and retail continuity requirement and modification of certain of these design requirements for an unenclosed publicly accessible



space that is relocated to include an entrance to a rail mass-transit facility and where the majority of the subsurface area of the site is occupied by a railroad right-of-way, as follows:

- › The provisions of Sections 81-42, 81-43, and 81-671, requiring street wall and retail continuity on Madison Avenue, and the provisions of Section 37-715(d) listing required dimensions for the major portion of an open publicly accessible space would not apply.
- › The provisions of Section 37-726(a) and (b) would be modified to allow up to 60 percent of the open publicly accessible space to be covered by a portion of the building or other structure provided that the average elevation of the overhanging portion of the building must be at least 50 feet and a minimum elevation is 40 feet above the grade level of the public space. The overhanging building portion would not affect the calculation of permitted obstructions at grade level of the open publicly accessible space.
- › The provisions of Sections 37-76(a) which require that at least 50 percent of the frontage of building walls fronting on the open publicly accessible space be allocated for occupancy at the ground floor level by retail or service establishments would be waived.
- › The provisions of Section 37-76(c) which provide that building walls facing on the open publicly accessible space be treated with untinted transparent material for 50 percent of the surface area below 14 feet above the public space level would be waived.
- › In lieu of the provisions of Sections 37-76(a) and (c), at least one food service kiosk must abut or be included within the open publicly accessible space.
- › A new provision would be added to allow the Chairperson of CPC to make adjustments of the provisions of 37-70, including provisions of Sections 37-721(a) and 37-741. Section 37-421(a) would be modified to permit up to 60 percent of the area within 15 feet of a street line to include permitted obstructions, and Section 37-741 would modify the requirements for seating within 15 feet of a street line to address the entrance to the rail mass-transit facility or within the minor portion of the open publicly accessible space.

### Potential CPC Modification

Modifications to the amended application have been identified as under consideration by the City Planning Commission (the "Potential CPC Modification"). The Potential CPC Modification consists of clarifications to the proposed zoning text. The proposed Chairperson certification set forth in Section 81-681(b)(2)(b) of the Zoning Resolution is intended to enable some flexibility to the public space design regulations of Section 37-70 in cases where an entrance to a rail mass transit facility causes practical difficulties in meeting these standards. The Potential CPC Modification would further clarify the intent of the proposed Chairperson certification by introducing a requirement that an application for this certification demonstrate the extent of the need for the requested modifications to the public space regulations. The Potential CPC Modification would also require the CPC Chairperson to consult with the Metropolitan Transportation Authority regarding the pedestrian circulation needs around the transit entrance, to further establish the necessity for and the extent of relief that should be granted.

The Potential CPC Modification would not have the potential to affect the analysis framework and resulting reasonable worst-case development scenario detailed below.

Therefore, the environmental review conducted herein and its conclusions would not be affected if the Potential CPC Modification were to be adopted.

## 1.5 Proposed Development and With-Action Condition

The proposed development would consist of an approximately 70-story commercial office tower and would utilize approximately 2,420,609 gross square feet, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification pursuant to ZR Section 81-642, approved on December 14, 2018.

The proposed development would include a publicly accessible space located primarily along the Madison Avenue frontage of the project site. The publicly accessible space would adjoin a required sidewalk widening along Madison Avenue. The proposed location on Madison Avenue would also allow the publicly accessible open space to be integrated with the access point to the Metro North tracks and passageway to Grand Central Station located at the southwest corner of the project site. The publicly accessible open space would comprise 10,000 square feet of unenclosed area and would be fully open to the sky over a portion of its area. It would include at least one retail kiosk and a variety of seating types. The planned development would cantilever over no more than 60 percent of the publicly accessible space above the ground level.

## 1.6 Purpose and Need

The existing 1960s building on the project site does not adequately meet the needs of a 21st century banking institution. The building was designed for approximately 3,000 employees and currently accommodates over 6,000 employees. The aging infrastructure, inefficient elevator systems and capacity, floor plate size, configuration and existing ceiling heights do not support modern workplace requirements and trading floor design. Thus, the Applicant seeks to replace the existing building with a new Class A office tower in a prominent location at the heart of Manhattan's Midtown's central business district. The new building would be approximately 70 stories tall and would utilize approximately 1,871,764 square feet of zoning floor area, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification pursuant to ZR Section 81-642.

Development of a new Class A office tower on the project site in accordance with the current zoning requirements for publicly accessible space would cut into the footprint along the through lot portion of the building with the open publicly accessible space along East 47th Street, and therefore not allow for the flexibility in the layout of a headquarters building that is needed. The proposed action would allow for a significant new public amenity to be created primarily along Madison Avenue and integrated with the access point to the Metro North tracks and passageway to Grand Central Terminal located at the southwest corner of the project site, while facilitating the development of a large floor-plate Class A office space for a world-class 21st century banking institution consistent with the goals of the East Midtown Subdistrict regulations.



## 1.7 Analysis Framework and Reasonable Worst-Case Development Scenario

The *CEQR Technical Manual* will serve as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the proposed development that would result from the discretionary action. If the proposed action allows for a range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for CEQR analysis. This is considered to be the reasonable worst-case development scenario (RWCDs), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDs of the future without the proposed actions in place (No-Action condition) and the future with the proposed actions in place and the associated development operation (With-Action condition).

For the purpose of the environmental analyses, the No-Action condition represents the future absent the proposed action and serves as the baseline by which the proposed project (or With-Action condition) is compared to determine the potential for significant environment impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

### Future No-Action Condition

In the absence of the proposed project, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant (see **Figure 1.1**). In accordance with the East Midtown Subdistrict zoning regulations, redevelopment of the project site as a qualifying site with a minimum lot area of 65,000 square feet must include an open, unenclosed publicly accessible space with a minimum area of 10,000 square feet. The No-Action condition would result in a 1,567-foot tall headquarters office building totaling approximately 2,419,377 gsf to accommodate approximately 11,757 employees. It would encompass a 10,000 square-foot unenclosed publicly accessible space excluded from the total building gsf and located midblock on East 47th Street across the through block portion of the site.

The building resulting in the No-Action condition would include the following program of uses:

- 1,729,103 gsf of commercial office
- 6,475 gsf of retail
- 275,218 gsf of amenity space
- 32,134 gsf of lobby space
- 317,803 gsf of mechanical and back of house space

## Future With-Action Condition

The project site development would result in the construction of an approximately 70-story, 1,400-foot-tall commercial office building totaling 2,420,609 gsf to accommodate approximately 11,757 employees (see **Figure 1.2**). Under the future With-Action condition, a 10,000-square foot unenclosed publicly accessible space would be located primarily along the project site's Madison Avenue frontage.

## Increment for Analysis

In total, the With-Action condition would result in a net overall increase of 1,232 gsf over the No-Action scenario, with incremental increases and decreases in various types of commercial uses in the building and reduction in height of approximately 167 feet, as shown in **Table 1-1** below and **Figure 1.3**.

However, for analysis purposes, the change in the publicly accessible space location from midblock along the East 47th Street frontage to primarily along the Madison Avenue frontage is the only difference related to the proposed action.

As described above, the proposed action would allow for flexibility in the layout of the headquarters building that is needed to create the required large floor-plate Class A office space, resulting in a nominal difference in square footage and greater efficiency in the distribution of commercial uses in the building, as outlined in the table below.

Overall, the purpose and use of the building under the No-Action and With-Action conditions would be identical, each accommodating the approximately 11,757 employees expected to work there.

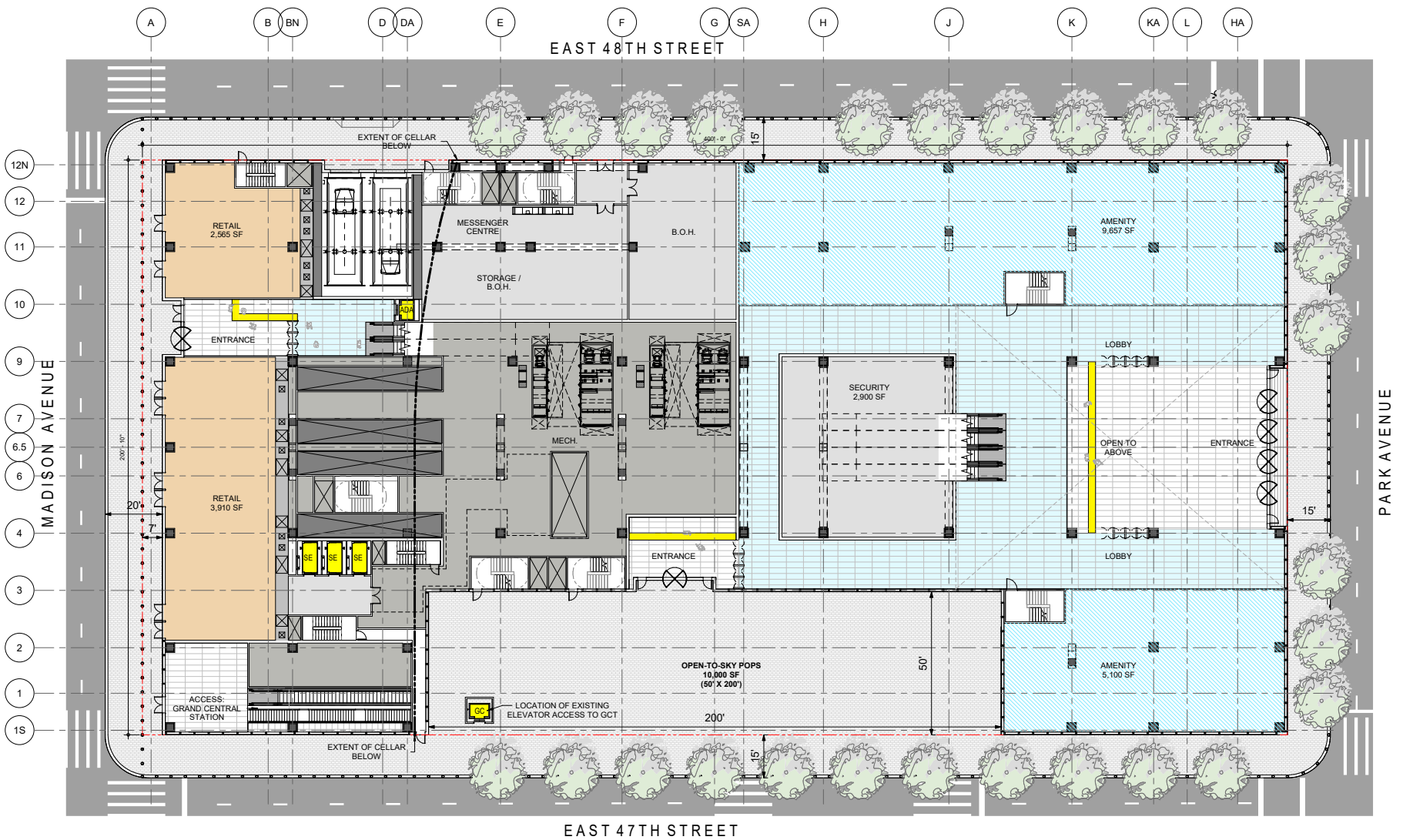
**Table 1 Future No-Action and Future With-Action Comparison**

	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
<b>Total Building GSF</b>	<b>2,419,377</b>	<b>2,420,609</b>	<b>+ 1,232</b>
Commercial Office, Trading Floor and Ancillary Spaces	2,354,258	2,355,490	+ 1,232
Retail	6,475	6,475	0
Cellar Space <sup>2</sup>	58,644	58,644	0
Unenclosed Public Space	10,000	10,000	0
<b>Total Publicly Accessible Open Space</b>	<b>10,000 (unenclosed)</b>	<b>10,000 (unenclosed)</b>	<b>0</b>
<b>Building Height</b>	<b>1,567 feet</b>	<b>1,400 feet</b>	<b>- 167 feet</b>

<sup>2</sup> The site area outside of the train shed is approximately 20,000 sf. Cellar space consists of three levels underground totaling approximately 58,644 gsf.

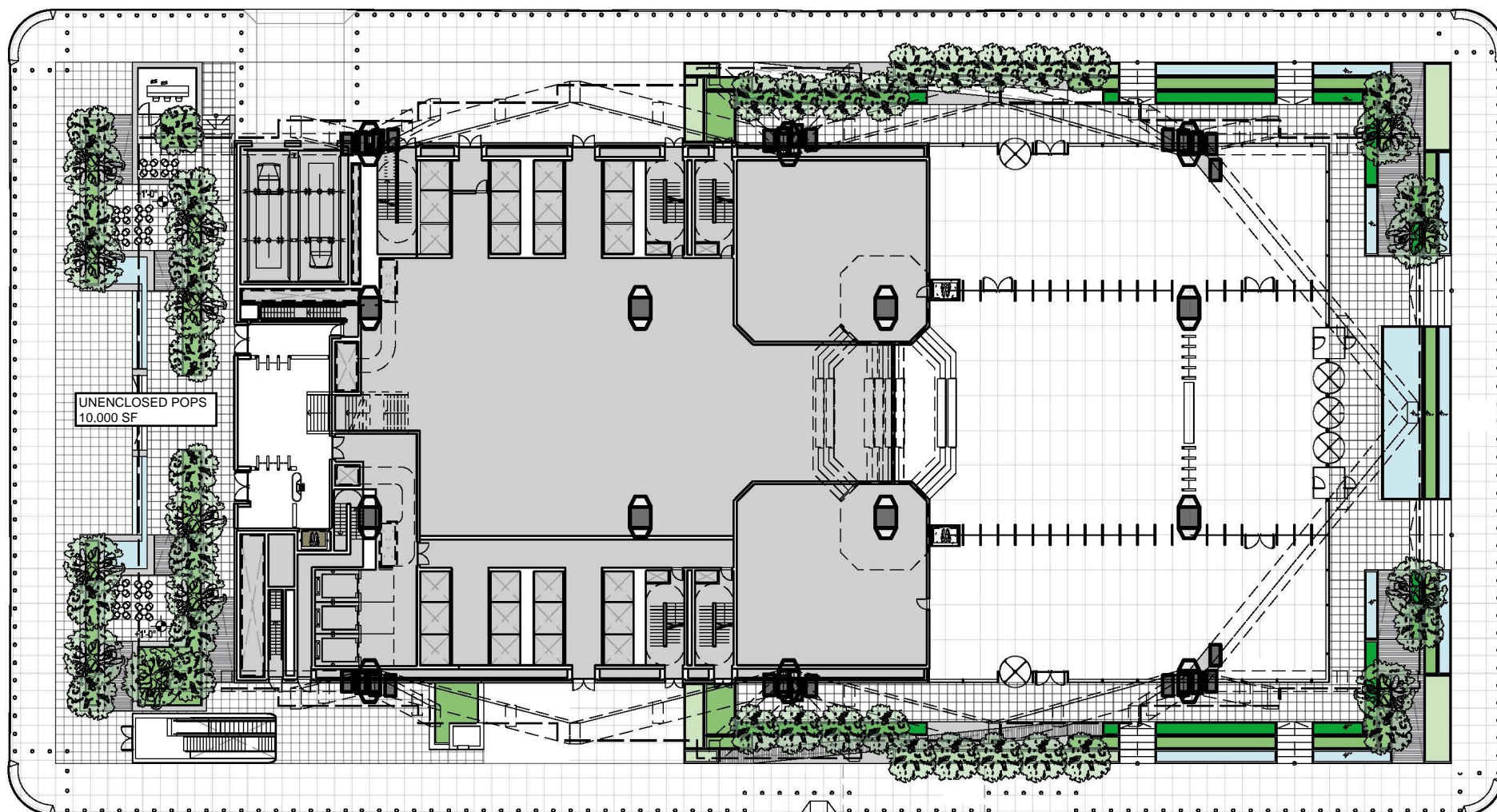
### Analysis (Build) Year

The 2024 build year assumes approval of the text amendment in 2019, commencement of construction in 2020, and a four-year construction period.



## Figure 1.1 - No-Action Condition Site Plan

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



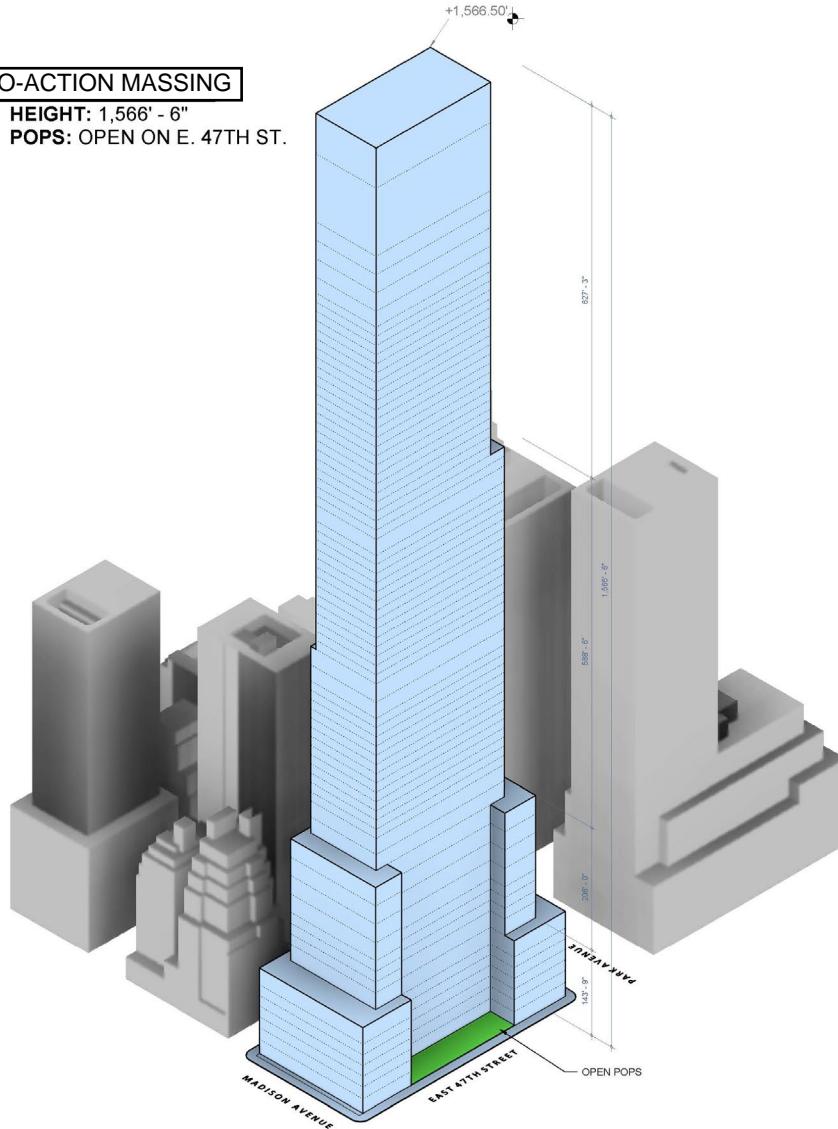
## Figure 1.2 - With-Action Condition Site Plan

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



### NO-ACTION MASSING

- HEIGHT: 1,566' - 6"
- POPS: OPEN ON E. 47TH ST.



### WITH-ACTION MASSING

- HEIGHT: 1,400' - 0"
- POPS: OPEN ON MADISON AVE.

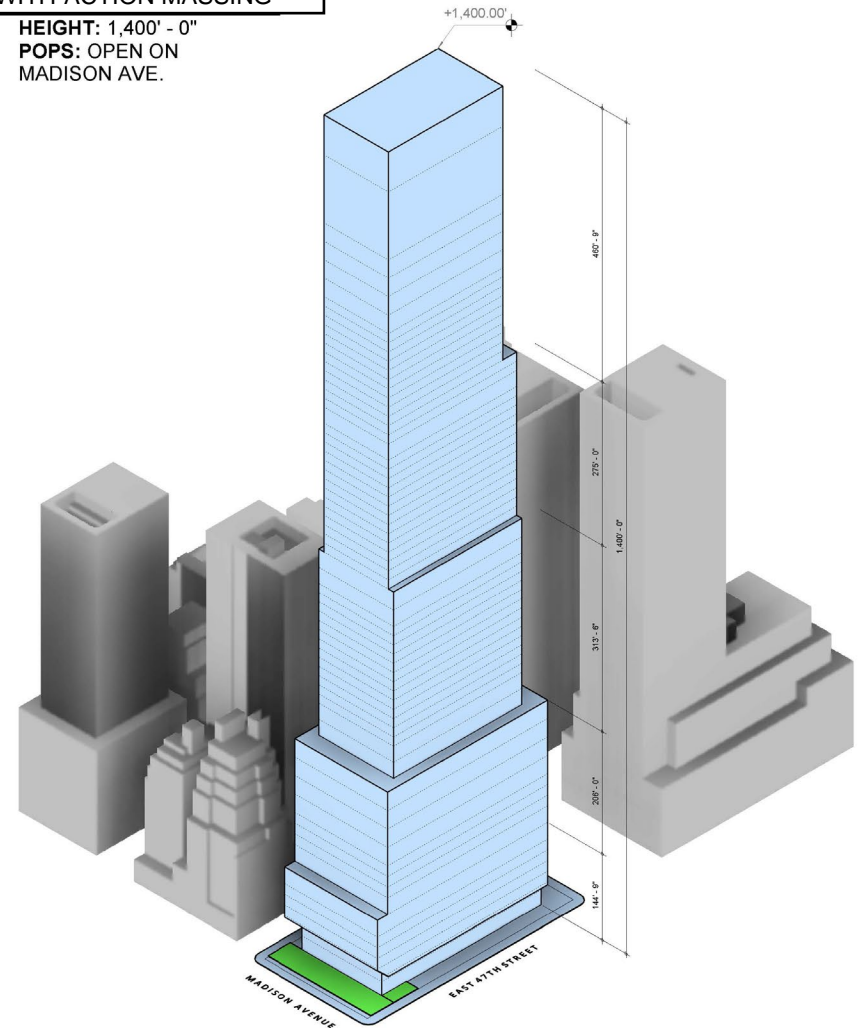


Figure 1.3 - No-Action and With-Action Massings

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

# 2.1

## Land Use, Zoning and Public Policy

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

### 2.1-1 Introduction

The proposed action is a text amendment to modify Section 81-681(b) of the New York City Zoning Resolution (ZR) with respect to publicly accessible open space requirements (the proposed action).

Specifically, the proposed action would modify the mandatory publicly accessible open space requirements for qualifying sites within the new East Midtown Subdistrict of the Special Midtown District to allow for a qualifying site with a lot area of at least 80,000 square feet (sf) to locate the open publicly accessible space primarily along the Madison Avenue frontage in lieu of the through block portion of the site, where it includes an existing

entrance to a rail mass-transit facility, provided that the publicly accessible space adjoin a street or sidewalk widening. In addition, the proposed action would modify certain design requirements for a publicly accessible space provided under the text amendment and would exempt such spaces from regulations regarding retail and street wall location/continuity. The proposed action would apply only to the project site.

## 2.1-2 Methodology

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

- › Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- › Characterizes the land use development trends in the area surrounding the project site that might be affected by the proposed action; and
- › Determines whether the proposed project is compatible with those trends or may alter them.

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

1. Establish a "study area", a geographic area surrounding the project site to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding the project site was used. This area is generally defined as the area bounded to the north by the midpoint between East 49th and East 50th Streets, to the west by a point approximately 100 feet east of Fifth Avenue, to the south by the midpoint between East 45th and East 46th Streets, and to the east by the midpoint between Park and Lexington Avenues.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
  - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
  - If the proposed project is found to not conflict with the identified policies, no further assessment is needed.



## 2.1-3 Assessment

### Existing Conditions

#### Land Use

##### Project Site

The project site consists of a full block lot (Manhattan Block 1283, Lot 21) bounded by Park Avenue, East 47th Street, Madison Avenue and East 48th Street. The project site currently contains the 50-story commercial office headquarters building owned and occupied by JPMorgan Chase Bank, N.A. A rail mass-transit access point is located in the southwest corner of the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks. The existing building is configured as a 50-story tower portion fronting on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the 10th story occupying the midblock and Madison Avenue frontage of the Site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide,

##### Study Area

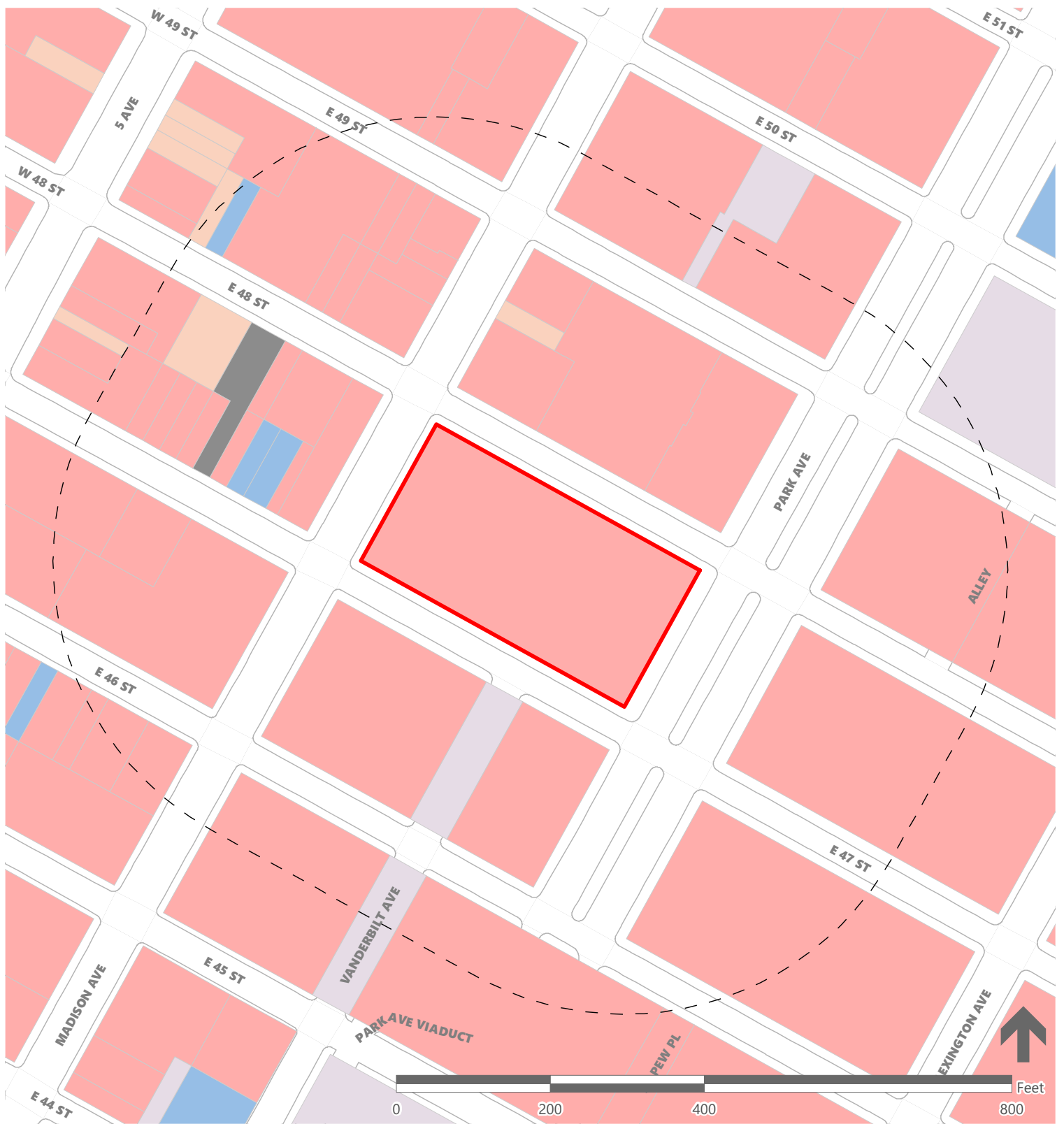
As shown in **Figure 2.1-1**, the study area consists almost exclusively of commercial uses, with the exception of certain transportation uses east of Madison Avenue associated with Metro North and several mixed-use residential and commercial buildings as well as institutional uses west of Madison Avenue, including several consulate buildings along East 47th Street and the Church of Sweden building along East 48th Street.










The study area is located within one of the most densely developed areas in New York City, Manhattan's Midtown central business district, and is predominantly characterized by a mix of office towers and mid-rise office buildings located around Grand Central Terminal. Retail uses along Park and Madison Avenues within the study area include a significant number of bank uses, although a wider variety of retail uses are located along Madison Avenue, including restaurants and shops.

#### Zoning

##### Project Site

The project site is located within the East Midtown Subdistrict of the Special Midtown District, within Manhattan's Community District 5. The project site has a lot area of 80,333.2 square feet (sf) and is mapped within a C5-3 zoning district (see **Figure 2.1-2**). The C5-3



- |  |                                |   |                                    |   |                           |
|--|--------------------------------|---|------------------------------------|---|---------------------------|
|  | Project Site                   |  | Commercial                         |  | Open Space and Recreation |
|  | 400-Foot Study Area            |  | Transportation / Utility           |  | Parking                   |
|  | Mixed Residential & Commercial |  | Public Facilities and Institutions |  | Vacant Land               |



## Figure 2.1-1 - Land Use Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



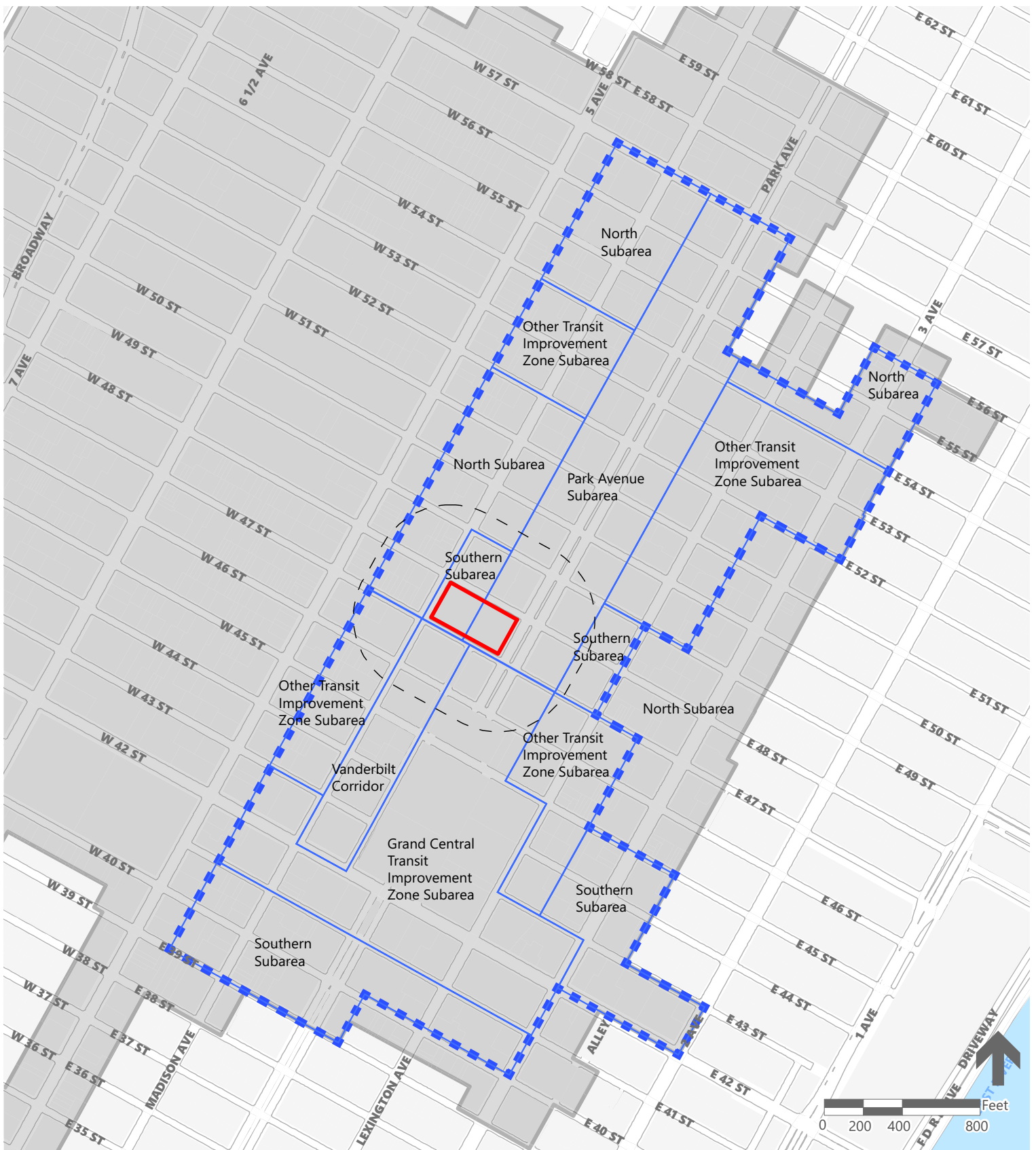
Project Site
  400 Foot Study Area
  Zoning District



## Figure 2.1-2 - Underlying Zoning Districts Map

270 Park Avenue Text Amendment  
 Prepared For: JPMorgan Chase Bank, N.A.

Note: See Figure 2.1-3 for map of Special Districts/Subdistricts.



  Project Site   
  400-Foot Study Area   
   Special Midtown District   
  East Midtown Subdistrict   
   Subdistrict Subarea



## Figure 2.1-3 - Special District and Subdistrict Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

zoning district allows commercial development and community facility uses up to a base 15.0 Floor Area Ratio (FAR) and residential uses up to a base 10.0 FAR.

The project site is split between two subareas of the East Midtown Subdistrict. These subareas were designated as part of the Greater East Midtown rezoning, approved by the City Council on August 9, 2017 (Application No. N 170186(A) ZRM). The western portion of the project site (40,166.6 sf of lot area) is located within the Southern Subarea and the eastern portion (40,166.6 sf of lot area) is located within the Park Avenue Subarea (see **Figure 2.1-3**). The maximum commercial floor area may be increased through the transfer of unused development rights from landmarked buildings up to 25.0 FAR in the Park Avenue Subarea and 21.6 FAR in the Southern Subarea.

