DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

September 12, 2012

Robert Kulikowski
Mayor's Office of Environmental Coordination
100 Gold Street - 2nd Floor
New York, NY 10038

NOTICE OF LEAD AGENCY DETERMINATION AND REVIEW

Re: **Rivergate Improvements**
CEQR No. 13DCP014M
ULURP No. M800623HZSM; M790634DZMM
Manhattan, Community District 6
SEQR Classification: Unlisted

The above-referenced application involves a discretionary action subject to City Planning Commission approval. This action is subject to review under the City Environmental Quality Review (CEQR), Executive Order No. 91, and the State Environmental Quality Review Act (SEQRA), 6 NYCRR 617.

Pursuant to Sections 5.03 and 5.05 of the Rules of Procedure for City Environmental Quality Review (CEQR) as adopted June 26, 1991, the Department of City Planning, acting on behalf of the City Planning Commission, is assuming lead agency status for this application and is initiating the CEQR review.

The applicant, UDR Rivergate, LLC, proposes a modification to a previously approved Restrictive Declaration D-66 (C 790634 ZMM) and special permit (C 800623(A) ZSM). The proposed action would facilitate a proposal by the applicant to construct residential amenity space enlargements to the existing building and subdivide existing dwelling units. The proposed project would include 42,139 square feet (sf) of enlargements, of which 18,988 sf is residential amenity space and 23,151 sf of existing space that has been added to the building since the original approvals, and thirty-four dwelling units. The proposed project is located at 401-429 East 34th Street (Block 966, Lot 1) in the Kips Bay neighborhood of Manhattan, Community District 6.

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The existing building is located within a C1-9 district and consists of a total of 767,053 sf, which includes 706 dwelling units, 3,078 sf of retail space, 21,069 sf of community facility space, and 80 accessory parking spaces. The existing building differs from the project originally approved by the Commission due to several post-approval alterations, including the conversion of mechanical space to dwelling units and several other alterations as allowed by Department of Buildings. The proposed action would bring 23,151 square feet of existing space that has been added to the building since the original approvals into conformance.

The applicant intends to enlarge the existing building by 18,988 sf and to add 34 additional dwelling units, which would result in a total floor area of 786,041 sf. The building would consist of 761,894 sf of residential space, including 740 dwelling units and amenity space, 3,078 sf of retail space, and 21,069 sf community facility space, and 80 accessory parking spaces below-grade.

Absent the proposed action, the building would be reconfigured to match the original Commission approvals and subsequent modifications to the restrictive declaration. The reconfiguration would result in a decrease of residential space to 715,365 sf, while increasing the retail space to 3,473 sf and the community facility space to 25,064 sf. The building would contain a total of 743,902 sf, a reduction of 23,151 sf from the existing building. There would be no changes to the parking facilities. The proposed project is expected to be completed by 2014.

An Environmental Assessment Statement is attached. Please contact Jonathan Keller of the Department of City Planning at (212) 720-3419 if you have any questions regarding the application.

Sincerely,

Celeste Evans

Celeste Evans, Deputy Director
Environmental Assessment and Review Division
New York City Department of City Planning

cc: Robert Dobruskin Edith Hsu-Chen Adam Wolf Pat Bussey
Susan Wong Dominick Answini Jonathan Keller