Flatiron Building Residential Conversion Environmental Assessment Statement (EAS)

August 22, 2024

CEQR No. TBD

Lead Agency:
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Prepared by:
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432 Park Avenue South
New York, NY 10016

Flatiron Building Residential Conversion EAS

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Environmental Assessment Statement Full Form

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 Flatiron Building Residential Conversion

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
Pending	N/A
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
N/A	N/A

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning			Flatiron Owner, LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director, Environmental Assessment and Review Division			Scott Solish		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 400 West 59th Street		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10019
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 212-896-5567	EMAIL ssolish@brodsky.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): 6 NYCRR 617.4 (b)(9)

Action Type (refer to CEQR Technical Manual Chapter 2, "Establishing the Analysis Framework" for guidance)

☒ LOCALIZED ACTION, SITE SPECIFIC ☐ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The Applicant, Flatiron Owner, LLC, is seeking a Zoning Authorization and Chairperson's Certification (collectively, the "Proposed Actions") to facilitate the residential conversion of the Flatiron Building (the "Proposed Project") located at 175 Fifth Avenue (Manhattan Block 851, Lot 1; the "Project Area" and "Development Site") in the Flatiron neighborhood of Manhattan Community District ("CD") 5. The Proposed Actions include: 1) a Zoning Authorization from the City Planning Commission ("CPC") pursuant to Zoning Resolution ("ZR") Section 15-20 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN C6-2M, C6-4M, M1-5M AND M1-6M DISTRICTS) to authorize the residential conversion of the existing non-residential building located on Block 851, Lot 1 (the Flatiron Building); and 2) a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent).

The Proposed Project comprises a single, 21-story (approximately 300.29-foot-tall) mixed-use residential and commercial building totaling approximately 204,593-gross square feet ("gsf") (approximately 21.49 FAR) on the Development Site. The Proposed Project would include approximately 199,786-gsf of residential space, comprising up to 60 dwelling units ("DUs"), as well as approximately 4,807-gsf of ground-floor commercial retail space. It is anticipated that the Proposed Project would be completed and operational by 2026. The Proposed Project entails interior renovations and minor modification of the Flatiron Building; the Proposed Project would not involve the demolition, addition, or expansion of the Flatiron Building.

For the purposes of environmental analysis, the With-Action condition assumes the maximum number of dwelling units that are feasible within the Development Site. The number of dwelling units in the With-Action condition (100 DUs) is based on an average dwelling unit size of approximately 1,998-gsf (approximately 1,811-zsf) per dwelling unit, inclusive of all residential space (approximately 199,786-gsf and 181,090-zsf).

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 5	STREET ADDRESS 175 Fifth Avenue
TAX BLOCK(S) AND LOT(S) Block 851, Lot 1		ZIP CODE 10010

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS East 23rd Street to the north, Broadway to the east, East 22nd Street to the south, and Fifth Avenue to the west.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY C6-4M | 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)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)

☒ LANDMARKS PRESERVATION COMMISSION APPROVAL

☒ OTHER, explain: a Chairperson Certification pursuant to ZR Section 15-30

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *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.*

***Graphics*:** *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.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP

☒ TAX MAP ☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 8,658 sf | Waterbody area (sq. ft.) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): 8,658 sf | Other, describe (sq. ft.): N/A

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 204,593-gsf

NUMBER OF BUILDINGS: 1 | GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 204,593-gsf

HEIGHT OF EACH BUILDING (ft.): 300.29' | NUMBER OF STORIES OF EACH BUILDING: 21-stories

Does the proposed project involve changes in zoning on one or more sites? ☐ YES ☒ NO

If "yes," specify: The total square feet owned or controlled by the applicant: N/A

The total square feet not owned or controlled by the applicant: N/A

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: N/A sq. ft. (width x length) | VOLUME OF DISTURBANCE: N/A cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: N/A sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2026

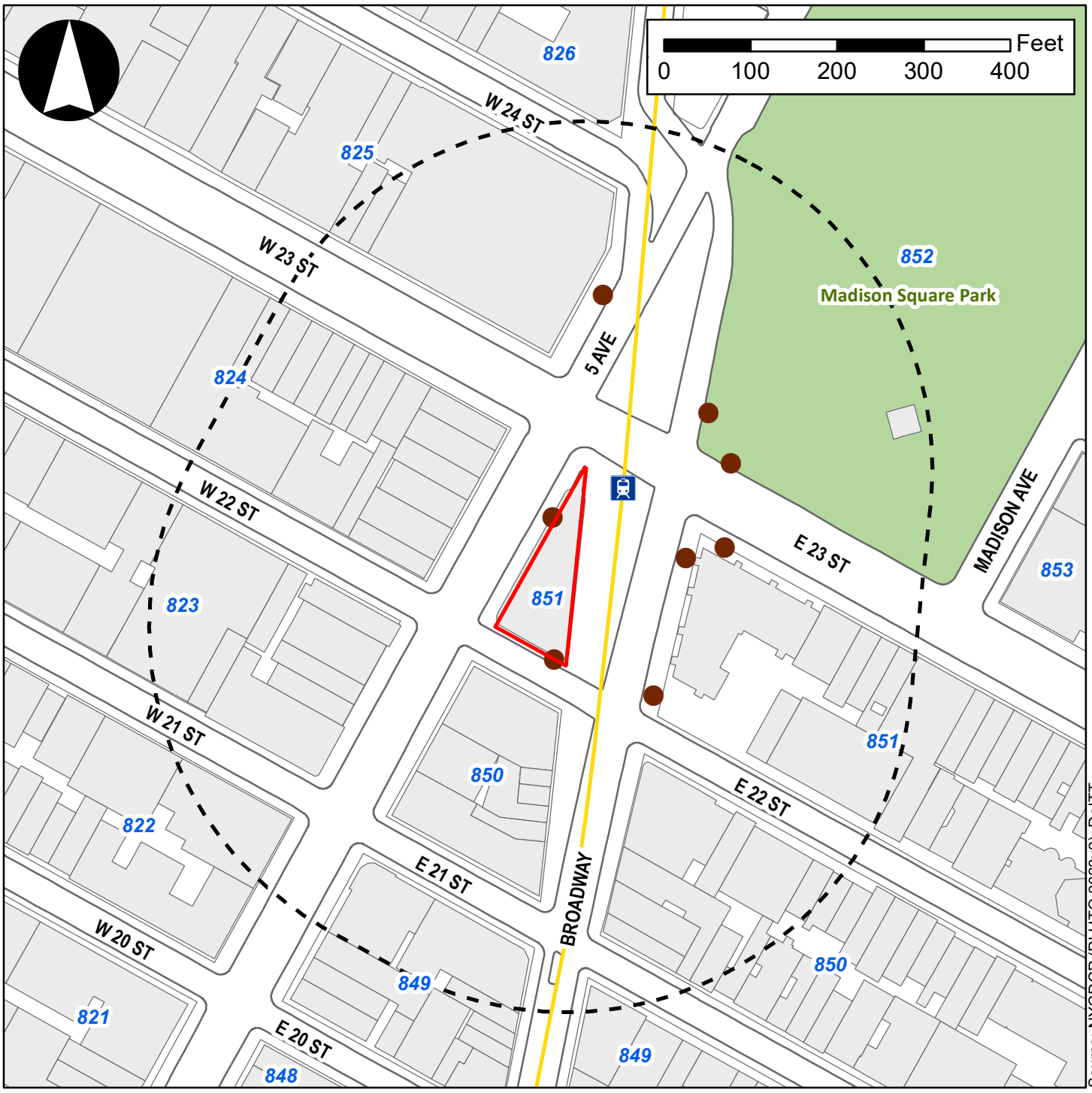
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY? N/A

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: It is anticipated that approval of the Proposed Actions would occur in late-2024 and interior construction activities to facilitate the Proposed Project on the Development Site would begin in early-2025 and occur in a single phase.

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

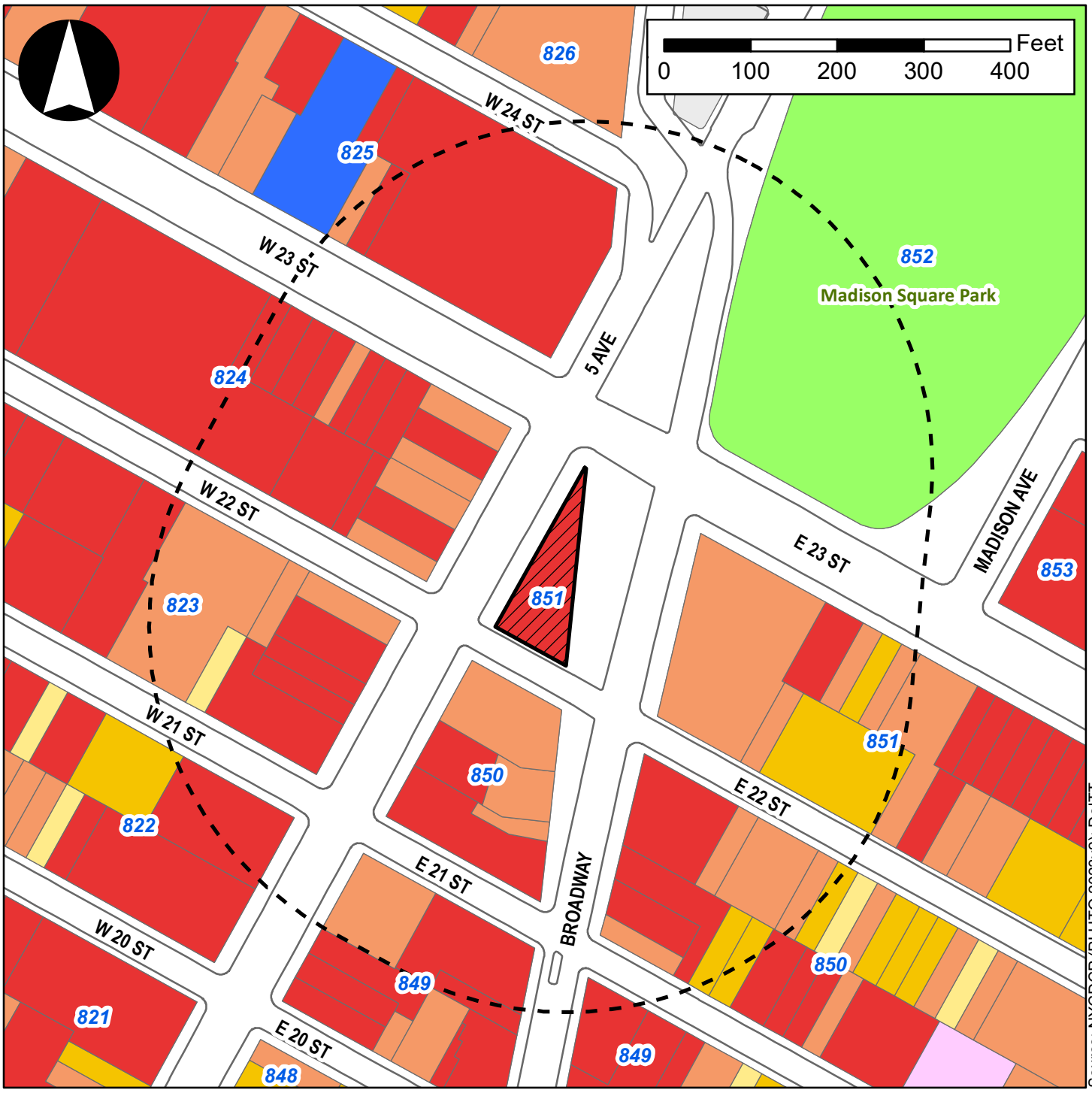
☒ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Mixed Commercial/ Residential; Public Facility/ Institutional



Source: NYCDCP (PLUTO 2023v2); DoITT

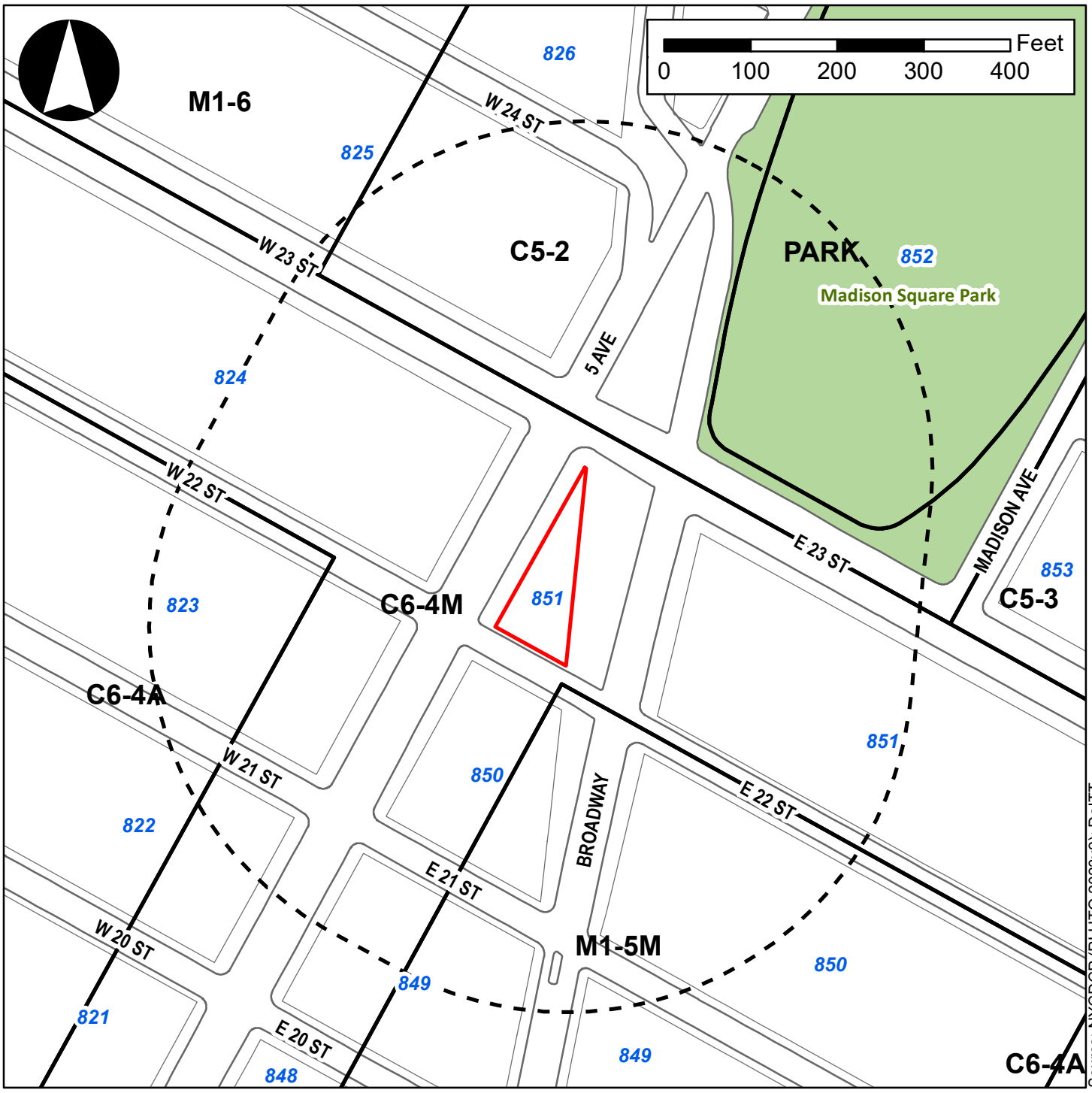
Legend

- Project Area
- 400-Foot Radius
- Existing Building Footprints
- R-W Trains
- 23 Street Subway Station (R-W Trains)
- Subway Entrances
- Open Space
- 851 Tax Blocks



Legend

- Project Area
- 400-Foot Radius
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Mulit-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data



Source: NYCDCP (PLUTO 2023v2); DoITT

Legend

- Project Area
- 400-Foot Radius
- Zoning District Boundaries
- Open Space

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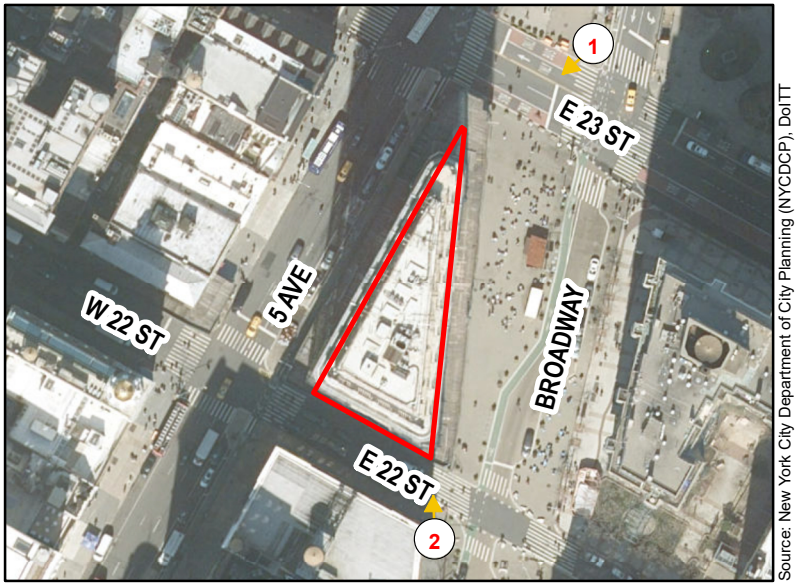
Figure 4
Tax Map

1. View of the Project Area looking southwest from the intersection of Broadway and East 23rd Street.

2. View of the Project Area looking north from the intersection of Broadway and East 22nd Street.



Source: New York City Department of City Planning (NYCDCP), DoITT

Legend

Project Area

3. View of the Project Area looking southeast from the west side of Fifth Avenue.

4. View of the Project Area looking southeast from the west side of Fifth Avenue.

5. View of the Project Area looking southwest from Madison Square Park.

Legend

Project Area

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Figure 5b
Project Area Photographs

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
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures			21-story building with residences on floors 2-21	Gain of 21-story building with residences on floors 2-21
No. of dwelling units			100	+100 DUs
No. of low- to moderate-income units			0	0 DUs
Gross floor area (sq. ft.)			199,786-gsf	+199,786-gsf
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail space; Office space	Retail space; Office space (assumes an occupancy rate of 50%)	Retail space	Loss of office space
Gross floor area (sq. ft.)	Retail: 6,500-gsf; Office (Vacant): 198,093-gsf	Retail: 6,500-gsf; Office space (Total): 198,093-gsf Office space (Vacant): 99,046-gsf Office space (Occupied): 99,047-gsf	Retail: 4,807-gsf	Retail: -1,693-gsf Office (Total): -198,093-gsf Office (Vacant): -99,047-gsf Office (Occupied): -99,046-gsf Total Commercial: -199,786-gsf
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Attended or non-attended				
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:			168	+168 residents
Briefly explain how the number of residents was calculated:	Based on the average household size of 1.68 persons per household for Manhattan Community District (CD) 5 sourced from the 2020 Census.			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. and type	1 retail business	1 retail business; Up to 10 office space utilizing businesses (assuming 1 business per occupied floor [10/20 office floors]	1 retail business; 1 Residential building operations	- up to 10 office space utilizing businesses; + 1 Residential building operations
No. and type of workers by business	Local Retail: 20	Local Retail: 20; Commercial Office: 396 (Total: 416)	Local Retail: 14; Residential Building Operations: 4 (Total: 18)	Local Retail: -6; Commercial Office: -396; Residential Building Operations: 4 (Total: -398)
No. and type of non-residents who are not workers	N/A	N/A	N/A	N/A
Briefly explain how the number of businesses was calculated:	Based on rates of one worker per 333 sf of local retail space, one worker per 250 sf of commercial office space, and one worker per 25 DUs.			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	C6-4M	C6-4M	C6-4M	N/A
Maximum amount of floor area that can be developed	10.0 (86,580-zsf)	10.0 (86,580-zsf)	10.0 (86,580-zsf)	N/A
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Mixed Commercial/ Residential; Commercial/Office; Public Facility/ Institutional; Open Space	Mixed Commercial/ Residential; Commercial/Office; Public Facility/ Institutional; Open Space	Mixed Commercial/ Residential; Commercial/Office; Public Facility/ Institutional; Open Space	N/A
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.				

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
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ 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?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☒	☐
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ 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.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ 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?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ 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?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ 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?	☐	☒
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☒

	YES	NO
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ 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?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ 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?	☐	☒
(b) Indirect Effects		
i. Early Childhood Programs		
○ 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 Chapter 6)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Public Schools		
○ 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 Chapter 6)	☐	☒
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iii. Libraries		
○ 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 Chapter 6)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(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?	☐	☒
(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.		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(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 GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(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. The Flatiron Building is a designated New York City Landmark ("NYCL") (LP-0219[1]), listed on the State/National Registers of Historic Places ("S/NR"), and a National Historic Landmark ("NHL"). The building was completed in 1902 and designed by D.H. Burnham & Company in the Beaux-Arts style. The Flatiron Building is also located within the Ladies' Mile Historic District (LP-1609[2]). Refer to **Attachment D, "Historic and Cultural Resources"** for additional information.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(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?	☐	☒
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ 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 Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(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?	☐	☒
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) 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?	☐	☒
(d) 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 the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) 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?	☐	☒
(f) 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)?	☒	☐
(g) 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?	☒	☐
(h) 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?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: N/A	☐	☒
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? Refer to **Attachment B, "Supplemental Screening."**	☐	☒
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(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?	☐	☒

[1] https://s-media.nyc.gov/agencies/lpc/lp/0219.pdf
[2] http://s-media.nyc.gov/agencies/lpc/lp/1609.pdf

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, 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?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(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?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): Development Site: (100 DUs x 41 pounds per week) + (14 Commercial Retail workers x 79 pounds per week) = 5,240 pounds per week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(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?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): Development Site: (199,786-gsf Residential x 126.7 MBtu/sf [the source energy for the large residential building type]) + (4,807-gsf Commercial Retail x 216.3 MBtu/sf [the source energy for the commercial building type]) = 26,352,640 annual BTUs		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☐	☒
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***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 Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
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, bus stop, or Citywide Ferry Service landing?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) Refer to **Attachment E, "Air Quality."**	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(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?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		

	YES	NO
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☒
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) 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?	☒	☐
(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?	☐	☒
(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?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. Refer to **Attachment B, "Supplemental Screening."**		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **The Proposed Actions would not result in any significant adverse impacts in any of the technical areas related to public health (air quality, hazardous materials, or noise). Therefore, the Proposed Actions would not result in a significant adverse impact to public health, and further analysis is not warranted.**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(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?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **The Proposed Actions would not result in any significant adverse impacts in any of the technical areas related to neighborhood character, including land use, zoning, and public policy, socioeconomic conditions, community facilities and services, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, or noise. Therefore, the Proposed Actions would not result in a significant adverse impact to neighborhood character, and further analysis is not warranted.**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ 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?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "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.		

