

FOR CONSIDERATION

January 16, 2020

TO: The Directors

FROM: Eric J. Gertler

SUBJECT: New York City (Bronx County) – Bronx Psychiatric Center Land Use Improvement Project (the “**Project**”)

REQUEST FOR: Affirmation of Land Use Improvement Project Findings Pursuant to Section 10 of the UDC Act; Adoption of Findings Pursuant to the New York State Environmental Quality Review Act (“**SEQRA**”); Authorization to Affirm the Proposed General Project Plan (“**GPP**”); Authorization to Acquire and Dispose of Real Property in Accordance with Applicable Provisions of the Public Authorities Law; and Authorization to Take Related Actions

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**I. Project Summary**

Developer  
 (“**Developer**”): 1500 Waters Place LLC

Developer Contact: Joseph Simone  
Simone Development Companies  
1250 Waters Place, Penthouse 1  
Bronx, New York 10461

Empire State  
Development  
 (“**ESD**”) Investment: No ESD financing or grants. Developer will pay all ESD third party costs associated with the Project.

Project Location: 1500 Waters Place  
Bronx, New York  
a/k/a Bronx County Block 4226, Portions of Lots 30 and 35

Project  
 (“**Project**”): The redevelopment of a 33-acre parcel located in the Morris Park neighborhood of the Bronx comprising a portion of the former

New York State Office of Mental Health Bronx Psychiatric Center campus and an adjacent 0.37-acre parcel (together, the “Development Site”). The Project will create nearly two million square feet<sup>1</sup> in buildings accommodating medical offices, college/trade school space, accessory use (residential), retail space, and a hotel. Dedicated community facility space, 8.7 acres of open space, and parking will also be part of the Project.

Two existing buildings on the campus will be renovated and expanded with new additions. The Project also includes six new buildings for commercial and medical offices, accessory use, retail uses, and parking. The Project includes the removal of the four existing baseball fields currently located on the Development Site and the construction of two new baseball diamonds, publicly accessible walking and biking paths, and other new open space amenities. New roads will also be constructed to provide circulation within the Development Site and connections to the existing street network.

Project Type: Land Use Improvement Project

Anticipated Completion: Phase I: 2023  
Phase II (if applicable): 2028

Employment: Existing: None  
Project Construction: 1,900 jobs  
Permanent: 8,000 jobs

Project Team: Real Estate: Alyson Beha  
Environmental: Soo Kang  
Design & Construction: Phil Maguire  
Legal: Jensen Ambachen and Jonathan Beyer

## II. Estimated Project Cost

Total development cost is estimated to be \$920,050,100. For additional details on sources and uses of funding, see the GPP, attached hereto, at Section V.

## III. Background

In November 2013, Empire State Development (“ESD”) issued a Request for Proposals (“RFP”) to redevelop an approximately 33-acre portion of the Bronx Psychiatric Center (the “BPC”),

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<sup>1</sup> Does not include parking.

an approximately 73-acre campus comprising Bronx Tax Block 4226, Lot 30 (the “**Current BPC Campus**”), that is operated by the New York State Office of Mental Health (“**OMH**”) and owned by the Dormitory Authority of the State of New York (“**DASNY**”). In recognition that much of the campus was currently underutilized, DASNY constructed the Bronx Mental Health Redevelopment Project (the “**OMH Consolidation Project**”) on behalf of OMH on approximately 40 acres of the Current BPC Campus (the “**Consolidated BPC Campus**”). The OMH Consolidation Project optimizes provision of OMH services by consolidating facilities within the Consolidated BPC Campus site, leaving 33 acres of vacant land on the northern portion of the BPC Campus Site for redevelopment (the “**RFP Site**”).

On August 15, 2019, the Directors authorized the Corporation to adopt a GPP for the Project and hold a public hearing on the GPP and actions envisioned thereunder.