As detailed in Section 1.0, Project Description, the Greater East Midtown rezoning was an initiative designed to encourage the construction of modern Class A office buildings and reinforce East Midtown's position as a world-class business district; to facilitate the preservation of landmarks in the area by allowing the sale and transfer of floor area to a wider range of properties; and to provide for public realm improvements through the creation of a Public Realm Improvement Fund financed in connection with new commercial developments. The Greater East Midtown rezoning set forth certain requirements for a development site to be a "qualifying site," included in ZR Section 81-681 (Mandatory requirements for qualifying sites). Among these is the requirement that a new building provide publicly accessible space, open or enclosed, depending on the lot area of the property. Paragraph (b)(1) of ZR Section 81-681 specifies the type and minimum size of such spaces, and currently requires any qualifying site with 65,000 square feet or more of lot area (such as the project site) to provide an open publicly accessible space, which, on a site having a through lot portion, must be located across such through lot portion. Paragraph (b)(2) of Section 81-681 sets forth design requirements for required open publicly accessible spaces, generally requiring that such spaces be provided in accordance with the provisions of ZR Section 37-70 et seq.

### **Study Area**

Much of the study area, including the blocks south of the project site as well as the avenue frontages within the study area, is mapped with the C5-3 zoning district. C5-2.5 zoning districts are mapped along the midblocks within the study area between Fifth and Madison Avenues and along the midblocks between Madison and Lexington Avenues north of East 48th Street. C5-2.5 zoning districts permit a base maximum FAR of 12.0 for non-residential uses and 10.0 FAR for residential uses.

The entirety of the study area is located within the East Midtown Subdistrict of the Special Midtown District. The Southern Subarea is mapped between East 47th and East 49th Streets, and between Madison Avenue and the midpoint between Madison and Park Avenues. The Park Avenue Subarea is mapped generally on the eastern half of the study area, east of the midpoint between Madison and Park Avenues. In addition, the Northern Subarea is mapped to the north and west of the project site within the study area. Within the East Midtown Subdistrict, the maximum commercial floor area may be increased by certification up to 18.0 FAR in the Northern Subarea.



## Public Policy

Public policies applicable to the project site and the study area are discussed below.

### OneNYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In April 2015, the Mayor's Office of Sustainability released OneNYC, a comprehensive plan for a sustainable and resilient city. OneNYC represents a reworking of PlaNYC and focuses on growth, equity, sustainability, and resiliency.

The goals of the plan are to make New York City:

- › A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- › A Just and Equitable City by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.
- › A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.
- › A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

### Business Improvement Districts

Much of the study area, including the entire project site, falls within portions of the Grand Central Partnership Business Improvement District (GCP BID). The GCP BID was established to stimulate economic activity by developing commercial and service establishments, spurring private investment, and improving the area's physical appearance through enhanced safety and sanitation services, capital improvement and maintenance, tourism and visitor services, and special events and promotion. BIDs are funded by the properties and businesses that lie within their service area. The GCP BID includes an area generally bounded by East 35th and East 54th Streets and Second and Fifth Avenues and was established in July 1988.

## No-Action Conditions

As described in Section 1.0, Project Description, absent the proposed action, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant. In accordance with the East Midtown zoning regulations, redevelopment of the project site as a qualifying site with a minimum lot area of 65,000 square feet would include an open, unenclosed publicly accessible space with a minimum area of 10,000 square feet. The No-Action condition would result in a 1,567-foot

tall building totaling approximately 2,419,377 gross square feet (gsf). It would encompass the 10,000-sf unenclosed publicly accessible space excluded from the total building gsf and located midblock on East 47th Street across the through block portion of the project site.

## Land Use and Zoning

In the future No-Action condition, existing land uses on the project site would remain, as the project site would be redeveloped with commercial uses. This use is consistent with the land use patterns of the study area.

As identified as part of the *Greater East Midtown Rezoning Final Environmental Impact Statement (FEIS)* dated May 26, 2017, within the 400-foot study area, two development sites are projected to be completed by the 2024 build year. The two projected development sites include 250 Park Avenue (*Greater East Midtown FEIS* Projected Development Site 6), a 682,902-gsf office building with 24,969 gsf of retail, and 300 Park Avenue (*Greater East Midtown FEIS* Projected Development Site 7), an 859,763-gsf office building with 34,050 gsf of retail. Both sites are projected to remain as commercial uses but would be redeveloped with larger FARs under the No-Action condition. In addition to these projected development sites, a 161-room hotel is being constructed at 12 East 48th Street that is expected to be completed by 2024, which would be consistent with the existing pattern of commercial uses in the area. Therefore, land use patterns would be unaffected. In addition, the Waldorf-Astoria Hotel, located between East 49th and East 50th Streets on the east side of Park Avenue, will be converted from a commercial hotel use to a mixed-use building with hotel rooms and residential dwelling units. This development would not significantly alter the existing pattern of land use in the study area, as other mixed-use buildings are already present.

There are no known zoning changes that are anticipated to affect the project site or study area. The project site and study area would continue to be governed by the various zoning regulations found in the area, as described in the existing conditions section above.

The future No-Action condition on the project site would conform to zoning.

## Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the project site or study area.

## With-Action Condition

As described in Section 1.0, Project Description, in the future With-Action condition, the proposed action would facilitate the development of a publicly accessible open space primarily along Madison Avenue as part of the planned development at the project site to develop a new 70-story, 1,400-foot-tall commercial office building totaling 2,420,609 gross square feet (gsf) (1,871,764 sf of zoning floor area). The proposed unenclosed publicly accessible space would be comprised of 10,000 square feet of public space that would adjoin, and have entrances on, a required sidewalk widening along Madison Avenue. The planned development would cantilever over no more than 60 percent of the publicly accessible space at an average of 50 feet and no less than 40 feet above the level of the

publicly accessible space. The proposed location on Madison Avenue would also allow the publicly accessible open space to be integrated with the access point to the Metro North Rail tracks and passageway to Grand Central Station located at the southwest corner of the project site. The public space would be a well-lit, inviting outdoor space, and it would include at least one retail kiosk and a variety of seating types.

To facilitate the proposed project, the proposed action would amend certain provisions of ZR Section 81-681(b) (Mandatory publicly accessible space requirements for qualifying sites) governing qualifying sites to amend paragraph (b)(1)(iii) and paragraph (b)(2) applicable to zoning lots with a lot area of 80,000 square feet or more that include an existing entrance to a mass-transit rail facility located outside the through lot portion of such zoning lot.

On a full block site such as the project site, which measures approximately 200 feet by 400 feet, the current text requires an open space configured either as a 50-foot wide area running north-south across the through lot portion of the site, or as a 25-foot deep, 400-foot wide space running across the through lot portion along the southern lot line. The first configuration would require development of two separate buildings, with separate cores and building systems and would preclude construction of a world-class headquarters building. The second configuration would allow for construction of a single building, but would make use of the project site for a world class headquarters building less desirable for two key reasons: (i) the 'carve out' of space in the midblock would both reduce the size of the floor plates that can be provided at the base of the building, and result in an irregular floor plate configuration; and (ii) the floor plate of the tower that could be provided above the base would be reduced in size, requiring additional floors to be constructed in order to achieve the floor space required for headquarters use.

Accordingly, under the proposed actions, as an alternative to the location requirements under current paragraph (b)(1)(iii), the open publicly accessible space may be located so as to include the mass-transit rail facility entrance, provided that it must adjoin a street or sidewalk widening. Co-location of the publicly accessible space and the transit entrance would provide commuters and visitors to the area, as well as residents, with an attractive year-round public space convenient to East Midtown's transportation network. To permit the alternate location, such spaces would not be subject to regulations regarding retail and street wall location/continuity. In addition, not more than 60 percent of such spaces would be permitted to be covered by a portion of a building developed on qualifying site.

Configuration of the 10,000-square foot, publicly accessible space as an unenclosed space running north-south primarily along the Madison Avenue frontage would allow for large, regularly configured building floor plates above.

Paragraph (b)(2) of Section 81-681 sets forth design requirements for required publicly accessible spaces, including for open publicly accessible spaces. The proposed text amendment would allow for modification of certain design requirements as well as the waiving of retail and street wall requirements for an unenclosed publicly accessible space that is relocated to accommodate an entrance to a rail mass-transit facility and where the majority of the subsurface area of the site is occupied by a railroad right-of-way, as follows: :

- The provisions of Sections 81-42, 81-43, and 81-671, requiring street wall and retail continuity on Madison Avenue, and the provisions of Section 37-715(d) listing required dimensions for the major portion of an open publicly accessible space would not apply.



- The provisions of Section 37-726(a) and (b) would be modified to allow up to 60 percent of the open publicly accessible space to be covered by a portion of the building or other structure provided that the average elevation of the overhanging portion of the building must be at least 50 feet and a minimum elevation is 40 feet above the grade level of the public space. The overhanging building portion would not affect the calculation of permitted obstructions at grade level of the open publicly accessible space.
- The provisions of Sections 37-76(a) which require that at least 50 percent of the frontage of building walls fronting on the open publicly accessible space be allocated for occupancy at the ground floor level by retail or service establishments would be waived.
- The provisions of Section 37-76(c) which provide that building walls facing on the open publicly accessible space be treated with untinted transparent material for 50 percent of the surface area below 14 feet above the public space level would be waived.
- In lieu of the provisions of Sections 37-76(a) and (c), at least one food service kiosk must abut or be included within the open publicly accessible space.
- The provisions of Sections 37-721(a) and 37-741 may be modified, where 37-715(d) has not been applied, and would permit up to 60 percent of the area within 15 feet of a street line to include permitted obstructions, and allow for seating within 15 feet of a street line.
- A new provision would be added to allow the Chairperson of the CPC, through a Chairperson Certification, to make adjustments to the provisions of 37-70 inclusive, to respond to the entrance to the rail mass-transit facility that exists within the open publicly accessible space,

## Land Use

In the With-Action condition, land uses on the project site would be the same as the No-Action condition, including commercial office uses with retail space on the ground floor and publicly accessible open space. Regarding the open space, the proposed action would facilitate the development of a publicly accessible open space that would provide the same square footage as the No-Action condition but would be located primarily along Madison Avenue as opposed to along East 47th Street.

## Zoning

As described above, the proposed action is a text amendment to modify ZR Section 81-681(b) with respect to publicly accessible open space requirements. The proposed action would facilitate the construction of a new Class A office tower that better meets the needs of the Applicant, a 21st century banking institution, for its headquarters building. Development of a new Class A office tower on the project site in accordance with the new zoning requirements for publicly accessible space would cut into the footprint along the through lot portion of the building with the open publicly accessible space along East 47th Street, and therefore not allow for the flexibility in the layout of a headquarters building that is needed. The proposed action would allow for the public space to be located primarily along Madison Avenue, thereby facilitating the development of a needed larger and regularly sized floor plate. The open space located primarily along Madison Avenue would be the same size as that required under current regulations (10,000 sf). The space would provide opportunities

for passive recreation in the area and would include movable seating, a food and beverage kiosk, and plantings. The proposed text amendment would allow only up to 60 percent of the public space to be covered by a cantilever; and therefore, the space would be partially open to the sky, and partially covered by cantilever and would continue to receive sunlight at the ground level.

The proposed zoning text amendment would be compatible with the new zoning regulations enacted as part of the Greater East Midtown rezoning, as well as the stated goals of that initiative, as it would facilitate development of new office space to replace outdated office stock while satisfying requirements for the provision of on-site public amenities, contributing to the prominence of the East Midtown business district.

Table 1-1 in Section 1.0, Project Description, outlines the increment for analysis between the No-Action and With-Action conditions. As shown, the With-Action condition would result in an increase of 1,232 gsf in building square footage and a decrease in the height of the building of 167 feet. The proposed action would not modify the permissible FAR or height and bulk regulations on the project site or in the study area.

Therefore, the proposed action would not result in significant adverse impacts to zoning on the project site or within the study area, but instead, like the No-Action condition is expected to have a beneficial effect on the neighborhood by contributing to the supply of new premier office space and open space, thereby advancing the goals of the Greater East Midtown rezoning.

## Public Policy

Based on the evaluation provided below, the proposed action would be consistent with applicable policies.

### OneNYC

The proposed action is consistent with the goals of OneNYC as it would help support the City's growing population by promoting job growth through the preservation of the area as part of a premiere office district. The proposed action would not create or preserve affordable housing due to its location primarily within an office district, but it would involve investment in open space amenities, an identified need in the area, and therefore would support key goals of OneNYC.

### Business Improvement District

The proposed action would not alter or conflict with the goal of the Grand Central Partnership, as it would result in new development and would reinforce the area's commercial stature. In addition, the proposed action would improve the area's pedestrian and built environments by providing visual interest along the street front and resting and gathering space for pedestrians and workers, making the area a better place to work and visit.

### 2.1-3 Conclusions

As described above, the development resulting from the proposed action would be consistent with the area's land use patterns and the recent zoning regulations enacted as part of the Greater East Midtown rezoning. The proposed project would maintain and enhance the existing land use character within the study area through the provision of new Class A office space and a publicly accessible open space primarily along Madison Avenue. The proposed action would be compatible with applicable public policies. Therefore, the proposed action would not result in any significant adverse impacts to land use, zoning, or public policy.

## 2.2

### Open Space

This section assesses the potential impacts of the proposed action on open space. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* defines open space as publicly or privately-owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment.

#### 2.2-1 Introduction

The proposed action would consist of a zoning text amendment of Zoning Resolution (ZR) Section 81-681(b) to modify publicly accessible space requirements to permit an unenclosed publicly accessible space primarily on the project site's Madison Avenue frontage, to waive retail continuity and street wall requirements in order to permit the unenclosed publicly accessible open space at this alternative location, and to modify certain dimensional and design requirements for unenclosed publicly accessible spaces.

This would result in the construction of 10,000 square feet of unenclosed publicly accessible space located primarily along Madison Avenue instead of along East 47th Street as in the No-Action condition.

## 2.2-2 Open Space Assessment

The proposed project would result in 10,000 square feet of unenclosed publicly accessible space located primarily along Madison Avenue in comparison to the No-Action condition, which would result in the same size of unenclosed publicly accessible space along East 47th Street.

The proposed location on Madison Avenue would allow the publicly accessible open space to be integrated with the adjacent mass-transit facility entrance to the Metro North tracks and passageway to Grand Central Terminal, and intends to provide an open space for enjoyment for the large number of commuters and visitors who utilize this entrance to Grand Central Terminal.

The proposed public space would not be fully open to sky under the With-Action condition as it would in the No-Action condition. As described in Section 1.0, "Project Description," the proposed building would cantilever at an angle up to 60 percent of the public space while the rest of the space would remain fully open to the sky. The text amendment would require that the average elevation of the overhanging portion of the building must be at least 50 feet, with a minimum elevation of 40 feet above the grade level of the public space. With these requirements, the proposed project would allow sunlight to enter most of the open space in the afternoon while also providing some relief from the rain and from the sun, especially during the summer months. This would allow for a flexible open space that could be enjoyed by open space users in various weather conditions and potentially better utilized at different times of the year.

Therefore, the proposed project would not result in direct or indirect significant adverse open space impacts, and no further analysis is warranted.



## 2.3

### Historic and Cultural Resources

This section assesses the potential for the proposed action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources located on the project site or in the surrounding area.

#### 2.3-1 Introduction

The project site is located across from a designated landmark (NYCL), 400 Madison Avenue, and there are several NYCL and/or State/National Registers of Historic Places (S/NR)-listed and/or eligible historic resources identified within a 400-foot study area surrounding the project site, including the project site itself. The project site was identified as an NYCL-eligible historic resource in the *Greater East Midtown Rezoning Final Environmental Impact Statement* dated May 26, 2017. An assessment of historic and cultural resources is therefore provided.

#### 2.3-2 Methodology

The *2014 CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYCL properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the S/NR, or contained within a district listed in or formally determined eligible for S/NR listing;

properties designated by the New York State Historic Preservation Office (SHPO) within the Office of Parks, Recreation and Historic Preservation (OPRHP) as eligible for listing on the S/NR, National Historic Landmarks (NHL); and properties not identified by one of the programs or agencies listed above but meet their eligibility requirements.

Archaeological resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. The proposed action would not result in any new or deeper in-ground disturbance as compared to the No-Action condition and therefore would not result in a significant adverse impact on archaeological resources.

According to the *2014 CEQR Technical Manual*, architectural resources should be surveyed and assessed if the proposed action would result in any of the following—whether or not any known historic resources are located near the site of the project: new construction, demolition, or significant physical alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure, object or landscape feature; construction—including but not limited to excavating vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure, if the features that make the structure significant depend on sunlight.

### 2.3-3 Preliminary Assessment

Architectural resources are defined as buildings, structures, objects, sites, or districts that are S/NR listed or determined eligible for such listing. The study area to assess the proposed action's potential direct and indirect effects on architectural resources is determined to be 400 feet from the project site, following the guidelines of the *CEQR Technical Manual*. This 400-foot radius is typically considered adequate for the assessment of historic resources in terms of physical, visual, and historical relationships. Direct effects include demolition of a resource and alterations to a resource that cause it to become a different visual entity. Unless proper protection measures are put in place, a resource could also be damaged by adjacent construction activities such as blasting, pile driving, falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of a historic resource, as defined in the Department of Buildings' (DOB) Technical Policy and Procedure Notice (TPPN) #10/88.<sup>1</sup>

Indirect effects are contextual or visual impacts that could result from project development. Indirect impacts can result from a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; screening or elimination of publicly accessible views; or introduction of significant new shadows or significant lengthening of the duration of existing shadows on a historic landscape or on a historic structure, if the features

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<sup>1</sup> TPPN #10/88 was issued by DOB on June 6, 1988, to supplement Building Code regulations regarding historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

that make the resource significant depend on sunlight. Significant adverse direct or indirect impacts can occur if a project would cause a change in the quality of a property that qualifies it for S/NR listing or for designation as a NYCL.

## Existing Conditions

### Project Site and Study Area

The study area extends 400 feet from the project site and encompasses through midblock from East 46th Street to East 49th Street west of Madison Avenue and east of Park Avenue, midblock between East 49th and East 50th Streets to the north and midblock between East 45th and East 46th Streets to the south as shown on **Figure 2.3-1**. The study area does not encompass any blocks within either NYCL-designated and/or S/NR-listed historic districts but includes six individual NYCL-designated landmarks. There are also seven structures determined to be either eligible for NYCL designation and/or S/NR listing individually. **Table 2.3-1** and **2.3-2** list these resources that correspond to the numbered resources shown on **Figure 2.3-1**.

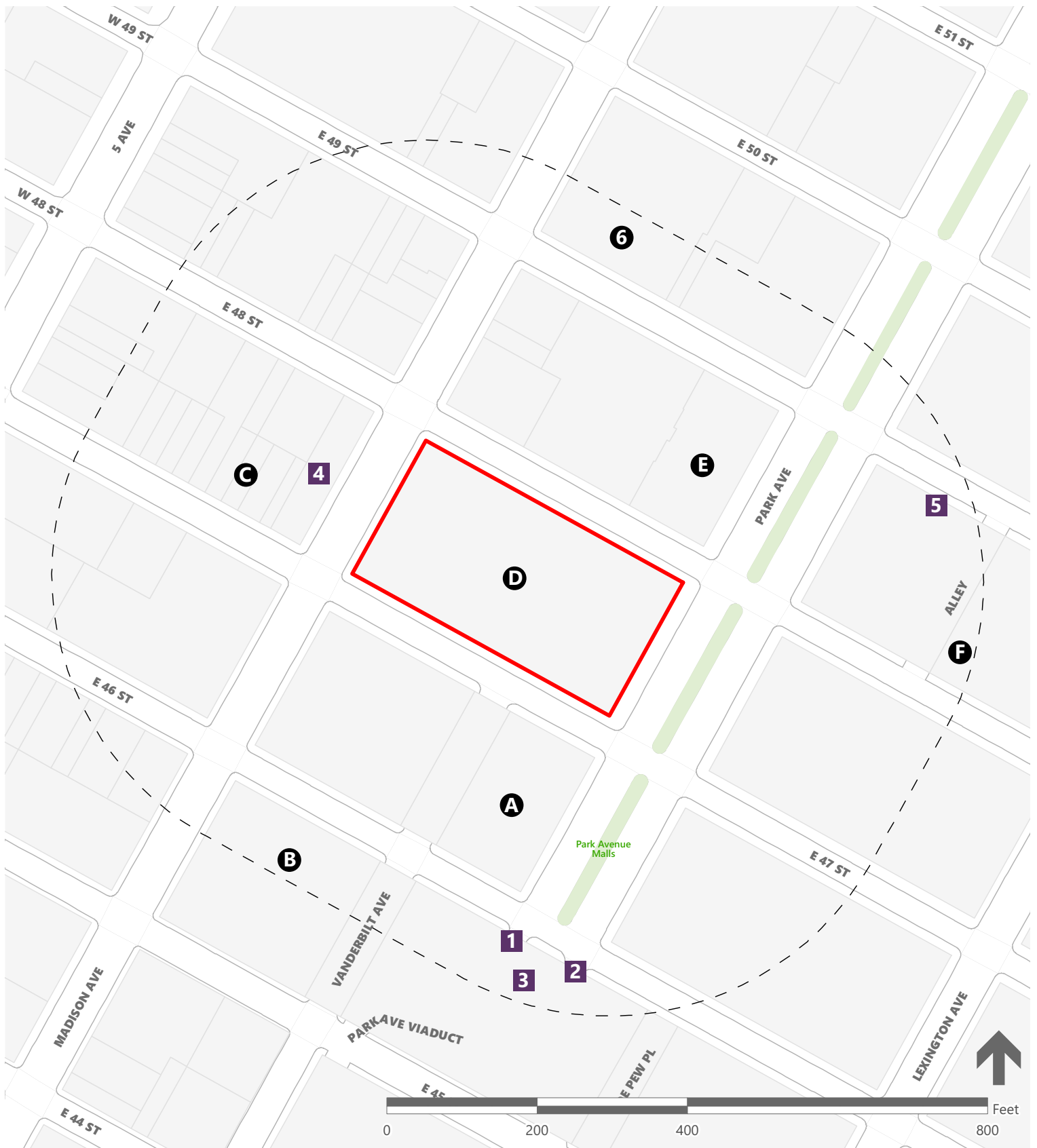
**Table 2.3-1 Designated Individual Historic Resources in the Study Area**

Map #	Property Name	Address	NYCL	S/NR
1	› Historic Lamp Posts 4	Southwest corner of Park Avenue and East 46th Street	x	
2	› New York Central Building, now Helmsley Building	230 Park Avenue	x	e
3	› Historic Lamp Posts 1	Southwest corner of Park Avenue and East 46th Street	x	
4	› 400 Madison Avenue	400 Madison Avenue	x	
5	› Historic Lamp Posts 3	South side of East 48th Street between Park and Lexington Avenues	x	
6	› Waldorf Astoria Hotel (I)	301 Park Avenue	x	e

Notes: (I): Interior Landmark; e: S/NR eligible

NYCL: New York City Landmark; S/NR: Listed on State and National Registers of Historic Landmarks

The following provides a brief description of each of the designated historic resources identified in the study area.



Project Site



400-Foot Study Area



Designated Historic Landmark



Eligible Historic Resource



## Figure 2.3-1 - Historic Resources Map

270 Park Avenue Text Amendment  
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### ***Historic Street Lampposts***

Approximately 100 historic, cast-iron lampposts still exist in the City of New York. The earliest, dating from the mid-nineteenth century, are two gas lampposts. Those that still exist are maintained under the jurisdiction of the Department of Transportation. Sixty-two lampposts and four wall bracket lamps are included in the NYCL 1997 designation. The remaining lampposts are protected within designated historic districts or are on designated landmark sites.



### ***New York Central Building now Helmsley Building, 230 Park Avenue (NYCL, S/NR-eligible)***



The Helmsley Building is a 35-story structure built in 1929 as the New York Central Building. Before the erection of the Pan Am Building—now the MetLife Building—the Helmsley Building stood over Park Avenue as the tallest structure in the “Terminal City” complex around Grand Central Station. The Helmsley Building was designated a New York City Landmark in 1987.

Traffic exits and enters the Park Avenue Viaduct by the use of two portals that run through the building—one for uptown traffic and one for downtown. Connection to Park Avenue proper is at East 46th Street.



#### ***400 Madison Avenue (NYCL)***

The 22-story Neo-Gothic building at 400 Madison Avenue was designed by H. Craig Severance in 1928 and was completed the following year. The structure replaced two six-story apartment buildings that had previously been located on the property.

The architect utilized the unusual configuration of the lot, which covers the entire 188-foot-long block front along Madison Avenue but is only 44 feet deep, by offering extensive retail space along the street frontage, allowing for natural daylight to extend throughout the building. On the street level, the building contains original bronze and glass storefronts, and on the upper levels, terracotta ornamentation features Gothic revival designs of crenellation, pinnacles, and tracery elements.



#### ***Waldorf-Astoria Hotel, 301 Park Avenue (NYCL, S/NR-eligible)***



The Waldorf-Astoria Hotel is a luxury hotel housed in a 47-story, 625-foot (190.5-m)-tall Art Deco landmark, designed by architect Lloyd Morgan of the firm Schultze and Weaver and dating from 1931. The elements of the Waldorf's design include a gray limestone base with matching, custom made "Waldorf Gray" brick above; vertical rows of windows and modernistic spandrels; and bronze entryways, marquees, lanterns, and other ornaments. Lee S. Jablin of Harman Jablin Architects fully renovated and upgraded the property during the mid-1980s through the mid-1990s. It was designated as an NYCL in 1993. LPC designated the building's interior as a NYC landmark on March 7, 2017.

There are also several eligible historic resources in the Study Area, as shown on **Table 2.3-2** below, including the project site (#1).

**Table 2.3-2 Eligible Historic Resources in the Study Area**

Map #	Property Name	Address	NYCL	S/NR
A	› Union Cable Building/The Chase Building	270 Park Avenue	x	
B	› Postum Building	250 Park Avenue	x	x
C	› Roosevelt Hotel	45 East 45th Street	x	x
D	› Mercantile Library	17 East 47th Street	x	
E	› Bankers Trust Building	280 Park Avenue		x
F	› ITT American Building	437 Madison Avenue	x	
G	› Barclay Hotel/Hotel Inter-Continental	111 East 48th Street		x

Source: NYCL: New York City Landmark; S/NR: Listed on State and National Registers of Historic Landmarks

### ***270 Park Avenue, Union Carbide Building - aka The Chase Building (NYCL-eligible)***

The 50-story building occupies a full block and maintains its Madison Avenue street wall with a 13-story wing. Although the building terminates the northern end of Vanderbilt Avenue, the rear of its major tower only partially blocks vistas north up the short avenue, and it has a through-block arcade that lines up with the avenue.

The Park Avenue frontage is set back somewhat to create a plaza. A 1983 alteration removed the project's original pinkish pavement (see Photo 1). The building's main lobby is on the second floor because the building is built over train tracks, and elevators could not descend to that level. The second floor is therefore double height. The bright red paneling therein is not original.

### ***250 Park Avenue, Postum Building (NYCL and S/NR-eligible)***

The Postum Building was completed in 1924 and built for the Postum Cereal Company. It was designed by Cross & Cross and Phelps Barnum and is one of few remaining office buildings from the Terminal City era.

The U-shaped building rises from a limestone base with 16-story wings flanking a central block of 20 stories. The building fills an entire block from Park Avenue to the east, Vanderbilt Avenue to the west, East 46th Street to the south, and East 47th Street to the north. The building played an important role in the development of Park Avenue at the time of its completion. It continues to be used as an office building today. (See Photo 2)

### ***45 East 45th Street, Roosevelt Hotel (NYCL and S/NR-eligible)***

The Roosevelt Hotel is named in honor of President Theodore Roosevelt. Designed by George B. Post & Son and leased from The New York State Realty and Terminal Company, the hotel was the first to incorporate storefronts instead of lounges in its sidewalk façades. The antique French marble and limestone façade reflects Colonial American architecture, while detailed moldings and interior gold-trimmed ornaments are reminiscent of American Colonial and neo-Classical styles. The hotel opened on September 22, 1924, closed in 1995, and reopened in 1997 after an extensive \$65-million renovation. (See Photo 3)

***17 East 47th Street, Mercantile Library (NYCL-eligible)***

Designed by Henry Otis Chapman, the New York Mercantile Library building opened in 1932 at 17 East 47th Street. The white marble façade “could have been a store or shop building, but it had five modern book stacks on the fourth through eighth floors, offices and a board room on the third floor, a reading room and lounge on the second floor and a charging area at street level.” After years of continuing decline, in 2005 the building was renamed as the Center for Fiction, which continues to use the building today. In 1998, the ground floor was renovated by Beyer Blinder Belle, but the building has maintained its architectural integrity. (See Photo 4)

***280 Park Avenue, Bankers Trust Building (S/NR-eligible)***

The Bankers Trust Building at 280 Park Avenue between East 48th and 49th Streets was built in 1963 and was designed in the International style by Emery Roth & Sons, with industrial designer Henry Dreyfuss. A 1971 western addition was also designed by Emery Roth & Sons, with Oppenheimer, Brady & Lehrecke as associated architects. The building has 31 stories and is 412 feet tall.

The Banker’s Trust Company Building was the last tower-on-base office building to be built on Park Avenue. However, the building was a departure in several ways from more typical construction. Rather than a glass and metal curtain wall, pre-cast concrete frames surround floor-to-ceiling windows. The 16-story base and 14-story single tower are of roughly equal height, differing itself from the multiple stepping of wedding cake buildings. The three-foot-high podium or plaza on which the building sits was necessitated to clear the two levels of railroad tracks beneath it. (See Photo 5)

***111 East 48th Street, Barclay Hotel/Hotel Inter-Continental, (S/NR-eligible)***

Fourteen-stories in height and “H” shaped in plan, the Barclay Hotel occupies the eastern end of the block fronting Lexington Avenue between East 48th and East 49th Streets and is one of several hotels located in what is dubbed the “Hotel District” of East Midtown. At the time of construction in 1927, the building filled an independent block bounded on the west by Park Lane, a street that bisected the block (now a service alley closed to traffic). The H-shaped plan of the typical hotel floor “permitted the lobby and lounge to enjoy natural light from above.” The Barclay Hotel is faced in brick above a limestone base, forming a sturdily dignified composition.

The hotel was designed in the Renaissance Revival style by Cross & Cross, who were best known for their later Art Deco corporate offices, including the RCA Tower (1931, now the General Electric Building) and the City Bank-Farmers Trust Building (1931). (See Photo 6)

***437 Madison Avenue (NYCL-eligible)***

The 40-story office building at 437 Madison Avenue, also known as 433 Madison Avenue, was designed by noted architects Emery Roth & Sons for William Kaufman & J. D. Weiler in 1965 and was completed in 1967. Built in the International Style, it is known as the ITT-American Building. The building includes a 13,500-foot square plaza, a 14-story base, and a 26-story tower section.



Emery Roth & Sons were known for their design of post-war, high-rise office buildings, and worked closely with a number of large real estate developers. They had a strong presence in Midtown, designing buildings on Park Avenue, Fifth Avenue, and Lexington Avenue. They also collaborated with other architects on large projects, including the Pan Am Building with Walter Gropius, the General Motors Building with Edward Durell Stone and the World Trade Center with Minoru Yamasaki. (See Photo 7)



Photo 1: 270 Park Avenue, The Chase Building  
(aka The Union Carbide Building) (NYCL-Eligible)



Photo 2: 250 Park Avenue, Postum Building  
(NYCL and S/NR-Eligible)



Photo 3: 45 East 45th Street, Roosevelt Hotel  
(NYCL and S/NR-Eligible)



Photo 4: 17 East 47th Street, Mercantile Library  
(NYCL-Eligible)



Photo 5: 280 Park Avenue, Bankers Trust Building  
(S/NR-Eligible)



Photo 6: 111 East 48th Street, Barclay Hotel/Hotel Inter-Continental  
(S/NR-Eligible)



Photo 7: 437 Madison Avenue  
(NYCL-Eligible)

## No-Action Condition

Absent the proposed action, the existing NYCL-eligible building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant. The development would include a 10,000-square foot, unenclosed, publicly accessible open space that would be located midblock on East 47th Street, across the through block portion of the project site (See *Figure 1.1*).

A NYCL designated historic resource, 400 Madison Avenue, is located across Madison Avenue within 90 feet of the project site, and redevelopment under the No-Action condition would be subject to the protective measures under DOB Technical Policy and Procedure Notice (TPPN) #10/88.

The proposed development would include retail space on ground floor along Madison Avenue which is in context with the other ground floor retail uses along Madison Avenue. The section of the Madison Avenue within the study area is lined with a mix of mid- and high-rise office buildings built to the sidewalk, creating a uniform street wall, and the proposed building would be in-keeping with this existing character and would not alter the relationship of 400 Madison Avenue or any other identified historic resources to the streetscape.

## With-Action Condition

As in the No-Action condition, under the With-Action condition, the existing NYCL-eligible building on the project site would be demolished and redeveloped with a new office headquarters building for the Applicant. The proposed development would include a 10,000-square-foot unenclosed, publicly accessible space primarily located along the Madison



Avenue frontage of the project site (See **Figure 1.2**), instead of the mid-block on East 47th Street as in the No-Action condition.

### ***Direct Impacts***

The proposed action would not result in direct impacts to any designated or eligible historic architectural resources. The proposed action would not physically affect any designated or eligible individual landmark, except for the existing NYCL-eligible building located on the project site. However, as detailed above, the existing building on the project site would be demolished and redeveloped in the 2024 future without the proposed action, and therefore, no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action.

### ***Indirect Impacts***

The proposed action would not result in significant adverse indirect impacts on existing historic resources in the study area as compared to No-Action condition. As discussed in Section 2.4, Urban Design and Visual Resources, the proposed unenclosed public open space located primarily along Madison Avenue would enliven the pedestrian experience on the street and would be in context with the surrounding area and the historic buildings. The proposed unenclosed public open space would not alter the relationship of any identified historic resources to the streetscape, nor would it diminish or eliminate the public's view of designated and/or eligible to be landmarked architectural resources. The public's view and enjoyment of the landmark across the street (400 Madison Avenue) would be enhanced in the With-Action condition compared to the No-Action condition, with users of the unenclosed publicly accessible space able to view the building from the public space.