	YES	NO
Refer to **Attachment B, "Supplemental Screening."**		

20. *APPLICANT'S CERTIFICATION*

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	SIGNATURE	DATE
Philip Habib, P.E. | Philip Habib & Associates		8-22-2024

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.

Attachment A:

Project Description

I. INTRODUCTION

The Applicant, Flatiron Owner, LLC, is seeking a Zoning Authorization and Chairperson's Certification (collectively, the "Proposed Actions") to facilitate the residential conversion of the Flatiron Building (the "Proposed Project") located at 175 Fifth Avenue (Manhattan Block 851, Lot 1; the "Project Area" and "Development Site") in the Flatiron neighborhood of Manhattan Community District ("CD") 5.

The Proposed Actions sought by the Applicant include:

(1) A Zoning Authorization from the City Planning Commission ("CPC") pursuant to Zoning Resolution ("ZR") Section 15-20 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN C6-2M, C6-4M, M1-5M AND M1-6M DISTRICTS) to authorize the residential conversion of the existing non-residential building located on Block 851, Lot 1 (the Flatiron Building); and

(2) A Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent).

This attachment provides a description of the Proposed Actions, including information about the Project Area and Development Site, existing conditions, project purpose and need, the analysis framework and Reasonable Worst Case Development Scenario ("RWCDS"), and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Actions to result in significant adverse impacts in any City Environmental Quality Review ("CEQR") technical areas, including separate attachments with preliminary and/or detailed analyses of land use, zoning, and public policy; historic and cultural resources, and air quality in **Attachments C** through **E**, respectively. All other preliminary screening analyses are summarized in **Attachment B, "Supplemental Screening."**

II. EXISTING CONDITIONS

Project Area

The Project Area consists of the western portion of Manhattan Block 851, Lot 1, which is located in a C6-4M zoning district in the Flatiron neighborhood of Manhattan CD 5. **Figure A-1** shows an aerial view of the Project Area and its immediate surroundings. Block 851 is bound by East 23rd Street to the north, Park Avenue South to the east, East 22nd Street to the south, and Fifth Avenue to the west; Broadway transects Block 851 from north to south, separating the westernmost tax lot (Lot 1) from the remainder of Block 851 to the east. The Project Area contains approximately two feet of frontage on the south side of East 23rd Street, a wide street with a mapped width of 100 feet, approximately 197.5 feet of frontage on the east side of Fifth Avenue, a wide street with a mapped width of 100 feet, approximately 85.67 feet of frontage on the north side of East 22nd Street, a narrow street with a mapped width of 60 feet, and approximately 214.5 feet of frontage on the west side of Broadway, a wide street with a mapped width of at least 80 feet. The Project Area, which is coterminous with the Applicant-owned Development Site (Block 851, Lot 1), measures approximately 8,658-square feet ("sf") of total lot area. No other properties

Aerial View of Project Area

Legend

Project Area

400-Foot Radius

are located within the Project Area.

The Development Site is a triangular-shaped lot bound by public streets on all four frontages; there are no curb cuts adjacent to the Development Site. The Development Site contains the Flatiron Building, a single, 21-story (approximately 300.29-foot-tall) high-rise building totaling approximately 204,593-gross square feet ("gsf") (approximately 21.49 FAR).[1] The Flatiron Building is a designated New York City Landmark ("NYCL") (LP-0219[2]), listed on the State/National Registers of Historic Places ("S/NR"), and a National Historic Landmark ("NHL"). The building was completed in 1902 and designed by D.H. Burnham & Company in the Beaux-Arts style. The Flatiron Building is also located within the Ladies' Mile Historic District (LP-1609[3]). Since its completion, the Flatiron Building has been utilized as a commercial building, with the ground-floor containing commercial retail space and the upper floors (2 – 21) containing commercial office space. Under existing conditions, the Flatiron Building is primarily vacant except for one ground-floor commercial retail tenant (T-Mobile).

Surrounding Area Context

Land Use and Zoning

The Project Area is located in a dense neighborhood of Manhattan that is predominantly comprised of commercial/office buildings and mixed-use commercial/residential buildings, and to a lesser extent multi-family elevator residential buildings (refer to **Figure 2** of the **Environmental Assessment Statement ["EAS"] Full Form**). Commercial/office buildings in the surrounding area range from smaller buildings on narrow interior lots along 21st and 22nd Streets to larger, mid- and high-rise buildings on corner lots and situated around Madison Square Park. East 23rd Street, Broadway, and Fifth Avenue are all major commercial corridors in the surrounding area. Mixed-use commercial/residential buildings in the surrounding area range from smaller buildings on narrow interior lots along 21st and 22nd Streets to larger, mid- and high-rise buildings on corner lots, such as Madison Green, a 29-story building with ground-floor commercial space and over 400 residential units located across Broadway from the Project Area. Although most of the residential uses in the surrounding area are contained within mixed-use commercial/residential buildings with ground-floor commercial spaces, there are several multi-family elevator buildings to the southeast of the Project Area, between East 21st and East 23rd Streets.

The Project Area is zoned C6-4M. C6-4M zoning districts permit a maximum FAR of 10.0 for commercial and manufacturing/industrial uses. In C6-4M zoning districts, residential uses are only authorized by special permit.[4] As the Flatiron Building located within the Project Area was constructed prior to the establishment of the 1961 Zoning Resolution, it does not comply with the use and bulk requirements established by the Project Area's C6-4M zoning district. The property also exceeds the maximum permitted FAR of 10.0 for commercial uses, with a built FAR of approximately 21.49.

The area surrounding the Project Area is well-served by mass transit. In terms of rail transit, the 23rd Street subway station (serviced by the R and W trains) is located adjacent to the Project Area, at the intersection of East 23rd Street and Broadway. In terms of bus transit, several bus routes are located near the Project

[1] The Flatiron Building was constructed prior to the enactment of the 1916 Zoning Resolution.
[2] https://s-media.nyc.gov/agencies/lpc/lp/0219.pdf
[3] http://s-media.nyc.gov/agencies/lpc/lp/1609.pdf
[4] *Zoning Resolution of the City of New York*, Article I, Chapter 5. https://zr.planning.nyc.gov/article-i/chapter-5#15-012

Area, including the M1, M2, M3, M55, and M23-Select Bus Service ("SBS"). The M1 (connecting Harlem and East Village), M2 (connecting Washington Heights and East Village), M3 (connecting Fort George and East Village), and M55 (connecting West 44th Street and South Ferry) buses all run south along Fifth Avenue and are accessible via a bus stop directly across Fifth Avenue from the Project Area. The M23-SBS (connecting Chelsea Piers and East Side) runs east and west along 23rd Street and is accessible via a bus stop on East 23rd Street between Broadway and Madison Avenue.

III. THE PROPOSED ACTIONS

To the facilitate the Proposed Project, the Applicant is requesting (1) a Zoning Authorization from the CPC pursuant to ZR Section 15-20 (REGULATIONS GOVERNING RESIDENTIAL CONVERSIONS WITHIN EXISTING BUILDINGS IN C6-2M, C6-4M, M1-5M AND M1-6M DISTRICTS) to authorize the residential conversion of the existing non-residential building located on Block 851, Lot 1 (the Flatiron Building); and (2) a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent). The Applicant does not intend to alter the bulk of the existing building and is not seeking a bulk modification under the Proposed Actions.

Pursuant to the requested Zoning Authorization, the Applicant intends to convert the upper floors (2 – 21) from commercial office use to residential use. The conversion will require interior renovations only, with no significant change to the size, massing, or exterior features of the existing building. The New York City Landmarks Preservation Commission ("LPC") has approved a Certificate of Appropriateness for Exterior Work (LPC-24-08057 [Design Approval Only] issued on July 30, 2024), a Certificate of No Effect on Protected Architectural Features or Permit for Minor Work (LPC-24-08831 issued on April 26, 2024 and LPC-24-09940 issued on July 17, 2024), and a Request for a Continuing Maintenance Report in connection with the requested Zoning Authorization (LPC-24-08093 issued on July 30, 2024). The Chairperson's Certification from the CPC pursuant to ZR Section 15-30 is requested to waive the open space requirement for residential conversions within existing buildings pursuant to ZR Section 15-12, which states that at least 30 percent of the gross roof area of a building containing 15 dwelling units shall be provided for recreational use. For each additional dwelling unit, 100 square feet of additional roof area shall be provided for recreational use, up to a maximum of 50 percent of the gross roof area.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions would facilitate the residential conversion of the Flatiron Building, converting the upper floors (2 – 21) currently containing vacant commercial office space into residential space. The Proposed Actions would enhance and preserve the historical significance of a city, state, and national landmark while promoting the creation of new housing in a transit accessible area of New York City. The Proposed Actions would also be compatible with the New York City Department of City Planning ("DCP's") recently announced Midtown South Mixed-Use Plan ("MSMX").[5] DCP, through MSMX, aims to support the development of mixed-use neighborhoods across Midtown South by permitting new housing opportunities within areas of Midtown South where residential development is not permitted as-of-right pursuant to the 1961 Zoning Resolution. The MSMX identifies Midtown South as a neighborhood with exceptional access to public transit, as well as jobs and economic activity. However, Midtown South is

[5] https://www.midtownsouthplan.nyc/about

dominated by commercial and other non-residential buildings and approximately 89% of the neighborhood's building stock is at least 60 years old. Due to the advanced age and volume of commercial and other non-residential buildings throughout Midtown South, many older commercial buildings in Midtown South have struggled to maintain occupancy and capture new commercial leasing activity as work patterns have shifted significantly during the aftermath of the COVID-19 pandemic. According to Avison Young US, a commercial real estate company, the commercial office market in Midtown South featured a total vacancy rate of approximately 21.1% in Q3 2023.[6] DCP's MSMX, with its goal of permitting the as-of-right development of new housing in Midtown South, seeks to stimulate the residential conversion of older commercial buildings, thereby creating new opportunities for building owners to preserve their properties and the overall built character of Midtown South. Although the Flatiron Building is not located within the defined boundaries of DCP's MSMX, the Proposed Actions are proposed to pursue a similar outcome, facilitating the preservation of a longtime commercial building with a distinctive history and significant architecture through the pursuit of a residential conversion.

V. DESCRIPTION OF THE PROPOSED PROJECT

The Proposed Actions would facilitate the residential conversion of the Flatiron Building from a commercial building into a predominantly residential building with ground-floor commercial space. While the Proposed Project entails interior renovations and minor modification of the Flatiron Building, the Proposed Project would not involve the demolition, addition, or expansion of the Flatiron Building.

Therefore, the Proposed Project comprises a single, 21-story (approximately 300.29-foot-tall) mixed-use residential and commercial building totaling approximately 204,593-gsf (approximately 185,987-zoning square feet ["zsf"] [21.49 FAR) on the Development Site. The Proposed Project would include approximately 199,786-gsf of residential space, comprising up to 60 dwelling units ("DUs"), as well as approximately 4,807-gsf of ground-floor commercial retail space. The proposed residential space would occupy floors 2 – 21 of the Flatiron Building. No accessory parking and no accessory loading berth(s) would be required or provided. The Proposed Project's ground-floor retail space would be accessed via East 22nd Street, Fifth Avenue, and Broadway, while the Proposed Project's residential space would also be accessed via separate entrances on East 22nd Street, Fifth Avenue, and Broadway.

VI. ANALYSIS FRAMEWORK AND RWCDS

Build Year

The Project Area and the Development Site are coterminous (Block 851, Lot 1). No other properties are located within the Project Area.

It is anticipated that approval of the Proposed Actions would occur in late-2024 and interior construction activities to facilitate the Proposed Project on the Development Site would begin in early-2025 and occur in a single phase. The Proposed Project is a residential conversion and would not involve the demolition, addition, or expansion of the Flatiron Building. Rather, the Proposed Project entails the interior renovation

[6] https://www.avisonyoung.us/documents/92404/1115504/Manhattan%20Office%20Report%20Q3%202023.pdf/08170a74-0931-3eeb-ab5d-f7a1d7e3d710?t=1696336737828

and minor exterior work, including new windows, mechanical equipment, and ground-floor door alterations that have been deemed appropriate by LPC. The Proposed Project would be completed in approximately 18 months following approval of the Proposed Actions. Therefore, the construction schedule for the Proposed Project is considered short-term. Completion and occupancy of the Proposed Project is expected to occur in late-2026. Accordingly, the RWCDS uses a 2026 build year for analysis purposes.

The Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions (the No-Action condition), the Flatiron Building is expected to remain a commercial building, the historical land use of the building and a permitted land use under the existing C6-4M zoning. However, due to the current state of the commercial office market in Manhattan and Midtown South in particular, which featured total vacancy rates of approximately 19.6% and 21.1%, respectively, in Q3 2023,[7] it is unlikely the Flatiron Building's vacant commercial office space totaling approximately 198,093-gsf would be fully leased and occupied by 2026.

Therefore, under the No-Action condition, approximately half of the Flatiron Building's vacant commercial office space is assumed to be re-occupied by commercial office tenants (equaling approximately 99,047-gsf), while the balance of the building's commercial office space (equaling approximately 99,046-gsf) would remain vacant and available for lease. The ground-floor of the building would continue to be occupied by commercial retail tenants, totaling approximately 6,500-gsf. Under the No-Action condition, the Flatiron Building would continue to feature commercial entrances and exits on Fifth Avenue, Broadway, and East 22nd Street.

Within 400-Foot of Project Area

There are no known development projects anticipated to be completed within a 400-foot radius of the Project Area in the future without the Proposed Actions.

The Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions (the With-Action condition), the Proposed Actions would be approved and the Applicant would construct the Proposed Project. The With-Action condition is largely consistent with the Applicant's Proposed Project planned for the Development Site outlined above. Both the With-Action condition and the Proposed Project comprise a single, 21-story (approximately 300.29-foot-tall) mixed-use residential and commercial building totaling approximately 204,593-gsf (approximately 185,897-zsf [21.49 FAR]). Both the With-Action condition and the Proposed Project would include approximately 199,786-gsf (approximately 181,090-zsf [20.94 FAR]) of residential space and approximately 4,807-gsf (approximately 4,807-zsf [0.55 FAR]) of ground-floor commercial retail space.

However, for the purposes of environmental analysis, the With-Action condition assumes the maximum number of dwelling units that are feasible within the Development Site. The number of dwelling units in the With-Action condition (100 DUs) is based on an average dwelling unit size of approximately 1,998-gsf (approximately 1,811-zsf) per dwelling unit, inclusive of all residential space (approximately 199,786-gsf

[7] https://www.avisonyoung.us/documents/92404/1115504/Manhattan%20Office%20Report%20Q3%202023.pdf/08170a74-0931-3eeb-ab5d-f7a1d7e3d710?t=1696336737828

and 181,090-zsf). This average dwelling unit size, which is larger than the average dwelling unit size range of approximately 850- to 1,000-sf typically recommended by DCP for use as a conservative dwelling unit size assumption, is a result of the Flatiron Building's unique floor plates. Unlike almost all buildings in the City, the Flatiron Building tapers to a compressed point of a right triangle. Given this unique shape, as well as the shaft locations for modern elevators, required egress stairs, new mechanical equipment including trash compactors, egress hallway requirements, as well as the existing window configurations that are recognized as part of the Flatiron Building's landmark status, the development of greater than five DUs per floor would not be feasible and may not comply with the NYC Construction Codes.

RWCDS Increment – Project Area

As presented in **Table A-1**, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would result in the positive incremental development of approximately 199,786-gsf of residential space (comprising approximately 100 total DUs), as well as the negative incremental development of approximately 199,786-gsf of commercial office space. In terms of population, compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS is expected to generate approximately 168 incremental residents and the loss of approximately 398 incremental workers.

Table A-1: Comparison of Existing, No-Action, and With-Action Conditions – Proposed Actions' RWCDS

	Existing	No-Action	With-Action	Increment
Land Use				
Residential GSF	0	0	199,786	+199,786
Dwelling Units	0	0	100	+100
Commercial Office GSF				
Total	198,093	198,093	0	-198,093
Vacant	198,093	99,046	0	-99,047
Occupied	0	99,047	0	-99,046
Local Retail GSF	6,500	6,500	4,807	-1,693
Total Building GSF	204,593	204,593	204,593	0
Population				
Residents[1]	0	0	168	+168
Workers[2]	20	416	18	-398

Notes:

[1] The number of residents has been calculated based on the average household size of 1.68 persons per household for Manhattan Community District (CD) 5 sourced from the 2020 Census.

[2] The number of workers has been calculated based on rates of one worker per 333 sf of local retail space, one worker per 250 sf of commercial office space, and one worker per 25 DUs.

VII. REQUIRED APPROVALS

The Applicant is seeking a Zoning Authorization and Chairperson's Certification, which are subject to CEQR. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act ("SEQR"). In addition, the city has published a guidance manual for environmental review, the 2021 *CEQR Technical Manual*. CEQR rules guide environmental review through the following steps:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. The environmental review for the Proposed Actions will be reviewed by DCP, which is serving as the lead agency for this project.

- *Environmental Review and Determination of Significance*. The lead agency will determine whether the Proposed Actions may have a significant impact on the environment. To do so, an EAS must be prepared. This EAS will be reviewed by the lead agency, which will determine if the Proposed Actions and subsequent development will result in any significant adverse impacts on the environment.

Attachment B:

Supplemental Screening

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual*. For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Actions to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Full Form identifies those technical areas that warrant additional assessment. The technical areas that warranted a "Yes" answer in Part II of the EAS Full Form were Land Use, Zoning, and Public Policy, Historic and Cultural Resources, Hazardous Materials, Air Quality, Noise, Public Health, Neighborhood Character, and Construction. Supplemental screening assessments for the Socioeconomic Conditions, Hazardous Materials, Noise, and Construction technical areas are provided in this attachment. It should be noted that, although Public Health and Neighborhood Character both warranted a "Yes" answer in Part II of the EAS Full Form, supplemental screening assessments for these technical areas are not provided in this attachment, rather, these technical areas have been screened out per the EAS Full Form. All remaining technical areas described in the 2021 *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial CEQR thresholds.

Table B-1: Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FULL FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ADDITIONAL ANALYSIS REQUIRED
Land Use, Zoning, and Public Policy			X
Socioeconomic Conditions	X[1]		
Community Facilities and Services	X		
Open Space	X		
Shadows	X		
Historic and Cultural Resources			X
Urban Design and Visual Resources	X		
Natural Resources	X		
Hazardous Materials		X	
Water and Sewer Infrastructure	X		
Solid Waste and Sanitation Services	X		
Energy	X		
Transportation	X		
Air Quality - Mobile Sources - Stationary Sources	X		X
Greenhouse Gas Emissions and Climate Change	X		
Noise		X	
Public Health	X		
Neighborhood Character	X		
Construction		X	

Note: [1] Preliminary analysis of Socioeconomic Conditions can be screened out per the EAS Full Form. Information supporting the Socioeconomic Conditions initial screening determination is provided in this attachment.

As shown in **Table B-1**, the supplemental screening assessment contained herein identified that additional analysis is warranted for Land Use, Zoning, and Public Policy, Historic and Cultural Resources, and Air Quality. **Table B-1** identifies for each CEQR technical area whether (a) the potential for impacts can be

screened out based on the EAS Full Form, Part II, Technical Analysis; (b) the potential for impacts can be screened out based on a supplemental screening per the 2021 *CEQR Technical Manual*; or (c) whether additional analysis is warranted.

II. SUPPLEMENTAL SCREENING

Land Use, Zoning, and Public Policy

Refer to **Attachment C, "Land Use, Zoning, and Public Policy."**

Socioeconomic Conditions

According to the 2021 *CEQR Technical Manual*, a socioeconomic analysis should be conducted if a project would: (a) directly displace more than 500 residents; (b) directly displace more than 100 employees; (c) result in the development of more than 200 residential units or more than 200,000 sf of commercial uses; (d) result in the development of 200,000 sf or more of retail on a single development site; and/or (e) affect conditions within a specific industry.