#### **IV. Essential Terms of the Transaction**

In addition to conducting the RFP process, ESD will acquire substantially all of the Development Site from DASNY in accordance with applicable law. ESD will make statutory findings for a land use project, zoning override, and enter into a restrictive declaration with the Developer to ensure the Project is completed as detailed in the GPP. ESD will convey a fee simple interest in the RFP Site to the Developer for an all cash, non-contingent payment of \$14,959,154.92 (“**Purchase Price**”), which proceeds shall be utilized by DASNY to satisfy a portion of the outstanding bonds that financed improvements on the RFP Site. ESD will also acquire from and transfer an adjacent 0.37-acre parcel to the Developer to be incorporated in and facilitate the Project. The Developer is funding all out-of-pocket, third-party expenses incurred by ESD in connection with the Project, including counsel and environmental consultant expenses. Further financial terms are set forth in Section X of the GPP.

#### **V. Project Schedule**

Construction of the Project will occur in two phases. Phase I includes commercial office space, medical offices, bio-tech research, hotel, accessory use, educational, community facility space, retail, parking, and open space. Phase II will include additional commercial, medical office, retail, and accessory use space. The anticipated completion date for Phase I is 2023, and if commenced, the completion date for Phase II is 2028.

#### **VI. Land Use Improvement Project Findings**

ESD staff recommends that the Directors find that the Project is consistent with the requirements of the UDC Act for land use improvement projects, and satisfies the findings required under the UDC Act as follows:

Section 10(c) of the UDC Act requires that for a land use improvement project the Corporation make a finding:

1. That the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality;
2. That the Project consists of a plan or undertaking for the clearance, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto; and
3. That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.

The Development Site is in danger of becoming a substandard or insanitary area. DASNY does not have the need, interest, or resources to improve the Development Site; OMH does not have the need to improve parcels and has in fact formally abandoned its use on those portions of the BPC. Accordingly, without the Project, the Development Site would be in danger of becoming an abandoned, substandard area which would impair the sound growth and development of New York City.

The Project will clear, reconstruct, and rehabilitate the Development Site with positive economic development and will maximize the participation of the Developer, who will be responsible for purchasing the Development Site, planning, designing, building, renting and operating the Project, and paying all costs associated with the Project.

#### **VII. Design Guidelines and Zoning**

The Development Site is zoned M1-1 and R5 under the New York City Zoning Resolution (“ZR”), which allow for light manufacturing and commercial, and medium density residential, respectively. To effectuate the Project, ESD will override zoning pursuant to the UDC Act, to allow development that is contextual with the allowable uses in the surrounding zoning districts (primarily C4-2 and M1-1), including commercial and medical office, hotel, retail and community facility uses.

ESD has established Design Guidelines (the “**Design Guidelines**”) for the Project that address, among other things, use, bulk, and dimensional parameters to be applied in lieu of zoning. The Project will be required to comply with the Design Guidelines in the transaction documents. The City of New York has been consulted, pursuant to UDC Act Section 16(1).

#### **VIII. Labor Peace**

Section 2879-b does not apply here because a hotel is not a principal function of this project and therefore this is not a covered project under the statute.

#### **IX. Environmental Review and SEQRA Findings**

ESD, acting as lead agency pursuant to the requirements of SEQRA and the implementing regulations of the New York State Department of Environmental Conservation, performed a

detailed and comprehensive review of the Project. On August 15, 2019, the ESD Directors accepted as complete the Draft Environmental Impact Statement (“DEIS”) for the Project. Upon acceptance, the DEIS was circulated for public review and comment, a public hearing was held on September 16, 2019, and the public comment period remained open through October 16, 2019. On December 19, 2019, ESD accepted as complete the Final Environmental Impact Statement (“FEIS”), which included a chapter that summarized all comments received with responses. The FEIS Notice of Completion indicated that comments on the FEIS would be accepted until December 30, 2019. No comments on the FEIS were received.