As in the No-Action condition, the NYCL-designated 400 Madison Avenue building would continue to be protected during construction for the With-Action condition through DOB's TPPN #10/88 process.

## **2.3-4 Conclusions**

As described, the proposed action would not result in any direct or indirect impacts to any designated or eligible historic architectural resources. The existing NYCL-eligible building on the project site would be demolished and redeveloped with a new office headquarters building for the Applicant under both the No-Action and With-Action conditions, and therefore no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action. As such, the proposed action would not result in significant adverse impacts to any historic resources.



## 2.4

### Urban Design and Visual Resources

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

#### 2.4-1 Introduction

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

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, street wall, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right," or in the future No-Action condition.

As described in Section 1.0, Project Description, the proposed action is a zoning text amendment to ZR Section 81-681(b) to modify publicly accessible space requirements to permit an unenclosed publicly accessible space primarily on the project site's Madison Avenue frontage. The text amendment would waive retail continuity and street wall requirements in order to permit the unenclosed publicly accessible open space at this alternative location, and would allow for modifications of certain design requirements for the unenclosed publicly accessible space. The unenclosed publicly accessible open space would adjoin a required sidewalk widening along Madison Avenue. The proposed location on Madison Avenue would allow the public space to be co-located with the access point to the Metro North Rail tracks and passageway to Grand Central Terminal located at the southwest corner of the project site. The proposed action would apply only to the project site.

## 2.4-2 Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot radius study area where the proposed action would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the project site, which is collectively formed by the following components:

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

The following information is included in a preliminary assessment:

- › A concise narrative of the existing study area, and conditions under the future No-Action and With-Action conditions;
- › An aerial photograph of the study area and ground-level photographs of the site area with immediate context;

- › Zoning and floor area calculations of the existing, future No-Action, and future With-Action Conditions;
- › Lot and tower coverage, and building heights; and
- › A three-dimensional representation of the future No-Action (if relevant) and With-Action Condition streetscape.

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

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

### Study Area

The area within 400 feet of the project site is defined as the study area for this analysis; this is typically considered an appropriate radius for site-specific actions such as the proposed project. The project site is adjacent to Park Avenue Malls, which is a median strip on Park Avenue. There are three landmark buildings also located within or partially within the study area, as referenced in Section 2.3, “Historic and Cultural Resources”:

- › The New York Central Building (now Helmsley Building) located at 230 Park Avenue is a Beaux-Arts style 35-story structure built in 1929.
- › The building at 400 Madison Avenue, which is situated across from the project site, is a 22-story Neo-Gothic building completed in 1929.
- › The Waldorf-Astoria Hotel at 301 Park Avenue, which is partially located within the study area, is a 47-story Art Deco building dating from 1931.

**Figure 2.4-1** shows the project site and the area surrounding the site.

## 2.4-3 Preliminary Assessment

### Existing Conditions

#### Project Site

The project site is currently improved with a 50-story (708-foot tall), 1,351,000 gross square foot (gsf) commercial office building with ground floor bank use, which is used as the Applicant’s world headquarters. A rail mass-transit access point is located on the western portion of the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks located beneath the project site.



 Project Site     400 Foot Study Area     Photo Location



## Figure 2.4-1 - Photo Key Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.





1. View of the project site facing northwest from the intersection of Park Avenue and East 47th Street.



2. View of Park Avenue facing north from East 47th Street (project site at left).



3. View of East 47th Street facing west from Park Avenue (project site at right).



4. View of the project site facing west from Park Avenue.





5. View of East 48th Street facing west from Park Avenue (project site at left).



6. View of the project site facing southwest from the intersection of Park Avenue and East 48th Street.



7. View of Park Avenue facing south from East 48th Street (project site at right).



8. View of the project site facing southwest from East 48th Street.

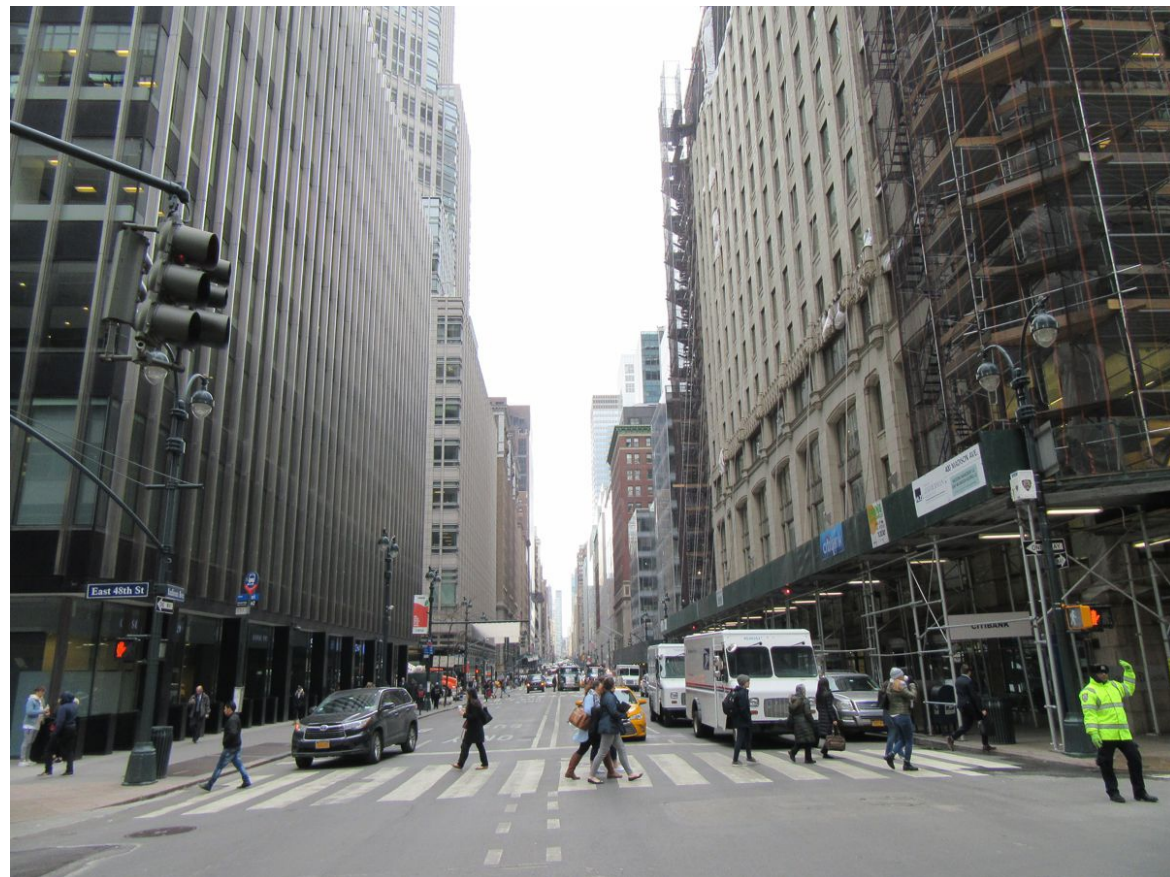




9. View of the project site facing south from East 48th Street.



10. View of the project site facing southeast from East 48th Street.



11. View of Madison Avenue facing south from East 48th Street (project site at left).



12. View of the project site facing southeast from the intersection of Madison Avenue and East 48th Street.





13. View of East 48th Street facing east from Madison Avenue (project site at right).



14. View of the project site facing east from Madison Avenue.



15. View of East 47th Street facing east from Madison Avenue (project site at left).



16. View of the project site facing northeast from the intersection of Madison Avenue and East 47th Street.





17. View of Madison Avenue facing north from East 47th Street (project site at right).



18. View of the project site facing northwest from East 47th Street.



19. View of the project site facing north from East 47th Street.



20. View of the project site facing northwest from East 47th Street.





21. View of the sidewalk along the north side of East 47th Street facing west from Park Avenue (project site at right).

The office tower fronts on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the tenth story occupies the midblock and Madison Avenue frontage of the project site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide.

### Study Area

The area is defined by a rectangular street grid network, with east-west streets and north-south avenues. Buildings east of Madison Avenue are typically set back from the street line, while buildings west of Madison Avenue are predominantly built up to or near the street line and have a high lot coverage. The area consists primarily of high-rise office buildings constructed with a variety of materials, including glass, stone, and steel. As mentioned previously, there are three landmark buildings also located within or partially within the study area.

### No-Action Condition

Absent the approval of the proposed action, the applicant would demolish the existing building and redevelop the site with an as-of-right 1,567-foot-tall, 2,419,377 gsf office headquarters. The proposed project would be taller than the rest of the buildings in the study area and would be built at the street line (except along Park Avenue). Although the building would introduce additional building height, it would not affect the streetscape and would not be visible from locations throughout the study area or obstruct views to or from adjacent or nearby visual resources, as the site is already surrounded by high-rise buildings. An east-west aligned 10,000 square-foot unenclosed publicly accessible space would be located midblock on East 47th Street on the through block portion of the site. In addition, retail space would be built at the ground floor along Madison Avenue. The retail use at the ground floor would assist to further activate Madison Avenue while the public space would activate East 47th Street. There would be no other known new developments or modifications to the existing streets, open spaces, or natural features in the study area.

### With-Action Condition

In the With-Action Condition, the proposed action would result in the construction of a shorter building. The proposed project would be a 70-story, approximately 1,400-foot-tall commercial office building totaling 2,420,609 gsf. Aside from the height of the building, there would be no "cut out" of building on 47th Street allowing for large, regularly configured floor plates. A 10,000-square foot unenclosed publicly accessible space would be primarily located within the corner lot portions of the site fronting Madison Avenue. A retail kiosk and a variety of seating types would be included within the unenclosed publicly accessible space. Although the location of the public space would be different than in the



No-Action condition, there would be no significant adverse impacts to the streetscape in the With-Action condition.

**Figures 2.4-2** and **Figure 2.4-3** show the existing views of East 47th Street and Madison Avenue frontages without the proposed public spaces. **Figure 2.4-4** shows the No-Action view of the 10,000-square foot open public space from East 47th Street and **Figure 2.4-5** shows the With-Action view of the 10,000-square foot unenclosed public space from Madison Avenue.

Similar to the No-Action condition, the proposed public space would enliven the existing streetscape on Madison Avenue and improve the pedestrian experience along this street. The unenclosed public space on Madison Avenue under the With-Action condition would be a well-lit, inviting outdoor space, fully open to the sky over a portion of its area, and would include at least one retail kiosk and a variety of seating types. The planned development would cantilever over no more than 60 percent of the publicly accessible space above the ground level, thereby continuing to allow afternoon sun to enter most of the open space.

Furthermore, as also noted in Section 2.3, Historic Resources, the unenclosed public space would enhance the public's view and enjoyment of the landmark across the street (400 Madison Avenue) as compared to the No-Action condition.

The text amendment would waive street wall and retail continuity requirements in order to permit the unenclosed publicly accessible space at the Madison Avenue location, but this waiver would apply only to the project site as it is the only one of its size that has an existing rail mass-transit facility entrance. In addition, co-location of the public space with the rail mass transit entrance would potentially enhance the space's amenity value as the With-Action condition would provide a space for enjoyment by the heavy volume of commuters and visitors who utilize the entrance for access to and from Grand Central Terminal and Metro North.

Therefore, no significant adverse impacts to urban design or visual resources are anticipated.

**Figure 2.4-2 Existing View of East 47th Street frontage from the intersection of Vanderbilt Avenue and East 47th Street**



**Figure 2.4-3 Existing View of Madison Avenue frontage from the intersection of Madison Avenue and East 47th Street**





**Figure 2.4-4 No-Action View of East 47th Street frontage near the intersection of Vanderbilt Avenue and East 47th Street**



**Figure 2.4-5 With-Action View of Madison Avenue frontage from the intersection of Madison Avenue and East 47th Street**



## 2.4-4 Conclusion

The proposed action would result in the construction of a 10,000-square foot unenclosed public space primarily located on Madison Avenue as opposed to a 10,000-square foot open public space on East 47th Street. The representative views and photomontages demonstrate that while the location of the proposed public space would change, this would not affect the pedestrian experience along East 47th Street and Madison Avenue. The proposed public space would enliven and improve the existing streetscape on Madison Avenue.

Furthermore, the unenclosed public space on Madison Avenue would be an inviting public outdoor open space that would include at least one retail kiosk and a variety of seating types and would enhance the public's view and enjoyment of the landmark across the street (400 Madison Avenue).

The proposed text amendment would waive street wall and retail continuity requirements, but this waiver would apply only to the project site as it is the only one of its size that is adjacent to a mass-transit rail facility entrance. In addition, because the proposed space would be co-located with the rail mass-transit entrance, the With-Action condition would provide a public space for the large number of commuters and visitors that utilize the entrance to get to and from Grand Central Terminal and Metro North. Therefore, the proposed action would not result in any significant adverse impacts to urban design or visual resources.

**APPENDIX A:**  
**Environmental Assessment Statement**

November 9, 2018

ULURP No. N 190180 ZRM





## 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** 270 Park Avenue Text Amendment**1. Reference Numbers**CEQR REFERENCE NUMBER (to be assigned by lead agency)  
19DCP085M

BSA REFERENCE NUMBER (if applicable)

ULURP REFERENCE NUMBER (if applicable)  
N 190180 ZRMOTHER REFERENCE NUMBER(S) (if applicable)  
(e.g., legislative intro, CAPA)**2a. Lead Agency Information**NAME OF LEAD AGENCY  
New York City Department of City PlanningNAME OF LEAD AGENCY CONTACT PERSON  
Olga Abinader, Acting Director

ADDRESS 120 Broadway

CITY New York

STATE NY

ZIP 10271

TELEPHONE (212) 720-3493

EMAIL  
oabinad@planning.nyc.gov**2b. Applicant Information**NAME OF APPLICANT  
JPMorgan Chase Bank, N.A.NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON  
David A. Karnovsky, Esq. - Fried, Frank, Harris, Shriver, & Jacobson, LLP

ADDRESS One New York Plaza

CITY New York

STATE NY

ZIP 10004

TELEPHONE (212) 859-8927

EMAIL  
David.Karnovsky@friedfrank.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): 617.4(b)(9)**Action Type** (refer to [Chapter 2](#), "Establishing the Analysis Framework" for guidance)☒ LOCALIZED ACTION, SITE SPECIFIC☐ LOCALIZED ACTION, SMALL AREA☐ GENERIC ACTION**4. Project Description**

The proposed action is a text amendment of Section 81-681(b) of the Zoning Resolution of the City of New York to modify publicly accessible space requirements to permit an enclosed 7,000 square-foot publicly accessible space on the Madison Avenue frontage of the property at 270 Park Avenue and to modify retail continuity requirements in order to permit the enclosed publicly accessible open space at this alternative location.

**Project Location**

BOROUGH Manhattan

COMMUNITY DISTRICT(S) 5

STREET ADDRESS 270 Park Avenue

TAX BLOCK(S) AND LOT(S) Block 1283, Lot 21

ZIP CODE 10017

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Madison Avenue to the west, Park Avenue to the east, East 48th Street to the north, and East 47th Street to the south.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C5-3, Special Midtown District, East Midtown Subdistrict, Park Avenue and Southern Subareas

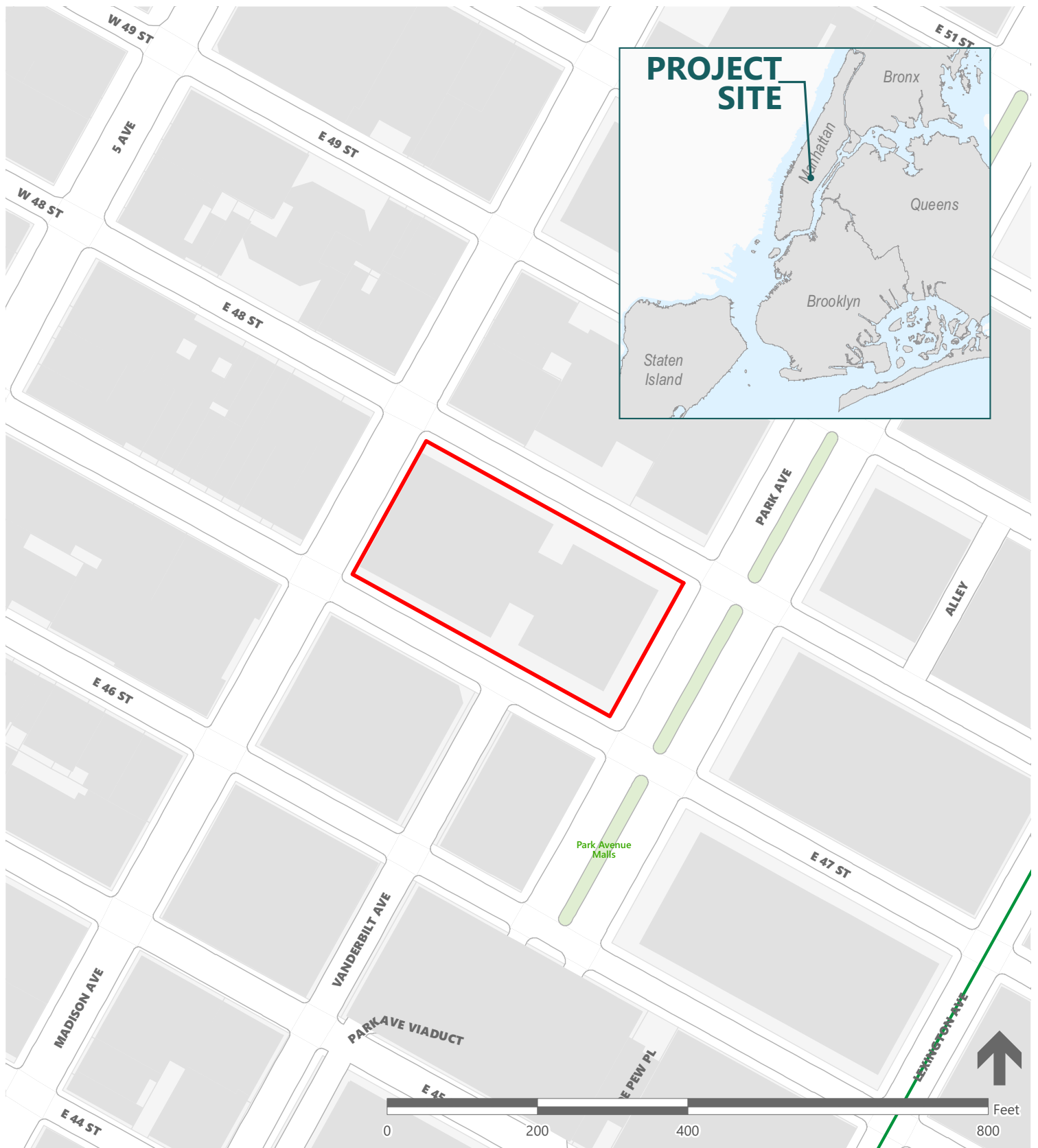
ZONING SECTIONAL MAP NUMBER 8d

**5. Required Actions or Approvals** (check all that apply)**City Planning Commission:** ☒ YES☐ NO☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)☐ CITY MAP AMENDMENT☐ ZONING CERTIFICATION☐ CONCESSION☐ ZONING MAP AMENDMENT☐ ZONING AUTHORIZATION☐ UDAAP☒ ZONING TEXT AMENDMENT☐ ACQUISITION—REAL PROPERTY☐ REVOCABLE CONSENT☐ SITE SELECTION—PUBLIC FACILITY☐ DISPOSITION—REAL PROPERTY☐ FRANCHISE☐ HOUSING PLAN & PROJECT☐ OTHER, explain:☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Board of Standards and Appeals:** ☐ YES☒ NO☐ VARIANCE (use)☐ VARIANCE (bulk)

<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"/> RULEMAKING <input type="checkbox"/> CONSTRUCTION OF PUBLIC FACILITIES <input type="checkbox"/> 384(b)(4) APPROVAL <input type="checkbox"/> OTHER, explain:	<input type="checkbox"/> FUNDING OF CONSTRUCTION, specify: <input type="checkbox"/> POLICY OR PLAN, specify: <input type="checkbox"/> FUNDING OF PROGRAMS, specify: <input type="checkbox"/> PERMITS, specify:	
<b>Other City Approvals Not Subject to CEQR</b> (check all that apply)		
<input type="checkbox"/> PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	<input type="checkbox"/> LANDMARKS PRESERVATION COMMISSION APPROVAL <input type="checkbox"/> OTHER, explain:	
<b>State or Federal Actions/Approvals/Funding:</b> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If "yes," specify:		
<b>6. Site Description:</b> 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.		
<b>Graphics:</b> 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.		
<input checked="" type="checkbox"/> SITE LOCATION MAP <input checked="" type="checkbox"/> TAX MAP <input checked="" type="checkbox"/> PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP	<input checked="" type="checkbox"/> ZONING MAP <input type="checkbox"/> FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	<input checked="" type="checkbox"/> SANBORN OR OTHER LAND USE MAP
<b>Physical Setting</b> (both developed and undeveloped areas)		
Total directly affected area (sq. ft.): 80,333		Waterbody area (sq. ft.) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 80,333		Other, describe (sq. ft.):
<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): 7,000 gsf of enclosed publicly accessible space		
NUMBER OF BUILDINGS: 1	GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A	
HEIGHT OF EACH BUILDING (ft.): N/A (see attached Project Description)	NUMBER OF STORIES OF EACH BUILDING: N/A (see attached Project Description)	
Does the proposed project involve changes in zoning on one or more sites? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
If "yes," specify: The total square feet owned or controlled by the applicant:		
The total square feet not owned or controlled by the applicant:		
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? <input 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: 80,333 sq. ft. (width x length)		VOLUME OF DISTURBANCE: TBD cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 80,333 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): 2024		
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 48 months		
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 type="checkbox"/> RESIDENTIAL <input type="checkbox"/> MANUFACTURING <input checked="" type="checkbox"/> COMMERCIAL	<input type="checkbox"/> PARK/FOREST/OPEN SPACE <input type="checkbox"/> OTHER, specify:	



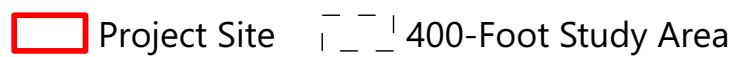
 Project Site

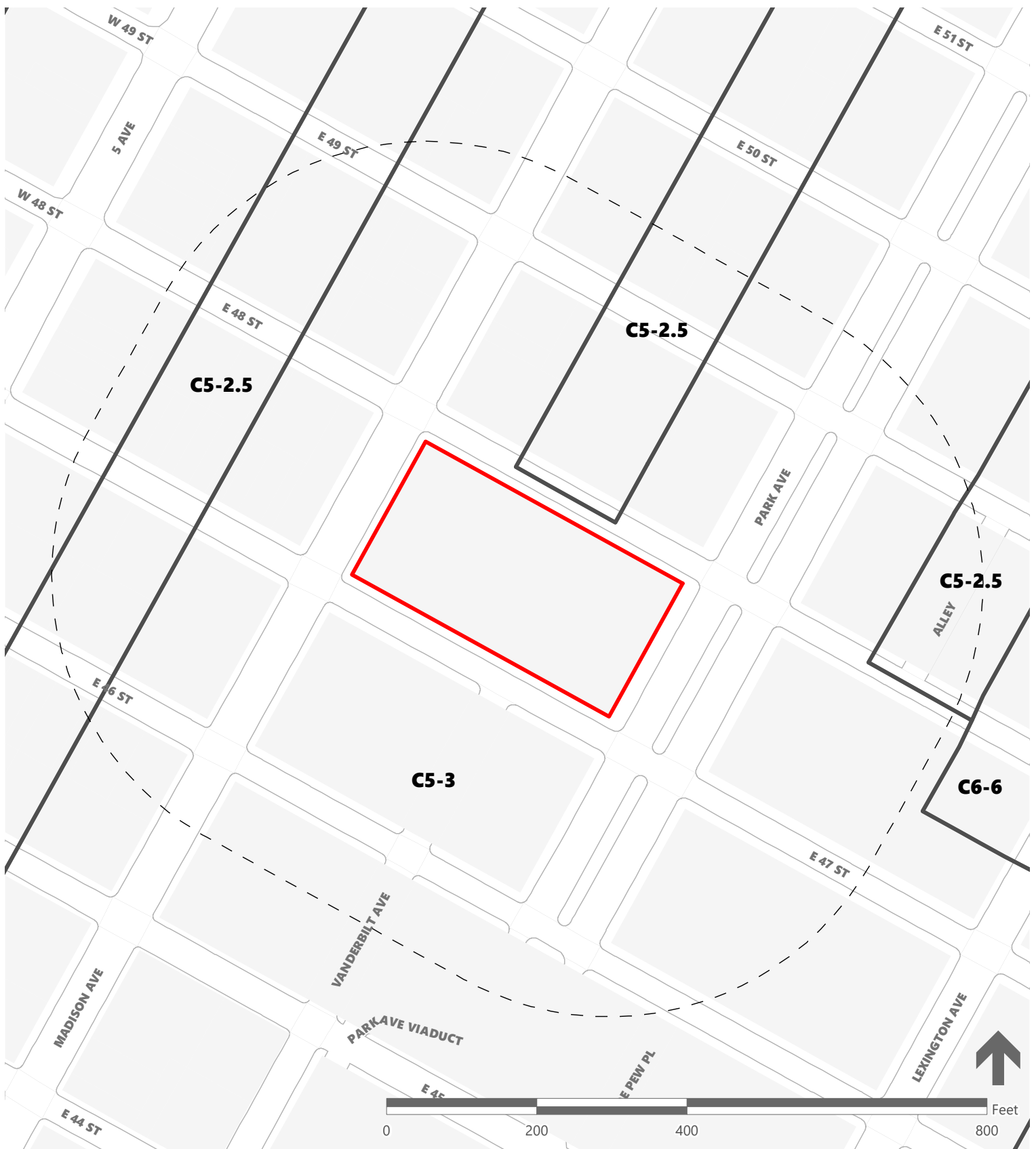


## EAS Figure 1 - Site Location Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.







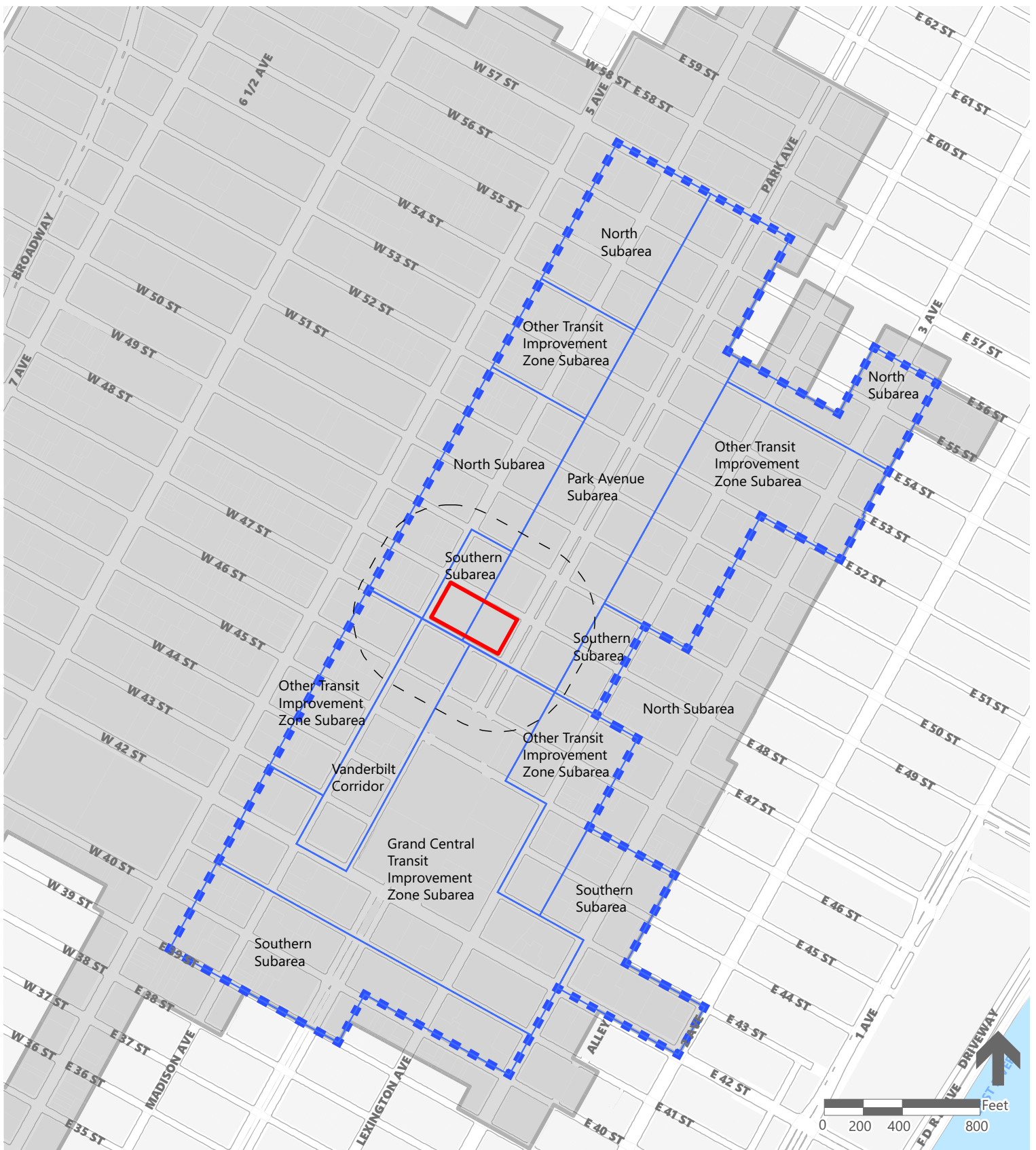
Project Site
  400 Foot Study Area
  Zoning District



## EAS Figure 3.1 - Underlying Zoning Districts Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

Note: See EAS Figure 3.2 for map of Special District/Subdistricts.