Direct Business Displacement

The Proposed Actions would not result in the direct displacement of any existing employees. The Development Site contains the Flatiron Building, a single, 21-story commercial building. As described in **Attachment A, "Project Description,"** since its completion, the Flatiron Building has been utilized as a commercial building, with the ground-floor containing commercial retail space and the upper floors (2 – 21) containing commercial office space. Under existing conditions, the Flatiron Building is primarily vacant except for one ground-floor commercial retail tenant (T-Mobile). As shown in **Table A-1** in **Attachment A, "Project Description,"** under existing conditions, the ground-floor commercial retail tenant is estimated to employee approximately 20 workers.[1] The existing ground-floor commercial retail tenant (T-Mobile) is expected to depart the Flatiron Building prior to construction of the Proposed Project. As such, no direct business displacement would occur as a result of the Proposed Actions and therefore, no significant adverse direct business displacement impacts would occur, and no further analysis is warranted. In addition, the Proposed Actions would not result in the net development of 200,000 sf of commercial space, or affect conditions in a specific industry. As such, no indirect business displacement would occur as a result of the Proposed Actions and therefore, no significant adverse indirect business displacement impacts would occur, and no further analysis is warranted.

The Proposed Actions would not directly displace residents or result in the net development of 200 or more residential units and, as such, no significant adverse direct or indirect residential displacement impacts would occur, and no further analysis is warranted.

Historic and Cultural Resources

Refer to **Attachment D, "Historic and Cultural Resources."**

[1] The number of existing retail workers has been calculated based on the rate of one worker per 333 sf of local retail space.

Hazardous Materials

As defined in the 2021 *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds ("VOCs" and "SVOCs"), methane, polychlorinated biphenyls ("PCBs") and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the 2021 *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) a project would increase pathways to their exposure; or (c) a project would introduce new activities or processes using hazardous materials.

This assessment is based on a *Phase I Environmental Site Assessment* ("ESA") prepared for the Development Site (Block 851, Lot 1) by Merritt Environmental Consulting Corp. ("MECC"). The Phase I ESA conforms to the ASTM E1527-21 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The Phase I ESA Executive Summary is provided in **Appendix 1**.

The on-site investigation was conducted on November 7, 2023. At the time of the Phase I ESA reconnaissance, the Development Site was occupied by a 21-story commercial building (the Flatiron Building) completed in 1902. MECC's findings are based upon a visual inspection of the Development Site, the examination of readily available public records concerning the current and prior use of the Development Site, and interviews with individuals knowledgeable about present and past property uses.

Phase I ESA Findings

The Phase I ESA did not identify any Recognized Environmental Conditions ("RECs") or Controlled Recognized Environmental Conditions ("CRECs"). However, the Phase I ESA noted the presence of a de minimis condition comprising a 50-gallon aboveground storage tank ("AST") used for the hydraulic elevator. There was minor surface staining adjacent to the AST, and MECC was informed the AST will be removed. A de minimis condition is not considered an REC. Further, the Phase I ESA noted that, based on the age of the Flatiron Building, Asbestos Containing Materials ("ACM") and Lead Based Paint ("LBP") are assumed to be present. ACM and LBP are considered Non-Scope Considerations.

In addition, an Historical Recognized Environmental Condition ("HREC") was identified in the Phase I ESA. The Development Site formerly utilized a 16,000-gallon AST housing number 2 oil which was located in the existing building's sub-basement. During MECC's reconnaissance, MECC was informed that the 16,000-gallon AST (Facility ID:2-333735) was removed from the Development Site. MECC's review of the EDR Radius Map indicated that in March 2023, NYSDEC Spill No. 2210032 was assigned to the Development Site by the New York State Department of Environmental Conservation ("NYSDEC"). In May 2023, NYSDEC visited the Development Site for an inspection and, following inspection by the agency, NYSDEC granted regulatory closure on May 30, 2023.

Assessment

The Proposed Actions would facilitate the Proposed Project, which comprises the residential conversion of the Flatiron Building from a commercial building into a predominantly residential building with ground-floor commercial space. The Development Site has been occupied by the Flatiron building, a 21-story commercial office and retail building, since its completion in 1902. The Proposed Project would not involve the demolition, addition, or expansion of the Flatiron Building. Rather, the Proposed Project entails the interior renovation of the Flatiron Building and minor exterior work. The Proposed Actions would not

result in new excavation at the Development Site, which could compromise the integrity of the existing building on the Development Site. Based on the Phase I ESA prepared for the Development Site, there are no RECs associated with the Development Site; therefore, the Development Site has low potential for hazardous materials contamination. Further, as noted in the Phase I ESA by MECC, properties located near the Development Site that have appeared on local, state, or federally published lists of properties that use or have had historical releases of hazardous materials, are of sufficient distance and/or situated down/cross-gradient to the Development Site, such that impact to the Development Site is considered unlikely. Through adherence to existing, applicable regulations, the potential for a significant adverse impact to human health and the environment from hazardous materials resulting from construction activities under the Proposed Actions would be avoided. Therefore, no significant adverse impacts related to hazardous materials would occur as a result of the Proposed Actions, and further analysis is not warranted.

Air Quality

Refer to **Attachment E, "Air Quality."**

Noise

The goal of a noise analysis is to determine both (1) a project's potential effects on existing noise sensitive uses and/or locations (known as "receptors"), including the effects on the level of noise inside residential, commercial, and institutional facilities (if applicable), and at open spaces, and (2) the effects of ambient noise levels on new receptors introduced by the project. The three principal types of noise sources that affect the New York City environment are mobile, stationary, and construction sources.

The initial impact screening considers whether the project would: (a) generate any mobile or stationary sources of noise; and/or (2) introduce a new receptor to an area with existing high ambient noise levels. If the project is located in an area with high ambient noise levels, which typically include those near highly trafficked thoroughfares, airports, heliports, train facilities, or other loud activities, further noise analysis may be warranted to determine the attenuation measures that are appropriate for the project.

A Noise Survey Results and Facade Acoustical Performance Recommendations Report was prepared by AKRF for the Development Site (Block 851, Lot 1). The executive summary of the report is provided below, and the full report is provided in **Appendix 2**.

Noise Survey Results and Facade Acoustical Performance Recommendations Executive Summary

Noise measurements were performed at the development site for a 7-day continuous period from Thursday, December 28, 2023 to Thursday, January 4, 2024. During the 7-day continuous noise monitoring program, supplemental spot-check noise measurements were performed to further document vehicular noise (see **Figure 1** in **Appendix 2** for noise survey locations). The recommended window acoustical performance to be incorporated in project specifications is an Outdoor-Indoor Transmission Class (OITC) 31 rating and a Sound Transmission Class (STC) 38 rating.

Assessment

The Proposed Actions would facilitate the Proposed Project, which comprises the residential conversion of the Flatiron Building from a commercial building into a predominantly residential building with ground-floor commercial space. The Proposed Project will incorporate the window acoustical performance

specifications (OITC 31 rating and/or STC 38 rating) recommended in the Noise Survey Results and Facade Acoustical Performance Recommendations Report prepared by AKRF for the Development Site. With the implementation of the report's recommended window acoustical performance specifications, the Proposed Project would provide sufficient attenuation to achieve the 2021 *CEQR Technical Manual* interior noise level requirement for residential use (45 dBA or lower). Therefore, no significant adverse noise impacts would occur as a result of the Proposed Actions, and further analysis is not warranted.

Construction

Construction activities, although temporary in nature, can sometimes result in significant adverse impacts. A project's construction activities may affect a number of technical areas analyzed for the operational period, such as air quality, noise, and traffic; therefore, a construction assessment relies to a significant extent on the methodologies and resulting information gathered in the analyses of these technical areas.

Anticipated Construction Schedule

The Development Site contains the Flatiron Building, a single, 21-story (approximately 300.29-foot-tall) high-rise building totaling approximately 204,593-gross square feet ("gsf") (approximately 21.49 FAR).[2] The Proposed Actions would facilitate the conversion of the Flatiron Building from a commercial building into a residential building with ground-floor commercial space. The Proposed Project would not involve the demolition, addition, or expansion of the existing building. Rather, the Proposed Project entails the interior renovation with very limited exterior work, which includes new windows, ground-floor doors, and mechanical equipment. Construction would begin in early-2025 and is anticipated to occur over a period of 18 months with occupancy expected to occur in late-2026; therefore, construction is considered short-term (i.e., less than two years) in accordance with the 2021 *CEQR Technical Manual*.

The activities associated with the conversion are expected to result in conditions typical of renovation projects in New York City. Most construction activities would occur Monday through Friday, although the delivery and installation of certain equipment could occur on weekend days. Hours of construction are regulated by the New York City Department of Buildings ("DOB") and apply in all areas of New York City. In accordance with DOB regulations, nearly all work would occur between the hours of 7:00 AM and 6:00 PM on weekdays, although some workers would arrive and begin to prepare work areas before 7:00 AM. Occasionally, Saturday or overtime hours may be required to complete time-sensitive tasks. Weekend work requires a permit from DOB and, in certain instances, approval of a noise mitigation plan from the New York City Department of Environmental Protection ("DEP") pursuant to the New York City Noise Code.

Though construction would occur in the Midtown Central Business District, the Proposed Project is a conversion with a short-term construction duration (i.e., less than two years), and any permits for sidewalk or roadway closures or narrowing, if necessary, would be subject to review and approval from the New York City Department of Transportation ("NYCDOT") Office of Construction Mitigation and Coordination ("OCMC"), the entity that ensures critical arteries are not interrupted, especially in peak travel periods.

[2] The Flatiron Building was constructed prior to the enactment of the 1916 Zoning Resolution.

Historic and Cultural Resources

According to *2021 CEQR Technical Manual* guidance, construction impacts may occur on historic and cultural resources if in-ground disturbances or vibrations associated with project construction could undermine the foundation or structural integrity of nearby historic and cultural resources. The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to buildings and structures designated or eligible for designation as NYCLs and listed or eligible for listing on the S/NR located within 90 linear feet of a proposed construction site. For these buildings and structures, DOB's Technical Policy and Procedure Notice ("TPPN") #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the New York City Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent historic and cultural resources (within 90 linear feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

As the Project Area is located within the LPC-designated Ladies' Mile Historic District, the Proposed Project would be subject to DOB's TPPN #10/88. Under the TPPN, a Construction Protection Plan would be provided to LPC for review and approval prior to any work in the Project Area. The Construction Protection Plan would take into account the guidance provided in 2021 *CEQR Technical Manual*, Chapter 9, Section 522, "Construction Protection Plan." As such, the Proposed Actions would have no significant adverse construction-related impacts on historic and cultural resources and further analysis is not warranted.

Overall, construction of the Proposed Project would result in temporary (i.e., less than two years) disruption in the surrounding area, including noise, dust, and traffic associated with the delivery of materials and arrival of workers on Development Site. However, given the magnitude and duration (under 24 months) of construction effects, no significant adverse impacts from construction would occur as a result of the Proposed Actions, and further analysis is not warranted.

Attachment C:

Land Use, Zoning, and Public Policy

I. INTRODUCTION

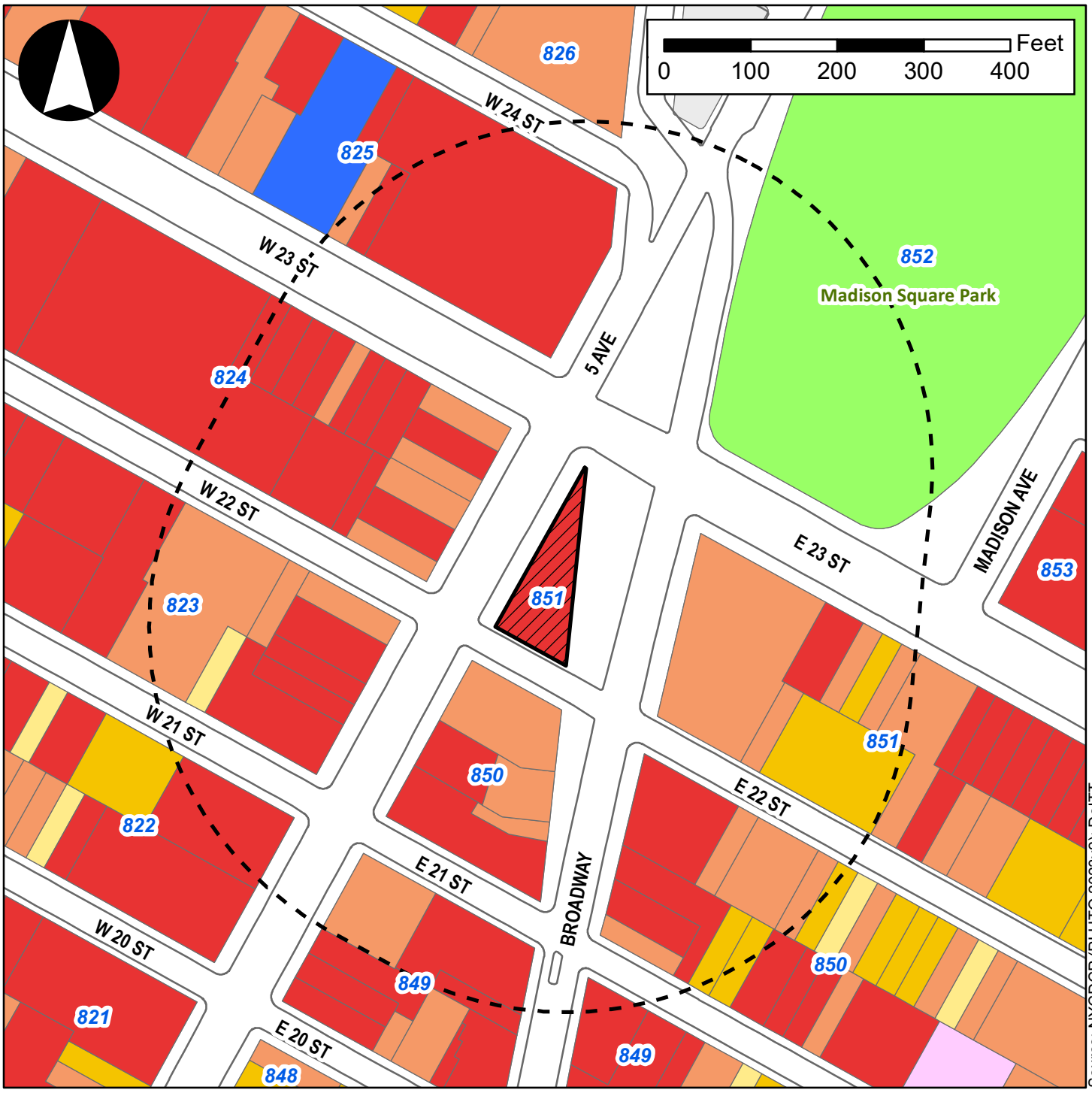
The Proposed Actions include a Zoning Authorization from the City Planning Commission ("CPC") pursuant to ZR Section 15-20 (Regulations Governing Residential Conversions Within Existing Buildings in C6-2M, C6-4M, M1-5M and M1-6M Districts) and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent). This attachment assesses the potential impacts of the Proposed Actions on land use, zoning, and public policy, as compared to conditions in the future without the Proposed Actions. Under 2021 *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land use and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. If the preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical areas of Socioeconomic Conditions, Neighborhood Character, Transportation, Air Quality, Noise, Infrastructure, or Hazardous Materials, a detailed land use analysis is appropriate. As the Proposed Actions do not trigger a detailed assessment for any of the technical areas listed above, and are site-specific, a detailed analysis of land use and zoning is not warranted and a preliminary assessment is provided below.

II. METHODOLOGY

As mentioned above, the Proposed Actions include one Zoning Authorization from the CPC pursuant to ZR Section 15-20 and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30. For this analysis, the primary study area encompasses a single site at 175 Fifth Avenue (Block 851, Lot 1). The secondary study area encompasses areas that have the potential to experience indirect impacts as a result of the Proposed Actions. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. Both the primary and secondary study areas have been established in accordance with 2021 *CEQR Technical Manual* guidance and are presented in **Figure C-1**.

The analysis of land use, zoning, and public policy first provides a description of the existing land use, zoning, and public policy conditions in each of the study areas. Existing land uses within the primary and secondary study areas were determined based on the New York City Primary Land Use Tax Lot Output ("PLUTO") data files for 2023 and April 2024 field visits; no discrepancies between PLUTO data files and existing field conditions were observed. New York City Zoning and Land Use ("ZoLa"), New York City Zoning maps, and the *Zoning Resolution of the City of New York* ("ZR") were consulted to describe existing zoning districts in each of the study areas. Relevant public policy documents recognized by the New York City Department of City Planning ("DCP") and other city agencies were utilized to describe existing public policies pertaining to the primary and secondary study areas.

As discussed in **Attachment A, "Project Description,"** completion of the interior renovations and occupancy of the Proposed Project is expected to occur in late-2026. Therefore, this analysis assesses current conditions and forecasts those conditions to 2026. The analysis first projects land use, zoning, and public policy conditions in the 2026 analysis year without the Proposed Actions. This is the "No-Action" or "future without the Proposed Actions" condition, which is developed by identifying known and proposed



Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Mulit-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

developments and other relevant changes anticipated to occur within the primary and secondary study areas within this timeframe. The No-Action condition describes the baseline conditions in each of the study areas against which the Proposed Actions' Reasonable Worst Case Development Scenario ("RWCDS") incremental changes are measured. Finally, the analysis projects land use, zoning, and public policy conditions in 2026 with the approval of the Proposed Actions. This is the "With-Action" or "future with the Proposed Actions" condition.

Study Areas

Primary Study Area (Project Area)

As shown in **Figure C-1**, the primary study area measures approximately 8,658-square feet ("sf"), comprising the totality of the Project Area (Applicant-owned Block 851, Lot 1). The primary study area is bound by East 23rd Street to the north, Fifth Avenue to the west, East 22nd Street to the south, and Broadway to the east. The primary study area contains approximately two feet of frontage on the south side of East 23rd Street, a wide street with a mapped width of 100 feet, approximately 197.5 feet of frontage on the east side of Fifth Avenue, a wide street with a mapped width of 100 feet, approximately 85.67 feet of frontage on the north side of East 22nd Street, a narrow street with a mapped width of 60 feet, and approximately 214.5 feet of frontage on the west side of Broadway, a wide street with a mapped width of at least 80 feet.

Secondary Study Area (400-Foot Radius)

As shown in **Figure C-1**, the secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is generally bound by West 24th Street and Madison Square Park to the north, the midblock portions of Blocks 850 and 851 between Fifth Avenue and Park Avenue South to the east, West and East 21st streets to the south, and the midblock portions of Blocks 823 and 824 between Fifth Avenue and Avenue of the Americas to the west.

Public Policy

According to the 2021 *CEQR Technical Manual*, a proposed project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports that pertain to the study areas. If a proposed project could potentially alter or conflict with identified policies, a detailed analysis should be conducted; otherwise, no further analysis of public policy is necessary.

The primary study area is occupied by the Flatiron Building, which is a designated New York City Landmark ("NYCL") (LP-0219[1]), listed on the State/National Registers of Historic Places ("S/NR"), and a National Historic Landmark ("NHL"). The building was completed in 1902 and designed by D.H. Burnham & Company in the Beaux-Arts style. The primary study area is also located within the Ladies' Mile Historic District (LP-1609[2]), which also extends to encompass portions of the secondary study area.

[1] https://s-media.nyc.gov/agencies/lpc/lp/0219.pdf
[2] http://s-media.nyc.gov/agencies/lpc/lp/1609.pdf

The primary and secondary study areas are not located within a designated Industrial Business Zone ("IBZ") or an area defined by an adopted 197-a plan; nor would the Proposed Actions involve the siting of any public facilities (Fair Share). Further, the primary and secondary study areas are not located within New York City's designated Coastal Zone Boundary ("CZB"), therefore, an assessment of the Proposed Actions' consistency with New York City's Waterfront Revitalization Program ("WRP") is not required. However, several adopted and proposed city policies are applicable to both the primary and secondary study areas: *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *OneNYC 2050: Building a Strong and Fair City*, *City of Yes for Housing Opportunity*, and the *Midtown South Mixed-Use Plan*. These public policies, as well as discussions of the primary study area's landmark status, location in a historic district, and location in a Business Improvement District ("BID") are discussed below.

III. EXISTING CONDITIONS

Land Use

Primary Study Area (Project Area)

The Primary Study Area (Applicant-owned) measures approximately 8,658-sf, and has approximately 197.5 feet of frontage on Fifth Avenue to the west, approximately 85.67 feet of frontage on East 22nd Street to the south, and approximately 214.5 feet of frontage on Broadway to the east. As shown in **Table C-1**, the Primary Study Area contains one 21-story building totaling approximately 204,593-gsf (21.49 FAR).

Table C-1: Primary Study Area – Existing Conditions

Lot[1]	Affected Lot Area SF	Address	Zoning	Land Use	Total Building GSF	Built FAR[2]	Residential GSF/DUs	Parking Spaces	Construction Year
1	8,658	175 Fifth Avenue	C6-4M	Commercial and Office Buildings	204,593	21.49	0/0	0	1902
Total Affected Primary Study Area Lot Area SF	**8,658**								

Note: The Flatiron Building was constructed prior to the enactment of the 1916 Zoning Resolution.
Sources: DCP 2023 PLUTO Data (Version I); Field observations (April 2024).

Secondary Study Area (400-Foot Radius)

As shown in **Figure C-1** and **Table C-2**, the built floor area within the secondary study area is predominantly comprised of commercial/office buildings and mixed-use commercial/residential buildings.