SEQRA requires the adoption of written findings, supported by a statement of relevant facts and conclusions considered prior to agency decisions on actions that have been the subject of an FEIS. The “SEQRA Findings Statement,” attached to these materials, contains the facts and conclusions in the FEIS relied upon to support the Corporation’s decision on the actions analyzed in the FEIS, specifically the affirmation of the GPP and its authorization of the implementation of the Project, and indicates the social, economic and other factors and standards forming the basis of the Corporation’s decision.

The findings that the Corporation must adopt prior to its affirmation of the GPP and authorization of the implementation of the Project are:

- The Corporation has given consideration to the FEIS;
- The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
- Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is one that avoids or minimizes significant adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the FEIS; and
- Consistent with the social, economic and other essential considerations the significant adverse environmental impacts associated with the development of the Project which were identified in the FEIS will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures described in the FEIS.

Staff recommends that the Corporation adopt the SEQRA Findings Statement attached to these materials.

#### **X. Requested Actions**

The Directors are being asked to: (a) affirm Land Use Improvement Project Findings pursuant to Section 10 of the UDC Act; (b) make and adopt pursuant to the State Environmental Quality Review Act the findings and determinations, which findings and determinations are to be made after full consideration of the Findings Statement attached to these materials; (c) affirm

the General Project Plan; (d) authorize the acquisition and disposition of real property; and (e) authorize all related actions.

**XI. Recommendation**

Based on the foregoing, ESD staff recommends approval of the requested actions.

**XII. Attachments**

Resolutions

General Project Plan

Exhibit A – Development Site Location Map

Exhibit B – Conceptual Illustration of Project

Exhibit C-Site Plan

Design Guidelines

SEQRA Findings Statement

Final Environmental Impact Statement - <https://esd.ny.gov/bronx-psych-redevelopment-project>

January 16, 2020

NEW YORK (BRONX COUNTY)-BRONX PSYCHIATRIC CENTER LAND USE IMPROVEMENT PROJECT – Affirmation of Land Use Improvement Project Findings pursuant to Section 10 of the UDC Act; Adoption of Findings Pursuant to the New York State Environmental Quality Review Act (“SEQRA”); Authorization to Affirm the Proposed General Project Plan (“GPP”); Authorization to Acquire and Dispose of Real Property in Accordance with Applicable Provisions of the Public Authorities Law; and Authorization to Take Related Actions

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RESOLVED, that, on the basis of the materials presented to this meeting, a copy of which is hereby ordered filed with the records of the Corporation (the “Materials”), relating to the Bronx Psychiatric Center Land Use Improvement Project (the “Project”), the Corporation hereby finds pursuant to Section 10(c) of the New York State Urban Development Corporation Act of 1968, as amended (the “Act”):

That the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area which would to impair or arrest the sound growth and development of the municipality;

That the Project consists of a plan or undertaking for the clearance, re-planning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto; and

That the plan, defined below, or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole;

and be it further

RESOLVED, that on the basis of the Materials relating to the Project, indicating that there are no families or individuals to be displaced from the Project area, the Corporation hereby finds that the requirements of Section 10(g) of the Act are satisfied;

and be it further

RESOLVED, that on the basis of the Materials, that the Corporation hereby makes and adopts pursuant to the State Environmental Quality Review Act the following findings and determinations, which findings and determinations are made after full consideration of the Findings Statement attached to these Materials, which statement is hereby adopted by the Corporation and made a part of the Materials filed with the records of the Corporation:

1. The Corporation has given consideration to the Final Environmental Impact Statement (“FEIS”) prepared for the Project;

2. The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that will avoid or minimize significant adverse environmental impacts to the maximum extent practicable, including the effects disclosed in the FEIS;
4. Consistent with the social, economic and other essential considerations the significant adverse environmental impacts associated with the development of the Project which were identified in the FEIS will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures described in the FEIS;

and be it further

RESOLVED, that on the basis of the Materials, and substantially on the terms and conditions described in the Materials, the Corporation does hereby affirm, subject to and pursuant to, and for the purposes of a public hearing required by, Section 16 of the UDC Act, and as may be appropriate pursuant to other applicable laws:

