NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

Richmond SI Owner LLC
520 Madison Ave
Suite 3501
New York, NY 10022

Re:	**Liberty Towers**
CEQR No.	20DCP140R
ULURP No(s).	Pending
SEQRA Classification:	Unlisted
Staten Island Community District:	SI01

Dear Richmond SI Owner LLC,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed actions could have significant adverse impacts on the environment.

Enclosed is the Positive Declaration for CEQR No. 20DCP140R, Liberty Towers, including supporting statements for the finding that the proposed actions could have significant adverse impacts on the environment. The Positive Declaration was issued on October 16, 2020.

Sincerely,

Olga Abinader, *Director*

October 16, 2020
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
James Oddo, Staten Island Borough President
Staten Island Community Board SI01

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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

October 16, 2020

POSITIVE DECLARATION

Project Identification
Liberty Towers
CEQR No. 20DCP140K
ULURP Nos. Pending
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
120 Broadway
New York, NY 10271
Contact: Olga Abinader
(212) 720-3493

Name, Description and Location of Proposal:

Liberty Towers

The Applicant, Richmond SI Owner LLC, seeks approval of a series of discretionary land use actions including zoning map amendments, zoning text amendments, and a special permit (the "Proposed Actions") from the City Planning Commission (CPC). The Proposed Actions would facilitate a proposal by the Applicant to develop three mixed-use buildings totaling 793,904 gross square feet ("gsf"), of which 678,742 gsf would consist of residential uses (750 dwelling units, 225 of which would be permanently affordable pursuant to MIH), 18,880 gsf would consist of commercial uses, and 92,262 sf would consist of parking for 341 spaces, (collectively the "Proposed Development") in the St. George neighborhood of Staten Island, Community District 1.

The Project Area includes two vacant development sites and an underdeveloped site near the St. George Waterfront and the Staten Island Ferry Terminal, bounded by Richmond Terrace to the north and east, Hamilton Avenue to the south and west, and Nicholas Street to the west. The Project Area contains the entirety of Block 12 (Lot 1) and Block 13, Lots 60, 68, 71, 73, 82, 82, and 100.

Specifically, the Proposed Actions include:

- ***Zoning Map Amendments***. The Proposed Actions include a zoning map amendment to 1.) Rezone an R6/C2-2 district to an R7-3/C2-4 district within the St. George Special District (SSGD); and 2.) Rezone an R6/C2-2 district to an R6/C2-4 district within the SSGD;
- ***Zoning Text Amendments.*** The Proposed Actions include a series of zoning text amendments to the New York City Zoning Resolution (ZR) Article II, and Article XII, Chapter 8, as well as a text amendment to Appendix F (Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas) to establish the project area as a Mandatory Inclusionary Housing Area; *and*

- ***Special Permit.*** The Proposed Actions include a CPC Special Permit pursuant to proposed ZR Section 128-62, which would permit modification of bulk regulations (except FAR) and mandatory improvements in R7-3 district within the Upland Subdistrict of the SSGD.

In addition to the Proposed Development, for the purposes of a conservative assessment, the environmental review assumes Block 13, Lots 68, 71, and 73 ("Projected Development Site 2") would assemble and develop in the future with the Proposed Actions. Projected Development Site 2 would be developed with a 117,848 gsf building, of which 100,019 gsf would consist of residential uses (100 dwelling units, 30 of which would be affordable pursuant to MIH), 4,929 gsf would consist of commercial uses, and 12,900 sf would consist of accessory parking for 43 spaces.

In the future absent the Proposed Actions, the Applicant could develop Projected Development Site 1 on an as-of-right basis with a 143,030 gsf building comprising 128,169 gsf of residential uses (167, none of which would be affordable pursuant to MIH), 8,240 gsf of commercial uses, and 12,125 sf of accessory parking for 29 spaces.

The Analysis Year for the Proposed Actions is 2025.