Project Site
 
 - - - 400-Foot Study Area
 

 Special Midtown District
 

 East Midtown Subdistrict
 

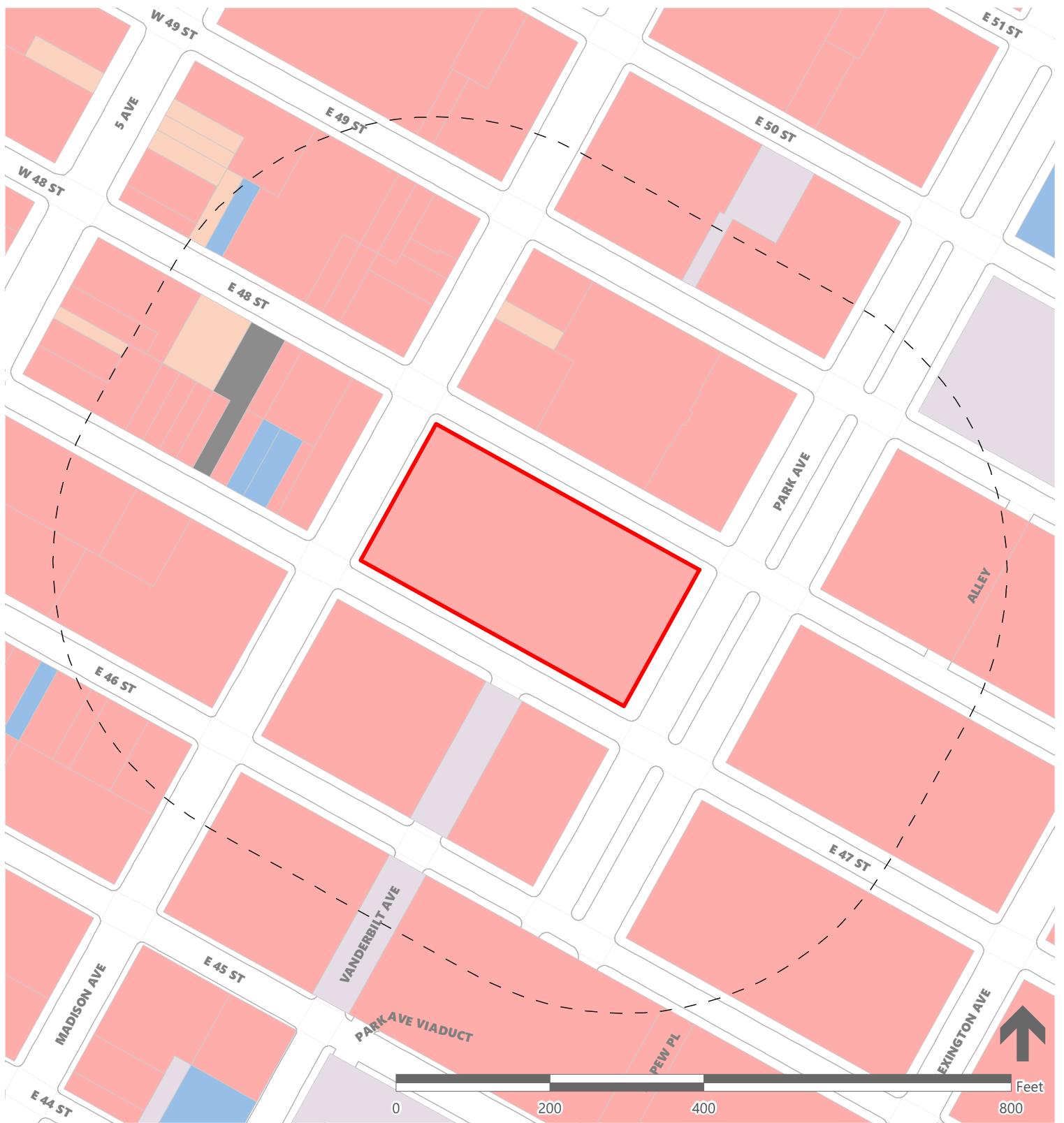
 Subdistrict Subarea












## EAS Figure 3.2 - Special District and Subdistrict Map

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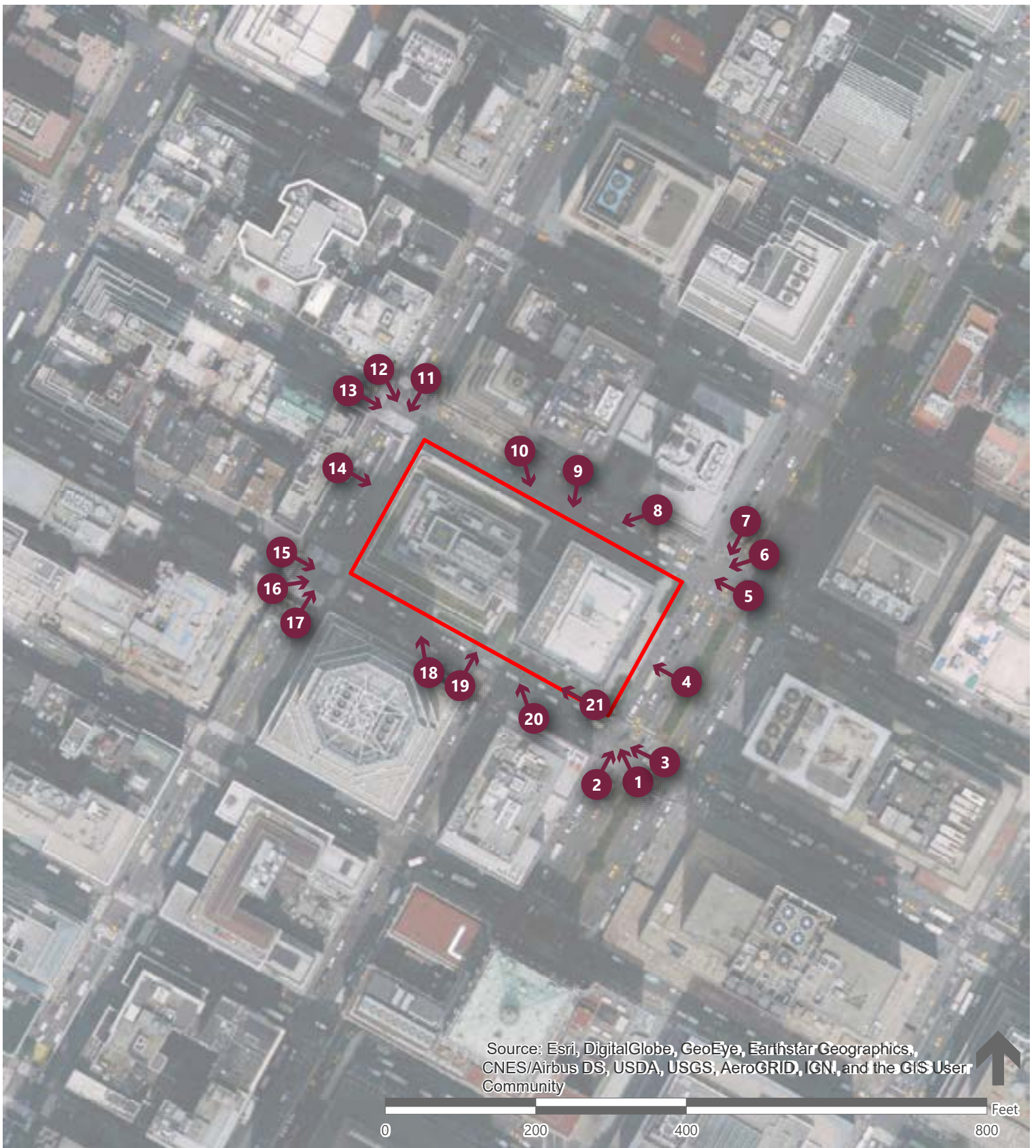


- |   |  |   |
|---|--|---|
|  Project Site                   |  Commercial                         |  Open Space and Recreation |
|  400-Foot Study Area            |  Transportation / Utility           |  Parking                   |
|  Mixed Residential & Commercial |  Public Facilities and Institutions |  Vacant Land               |



## EAS Figure 4 - Land Use Map

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 Project Site     400 Foot Study Area     Photo Location



## EAS Figure 5 - Photo Key Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.





1. View of the project site facing northwest from the intersection of Park Avenue and East 47th Street.



2. View of Park Avenue facing north from East 47th Street (project site at left).



3. View of East 47th Street facing west from Park Avenue (project site at right).



4. View of the project site facing west from Park Avenue.





5. View of East 48th Street facing west from Park Avenue (project site at left).



6. View of the project site facing southwest from the intersection of Park Avenue and East 48th Street.



7. View of Park Avenue facing south from East 48th Street (project site at right).



8. View of the project site facing southwest from East 48th Street.

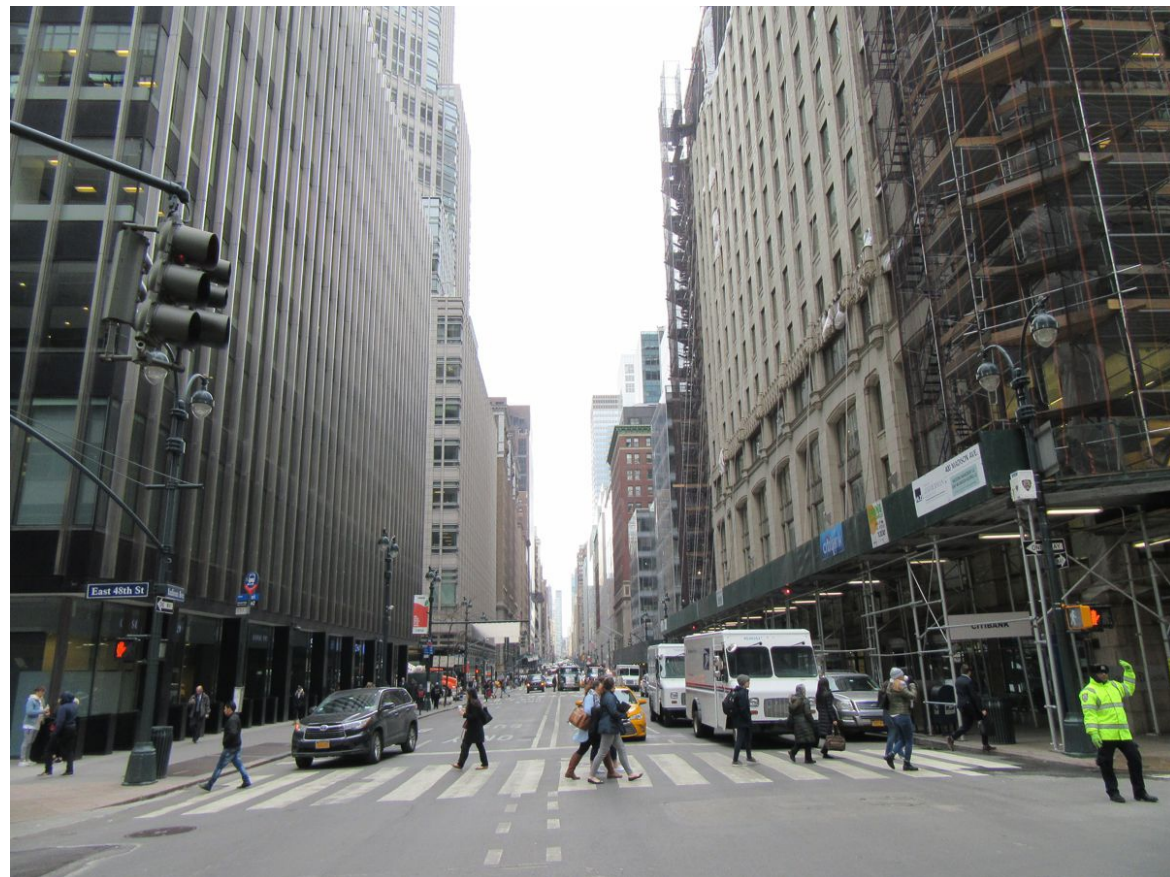




9. View of the project site facing south from East 48th Street.



10. View of the project site facing southeast from East 48th Street.



11. View of Madison Avenue facing south from East 48th Street (project site at left).



12. View of the project site facing southeast from the intersection of Madison Avenue and East 48th Street.





13. View of East 48th Street facing east from Madison Avenue (project site at right).



14. View of the project site facing east from Madison Avenue.



15. View of East 47th Street facing east from Madison Avenue (project site at left).



16. View of the project site facing northeast from the intersection of Madison Avenue and East 47th Street.





17. View of Madison Avenue facing north from East 47th Street (project site at right).



18. View of the project site facing northwest from East 47th Street.



19. View of the project site facing north from East 47th Street.



20. View of the project site facing northwest from East 47th Street.





21. View of the sidewalk along the north side of East 47th Street facing west from Park Avenue (project site at right).

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## **Description of Existing and Proposed Conditions**

The proposed action is a text amendment to modify Section 81-681(b) of the New York City Zoning Resolution (ZR) with respect to publicly accessible open space requirements (the proposed action).

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### **Existing Conditions**

The project site is currently improved with a 50-story 1.351 million gross square-foot commercial office building with ground floor bank use, which is used as the Applicant's world headquarters

---

### **No-Action Condition**

In the No-Action condition, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant.

Under the No-Action condition, in accordance with the East Midtown zoning regulations, a 10,000-square foot unenclosed publicly accessible space excluded from the total building gsf would be located midblock on East 47th Street across the through block portion of the project site.

The No-Action condition would result in a 1,567-foot tall commercial office building totaling approximately 2,419,377 gross square feet (gsf) to accommodate approximately 11,757 employees (see Figure 6.1).

---

### **With-Action Condition**

In the With-Action condition, the existing building on the project site would be demolished (same as under the No-Action condition) and redeveloped with a new office headquarters building for the Applicant.

Under the With-Action condition, in accordance with the proposed text amendment, a 7,000-square foot enclosed publicly accessible space included within total building gsf, would be located along the project site's Madison Avenue frontage.

The No-Action condition would result in a 1,400-foot tall commercial office building totaling approximately 2,420,609<sup>1</sup> gsf to accommodate approximately 11,757 employees (see Figure 6.2).

---

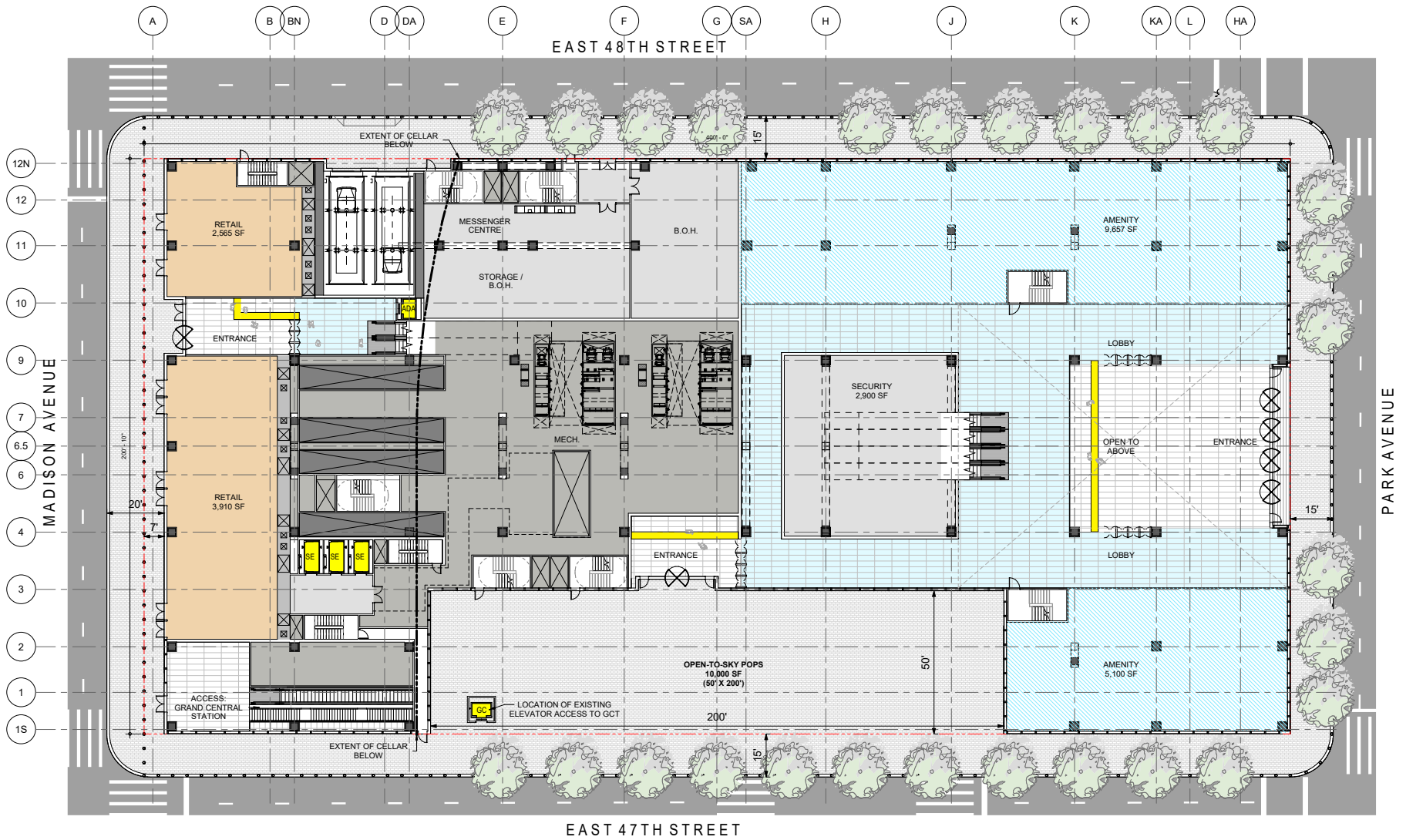
### **Increment**

In total, the With-Action condition would result in a net overall increase of 1,232 gsf over the No-Action scenario, a decrease of 3,000 sf of publicly accessible open space, and a decrease in the height of the building of 167 feet (see Figure 6.3).

---

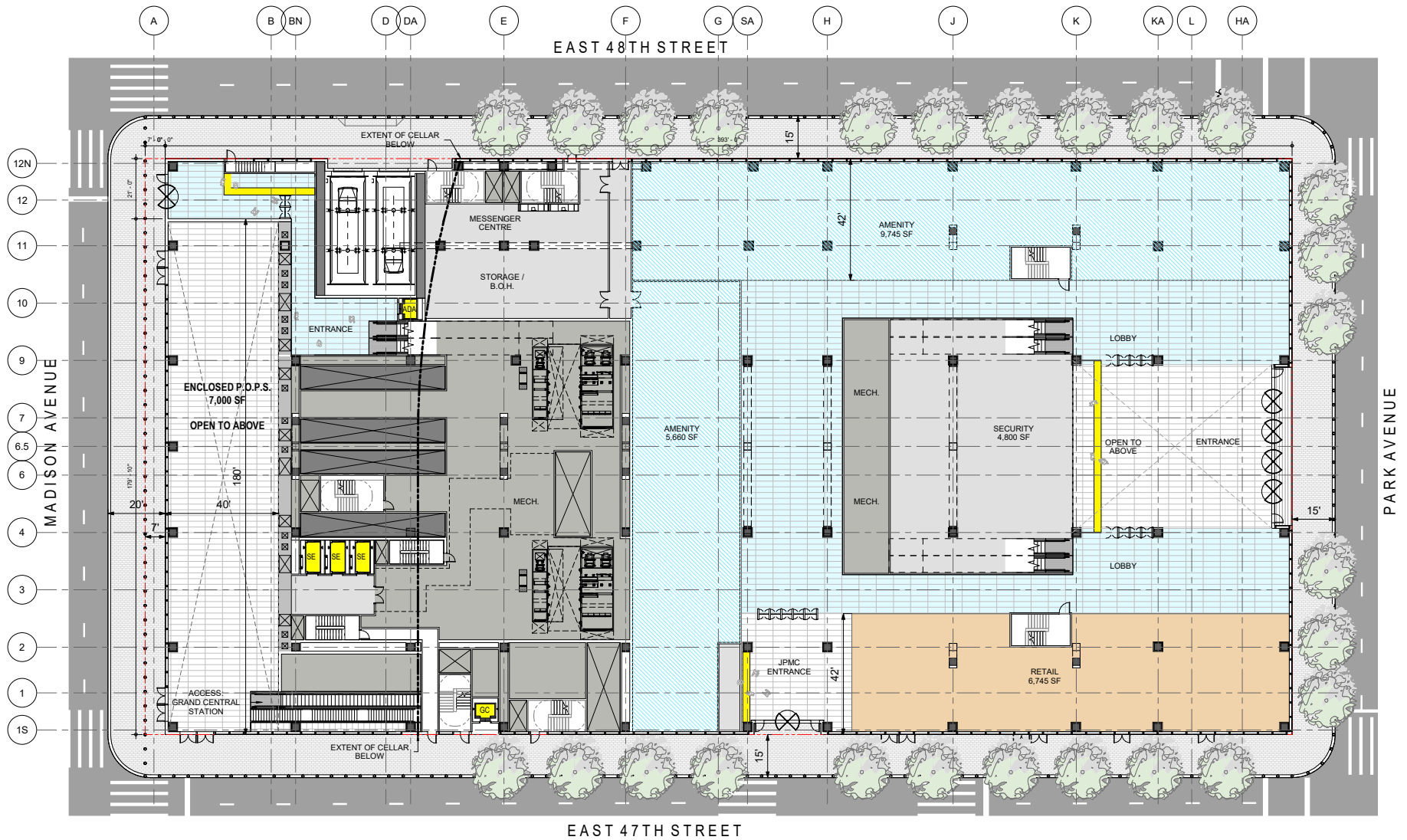
<sup>1</sup> The proposed total building area includes the enclosed 7,000 sf publicly accessible space, resulting in an increment of 1,232 gsf over the No-Action condition.





## EAS Figure 6.1 - No-Action Condition Site Plan

270 Park Avenue Text Amendment  
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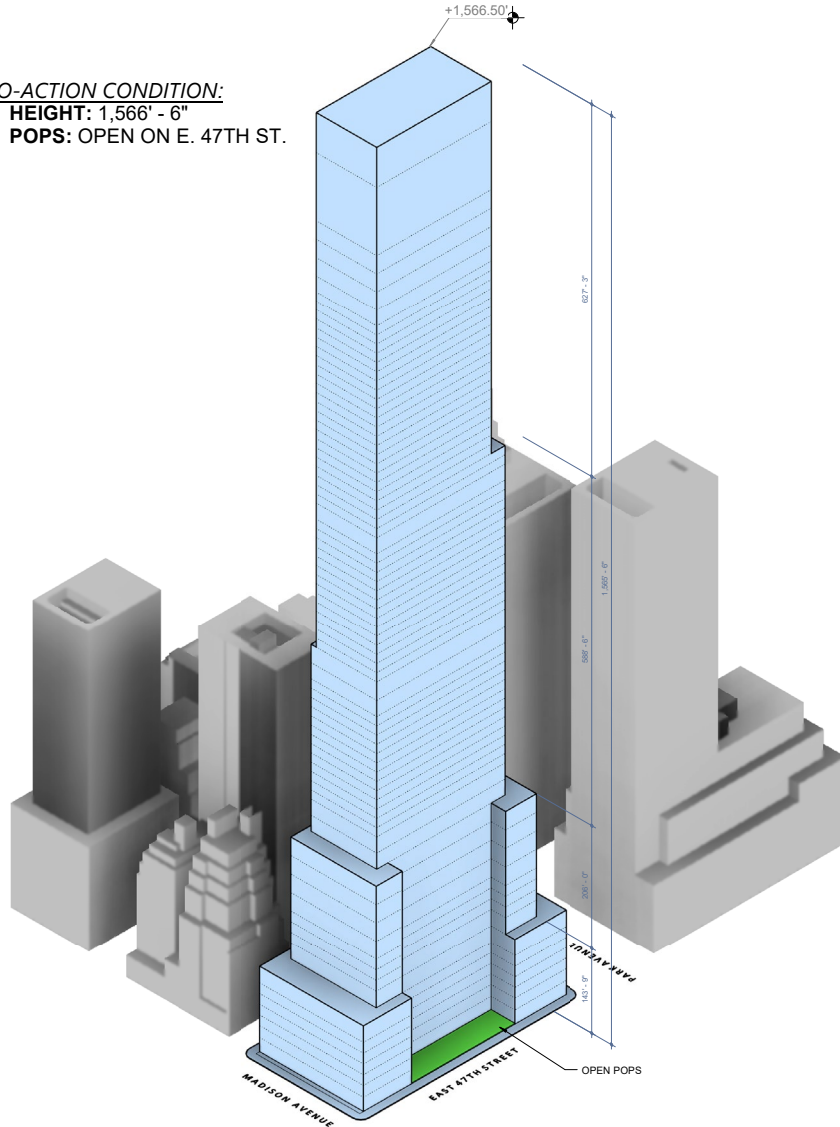
## EAS Figure 6.2 - With-Action Condition Site Plan

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



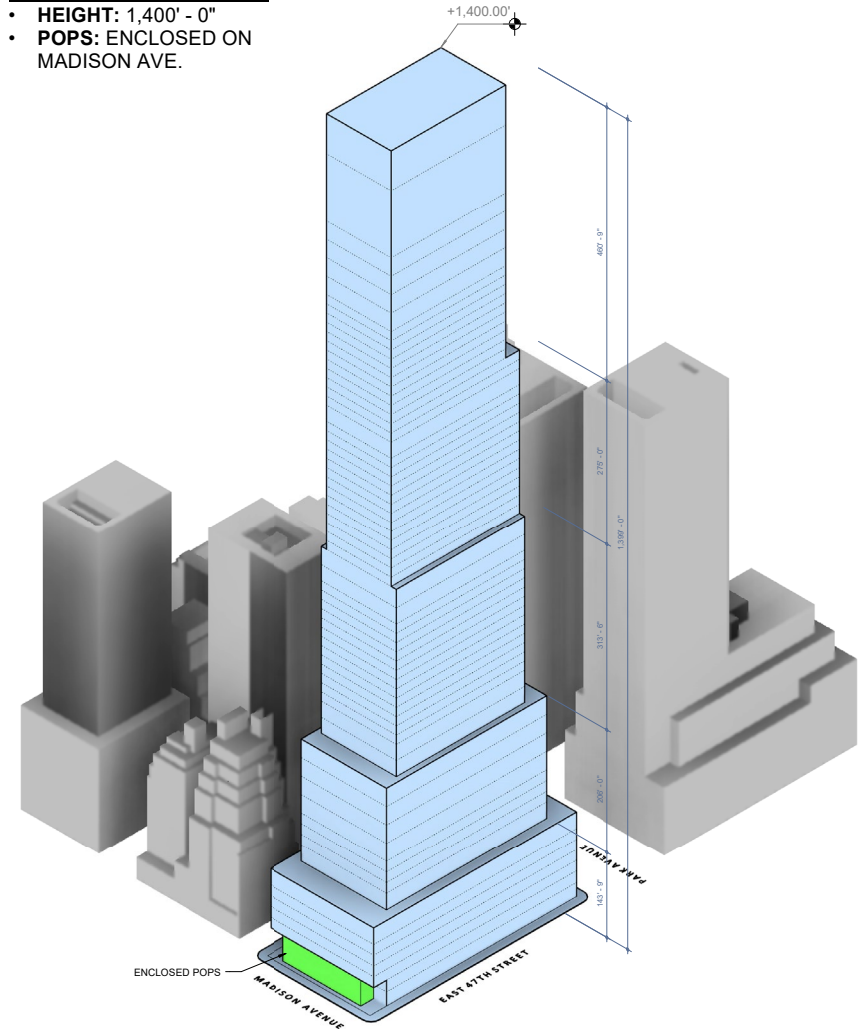
NO-ACTION CONDITION:

- **HEIGHT:** 1,566' - 6"
- **POPS:** OPEN ON E. 47TH ST.



WITH-ACTION CONDITION:

- **HEIGHT:** 1,400' - 0"
- **POPS:** ENCLOSED ON MADISON AVE.



## EAS Figure 6.3 - No-Action and With-Action Conditions Massings

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

## 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)	Office Headquarters	Office Headquarters	Office Headquarters	
Gross floor area (sq. ft.)	1,351,000 gsf	2,419,377 gsf	2,420,609 gsf	+ 1,232 gsf (With-Action condition total building area includes enclosed 7,000 sf publicly accessible space, resulting in increment of 1,232 gsf over the No-Action condition)
<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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	0	10,000 sf unenclosed	7,000 sf enclosed	- 3,000 sf
<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	25	25	25	0
Operating hours				
Attended or non-attended	attended	attended	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				



	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
<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 was calculated:				
<b>Businesses</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:				
No. and type	Commercial (Office Headquarters)	Commercial (Office Headquarters)	Commercial (Office Headquarters)	
No. and type of workers by business	6,000 employees	11,757 employees	11,757 employees	0
No. and type of non-residents who are not workers	0	0	0	0
Briefly explain how the number of businesses was calculated:	Applicant provided			
<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	C5-3/Special Midtown District	C5-3/Special Midtown District	C5-3/Special Midtown District	
Maximum amount of floor area that can be developed	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	15 FAR (Commercial and Community Facility Use); 10 FAR (Residential Use)	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Commercial, Community Facility	Commercial, Community Facility	Commercial, Community Facility	
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.				

## TECHNICAL ANALYSIS

As described in pages 3 and 4, as a result of the proposed action, the change between the No-Action and With-Action conditions is:

- net overall increase of 1,232 gsf of total building space
- decrease in the height of the building of 167 feet
- decrease of 3,000 sf of publicly accessible open space
- Location of the publicly accessible open space would change:
  - No-Action condition - midblock location on East 47th Street across the through block portion of the project site
  - With-Action condition - Madison Avenue frontage

### Future No-Action and Future With-Action Comparison

	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
<b>Total GSF</b>	> 2,419,377	2,420,609 <sup>1</sup>	+1,232
<b>Commercial Office, Trading Floor and Ancillary Spaces</b>	> 2,354,258	2,348,490	-5,768
<b>Retail</b>	> 6,475	6,475	0
<b>Cellar Space<sup>2</sup></b>	> 58,644	58,644	0
<b>Enclosed Public Space</b>	0	7,000	7,000
<b>Total Publicly Accessible Open Space</b>	> 10,000 (unenclosed)	7,000 (enclosed)	- 3,000
<b>Building Height</b>	> 1,567 feet	1,400 feet	- 167 feet

Both the No-Action and With Action condition would have the same condition in terms of:

- Total number of employees
- Demolition of existing building
- Area of disturbance

The analyses presented on the following pages in Part II of the EAS is based on the incremental change and differences between the No-Action and With-Action conditions.

<sup>1</sup> Proposed total building area includes enclosed 7,000 sf publicly accessible space.

<sup>2</sup> Cellar space consists of multiple levels underground.



**Part II: TECHNICAL ANALYSIS**

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

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

	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. See attachment		
(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 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 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 type="checkbox"/>
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input 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 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 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 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 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 type="checkbox"/>
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Effects on Industry</b>		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
<b>(a) Direct Effects</b>		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b) Indirect Effects</b>		
<b>i. Child Care Centers</b>		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>ii. Libraries</b>		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iii. Public Schools</b>		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
<b>iv. Health Care Facilities</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>v. Fire and Police Protection</b>		
o Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
<b>(a)</b> Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>(b)</b> Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input 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 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 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"/>

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## **Open Space**

The project site does not contain any existing public open space and therefore would not displace or directly impact any existing open space resources.

The project site is located in an area that is neither under-served nor well-served. The incremental change between the No-Action and With-Action condition would not generate more than 200 additional residents or 500 additional employees.

However, since the proposed project would result in a decrease in open space between the No-Action and With-Action condition, an open space assessment was prepared and is included in the attached Section 2.2.



	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: See attachment.</li> </ul>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>5. SHADOWS:</b> <a href="#">CEQR Technical Manual Chapter 8</a>		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	<input 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.		
<b>6. HISTORIC AND CULTURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 9</a>		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the <a href="#">GIS System for Archaeology and National Register</a> to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See attachment		
<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> . See attachment		
<b>8. NATURAL RESOURCES:</b> <a href="#">CEQR Technical Manual Chapter 11</a>		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of <a href="#">Chapter 11</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the <a href="#">Jamaica Bay Watershed</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the <a href="#">Jamaica Bay Watershed Form</a> and submit according to its <a href="#">instructions</a> .		
<b>9. HAZARDOUS MATERIALS:</b> <a href="#">CEQR Technical Manual Chapter 12</a>		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in <a href="#">Appendix 1</a> (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	<input type="checkbox"/>	<input type="checkbox"/>
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
<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"/>

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## **Hazardous Materials**

For hazardous materials, the goal for CEQR is to determine whether the proposed project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. If significant adverse impacts are identified, CEQR requires that the impacts be disclosed and mitigated or avoided to the greatest extent practicable.

As described above and in the attached Section 1.0, Project Description, the proposed project involves an as-of-right building practically the same size under both the No-Action and With-Action conditions and would result in the same amount of ground and below-grade disturbance under both the No-Action and With-Action conditions. The demolition of the existing 50-story building and any removal of existing storage tanks would also be the same under the No-Action and With- Action conditions and would be conducted in accordance with all applicable laws and regulations related to the handling of hazardous materials. Therefore, the proposed project would not result in any significant adverse impacts related to hazardous materials.

	YES	NO
(c) If the proposed project located in a <a href="#">separately sewer 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 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 type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewer 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): N/A		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): N/A		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input checked="" type="checkbox"/>	<input 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 following page	<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 type="checkbox"/>
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See <a href="#">Local Law 22 of 2008</a> ; § 24-	<input type="checkbox"/>	<input type="checkbox"/>



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## Air Quality

As described in Section 1.0, "Project Description," the No-Action condition would result in a 1,567-foot tall building totaling approximately 2,419,377 gross square feet (gsf). It would encompass a 10,000 square-foot (sf) unenclosed publicly accessible space.

The With-Action condition would result in a 1,400-foot tall building totaling approximately 2,420,609 gsf. This building would encompass a 7,000-sf enclosed publicly accessible space, which is included in the total building square footage.

Since the height of the proposed building is lower in the With-Action condition than the No-Action condition, an HVAC screening analysis was performed.

Additionally, since there would be no incremental traffic generated as a result of the difference between the No-Action and With-Action conditions, there is no need to perform a mobile source analysis for carbon monoxide (CO) or particulate matter (PM<sub>10</sub> and/or PM<sub>2.5</sub>).

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## Stationary Sources

A screening analysis was performed for the No-Action and With-Action conditions using the methodology described in the *CEQR Technical Manual* to evaluate whether the proposed project's HVAC system could have potential significant adverse impacts on existing or future development projects in the No-Action condition, i.e. projected and potential development sites in the *Greater East Midtown Rezoning Final Environmental Impact Statement (FEIS)* dated May 26, 2017

There are no buildings of similar or greater height (i.e., at or greater than 1,400 feet), existing or projected in the No-Action condition as a result of the Greater East Midtown Rezoning project (identified as Projected or Potential Development Sites in the *Greater East Midtown Rezoning FEIS*), within a 400-foot radius of the project site. Therefore, a distance of 400 feet was assumed between the source to the receptor for both conditions.

The following table shows the Projected or Potential Development Sites in the *Greater East Midtown Rezoning FEIS* within a 400-foot radius of the project site.

### Greater East Midtown Rezoning Projected and Potential Development Sites Within 400 feet of Project Site

Site	Projected/Potential	Height (feet)	Distance from project site (feet)
C	Potential	650	74
6	Projected	776.1	95
D	Potential	524	109
P	Potential	440	131
5	Projected	748	343
7	Projected	818	382
10	Projected	580	430

Development sizes of 2,419,377 sf and 2,420,609 sf, respectively, were used for the No-Action and With-Action conditions.

It is assumed that the stacks would rise three feet above the bulkheads for total heights of 1,570-feet and 1,403-feet, respectively.

With the minimum source to receptor distance determined to be 400 feet, the screening distance requirements for no. 2 fuel oil and natural gas are met, and there would be no significant adverse stationary source impacts related to the proposed building's HVAC system. Thus, no further analysis is warranted and there would be no significant adverse air quality impacts as a result of the proposed action.

The table below presents a summary of the HVAC screening analysis results for the project site under the No-Action and With-Action conditions.