(1) the proposed General Project Plan (the "Plan") for the Project submitted to this meeting, together with such changes therein as the Chairman and Chief Executive Officer Designate of the Corporation or his designee(s) may deem appropriate, a copy of which Plan, together with such changes, is hereby ordered filed with the record of the Corporation; and

(2) the Corporation is authorized to acquire and dispose of real property as set forth in the Plan as may be needed by the execution and delivery of a deed to or from the Developer or the State as applicable; and be it further

RESOLVED, that the Plan shall not be final until action is taken by the Directors as provided in the UDC Act and until such time as all requirements of the UDC Act and other applicable law in connection therewith have been satisfied; and be it further

RESOLVED, that the Chairman and Chief Executive Officer Designate of the Corporation or his designee(s) be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to take such actions as may be considered necessary or appropriate in connection with the holding of the public hearing required pursuant to Section 16 of the UDC Act and other applicable law (which hearing may held simultaneously with one or more hearings which may be held pursuant to other applicable law), including without limitation, the providing, filing or making available of copies of the Plan or a digest thereof and the findings required by Section 10 of the UDC Act relating to the Project, the fixing of a date for such hearing, the publication of a notice relating to the Plan and such hearing in accordance with the UDC Act, other applicable law, and the procedures heretofore approved by the Corporation with respect to similar hearing, and the making of a report or reports to the Directors on such hearing, written comments received, and any local governmental recommendations respecting the Plan; and be it further

RESOLVED, that the Chairman and Chief Executive Officer Designate or his designee, be, and each of them hereby is, authorized in the name of and on behalf of the Corporation to execute and deliver any and all documents and to take all actions as may be considered necessary or appropriate in connection with carrying out the public hearing(s), to effectuate the Plan and to effectuate the foregoing resolutions. Any and all actions taken prior to the date of this resolution in furtherance of the Plan are hereby ratified.

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**New York State Urban Development Corporation  
d/b/a Empire State Development**

**BRONX PSYCHIATRIC CENTER  
Land Use Improvement Project**

GENERAL PROJECT PLAN – January 16, 2020

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Exhibit A: Development Site Location Map

Exhibit B: Conceptual Illustration of Project

Exhibit C: Site Plan

New York State Urban Development Corporation  
d/b/a Empire State Development

**BRONX PSYCHIATRIC CENTER  
Land Use Improvement Project**

GENERAL PROJECT PLAN – January 16, 2020

**I. Background**

In November 2013, Empire State Development (“**ESD**”) issued a Request for Proposals (“**RFP**”) to redevelop an approximately 33-acre portion of the Bronx Psychiatric Center (the “**BPC**”), an approximately 73-acre campus comprising Bronx Tax Block 4226, Lot 30 (the “**Current BPC Campus**”), that is operated by the New York State Office of Mental Health (“**OMH**”) and owned by the Dormitory Authority of the State of New York (“**DASNY**”). In recognition that much of the campus was underutilized, DASNY constructed the Bronx Mental Health Redevelopment Project (the “**OMH Consolidation Project**”) on behalf of OMH on approximately 40 acres of the Current BPC Campus (the “**Consolidated BPC Campus**”). The OMH Consolidation Project optimizes provision of OMH services by consolidating facilities within the Consolidated BPC Campus site, leaving 33 acres of land on the northern portion of the BPC Campus Site available for redevelopment (the “**RFP Site**”).

