4

Open Space

This chapter assesses the potential impacts of the Proposed Project on open space. The *2021 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.

Introduction

The New York City Economic Development Corporation (NYCEDC), the Office of the Chief Medical Examiner (OCME), and the New York City Department of Citywide Administrative Services (DCAS) (collectively, the Applicants), in affiliation with the New York City Health and Hospitals Corporation (H+H), New York City Public Schools (NYCPS), the New York City School Construction Authority (SCA), and the City University of New York (CUNY), are seeking several Uniform Land Use Review Procedure (ULURP) and discretionary actions (collectively, the Proposed Actions) to facilitate the development of approximately 2.19 million gross square feet (gsf) of new construction of academic, healthcare, Life Sciences, and retail space and public realm improvements (the Proposed Project).

The public realm improvements would take the form of a new publicly accessible open space, a replacement bridge over Franklin D. Roosevelt (FDR) Drive at East 25th Street to make it ADA accessible, a tie-in to the ~~Kips Bay~~East Midtown Coastal Resiliency (~~KBCR~~EMCR) project's planned flood protection to the northeast along FDR Drive and protection along East 25th Street,[1] ~~including a connection to the existing floodwall at the U.S. Department of Veterans Affairs New York Harbor Healthcare System's Manhattan campus (U.S. Corbin VA Facility),~~ and a widening of the demapped portion of the former East 26th Street located between FDR Drive and First Avenue to accommodate two-way traffic flow.

[1] Absent the ~~KBCR~~EMCR project, the Proposed Project would incorporate standalone flood protections with independent utility into the design. For conservative analysis purposes, a hypothetical scenario in which there is no EMCR was referenced in the DEIS. However, that outcome is unlikely, and there are no plans to discontinue the EMCR project.

Principal Conclusions

The Proposed Project would not have a direct impact on open space resources in the study area. The Proposed Project would not cause the loss of public open space, change the use of an open space so that it no longer serves just the same user population, limit public access to an open space, or result in increased noise or air pollutant emissions, odors, or shadows that would temporarily or permanently affect the usefulness of a public space. On the contrary, the Proposed Project would introduce 0.60 acres of public open space to the Development Site and provide additional connectivity to existing waterfront open space through the proposed pedestrian bridge replacement. As the Proposed Project is expected to introduce approximately 4,373 incremental workers and 1,283 incremental students in the With-Action condition, a detailed open space analysis for the quarter-mile non-residential study area was conducted to assess the potential for indirect effects, pursuant to the *CEQR Technical Manual*. The Proposed Project would not generate a net increase in residents above the 200-resident threshold, therefore, a residential open space analysis is not required.

Under the With-Action condition, within the quarter-mile non-residential study area, the passive open space ratio (OSR) would increase by approximately 9.64 percent, to 0.06 acres per 1,000 residents, due to the introduction of the 0.60-acre open space at the Development Site. While the passive OSR in the future With-Action condition would remain below the City's guideline of 0.15 acres per 1,000 residents. Due to this approximately 9.64 percent OSR increase the Proposed Project would not result in significant adverse impacts on open space.

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. These conditions do not apply to the Proposed Project. Thus, a direct effects analysis is not warranted.

Indirect Analysis

An indirect effects analysis is performed where a project could add sufficient population, either residents or non-residents, such that capacity of the open space to serve the population would be noticeably diminished. The threshold for such an analysis is whether a project would introduce more than 200 residents or 500 workers to the area.

Compared to the future No-Action condition, the Proposed Project would add more than 500 workers; the Proposed Project would not add residents to the area. Therefore, following *CEQR Technical Manual* guidance, an indirect effects open space analysis was conducted for non-residential populations, consistent with the methodology described below.

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.

Pursuant to *CEQR Technical Manual* guidance, the non-residential study area comprises all census tracts that have at least 50 percent of their area located within a quarter mile of the Development Site. Four census tracts have at least 50 percent of their area located within a quarter mile of the Development Site, including Census Tracts 64, 60, 66, and 62 (see **Figure 4-1**).

Figure 4-1 Quarter-Mile Open Space Study Area Map



The Rezoning Area for the Proposed Project, as shown in **Figure 4-1**, comprises a similar area to the Development Site but is extended to the street centerlines of East 25th Street to the south, First Avenue to the west, FDR Drive to the east, and to the northern edge of the former East 26th Street to the north.