### HVAC Screening Analysis Results

Analysis Scenario	Development Size (gsf)	Building Height (feet) <sup>1</sup>	Receptor <sup>2</sup>	Distance to Receptor	No. 2 Fuel Oil Distance Threshold (feet)	No. 2 Fuel Oil Screen Result	Natural Gas Distance Threshold (feet)	Natural Gas Screen Result
No-Action	2,419,377	1,403	N/A	400	385	PASS	321	PASS
With-Action	2,420,609	1,570	N/A	400	387	PASS	321	PASS

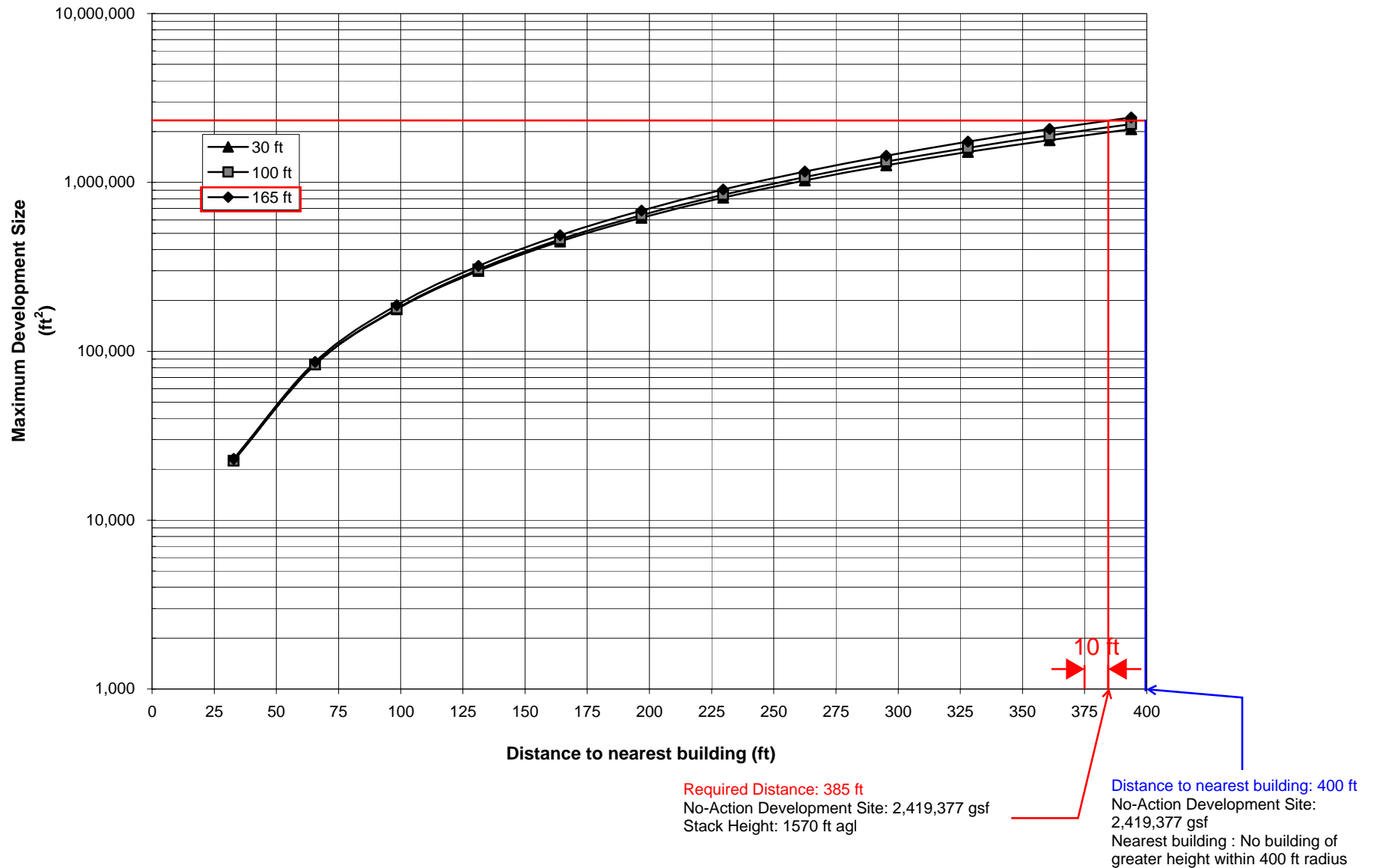
Notes: <sup>1</sup> The building heights include an additional 3 feet of stack height.

<sup>2</sup> "N/A" means there are no other buildings of similar or greater height in a 400-foot radius of the project sites Per *CEQR Technical Manual*, as there are no buildings of similar or greater height within 400 feet of the project site, a distance of 400 feet was used for screening purposes.

gsf = gross square footage

**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**NO-ACTION** **PASS**





**FIG App 17-6  
SO<sub>2</sub> BOILER SCREEN  
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - FUEL OIL #2**

**WITH-ACTION** **PASS**

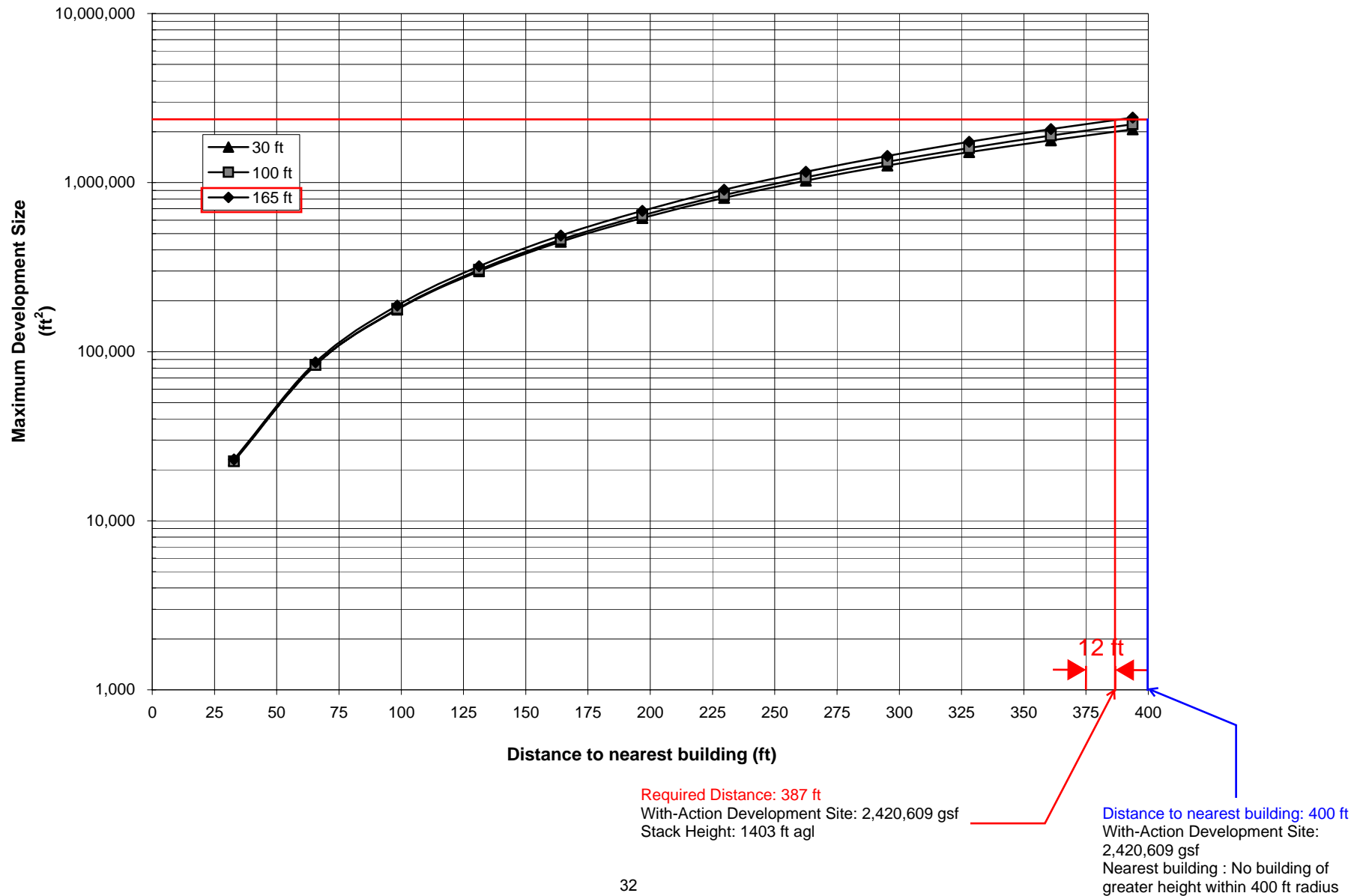
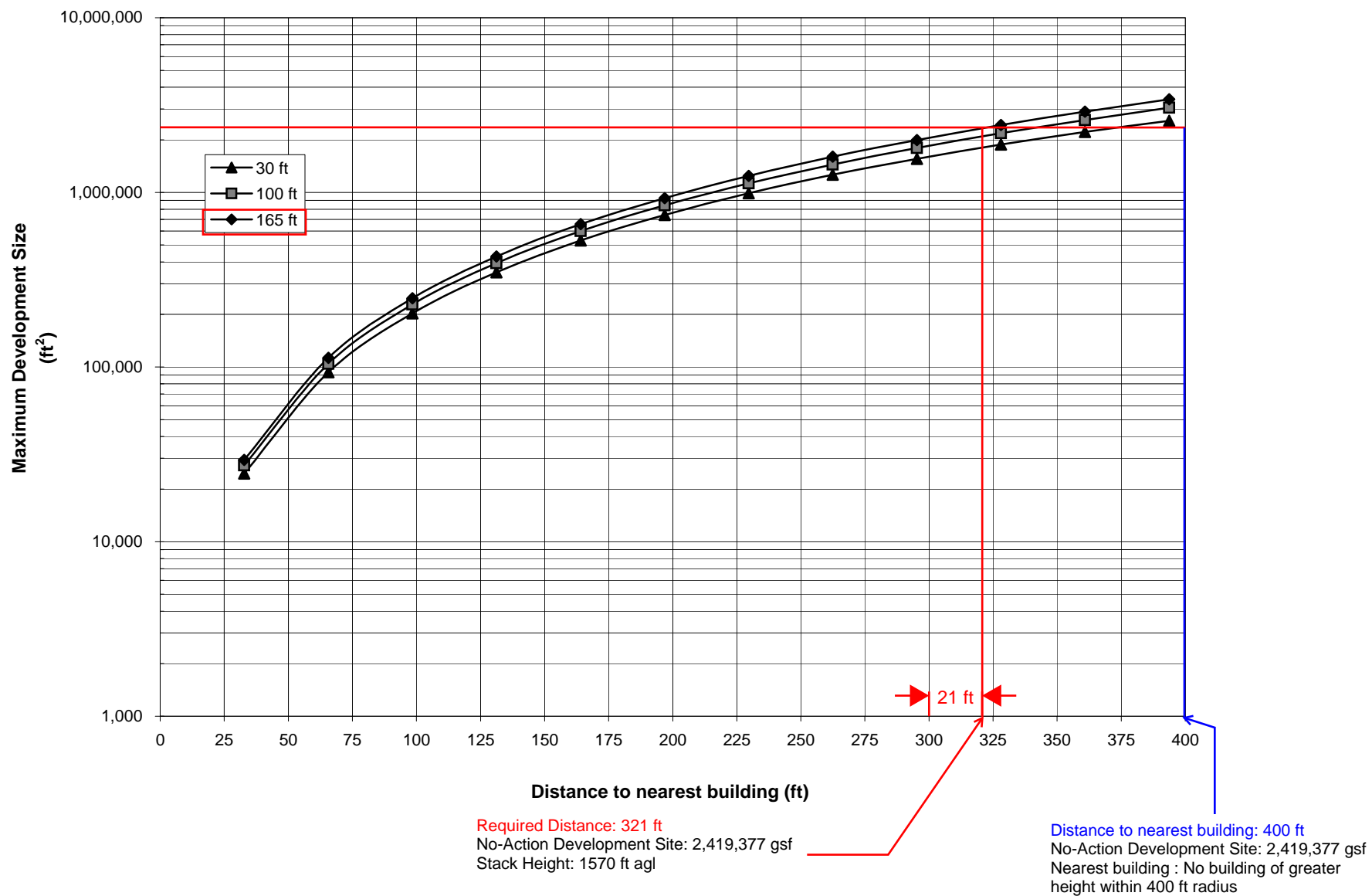


FIG App 17-8  
NO<sub>2</sub> BOILER SCREEN

NO-ACTION

PASS

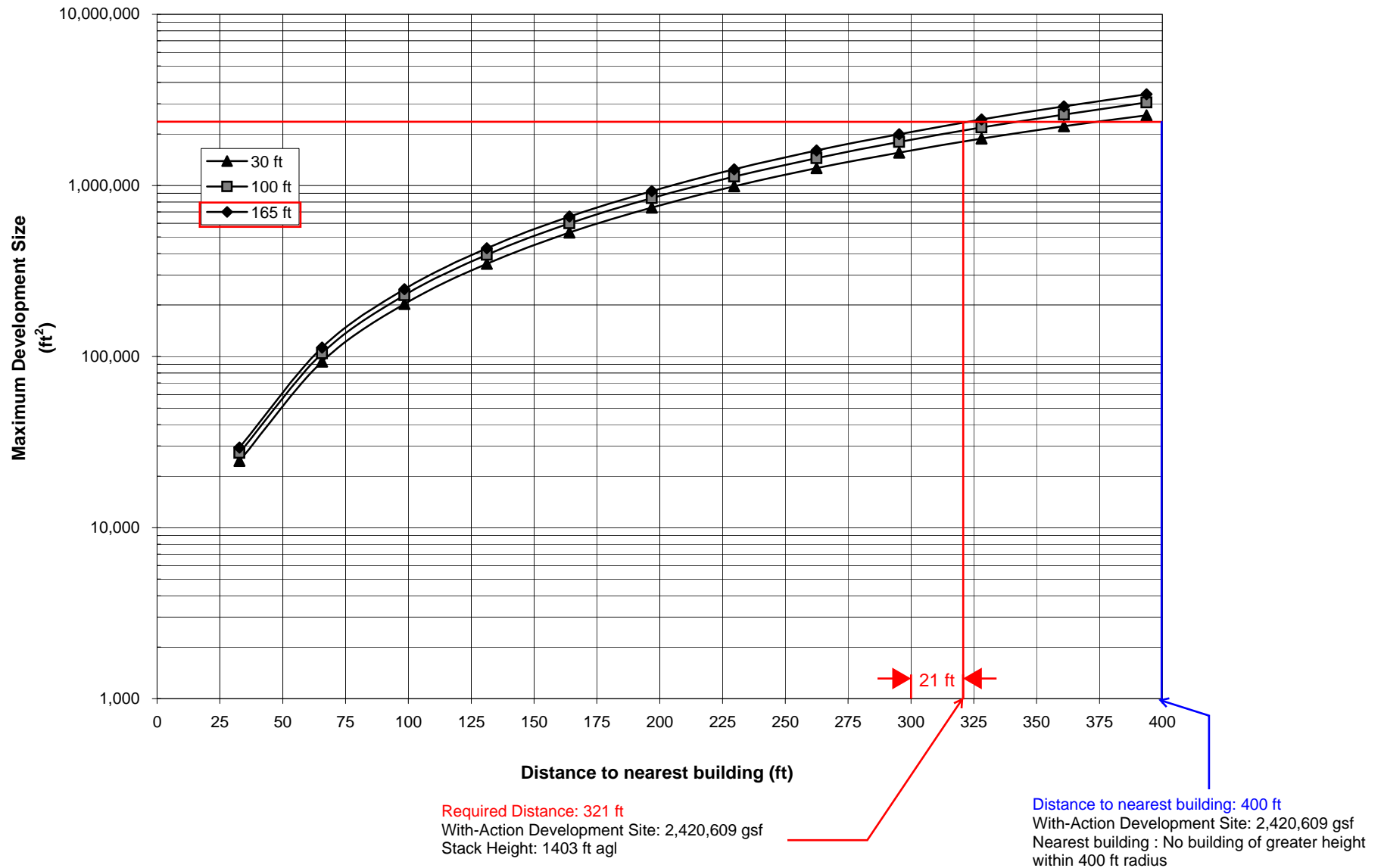
COMMERCIAL AND OTHER NON-RESIDENTIAL DEVELOPMENT - NATURAL GAS



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

**WITH-ACTION**

**PASS**





	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation.		
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in <a href="#">Chapter 20</a> , "Public Health." Attach a preliminary analysis, if necessary.		
<b>18. NEIGHBORHOOD CHARACTER:</b> <a href="#">CEQR Technical Manual Chapter 21</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input 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. The proposed project would warrant further analysis on Land Use, Zoning, and Public Policy; Open Space; Historic and Cultural Resources; and Urban Design and Visual Resources. However, the proposed action would not result in significant adverse impacts to these impact categories. Therefore, an assessment of neighborhood character is not 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 checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input 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. The project site would be developed with an as-of-right building under both the No-Action and With Action Conditions. Properties that are designated as New York City Landmarks(NYCL) would be protected under the NYCL law. In addition, all designated NYCLs and/or State and National Registers of Historic Places located within 90 feet of the project site would be protected by the New York City Department of Buildings TPPN #10/88 process. In the event that any closure of any portion of sidewalk or lane elements is needed, it would be fully addressed by a permit and a Pedestrian Access Plan as required by the New York City Department of Transportation's Office of Construction Mitigation and Coordination prior to the closure so that impacts would not occur.		
<b>20. APPLICANT'S CERTIFICATION</b>		
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

Nancy M. Doon, AICP

SIGNATURE

*Nancy M. Doon*

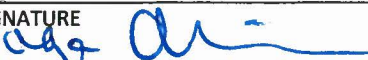
DATE

*11/9/18*

**PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.**

**Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)**

**INSTRUCTIONS:** In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.	Potentially Significant Adverse Impact	
	YES	NO
<b>IMPACT CATEGORY</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>2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?</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>3. Check determination to be issued by the lead agency:</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>		
<b>4. LEAD AGENCY'S CERTIFICATION</b>		
TITLE Acting Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission	
NAME Olga Abinader	DATE 11/09/2018	
SIGNATURE 		



**NEGATIVE DECLARATION (Use of this form is optional)**

**Statement of No Significant Effect**

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

**Reasons Supporting this Determination**

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

**Land Use, Zoning, and Public Policy**

A detailed analysis of the effects of the proposed actions on Land Use, Zoning and Public Policy was included in the EAS. The development resulting from the proposed action would be consistent with the area's land use patterns and the recent zoning regulations enacted as part of the Greater East Midtown rezoning. The proposed project would maintain and enhance the existing land use character within the study area through the provision of new Class A office space and a publicly accessible open space along Madison Avenue. The proposed action would be compatible with applicable public policies. Therefore, the proposed action would not result in any significant adverse impacts to land use, zoning, or public policy.

**Open Space**

A detailed analysis of the effects of the proposed actions on Open Space was included in the EAS. The proposed action would result in a decrease of 3,000 gsf in publicly accessible space from the No-Action condition. This would result in a lower open space ratio in the With-Action condition as opposed to the No-Action condition. However, the decrease would represent a reduction of less than one percent from the No-Action condition. Further, although the With-Action public space would be smaller than the No-Action public space, as described above, it would provide a new and different form of year-round public open space for the area. The proposed enclosed public open space would include a number of features that would make it attractive to the general user population and help enliven the Madison Avenue corridor. In addition, the enclosed public space would improve the commuter experience by providing a high-quality public amenity at an entrance to the Metro North tracks. Accordingly, the proposed action would not result in any significant adverse impacts to open space.

**Historic and Cultural Resources**

A detailed analysis of the effects of the proposed actions on Historic and Cultural Resources was included in the EAS. The proposed action would not result in any direct or indirect impacts to any designated or eligible historic architectural resources. The existing NYCL-eligible building on the project site would be demolished and redeveloped with a new office headquarters building for the Applicant under both the No-Action and With-Action conditions, and therefore no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action. As such, the proposed action would not result in significant adverse impacts to any historic resources.

**Urban Design and Visual Resources**

A detailed analysis of the effects of the proposed actions on Urban Design and Visual Resources was included in the EAS. The proposed action would result in the construction of a 7,000-square foot enclosed public space on Madison Avenue as opposed to a 10,000-square foot unenclosed public space on East 47th Street. The analysis found that while the location of the proposed public space would change, this would not affect the pedestrian experience along East 47th Street and Madison Avenue. The proposed public space as well as the retail space on East 47th Street would enliven and improve the existing streetscape on these streets. Furthermore, the enclosed public space on Madison Avenue would be a well-lit climate

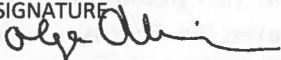
**Project Name: 270 Park Ave Text Amendment**

**CEQR #: 19DCP085M**

**SEQRA Classification: Type I**

controlled public open space available for public and private events and be better utilized year-round as opposed to the unenclosed public space on East 47th Street, and the enclosed public space would enhance the public's view and enjoyment of the landmark across the street (400 Madison Avenue) as compared to the No-Action Condition. Therefore, the proposed action would not result in any significant adverse impacts to urban design or visual resources

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

<b>TITLE</b> Acting Director, Environmental Assessment and Review Division	<b>LEAD AGENCY</b> Department of City Planning, acting on behalf of the City Planning Commission
<b>NAME</b> Olga Abinader	<b>DATE</b> 11/9/18
<b>SIGNATURE</b> 	

<b>TITLE</b> Chair, City Planning Commission	
<b>NAME</b> Marisa Lago	<b>DATE</b> 11/13/18
<b>SIGNATURE</b>	



# 1.0

## Project Description

This section provides descriptive information about the requested discretionary land use action and the development that could be facilitated by the requested action. The purpose of this section is to convey project information relevant to environmental review.

### 1.1 Introduction

The applicant, JPMorgan Chase Bank, N.A. (JPMC or the Applicant) is seeking a zoning text amendment from the City Planning Commission to facilitate the development of an enclosed publicly accessible open space along Madison Avenue as part of the planned development at 270 Park Avenue (Manhattan Block 1283, Lot 21) - the project site. The new publicly accessible open space would be comprised of 7,000 gross square feet (gsf) of enclosed space within a new, approximately 70-story, 1,400-foot-tall commercial office building that is planned to replace the existing 50-story office tower currently occupying the project site.

### 1.2 Project Site

The project site consists of Block 1283, Lot 21 which occupies the full block bounded by Park Avenue, East 47th Street, Madison Avenue and East 48th Street. The project site has approximately 400 feet of frontage on East 47th Street, 201 feet of frontage on Park Avenue, 400 feet of frontage on East 48th Street, 201 feet of frontage on Madison Avenue. It is



located in a C5-3 district within the Southern and Park Avenue Subareas of the East Midtown Subdistrict of the Special Midtown District and has a lot area of 80,333.2 sf, with 40,166.6 sf of lot area in each subarea.

The project site is currently improved with a 50-story commercial office building with ground floor bank use, which is used as the Applicant's world headquarters. A rail mass-transit access point is located beneath the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks located at the southwest corner of the project site.

The office tower fronts on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the 10th story occupying the midblock and Madison Avenue frontage of the project site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail (MNR) train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide,

### 1.3 Project Site Context

On August 9, 2017, the City Council approved the Greater East Midtown rezoning (Application No. N 170186(A) ZRM) within the Special Midtown District, a City initiative designed to address the long-term challenges facing East Midtown, specifically, an increasingly outdated office stock. The Department of City Planning proposed the Greater East Midtown rezoning to encourage the construction of modern Class A office buildings and reinforce East Midtown's position as a world-class business district; to facilitate the preservation of landmarks in the area by allowing the sale and transfer of floor area to a wider range of properties; and to provide for public realm improvements through the creation of a Public Realm Improvement Fund financed in connection with new commercial developments and utilized by a newly created East Midtown Public Realm Improvement Fund Governing Group to provide pedestrian realm and transit network improvements.

### 1.4 Proposed Action

The proposed action is a zoning text amendment of Section 81-681(b) of the Zoning Resolution of the City of New York (the Zoning Resolution or ZR) to modify publicly accessible space requirements to permit an enclosed publicly accessible space on the project site's Madison Avenue frontage and to modify retail continuity requirements in order to permit the enclosed publicly accessible open space at this alternative location. The proposed action would apply only to the project site.

The new East Midtown Subdistrict regulations adopted as part of the Greater East Midtown rezoning permit the floor area of a "qualifying site" to be increased through as-of-right mechanisms, including the transfer of unused floor area from one or more properties improved with landmarked buildings to such qualifying site. The proposed development

would utilize approximately 1,871,764 square feet of floor area, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification pursuant to ZR Section 81-642.

Among the requirements for a project site to be a “qualifying site,” ZR Section 81-681 (Mandatory requirements for qualifying sites) requires that a new building provide publicly accessible space, open or enclosed, depending on the lot area of the property. Paragraph (b)(1) of Section 81-681 specifies the type and minimum size of such spaces, and currently requires any qualifying site that has a through lot portion and a lot area of 65,000 square feet or greater to provide an open publicly accessible space of no less than 10,000 square feet across the through lot portion of such site.

On a full block site such as the project site, which measures approximately 200 feet by 400 feet, this text requires an open space configured either as a 50-foot wide area running north-south across the through lot portion of the site, or as a 25-foot deep, 400-foot wide space running across the through lot portion along the southern lot line. The first configuration would require development of two separate buildings, with separate cores and building systems and would preclude construction of a world-class headquarters building. The second configuration would allow for construction of a single building, but would make use of the project site for a world class headquarters building less desirable for two key reasons: (i) the ‘carve out’ of space in the midblock would both reduce the size of the floor plates that can be provided at the base of the building, and result in an irregular floor plate configuration; and (ii) the floor plate of the tower that could be provided above the base would be reduced in size, requiring additional floors to be constructed in order to achieve the floor space required for headquarters use. .

The proposed action would add a new Paragraph (b)(1)(iv) to Section 81-681 applicable to zoning lots with a lot area of 80,000 square feet or more that are to be developed with a single building and include an existing entrance to a mass-transit rail facility located outside the through lot portion of such zoning lot. Under the text amendment, as an alternative to open publicly accessible space required pursuant to paragraph (b)(1)(iii), an enclosed publicly accessible space may be provided that includes or is adjacent to the mass-transit rail facility entrance and that adjoins the street or a required sidewalk widening. Co-location of the publicly accessible space and the transit entrance would provide commuters and visitors to the area, as well as residents, with an attractive year-round public space convenient to East Midtown’s transportation network. Configuration of the publicly accessible space as an enclosed space running north-south along the Madison Avenue frontage would allow for full, regularly configured building floorplates above. Where, as here, the location of the publicly accessible space would be on the only portion of the project site not located above a below-grade transit right of way, i.e., the MNR train shed, the minimum area of such a space would be 7,000 square feet of enclosed publicly accessible space or, if the Metropolitan Transportation Authority (MTA) determines that the entrance should not be enclosed, the required area would be 6,500 square feet of enclosed publicly accessible space and 500 square feet of unenclosed publicly accessible space adjacent to the entrance. This is necessary to facilitate the location of mechanical, loading and other systems critical to the functioning of the proposed building on the terra firma portion of the project site.

Paragraph (b)(2) of Section 81-681 sets forth design requirements for required publicly accessible spaces, including for enclosed publicly accessible spaces. The proposed text amendment would modify certain of these requirements for an enclosed publicly accessible space provided on the project site pursuant to new Paragraph (b)(1)(iv), as follows:

- Paragraph (b)(2)(iii), governing hours of access, would be modified to permit the enclosed publicly accessible space to host public events and to be closed for up to six non-consecutive private events per year;
- Paragraph (b)(2)(vii), governing seating requirements, would be modified to permit up to twenty-five percent of moveable seats to be provided as stools with a height of 32 inches, to facilitate counter-style workspace seating; and
- Paragraph (b)(2)(x) would be modified to provide that in lieu of retail bounding such an enclosed publicly accessible space, at least one kiosk with an area between 300 and 700 square feet must be provided and at least 50 percent of the bounding wall of the space must either be used for vertical planting, art work, or a combination thereof, or incorporate architectural elements or other design features of visual interest.

## 1.5 Proposed Development and With-Action Condition

The proposed development would consist of an approximately 70-story commercial office tower and would utilize approximately 2,420,609 gross square feet, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification pursuant to ZR Section 81-642.

The proposed development would include a publicly accessible space located along the Madison Avenue frontage of the project site. The publicly accessible space would be an enclosed space that would adjoin, and have entrances on, a required sidewalk widening along Madison Avenue. The proposed location on Madison Avenue would also allow the publicly accessible open space to be integrated with the access point to the Metro North tracks and passageway to Grand Central Station located at the southwest corner of the project site. Due to the need to locate loading docks, freight elevators, and below-grade building infrastructure on the terra firma portion of the project site, the publicly accessible open space would comprise 7,000 square feet of enclosed area, or, if the MTA determines that the mass transit rail facility entrance should not be enclosed, 6,500 square feet of enclosed area and 500 square feet of unenclosed area adjacent to the entrance. The publicly accessible space would be a well-lit, inviting interior space, with a minimum height of 30 feet, and it would include at least one retail kiosk and a variety of seating types, including counter seating. The publicly accessible space would be open from 7:00 a.m. until 10:00 p.m. each day, providing space for local residents, tourists, and area workers to meet, relax, or work in a climate-controlled environment. The publicly accessible space would also be available to host public events and six private events per year, pursuant to a restrictive declaration governing the operation of the publicly accessible space that would be recorded against the project site. For purposes of this EAS, the 7,000-square foot enclosed publicly accessible space is being analyzed.



## 1.6 Purpose and Need

The existing 1960s building on the project site does not adequately meet the needs of a 21st century banking institution. The building was designed for approximately 3,000 employees and currently accommodates over 6,000 employees. The aging infrastructure, inefficient elevator systems and capacity, floor plate size, configuration and existing ceiling heights do not support modern workplace requirements and trading floor design. Thus, the Applicant seeks to replace the existing building with a new Class A office tower in a prominent location at the heart of Manhattan's Midtown's central business district. The new building would be approximately 70 stories tall and would utilize approximately 1,871,764 square feet of zoning floor area, including 666,766 square feet of floor area transferred from Grand Central Terminal under a separate application for a certification pursuant to ZR Section 81-642.

Development of a new Class A office tower on the project site in accordance with the new zoning requirements for publicly accessible space would cut into the footprint along the through lot portion of the building with the open publicly accessible space along East 47th Street, and therefore not allow for the flexibility in the layout of a headquarters building that is needed. The proposed action would allow for a significant new, all seasons public amenity to be created along Madison Avenue and integrated with the access point to the Metro North tracks and passageway to Grand Central Station located at the southwest corner of the project site, while facilitating the development of a large floor-plate Class A office space for a world-class 21st century banking institution consistent with the goals of the East Midtown Subdistrict regulations.

## 1.7 Analysis Framework and Reasonable Worst-Case Development Scenario

The *CEQR Technical Manual* will serve as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of the proposed development that would result from the discretionary action. If the proposed action allows for a range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for CEQR analysis. This is considered to be the reasonable worst-case development scenario (RWCDs), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDs of the future without the proposed actions in place (No-Action condition) and the future with the proposed actions in place and the associated development operation (With-Action condition).

For the purpose of the environmental analyses, the No-Action condition represents the future absent the proposed action and serves as the baseline by which the proposed project (or With-Action condition) is compared to determine the potential for significant environment impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

## Future No-Action Condition

In the absence of the proposed project, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant (see **Figure 1.1**). In accordance with the East Midtown Subdistrict zoning regulations, redevelopment of the project site as a qualifying site with a minimum lot area of 65,000 square feet must include an open, unenclosed publicly accessible space with a minimum area of 10,000 square feet. The No-Action condition would result in a 1,567-foot tall headquarters office building totaling approximately 2,419,377 gsf to accommodate approximately 11,757 employees. It would encompass a 10,000 square-foot unenclosed publicly accessible space excluded from the total building gsf and located midblock on East 47th Street across the through block portion of the site.

The building resulting in the No-Action condition would include the following program of uses:

- 1,729,103 gsf of commercial office
- 6,475 gsf of retail
- 275,218 gsf of amenity space
- 32,134 gsf of lobby space
- 317,803 gsf of mechanical and back of house space

## Future With-Action Condition

The project site development would result in the construction of an approximately 70-story, 1,400-foot-tall commercial office building totaling 2,420,609 gsf to accommodate approximately 11,757 employees (see **Figure 1.2**). Under the future With-Action condition, a 7,000-square foot enclosed publicly accessible space included within total building gsf would be located along the project site's Madison Avenue frontage.

## Increment for Analysis

In total, the With-Action condition would result in a net overall increase of 1,232 gsf over the No-Action scenario, with incremental increases and decreases in various types of commercial uses in the building and reduction in height of 167 feet, as shown in **Table 1-1** below and **Figure 1.3**.

However, for analysis purposes, the increment being considered is solely that which is related to the proposed action – an additional 7,000 gsf of enclosed publicly accessible space along the Madison Avenue frontage, with a reduction of 10,000 gsf of unenclosed publicly accessible open space set in the midblock along the East 47th Street frontage.

As described above, the proposed action would allow for flexibility in the layout of the headquarters building that is needed to create the required large floor-plate Class A office space, resulting in a nominal difference in square footage and greater efficiency in the distribution of commercial uses in the building, as outlined in the table below.

Overall, the purpose and use of the building under the No-Action and With-Action conditions would be identical, each accommodating the approximately 11,757 employees expected to work there.