ESD’s RFP sought proposals including commercial, retail, institutional, and/or community and recreational facility uses that would facilitate job creation and stimulate economic activity in the Morris Park neighborhood and the borough of the Bronx. After reviewing all responses to the RFP, Simone Development Companies (“**Simone**”) was conditionally designated to redevelop the RFP Site, and in February 2015, ESD and Simone signed a cost agreement and term sheet outlining the parameters for redevelopment. After subsequent planning and environmental review, including the addition of the Lot 35 Parcel defined below, the proposed project is intended to include office, educational, medical, hotel, retail and accessory uses, as well as related parking (the “**Project**”).

The Project is to be constructed by 1500 Waters Place LLC (“**Developer**”), a special purpose entity created specifically to develop the Project. The principals of the Developer are the principals of Simone.

**II. Description of the Development Site**

The Development Site is located at 1500 Waters Place in the Morris Park section of the Borough of the Bronx, Bronx County, City and State of New York. The Development Site is generally bounded by Hutchinson Metro Center (the “**HMC**”) to the north, the Hutchinson River Parkway (the “**HRP**”) to the east, the Consolidated BPC Campus and Waters Place to the south, and Marconi Street to the west. The Development Site is located northeast of the Westchester Square Medical Center and east of Albert Einstein College of Medicine. A map of the Development Site location is attached hereto as Exhibit A.

The Project will span the RFP Site and a portion of Bronx Block 4226, Lot 35 (the “**Lot 35 Parcel**”), which is currently improved with surface parking and is owned by an entity related to the Developer. The 0.37-acre Lot 35 Parcel, and the RFP Site owned by DASNY will both be conveyed to ESD, and, in turn, ESD will dispose of both parcels to the Developer. The Project will consist of the re-development of both parcels. Following closing, the two parcels will be merged by the Developer into a single zoning lot, which will then be subdivided into separate tax lots in connection with various components of the Project to be constructed thereon (collectively, the “**Development Site**”).

In addition to the improvements to Lot 35 described above, the Development Site is currently improved with seven vacant buildings, including three primary buildings (the Children’s Psychiatric Building, the John W. Thompson Building, and the Betty Parker Building), and four significantly smaller buildings (a steam generating power house, two metal shelters, and a small storage building). The Development Site also includes four existing ball fields.

The area immediately surrounding the Development Site contains commercial, retail, and institutional uses. The immediately adjacent approximately 30-acre Hutchinson Metro Center, a mixed-use commercial complex comprising over 1.4 million square feet of office, medical, hotel, and retail spaces, was developed and is owned and operated by Simone.

### **III. Project Description and Phasing**

#### **Project Description**

The Project will be constructed in two phases as set forth below. It will consist of the design, development, construction, and operation of multiple improvements at the Development Site by the Developer, all in accordance with this General Project Plan (“**GPP**”) and Design Guidelines, detailed in Section IV. These improvements will include approximately:

- 1.3 million square feet of office space for business, professional and/or medical facilities and bio-tech/research space;
- 250,000 square feet of accessory use (approximately 250 residential units);
- 124,000 square feet of hotel use;
- 140,000 square feet of college/trade school and retail space;
- 8,100 square feet of accessory amenity space;
- 4,000 parking spaces (surface parking and up to 1.04 million square feet of garage space);
- 2,000 square feet of community facility space (the “**Community Facility Space**”); and
- 8.7 acres of open space, including two baseball diamonds, with a 2,000 square foot support building and supporting amenities.

In order to facilitate the construction of the Project, the vacant former Bronx Children’s Psychiatric Building would be demolished. The Thompson Building and Parker Building (also known as Building 1 and Building 2, respectively) would be renovated and expanded with new additions. After renovation, the Thompson and Parker Buildings are intended to be used primarily for a mix of educational, hotel, office, community facility, bio-tech/research, and retail spaces, along with other permitted uses.