Statement of Significant Effect:
On behalf of the City Planning Commission, the Department of City Planning has determined, pursuant to 6 NYCRR Part 617.7, that the Proposed Actions have the potential to result in a significant adverse impact on the environment as detailed in the following areas, and that an environmental impact statement will be required:

> The Proposed Actions have the potential to result in significant adverse impacts related to: socioeconomic conditions; open space; hazardous materials; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction.
>
> The Proposed Actions would not result in significant adverse impacts related to land use, zoning, and public policy; community facilities and services; shadows; historic and cultural resources; urban design and visual resources; natural resources; water and sewer infrastructure; solid waste and sanitation services; and energy.

Supporting Statement:
The above determination is based on an Environmental Assessment Statement prepared for the Proposed Actions which finds that:

1. The Proposed Actions would change the zoning within the Project Area, and would facilitate additional residential, commercial, and accessory parking floor area in the Project Area over the No-Action Condition. However, the proposed uses are already found within the Study Area and would not result in a significant adverse land use or zoning impact. Additionally, the Proposed Actions do not have the potential to conflict with public policies, and as such would not result in a significant adverse public policy impact. Therefore, the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy.

2. The Proposed Actions would not result in the direct displacement of 500 residents or introduce more than 200 incremental dwelling units to the Project Area. However, the Proposed Actions are projected to result in substantial new residential development which has the potential to result in indirect residential displacement. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to socioeconomic conditions.

3. The Proposed Actions would not directly affect any community facility. Regarding indirect effects to community facilities, preliminary analyses of publicly-funded child care centers, high schools, and health care and fire/police protection were not warranted for the Proposed Actions as no thresholds were exceeded.

   A preliminary analysis of the effects of the Proposed Actions on public elementary and intermediate schools found that utilization rates for elementary and intermediate schools would be 80 percent and 71 percent, respectively, representing an increase in utilization by 1.65 percent and 1.06 percent, respectively. As neither the utilization rate exceeds 100 percent nor the change in utilization exceeds five percent, the thresholds in the CEQR Technical Manual, it was determined that further assessment is not needed.

   A detailed analysis was completed for publicly-funded libraries since the population introduced by the Proposed Actions would result in an increase of more than five percentage points (7.42 percent) compared to the No-Action Condition. However, due to increasing demand for online access to electronic research and resources, the interlibrary loan system, the changing role of libraries, and technology advancements, it was determined that the Proposed Actions would not result in a significant adverse libraries impact.

   Overall, it was determined that the Proposed Actions would not result in significant adverse impacts to any community facilities and services.

4. The Proposed Actions would not physically alter or displace an open space resources; however, it is anticipated that the Proposed Actions could potentially exceed the open space impact thresholds described in the CEQR Technical Manual. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to open space resources.

5. The Proposed Actions would allow buildings with greater bulk as compared to existing zoning and would permit development of buildings greater than 50 feet in height, some of which could be located near sunlight-sensitive resources. The preliminary analysis found that shadows would be cast on the St. George Waterfront Esplanade ("the Esplanade") on the December Analysis Day and the March Analysis Day. It was determined that a detailed analysis was necessary to determine the extent of incremental shadow facilitated by the Proposed Actions on these representative days.

   The detailed analysis of the December Analysis Day noted the Proposed Actions would result in incremental shadow on some bench seating and exercise areas for portions of the analysis day. At the same time, however, additional bench seating and exercise areas would remain sunlit along the Esplanade. The detailed analysis of the March Analysis Day found incremental shadow would reach one element of the Esplanade, the "9/11 Postcards" memorial; however, the memorial would be in incremental shadow for approximately 30 minutes and would remain sunlit for over eight hours. No exercise equipment would receive incremental shadow on this analysis day. Benches around the memorial would be shaded in incremental shadow within the last hour of the analysis period, however other sunlit bench seating would be available in the immediate area. In summary, the detailed assessment found that while incremental shadow would reach some elements of the Esplanade, sunlit areas would continue to be available to the open space users at all times. The analysis concluded the Proposed Actions would not result in significant adverse impacts related to shadows.