Table C-2: Existing Land Uses Within the Secondary Study Area

Land Use	Number of Lots	Percentage of Total Lots (%)	Lot Area (sf)	Percentage of Total Lot Area (%)	Building Area (sf)	Percentage of Total Building Area (%)
Residential (Total)	**7**	**11.3**	**37,082**	**4.9**	**327,990**	**7.2**
One & Two-Family Buildings	*0*	*0.0*	*0*	*0.0*	*0*	*0.0*
Multi-Family Walkup Buildings	*1*	*1.6*	*2,742*	*0.4*	*7,545*	*0.2*
Multi-Family Elevator Buildings	*6*	*9.5*	*34,340*	*4.5*	*320,445*	*7.0*
Mixed Commercial/Residential Buildings	**23**	**36.5**	**153,877**	**20.0**	**1,508,857**	**33.1**
Commercial/Office Buildings	**32**	**50.8**	**271,601**	**35.4**	**2,723,946**	**59.7**
Industrial/Manufacturing	**0**	**0.0**	**0**	**0.0**	**0**	**0.0**
Transportation/Utility	**0**	**0.0**	**0**	**0.0**	**0**	**0.0**
Public Facilities & Institutions	**0**	**0.0**	**0**	**0.0**	**0**	**0.0**
Open Space	**1**	**1.6**	**305,000**	**39.7**	**3,800**	**0.1**
Parking Facilities	**0**	**0**	**0**	**0.0**	**0**	**0.0**
Vacant Land	**0**	**0.0**	**0**	**0.0**	**0**	**0.0**
All Others or No Data	**0**	**0.0**	**0**	**0.0**	**0**	**0.0**
Totals	***63***	***100.0***	***767,560***	***100.0***	***4,564,593***	***100.0***

Sources: DCP 2023 PLUTO Data (Version II); Field observations (April 2024).

As shown in **Table C-2**, commercial/office buildings are located throughout the secondary study area and represent a majority of lots and the largest percentage of the building area. Mixed-use commercial/ residential buildings represent approximately 37 percent of all lots, 20 percent of lot area, and 33.1 percent of building area. Block 852 contains Madison Square Park, which represents nearly 40 percent of the secondary study area's total lot area. There are no one- and two-family buildings, industrial/manufacturing uses, transportation/utility uses, public facility and institutional uses, parking facilities, nor any vacant land located within the secondary study area.

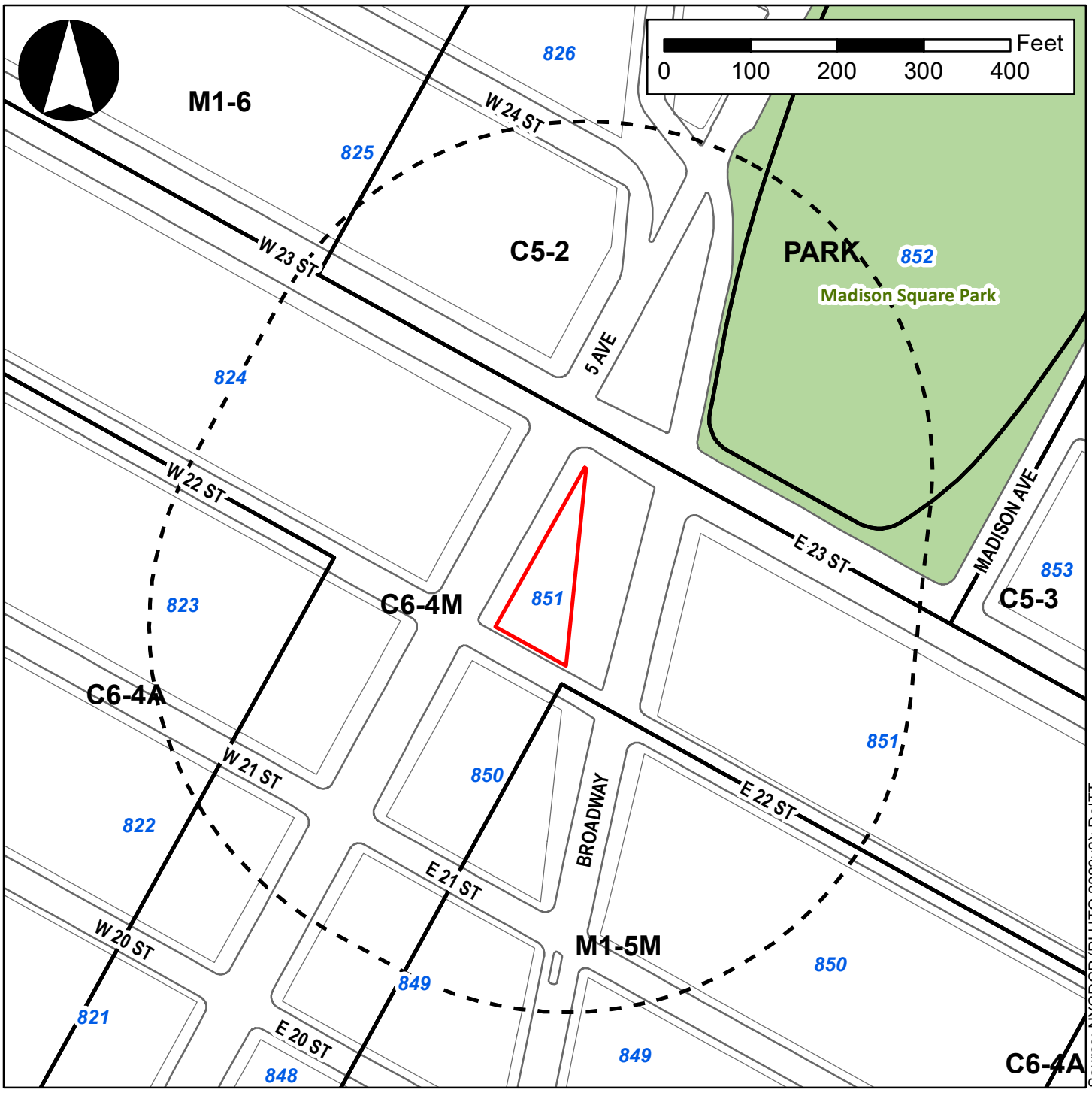
As shown in **Figure C-1** mixed-use commercial/residential buildings are located alongside commercial/office buildings. Multi-family elevator buildings are primarily located within the eastern portion of the secondary study area, along East 21st and 22nd streets. One multi-family walk-up building is located near the western boundary of the secondary study area, along West 21st Street. In mixed-use commercial/residential buildings, commercial uses are typically local restaurant, retail, and office establishments located on the ground floors of multi-family buildings with residential uses located above. Notable commercial/office buildings within the secondary study area include the Flatiron Institute located at 162 Fifth Avenue, the Eurasia Group at 149 Fifth Avenue, the LEGO store at 200 Fifth Avenue, and the Harry Potter flagship store at 935 Broadway. Madison Square Park, a 6.2-acre public park, dominates the northern portion of the secondary study area.

Zoning

Primary Study Area (Project Area)

As shown in **Figure C-2**, the primary study area is zoned C6-4M. C6-4M zoning districts permit a maximum FAR of 10.0 for commercial and manufacturing/industrial uses. In C6-4M zoning districts, residential uses are only authorized by special permit.[3] As the existing building located within the primary study area was constructed prior to the establishment of the 1961 Zoning Resolution, it does not comply with the use

[3] *Zoning Resolution of the City of New York*, Article I, Chapter 5. https://zr.planning.nyc.gov/article-i/chapter-5#15-012



Source: NYCDCP (PLUTO 2023v2); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Zoning District Boundaries
- Open Space

and bulk requirements established by the primary study area's C6-4M zoning district. The property also exceeds the maximum permitted FAR of 10.0 for commercial uses, with a built FAR of approximately 21.49.

Secondary Study Area (400-Foot Radius)

As shown in **Figure C-2**, much of the secondary study area is zoned C6-4M, M1-5M, C5-2, and C6-4A. An M1-6 district falls just outside the northwest portion of the secondary study area. M1-5M zoning districts permit a maximum FAR of 5.0 for light manufacturing/industrial uses and there is no accessory parking requirement if the district is mapped within Manhattan. C5-2 zoning districts permit a maximum FAR of 10.0 for commercial purposes. The allowable residential zoning equivalent for C5-2 zoning districts is R10 which has a maximum permitted FAR of 10.0. Higher maximum permitted FAR and building heights are permitted for buildings participating in the Inclusionary Housing Program or with a public plaza bonus. On wide streets, the base height before setback is 125 to 155 feet with a maximum building height of 215 feet. On narrow streets, the base height before setback is 60 to 125 feet and a maximum building height is 185 feet. In the Manhattan core, general accessory parking requirements are waived (refer to **Table C-3**).

Table C-3: Existing Zoning Districts within the Secondary Study Area

Zoning District	Building Type	Permitted Use Groups[1]	Maximum FAR[2, 3]
C6-4M	C6 districts permit high-bulk commercial uses requiring a central location and are primarily mapped in downtown Brooklyn, Manhattan and downtown Jamaica. C6 districts are widely mapped within special districts. C6-4M districts are mapped in Chinatown, Chelsea, and in the Special Garment Center District. C6-4M buildings have rules for the conversion of non-residential space to residential use.	1-2 (by special permit), 3-14, 16-17	R: 10.0; C: 10.0; M: 10.00
M1-5M	M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Offices, hotels, and most retail uses are also permitted. In M1-5M districts, predominantly mapped in parts of Chelsea, space in an industrial building may be converted to residential use, provided a specified amount of floor area is preserved for industrial and commercial uses.	1-2 (by special permit), 3-14, 16-17	M: 5.0; CF: 6.5; C: 5.0
C5-2	C5 is a central commercial district with continuous retail frontage intended for offices and retail establishments. Typical C5 uses include department stores and offices with residential space located above. In C5-2 districts, a building occupied as a community facility, commercial or residential building may be configured as a tower.	1-2, 5-6, 9-11	R: 10.0; C:10.0
C6-4A	C6-4A districts are contextual zoning districts typically containing high-rise mixed-use buildings. These districts primarily follow the requirements of C6 districts but have maximum building heights.	1-11	R: 10.0; C: 10.0; CF: 10
M1-6	M1-6 is the highest density manufacturing district, mapped only in Manhattan. An FAR of 12 can be achieved with a public plaza bonus.	3-14, 16-17	M: 10.0; CF: 10-12.0; C: 10.0

Source: *Zoning Resolution of the City of New York*.

Notes:

[1] Hotels are only allowed by special permit in all of the zoning districts shown in **Table C-3**.

[2] R = residential; C = commercial; CF = community facility; M = manufacturing.

[3] A 20% plaza bonus is available in C6-4M, C5-2, and M1-6 zoning districts.

Public Policy

As noted above, the primary and secondary study areas are not located within a designated IBZ, an area defined by an adopted 197-a plan, within New York City's designated CZB; nor would the Proposed Actions involve the siting of any public facilities (Fair Share). Several adopted and proposed city policies are applicable to both the primary and secondary study areas: *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *OneNYC 2050: Building a Strong and Fair City*, *Where We Live NYC Plan*, *City of Yes for Housing Opportunity*, and the *Midtown South Mixed-Use Plan*. Further, the primary and secondary study area contain historic landmarks and are located within the Ladies' Mile Historic District as well as the Flatiron-NoMad BID.

Housing Our Neighbors: A Blueprint for Housing and Homelessness

On June 14, 2022, the Adams administration released *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, a comprehensive plan intended to cover the entire spectrum of New Yorkers' housing needs and options, including city-subsidized affordable housing, public housing, private market-rate housing, and greater support programs for New Yorkers experiencing homelessness. The plan is the result of an extensive stakeholder input and community engagement process, which included direct engagement with New Yorkers who are experiencing or having experienced homelessness and outlines major steps the Adams administration plans to take:

- Significantly expand affordable homeownership opportunities and help communities build and maintain wealth;
- Accelerate the creation of supportive housing by completing the 15,000 supportive homes promised by 2030 two years ahead of schedule;
- Transform the New York City Housing Authority ("NYCHA") by both delivering much-needed resources for repairs and improving and streamlining the services NYCHA provides residents and the processes by which they do so;
- Break down government siloes to bolster transparency and address the full scope of the homelessness crisis, adding to the city's homeless count while creating a more even playing field to give more New Yorkers in all the city's shelter systems access to critical services and resources; and
- Get New Yorkers into safe, high-quality, affordable homes faster and without forcing them to relive past trauma by eliminating unnecessary paperwork and obstacles to obtaining housing.

OneNYC 2050: Building a Strong and Fair City

In April 2019, the administration of former Mayor de Blasio released *OneNYC 2050: Building a Strong and Fair City* ("OneNYC 2050"), a strategic plan for inclusive growth and climate action in New York City. Building upon its predecessor, *One New York: The Plan for a Strong and Just City* ("OneNYC"), OneNYC 2050 brings new attention to the fundamental link between climate action and inclusive growth with a focus on creating good-paying jobs, ensuring equitable access to natural resources, guaranteeing the right to quality healthcare and education, and promoting justice by recognizing and repairing the damage caused by historic oppression.

OneNYC 2050 includes progress realized since 2015, saluting the success of OneNYC's growth, sustainability, resiliency, and equity initiatives. However, the plan emphasizes that there is still much to

be done to address critical challenges like climate change, increasing unaffordability, and failing infrastructure. The plan's eight goals lay the foundation for transformational change:

- **A Vibrant Democracy**, where every New Yorker is welcomed into the city's civic and democratic life.
- **An Inclusive Economy**, where economic growth creates opportunities for New Yorkers and safeguards the American Dream.
- **Thriving Neighborhoods**, where all communities have safe, affordable housing and are well-served by parks, cultural resources, and other shared public spaces.
- **Healthy Lives**, where health inequities based on race and ethnicity are eliminated, and all residents have equal access to health care, clean air, and healthy food.
- **Equity and Excellence in Education**, where diverse and fair schools provide a quality education for every student, and New York serves as a model for educating children of all backgrounds.
- **A Livable Climate**, where we no longer rely on fossil fuels and have mitigated the risks posed by climate change.
- **Efficient Mobility**, where affordable, reliable, safe, and sustainable transportation options mean no New Yorker need rely on a car.
- **Modern Infrastructure**, where reliable physical and digital infrastructure allows New Yorkers to flourish.

OneNYC 2050 articulates a global perspective on the long-term needs of the city and how the city must grow responsibly and sustainably while supporting the well-being of all New Yorkers. The plan is referred to as New York City's Green New Deal, and progress reports will be released yearly.

Where We Live NYC Plan

Through the *Where We Live NYC Plan*, the city has developed a plan to take bold, transformative action to break down barriers to opportunity and build more integrated, equitable, and inclusive neighborhoods throughout New York City. The plan recognizes that intentional policies and practices have created segregation and inequity across the country and in New York City, and that it will take concerted effort from all levels of government, as well as partners in the private and non-profit sectors, to undo legacies of segregation and inequity. The plan is separated into six key goals that will guide the city's work in advancing fair housing through 2025:

- Combat persistent, complex discrimination with expanded resources and protections;
- Facilitate equitable housing development in New York City and the region;
- Preserve affordable housing and prevent displacement of long-standing residents;
- Enable more effective use of rental assistance benefits, especially in amenity-rich neighborhoods;
- Create more independent and integrated living options for people with disabilities; and
- Make equitable investments to address the neighborhood-based legacy of discrimination, segregation, and concentrated poverty.

City of Yes for Housing Opportunity

In September 2023, the Adams administration released the City of Yes for Housing Opportunity plan ("CHO") which aims to increase housing production through a reduction in mandatory parking requirements, a streamlined office to residential building conversion process in addition to changes for rules regarding accessory dwelling units and underused space on existing housing campuses. The Draft

Scope of Work and the Environmental Assessment Statement were released in late September 2023, and the proposed zoning text amendment for CHO was referred out for public review on May 9, 2024.

Midtown South Mixed-Use Plan

On October 17, 2023, the Adams administration introduced the Midtown South Mixed-Use Plan ("MSMX"). MSMX aims to support the development of mixed-use neighborhoods across Midtown South by permitting new housing opportunities within areas of Midtown South where residential development is not permitted as-of-right pursuant to the 1961 Zoning Resolution. MSMX identifies Midtown South as a neighborhood with exceptional access to public transit, as well as jobs and economic activity. However, Midtown South is dominated by commercial and other non-residential buildings and approximately 89 percent of the neighborhood's building stock is at least 60 years old. The conversion of these buildings to residential use is the primary goal of the plan.

Historic Districts and Individual Landmarks

Historic Districts are areas of the City that possess architectural or historical significance while contributing to a "distinct sense of place."[4] These districts must maintain a coherent streetscape and often represent a specific architectural style or era. Individual landmarks are defined as one structure, that is at least 30 years old and possess unique cultural, historical, or architectural significance. The designation of historic districts and landmarks is carried out by the New York City Landmarks Preservation Commission ("LPC"). The stated goals of LPC are:

- Stabilize and improve property values;
- Foster civic pride;
- Protect and enhance the city's attractions to tourists;
- Strengthen the economy of the city; and
- Promote the use of historic districts, landmarks, interior landmarks, and scenic landmarks for the education, pleasure and welfare of the people of the city.

The primary study area is designated New York City Landmark, listed on the State/National Registers of Historic Places, and a National Historic Landmark. It was landmarked by New York City in 1966 and designated a national landmark in 1989. The secondary study area contains additional landmarks including the Scribner Building, the 200 Fifth Avenue Sidewalk Clock, and Historic Street Lamppost 51 on the corner of Broadway and East 23rd Street. Additionally, the primary study area, and a portion of the secondary study area, is located in the Ladies' Mile Historic District.

Business Improvement Districts

The purpose of Business Improvement Districts ("BIDs") is to create vibrant, clean, and safe districts within New York City. BIDs serve to help brand and market small businesses, advocate for business owners, contribute to the beautification and cleanliness of streets, and help facilitate community events with residents and local business owners.

[4] https://www.nyc.gov/site/lpc/designations/landmark-types-criteria.page

As shown in **Figure C-3**, the primary study area is located within the Flatiron-NoMad BID, which was established in January 2006. The Flatiron-NoMad BID covers 103 blocks and over 4,000 ground-floor businesses.

IV. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Land Use and Zoning

Primary Study Area (Project Area)

As described in **Attachment A, "Project Description,"** in the future without the Proposed Actions, the primary study area's existing C6-4M zoning district would remain. Under the No-Action condition, the primary study area would not be developed on an as-of-right basis and the existing conditions are anticipated to remain. Therefore, in the No-Action condition, the primary study area would contain one commercial/office building totaling approximately 204,593-gsf (21.49 FAR).

Under the No-Action condition, the Flatiron Building's total commercial space would continue to include approximately 198,093-gsf of commercial office space and 6,500-gsf of commercial retail space. Approximately half of the vacant commercial office space, totaling approximately 99,047-gsf, would be re-occupied by commercial office tenants in the No-Action condition. The Flatiron Building's remaining commercial space would comprise approximately 6,500-gsf of commercial retail space and 99,046-gsf of vacant commercial office space.

Secondary Study Area (400-Foot Radius)

In the future without the Proposed Actions, there are no known development projects anticipated to be completed within the secondary study area. There are two proposed policies that would affect existing zoning: the *City of Yes for Housing Opportunity* and the *Midtown South Mixed-Use Plan*. These proposals, through changes in zoning, could alter land uses within the secondary study area, potentially facilitating the conversion of non-residential commercial/office buildings to mixed-use buildings containing residential and non-residential uses.

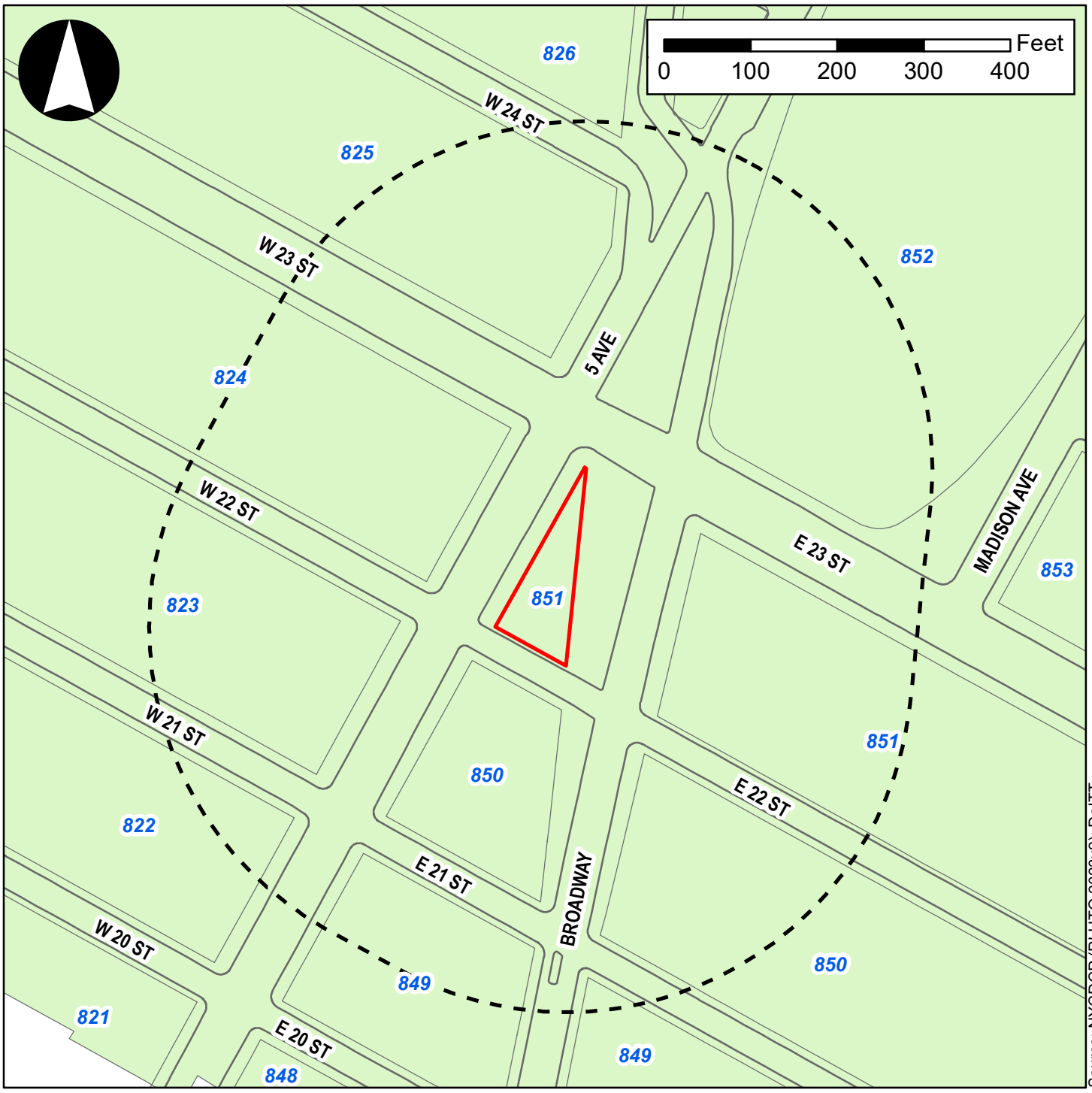
Public Policy

The proposed *City of Yes for Housing Opportunity* and *Midtown South Mixed-Use Plan* policies would be applicable to both the primary and secondary study areas in the future without the Proposed Actions.

V. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

In the future with the Proposed Actions, one requested Zoning Authorization from the CPC pursuant to ZR Section 15-20 and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 would be approved. The primary study area's existing C6-4M zoning district would remain. The Proposed Actions would allow for a use modification of the existing building within the primary study area and contribute to the preservation of the historic building within the primary study area. The Chairperson's Certification would waive the open space requirement for residential conversions in landmarked buildings, which states that at least 30 percent of the gross roof area of a building containing 15 dwelling units shall be

Flatiron/NOMAD Business Improvement District



Source: NYCDCP (PLUTO 2023v2); DoITT

Legend

- Primary Study Area (Project Area)
- Secondary Study Area (400-Foot Radius)
- Flatiron/NOMAD BID

provided for recreational use. For each additional dwelling unit, 100 square feet of additional roof area shall be provided for recreational use, up to a maximum of 50 percent of the gross roof area.

Land Use

Primary Study Area (Project Area)

The With-Action condition is largely consistent with the Applicant's Proposed Project planned for the primary study area outlined in **Attachment A, "Project Description."** The With-Action condition for the primary study area, like the Proposed Project, includes the use modification of one existing building, the Flatiron Building. Under the With-Action condition, the Flatiron Building would continue to occupy the approximately 8,658-sf primary study area, but would be converted to residential use above the ground-floor, comprising approximately 199,786-gsf (20.94 FAR) of residential uses and approximately 4,807-gsf (0.55 FAR) of commercial retail uses.

However, for the purposes of environmental analysis, the With-Action condition assumes the maximum number of dwelling units that are feasible within the Development Site. The number of dwelling units in the With-Action condition (100 DUs) is based on an average dwelling unit size of approximately 1,998-gsf (approximately 1,811-zsf) per dwelling unit, inclusive of all residential space (approximately 199,786-gsf and 181,090-zsf). This average dwelling unit size, which is larger than the average dwelling unit size range of approximately 850- to 1,000-sf typically recommended by DCP for use as a conservative dwelling unit size assumption, is a result of the Flatiron Building's unique floor plates. Unlike almost all buildings in the City, the Flatiron Building tapers to a compressed point of a right triangle. Given this unique shape, as well as the shaft locations for modern elevators, required egress stairs, and new mechanical equipment, including trash compactors, egress hallway requirements, as well as the existing window configurations that are recognized as part of the Flatiron Building's landmark status, the development of greater than five DUs per floor would not be feasible and may not comply with the NYC Construction Codes.

Therefore, the With-Action condition assumes a total of approximately 199,786-gsf of residential uses (100 DUs), 4,807-gsf of commercial retail space, and approximately 204,593-gsf of total building space. The Proposed Project's residential lobby would be located on East 22nd Street, Fifth Avenue, and Broadway. The commercial retail uses, located on the ground-floor, would be accessed via separate entrances on East 22nd Street, Fifth Avenue, and Broadway. The Proposed Project's residential uses would comprise approximately 100 market-rate DUs. No accessory off-street parking is proposed for the Proposed Project's dwelling units, in accordance with existing zoning regulations for the Manhattan core. In addition, no open space is proposed for the roof, a requirement which would be waived pursuant to the requested Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent).

Secondary Study Area

No additional changes to land use are anticipated in the secondary study area as a result of the Proposed Actions. The Proposed Actions are site-specific and are not expected to alter development trends or patterns in the secondary study area.

Assessment

In the future with the Proposed Actions, the requested Zoning Authorization from the CPC pursuant to ZR Section 15-20 and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 would result in changes to land use within the primary study area. As described above, the primary study area is occupied by one commercial/office building, which would remain in the No-Action condition. As compared to the No-Action condition, the With-Action condition for the Proposed Actions' RWCDS would introduce residential (Use Group 2) land uses to the primary study area; some commercial land uses (local retail) would be retained in the With-Action condition. The primary study area is located in the Flatiron neighborhood, an area of the city with an established mixture of land uses, including residential, mixed-use commercial/residential, commercial/office, and public facility and institutional land uses. The new residential (Use Group 2) land use introduced by the With-Action condition would be compatible with and complementary to the existing land use character of the secondary study area as well as the larger Flatiron and Midtown South neighborhoods located outside of the secondary study area, where residential and mixed-use commercial/residential land uses are well represented.

The requested Chairperson's Certification from the CPC pursuant to ZR Section 15-30 (Minor Modifications) to waive the requirements of ZR Section 15-12 (Open Space Equivalent) would waive the rooftop open space requirements for landmarked buildings. The Proposed Project would require the use of the roof for the placement of various mechanical equipment and cannot feasibly provide accessible roof access without displacement of this critical mechanical equipment.

In comparison to the No-Action condition, the With-Action condition would not introduce any new buildings to the primary or secondary study areas. The existing building within the primary study area will remain at a height of approximately 300.29 feet tall. Further, the With-Action condition would not generate land uses that would be incompatible with surrounding land uses in the secondary study area, as mixed-use commercial/residential land uses are prominent within the secondary study area. Although the With-Action condition would displace commercial office space that would be located within the primary study area in the No-Action condition, the With-Action condition would retain commercial retail space, which would also be provided in the No-Action condition. In the primary study area, commercial land uses would remain permitted under the With-Action condition, as in the No-Action condition.

Additionally, the primary study area is located along Fifth Avenue, East 23rd Street, and Broadway, three wide streets, and located near several bus routes including the M1, M2, M3, M55 and M23 Select Bus Service ("SBS"). Additionally, the primary study area is served by the R and W subway lines, with a station entrance located across from the primary study area at the intersection of Broadway and 23rd Street. These transportation options make the primary study area well equipped to absorb residential densities.

The secondary study area would not undergo any land use changes as a result of the Proposed Actions. As described above and shown in **Figure C-1**, the secondary study area is primarily comprised of mixed-use commercial/residential and commercial/office land uses. The Proposed Actions and With-Action condition would not create additional non-conformance or non-compliance of existing buildings or land uses within the secondary study area.

Therefore, the With-Action condition would not introduce any new land uses that would be incompatible with their surroundings and would not alter or accelerate existing development patterns within the secondary study area, and no significant adverse land use impacts would occur within the primary or secondary study areas as a result of the Proposed Actions.

Zoning

Primary Study Area (Project Area)

In the future with the Proposed Actions, the requested Zoning Authorization from the CPC pursuant to ZR Section 15-20 and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 would be approved. The requested use modification of the existing building will allow for residential land uses within the existing C6-4M zoning district. No zoning changes are proposed as a requirement of the Proposed Actions and the existing C6-4M district would remain in place. The building would maintain its current FAR of 21.49.

Secondary Study Area (400-Foot Radius)

As previously described, the secondary study area is primarily zoned C6-4M, but also includes C5-2, C6-4A, and M1-5M zoning districts. These districts permit mixed-use residential building development or allow for residential conversion under special permit. Therefore, the Proposed Actions would fit with the existing mixed-use zoning character of the neighborhood. Further, in comparison to the existing and No-Action conditions, the Proposed Actions would not result in changes to allowable densities or permitted building heights within the secondary study area.

Assessment

In the future with the Proposed Actions, the requested one Zoning Authorization from the CPC pursuant to ZR Section 15-20 and a Chairperson's Certification from the CPC pursuant to ZR Section 15-30 would not result in changes to zoning within the primary or secondary study areas, nor would it alter the existing bulk or height of the existing building in the primary study area. The primary study area's existing C6-4M zoning district would remain in place and continue to permit commercial, community facility and manufacturing/industrial uses as-of-right, and residential uses by authorization, within the primary study area. The secondary study area's existing C5-2, C6-4M, C6-4A, and M1-5M zoning districts would remain in place and continue to permit commercial, community facility, manufacturing/industrial, and residential uses within the secondary study area. As a result of the requested use modification for the primary study area, residential uses would be permitted in the primary study area.

The Proposed Actions would facilitate the residential conversion of an existing building that, as noted above, would be consistent with current land use trends and market conditions in the study area. As such, the Proposed Actions are not expected to result in significant adverse zoning impacts.

Public Policy

Assessment

Housing Our Neighbors: A Blueprint for Housing and Homelessness

The Proposed Actions would be consistent with and supportive of the policies and goals of *Housing Our Neighbors: A Blueprint for Housing and Homelessness.* Streamlining the production of all types of housing, including private market-rate units of housing, is a stated goal of this public policy. Therefore, the Proposed Actions, would support the citywide goal of increasing the supply of housing as outlined in

Housing Our Neighbors: A Blueprint for Housing and Homelessness by creating housing in a partially vacant commercial/office building.

OneNYC 2050: Building a Strong and Fair City

The Proposed Actions would support the policies and goals of OneNYC 2050. The Proposed Actions would create new housing opportunities, thereby contributing to the development of the secondary study area and larger surrounding neighborhoods of Flatiron and Midtown South. Therefore, the Proposed Actions would be consistent with the policy goals and objectives of OneNYC 2050.

Where We Live NYC Plan

The Proposed Actions would support the goals of the *Where We Live NYC Plan* by increasing housing supply in the City. The Proposed Actions would facilitate the development of up to 100 units of quality new housing in an amenity-rich neighborhood. Therefore, the Proposed Actions would be consistent with the *Where We Live NYC Plan*.

City of Yes for Housing Opportunity

The Proposed Actions would be allowed to move forward as-a-right under the City of Yes for Housing Opportunity Plan. Therefore, the Proposed Actions would be consistent with the proposed City of Yes for Housing Opportunity Zoning Text Amendment.

Midtown South Mixed-Use Plan

Although the Flatiron Building is not located within the defined boundaries of DCP's MSMX, the Proposed Actions pursue a similar outcome by facilitating the preservation of an existing, longstanding commercial/office building in Midtown South with a distinctive history through residential conversion. Therefore, the Proposed Actions would be consistent with the proposed Midtown South Mixed-Use Plan.

Historic Districts and Individual Landmarks

The primary study area contains the Flatiron Building, an individual landmark within the Ladies' Mile Historic District. The Proposed Project entails interior renovations and minor modification of the Flatiron Building, but would not involve the demolition, addition, or expansion of the Flatiron Building. However, given the Flatiron Building's historical and architectural significance, a detailed discussion of the potential impact of residential conversion is contained in **Attachment D, "Historic and Cultural Resources."**

Business Improvement Districts

The existing building located within the primary study area is a 21-story commercial/office building that has remained primarily vacant since 2019, apart from one ground-floor tenant. The conversion of the existing building to residential use will provide a larger customer base to existing businesses within the Flatiron-NoMaD BID. Further, the Proposed Project is expected to continue to allow ground-floor retail space thereby maintaining the existing utilized commercial space for local businesses. Therefore, the Proposed Actions would be consistent with the policy goals of the Flatiron-NoMaD BID.

For these reasons, the With-Action condition would complement and be compatible with existing citywide and local public policies applicable to the primary and secondary study areas.

Attachment D:

Historic and Cultural Resources

I. INTRODUCTION

Historic and cultural resources include both architectural and archaeological resources. The 2021 *City Environmental Quality Review* ("CEQR") *Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks ("NYCL"); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission ("LPC"); properties listed on the State/National Registers of Historic Places ("S/NR") or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks ("NHL"); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

The Project Area contains the Flatiron Building, which is a designated NYCL and NHL, listed on the S/NR, and located within the LPC-designated and S/NR-eligible Ladies' Mile Historic District. Therefore, an assessment of the potential impacts of the Proposed Actions on historic architectural resources is warranted and is provided below.

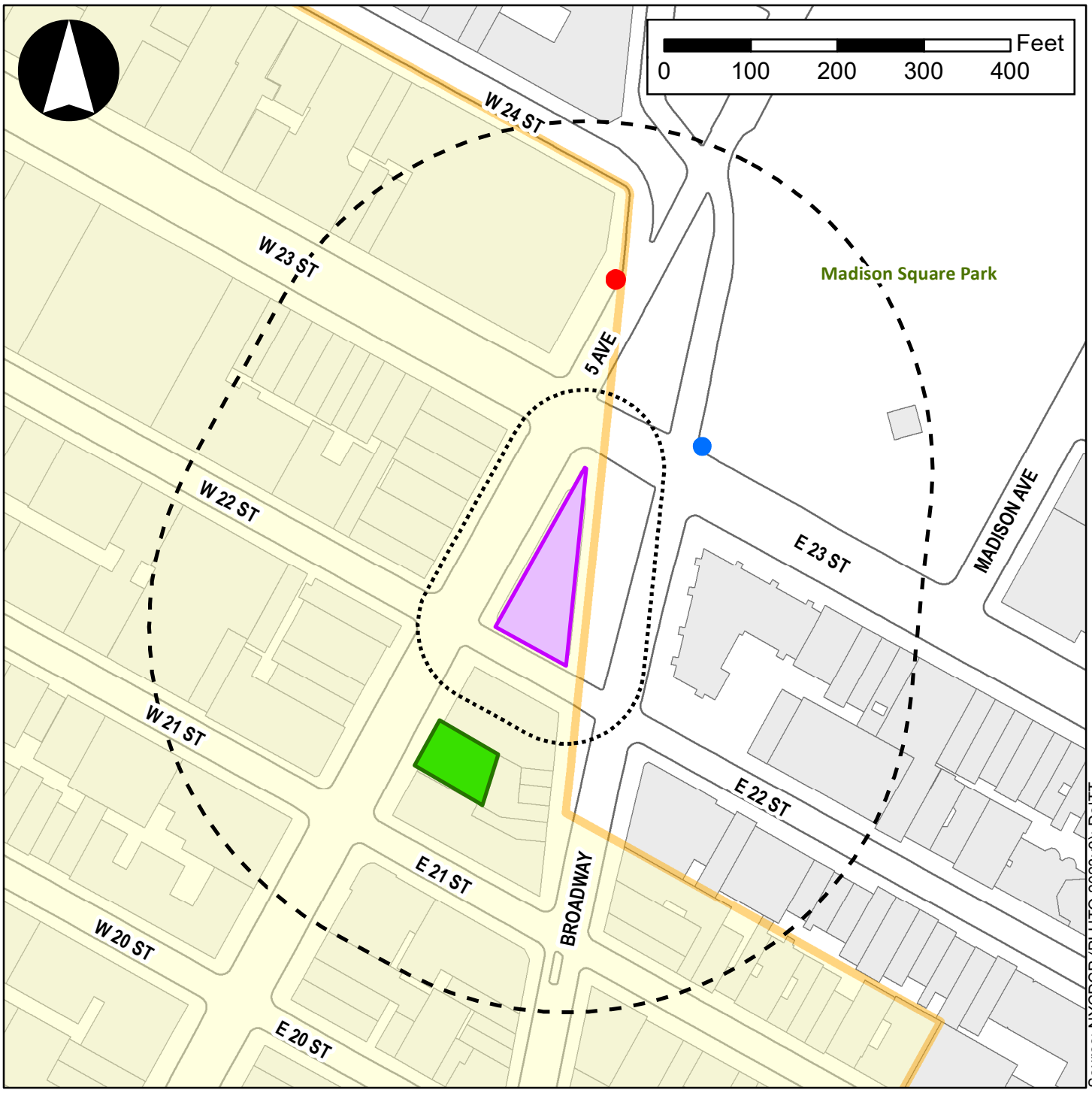
Archaeological resources are considered only in those areas where new excavation or ground disturbance is likely and would result in new in-ground disturbance as compared to the No-Action condition; these are limited to sites that may be developed as a result of a proposed action. As determined by LPC in a letter dated March 12, 2024 (provided in **Appendix 3**), the Project Area does not have any archaeological significance. Therefore, the Proposed Actions would not have the potential to result in any significant adverse archaeological impacts and an archaeological analysis is not warranted. As such, this attachment focuses exclusively on historic architectural resources.

II. METHODOLOGY

According to 2021 *CEQR Technical Manual* guidance, impacts on historic architectural resources are considered on those sites affected by a proposed action and in the area surrounding the project area. The historic resources study area for the Proposed Actions is therefore defined as the Project Area (Manhattan Block 851, Lot 1) plus an approximate 400-foot radius around the Project Area, which is typically adequate for the assessment of historic architectural resources in terms of physical, visual, and historical relationships. The historic resources study area is shown in **Figure D-1**.

Once the study area was determined, an inventory of officially recognized architectural resources was compiled. Criteria for listing on the National Register are in the Code of Federal Regulations, Title 36, Part 63. As recommended in the 2021 *CEQR Technical Manual*, Chapter 9, Section 160, LPC has adopted these criteria for use in identifying National Register listed and eligible architectural resources for CEQR review. Following these criteria, districts, sites, buildings, structures, and objects are eligible for the National Register if they possess integrity of location, design, setting, materials, workmanship, feeling, and

Historic and Cultural Resources Map



Legend

- Project Area: Flatiron Building (NYCL, S/NR, NHL)
- 90-Foot Radius
- 400-Foot Radius Study Area
- Historic Street Lamppost 51 (NYCL)
- Scribner Building (NYCL, S/NR)
- Sidewalk Clock (NYCL, S/NR)
- LPC-Designated & S/NR-Eligible Ladies' Mile Historic District

association, and: (1) are associated with events that have made a significant contribution to the broad patterns of history (Criterion A); (2) are associated with significant people (Criterion B); (3) embody distinctive characteristics of a type, period, or method of construction, represent the work of a master, possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction (Criterion C); or (4) may yield [archaeological] information important in prehistory or history. Properties younger than 50 years of age are ordinarily not eligible, unless they have achieved exceptional significance. Official determinations of eligibility are made by the New York State Historic Preservation Office ("SHPO").

In addition, LPC designates historically significant properties in the city as NYCLs and/or Historic Districts, following the criteria provided in the Local Laws of the City of New York, New York City Charter, Administrative Code, Title 25, Chapter 3. Buildings, properties, or objects are eligible for landmark status when a part is at least 30 years old. Landmarks have a special character or special historical or aesthetic interest or value as part of the development, heritage, or cultural characteristics of the city, state, or nation. There are four types of NYCLs: individual landmarks, interior landmarks, scenic landmarks, and historic districts.

III. DEVELOPMENT BACKGROUND

Prior to the arrival of the European colonists in the 17th century, Manhattan was inhabited by Native Americans from the Leni Lenape tribe. They traveled between encampments on the island; Broadway to the east of the Project Area was one of their main trails, which was subsequently used by the European colonists. The study area surrounding the Project Area remained largely undeveloped farmland throughout the 17th and 18th centuries. The Commissioners' Plan of 1811 laid out north-south avenues and east-west streets in the study area, creating the standard street grid found throughout most of Manhattan and prompting development. When the diagonal street of Broadway intersected the standard blocks of the Plan, the Commissioners designated the irregular areas as public spaces. This occurs immediately north of the Project Area at the intersection of Fifth Avenue and Broadway; the irregular public area to the north would become Madison Square Park.

Development of the study area began in earnest in the 1830s, as Fifth Avenue north of Washington Square became Manhattan's most desirable residential neighborhood. For the next few decades, the streets of the study area were developed with low-rise rowhouses and townhouses for the city's most prosperous residents on the regular lots of the Commissioners' Plan. Related uses such as stables, clubs, and religious institutions were interspersed throughout the thriving neighborhood.

As the study area was being developed, the downtown entertainment district was creeping north. By the late 1850s, these entertainment uses and related services such as hotels were being constructed in the study area. Commercial development followed, expanding rapidly after the Civil War as retail merchants moved northward up Broadway, often converting old rowhouses into small stores. Following the Panic of 1873, commercial development of the study area expanded rapidly with the construction of large department stores along Broadway and what became "Fashion Row" along Sixth Avenue and West 23rd Street, largely catering to the wealthy residents of the neighborhood. Subsequently, in 1878, the Sixth Avenue El opened to the west of the study area, allowing shoppers from all over the city to quickly travel to the burgeoning Ladies' Mile commercial district.

Dry goods establishments and department stores continued to prosper in the study area around the turn of the 20th century. Concurrently, older residential and small commercial properties were being demolished to make way for five- and six-story store and loft structures that continue to characterize the neighborhood today as well as taller predominately office buildings (including the Flatiron Building in the Project Area). Most of these new loft buildings were occupied by publishers as well as the rapidly increasing number of wholesale businesses in the study area. These wholesale establishments catered to a variety of customer economic classes, which helped to make Manhattan a national center of the expanding ready-made clothing industry in the first half of the 20th century.