**Table 1      Future No-Action and Future With-Action Comparison**

	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment (gsf)
<b>Total Building GSF</b>	<b>2,419,377</b>	<b>2,420,609 <sup>1</sup></b>	<b>+ 1,232</b>
Commercial Office, Trading Floor and Ancillary Spaces	2,354,258	2,348,490	-5,768
Retail	6,475	6,475	0
Cellar Space <sup>2</sup>	58,644	58,644	0
Enclosed Public Space	0	7,000	+7,000
<b>Total Publicly Accessible Open Space</b>	<b>10,000 (unenclosed)</b>	<b>7,000 (enclosed)</b>	<b>- 3,000</b>
<b>Building Height</b>	<b>1,567 feet</b>	<b>1,400 feet</b>	<b>- 167 feet</b>

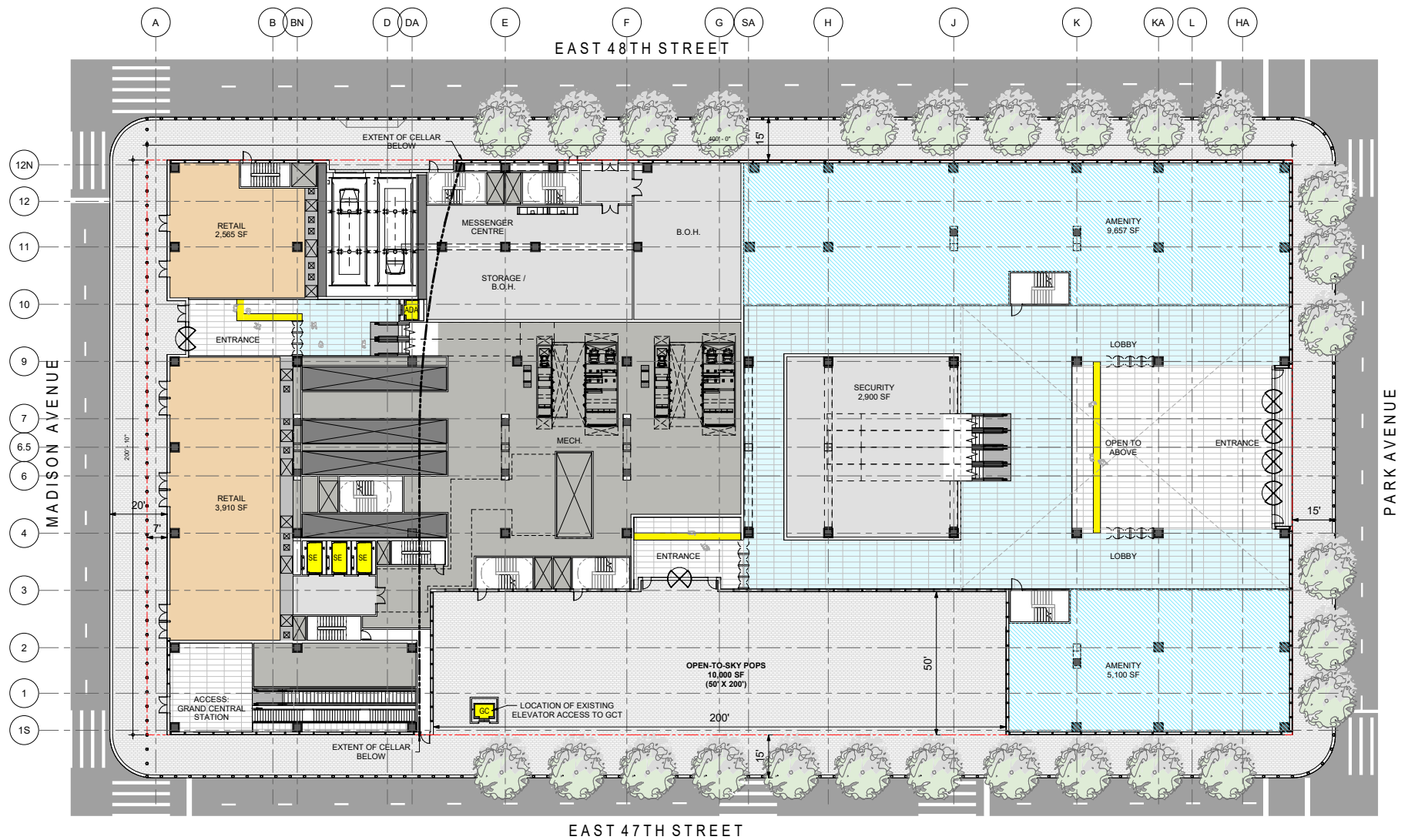
**Analysis (Build) Year**

The 2024 build year assumes approval of the text amendment in 2019, commencement of construction in 2020, and a four-year construction period.

<sup>1</sup> Proposed total building area includes enclosed 7,000 sf publicly accessible space.

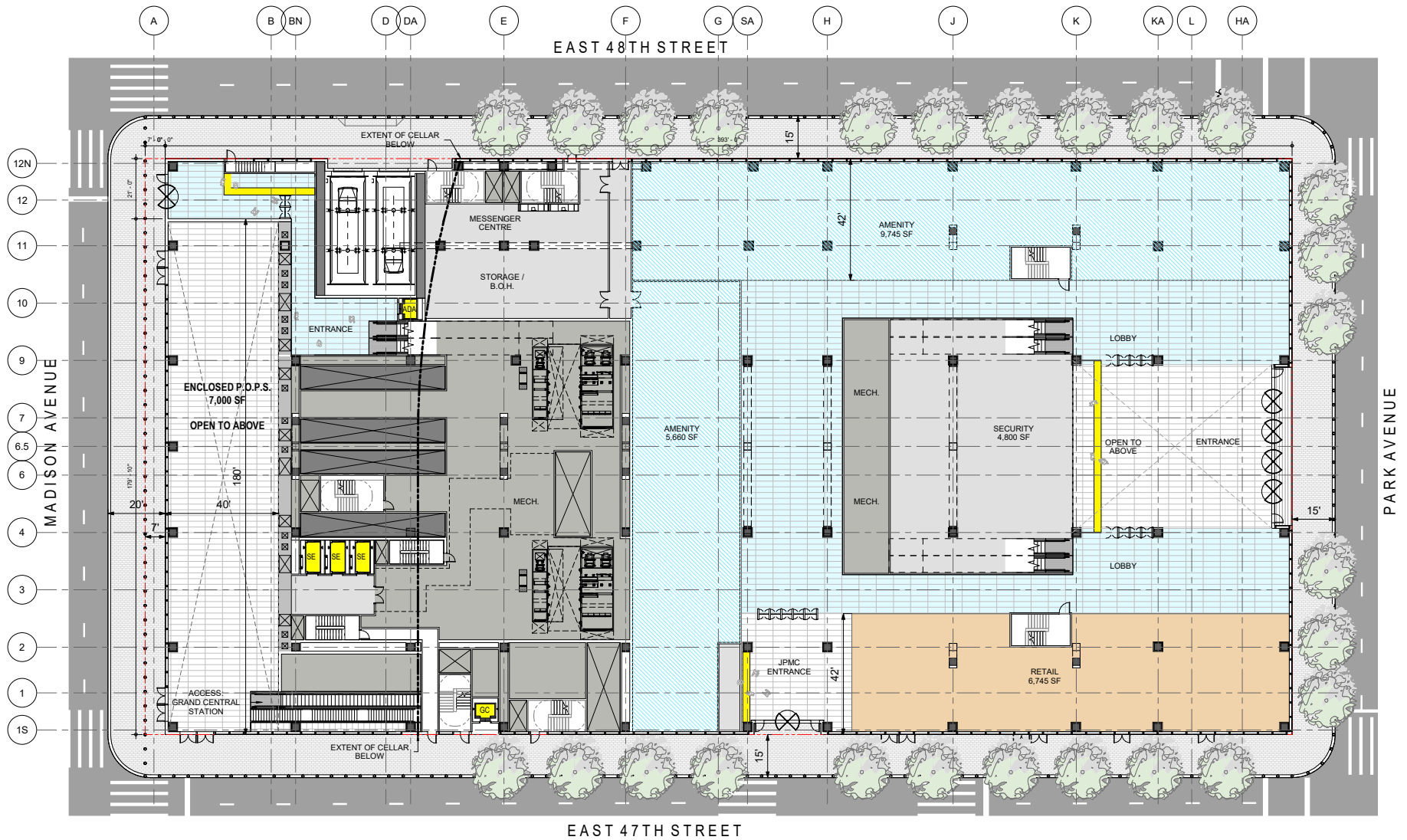
<sup>2</sup> The site area outside of the train shed is approximately 20,000 sf. Cellar space consists of three levels underground totaling approximately 58,644 gsf.





## Figure 1.1 - No-Action Condition Site Plan

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

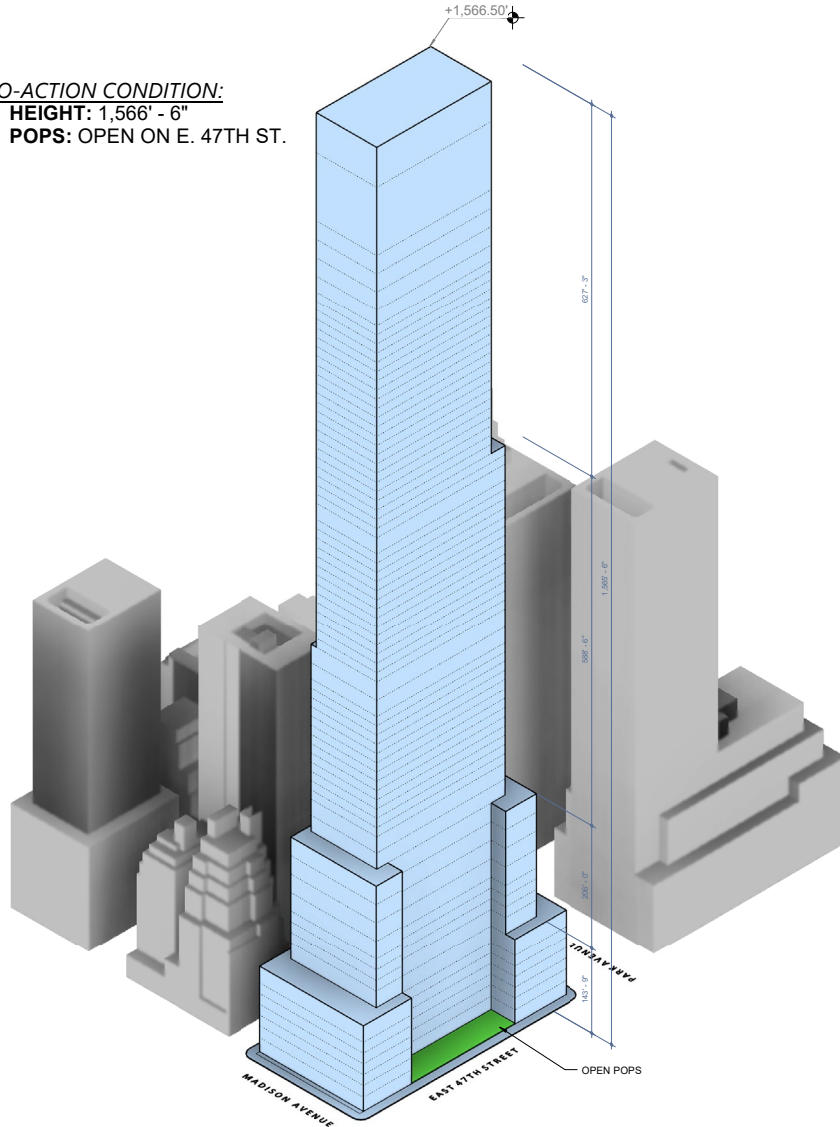


## Figure 1.2 - With-Action Condition Site Plan

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

NO-ACTION CONDITION:

- **HEIGHT:** 1,566' - 6"
- **POPS:** OPEN ON E. 47TH ST.



WITH-ACTION CONDITION:

- **HEIGHT:** 1,400' - 0"
- **POPS:** ENCLOSED ON MADISON AVE.

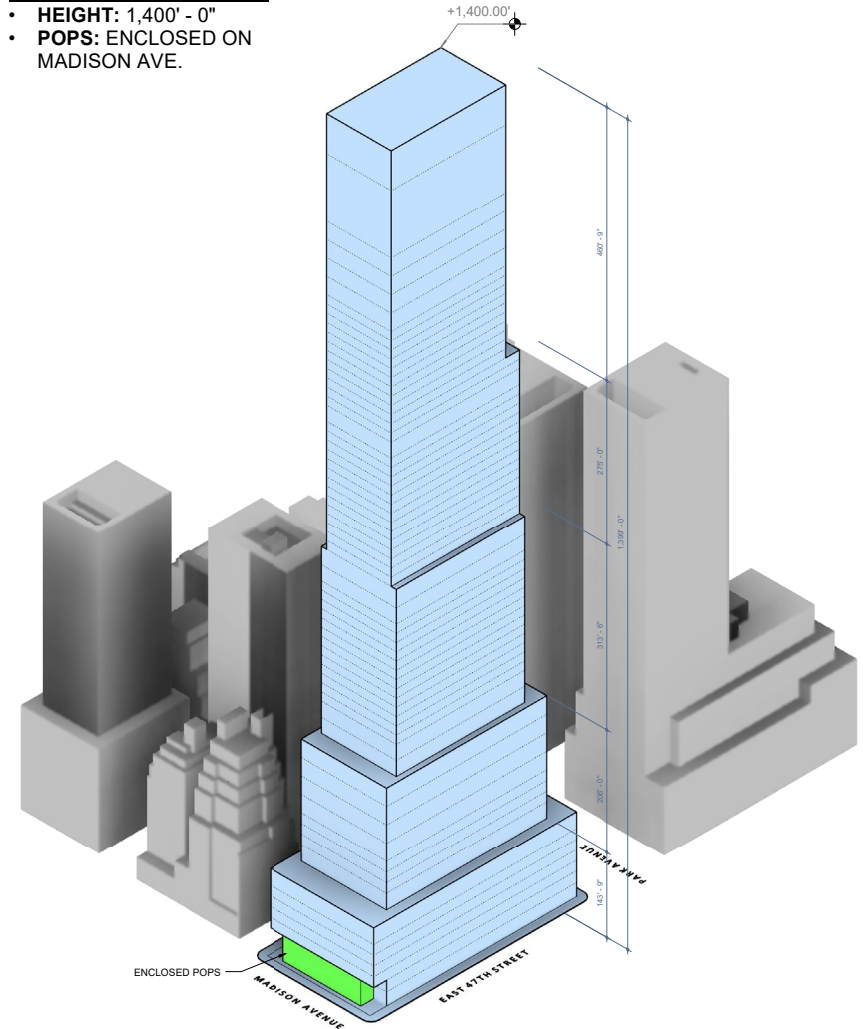


Figure 1.3 - No-Action and With-Action Conditions Massings

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



# 2.1

## Land Use, Zoning and Public Policy

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

### 2.1-1 Introduction

The proposed action is a text amendment to modify Section 81-681(b) of the New York City Zoning Resolution (ZR) with respect to publicly accessible open space requirements (the proposed action).

Specifically, the proposed action would modify the mandatory publicly accessible open space requirements for qualifying sites within the new East Midtown Subdistrict of the Special Midtown District to allow for a qualified site with a lot area of at least 80,000 square feet (sf) and certain other features to meet the open space requirements by providing an enclosed space with at least 7,000 sf of area would be located along the project site's

Madison Avenue frontage. In addition, the proposed action would modify certain design requirements for an enclosed publicly accessible space provided under the text amendment. The proposed action would apply only to the project site.

## 2.1-2 Methodology

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

- › Describes existing and future land uses and zoning information, and describes any changes in zoning that could cause changes in land use;
- › Characterizes the land use development trends in the area surrounding the project site that might be affected by the proposed action; and
- › Determines whether the proposed project is compatible with those trends or may alter them.

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

1. Establish a "study area", a geographic area surrounding the project site to determine how the proposed project may affect the immediate surrounding area. For this assessment, a study area of 400 feet surrounding the project site was used. This area is generally defined as the area bounded to the north by the midpoint between East 49th and East 50th Streets, to the west by a point approximately 100 feet east of Fifth Avenue, to the south by the midpoint between East 45th and East 46th Streets, and to the east by the midpoint between Park and Lexington Avenues.
2. Identify data sources, including any public policies (formal plans, published reports) to be used to describe the existing and No-Action conditions related to Land Use, Zoning, and/or Public Policy.
3. Assess the proposed project's potential effects on Land Use, Zoning and Public Policy to determine whether the proposed project is consistent with or conflicts with area land uses, zoning, or the identified policies.
  - If a proposed project could conflict with the identified policies, a detailed assessment would be conducted; or
  - If the proposed project is found to not conflict with the identified policies, no further assessment is needed.

## 2.1-3 Assessment

### Existing Conditions

#### Land Use

##### Project Site

The project site consists of a full block lot (Manhattan Block 1283, Lot 21) bounded by Park Avenue, East 47th Street, Madison Avenue and East 48th Street. The project site currently contains the 50-story commercial office headquarters building owned and occupied by JPMorgan Chase Bank, N.A. A rail mass-transit access point is located in the southwest corner of the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks. The existing building is configured as a 50-story tower portion fronting on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the 10th story occupying the midblock and Madison Avenue frontage of the Site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide,

##### Study Area

As shown in **Figure 2.1-1**, the study area consists almost exclusively of commercial uses, with the exception of certain transportation uses east of Madison Avenue associated with Metro North and several mixed-use residential and commercial buildings as well as institutional uses west of Madison Avenue, including several consulate buildings along East 47th Street and the Church of Sweden building along East 48th Street.

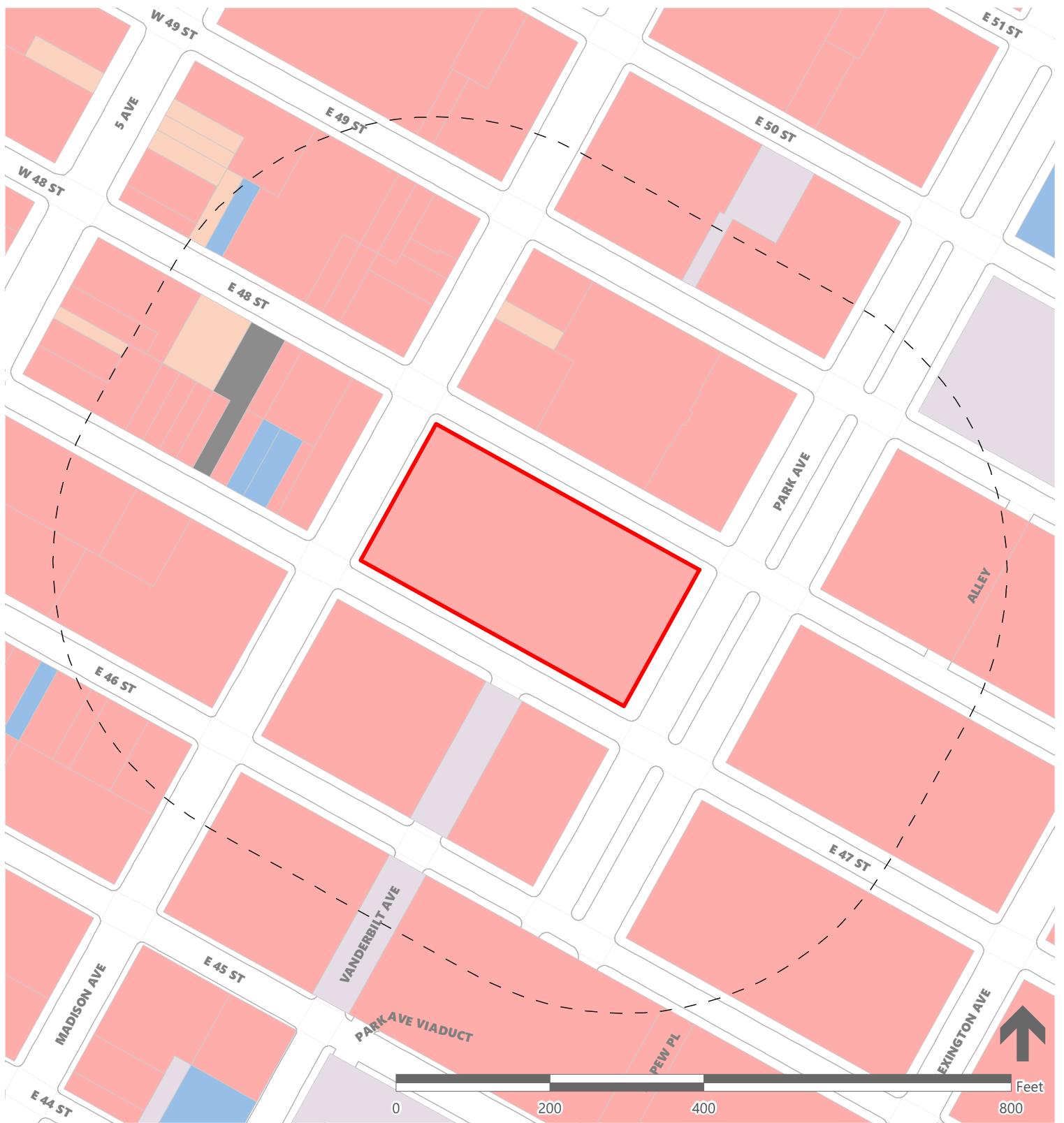
The study area is located within one of the most densely developed areas in New York City, Manhattan's Midtown central business district, and is predominantly characterized by a mix of office towers and mid-rise office buildings located around Grand Central Terminal. Retail uses along Park and Madison Avenues within the study area include a significant number of bank uses, although a wider variety of retail uses are located along Madison Avenue, including restaurants and shops.










#### Zoning

##### Project Site

The project site is located within the East Midtown Subdistrict of the Special Midtown District, within Manhattan's Community District 5. The project site has a lot area of 80,333.2 square feet (sf) and is mapped within a C5-3 zoning district (see **Figure 2.1-2**). The C5-3



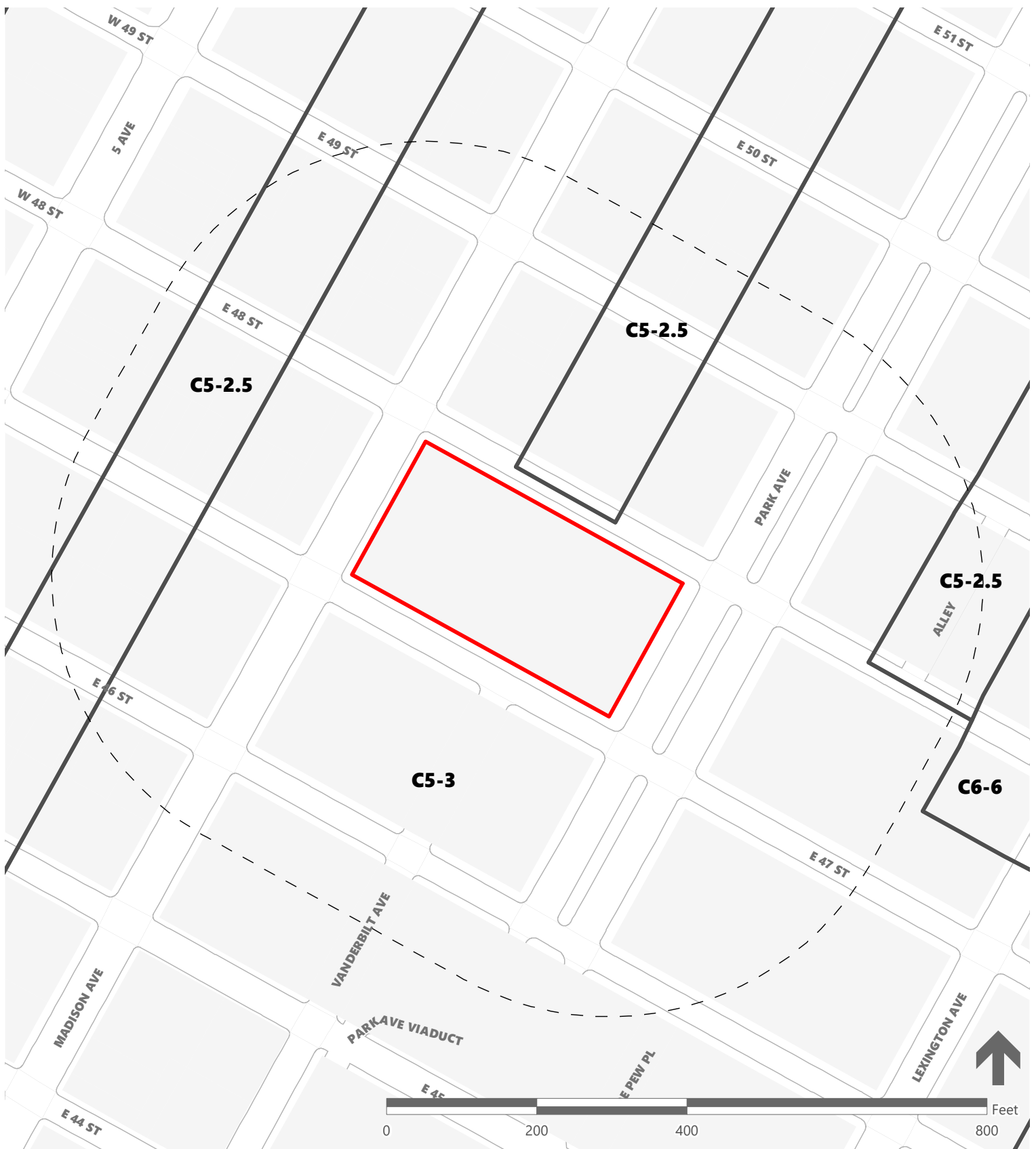


- |   |  |   |
|---|--|---|
|  Project Site                   |  Commercial                         |  Open Space and Recreation |
|  400-Foot Study Area            |  Transportation / Utility           |  Parking                   |
|  Mixed Residential & Commercial |  Public Facilities and Institutions |  Vacant Land               |



## Figure 2.1-1 - Land Use Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



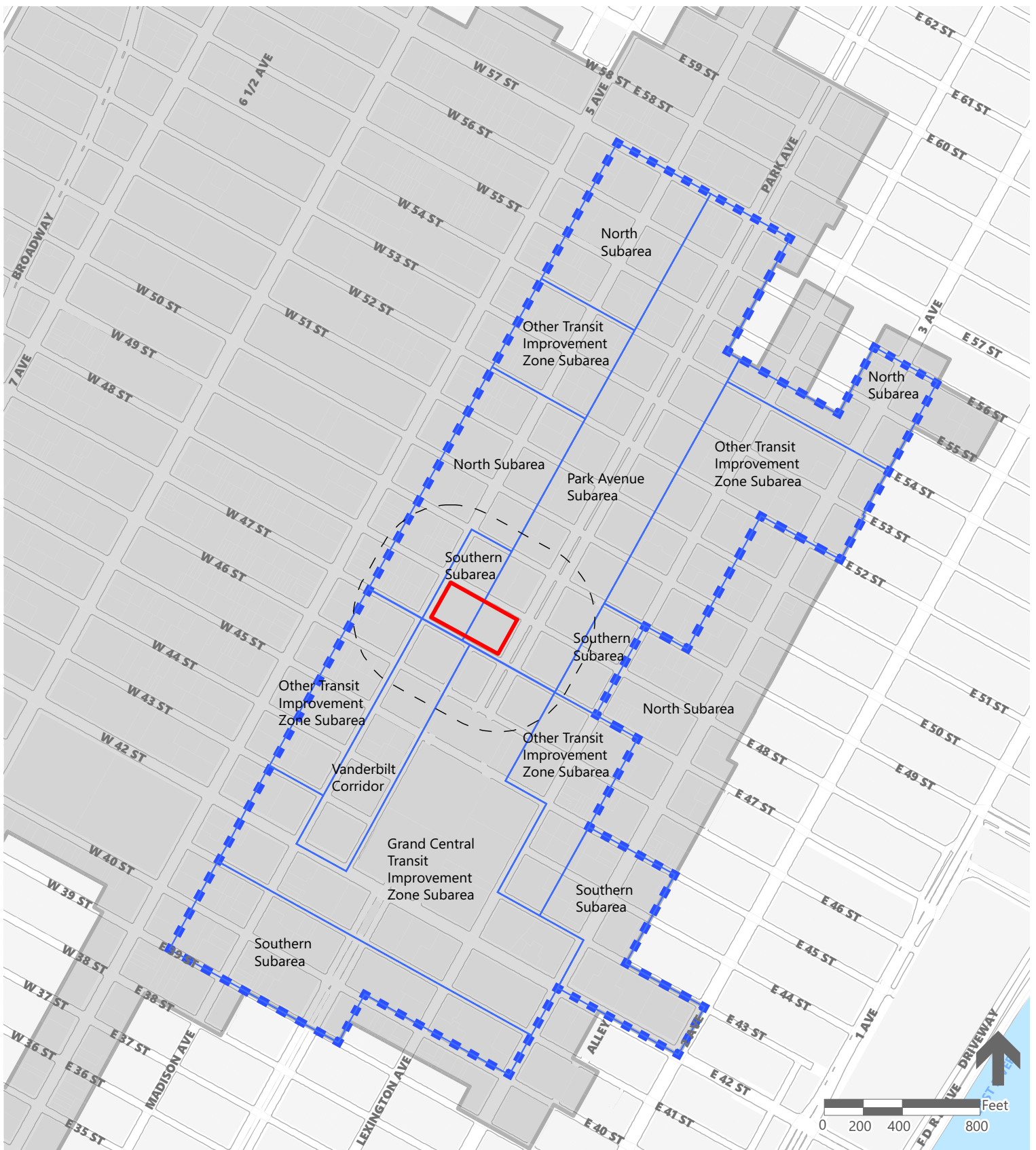
Project Site
  400 Foot Study Area
  Zoning District



## Figure 2.1-2 - Underlying Zoning Districts Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

Note: See Figure 2.1-3 for map of Special Districts/Subdistricts.



  Project Site   
  400-Foot Study Area   
   Special Midtown District   
  East Midtown Subdistrict   
   Subdistrict Subarea



## Figure 2.1-3 - Special District and Subdistrict Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.



zoning district allows commercial development and community facility uses up to a base 15.0 Floor Area Ratio (FAR) and residential uses up to a base 10.0 FAR.

The project site is split between two subareas of the East Midtown Subdistrict. These subareas were designated as part of the Greater East Midtown rezoning, approved by the City Council on August 9, 2017 (Application No. N 170186(A) ZRM). The western portion of the project site (40,166.6 sf of lot area) is located within the Southern Subarea and the eastern portion (40,166.6 sf of lot area) is located within the Park Avenue Subarea (see **Figure 2.1-3**). The maximum commercial floor area may be increased through the transfer of unused development rights from landmarked buildings up to 25.0 FAR in the Park Avenue Subarea and 21.6 FAR in the Southern Subarea.

As detailed in Section 1.0, Project Description, the Greater East Midtown rezoning was an initiative designed to encourage the construction of modern Class A office buildings and reinforce East Midtown's position as a world-class business district; to facilitate the preservation of landmarks in the area by allowing the sale and transfer of floor area to a wider range of properties; and to provide for public realm improvements through the creation of a Public Realm Improvement Fund financed in connection with new commercial developments. The Greater East Midtown rezoning set forth certain requirements for a development site to be a "qualifying site," included in ZR Section 81-681 (Mandatory requirements for qualifying sites). Among these is the requirement that a new building provide publicly accessible space, open or enclosed, depending on the lot area of the property. Paragraph (b)(1) of ZR Section 81-681 specifies the type and minimum size of such spaces, and currently requires any qualifying site with 65,000 square feet or more of lot area (such as the project site) to provide an open publicly accessible space, which, on a site having a through lot portion, must be located across such through lot portion. Paragraph (b)(2) of Section 81-681 sets forth design requirements for required publicly accessible spaces, including requirements related to seating, landscaping, and other amenities.

### **Study Area**

Much of the study area, including the blocks south of the project site as well as the avenue frontages within the study area, is mapped with the C5-3 zoning district. C5-2.5 zoning districts are mapped along the midblocks within the study area between Fifth and Madison Avenues and along the midblocks between Madison and Lexington Avenues north of East 48th Street. C5-2.5 zoning districts permit a base maximum FAR of 12.0 for non-residential uses and 10.0 FAR for residential uses.

The entirety of the study area is located within the East Midtown Subdistrict of the Special Midtown District. The Southern Subarea is mapped between East 47th and East 49th Streets, and between Madison Avenue and the midpoint between Madison and Park Avenues. The Park Avenue Subarea is mapped generally on the eastern half of the study area, east of the midpoint between Madison and Park Avenues. In addition, the Northern Subarea is mapped to the north and west of the project site within the study area. Within the East Midtown Subdistrict, the maximum commercial floor area may be increased by certification up to 18.0 FAR in the Northern Subarea.

## Public Policy

Public policies applicable to the project site and the study area are discussed below.

### OneNYC

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released PlaNYC: A Greener, Greater New York (PlaNYC). Since that time, updates to PlaNYC have been issued that build upon the goals set forth in 2007 and provide new objectives and strategies. In April 2015, the Mayor's Office of Sustainability released OneNYC, a comprehensive plan for a sustainable and resilient city. OneNYC represents a reworking of PlaNYC and focuses on growth, equity, sustainability, and resiliency.

The goals of the plan are to make New York City:

- › A Growing, Thriving City by fostering industry expansion and cultivation, promoting job growth, creating and preserving affordable housing, supporting the development of vibrant neighborhoods, increasing investment in job training, expanding high-speed wireless networks, and investing in infrastructure.
- › A Just and Equitable City by raising the minimum wage, expanding early childhood education, improving health outcomes, making streets safer, and improving access to government services.
- › A Sustainable City by reducing greenhouse gas emissions, diverting organics from landfills to attain Zero Waste, remediating contaminated land, and improving access to parks.
- › A Resilient City by making buildings more energy efficient, making infrastructure more adaptable and resilient, and strengthening coastal defenses.

### Business Improvement Districts

Much of the study area, including the entire project site, falls within portions of the Grand Central Partnership Business Improvement District (GCP BID). The GCP BID was established to stimulate economic activity by developing commercial and service establishments, spurring private investment, and improving the area's physical appearance through enhanced safety and sanitation services, capital improvement and maintenance, tourism and visitor services, and special events and promotion. BIDs are funded by the properties and businesses that lie within their service area. The GCP BID includes an area generally bounded by East 35th and East 54th Streets and Second and Fifth Avenues, and was established in July 1988.

## No-Action Conditions

As described in Section 1.0, Project Description, absent the proposed action, the existing building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant. In accordance with the East Midtown zoning regulations, redevelopment of the project site as a qualifying site with a minimum lot area of 65,000 square feet would include an open, unenclosed publicly accessible space with a minimum area of 10,000 square feet. The No-Action condition would result in a 1,567-foot

tall building totaling approximately 2,419,377 gross square feet (gsf). It would encompass the 10,000-sf unenclosed publicly accessible space excluded from the total building gsf and located midblock on East 47th Street across the through block portion of the project site.

## Land Use and Zoning

In the future No-Action condition, existing land uses on the project site would remain, as the project site would be redeveloped with commercial uses. This use is consistent with the land use patterns of the study area.

As identified as part of the *Greater East Midtown Rezoning Final Environmental Impact Statement (FEIS)* dated May 26, 2017, within the 400-foot study area, two development sites are projected to be completed by the 2024 build year. The two projected development sites include 250 Park Avenue (*Greater East Midtown FEIS* Projected Development Site 6), a 682,902-gsf office building with 24,969 gsf of retail, and 300 Park Avenue (*Greater East Midtown FEIS* Projected Development Site 7), a 859,763-gsf office building with 34,050 gsf of retail. Both sites are projected to remain as commercial uses but would be redeveloped with larger FARs under the No-Action condition. In addition to these projected development sites, a 161-room hotel is being constructed at 12 East 48th Street that is expected to be completed by 2024, which would be consistent with the existing pattern of commercial uses in the area. Therefore, land use patterns would be unaffected. In addition, the Waldorf-Astoria Hotel, located between East 49th and East 50th Streets on the east side of Park Avenue, will be converted from a commercial hotel use to a mixed-use building with hotel rooms and residential dwelling units. This development would not significantly alter the existing pattern of land use in the study area, as other mixed-use buildings are already present.