NYC Parks Walk to a Park Initiative

New York City, as part of the *OneNYC 2050 Building a Strong and Fair City* plan, has put forth a goal to have 85 percent of New York City residents living within walking distance of a park by 2030. To help the City reach this goal, the New York City Department of Parks and Recreation (NYC Parks) has a Walk-to-a-Park initiative that focuses on increasing access to parks and open space in areas of the City where residents live further than a walk to a park. According to Walk-to-a-Park service area geographic data provided by the City, the Development Site does not overlap with any walk gap areas.

Open Space User Populations

Existing Conditions

To identify worker populations within the study area, 2021 Longitudinal Employer-Household Dynamics (LEHD) data from through the U.S. Census OnTheMap service was compiled for the census tracts comprising the quarter-mile non-residential study area. The student population was also calculated using enrollment numbers from educational institutions in the study area, which include the NYU School of Medicine, the NYU Rory Meyers College of Nursing, and the NYU College of Dentistry. However, it should be noted that this is a transient population and that the presence of the student population in the area is distributed across the day and across the week. As such, the number of students in the area at any given time is not known. Therefore, the analysis conservatively includes all students for these institutions. The existing classroom capacity for the CUNY Hunter College Brookdale Campus (CUNY Brookdale) was included in the analysis, representing the students that would be on-site at any given time, utilizing capacity numbers provided by CUNY Brookdale staff.

Consistent with the *CEQR Technical Manual*, because the quarter-mile study area has a substantial residential population, the residential population of the study area has also been calculated using the 2020 U.S. Decennial Census. The four census tracts in the study area contain a total residential population of 33,747. The needs of residential populations are also considered in the assessment, as it is assumed that residents will utilize the same passive open spaces as non-residents.

No-Action Condition

It is estimated that in the No-Action condition, there would be no change in the existing population of approximately 249 people which comprises a mixture of on-site workers at the Development Site. The non-residential population in the study area in the No-Action condition was projected by adding the number of workers anticipated to result from future developments expected to be completed in the study area by the 2031 analysis year. The residential population in the study area in the No-Action condition was also projected by adding the number of residents anticipated to result from future developments by the 2031 analysis year.

With-Action Condition

The non-residential population in the study area in the With-Action condition was determined by adding the incremental number of workers and students anticipated from the Proposed Project to the non-residential population in 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 available for only limited users or not available to the public regularly or constantly are not considered public open space but may be considered in a qualitative assessment of open space impacts.

Publicly accessible open space resources in the study area were inventoried through the latest available data obtained from NYC Parks and the New York City Geographic Information System (GIS) PLUTO dataset. Open space is 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, like running and biking, or passive uses, like dog walking.

The Bellevue Hospital Center Plaza open space, which contains trees, landscaping, a fountain, and walkways is a private open space. Similarly, the open space associated with the 344 East 28th Street housing complex was excluded since it is privately accessible. Therefore, consistent with *CEQR Technical Manual* methodology, these buildings and private open spaces were not considered. The Bellevue Sobriety Garden is a privately owned space that is open to Bellevue patients, staff, and visitors. The space is intended for therapeutic, recuperative care and is a meditative space controlled by Bellevue. The space is closed at times to serve Bellevue's needs. For conservative analysis purposes, this space was excluded from the quantitative assessment but included in the qualitative assessment.

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 populations (the open space ratios). For worker populations, the *CEQR Technical Manual* outlines that a guideline of 0.15 acres of passive open space per 1,000 workers for non-residential assessments is typically considered adequate.

Impact Assessment

The *CEQR Technical Manual* outlines the following guidelines for residential and non-residential assessments:

- The City attempts to achieve a ratio of 2.50 acres per 1,000 residents for large-scale proposals. Ideally, this would consist of 0.50 acres of passive open space and 2.00 acres of active open space per 1,000 residents. However, these goals are often not feasible for many areas of the City

and they do not constitute an impact threshold. Rather, it is a benchmark that represents how well an area is served by its open space.

- A ratio that meets the Citywide Community District median ratio of 1.50 acres of open space per 1,000 residents is also recommended.
- Projects that have an effect on a non-residential population's use of passive open space would not follow the guidelines presented in **Table 4-1**, but rather consider the need for a detailed assessment based on a comparison of the open space ratio to the optimal ratio of 0.15 acres of passive space per 1,000 non-residents.
- Projects that lead the non-residential open space ratio to drop below the optimal ratio of 0.15 acres of passive open space per 1,000 non-residents may warrant a more detailed assessment.