By the end of World War I, all the department stores in Ladies' Mile had closed, many after moving their operations further uptown, and the smaller retail shops of the district generally followed suit. Many of the former department store buildings were converted to manufacturing uses, and other buildings in the study area were converted into warehouses. Manufacturing declined in Ladies' Mile and in New York City as a whole in the second half of the 20th century, and in the 1980s, most of the vacant buildings in the district surrounding the Project Area were converted back into commercial office buildings with large retail stores at the street level. By the early decades of the 21st century, the buildings of the Flatiron District accommodated a number of publishers, advertising agencies, and technology firms in addition to vibrant ground-floor retail uses, particularly along the avenues and Broadway.

IV. EXISTING CONDITIONS

Project Area

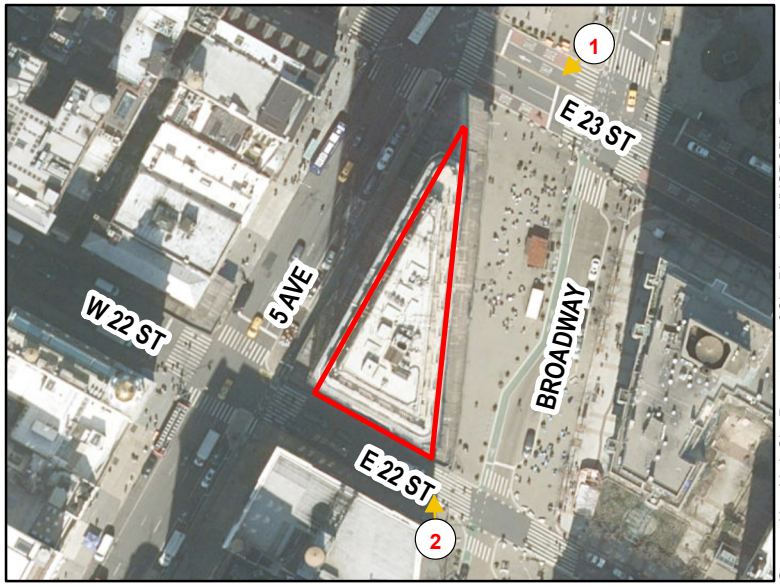
Flatiron Building (NYCL, S/NR, NHL): *173-185 Fifth Avenue (Block 851, Lot 1)*

The Project Area encompasses the Flatiron Building, which is a designated NHL and NYCL, listed on the S/NR, and a contributing resource of the LPC-designated and S/NR-eligible Ladies' Mile Historic District (discussed further below). Designed by D.H. Burnham & Co., the 21-story Beaux-Arts office and loft building was constructed in 1902-03 as the headquarters of the Fuller Construction Company. It is an interesting example of an early steel-framed skyscraper built on an unusual triangular site. Due to the prow-like effect of its northern end at the prominent intersection of Fifth Avenue, Broadway, and East 23rd Street, it creates an impression of great slenderness and height. Originally named the Fuller Building, it became popularly known as the Flatiron Building because its shape resembles a laundress' flat-iron.

The Flatiron Building is faced in limestone, terra cotta, and buff-colored brick, and displays a wealth of ornamental detail in a tripartite arrangement (refer to **Figures D-2a** and **D-2b** for photos of the Flatiron Building). The façades contain the three-story base faced in limestone, with entrances flanked by show windows and topped with a projecting cornice that continues around the building. The second story of the Fifth Avenue and Broadway elevations contain a large oculus and the third story of all façades is crowned by a projecting detailed cornice with a frieze. The transitional and elaborately ornamented fourth story contains windows and terra-cotta panels with foliate ornament, wreaths, lozenges, masks, and piers supporting an elaborate terra-cotta cornice with a roundel frieze. The midsection of the building features piers faced in rusticated buff-colored brick and window openings faced in terra-cotta. The boldly articulated upper stories of the building contain terra-cotta piers with wreaths and masks, a projecting cornice, and are surmounted by a penthouse and balustrade. The Flatiron Building is the most well-known building of the Ladies' Mile Historic District and is considered a significant icon of the neighborhood.

1. View of the Project Area looking southwest from the intersection of Broadway and East 23rd Street. The Flatiron Building is a designated NHL and NYCL, listed on the S/NR, and a contributing resource of the LPC-designated and S/NR-eligible Ladies' Mile Historic District.

2. View of the Project Area, comprising the Flatiron Building, looking north from the intersection of Broadway and East 22nd Street.



Legend

Project Area

3. View of the Project Area, comprising the Flatiron Building, looking southeast from the west side of Fifth Avenue.

4. View of the Project Area, comprising the Flatiron Building, looking southeast from the west side of Fifth Avenue.

5. View of the Project Area, comprising the Flatiron Building, looking southwest from Madison Square Park.

Legend

Project Area

400-Foot Study Area

In a letter dated March 12, 2024 (provided in **Appendix 3**), LPC identified four historic architectural resources within a 400-foot radius of the Project Area: the Scribner Building, Sidewalk Clock, Lamppost, and Ladies' Mile Historic District. A brief description of each resource is presented below, and photos are provided in **Figures D-3a** and **D-3b**.

Scribner Building (NYCL, S/NR): *153-157 Fifth Avenue (Block 850, Lot 4)*

The six-story Scribner Building was constructed in 1893-94 to the designs of eminent American architect Ernest Flagg for his brother-in-law's noted publishing firm, Charles Scribner's Sons. It is considered a fine example of French Beaux-Arts design applied to a relatively small commercial office building. As shown in photo no. 6 of **Figure D-3a**, the horizontally symmetrical building is faced in limestone with a large ground-floor base, a four-story midsection, and is capped by a slate mansard roof, all symmetrically arranged around a central core. The base contains a central entrance to the store flanked by large show windows. The southern and northernmost bays of the building contain entrances to the upper stories, topped with small square windows. Above the base is a plain frieze with two cherubs holding a garland. The midsection of the building features tripartite windows separated by slender stone colonnettes. A prominent cornice separates the midsection from the low parapet pierced by a central dormer, and the slate mansard roof, broken by skylight windows. The Scribner Building is a steel-framed structure but creates the illusion of masonry bearing wall construction.

Sidewalk Clock (NYCL, S/NR): *200 Fifth Avenue (adjacent to Block 825, Lot 31)*

One of the most important and essential parts of New York City's historic fabric is the street furniture that enhances its streetscapes. For example, oversized cast-iron sidewalk clocks proliferated in American cities in the late 19th and 20th centuries, often used as novel advertising devices for adjacent buildings and businesses. The sidewalk clock at 200 Fifth Avenue is one of the few of these that remain in New York City today. It was installed in 1909 at the same time that the adjacent building was erected, and contains the inscription "Fifth Avenue Building" marking its dial. The double-faced clock is one of the most ornate of the city's cast-iron street clocks, composed of a rectangular, classically ornamented based and fluted Ionic column with Scammozzi capital. Its two dials are marked by Roman numerals, framed by wreaths of oak leaves, and crowned by a cartouche (refer to photo number 7 in **Figure D-3a**). The gilded cast-iron masterpiece was manufactured by the Hecla Iron Works.

Historic Street Lamppost 51 (NYCL): *Northeast Corner of Broadway and West 23rd Street (adjacent to Block 852, Lot 1)*

Another example of significant street furniture found throughout New York City are street lights. New York City streets are lit by an extraordinary variety of lampposts, brackets, and panels. The Historic Street Lamppost 51 at the northeast corner of Broadway and West 23rd Street is the only remaining lamppost of its type in the city. It was part of an installation in 1892 of 50 twin-arm posts along Fifth Avenue between Washington Square and 59th Street. As shown in photo no. 8 of **Figure D-3a**, the historic cast-iron lamppost combines the shaft of a typical Bishops Crook post with the twin top of the old Fifth Avenue type post, featuring garland on the shaft and a ladder rest. It is one of only 62 remaining historic street lampposts in New York City.

Ladies' Mile Historic District (NYCL, S/NR-Eligible): *Generally located along Sixth Avenue, Fifth*

6. View of the Scribner Building looking southeast from the west side of Fifth Avenue.

7. View of the Sidwalk Clock looking northeast from the west side of Fifth Avenue.

8. View of the Historic Street Lamppost 51 looking northwest from the intersection of Broadway and East 23rd Street.

9. View from within the Ladies' Mile Historic District looking west from the north side of West 23rd Street.

10. View from within the Ladies' Mile Historic District looking southwest from the west side of Fifth Avenue.

11. View from within the Ladies' Mile Historic District looking southeast from the intersection of Broadway and East 21st Street.

Project Area 400-Foot Study Area

Avenue, and Broadway between East 15th and West 24th Streets

As shown in **Figure D-1**, the Project Area, as well as the southern and western portions of the surrounding 400-foot study area are located in the LPC-designated and S/NR-eligible Ladies' Mile Historic District. The district takes its name from the stretch of Broadway within and adjacent to the study area, which in the last third of the 19th century was lined with fashionable shops and stores frequented by women. The district highlights the evolution of New York City's commercial architecture from the Civil War to World War I, displaying a range of stylistic, structural, and technological innovations. Buildings in the Ladies' Mile Historic District range from low-rise mid-19th century rowhouses altered for commercial uses, to large department stores along the avenues, to mid- and high-rise loft and store commercial buildings constructed for the vibrant wholesaling and publishing industries that dominated the district in the late 19th and early 20th centuries.

The portion of the Ladies' Mile Historic District surrounding the Project Area illustrates this range of building types and architectural styles (refer to **Figure D-3b** for photos taken within the Ladies' Mile Historic District). Study area buildings include a number of three- to five-story rowhouses constructed in the 1840s and 1860s and later altered for commercial uses that exemplify the early development of the study area. There are also several mid- and high-rise loft and store buildings constructed between the 1890s and World War I, largely in the Beaux-Arts and Neo-Renaissance styles, that are all characteristic of the turn-of-the-century development in the study area. Later buildings in the study area include loft and store buildings constructed between World War I and the Great Depression in the modern styles, which are typically much taller than earlier development in the study area. The buildings of the Ladies' Mile Historic District in the study area were designed by a number of different architects, the most prolific of which was Robert Maynicke who was renowned throughout New York City.

V. THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO-ACTION CONDITION)

Under the No-Action condition, the status of historic resources could change. S/NR-eligible architectural resources could be listed on the Registers, and properties found eligible for consideration for designation as NYCLs could be calendared and/or designated. Changes to the historic resources identified above or to their settings could also occur irrespective of the Proposed Actions. Future projects could affect the settings of architectural resources. It is possible that some architectural resources in the study area surrounding the Project Area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, additions, enlargements, or demolition. The owners of a property may work with LPC to modify their plans to make them appropriate. Properties that have been calendared for consideration for designation as NYCLs are also afforded a measure of protection insofar as, due to their calendared status, permits may not be issued by the New York City Department of Buildings ("DOB") for any structural alteration to the buildings for any work requiring a building permit, without at least 40 days prior notice being given to LPC. During the 40-day period, LPC has the opportunity to consider the case and, if it so chooses, schedule a hearing and move forward with designation.

The New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's *Technical Policy and Procedure Notice* ("TPPN") #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the New York City Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 linear feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

Additionally, historic resources that are listed on the S/NR or that have been found eligible for listing are given a measure of protection from the effects of federally-sponsored or federally-assisted projects under Section 106 of the National Historic Preservation Act, and are similarly protected against impacts resulting from state-sponsored or state-assisted projects under the New York State Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. Private property owners using private funds can, however, alter or demolish their S/NR-listed or S/NR-eligible properties without such a review process.

Project Area

Absent the Proposed Actions, the Flatiron Building is expected to remain a commercial building. However, due to the current state of the commercial office market in Manhattan detailed further in **Attachment A, "Project Description,"** it is unlikely the Flatiron Building's vacant commercial office space would be fully leased and occupied by 2026. Therefore, under the Reasonable Worst Case Development Scenario ("RWCDS") No-Action condition, approximately half of the Flatiron Building's vacant commercial office space is assumed to be re-occupied by commercial office tenants, while the balance of the building's commercial office space would remain vacant and available for lease. The ground-floor of the building would continue to be occupied by commercial retail tenants. Under the No-Action condition, the Flatiron Building would continue to feature commercial entrances and exits on Fifth Avenue, Broadway, and East 22nd Street, as under existing conditions.

400-Foot Study Area

As discussed in **Attachment C, "Land Use, Zoning, and Public Policy,"** there are no known development projects anticipated to be completed within the 400-foot study area in the future without the Proposed Actions.

VI. THE FUTURE WITH THE PROPOSED ACTIONS (WITH-ACTION CONDITION)

According to the 2021 *CEQR Technical Manual*, generally, if a project would affect those characteristics that make a historic resource eligible for NYCL designation or S/NR listing, this could be a significant adverse impact. This section assesses the Proposed Actions' potential to result in significant adverse impacts on identified historic architectural resources in the study area, including impacts resulting from construction of the Proposed Project, project-generated shadows, or other indirect effects on existing historic resources in the study area.

The Proposed Actions were assessed in accordance with guidance established in the 2021 *CEQR Technical Manual* (Chapter 9, Part 420) to determine (a) whether there would be a physical change to any designated or listed property as a result of the Proposed Actions; (b) whether there would be a physical change to the setting of any designated or listed resource, such as context or visual prominence, as a result of the Proposed Actions; and (c) if so, whether the change is likely to diminish the qualities of the resource that make it important.

As detailed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the residential conversion of the 21-story Flatiron Building, retaining the existing ground-floor commercial space. While the Proposed Project entails interior renovations and minor modification of the Flatiron Building, the Proposed Project would not involve the demolition, addition, or expansion of the existing structure. The Proposed Project's ground-floor commercial space would be accessed via East 22nd Street, Fifth Avenue, and Broadway, while the Proposed Project's residential space would also be accessed via separate entrances on East 22nd Street, Fifth Avenue, and Broadway.

Direct (Physical) Impacts

Historic resources can be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building or replacement of the resource's entrance, could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

As detailed in **Attachment A, "Project Description,"** the Proposed Actions would facilitate the residential conversion of the upper floors of the Flatiron Building, which, as discussed above, is a designated NYCL and NHL, listed on the S/NR, and within the LPC-designated and S/NR-eligible Ladies' Mile Historic District. The Proposed Project would also retain the existing ground-floor commercial space of the Flatiron Building. No significant changes to the exterior of the landmarked building would occur as a result of the Proposed Actions. The Proposed Project does not involve any demolition, horizontal or vertical expansions to the building, or alterations to the historic massing or ornament featured throughout the primary façades of the building.

Changes to the exterior of the Flatiron Building as a result of the Proposed Actions would be minor, including existing storefront modifications, the addition of an entrance to the lobby from East 22nd Street, and window replacements. As the building is a designated NYCL, all anticipated exterior changes would be subject to review and approval by LPC, which would be documented in a Certificate of No Effect and carried out via a required long-term maintenance plan. As stated in **Attachment A, "Project Description,"** LPC has approved a Certificate of Appropriateness for Exterior Work (LPC-24-08057 [Design Approval Only] issued on July 30, 2024), a Certificate of No Effect on Protected Architectural Features or Permit for Minor Work (LPC-24-08831 issued on April 26, 2024 and LPC-24-09940 issued on July 17, 2024), and a Request for a Continuing Maintenance Report in connection with the requested Zoning Authorization (LPC-24-08093 issued on July 30, 2024).

As such, the Proposed Project would not have the potential to result in significant adverse direct or physical impacts to historic architectural resources, but rather, is expected to enhance the Flatiron Building through the implementation of a long-term maintenance plan, ensuring the continued preservation of the historic landmark structure.

Indirect (Contextual) Impacts

Contextual impacts may occur to architectural resources under certain conditions. According to the 2021 *CEQR Technical Manual*, possible impacts to architectural resources may include isolation of the property from, or alteration of, its setting or visual relationships with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor. Significant indirect impacts can occur if a project would cause a change in the quality of a property that qualifies it for listing on the S/NR or for designation as a NYCL.

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. The Proposed Project would not significantly alter the context or setting of the surrounding Ladies' Mile Historic District or any designated individual landmarks in the study area as compared to the No-Action condition. As detailed above, the Proposed Actions would facilitate the conversion of the Flatiron Building from a commercial building into a residential building, retaining the existing ground-floor commercial space. The Proposed Project would not result in the horizontal or vertical expansion of the building, which is a designated NYCL and NHL, and listed on the S/NR. Therefore, the Proposed Project would not change the visual setting of any surrounding historic architectural resources so as to affect those characteristics that make them eligible for designation as NYCLs or listing on the S/NR.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. The proposed residential conversion of the Flatiron Building would not alter the relationship of any identified historic architectural resources to the streetscape, as all streets in the study area would remain open and all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The Proposed Project would not eliminate or screen public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary façades, significant architectural ornamentation, or notable features of surrounding historic architectural resources would be obstructed by the residential conversion of the Flatiron Building.

The Proposed Actions would not result in development that would diminish the qualities that make the Ladies' Mile Historic District, Historic Street Lamppost 51, Sidewalk Clock, or Scribner Building historically and/or architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

Any new construction taking place within historic districts or adjacent to individual landmarks has the potential to cause damage to those historic resources from ground-borne construction vibrations. As noted above, the New York City Building Code provides some measure of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to LPC-designated and S/NR-listed historic resources located within 90 linear feet of a proposed construction site. For these structures, DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the New York City Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 linear feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

As the Project Area is located within the LPC-designated Ladies' Mile Historic District, the Proposed Project would be subject to DOB's TPPN #10/88. Under the TPPN, a Construction Protection Plan would be provided to LPC for review and approval prior to any work in the Project Area. The Construction Protection Plan would take into account the guidance provided in 2021 *CEQR Technical Manual*, Chapter 9, Section 522, "Construction Protection Plan." As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

Shadows Impacts

The Proposed Actions would not result in any significant adverse shadows impacts on historic resources. As discussed above, the Proposed Project would not involve any horizontal or vertical expansions to the existing Flatiron Building that comprises the Project Area. Therefore, the Proposed Actions would not generate shadows that could have the potential to result in significant adverse impacts to nearby sunlight-sensitive historic resources.

Attachment E:

Air Quality

I. INTRODUCTION

The Applicant, Flatiron Owner, LLC, is seeking a Zoning Authorization and Chairperson's Certification (collectively, the "Proposed Actions") to facilitate the residential conversion of the Flatiron Building (the "Proposed Project") located at 175 Fifth Avenue (Manhattan Block 851, Lot 1; the "Project Area" and "Development Site") in the Flatiron neighborhood of Manhattan Community District ("CD") 5.

Ambient air quality, which is a general term used to describe pollutant levels in the atmosphere, would be affected by the Proposed Project associated with the Proposed Actions. The analysis presented in this attachment examines the potential impacts from the Proposed Project's heating, ventilation, and air conditioning ("HVAC") system's emissions on existing buildings surrounding the Proposed Project (i.e., a project-on-existing analysis), as there are existing taller buildings located within a 400-foot radius of the Proposed Project.

The Proposed Project would not be located within 1,000 feet of a major or large emission source, near medical, chemical, or research labs, within 400 feet of manufacturing or processing facilities, near an odor-producing facility, or near "non-point" sources. Therefore, analyses of these stationary sources are not warranted for the Proposed Actions. Potential air quality impacts were evaluated following the procedures and methodologies detailed in the 2021 *CEQR Technical Manual*.

Mobile Sources Screening Assessment

CO and $PM_{2.5}$ Emissions

As stated in the 2021 *CEQR Technical Manual*, projects—whether site-specific or generic—may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic, create any other mobile sources of pollutants (e.g., diesel trains, helicopters, boats), or add new uses near mobile sources (e.g., roadways, garages, parking lots). According to the 2021 *CEQR Technical Manual* screening thresholds, if 170 or more project-generated vehicles pass through an intersection in any peak hour (for CO impact), or if a project would result in greater than 12 to 23 heavy duty diesel vehicle ("HDDV") trips or its equivalent vehicle emissions based on the type of road (for $PM_{2.5}$ impact), there is the potential for mobile source air quality impacts and a detailed analysis is required.

As determined in Part II of the EAS Full Form, the Proposed Project would not exceed any threshold identified in Table 16-1 in Chapter 16 "Transportation" of the 2021 *CEQR Technical Manual*. Therefore, the Proposed Actions would not introduce 170 or more project-generated vehicles through an intersection in any peak hour, nor would the Proposed Actions result in greater than 12 to 23 HDDV trips or its equivalent vehicle emissions based on the type of road. Therefore, the Proposed Actions would not exceed the 2021 *CEQR Technical Manual* screening thresholds for CO and $PM_{2.5}$ emissions, a detailed mobile source air quality analysis is not warranted, and the Proposed Actions would not result in significant adverse air quality impacts regarding CO and $PM_{2.5}$ emissions.

Parking Facilities

As stated in the 2021 *CEQR Technical Manual*, a project that would (1) result in new sensitive uses (particularly schools, hospitals, parks, and residences) adjacent to large existing parking facilities or parking garage exhaust vents and/or (2) result in the construction of parking facilities, may require analysis. The Proposed Project would not be located adjacent to a large parking facility or parking garage exhaust vents, nor would the Proposed Actions result in the development of an accessory parking garage in the With-Action condition. Therefore, a detailed analysis of emissions associated with parking operations is not warranted for the Proposed Actions and the Proposed Actions would not result in significant adverse air quality impacts regarding mobile source emissions from parking facilities.

Atypical Roadways

As stated in the 2021 *CEQR Technical Manual*, a project that would result in the placement of operable windows (i.e., windows that may be opened and closed by the tenant), balconies, air intakes, or intake vents generally within 200 feet of an atypical (e.g., not at-grade) source of vehicular pollutants, such as a highway or bridge with a total of more than two lanes, may require analysis. The Proposed Project on the Development Site would not be located within 200 feet of an atypical (e.g., not at-grade) source of vehicular pollutants; the nearest atypical roadway is FDR Drive, which is located approximately 4,500 feet to the east of the Development Site. Therefore, a detailed analysis of emissions associated with atypical roadways is not warranted for the Proposed Actions and the Proposed Actions would not result in significant adverse air quality impacts regarding mobile source emissions from atypical roadways.