There are no known zoning changes that are anticipated to affect the project site or study area. The project site and study area would continue to be governed by the various zoning regulations found in the area, as described in the existing conditions section above.

The future No-Action condition on the project site would conform to zoning.

## Public Policy

In the future No-Action condition, there are no known public policy changes that are anticipated to affect the project site or study area.

## With-Action Condition

As described in Section 1.0, Project Description, in the future With-Action condition, the proposed action would facilitate the development of an enclosed publicly accessible open space along Madison Avenue as part of the planned development at the project site to develop a new 70-story, 1,400-foot-tall commercial office building totaling 2,420,609 gross square feet (gsf) (1,871,764 sf of zoning floor area). The proposed publicly accessible open space would be comprised of 7,000 gsf of enclosed space that would adjoin, and have entrances on, a required sidewalk widening along Madison Avenue. The proposed location on Madison Avenue will also allow the publicly accessible open space to be integrated with the access point to the Metro North Rail tracks and passageway to Grand Central Station



located at the southwest corner of the project site. The public space would be a well-lit, climate controlled, inviting interior space, with a minimum height of 30 feet, and it would include at least one retail kiosk and a variety of seating types, including counter seating.

To facilitate the proposed project, the proposed action would amend certain provisions of ZR Section 81-681(b) (Mandatory publicly accessible space requirements for qualifying sites) governing qualifying sites to create a new paragraph (b)(1)(iv) applicable to zoning lots with a lot area of 80,000 square feet or more that are to be developed with a single building and include an existing entrance to a mass-transit rail facility located outside the through lot portion of such zoning lot, in order to allow, as an alternative to open publicly accessible space required pursuant to paragraph (b)(1)iii, an enclosed publicly accessible space that includes or is adjacent to the mass-transit rail facility entrance and that adjoins the street or a required sidewalk widening.

On a full block site such as the project site, which measures approximately 200 feet by 400 feet, this text requires an open space configured either as a 50-foot wide area running north-south across the through lot portion of the site, or as a 25-foot deep, 400-foot wide space running across the through lot portion along the southern lot line. The first configuration would require development of two separate buildings, with separate cores and building systems and would preclude construction of a world-class headquarters building. The second configuration would allow for construction of a single building, but would make use of the project site for a world class headquarters building less desirable for two key reasons: (i) the 'carve out' of space in the midblock would both reduce the size of the floor plates that can be provided at the base of the building, and result in an irregular floor plate configuration; and (ii) the floor plate of the tower that could be provided above the base would be reduced in size, requiring additional floors to be constructed in order to achieve the floor space required for headquarters use.

Where the location of the publicly accessible open space would be on the only portion of the project site not located above a below-grade transit right of way, i.e., the Metro North Rail train shed, the minimum area of such a space would be 7, 000 square feet of enclosed publicly open space including within the mass-transit rail facility entrance or, if the Metropolitan Transportation Authority determines that the entrance should not be enclosed, the required area would be 6,500 square feet of enclosed publicly open space and 500 square feet of unenclosed publicly accessible space adjacent to the entrance. Co-location of the publicly accessible space and the transit entrance would provide commuters and visitors to the area, as well as residents, with an attractive year-round public space convenient to East Midtown's transportation network. Configuration of the publicly accessible space as an enclosed space running north-south along the Madison Avenue frontage would allow for full, regularly configured building floorplates above.

Paragraph (b)(2) of Section 81-681 sets forth design requirements for required publicly accessible spaces, including for enclosed publicly accessible spaces. The proposed text amendment would modify certain of these requirements, governing hours of operation, seating and retail bounding for an enclosed publicly accessible space provided on the project site pursuant to new Paragraph (b)(1)(iv), as follows:

- › Paragraph (b)(2)(iii), governing hours of access, would be modified to permit the enclosed publicly accessible space to host public events and to be closed for up to six non-consecutive private events per year;
- › Paragraph (b)(2)(vii), governing seating requirements, would be modified to permit up to twenty-five percent of moveable seats to be provided as stools with a height of 32 inches, to facilitate counter-style workspace seating; and
- › Paragraph (b)(2)(x) would be modified to provide that in lieu of retail bounding such an enclosed publicly accessible space, at least one kiosk with an area between 300 and 700 square feet must be provided and at least 50 percent of the bounding wall of the space must either be used for vertical planting, art work, or a combination thereof, or incorporate architectural elements or other design features of visual interest.

## Land Use

In the With-Action condition, land uses on the project site would be the same as the No-Action condition, including commercial office uses with retail space on the ground floor and publicly accessible open space. Regarding the open space, the proposed action would facilitate the development of a publicly accessible open space that would differ from that under the No-Action condition. While the open space would be smaller (3,000 sf less than under the No-Action condition), it would be enclosed and would provide a new and different form of year-round public open space for the area. The climate controlled open space would be located along Madison Avenue as opposed to an unenclosed open space along East 47th Street, and would be available to host public events and up to six private events per year.

## Zoning

As described above, the proposed action is a text amendment to modify ZR Section 81-681(b) with respect to publicly accessible open space requirements. The proposed action would facilitate the construction of a new Class A office tower that better meets the needs of the Applicant, a 21st century banking institution, for its headquarters building. Development of a new Class A office tower on the project site in accordance with the new zoning requirements for publicly accessible space would cut into the footprint along the through lot portion of the building with the open publicly accessible space along East 47th Street, and therefore not allow for the flexibility in the layout of a headquarters building that is needed. The proposed action would allow for the open space to be located along Madison Avenue, thereby facilitating the development of a needed larger floor-plate. The open space located along Madison Avenue would be somewhat smaller than under current regulations (7,000 sf vs. 10,000), while taking the form of a year-round, enclosed space rather than an unenclosed space. The enclosed space would provide opportunities for passive recreation in the area within a year-round climate-controlled environment, and would include movable seating, a food and beverage kiosk, plantings and artwork as well as operate as a venue for public events and up to six private events per year.

The proposed zoning text amendment would be compatible with the new zoning regulations enacted as part of the Greater East Midtown rezoning, as well as the stated goals of that initiative, as it would facilitate development of new office space to replace outdated office

stock while satisfying requirements for the provision of on-site public amenities, contributing to the prominence of the East Midtown business district.

Table 1-1 is Section 1.0, Project Description, outlines the increment for analysis between the No-Action and With-Action conditions. As shown, the With-Action condition would result in an increase of 1,232 gsf in building square footage, a decrease of 3,000 sf of publicly accessible open space, and a decrease in the height of the building of 167 feet. The proposed action would not modify the permissible FAR or height and bulk regulations on the project site or in the study area.

Therefore, the proposed action would not result in significant adverse impacts to zoning on the project site or within the study area, but instead, like the No-Action condition is expected to have a beneficial effect on the neighborhood by contributing to the supply of new premier office space and open space, thereby advancing the goals of the Greater East Midtown rezoning.

### Public Policy

Based on the evaluation provided below, the proposed action would be consistent with applicable policies.

#### OneNYC

The proposed action is consistent with the goals of OneNYC as it would help support the City's growing population by promoting job growth through the preservation of the area as part of a premiere office district. The proposed action would not create or preserve affordable housing due to its location primarily within an office district, but it would involve investment in open space amenities, an identified need in the area, and therefore would support key goals of OneNYC.

#### Business Improvement District

The proposed action would not alter or conflict with the goal of the Grand Central Partnership, as it would result in new development and would reinforce the area's commercial stature. In addition, the proposed action would improve the area's pedestrian and built environments by providing visual interest along the street front and resting and gathering space for pedestrians and workers, making the area a better place to work and visit.

## 2.1-3 Conclusions

As described above, the development resulting from the proposed action would be consistent with the area's land use patterns and the recent zoning regulations enacted as part of the Greater East Midtown rezoning. The proposed project would maintain and enhance the existing land use character within the study area through the provision of new Class A office space and a publicly accessible open space along Madison Avenue. The proposed action would be compatible with applicable public policies. Therefore, the proposed action would not result in any significant adverse impacts to land use, zoning, or public policy.



## 2.2

### Open Space

This section assesses the potential impacts of the proposed action on open space. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* defines open space as publicly or privately-owned land that is publicly accessible and available for leisure, play, or sport, or is set aside for the protection and/or enhancement of the natural environment.

#### 2.2-1 Introduction

The proposed action would consist of a zoning text amendment of Zoning Resolution (ZR) Section 81-681(b) to modify publicly accessible space requirements to permit an enclosed publicly accessible space on the project site's Madison Avenue frontage and to modify retail continuity requirements in order to permit the enclosed publicly accessible open space at this alternative location.

This would result in the construction of a 7,000 gross square feet (gsf) of enclosed publicly accessible space, which would be a decrease of 3,000 gsf in publicly accessible space from

the No-Action condition.<sup>1</sup> Therefore, this section examines the potential of the proposed action to result in significant adverse direct impacts on open space resources.

## 2.2-2 Methodology

### Direct Effects Analysis

Consistent with the *CEQR Technical Manual*, a direct effects analysis should be performed if a proposed project would directly affect open space conditions by causing the loss of public open space, changing the use of an open space so that it no longer serves the same user population, limiting public access to an open space, or increasing noise or air pollutant emissions, odor, or shadows that would temporarily or permanently affect the usefulness of a public open space. A proposed project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The proposed action would result in a loss of 3,000 gsf of public open space. As such, a direct effects open space analysis was conducted.

### Study Area

As described in the *CEQR Technical Manual*, an open space study area is defined by the reasonable walking distance users would travel to reach open spaces and recreational areas—typically a quarter-mile for non-residential populations. According to the *CEQR Technical Manual* guidelines, all census tracts that have at least 50 percent of their area within the half-mile radius are entirely included in the study area, and all census tracts with less than 50 percent within the radius are entirely excluded. Based on the methodology described above, the commercial open space study area was defined and comprises 5 census tracts: New York County Census Tracts 92, 94, 96, 100, and 102 (see **Figure 2.2-1**).

### Open Space User Populations

#### Existing Conditions

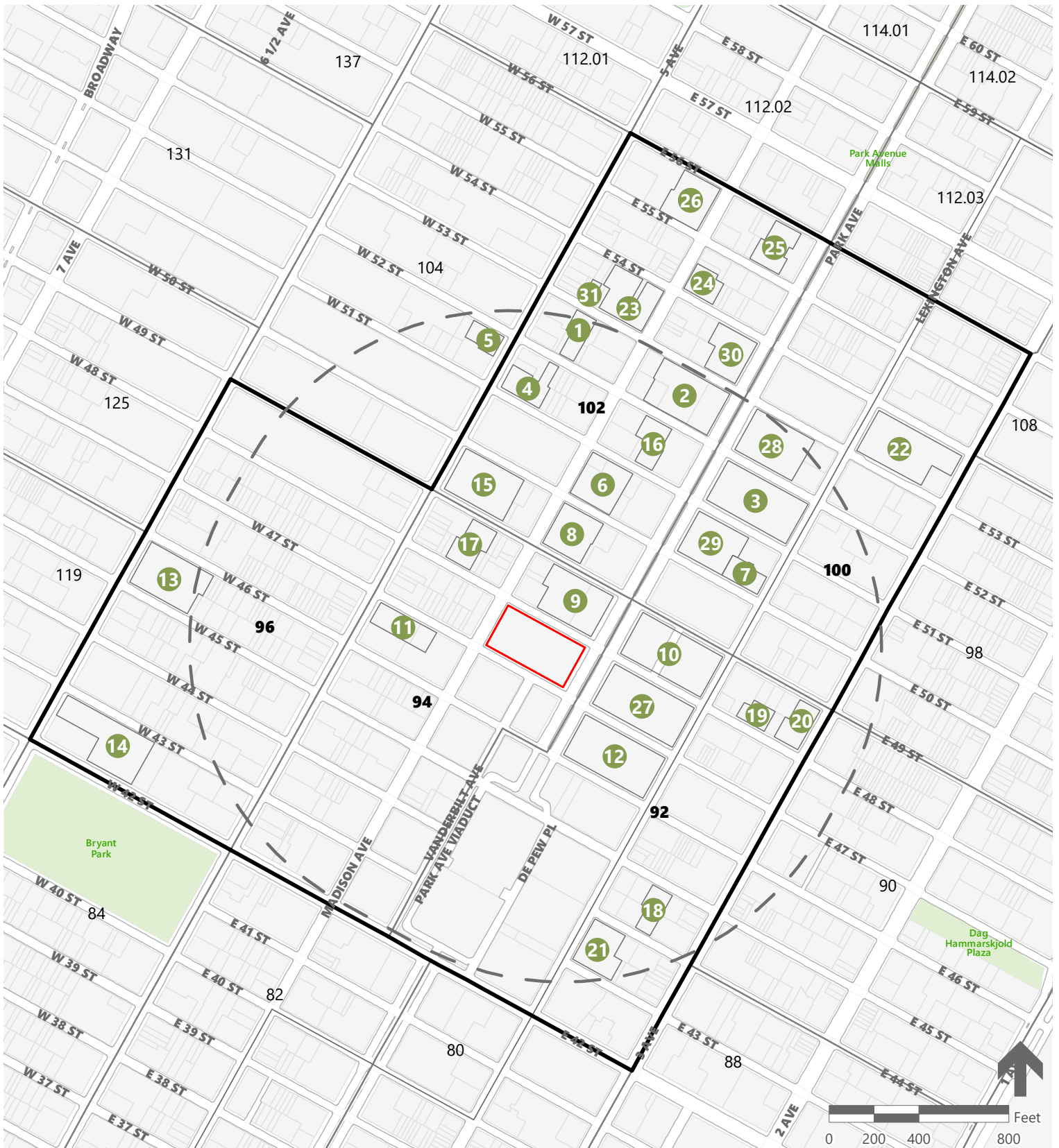
The worker population in the study area census tracts was estimated using US Census' Longitudinal Employer-Household Dynamics Origin-Destination Employment Statistics (LODES) 2015 data. As noted in the EAS form and Section 1, Project Description, approximately 6,000 employees work at the existing building at the project site.

#### The Future No-Action Condition

Within the ¼-mile study area, eight new developments ("No-Action" projects) are anticipated to be constructed by 2024. There are three projected development sites located in the study area that were identified in the *Greater East Midtown Rezoning Final*

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<sup>1</sup> The proposed zoning text amendment also provides that in the event that the Metropolitan Transportation Authority has determined that the rail mass transit entrance should not be included within the enclosed publicly accessible space, the enclosed space may be reduced to 6,500 square feet. In that event, the publicly accessible space would include an unenclosed 500 sf publicly accessible space providing direct pedestrian access to the rail mass transit entrance.



Project Site
  400-Foot Radius
  Study Area
  Census Tracts
 # POPS/Public Plazas



## Figure 2.2-1 - Open Space Resources Map

270 Park Avenue Text Amendment  
 Prepared For: JPMorgan Chase Bank, N.A.



*Environmental Impact Statement (FEIS)* that are projected to be built by 2024. The number of workers introduced by these developments were added to the existing study area populations to calculate the total worker population in the study area in the No-Action condition. The No-Action condition at the project site itself would result in a net increase of 5,757 employees over existing conditions.

#### ***The Future With-Action Condition***

As a result of the proposed action, there would be no incremental increase in the number of workers in the With-Action condition as compared to the No-Action condition.

#### **Inventory of Open Space Resources**

The *CEQR Technical Manual* defines public open space as open space that is publicly or privately owned and is accessible to the public on a regular basis, either constantly or for designated daily periods of time. Open spaces that are only available for limited users or are not available to the public on a regular or constant basis are not considered public open space but may be considered in a qualitative assessment of open space impacts.

#### ***Existing Conditions***

Publicly accessible open space resources in the study area were inventoried through the latest available data obtained from the NYC Department of City Planning (NYC DCP) Capital Planning Division and New York City Geographic Information System (GIS) data. Open space may be characterized as passive, active, or a mixture of active and passive. Active open space is used for exercise, sports, or active children's play. Examples include playgrounds, athletic fields or courts, pools, and greenways. Passive open spaces allow for activities such as strolling, reading, sunbathing, and people watching. Examples include plazas, walking paths, gardens, and certain lawns with restricted uses. Esplanades are an example of open space that may be used for active uses such as running and biking or passive uses such as dog walking.

No publicly-owned public open spaces were identified within the commercial study area. However, there are several privately-owned public spaces (POPS) and public plazas located in the study area.

#### ***No-Action Condition***

Under the No-Action condition, a 10,000 gsf unenclosed publicly accessible space would be built at the project site. There are no other planned changes to existing open spaces or new open space resources to be created in the study area.

#### ***With-Action Condition***

The proposed project would result in the development of 7,000 gsf of enclosed publicly accessible space as opposed to the 10,000-sf public space in the No-Action condition. As previously noted, if the Metropolitan Transportation Authority determines that the rail mass-transit entrance should not be included within the enclosed publicly accessible space, the space may be reduced to 6,500 square feet. In that event, the publicly accessible space

would include an unenclosed 500 sf publicly accessible space providing direct pedestrian access to the rail mass transit entrance. This analysis therefore assumes that the total size of the publicly accessible open space is 7,000 gsf.

## **Adequacy of Open Space Resources**

### ***Comparison to City Guidelines***

The adequacy of open space in the study area is based on ratios of usable open space acreage to the study area population (the "open space ratio"). For nonresidential populations, 0.15 acres of passive open space per 1,000 non-residents is typically considered adequate.

### ***Impact Assessment***

The determination of significant adverse impacts is based on how a project would change the open space ratios in the study area, as well as qualitative factors not reflected in the quantitative assessment. According to the *CEQR Technical Manual*, if a proposed project would reduce an open space ratio and consequently result in overburdening existing facilities, or if it would substantially exacerbate an existing deficiency in open space, it may result in a significant impact on open space resources.

In general, if (1) a study area's open space ratios fall below City guidelines, and (2) a proposed project would result in a decrease in the open space ratio of more than five percent, it could be considered a substantial change. However, in areas that have been determined to be extremely lacking in open space, a reduction as small as one percent may be considered significant.

## **Indirect Effects Analysis**

An indirect effects analysis should be performed if a project would add sufficient population, either residents or non-residents, to noticeably diminish the capacity of open space in an area to serve the future population. The threshold for such an analysis is whether the project would introduce more than 200 residents or 500 workers to the area.<sup>2</sup> As described in Section 1.0, Project Description, the proposed action would not introduce additional residents or workers to the area compared to the No-Action condition; therefore, an indirect effects open space analysis was not warranted.

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<sup>2</sup> This is for areas identified as neither underserved or well-served by existing open space resources. See page 7-4 of the *CEQR Technical Manual*.

## 2.2-3 Preliminary Assessment

### Existing Conditions

#### Study Area Population

According to 2015 data, the commercial study area has a worker population of approximately 245,417 persons (see **Table 2.2-1**).

**Table 2.2-1 Existing Worker Population in the Commercial Study Area**

Census Tract	Worker Population
92	58,026
94	55,895
96	48,290
100	38,334
102	44,872
<b>Total</b>	<b>245,417</b>

Source: Longitudinal Employer-Household Dynamics (LEHD) Origin Destination Employment Statistics (LODES), OnTheMap Application, 2015 Census.

#### Study Area Open Space Resources

Although the study area does not contain any parks or playgrounds, it does include a variety of privately-owned spaces, including public plazas, that are accessible for use by the public, as outlined in **Table 2.2-1**. As depicted in **Figure 2.2-1** and **Table 2.2-2**, there are 31 POPS within the quarter-mile study area (all of which are considered passive open space), totaling approximately 7.85 acres of open space. Several of these resources are located along the Avenues in the study area, including the public plazas located at 437 Madison Avenue and 455-457 Madison Avenue.

**Table 2.2-2 Existing Residential Study Area Public Plazas/POPS**

Map No.	Building Address/Name	Block/Lot	Features and Amenities	Acres
1	10 East 53rd Street/Harper Collins	1288/7	Bike parking, lighting, planters, seating, tables, trees	0.15
2	55 East 52nd Street/Park Avenue Plaza	1288/24, 27, 33	Lighting, planters, seating, tables, trees, ornamental fountain, skylight	0.3
3	345 Park Avenue	1306/1	Benches, ledge seating, planters	0.57
4	645 Fifth Avenue/Olympic Tower	1287/1, 63, 69, 71	Lighting, planters, seating, tables, fountain, museum display space on street level, informational desk, WiFi, skylight, telephones, museum shop at lower level foyer	0.2



**Table 2.2-2 Existing Residential Study Area Public Plazas/POPS (cont.)**

5	650 Fifth Avenue	1267/41	Lighting, planters, seating, tables, trees, pedestrian bridge, covered pedestrian space	0.08
6	455-457 Madison Avenue/New York Palace Hotel	1286/21, 53	Planters, seating, fountain/reflecting pool	0.14
7	560 Lexington Avenue	1305/13	Lighting, planters, seating, subway access, tables, trees	0.14
8	437 Madison Avenue	1285/21	Bike parking, lighting, planters, seating, tables, trees	0.29
9	280 Park Avenue	1284 /26, 33	Bike parking, lighting, planters, seating, tables, trees	0.4
10	299 Park Avenue, Westvaco	1303/1, 14	Benches, trees	0.36
11	575 Fifth Avenue	1282/64, 65	Lighting, planters, benches, tables	0.08
12	245 Park Avenue	1301/1	Bike parking, lighting, planters, seating, tables	0.7
13	1166 Sixth Avenue	1261/7501	Bike racks, lighting, planters, seating, tables, trees, water fountain, florist/food concession stand	0.63
14	1114 Sixth Avenue/Grace	1258/9	Planters, seating, tables, open air café, kiosk, lighting	0.54
15	611 Fifth Avenue/Saks Tower	1285/7501	Lighting, planters, seating	0.03
16	40 East 52nd Street	1287/27-31, 42, 44, 143	Lighting, seating, trees, pool, and fountain	0.09
17	12 East 49th Street/Tower 49	1284/7	Lighting, planters, seating, tables, trees	0.26
18	140 East 45th Street/Two Grand Central Tower	1299/27	Lighting, seating, trees, planters	0.14
19	141 East 48th Street/Cosmopolitan	1301/7501	Bike parking, lighting, planters, seating, trees, open air café	0.06
20	780 Third Avenue	Block 1303, Lot 33	Lighting, seating, trees	0.15
21	425 Lexington Avenue	1298/23	Seating, tables, trees, planters	0.1
22	153 East 53rd Street/Citigroup Center	1308/7501	Planters, seating, tables, trees	0.45
23	520 Madison Avenue	1289/14	Seating, tables, trees, waterwall and reflecting pool	0.18
24	535 Madison Avenue/Warbug Dillon Read	1290/21	Seating, tables, trees, planters, waterwall, reflecting pool, food kiosk	0.15
25	65 East 55th Street/Park Avenue Tower	1291/28	Lighting, seating, trees	0.15

**Table 2.2-2 Existing Residential Study Area Public Plazas/POPS (cont.)**

26	550 Madison Avenue/Sony	1291/10	Lighting, seating, tables, trees, exhibit area, mobile vending cart	0.31
27	277 Park Avenue (public plaza)	1302/7501	Ledge seating, trees	0.13
28	375 Park Avenue (public plaza)	1307/1	Planters, trees, ledge seating, fountain, reflecting pool	0.58
29	321 Park Avenue (public plaza)	1305/1	Trees, planters, outdoor restaurant	0.29
30	380 Park Avenue (public plaza)	1289/36	Seating, planters, trees	0.09
31	3 East 53rd Street/Paley Park (public plaza)	1289/6	Tables, seating, planters, trees, waterwall	0.1
<b>Total Acres</b>				<b>7.85</b>

Source: NYC Department of City Planning Capital Planning Division, NYC Department of Information Technology & Telecommunications

### Adequacy of Open Spaces

As mentioned previously, all 31 existing POPS/public plazas in the study area are considered passive open space. **Table 2.2-3** shows the ratio of existing open space per 1,000 workers in the study area. The study area has a passive open space ratio of 0.0320 acres per 1,000 workers, which is approximately 97 percent less than the City's guideline of 0.15 acres of passive open space per 1,000 workers.

**Table 2.2-3 Existing Conditions – Adequacy of Open Space Resources**

Total Population	Open Space Acreage		Open Space Ratio (Acres per 1,000 People)		DCP Open Space Guideline
	Total	Passive	Total	Passive	Passive
<b>Commercial (0.25-Mile) Study Area</b>					
245,417	7.85	7.85	0.0320	0.0320	0.15

### No-Action Condition

#### Study Area Population

In the No-Action condition, an additional 5,757 employees would be introduced to the project site.

As described above, there are several No-Action projects planned or under construction in the study area that are expected to be completed by 2024. As shown in **Table 2.2-4**, only three of the projected development sites identified in the *Greater East Midtown Rezoning FEIS* that are located in the study area are expected to be completed by 2024. These projected development sites and No-Action projects would introduce approximately 20,279 new workers to the study area. The total worker population in the study area would increase to approximately 265,696 workers in the study area.

**Table 2.2-4 No-Action Projects and Projected Development Sites**

Project Name/ Address	Description	Projected Employees <sup>1</sup>
270 Park Avenue (project site)	2,419,377 gsf office building	<b>5,757<sup>2</sup></b>
516-520 Fifth Avenue	145 residential units, 234 hotel rooms, and 35,000 sf retail	<b>198</b>
One Vanderbilt – 10 Vanderbilt Avenue	1.8 million sf office, retail, and restaurant components	<b>8,083<sup>3</sup></b>
550 Fifth Avenue	57,130 sf retail building	<b>229</b>
138 East 50th Street	124 residential units and 4,588 sf retail space	<b>19</b>
12 East 48th Street	Hotel building with 161 rooms	<b>60</b>
10 West 48th Street	31,819 sf retail	<b>96</b>
100 East 53rd Street	94 residential units and 23,267 sf retail	<b>74</b>
425 Park Avenue	512,693 sf office	<b>2,051</b>
Greater East Midtown Projected Development Site 6 – Park Avenue between East 46th Street and East 47th Street	682,902 sf office and 24,969 sf retail	<b>1,038</b>
Greater East Midtown Projected Development Site 7 – Park Avenue between East 49th Street and East 50th Street	859,763 sf office and 34,050 sf retail	<b>991</b>
Greater East Midtown Projected Development Site 17 – midblock between Madison Avenue and Fifth Avenue and East 51st Street and East 52nd Street	439,990 sf office and 22,584 sf retail <sup>4</sup>	<b>1,683</b>
<b>Total Projected Employees<sup>5</sup></b>		<b>20,279</b>

<sup>1</sup> For No-Action projects identified in the *Greater East Midtown Rezoning FEIS*, the projected number of employees were assumed using the estimated employee numbers published in the FEIS. For No-Action projects not identified in the *Greater East Midtown Rezoning FEIS* or for No-Action projects identified in the *Greater East Midtown Rezoning FEIS* where the development program has changed since the publication of the FEIS, the projected number of employees was calculated assuming 1 employee per 250 sf of office, 3 employees per 1,000 sf of retail, 1 hotel employee per 2.67 hotel rooms, and 1 residential building employee per 25 dwelling units.

<sup>2</sup> There are currently 6,000 employees working at the existing building at the project site. Projected employees at the project site only includes the additional 5,757 employees that would be introduced at the project site in the No-Action condition.

<sup>3</sup> Reflects projected employees and visitors based on the increment of development (change between No-Action and With-Action conditions) for One Vanderbilt as set forth in the *Vanderbilt Corridor and One Vanderbilt FEIS*.

<sup>4</sup> Projected employees for the Greater East Midtown projected development sites is based on the increment of development (change between No-Action and With-Action conditions) for each projected development site) as set forth in the *Greater East Midtown Rezoning FEIS*.

<sup>5</sup> Total projected employees include additional employees from all No-Action projects and only Greater East Midtown projected development sites that would be completed by 2024 (Projected Development Sites 6, 7, and 17).

Source: No-Action projects were identified using data from the NYC Department of Buildings. Projected development sites were identified in the *Greater East Midtown Rezoning FEIS*.



### Study Area Open Spaces

In the No-Action condition, an as-of-right commercial building would be developed at the project site. As described previously, this development would include 10,000 gsf (0.23 acres) of unenclosed publicly accessible space to be added to the existing inventory of open space resources in the study area. In addition, a 0.28-acre public plaza (identified in the *Greater East Midtown Rezoning FEIS*) will be constructed on the west side of Vanderbilt Avenue between East 42nd and East 43rd Streets. This plaza will be part of One Vanderbilt, which is scheduled to be completed in 2020.

Furthermore, according to the *Greater East Midtown Rezoning FEIS*, Projected Development Site 7 is required to have 3,405 sf (0.08 acres) of enclosed publicly accessible space and Projected Development Site 17 is required to have 4,694 sf (0.11 acres) of enclosed public space for a total of 8,099 sf (0.19 acres) of public space.

The additional 0.19 acres of public space required at Projected Development Sites 7 and 17, the 0.28-acre public plaza at One Vanderbilt, and the 0.23-acre public space to be built at the project site in the No-Action condition are all incorporated into the quantitative assessment. Overall, the total amount of open space is expected to increase to approximately 11.17 acres (a 0.7-acre increase), all of which would be considered passive open space.

The NYC Department of Transportation (NYC DOT) also has plans to turn the portion of East 43rd Street between Lexington Avenue and Third Avenue into a shared street that would be completed by 2021. The proposal would include additional public space for pedestrians, though the total square footage is currently unknown. Therefore, this project was not incorporated into the quantitative analysis but is discussed qualitatively below.

Furthermore, as stated in the *Greater East Midtown Rezoning FEIS*, the rezoning would result in public realm improvements that would provide additional open space. In the study area, this would include corridor improvements to Park Avenue consisting of widening the central median, which would result in an additional 1.95 acres of open space. However, because these improvements are subject to the Governing Group's approval and funding, the exact timing for implementation is unknown. As such, the additional acreage from these improvements was not included in the quantitative assessment but is discussed qualitatively.

### Adequacy of Open Spaces

Because additional workers would be introduced to the study area in the No-Action condition, the total open space ratio would decrease. The ratio of passive open space per 1,000 workers would be 0.0322 acres, which is approximately 97 percent less than the recommended guideline of 0.15 acres of passive open space per 1,000 workers (see [Table 2.2-5](#)).

**Table 2.2-5 No-Action Condition – Adequacy of Open Space Resources**

<b>Total Population</b>	<b>Open Space Acreage</b>		<b>Open Space Ratio (Acres per 1,000 People)</b>		<b>DCP Open Space Guideline</b>
	<b>Total</b>	<b>Passive</b>	<b>Total</b>	<b>Passive</b>	<b>Passive</b>
<b>Commercial (0.25-Mile) Study Area</b>					
265,696	8.55	8.55	0.0322	0.0322	0.15

### With-Action Condition

#### Study Area Population

In the With-Action condition, the proposed project would not introduce additional workers to the project site or the study area as compared to the No-Action condition.

#### Study Area Open Spaces

In the With-Action condition, the proposed action would result in the development of a commercial building including 7,000 gsf of enclosed publicly accessible space. As discussed previously, this would be a 3,000 gsf decrease in publicly accessible space from the No-Action condition.

#### Adequacy of Open Spaces

As shown in **Table 2.2-6**, the decrease in public space would result in a lower open space ratio than in the No-Action condition. The passive open space ratio in the With-Action condition would decrease to 0.0319, which represents a 0.93 percent reduction in the open space ratio.

**Table 2.2-6 With-Action Condition – Adequacy of Open Space Resources**

<b>Total Population</b>	<b>Open Space Acreage</b>		<b>Open Space Ratio (Acres per 1,000 People)</b>		<b>DCP Open Space Guideline</b>
	<b>Total</b>	<b>Passive</b>	<b>Total</b>	<b>Passive</b>	<b>Passive</b>
<b>Commercial (0.25-Mile) Study Area</b>					
265,696	8.48	8.48	0.0319	0.0319	0.15

As described earlier, a proposed project would result in significant adverse open space impacts if (1) a study area's open space ratios fall below City guidelines, and (2) a proposed project would result in a decrease in the open space ratio of more than five percent. In areas that have been determined to be extremely lacking in open space, a reduction as small as one percent may be considered significant. Because the With-Action open space ratio is significantly lower than the City guideline of 0.15 acres per 1,000 workers, the study area may be considered lacking in open space.

Although the study area's open space ratio is below the City guideline of 0.15 acres per 1,000 workers, the proposed action would result in a decrease in the study area's open space

ratio that is less than one percent and no significant adverse impact would result. Further, the quantitative analysis does not account for Central Park, a regional park totaling approximately 840.01 acres of open space and one of the largest open space resources in Manhattan. Central Park, which is located approximately just 0.3 miles north of the study area (0.56 miles north of the project site), would provide additional active and passive open space to workers within walking distance of the park. Also, as previously noted, the shared street to be implemented at 43rd Street between Lexington and Third Avenues would provide additional public space for study area workers. In addition, according to the *Greater East Midtown FEIS*, potential corridor improvements to Park Avenue could result in an additional 1.95 acres of open space for study area open space users.

Under the No-Action condition, the space would be open year-round but would be unenclosed. Therefore, users would be less likely to utilize the space during colder months or during adverse weather. The publicly accessible space proposed in the With-Action condition would be an enclosed space, a new and different form of public open space for the area that would be expected to be utilized by the study area population year-round in a temperature-controlled environment. The space would include a retail kiosk along with various types of seating, landscaping and artwork, and be a venue for public events as well as up to six private events per year. These features would increase the attractiveness of the space to the public, as well as help enliven and improve the vitality of Madison Avenue corridor. The transparent street wall of the enclosed public open space would provide high visibility to the historic landmark across the street, 400 Madison Avenue.

Furthermore, unless the MTA determines otherwise, the proposed enclosed public space would incorporate the access point to the Metro North tracks and passageway to Grand Central Station located at the southwest corner of the project site and provide an attractive space for passive enjoyment for ridership exiting from or traveling to trains. The enclosed public open space would also be expected to serve the worker population in the overall East Midtown office district area by providing seating opportunities that could be used as informal work space and meeting places.

As such, the proposed action is not expected to result in a significant adverse impact on open space within the commercial study area.