The determination of significant adverse impacts is based on how a project would change the open space ratios in a study area, in addition to qualitative factors not reflected in the quantitative assessment. According to the *CEQR Technical Manual*, if a 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 project would result in a decrease in the open space ratio greater than the percent change threshold associated with OSR ranges, it could be considered a substantial change requiring additional analysis. In areas that have been determined to be extremely lacking in open space, a reduction as small as one percent may be considered significant, warranting further analysis (see **Table 4-1**).

Table 4-1 Percent Change Guidance to Determine Possible Open Space Impact

Total Open Space Ratio Range	Active Open Space Ratio Range	Passive Open Space Ratio Range	Percentage Change in Open Space Ratio Signifying a Possible Adverse Open Space Impact
2.01 to 2.50 or greater	1.61 to 2.0* Or greater	0.41 to 0.50* Or greater	5%
1.51 to 2.00	1.21 to 1.60	0.31 to 0.40	4%
1.01 to 1.50	0.81 to 1.20	0.21 to 0.30	3%
0.51 to 1.00	0.41 to 0.80	0.11 to 0.20	2%
0.50 or less	0.01 to 0.40	0.01 to 0.10	1%

*2.5 OSR is the planning goal in NYC, with optimal distribution goal of 2.0 Active OSR and 0.5 Passive OSR

Preliminary Assessment

Existing Conditions

The existing non-residential population at the Development Site is approximately 249 workers.

Study Area Population

As outlined in **Table 4-2,** based on 2021 Longitudinal Employer-Household Dynamics (LEHD) data, the study area has a population of approximately 49,136 workers. Additionally, the study area has a residential population of 33,747, based on 2020 U.S. Decennial Census data.

Table 4-2 Existing Non-Residential and Residential Population in the Study Area

Census Tract	Residential Population	Non-Residential Population	Total Population
64	8,744	6,804	15,548
60	5,290	179	5,469
66	16,027	5,500	21,527
62	3,686	36,653	40,339
Total	**33,747**	**49,136**	**82,883**

The non-residential study area also contains an additional 679 students who are enrolled at the NYU Grossman School of Medicine, 511 students who are enrolled at the NYU Rory Meyers College of Nursing, and 1,900 students enrolled at the NYU College of Dentistry—all of which are educational institutions located within the quarter-mile study area. It should be noted that this is a transient population and the presence of the student population in the area is distributed across the day and across the week. As such, the number of students in the area at any given time is not known. Based on capacity numbers provided by CUNY Brookdale, the campus has an existing classroom capacity of approximately 1,763 students, which was included in the analysis.

This brings the total non-residential population to 53,989. Thus, when including these additional students within the non-residential study area, the total existing population (residential and non-residential) is estimated at 87,736.

Study Area Open Space Resources

The study area includes eight publicly accessible open spaces—which together provide a total of 8.35 acres of publicly accessible open space, including 2.89 acres of passive open space (**Table 4-3**).

Stuyvesant Cove Park and the East River Greenway

The study area contains a 1.44-acre section of the 1.90-acre Stuyvesant Cove Park. This section, located along FDR Drive, contains a walking path, seating areas, and landscaped areas. Of the 1.44 acres, approximately 1.01 acres are devoted to passive uses while 0.43 acres are devoted to active uses. Stuyvesant Cove Park is part of the larger East River Greenway, which stretches from The Battery to East Harlem along the East River in Manhattan and provides a variety of passive and active spaces. Another 0.75-acre portion of the East River Greenway north of Stuyvesant Cove Park is located in the study area, which includes seating and pathways.

Privately Owned Public Spaces (POPS)

The study area contains two privately owned public spaces (POPS). These open spaces, which surround residential or mixed-use buildings, primarily contain landscaped areas and plazas with bench or ledge seating.