II. HVAC ANALYSIS

Relevant Air Pollutants

The U.S. Environmental Protection Agency ("EPA") has identified several pollutants, which are known as criteria pollutants, as being of concern nationwide. As the Proposed Project is planned to be heated by natural gas (which is a worst case fuel assumption for analysis purposes), the two criteria pollutants associated with natural gas combustion – nitrogen dioxide (NO_2) and particulate matter smaller than 2.5 microns ($PM_{2.5}$) – were considered in the analysis. **Figure E-1** shows an aerial view of the Flatiron Building and its immediate surroundings.

Figure E-1: Aerial View

Applicable Air Quality Standards and Significant Adverse Impact Criteria

As required by the Clean Air Act ("CAA"), National Ambient Air Quality Standards ("NAAQS") have been established for the criteria pollutants by EPA. The NAAQS are concentrations set for each of the criteria pollutants to protect public health and the nation's welfare, and New York has adopted the NAAQS as State ambient air quality standards.

In addition to the NAAQS, the 2021 *CEQR Technical Manual* requires that projects subject to CEQR apply $PM_{2.5}$ *de minimis* criteria (based on concentration increments) developed by the New York City Department of Environmental Protection ("DEP") to determine whether potential adverse $PM_{2.5}$ impacts would be significant. If the estimated impacts of a proposed project are below these increments, the $PM_{2.5}$ impacts are not considered to be significant. As such, the analysis presented herein addressed compliance of the potential impacts with the 24-hour and annual $PM_{2.5}$ CEQR significant adverse impact criteria as well as the NAAQS for $PM_{2.5}$ and NO_2. The current NAAQS, together with their health-related averaging periods, are provided in **Table E-1**.

Table E-1: Applicable National Ambient Air Quality Standards and CEQR Significant Impacts Criteria

Pollutant	Averaging Time	NAAQS	Form	CEQR *de minimis* Criteria
$PM_{2.5}$	24 Hour	35 µg/m^3	98th percentile averaged over 3 years	8.5 µg/m^3
	Annual	9 µg/m^3	Annual Mean averaged over 3 years	0.3 µg/m^3
NO_2	1 Hour	0.10 ppm (188 µg/m^3)	98th percentile of 1-hour daily maximum concentrations averaged over 3 years	--
	Annual	0.053 ppm (100 µg/m^3)	Annual Mean	--

Source: EPA, "National Primary and Secondary Ambient Air Quality Standards." (49 CFR 50) and NYSDEC (http://www.dec.ny.gov/chemical/8542.html).
Note: ppm = parts per million; µg/m^3 = micrograms per cubic meter.

NO_2 NAAQS

Nitrogen oxide (NOx) emissions from gas combustion consist predominantly of nitric oxide (NO) at the source. The NOx in these emissions is then gradually converted to NO_2, which is the pollutant of concern, in the atmosphere (in the presence of ozone and sunlight as these emissions travel downwind of a source).

The 1-hour NO_2 NAAQS standard of 0.100 ppm (188 µg/m^3) is the three-year average of the 98th percentile of daily maximum 1-hour average concentrations in a year. The EPA guidance and memorandums recommend a three-tiered modeling approach for 1-hour NO_2 modeling. Each approach accounts for increasingly complex considerations of NO_2/NOx. Tier 1, the most conservative approach, assumes a full (100 percent) conversion of NOx to NO_2. The tier 2 Ambient Ratio Method (ARM2) applies a conservative ambient NOx/NO_2 ratio to the NOx estimated concentrations. Tier 3 employs AERMOD's Plume Volume Molar Ratio Method (PVMRM) module to account for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations.

Tier 1, as the most conservative approach, is recommended initially to be applied as a preliminary screening tool to determine whether violations of the NAAQS are likely to occur. If exceedances of the 1-hour NO_2 NAAQS are estimated, the more accurate, less conservative, Tier 3 method should be applied.

The annual NO_2 standard is 0.053 ppm (100 µg/m^3). Annual NO_2 concentrations were conservatively estimated assuming full conversion of NO_x to NO_2 (EPA Tier 1).

PM2.5 CEQR De Minimis Criteria

The 2021 *CEQR Technical Manual* guidance includes the following criteria for evaluating significant adverse $PM_{2.5}$ incremental impacts:

> *Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour $PM_{2.5}$ background concentration and the 24-hour standard.*

A 24-hour $PM_{2.5}$ background concentration of 19.0 µg/m^3 was obtained from the monitoring station at Division Street (C). It represents the average of the 98th percentile for the 3 years of monitoring data collected by NYSDEC for 2018-2020 (New York State Ambient Air Monitoring Report for 2020). Because the applicable background value is 18.0 µg/m^3, half the difference between the 24-hour $PM_{2.5}$ NAAQS and

this background value is 8.5 µg/m^3. As such, a *de minimis* criterion of 8.5 µg/m^3 was used to determine whether the potential 24-hour $PM_{2.5}$ impacts of the Proposed Project are significant.

For an annual average adverse $PM_{2.5}$ incremental impact, according to 2021 *CEQR Technical Manual* guidance:

> *Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 µg/m^3 at any receptor location for stationary sources.*

The annual $PM_{2.5}$ background concentration, averaged over three years (2018-2020) from the Division Street (C) monitor, is 7.5 µg/m^3.

The 24-hour and annual *de minimis* criteria were used to evaluate the significance of predicted $PM_{2.5}$ impacts from the HVAC emissions.

HVAC Screening Analysis

Based on 2021 *CEQR Technical Manual* guidance, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of a project's HVAC emissions would be significant and whether a detailed analysis would be required.

The total square footage of the Proposed Project was plotted in **Figure E-2** (i.e., App 17-2) "Boiler Screen, Residential Development – Natural Gas," of the 2021 *CEQR Technical Manual Appendix: Air Quality*. This nomograph depicts the size of a building versus the distance below which a potential impact could occur, providing a threshold distance. If the actual distance between the stack and the affected (receptor) building is greater than the threshold distance for building size, then that building passes the screening analysis and no significant impact would be likely. However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact, and a detailed analysis would be required.

Within a 400-foot radius of the Proposed Project, the existing, 31-story (approximately 423-foot-tall) Madison Green Building located at 5 East 22nd Street (Block 851, Lot 7501) is taller than the Proposed Project. As illustrated in **Figure E-2**, the threshold distance for the Proposed Project is approximately 174 feet. The distance between the Proposed Project and the Madison Green Building is approximately 130 feet, which is less than the threshold distance. As a result, the Madison Green Building did not pass the analysis and a detailed analysis is required. **Figure E-3** provides a 3-D view of the Proposed Project alongside existing buildings, as generated by the AERMOD 3-D Analyst.

Figure E-2 (Figure App 17-2): Boiler Screen

Figure App 17-2

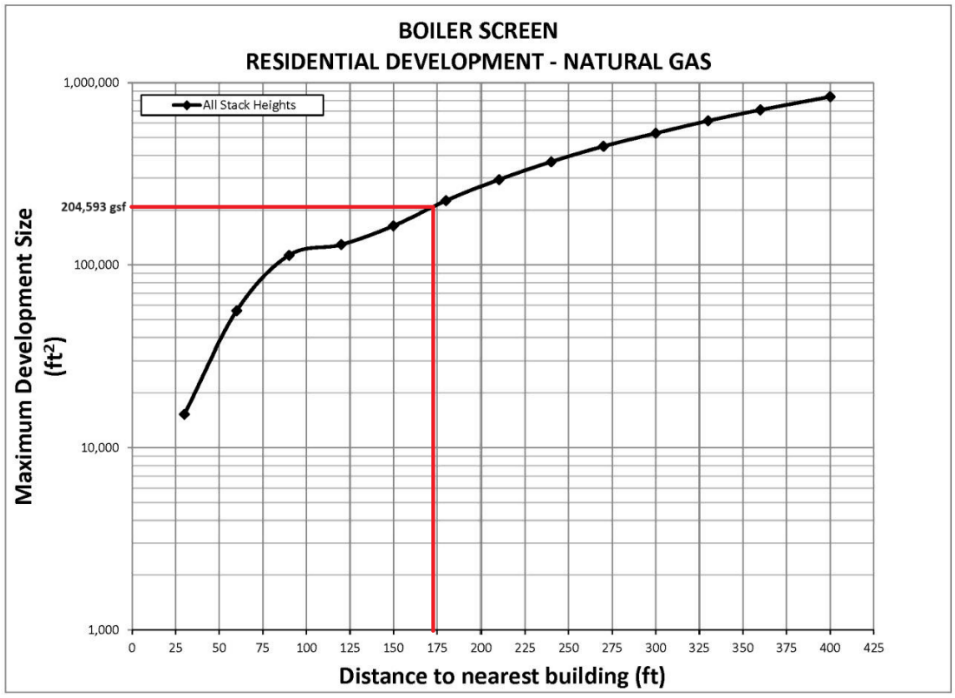
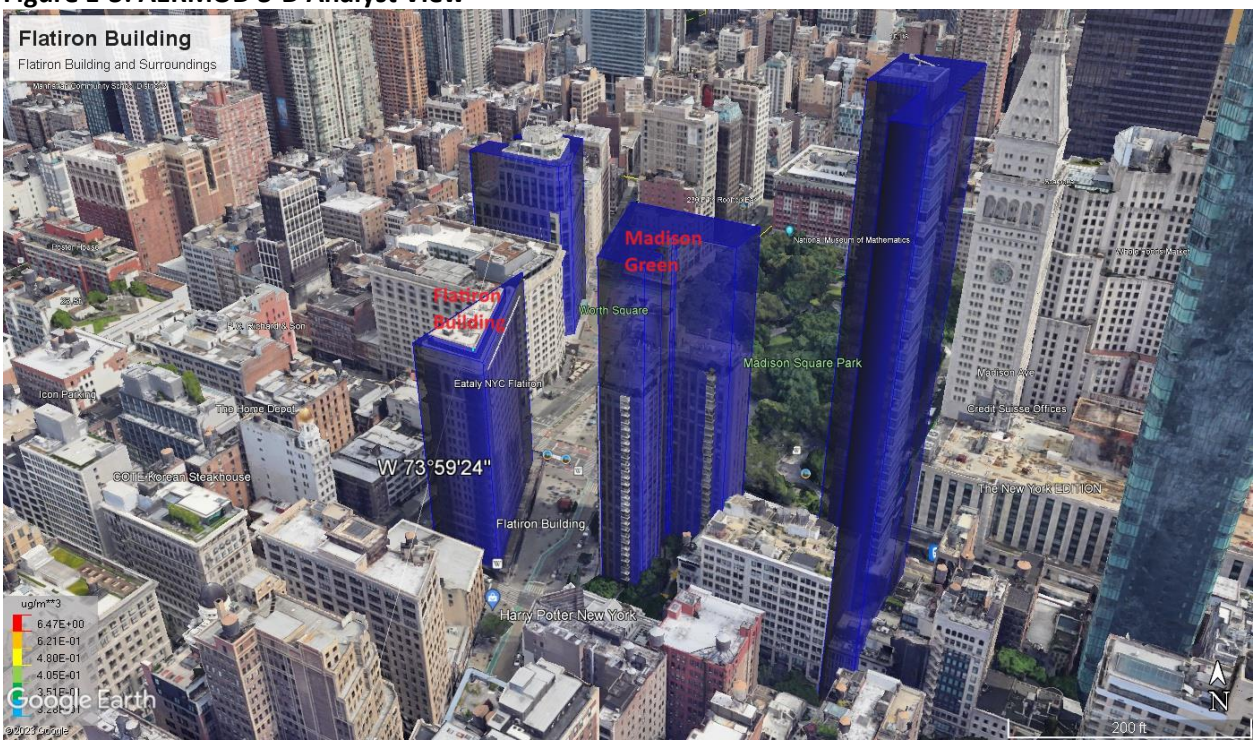


Figure E-3: AERMOD 3-D Analyst View



Detailed HVAC Analysis

A dispersion modeling analysis was conducted to estimate the potential impacts of the project's HVAC emissions on the Madison Green Building using the latest version (22132) of EPA's AERMOD dispersion model. In accordance with 2021 *CEQR Technical Manual* guidance, this analysis was conducted assuming stack tip downwash, urban dispersion surface roughness length, and elimination of calms. Analyses were conducted with and without the effects of wind flow around buildings (i.e., with and without downwash) utilizing the AERMOD Building Profile Input Program ("BPIP") algorithm to account for the worst case impacts at an elevated location near source height, which would occur in the absence of downwash, and at lower elevations (i.e., near ground level), which would occur with downwash. This approach is consistent with the guidance provided in the 2021 *CEQR Technical Manual*. The analysis incorporated complex terrain algorithms with an AERMAP terrain processor to account for the actual terrain in the vicinity of the Proposed Project.[1]

HVAC System

The Proposed Project is planned to include a modular heating plant that will include four modular gas boilers and four modular electric heat pumps. These systems will provide heating and domestic hot water operation for the Proposed Project year-round. The modular gas-fired hot water boilers will be located on the 22nd floor and vented to the roof above the 23rd floor. Each gas boiler has a capacity of 1750 MBH (i.e., 1750 thousand BTUs per hour) of gas input, totaling 7,000 MBH input (i.e., the equivalent of 7 million Btus/hour [MMBtu/hr]) while one boiler is to be kept on standby. This setup allows for efficient energy use and will ensure a consistent supply of heat and hot water.

The boiler flues, each 8 inches in diameter, will merge into a single 14" diameter boiler flue with an outside diameter of 18". Although the hot water heating plant may feature electric heat pumps as an alternative heating source, it was conservatively assumed, for the purpose of this analysis, that the HVAC system would utilize only natural gas for the building's heating and hot water needs.

Emissions

Emission rates and stack parameters for the HVAC analysis were estimated as follows:

- Annual emission rates were calculated based on fuel consumption corresponding to gross building square footage, energy intensity data for residential and commercial buildings, and EPA AP-42 emission factors for natural gas-fired boilers. An annual natural gas consumption factor of 49.7 thousand Btu per square foot was obtained from Table CE1.2 "Summary Annual Household Site Consumption and Expenditures in the Northeast – totals and intensities 2020," Middle Atlantic, U.S. Energy Information Administration, 2023, Residential Energy Consumption Survey, and converted to 48.7 ft^3/ft^2. The gas consumption factor for commercial buildings of 36.1 cubic feet per square foot was obtained from Table C25 "Natural Gas Consumption and Conditional Energy Intensity by Census Region," Northeast, U.S. Energy Information Administration, 2022, Commercial Energy Consumption Survey.
- Short-term (1-hour and 24-hour) emission rates were calculated by scaling the annual emissions to account for a 100-day (2,400 hours) heating season. Seasonal variations in heat and hot water demand were also accounted for with the seasonal emission factor set as 1 for the winter season and 0.5 for each of the three other seasons of the year.

[1] http://www.webgis.com/terr_pages/NY/dem1/newyork.html

- The $PM_{2.5}$ emission factor of 7.6 pounds per million cubic feet included both filterable and condensable particulates (AP-42, Table 1.4-2).
- The NOx emission factor of 100 pounds per million cubic feet was used (AP-42, Table 1.4-1).
- The HVAC stack was assumed to be 303 feet (i.e., three feet higher than the rooftop of the Proposed Project).
- The boiler size was estimated based on the total square footage of the building assuming 100 days (2,400 hours) heating season.
- Exhaust temperature (328˚F) corresponding to the boiler size was obtained from the DEP Combustion Application ("CA") Permit database.
- The flow rate was derived from the EPA equation based on boiler size, temperature, and natural gas fuel factor, and corrected to the standard temperature, as per DEP guidance.
- The stack diameter (14") was provided by the Applicant.
- The exhaust velocity was calculated based on flow rate and stack diameter.

Table E-2 provides the estimated $PM_{2.5}$ and NO_2 short-term (e.g., 24-hour and 1-hour) and annual emission rates.

Table E-2: Estimated Pollutant Short-Term and Annual Emission Rates

Building ID	Block/Lot	Stack Height[1]	Total Floor Area	Emission Rates			
				$PM_{2.5}$		NO_2	
				24-hr	Annual	1-hr	Annual
		Feet	GSF	g/sec	g/sec	g/sec	g/sec
Flatiron Building	851/1	303	204,593	0.0040	0.0011	0.0521	0.0143

Note: [1] The stack height is assumed to be located three feet above the rooftop.

Meteorological Data

All analyses were conducted using five consecutive years of meteorological data (2016 through 2020 provided by NYSDEC. Surface data for the same years were obtained from LaGuardia Airport and upper air data were obtained from Brookhaven station, New York. Five years of meteorological data were combined into a single multi-year file to conduct $PM_{2.5}$ and NO_2 analyses for all averaging periods.

Background Concentrations

To estimate the maximum pollutant concentration at a given location (receptor), the predicted impacts must be added to a background value that accounts for existing pollutant concentrations from other sources not directly accounted for in the model.

The maximum 1-hour NO_2 background concentration was obtained from Queens College 2 monitoring station as 53.1 ppb or 99.8 µg/m^3, the 3-year average of the 98th percentile of daily maximum 1-hour concentrations for 2018-2020. The annual average NO_2 background concentration from the same monitoring station is 13.7 ppb for 2018-2020 (or 25.8 µg/m^3). The annual $PM_{2.5}$ background concentration was obtained from the closest (Division Street [C]) monitoring station is 7.5 ug/m^3 (i.e., the average of three years [2018-2020]).

Stack and Receptor Locations

The location of the boiler exhaust pipes is near East 22nd Street. Receptors were placed around all faces of the 423-foot-tall Madison Green Building in 10-foot increments on all floor levels horizontally and

vertically, starting 10 feet above the ground and extending up to the level of the upper windows. About 3,000 receptors were placed on the Madison Green Building to ensure that maximum concentrations were estimated.

The AERMAP (v. 18081 64) terrain processor receptor was used to develop receptor elevations using the terrain elevation DEM dataset for New York. AERMAP was run to determine representative ground elevations for each receptor and source for North American Datum, NAD83, UTM zone 18.

$PM_{2.5}$ Results

24-hour and annual $PM_{2.5}$ impacts were compared with the $PM_{2.5}$ *de minimis* criteria without adding the background concentration. The 24-hour/annual total concentrations with added background values were compared to the 24-hour/annual NAAQS. Results are that impacts are less than the CEQR *de minimis* criteria and total concentrations are less than the respective NAAQS (refer to **Tables E-3**, **E-4**, **E-5**, and **E-6**). Results with downwash are similar to results without downwash.

Table E-3: 24-hr $PM_{2.5}$ Analysis Results (With Downwash)

Building ID	Receptor Building	24-hr Impact	Bkgd Conc.	Total Conc.	*CEQR De Minimis*	NAAQS
		µg/m³	µg/m³	µg/m³	µg/m³	µg/m³
Flatiron Building	Madison Green	1.1	18.0	19.1	8.5	35

Table E-4: 24-hr $PM_{2.5}$ Analysis Results (Without Downwash)

Building ID	Receptor Building	24-hr Impact	Bkgd Conc.	Total Conc.	*CEQR De Minimis*	NAAQS
		µg/m³	µg/m³	µg/m³	µg/m³	µg/m³
Flatiron Building	Madison Green	1.1	18.0	19.1	8.5	35

Table E-5: Annual $PM_{2.5}$ Analysis Results (With Downwash)

Building ID	Receptor Building	Annual Impact	Bkgd Conc.	Total Conc.	*CEQR De Minimis*	NAAQS
		µg/m³	µg/m³	µg/m³	µg/m³	µg/m³
Flatiron Building	Madison Green	0.04	7.5	7.5	0.3	9

Table E-6: Annual $PM_{2.5}$ Analysis Results (Without Downwash)

Building ID	Receptor Building	Annual Impact	Bkgd Conc.	Total Conc.	*CEQR De Minimis*	NAAQS
		µg/m³	µg/m³	µg/m³	µg/m³	µg/m³
Flatiron Building	Madison Green	0.04	7.5	7.5	0.3	9

NO_2 Results

The maximum 1-hour NO_2 concentration was initially estimated conservatively, assuming a complete conversion of NOx to NO_2, as per the EPA Tier 1 guidelines. This conservative approach led to a high 1-hour NO_2 impact. Consequently, a more refined Tier 3 analysis was conducted using the PVMRM module. This analysis adhered to the NYSDEC DAR-10 guidance to estimate 1-hour NO_2 concentrations for compliance with the 1-hour NO_2 standard. The analysis involved the following steps:

- The application of a uniform monitored NO_2 background concentration (Queens College 2 monitoring station). It represented the 3-year average of the 98th percentile of the annual distribution of daily maximum 1-hour concentrations.
- The use of the highest ozone concentration of 212 µg/m^3, derived from the 5-year 2016-2020 NYCDCP (NYSDEC) datasets.
- The use of conservative in-stack and ambient equilibrium ratios of 0.5 and 0.9, respectively.
- The addition of the uniform background concentration to the maximum estimated 8th-highest (98th percentile) maximum daily 1-hour concentration, averaged over 5 years.
- The comparison of the resulting value to the 1-hour NO_2 NAAQS to determine compliance with the standard.

Results of the NO_2 analysis are provided in **Tables E-7**, **E-8**, **E-9**, and **E-10**. As shown in the tables, the estimated 1-hour/annual impacts and total concentrations are less than the 1-hour/annual NO_2 NAAQS. Results with or without downwash are approximately the same.