## 2.2-4 Conclusion

According to the *CEQR Technical Manual*, direct impacts may occur when a proposed action result in the displacement or physical alteration of an open space. However, direct impacts may not always result in adverse effects to open space.

The proposed action would result in a decrease of 3,000 gsf in publicly accessible space from the No-Action condition. This would result in a lower open space ratio in the With-Action condition as opposed to the No-Action condition. However, the decrease would represent a reduction of less than one percent from the No-Action condition. Although the With-Action open space ratio would remain significantly lower than the City's guideline of 0.15 acres per 1,000 workers, a future shared street at 43rd Street between Lexington and Third Avenues and potential corridor improvements to Park Avenue could result in additional open space



resources for study area workers. The 840.01-acre Central Park is located just outside of the study area boundary would also provide an additional resource.

Further, although the With-Action public space would be smaller than the No-Action public space, as described above, it would provide a new and different form of year-round public open space for the area. The proposed enclosed public open space would include a number of features that would make it attractive to the general user population and help enliven the Madison Avenue corridor. In addition, the enclosed public space would improve the commuter experience by providing a high-quality public amenity at an entrance to the Metro North tracks.

Accordingly, the proposed action would not result in any significant adverse impacts to open space.

## 2.3

### Historic and Cultural Resources

This section assesses the potential for the proposed action to result in significant adverse impacts on historic and cultural resources, including both archaeological and architectural resources located on the project site or in the surrounding area.

#### 2.3-1 Introduction

The project site is located across from a designated landmark (NYCL), 400 Madison Avenue, and there are several NYCL and/or State/National Registers of Historic Places (S/NR)-listed and/or eligible historic resources identified within a 400-foot study area surrounding the project site, including the project site itself. The project site was identified as an NYCL-eligible historic resource in the *Greater East Midtown Rezoning Final Environmental Impact Statement* dated May 26, 2017. An assessment of historic and cultural resources is therefore provided.

#### 2.3-2 Methodology

The *2014 CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYCL properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the S/NR, or contained within a district listed in or formally determined eligible for S/NR listing;

properties designated by the New York State Historic Preservation Office (SHPO) within the Office of Parks, Recreation and Historic Preservation (OPRHP) as eligible for listing on the S/NR, National Historic Landmarks (NHL); and properties not identified by one of the programs or agencies listed above but meet their eligibility requirements.

Archaeological resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. The proposed action would not result in any new or deeper in-ground disturbance as compared to the No-Action condition and therefore would not result in a significant adverse impact on archaeological resources.

According to the *2014 CEQR Technical Manual*, architectural resources should be surveyed and assessed if the proposed action would result in any of the following—whether or not any known historic resources are located near the site of the project: new construction, demolition, or significant physical alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure, object or landscape feature; construction—including but not limited to excavating vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and introduction of significant new shadows or significant lengthening of the duration of existing shadows on an historic landscape or on an historic structure, if the features that make the structure significant depend on sunlight.

### 2.3-3 Preliminary Assessment

Architectural resources are defined as buildings, structures, objects, sites, or districts that are S/NR listed or determined eligible for such listing. The study area to assess the proposed action's potential direct and indirect effects on architectural resources is determined to be 400 feet from the project site, following the guidelines of the *CEQR Technical Manual*. This 400-foot radius is typically considered adequate for the assessment of historic resources in terms of physical, visual, and historical relationships. Direct effects include demolition of a resource and alterations to a resource that cause it to become a different visual entity. Unless proper protection measures are put in place, a resource could also be damaged by adjacent construction activities such as blasting, pile driving, falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would occur within 90 feet of a historic resource, as defined in the Department of Buildings' (DOB) Technical Policy and Procedure Notice (TPPN) #10/88.<sup>1</sup>

Indirect effects are contextual or visual impacts that could result from project development. Indirect impacts can result from a change in scale, visual prominence, or visual context of any building, structure, or object or landscape feature; screening or elimination of publicly accessible views; or introduction of significant new shadows or significant lengthening of the duration of existing shadows on a historic landscape or on a historic structure, if the features

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<sup>1</sup> TPPN #10/88 was issued by DOB on June 6, 1988, to supplement Building Code regulations regarding historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.



that make the resource significant depend on sunlight. Significant adverse direct or indirect impacts can occur if a project would cause a change in the quality of a property that qualifies it for S/NR listing or for designation as a NYCL.

## Existing Conditions

### Project Site and Study Area

The study area extends 400 feet from the project site and encompasses through midblock from East 46th Street to East 49th Street west of Madison Avenue and east of Park Avenue, midblock between East 49th and East 50th Streets to the north and midblock between East 45th and East 46th Streets to the south as shown on **Figure 2.3-1**. The study area does not encompass any blocks within either NYCL-designated and/or S/NR-listed historic districts but includes six individual NYCL-designated landmarks. There are also seven structures determined to be either eligible for NYCL designation and/or S/NR listing individually. **Table 2.3-1** and **2.3-2** list these resources that correspond to the numbered resources shown on **Figure 2.3-1**.

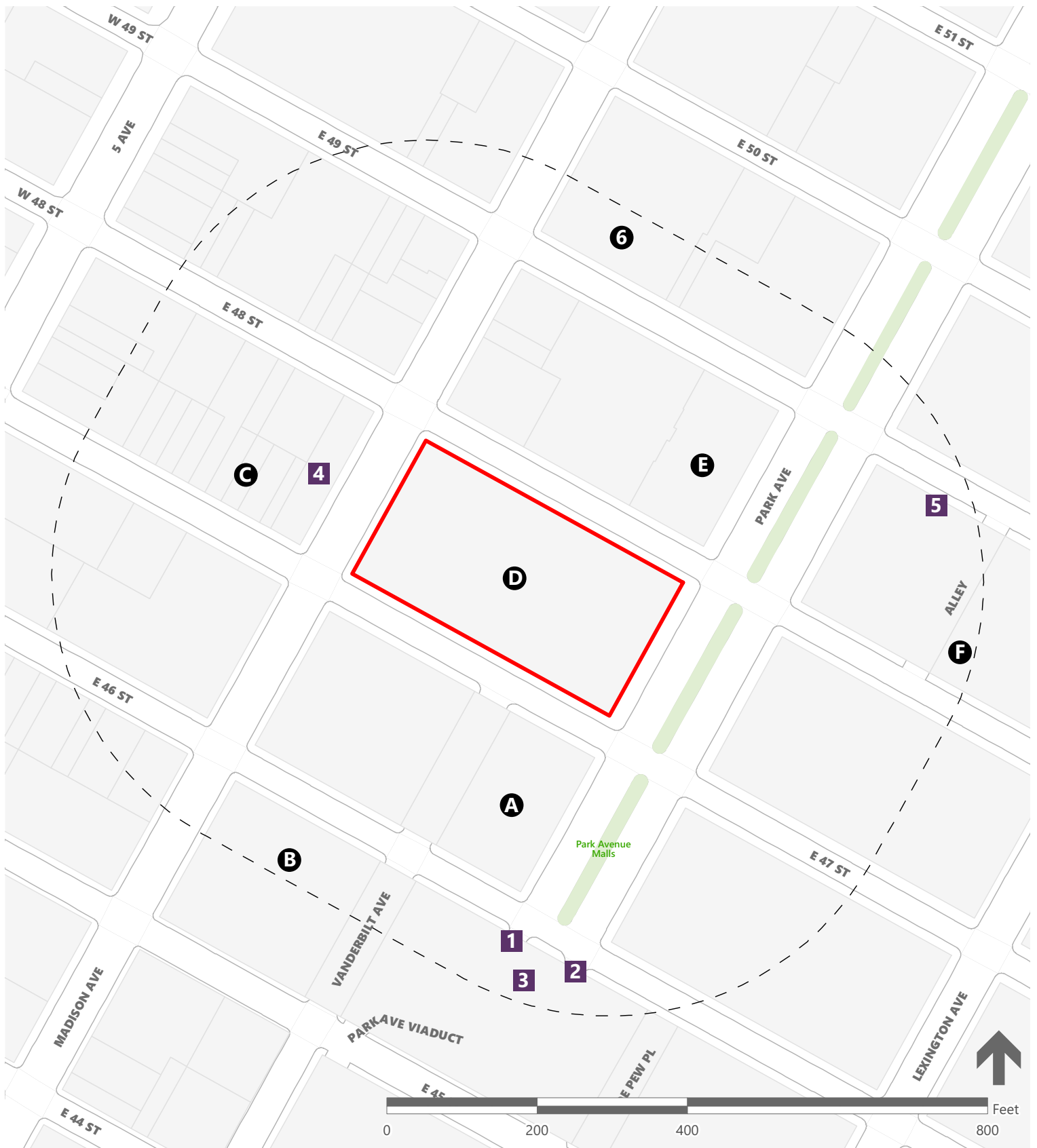
**Table 2.3-1 Designated Individual Historic Resources in the Study Area**

Map #	Property Name	Address	NYCL	S/NR
1	› Historic Lamp Posts 4	Southwest corner of Park Avenue and East 46th Street	x	
2	› New York Central Building, now Helmsley Building	230 Park Avenue	x	e
3	› Historic Lamp Posts 1	Southwest corner of Park Avenue and East 46th Street	x	
4	› 400 Madison Avenue	400 Madison Avenue	x	
5	› Historic Lamp Posts 3	South side of East 48th Street between Park and Lexington Avenues	x	
6	› Waldorf Astoria Hotel (I)	301 Park Avenue	x	e

Notes: (I): Interior Landmark; e: S/NR eligible

NYCL: New York City Landmark; S/NR: Listed on State and National Registers of Historic Landmarks

The following provides a brief description of each of the designated historic resources identified in the study area.



Project Site



400-Foot Study Area



Designated Historic  
Landmark



Eligible Historic  
Resource



## Figure 2.3-1 - Historic Resources Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.

### ***Historic Street Lampposts***

Approximately 100 historic, cast-iron lampposts still exist in the City of New York. The earliest, dating from the mid-nineteenth century, are two gas lampposts. Those that still exist are maintained under the jurisdiction of the Department of Transportation. Sixty-two lampposts and four wall bracket lamps are included in the NYCL 1997 designation. The remaining lampposts are protected within designated historic districts or are on designated landmark sites.



### ***New York Central Building now Helmsley Building, 230 Park Avenue (NYCL, S/NR-eligible)***



The Helmsley Building is a 35-story structure built in 1929 as the New York Central Building. Before the erection of the Pan Am Building—now the MetLife Building—the Helmsley Building stood over Park Avenue as the tallest structure in the “Terminal City” complex around Grand Central Station. The Helmsley Building was designated a New York City Landmark in 1987.

Traffic exits and enters the Park Avenue Viaduct by the use of two portals that run through the building—one for uptown traffic and one for downtown. Connection to Park Avenue proper is at East 46th Street.



#### ***400 Madison Avenue (NYCL)***

The 22-story Neo-Gothic building at 400 Madison Avenue was designed by H. Craig Severance in 1928 and was completed the following year. The structure replaced two six-story apartment buildings that had previously been located on the property.

The architect utilized the unusual configuration of the lot, which covers the entire 188-foot-long block front along Madison Avenue but is only 44 feet deep, by offering extensive retail space along the street frontage, allowing for natural daylight to extend throughout the building. On the street level, the building contains original bronze and glass storefronts, and on the upper levels, terracotta ornamentation features Gothic revival designs of crenellation, pinnacles, and tracery elements.



#### ***Waldorf-Astoria Hotel, 301 Park Avenue (NYCL, S/NR-eligible)***



The Waldorf-Astoria Hotel is a luxury hotel housed in a 47-story, 625-foot (190.5-m)-tall Art Deco landmark, designed by architect Lloyd Morgan of the firm Schultze and Weaver and dating from 1931. The elements of the Waldorf's design include a gray limestone base with matching, custom made "Waldorf Gray" brick above; vertical rows of windows and modernistic spandrels; and bronze entryways, marquees, lanterns, and other ornaments. Lee S. Jablin of Harman Jablin Architects fully renovated and upgraded the property during the mid-1980s through the mid-1990s. It was designated as an NYCL in 1993. LPC designated the building's interior as a NYC landmark on March 7, 2017.

There are also several eligible historic resources in the Study Area, as shown on **Table 2.3-2** below, including the project site (#1).

**Table 2.3-2 Eligible Historic Resources in the Study Area**

Map #	Property Name	Address	NYCL	S/NR
A	› Union Cable Building/The Chase Building	270 Park Avenue	x	
B	› Postum Building	250 Park Avenue	x	x
C	› Roosevelt Hotel	45 East 45th Street	x	x
D	› Mercantile Library	17 East 47th Street	x	
E	› Bankers Trust Building	280 Park Avenue		x
F	› ITT American Building	437 Madison Avenue	x	
G	› Barclay Hotel/Hotel Inter-Continental	111 East 48th Street		x

Source: NYCL: New York City Landmark; S/NR: Listed on State and National Registers of Historic Landmarks

***270 Park Avenue, Union Carbide Building - aka The Chase Building (NYCL-eligible)***

The 50-story building occupies a full block and maintains its Madison Avenue street wall with a 13-story wing. Although the building terminates the northern end of Vanderbilt Avenue, the rear of its major tower only partially blocks vistas north up the short avenue, and it has a through-block arcade that lines up with the avenue.

The Park Avenue frontage is set back somewhat to create a plaza. A 1983 alteration removed the project's original pinkish pavement (see Photo 1). The building's main lobby is on the second floor because the building is built over train tracks, and elevators could not descend to that level. The second floor is therefore double height. The bright red paneling therein is not original.

***250 Park Avenue, Postum Building (NYCL and S/NR-eligible)***

The Postum Building was completed in 1924 and built for the Postum Cereal Company. It was designed by Cross & Cross and Phelps Barnum and is one of few remaining office buildings from the Terminal City era.

The U-shaped building rises from a limestone base with 16-story wings flanking a central block of 20 stories. The building fills an entire block from Park Avenue to the east, Vanderbilt Avenue to the west, East 46th Street to the south, and East 47th Street to the north. The building played an important role in the development of Park Avenue at the time of its completion. It continues to be used as an office building today. (See Photo 2)

***45 East 45th Street, Roosevelt Hotel (NYCL and S/NR-eligible)***

The Roosevelt Hotel is named in honor of President Theodore Roosevelt. Designed by George B. Post & Son and leased from The New York State Realty and Terminal Company, the hotel was the first to incorporate storefronts instead of lounges in its sidewalk façades. The antique French marble and limestone façade reflects Colonial American architecture, while detailed moldings and interior gold-trimmed ornaments are reminiscent of American Colonial and neo-Classical styles. The hotel opened on September 22, 1924, closed in 1995, and reopened in 1997 after an extensive \$65-million renovation. (See Photo 3)

***17 East 47th Street, Mercantile Library (NYCL-eligible)***

Designed by Henry Otis Chapman, the New York Mercantile Library building opened in 1932 at 17 East 47th Street. The white marble façade “could have been a store or shop building, but it had five modern book stacks on the fourth through eighth floors, offices and a board room on the third floor, a reading room and lounge on the second floor and a charging area at street level.” After years of continuing decline, in 2005 the building was renamed as the Center for Fiction, which continues to use the building today. In 1998, the ground floor was renovated by Beyer Blinder Belle, but the building has maintained its architectural integrity. (See Photo 4)

***280 Park Avenue, Bankers Trust Building (S/NR-eligible)***

The Bankers Trust Building at 280 Park Avenue between East 48th and 49th Streets was built in 1963 and was designed in the International style by Emery Roth & Sons, with industrial designer Henry Dreyfuss. A 1971 western addition was also designed by Emery Roth & Sons, with Oppenheimer, Brady & Lehrecke as associated architects. The building has 31 stories and is 412 feet tall.

The Banker’s Trust Company Building was the last tower-on-base office building to be built on Park Avenue. However, the building was a departure in several ways from more typical construction. Rather than a glass and metal curtain wall, pre-cast concrete frames surround floor-to-ceiling windows. The 16-story base and 14-story single tower are of roughly equal height, differing itself from the multiple stepping of wedding cake buildings. The three-foot-high podium or plaza on which the building sits was necessitated to clear the two levels of railroad tracks beneath it. (See Photo 5)

***111 East 48th Street, Barclay Hotel/Hotel Inter-Continental, (S/NR-eligible)***

Fourteen-stories in height and “H” shaped in plan, the Barclay Hotel occupies the eastern end of the block fronting Lexington Avenue between East 48th and East 49th Streets and is one of several hotels located in what is dubbed the “Hotel District” of East Midtown. At the time of construction in 1927, the building filled an independent block bounded on the west by Park Lane, a street that bisected the block (now a service alley closed to traffic). The H-shaped plan of the typical hotel floor “permitted the lobby and lounge to enjoy natural light from above.” The Barclay Hotel is faced in brick above a limestone base, forming a sturdily dignified composition.

The hotel was designed in the Renaissance Revival style by Cross & Cross, who were best known for their later Art Deco corporate offices, including the RCA Tower (1931, now the General Electric Building) and the City Bank-Farmers Trust Building (1931). (See Photo 6)

***437 Madison Avenue (NYCL-eligible)***

The 40-story office building at 437 Madison Avenue, also known as 433 Madison Avenue, was designed by noted architects Emery Roth & Sons for William Kaufman & J. D. Weiler in 1965 and was completed in 1967. Built in the International Style, it is known as the ITT-American Building. The building includes a 13,500-foot square plaza, a 14-story base, and a 26-story tower section.



Emery Roth & Sons were known for their design of post-war, high-rise office buildings, and worked closely with a number of large real estate developers. They had a strong presence in Midtown, designing buildings on Park Avenue, Fifth Avenue, and Lexington Avenue. They also collaborated with other architects on large projects, including the Pan Am Building with Walter Gropius, the General Motors Building with Edward Durell Stone and the World Trade Center with Minoru Yamasaki. (See Photo 7)



Photo 1: 270 Park Avenue, The Chase Building  
(aka The Union Carbide Building) (NYCL-Eligible)



Photo 2: 250 Park Avenue, Postum Building  
(NYCL and S/NR-Eligible)



Photo 3: 45 East 45th Street, Roosevelt Hotel  
(NYCL and S/NR-Eligible)



Photo 4: 17 East 47th Street, Mercantile Library  
(NYCL-Eligible)



Photo 5: 280 Park Avenue, Bankers Trust Building  
(S/NR-Eligible)



Photo 6: 111 East 48th Street, Barclay Hotel/Hotel Inter-Continental  
(S/NR-Eligible)



Photo 7: 437 Madison Avenue  
(NYCL-Eligible)

## No-Action Condition

Absent the proposed action, the existing NYCL-eligible building on the project site would be demolished and redeveloped as-of-right with a new office headquarters building for the Applicant. The development would include a 10,000-square foot, unenclosed, publicly accessible open space that would be located midblock on East 47th Street, across the through block portion of the project site (See *Figure 1.1*).

A NYCL designated historic resource, 400 Madison Avenue, is located across Madison Avenue within 90 feet of the project site, and redevelopment under the No-Action condition would be subject to the protective measures under DOB Technical Policy and Procedure Notice (TPPN) #10/88.

The proposed development would include retail space on ground floor along Madison Avenue which is in context with the other ground floor retail uses along Madison Avenue. The section of the Madison Avenue within the study area is lined with a mix of mid- and high-rise office buildings built to the sidewalk, creating a uniform street wall, and the proposed building would be in-keeping with this existing character and would not alter the relationship of 400 Madison Avenue or any other identified historic resources to the streetscape.

## With-Action Condition

As in the No-Action condition, under the With-Action condition, the existing NYCL-eligible building on the project site would be demolished and redeveloped with a new office headquarters building for the Applicant. The proposed development would include a 7,000-square-foot enclosed, publicly accessible space located along the Madison Avenue frontage



of the project site (See **Figure 1.2**), instead of the mid-block on East 47th Street as in the No-Action condition.

### ***Direct Impacts***

The proposed action would not result in direct impacts to any designated or eligible historic architectural resources. The proposed action would not physically affect any designated or eligible individual landmark, except for the existing NYCL-eligible building located on the project site. However, as detailed above, the existing building on the project site would be demolished and redeveloped in the 2024 future without the proposed action, and therefore, no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action.

### ***Indirect Impacts***

The proposed action would not result in significant adverse indirect impacts on existing historic resources in the study area as compared to No-Action condition. As discussed in Section 2.4, Urban Design and Visual Resources, the proposed enclosed public open space located along Madison Avenue would enliven the pedestrian experience on the street, and would be in context with the surrounding area and the historic buildings. The proposed enclosed public open space would not alter the relationship of any identified historic resources to the streetscape, nor would it diminish or eliminate the public's view of designated and/or eligible to be landmarked architectural resources. The public's view and enjoyment of the landmark across the street (400 Madison Avenue) would be enhanced in the With-Action condition compared to the No-Action condition, with users of the enclosed publicly accessible space able to view the building through the transparent street wall of the space.

As in the No-Action condition, the NYCL-designated 400 Madison Avenue building would continue to be protected during construction for the With-Action condition through DOB's TPPN #10/88 process.

## **2.3-4 Conclusions**

As described, the proposed action would not result in any direct or indirect impacts to any designated or eligible historic architectural resources. The existing NYCL-eligible building on the project site would be demolished and redeveloped with a new office headquarters building for the Applicant under both the No-Action and With-Action conditions, and therefore no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action. As such, the proposed action would not result in significant adverse impacts to any historic resources.

## 2.4

### Urban Design and Visual Resources

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

#### 2.4-1 Introduction

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

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed "as-of-right," or in the future No-Action condition.

As described in Section 1.0, Project Description, the proposed action is a zoning text amendment to ZR Section 81-681(b) to modify publicly accessible space requirements to permit an enclosed publicly accessible space on the project site's Madison Avenue frontage and to modify retail continuity requirements in order to permit the enclosed publicly accessible open space at this location. The enclosed publicly accessible open space would adjoin and have entrances on a required sidewalk widening along Madison Avenue. The proposed location on Madison Avenue would allow the public space to be co-located with the access point to the Metro North Rail tracks and passageway to Grand Central Terminal located at the southwest corner of the project site. The proposed action would result in the construction of a 7,000 gsf enclosed publicly accessible open space – a 3,000 gsf decrease of publicly accessible space from the No-Action condition.

## 2.4-2 Methodology

In accordance with the *CEQR Technical Manual* guidelines, the following preliminary urban design and visual resources assessment considers a 400-foot radius study area where the proposed action would be most likely to influence the built environment. The preliminary assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the project site, which is collectively formed by the following components:

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

The following information is included in a preliminary assessment:

- › A concise narrative of the existing study area, and conditions under the future No-Action and With-Action conditions;
- › An aerial photograph of the study area and ground-level photographs of the site area with immediate context;
- › Zoning and floor area calculations of the existing, future No-Action, and future With-Action Conditions;



- › Lot and tower coverage, and building heights; and
- › A three-dimensional representation of the future No-Action (if relevant) and With-Action Condition streetscape.

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

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

### Study Area

The area within 400 feet of the project site is defined as the study area for this analysis; this is typically considered an appropriate radius for site-specific actions such as the proposed project. The project site is adjacent to Park Avenue Malls, which is a median strip on Park Avenue. There are three landmark buildings also located within or partially within the study area, as referenced in Section 2.3, “Historic and Cultural Resources”:

- › The New York Central Building (now Helmsley Building) located at 230 Park Avenue is a Beaux-Arts style 35-story structure built in 1929.
- › The building at 400 Madison Avenue, which is situated across from the project site, is a 22-story Neo-Gothic building completed in 1929.
- › The Waldorf-Astoria Hotel at 301 Park Avenue, which is partially located within the study area, is a 47-story Art Deco building dating from 1931.

**Figure 2.4-1** shows the project site and the area surrounding the site.

## 2.4-3 Preliminary Assessment

### Existing Conditions

#### Project Site

The project site is currently improved with a 50-story (708-foot tall), 1,351,000 gross square foot (gsf) commercial office building with ground floor bank use, which is used as the Applicant’s world headquarters. A rail mass-transit access point is located on the western portion of the project site, with an underground connection providing access to both Grand Central Terminal and the Metro North tracks located beneath the project site.

The office tower fronts on Park Avenue, with a ground floor setback at each frontage, and a 13-story portion with a setback above the tenth story occupies the midblock and Madison



 Project Site     400 Foot Study Area     Photo Location



## Figure 2.4-1 - Photo Key Map

270 Park Avenue Text Amendment  
Prepared For: JPMorgan Chase Bank, N.A.





1. View of the project site facing northwest from the intersection of Park Avenue and East 47th Street.



2. View of Park Avenue facing north from East 47th Street (project site at left).



3. View of East 47th Street facing west from Park Avenue (project site at right).



4. View of the project site facing west from Park Avenue.





5. View of East 48th Street facing west from Park Avenue (project site at left).



6. View of the project site facing southwest from the intersection of Park Avenue and East 48th Street.



7. View of Park Avenue facing south from East 48th Street (project site at right).



8. View of the project site facing southwest from East 48th Street.

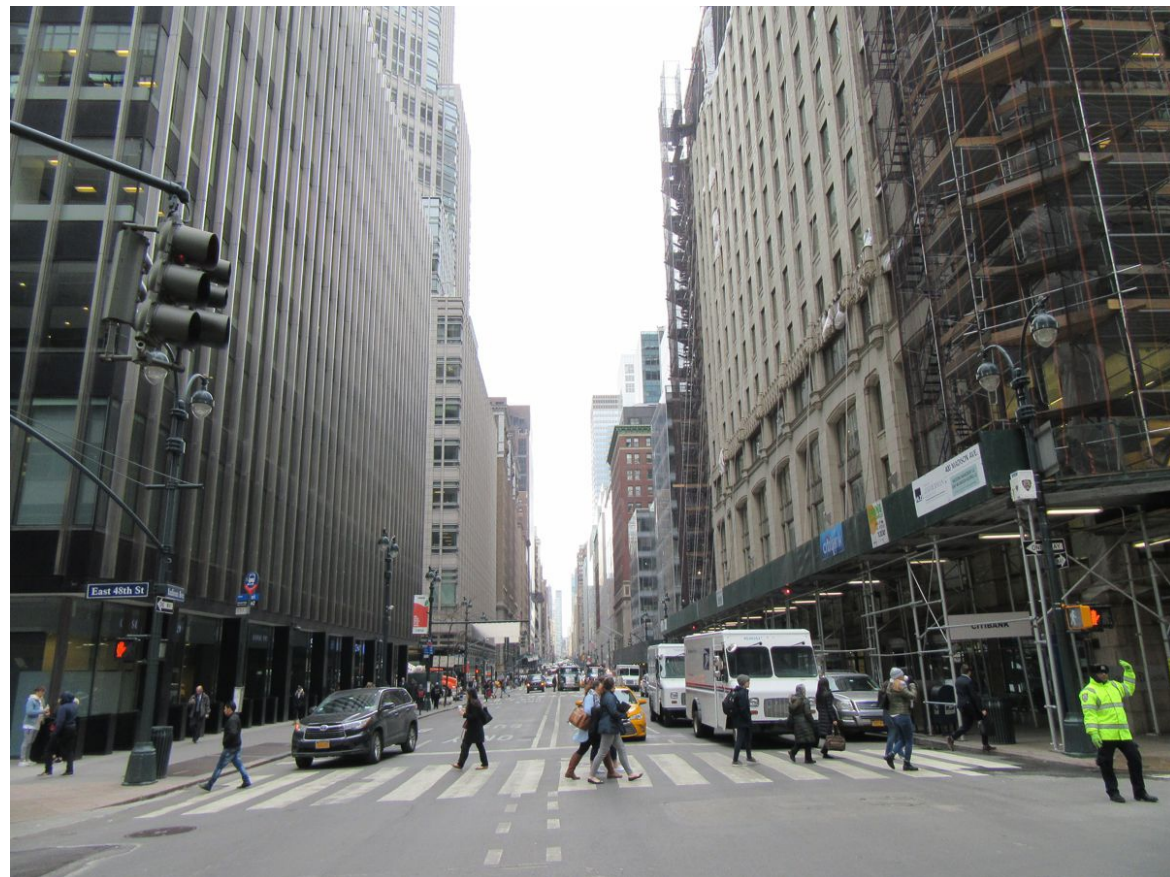




9. View of the project site facing south from East 48th Street.



10. View of the project site facing southeast from East 48th Street.



11. View of Madison Avenue facing south from East 48th Street (project site at left).



12. View of the project site facing southeast from the intersection of Madison Avenue and East 48th Street.





13. View of East 48th Street facing east from Madison Avenue (project site at right).



14. View of the project site facing east from Madison Avenue.



15. View of East 47th Street facing east from Madison Avenue (project site at left).



16. View of the project site facing northeast from the intersection of Madison Avenue and East 47th Street.





17. View of Madison Avenue facing north from East 47th Street (project site at right).



18. View of the project site facing northwest from East 47th Street.



19. View of the project site facing north from East 47th Street.



20. View of the project site facing northwest from East 47th Street.





21. View of the sidewalk along the north side of East 47th Street facing west from Park Avenue (project site at right).

Avenue frontage of the project site. Bank branches operated by the Applicant are located along the ground floor frontage of Madison Avenue and at the northern portion of the Park Avenue frontage. Approximately 75 percent of the project site below-grade is occupied by Metro North Rail train shed, with the only terra firma portion of the site located along the Madison Avenue frontage, including the location of the existing rail mass transit access point. The existing building, the majority of which is above the train shed, was developed in the early 1960s as a headquarters for Union Carbide.

### Study Area

The area is defined by a rectangular street grid network, with east-west streets and north-south avenues. Buildings east of Madison Avenue are typically set back from the street line, while buildings west of Madison Avenue are predominantly built up to or near the street line and have a high lot coverage. The area consists primarily of high-rise office buildings constructed with a variety of materials, including glass, stone, and steel. As mentioned previously, there are three landmark buildings also located within or partially within the study area.

### No-Action Condition

Absent the approval of the proposed action, the applicant would demolish the existing building and redevelop the site with an as-of-right 1,567-foot-tall, 2,419,377 gsf office headquarters. The proposed project would be taller than the rest of the buildings in the study area and would be built at the street line (except along Park Avenue). Although the building would introduce additional building height, it would not affect the streetscape and would not be visible from locations throughout the study area or obstruct views to or from adjacent or nearby visual resources, as the site is already surrounded by high-rise buildings. An east-west aligned 10,000 square-foot unenclosed publicly accessible space, excluded from the total building gsf, would be located midblock on East 47th Street on the through block portion of the site. In addition, retail space would be built at the ground floor along Madison Avenue. The retail use at the ground floor would assist to further activate Madison Avenue while the public space would activate East 47th Street. There would be no other known new developments or modifications to the existing streets, open spaces, or natural features in the study area.

### With-Action Condition

In the With-Action Condition, the proposed action would result in the construction of a shorter building. The proposed project would be a 70-story, 1,400-foot-tall commercial office building totaling 2,420,609 gsf. Aside from the height of the building, the building form would stay the same. Due to the need to locate loading docks, freight elevators, and below-grade building infrastructure on the terra firma portion of the project site, the publicly accessible open space would comprise 7,000 square feet of enclosed area. The 7,000-square foot enclosed publicly accessible space would be located within the corner lot portions of the site fronting Madison Avenue in lieu of a 10,000-square foot unenclosed space located on the through-block portion of East 47th Street in the No-Action condition. Retail space would be incorporated in the ground floor along East 47th Street. Although the location of



the public and retail space would be different than in the No-Action condition, there would be no significant adverse impacts to the streetscape in the With-Action condition.

**Figures 2.4-2** and **Figure 2.4-3** show the existing views of East 47th Street and Madison Avenue frontages without the proposed public spaces. **Figure 2.4-4** shows the No-Action view of the 10,000-square foot unenclosed public space from East 47th Street and **Figure 2.4-5** shows the With-Action view of the 7,000-square foot enclosed public space from Madison Avenue.

Similar to the No-Action condition, the proposed public and retail spaces would enliven the existing streetscape on Madison Avenue and East 47th Street and improve the pedestrian experience along these streets. By contrast with the public space under the No-Action condition, the enclosed public space on Madison Avenue under the With-Action condition would allow for passive recreation in the project area within a year-round, well-lit, climate-controlled environment. The public space would be available to host public events as well as up to six private events per year and would provide opportunities for local residents, tourists and area workers to meet, relax, or work in an inviting interior space. In addition, the interior bounding wall of the enclosed public space would be used for vertical planting, displays of art work, and would incorporate architectural elements or design features of visual interest, in lieu of retail spaces, which would further enhance the pedestrian experience along Madison Avenue as compared to the No-Action condition.

Furthermore, as also noted in Section 2.3, Historic Resources, the enclosed public space would enhance the public's view and enjoyment of the landmark across the street (400 Madison Avenue) as compared to the No-Action condition. Therefore, no significant adverse impacts to urban design or visual resources are anticipated.

**Figure 2.4-2 Existing View of East 47th Street frontage from the intersection of Vanderbilt Avenue and East 47th Street**



**Figure 2.4-3 Existing View of Madison Avenue frontage from the intersection of Madison Avenue and East 47th Street**





**Figure 2.4-4 No-Action View of East 47th Street frontage near the intersection of Vanderbilt Avenue and East 47th Street**



**Figure 2.4-5 With-Action View of Madison Avenue frontage from the intersection of Madison Avenue and East 47th Street**



## 2.4-4 Conclusion

The proposed action would result in the construction of a 7,000-square foot enclosed public space on Madison Avenue as opposed to a 10,000-square foot unenclosed public space on East 47th Street. The representative views and photomontages demonstrate that while the location of the proposed public space would change, this would not affect the pedestrian experience along East 47th Street and Madison Avenue. The proposed public space as well as the retail space on East 47th Street would enliven and improve the existing streetscape on these streets. Furthermore, the enclosed public space on Madison Avenue would be a well-lit, climate controlled public open space available for public and private events and be better utilized year-round as opposed to the unenclosed public space on East 47th Street, and the enclosed public space would enhance the public's view and enjoyment of the landmark across the street (400 Madison Avenue) as compared to the No-Action Condition. Therefore, the proposed action would not result in any significant adverse impacts to urban design or visual resources.