Table 4-3 Existing Non-Residential Study Area Open Spaces

Map No.	Name	Owner/ Agency	Features and Amenities	Total Acres	Active Acres	Passive Acres
1	Asser Levy Playground	NYC Parks	Basketball courts, fitness equipment, football fields, handball courts, indoor pools, outdoor pools, playgrounds, recreation center, running tracks, spray showers	2.44	2.44	0
2	Stuyvesant Cove Park	NYCEDC/ SBS	Pathways, seating, landscaping	1.44	0.43	1.01
3	Peter's Field	NYC Parks/DOE	Playground, basketball courts, tennis courts, benches	0.88	0.88	0
4	240 East 27th Street (POPS)	EQR – East 27th Street Apartments LLC	Mini Park, Public Open Area, Seating	0.3	0	0.3
5	Bellevue South Park	NYC Parks	Basketball courts, dog-friendly areas, fitness equipment, playgrounds, spray showers	1.59	1.34	0.25
6	Vincent F. Albano Jr. Playground	NYC Parks	Handball courts, playgrounds, seating area with benches	0.35	0.14	0.21
7	430 East 29th Street (POPS)	ARE-East River Science Park LLC	Public Open Area, Seating	0.60	0	0.60
8	Portion of East River Greenway	NYCEDC/ SBS	Pathways, seating, landscaping	0.75	0.23	0.53
			Non-Residential Study Area Total	**8.35**	**5.46**	**2.89**
			Percent of Study Area Open Space	**100%**	**65%**	**35%**

Adequacy of Open Spaces

With a total of 2.89 acres of passive open space and an estimated non-residential population of 53,989, the non-residential study area has a passive open space ratio of 0.05 acres per 1,000 non-residents (see **Table 4-4**). This is below the City's goal of 0.15 acres of passive open space per 1,000 workers/non-residents.

Table 4-4 Existing Conditions – Adequacy of Open Space Resources

		Open Space Acreage			Open Space Ratios (Acres per 1,000 People)			CEQR Open Space Goal		
User Groups	Pop.	Total	Passive	Active	Total	Passive	Active	Total	Passive	Active
Non-Residents	53,989	8.35	2.89	5.46	N/A	0.05	N/A	N/A	0.15	N/A
Residents	33,747				0.25	0.09	0.16	2.50	0.50	2.00

No-Action Condition

As described in **Methodology**, above, the No-Action condition accounts for population growth and changes expected to the inventory of open space resources.

Indirect Effects

Study Area Population

In the No-Action condition, there are four known development projects within the quarter-mile study area expected to be completed by the 2031 analysis year (see **Table 4-5**). New development in the study area would result in approximately 1,854 workers and 102 residents. The non-residential study area population is expected to increase by 1,854 to 55,843 in the No-Action condition.

Table 4-5 No-Action Projects in the Residential Study Area

Project	Description	Build Year	Residents	Workers
Innovation East/455 First Avenue	Construction of an approximately 609,988 gsf commercial Life Sciences building and ground-floor retail.	2030	0	1,114
Alexandria Center (Phase II – North Tower)	Construction of approximately 330,000 gsf of office and laboratory space and a new publicly-accessible plaza,	2029	0	733
429 Second Avenue	Construction of 44,571 gsf of residential space, projected to contain 59 units.	2025	102	0
Stuyvesant Cove Park – Solar 2.	Construction of two-story, 6,409 gsf learning center to allow for the teaching and demonstration of urban environmental stewardship.	2024	0	6
Kips Bay Coastal Resilience Flood Wall	Construction of a flood barrier around the Bellevue Hospital campus as well as elevated and/or hardened space for critical mechanical, electrical, and plumbing (MEP) equipment. It will also provide redundant systems for important hospital infrastructure to ensure that the hospital is fully operational under backup systems.	TBD	0	0

Source: These projects were identified using the following sources: NYC Department of Buildings Active Major Construction; YIMBY.com; New York City Economic Development Corporation.

Study Area Open Spaces

In the No-Action condition, ~~there are no~~it is anticipated that the Alexandria Center (Phase II – North Tower) project would be completed, introducing new publicly-accessible passive open space connected to the existing plaza at 430 East 29th Street. However, since the size, proposed amenities, and layout of the open space is unknown, it is conservatively excluded from the quantitative analysis. No other changes to open space resources ~~within~~are expected to occur in the study area~~ expected to be completed by the analysis year~~.

Adequacy of Open Spaces

With 2.89 acres of passive open space and an estimated No-Action non-residential population of 55,843, the study area would continue to have a passive open space ratio of 0.05 acres per 1,000 workers. The open space ratio would continue to remain below the City's goal of 0.15 acres of passive open space per 1,000 workers (see **Table 4-6**).