6. The Proposed Actions would facilitate development on the projected development sites, which were determined by the Landmarks Preservation Commission to have no architectural or archaeological significance. However, several designated and eligible historic landmarks are located within 400 feet of the Project Site. These include the Staten Island Family Courthouse,

the 120th Precinct Station House, the Staten Island Museum, the St. George/New Brighton Historic District, and the Curtis High School. The Historic and Cultural Resources analysis determined the Proposed Actions would not result in significant adverse impacts to architectural resources within the Study Area. Although the Proposed Actions would introduce taller buildings than the No-Action condition, no incremental shadow would reach these resources, and views of these resources would not be impeded by the development facilitated by the Proposed Actions. Therefore, the Proposed Actions would not result in significant adverse impacts related to historic and cultural resources.

7. The Proposed Actions have the potential to result in development beyond the density and bulk permitted under existing zoning. A detailed urban design assessment considering the effects of the Proposed Actions was performed. The analysis noted the Proposed Actions would facilitate tall, slender towers on underdeveloped sites, consistent with the design objectives of the St. George Special District. The analysis determined that the Proposed Actions would not affect a pedestrian's experience of public space, or impede views of significant visual resources. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to urban design and visual resources.

8. The Proposed Actions do not affect an area containing natural resources or adjacent to natural resources; nor is the directly affected area located within the Jamaica Bay Watershed. Accordingly, no thresholds were met for an analysis of Natural Resources, and the Proposed Actions would not result in significant adverse impacts related to natural resources.

9. The Proposed Actions have the potential to result in an increase in pathways to human or environmental exposure to hazardous materials. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to hazardous materials.

10. The Proposed Actions would introduce at least 400 residential units into a combined sewer area. However, the Port Richmond Wastewater Treatment Plant can accommodate the incremental wastewater flows without exceeding design capacity. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts to water and sewer infrastructure.

11. The Proposed Actions do not have the potential to generate 100,000 pounds or more of solid waste per week. Additionally, the Proposed Actions would not involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the city. Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to solid waste and sanitation services.

12. The Proposed Actions would not significantly affect the transmission or generation of energy or generate substantial indirect consumption of energy (such as through the creation of new roadways). Therefore, the Proposed Actions do not have the potential to result in significant adverse impacts related to energy.

13. The Proposed Actions would generate vehicular, pedestrian, and transit trips and an increase in demand for parking affecting the area's transportation systems. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to transportation.

14. The Proposed Actions would have the potential to generate incremental vehicle trips exceeding the thresholds for conducting an air quality analysis of mobile sources. In addition, the projected development sites would use fossil fuels for heat and hot water systems. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to air quality.

15. The Proposed Actions would facilitate development at a density which may be inconsistent with the City's greenhouse gases reduction goal. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to greenhouse gas emissions and climate change.

16. The Proposed Actions would generate vehicular traffic, introduce new sensitive receptors near heavily trafficked roadways and existing rail lines, and introduce a new sensitive receptor in an area with high ambient noise levels resulting from stationary sources. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to noise.

17. The Proposed Actions have the potential to result in unmitigated significant adverse impacts related to air quality, water quality, hazardous materials, or noise. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to public health.

18. The Proposed Actions have the potential to result in significant adverse impacts in the constituent technical areas related to neighborhood character or in moderate effects to several elements that define neighborhood character. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to neighborhood character.

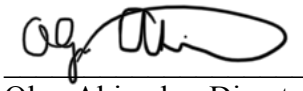
19. The Proposed Actions have the potential to result in construction activities that could have a disruptive and noticeable effect on adjacent communities and people passing through the area. Therefore, the Proposed Actions have the potential to result in significant adverse impacts related to construction.

Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting has been scheduled for 2:00 PM, on Thursday, November 19th, 2020. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely through video conferencing. The meeting will be live streamed and accessible from New York City's online remote meeting portal—NYC Engage:
https://www1.nyc.gov/site/nycengage/events

This determination of significance has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Please contact the project manager, Anthony Howard of the Department of City Planning, at (212) 720-3422 if you have questions regarding the application.



Olga Abinader, Director
Environmental Assessment and Review Division
New York City Department of City Planning

October 16, 2020
Date