Table E-7: 1-hr NO_2 Analysis Results (With Downwash)

Building ID	Receptor Building	1-hr NO_2 Impact	Background Conc.	Total 1-hour Conc.	NAAQS
		µg/m^3	µg/m^3	µg/m^3	µg/m^3
Flatiron Building	Madison Green	60.6	99.8	160.4	188

Table E-8: 1-hr NO_2 Analysis Results (Without Downwash)

Building ID	Receptor Building	1-hr NO_2 Impact	Background Conc.	Total 1-hour Conc.	NAAQS
		µg/m^3	µg/m^3	µg/m^3	µg/m^3
Flatiron Building	Madison Green	60.6	99.8	160.4	188

Table E-9: Annual NO_2 Analysis Results (With Downwash)

Building ID	Receptor Building	NO_2 Annual Impact	Background Conc.	Total Annual Conc.	NAAQS
		µg/m^3	µg/m^3	µg/m^3	µg/m^3
Flatiron Building	Madison Green	0.5	25.8	26.3	100

Table E-10: Annual NO_2 Analysis Results (Without Downwash)

Building ID	Receptor Building	NO_2 Annual Impact	Background Conc.	Total Annual Conc.	NAAQS
		µg/m^3	µg/m^3	µg/m^3	µg/m^3
Flatiron Building	Madison Green	0.6	25.8	26.4	100

The analysis concludes that the Proposed Project's HVAC emissions would meet the CEQR *de minimis* criteria and the respective 24-hour/annual NAAQS for $PM_{2.5}$, as well as the 1-hour/annual NO_2 NAAQS. Therefore, the Proposed Actions would not result in any significant adverse air quality impacts.

E Designation

To ensure that there is no potential for significant adverse impacts from the Proposed Project's HVAC system emissions facilitated by the Proposed Actions, an Air Quality (E) designation [E-###] would be established for the Development Site (Block 851, Lot 1) in connection with the Proposed Actions. The proposed (E) designation text is as follows:

Block 851, Lot 1 (Projected Development Site): Any new residential and/or commercial uses in the above-referenced property must use natural gas as the type of fuel for the heating, ventilation, and air conditioning (HVAC) system and hot water equipment, and ensure the HVAC system and hot water equipment stack is located at the highest tier and at least 303 feet above grade to avoid any potential significant adverse air quality impact.

Appendix 1:
Hazardous Materials

1) EXECUTIVE SUMMARY

Merritt Environmental Consulting Corp. (MECC) has completed a Phase I Environmental Site Assessment (ESA) at 171-185 5th Avenue, AKA 941-957 Broadway & 1 East 22nd Street, New York, New York 10010 (the "Property") in accordance with the scope of work presented in Section 2.2. The report conforms to the ASTM E1527-21 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

MECC was retained to perform this Phase I ESA as an agent for the buyer (Flatiron Owner, LLC) conducting a due diligence evaluation prior to purchasing site.

The on site investigation was conducted on November 7, 2023. The Property currently consists of a 22-story commercial retail building (The Flatiron Building). The site is located on a plot size approximately 8,650 square feet. The building was constructed in 1902. The property is currently under redevelopment with plans to convert to residential usage.

The following findings are based upon a visual inspection of the Property, the examination of readily available public records concerning the current and prior use of the Property, and interviews with individuals knowledgeable about present and past property uses.

Based on our site reconnaissance, database review and historical investigation, no Recognized Environmental Conditions (RECs) were noted.

A Recognized Environmental Condition is the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment.

NOTE: LANDMARK" DESIGNATION

MECC researched The New York City Landmarks Preservation Commission (LPC) and found there is an "L – Landmark" designation associated with the property (see Appendix A). An "L" designation means your building has special historical, cultural, or aesthetic value to the City of New York, state or nation, and is an important part of the City's heritage. With this, LPC must approve in advance any alteration, reconstruction, demolition, or new construction affecting the designated building. Owners of individual landmarks and buildings within historic districts are required to obtain permits from the Landmarks Commission for most types of alterations. Since the building is scheduled for renovations, permits must be obtained from the Landmarks Commission prior to any construction work.

The following de minimis conditions were noted but are not considered Recognized Environmental Conditions (RECs).

A de minimis condition is one that generally does not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies (excluding local asbestos & lead situations).

	ITEM
1	There is a 50-gallon aboveground storage tank (AST) used for the hydraulic elevator. There was minor surface staining adjacent to the tank. MECC has been informed this tank is scheduled to be removed.

No Controlled Recognized Environmental Conditions (CRECs) were noted.

A Controlled Recognized Environmental Condition (CREC) is a recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).

NON-SCOPE CONSIDERATIONS

There may be environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice (the non-scope considerations). Some substances may be present on a property in quantities and under conditions that may lead to contamination of the property or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601(14) or do not otherwise present potential CERCLA liability. In any case, they are beyond the scope of this practice. There may be standards or protocols for assessment of potential hazards and conditions associated with non-scope conditions developed by governmental entities, professional organizations, or other private entities. Asbestos-Containing Building Materials, Lead-Based Paint, and Radon are several non-scope considerations that persons may want to assess in connection with commercial real estate.

ITEM	
1	Based on the age of the building, Asbestos Containing Materials (ACM) and Lead Based Paint (LBP) are assumed to be present. MECC was told by the site representative that the building has undergone several asbestos abatements in the past including pipe wrap and vinyl asbestos tiles (VAT). Lead based paint (LBP) may be present on the surface layer as well as other layers of paint based on the age of the building. Renovations have been taking place over the past few years so it is assumed such work is being conducted in accordance with applicable local, state and federal regulations. Asbestos materials and lead based paint are considered Non-Scope Considerations as per the ASTM E1527-21 standard and therefore not inspected during our site reconnaissance.

The following Historical Recognized Environmental Conditions (HRECs) were identified in our database search/historical review

A Historical Recognized Environmental Condition (HREC) is a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations).

The subject site formerly utilized a 16,000-gallon aboveground storage tank (AST) housing number 2 oil which was located in the sub-basement. During MECC's reconnaissance, MECC was informed by the owner that the 16,000-gallon aboveground storage tank (AST) (Facility ID:2-333735) was removed from the property. MECC's review of the EDR Radius Map indicated that in March of 2023, NYSDEC Spill No. 2210032 was assigned to the site:

Flat Iron Building
175 Fifth Avenue
Spill No.2210032
Spill Date:03/21/23
Close Date: 05/30/23
Remarks: Tank removal

The spill has been closed by the New York State Department of Environmental Conservation (NYSDEC). On November 6, 2023, MECC submitted a Freedom of Information request to the NYSDEC for additional information on the spill event.

In response to our Freedom of Information request to the NYSDEC, MECC received a one (1) page NYSDEC Spill report along with email correspondence from the NYSDEC case manager, Mr. Hiralkumar Patel (See Appendix A).

According to the documentation, during the installation of footings for additional structural support, oily water was observed. Additionally, two (2) sumps had small amounts of oil water. This was reported to the NYSDEC in March of 2023. The 16,000-gallon Aboveground Storage Tank (AST) associated with the site was inspected and a very small #2 fuel oil leak was found. The tank was set on concrete saddles and each saddle is progressively shorter running West to East where the East end is in contact with the concrete pad beneath the tank. East Coast tested the tank and the system failed the test.

Subsequently, they disconnected the piping and tested each pipe line (fill, vent, supply and return) and the piping passed. The tank only failed the test with a leak below the liquid level. East Coast pumped out the tank and sealed the fill port. The tank was scheduled to be removed and the floor underneath was required to be inspected. Additionally the sumps were required to be inspected weekly.

The NYSDEC received documentation associated with the removal of the tank. Additionally the water in the sumps were confirmed to have receded with no signs of oil mixed with water or soil.

In May of 2023, the NYSDEC visited site and inspected one sump in the building basement. They noted clear water within the sump and no petroleum sheen/droplets/odors were noted. During an inspection of the former tank room, some oil stains on tank room concrete floor were observed, but floor was found in good condition. Based on available information, the NYSDEC granted regulatory closure on May 30, 2023 (See documentation in Appendix A).

Appendix 2:
Noise

Environmental, Planning, and Engineering Consultants
440 Park Avenue South
7th Floor
New York, NY 10016
tel: 212 696-0670
fax: 212 213-3191
www.akrf.com

February 7, 2024

Steven Hirschberg
The Brodsky Organization
400 West 59th Street – 3rd Floor
New York, NY 10019

Re: Flatiron Building (Manhattan, New York)
Noise Survey Results and Facade Acoustical Performance Recommendations

Dear Steven:

AKRF has completed the exterior airborne noise level testing for the Flatiron Building residential condo project. Exterior noise level testing was performed to determine window minimum acoustical performance requirements. The purpose of this document is to report the noise survey results and window acoustical performance recommendations.

EXECUTIVE SUMMARY

Noise measurements were performed at the development site for a 7-day continuous period from Thursday, December 28, 2023 to Thursday, January 4, 2024. During the 7-day continuous noise monitoring program, supplemental spot-check noise measurements were performed to further document vehicular noise (see **Figure 1** for noise survey locations). The recommended window acoustical performance to be incorporated in project specifications is an Outdoor-Indoor Transmission Class (OITC) 31 rating and a Sound Transmission Class (STC) 38 rating.

Guideline specification language is included as an **Attachment** to this report.

ACOUSTICAL DESIGN GUIDELINES

FAÇADE DESIGN GOALS FOR HIGH-END LUXURY CONDOMINIUMS

Façade attenuation requirements are determined based on a development site's ambient noise levels and target interior NC levels. NC levels are used to rate the background noise levels of an indoor space (the lower the background noise level, the lower the NC level). For luxury condominiums in New York City, **Table 1** shows the recommended NC design criteria and corresponding approximate dB(A) value.

Table 1
Recommended Noise Criteria for Luxury Condominiums

	Steady Background Noise Levels (based on 1-hour L_{eq} levels)		Short-Term / Transient Noise Levels (based on 1-hour L_1 levels)	
Location	**NC Rating**	**Approximate dB(A)**	**NC Rating**	**Approximate dB(A)**
Bedrooms, Living Spaces, etc.	NC 35	40 dB(A)	NC 45	50
Notes: NC design criteria based on the intrusion of exterior environmental noise (i.e., does not include HVAC/ mechanical system operating noise).				

NOISE SURVEY PROGRAM AND WINDOW ACOUSTICAL PERFORMANCE

MEASUREMENT LOCATIONS

The noise measurement locations are shown below in **Figure 1**. 7-day continuous noise measurements were performed at Locations 1 to 3 on Floor 19 and short-term noise measurements were performed at Locations A to D throughout the building on Floors 4, 10, 15, and 19. The acoustical instrumentation for these Locations were mounted on tripods and the microphones were extended approximately 3-feet away from the building façade out the window on Floor 19. Additionally, interior noise measurements were performed throughout the building on Floors 4, 10, 15, and 19.

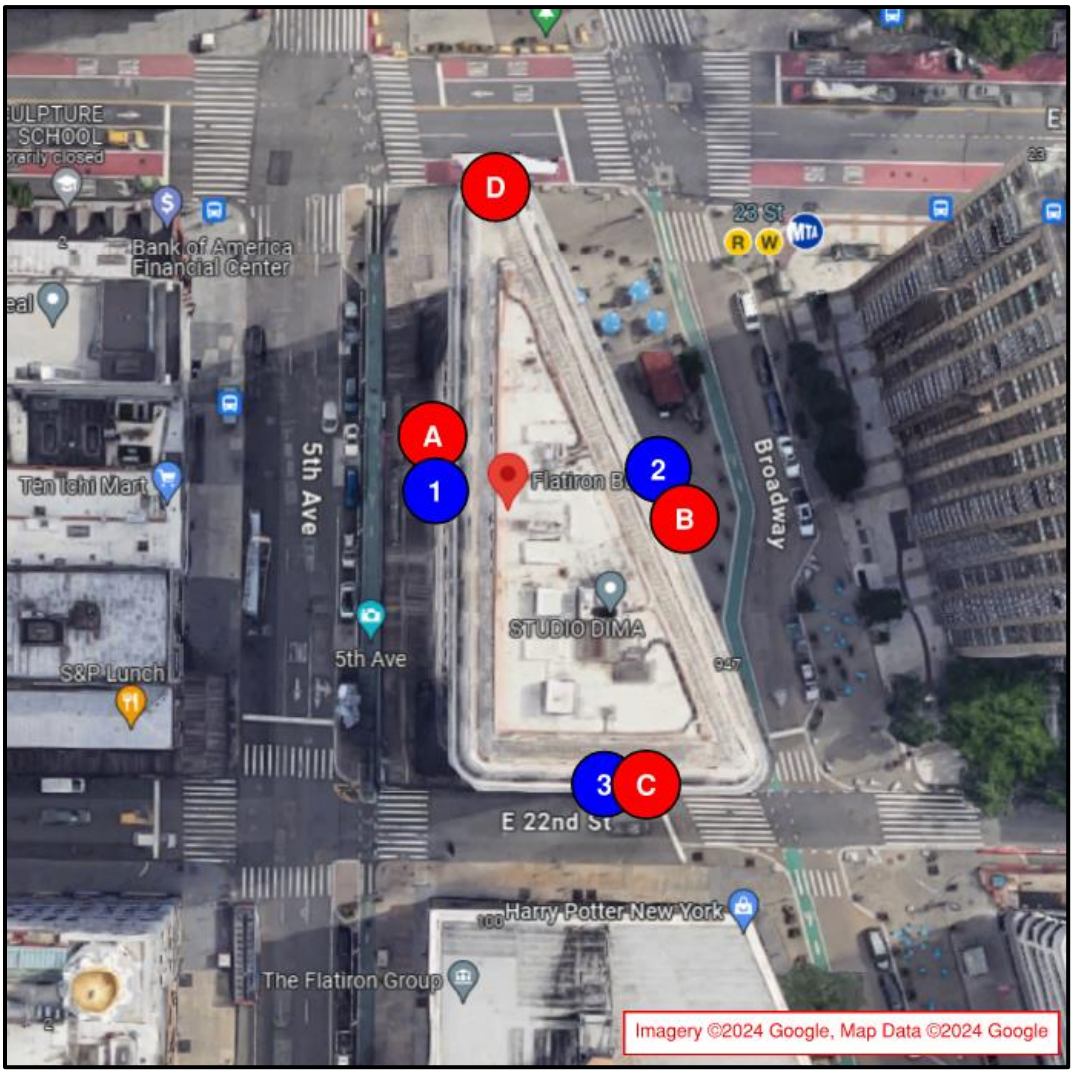


Figure 1 – Noise Survey Locations

MEASUREMENT PROGRAM

Noise measurements at Locations 1 to 3 were performed for a continuous 7-day period from Thursday, December 28, 2023 to Thursday, January 4, 2024; spot measurements at Locations A to D were performed during the 7-day period in order to supplement the continuous measurements at Locations 1 to 3. 7-day continuous noise level profiles were generated for Locations A to D on all floors where measurements were performed based on the spot noise measurement result and the temporal distribution of the measured noise levels at Locations 1 to 3.

The time period over New Year's Eve and the early morning hours of New Year's Day were excluded from the noise measurements due to atypical noise events.

EQUIPMENT FOR NOISE MONITORING

Measurements were performed using Brüel & Kjær Type 2250 and 2270 and NTi Audio Sound Level Meters (SLMs) (S/Ns 3011363, 3004127, 2717693, 15439, and 15333), Brüel & Kjær Type 4189 and NTi Audio Type M2230 1/2-inch microphones (S/Ns 3180871, 2887148, 3099821, 7943, and 10068), and Brüel & Kjær Type 4231 and Larson Davis Type Cal200 Sound Level Calibrators (S/Ns 3009608, 3008089, 16036, and 16549). The SLMs are Class 1 instruments according to ANSI Standard S1.4-1983 (R2006). The SLMs were last factory calibrated within one year of use, as is standard practice. The SLMs' calibration was field-checked before and after readings using the sound level calibrators. The data were digitally recorded by the SLMs. Measured quantities included the L_{eq} and L_1 values and 1/3 octave band levels. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

NOISE MONITORING RESULTS

The highest measured and calculated 1-hour L_{eq} and L_1 values for all building facades is shown below in **Table 2**.

Table 2
Noise Survey Results in dB(A)

Building Façade	Measured 1-Hour L_{eq} Values	Measured 1-Hour L_1 Values
East 22nd Street	61 to 70	69 to 84
Fifth Avenue	64 to 72	73 to 86
East 23rd Street	65 to 74	71 to 90
Broadway	65 to 71	71 to 86

NOISE MONITORING DISCUSSION

Based on the 1-hour L_1 noise monitoring results and a review of the noise survey audio files, while the highest 1-hour L_{eq} value was approximately 74 dB(A), various transient activities — such as sirens — generated intermittent short-term noise levels as high as approximately 90 dB(A). The siren consisted of a combination of mid and high frequency noise and typical traffic noise was primarily lower frequency noise. The measured and calculated noise levels shown above are consistent with heavily trafficked New York City streets.

WINDOW ACOUSTICAL PERFORMANCE RECOMMENDATIONS

Recommended window acoustical performance is based on the survey results outlined above, AKRF project experience, and a review of the existing building elevations a façade analysis was performed to determine the recommended acoustical rating of the windows. Based on this analysis, the recommended window acoustical performance to be incorporated in project specifications is OITC 31 and STC 38.

These OITC and STC ratings are for the full window assembly (i.e., not "glass only" values). Since window acoustical performance is dependent on many variables such as glass thickness, air spacer depth, glass dimensions, window operability, thermal break details, mullion design, head/sill receptors, gaskets, etc., the acoustical performance of every window manufacturers' products are unique and project-specific acoustical mock-up testing is required to confirm OITC / STC ratings. However, based on AKRF's project experience, the following is provided to assist the team with preliminary design, budgets and coordination with preferred window vendors:

- Achieving both a minimum OITC 31 and STC 38 rating typically requires one or a combination of the following: unbalanced glass assembly (i.e., inner and outer lites of different thicknesses), air space larger than 1/2-inch and/or laminated glass

While window glass assembly selections will need to be determined by the window manufacturer based on the OITC and STC targets above. Guideline specification language is included as an **Attachment** to this report. The window manufacturer would be responsible for conducting necessary acoustical testing to demonstrate acoustical performance requirement satisfaction.

While installing windows that meet the OITC and STC ratings above is anticipated to result in interior noise levels that are consistent with luxury condominiums in New York City as shown above in **Table 1**, this does not mean that vehicular noise would be inaudible inside the future residences.

This completes our comments at this time. If you have any questions, please do not hesitate to contact me at cthompson@akrf.com or 646-388-9511.

Sincerely,

Christian Thompson
Vice President – Acoustics, Noise & Vibration

cc: Jon Adamski / The Brodsky Organization
Achim Hermes, Celia Julve / GMS LLP

PUNCH WINDOWS

PART 1 – GENERAL

1.01 ACOUSTICAL OBJECTIVES

It is the objective of this specification that suitable and qualified manufacturers supply and install punch window systems specified within this document and elsewhere to achieve the strict project acoustical requirements.

1.02 QUALITY ASSURANCE

A. System Acoustical Performance Requirements

The combination of the glazing configuration(s), punch window frame(s) and spandrel backing construction (where applicable) for the project shall meet or exceed an Outdoor Indoor Transmission Class (OITC) 31 rating and a Sound Transmission Class (STC) 38 rating.

The OITC value shall be calculated in accordance with ASTM E1332 and the STC value shall be calculated in accordance with ASTM E413.

1.03 SUBMITTALS

A. The punch window manufacturer/supplier shall submit independent laboratory test data substantiating that all configurations of glazing and punch window frame to be supplied to the subject project satisfy the OITC and STC ratings in the preceding section. Laboratory testing shall be performed in accordance with ASTM E90.

B. Should such independent test data not be available, or if it is not available for exact glazing and punch window frame configuration(s) to be utilized on the subject project in terms of size, materials and construction, then a series of witnessed acoustical laboratory tests shall be conducted at the punch window manufacturer/supplier's expense to satisfy the acoustical performance requirements detailed in this specification. Such tests shall be conducted upon all configurations of glazing and punch window frame(s) to be supplied to the project. Such tests shall be conducted in accordance with ASTM E90 and in the presence of the project architect/exterior wall consultant and acoustical consultant.

C. All costs associated with this testing, including those associated with relevant consultant's time and expenses, shall be borne by the punch window manufacturer/supplier. Should the tests not show compliance with the subject project's acoustical performance requirements, then all additional necessary measurements and/or retesting shall be undertaken by the punch window manufacturer/supplier until such requirements are achieved.

***** END OF SECTION *****

Appendix 3:
New York City Landmarks Preservation Commission Consultation

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Final Sign-Off (Single Site)

Project number: LA-CEQR-M (BOARD OF STANDARDS AND APPEALS)
Project: FLATIRON BUILDING
Address: 171 5 AVENUE BBL: 1008510001
Date Received: 3/11/2024

[] No architectural significance

[X**] No archaeological significance**

[X**] Designated New York City Landmark or Within Designated Historic District**

[X] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments:

PROJECT SITE IS LPC DESIGNATED AND S/NR LISTED FLATIRON BUILDING.

All work to proceed according to LPC permits issued under the NYC Landmarks Preservation Law. Permits shall be attached to the EAS and/or BSA application.

In radius: LPC DESIGNATED AND S/NR LISTED SCRIBNER BUILDING, 153-157 FIFTH AVENUE AND SIDEWALK CLOCK, 200 FIFTH AVENUE; LPC DESIGNATED LAMPPOST AT BROADWAY AND WEST 23 STREET; AND LPC DESIGNATED AND S/NR ELIGIBLE LADIES' MILE HISTORIC DISTRICT.

Gina Santucci 3/12/2024

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

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