In addition to the rehabilitation of the Thompson and Parker Buildings, the Project will also include up to five new buildings—Buildings 3, 4, 5, 6, and 7— for office, accessory and retail uses, along with a new 1-story building to be used exclusively for retail purposes, which will be constructed along Marconi Street. These new buildings are proposed to be between 8 and 16 stories in height, and range in size from approximately 106,000 to 330,000 square feet. Some buildings may include ground-floor retail. The existing powerhouse on Marconi Street would remain and be repurposed to provide accessory amenity space for the Project. A conceptual illustration of the Project is attached as Exhibit B.

In order to provide flexibility as the Project is developed, approximately 25 feet in height (two stories) and associated floor area may be shifted among buildings within each phase. Any increases in height and floor area for one building would be accompanied by a commensurate decrease in height and floor area for another building in the same phase. Within Phase I, the shifts in height and floor area would be permitted among the Parker Building, Building 3, and Building 4. Within Phase II, the shifts in height and floor area would be permitted among Buildings 5, 6, and 7. The total overall floor area within each phase of the Project would not change as a result of these reallocations.

The Project includes the removal of the four existing baseball fields currently located on the Development Site and the construction of two new baseball diamonds, publicly accessible walking and biking paths, and other new open space amenities. One new baseball diamond would be regulation size for intermediate and adult leagues, and one would be Little League regulation size. Programming for the replacement fields would be coordinated with local community athletic organizations. During construction of Phase I, the existing little league field on the eastern edge of the site and an adjacent larger field for intermediate and adult leagues will remain in operation, subject to temporary interruptions required to ensure public safety and seasonal closures. The two new baseball diamonds will be constructed and open for operation within five years of the Developer's purchase of the RFP Site, at which point the two fields that remained open during the construction of Phase I will cease to operate.

For purposes of this Project, "accessory use" refers to accessory housing located within the Project and reserved for individuals working or studying within the Project or the HMC and their families, including (i) students, faculty and staff of any university, college or trade school within the Project or the HMC, (ii) professionals, researchers, scientists and/or employees working for and at any medical biotechnical, healthcare or research and development institution within the Project or the HMC, and (iii) employees working for any other use reasonably approved by ESD that occupies a portion of the Project or the HMC.

New roads would be constructed to provide circulation within the Development Site and connections to the existing street network. A new access drive ("East-West Road") would be constructed through the Development Site. The East-West Road would align with the current driveway into the Hutchinson Metro Center Atrium on the west side of Marconi Street and would also connect with an existing BPC west access road. An additional access road would be constructed from an area proximate to the Parker Building and connecting to HMC's existing roadway on the northern boundary of the Development Site. The Project would also introduce one new driveway north of the East-West Road along Marconi Street. The East-West Road will terminate within the Development

Site in Phase I and in Phase II, the East-West Road would connect with a service road along the southbound HRP if a new access improvement project is developed as a separate project as described below.

The Project also includes utilization of the BPC west access road, which provides the necessary means of access to the Development Site from Water Street through the BPC Consolidated Campus. The ongoing utilization of the BPC west access Road would be established by way of a permanent easement, subject to certain conditions, between the NYS Office of General Services (“OGS”) and the Developer. A site plan of the Development Site is attached as Exhibit C.

### Phasing

Phase I comprises the redevelopment of the Thompson and Parker Buildings and the development of Buildings 3 and 4, a new retail building, and approximately 7 acres of open space, including the two baseball fields. Phase I development includes approximately:

- 642,500 square feet of commercial office, medical office, and bio-tech/research space;
- 100,000 square feet of accessory use (100 dwelling units);
- 124,000 square feet of hotel use;
- 140,000 square feet of college/trade school and retail uses;
- 2,000 square feet of community facility space;
- 8,100 square feet of accessory amenity space; and
- 2,500 parking spaces.

Phase II is contingent on the construction of new access improvements to the HRP, connecting the Development Site with a service road along the southbound HRP (the “**HRP Improvement Project**”) and assumes that the improvements will be constructed by 2028. There is currently no funding or plan by NYCDOT to construct the HRP Improvement Project by 2028, and without the HRP Improvement Project or some other means of addressing the traffic expected to be generated by Phase II, the second phase of the Project cannot proceed.

