CITY PLANNING COMMISSION
CITY OF NEW YORK

OFFICE OF THE CHAIR

NEGATIVE DECLARATION

Project Identification
CEQR No. 13DCP014M
ULURP Nos. M800623HZSM; M790634DZMM
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

Name, Description and Location of Proposal:

Rivergate Improvements
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 gross square feet (gsf) of enlargements, of which 18,988 gsf is residential amenity space and 23,151 gsf 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.

The existing building is located within a C1-9 district and consists of a total of 767,053 gsf, which includes 706 dwelling units, 3,078 gsf of retail space, 21,069 gsf of community facility space, and 80 accessory parking spaces. The existing building differs from the project originally approved by the Commission and analyzed in a Final Environmental Impact Statement (#80-071M) completed in May 1981. Subsequent to the application's approval in 1981, the Commission approved several modifications to an associated restrictive declaration and special permit to facilitate a number of changes to the building and zoning lot. Since then, the building received 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 gsf 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 gsf and to add 34 additional dwelling units, which would result in a total floor area of 786,041 gsf. The building would consist of 761,894 gsf of residential space, including 740 dwelling units and amenity space, 3,078 gsf of retail space, and 21,069 gsf 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 gsf, while increasing the retail space to 3,473 gsf and the community facility space to 25,064 gsf. The building would contain a total of 743,902 gsf, a reduction of 23,151 gsf from the existing building. There would be no changes to the parking facilities. The proposed project is expected to be completed by 2014.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement, dated September 10, 2012, prepared in connection with the ULURP Application (Nos. M800623HZSM; M790634DZMM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that no significant effects on the environment that would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

Should you have any questions pertaining to this Negative Declaration, you may contact Jonathan Keller at (212) 720-3419.

Celeste Evans

Celeste Evans, Deputy Director
Environmental Assessment & Review Division
Department of City Planning

Date: 9/14/12

Amanda M. Burden, FAICP, Chair
City Planning Commission

Date: 9/18/12