Table 4-6 No-Action Condition – Adequacy of Open Space Resources

		Open Space Acreage			Open Space Ratios (Acres per 1,000 People)			CEQR Open Space Goal		
User Groups	**Pop.**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**
Non-Residents	55,843	8.35	2.89	5.46	N/A	0.05	N/A	N/A	0.15	N/A
Residents	33,849				0.25	0.09	0.16	2.50	0.50	2.00

With-Action Condition

Direct Effects

As discussed in **Chapter 5, Shadows**, the Proposed Project would not result in shadows that would temporarily or permanently affect the usefulness of a public open space.

Indirect Effects

Study Area Population

The Proposed Project would introduce 4,373 incremental workers to the study area in the With-Action condition. Overall, the total non-residential population is anticipated to be 61,499 by the 2031 analysis year. CUNY Brookdale is expected to have a total capacity of 3,046 students, which has been included in the analysis. It is expected that these students would take advantage of on-site open space amenities within the building.

The new high school population would not be expected to represent a significant new demand on open spaces within the study area. The school would have an on-site gymnasium and would also have a dedicated outdoor recreation space. As such, the high school population is not accounted for in the quantitative analysis.

Adequacy of Open Spaces

In the With-Action condition, the Proposed Project would add a 0.60-acre (26,150 sf) privately owned publicly accessible open space called SPARC Square, which would anchor the proposed campus and engage with active and transparent ground-level programs in each of the proposed buildings. This would be in addition to 1.7 acres (73,240 sf) of public realm improvements provided at the site, which includes 10,500 sf of sidewalk improvements on the southern side of the former East 26th Street.

Under the With-Action condition, the open space ratio for the non-residential population would increase to 0.06 acres per 1,000 people (see **Table 4-7** and **Table 4-8**). The total open space ratio for the residential population would increase to 0.26 acres per 1,000 residents.

Table 4-7 With-Action Condition – Adequacy of Open Space Resources

		Open Space Acreage			Open Space Ratios (Acres per 1,000 People)			CEQR Open Space Goal		
User Groups	**Pop.**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**	**Total**	**Passive**	**Active**
Non-Residents	61,499	8.95	3.49	5.46	N/A	0.06	N/A	N/A	0.15	N/A
Residents	33,849				0.26	0.10	0.16	2.50	0.50	2.00

Impact Determination

As described previously, a proposed project would result in a significant adverse open space impact if it would reduce the open space ratio by more than 5 percent in areas that are currently below the *CEQR Technical Manual* open space planning goals for residential and non-residential populations. In areas that are extremely lacking in open space, a reduction of as little as one percent may be considered significant, depending on the area of the city. Conversely, in areas that are within a Walk-to-a-Park Service Area, a greater percentage of change (more than five percent) may be acceptable. **Table 4-8** displays the percentage change from No-Action to With-Action conditions for the study area.

Table 4-8 Open Space Ratios Summary

Ratio	**CEQR Goal (Acres per 1,000)**	**No-Action Condition**	**With-Action Condition**	**Percent Change**
Passive (Non-residents)	0.15	0.05	0.06	+9.64%
Residents				
Passive	0.50	0.09	0.10	+20.74%
Active	2.00	0.16	0.16	0%
Total	2.50	0.25	0.26	+7%

In the 2031 analysis year, the Proposed Project would increase the passive open space ratio for non-residents by approximately 9.64 percent, due to a combination of the addition of new non-residential demand and the creation of a new 0.60-acre open space from the Proposed Project.

According to the Walk-to-a-Park Service Area map, the Proposed Project is not located within a walk gap area (an area of the city that is not within walking distance to a park). Although there would continue to be a shortage of passive and active open spaces for study area residents, the Proposed Project would not result in any reductions to the passive, active, or total open space ratios related to the residential and non-residential populations in the non-residential study area. The combined open space ratio for residents would increase by 7 percent in the With-Action condition due to the additional publicly accessible open space provided by the Proposed Project, which would be open to residents

during operating hours. Additionally, the Proposed Project would include private open space amenities, potentially including rooftop open spaces and gymnasium areas. Approximately 1.7 acres (73,240 sf) of public realm improvements would be provided at the Development Site, which would help to reduce new demands on the area's existing open space resources. Furthermore, privately owned spaces such as Bellevue Sobriety Garden could meet passive recreation needs, as this space is available on a limited basis and contains a garden, walkways, and seating. Therefore, the Proposed Project would not result in a significant adverse impact on open space and further analysis is not required.