Should the HRP Improvement Project be completed or some other means of addressing traffic expected to be generated by the second phase, it is anticipated that the Developer will elect to construct Buildings 5, 6, and 7 for commercial and medical office space, accessory uses, retail space, and approximately 1.6 acres of open space. Phase II would include approximately:

- 625,000 square feet of commercial and medical office space;
- 150,000 square feet of accessory use (150 dwelling units);
- 6,500 square feet of retail space; and
- 1,520 parking spaces.

The anticipated completion date for Phase I is 2023, and, if commenced, the anticipated completion date for Phase II is 2028.

#### IV. Zoning and Design Guidelines

The Development Site is zoned M1-1 and R5 under the New York City Zoning Resolution (“ZR”), which allow for light manufacturing and commercial, and medium density residential, respectively. To effectuate the Project, ESD will override zoning pursuant to the Urban Development Corporation Act (“UDC Act”), to allow development that is contextual both with existing uses within HMC, as well with allowable uses in the surrounding zoning districts (primarily C4-2/R6 and M1-1), including commercial and medical office, hotel, retail and community facility uses. The Project has been designed to complement New York City’s vision of a pedestrian-friendly transit district adjacent to a planned Metro-North station immediately west of the development site.

ESD has established Design Guidelines (the “**Design Guidelines**”) for the Project that address, among other things, use, bulk, and dimensional parameters to be applied in lieu of zoning. The Project will be required to comply with the Design Guidelines in the transaction documents. ESD is coordinating the Project with the following State and New York City agencies: Dormitory Authority of the State of New York, Mayor’s Office of Environmental Coordination, New York City Department of City Planning, New York City Department of Transportation, New York State Office of Mental Health, and The Metropolitan Transportation Authority pursuant to UDC Act Section 16(1).

#### V. Estimated Project Costs and Funding Sources

The tables below set forth an estimated development budget and funding sources for each phase of the Project.

##### Sources

| Phase I      | \$                   | %           |  | Phase II     | \$                   | %           |
|--------------|----------------------|-------------|--|--------------|----------------------|-------------|
| Financing    | \$401,784,770        | 80%         |  | Financing    | \$334,256,000        | 80%         |
| Equity       | \$100,446,193        | 20%         |  | Equity       | \$83,564,000         | 20%         |
| <b>Total</b> | <b>\$502,230,963</b> | <b>100%</b> |  | <b>Total</b> | <b>\$417,820,000</b> | <b>100%</b> |

##### Uses

| Phase I                          | \$                   |  | Phase II                         | \$                   |
|----------------------------------|----------------------|--|----------------------------------|----------------------|
| Land Costs*                      | \$15,931,510         |  | Land Costs                       | -                    |
| Construction Costs**             | \$327,600,000        |  | Construction Costs**             | \$290,000,000        |
| Tenant Fit-Out Allowance***      | \$42,800,000         |  | Tenant Fit-Out Allowance***      | \$31,400,000         |
| Soft Costs & Financing Costs**** | \$115,899,453        |  | Soft Costs & Financing Costs**** | \$96,420,000         |
| <b>Total</b>                     | <b>\$502,230,963</b> |  | <b>Total</b>                     | <b>\$417,820,000</b> |

\*Land costs include the actual purchase price of \$14,959,155 for the RFP Site and \$10 for Lot 35 Parcel, and an administrative fee of up to \$972,345 to ESD.

\*\*Construction Costs are estimates based on conceptual program and preliminary design and are subject to change. Includes interior fit-out of hotel and accessory housing.

\*\*\*Tenant Fit-Out Allowance in Phase I does not include hotel and accessory housing. Tenant Fit-Out in Phase II does not include accessory housing.

\*\*\*\*Soft Costs & Financing Costs estimated are estimated at 30% of total costs and are subject to change.

## **VI. Land Use Improvement Project Findings**

ESD was created to implement the “policy of the state to promote a vigorous and growing economy, to prevent economic stagnation and to encourage the creation of new job opportunities...”<sup>1</sup> To that end, ESD is empowered, pursuant to UDC Act Section 10(c), to undertake a “Land Use Improvement Project” upon finding:

(1) That the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and which would impair or arrest the sound growth and development of the municipality;

The vacant property is underutilized and subject to deterioration. The continued vacancy would hamper economic growth and development and would further create a substandard and insanitary condition;

(2) That the Project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto;

The project proposes to develop commercial, retail, institutional, and/or community and recreational facility uses that would facilitate job creation and stimulate economic growth;

(3) That the plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole;

Having been engaged through an RFP process, Developer will create new jobs, enhance the tax base, and create amenities consistent with the needs of the municipality; and

(4) The requirements of UDC Section 10(g) are also satisfied. No residential relocation is required because no families or individuals are on the Project site.

## **VII. NYS Participation**

### OMH and OGS

OMH currently has programmatic jurisdiction over the BPC Campus, providing residential services to persons with mental health challenges in accordance with its statutory authority under the Mental Hygiene Law. OMH has declared that the RFP Site is surplus.

In order to provide the Developer with adequate access to the Development Site, OGS, with the consent of OMH, will grant the Developer a permanent access easement through the Consolidated BPC Campus. Pursuant to the terms of a Memorandum of Understanding between OMH and Developer, OMH will grant the Developer certain utility easements required for the construction and operation of the Project.

### DASNY

Pursuant to the Facilities Development Corporation Act (L 1968, Ch 359), as amended, *inter alia*, by the Community Mental Health Reinvestment Act of 1993 (L 1993, Ch 723), DASNY, as successor to

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<sup>1</sup> UDC Act, Section 2.

the Facilities Development Corporation pursuant to the Health Care Consolidation Act (Public Authorities Law Article 8, Title 4-B), has the power to “convey for fair value any right, title or interest of the people of the state of New York in and to such real property to any appropriate state agency, or public corporation...for other public use or for sale, lease or other disposition in accordance with law...provided further that any such conveyance shall be subject to, and consistent with the terms and objectives of, any plan developed by the state interagency council on mental hygiene property utilization.” (McKinney’s Unconsolidated Laws § 4405[13]). Upon compliance with the statutory requirements set forth in McKinney’s Unconsolidated Laws § 4405 (13), DASNY will be authorized to transfer title to, and possession of, the Development Site to ESD, as described in Section X (“Essential Terms of the Transaction”) below. The proceeds of the sale of the RFP Site shall be utilized by DASNY to satisfy a portion of the outstanding bonds that financed improvements on the RFP Site.

### ESD

ESD served as lead agency pursuant to the State Environmental Quality Review Act (“**SEQRA**”) and was responsible for preparing Draft and Final Environmental Impact Statements analyzing all environmental aspects of the Project. ESD conducted a public hearing as required by the UDC Act and SEQRA.

In order for the Project to be developed, ESD will:

(B) acquire RFP Site, currently owned by the People of the State of New York through DASNY, as the successor to the Facilities Development Corporation, and dispose of the RFP Site to Developer via the ESD deed that will be recorded simultaneously against the RFP Site along with a restrictive declaration and other related documents, upon the terms set forth below under Section X pursuant to Section 6 of the UDC Act;

(C) acquire the Lot 35 Parcel and, along with the RFP Site, dispose of both parcels to the Developer to form the Development Site; and

(D) override the ZR as it would otherwise apply to the Development Site and the Project, pursuant to Section 16 of the UDC Act, as specifically set forth above under Section IV (“Zoning and Design Guidelines”).

As further detailed under Section X below, Developer will reimburse ESD for third-party, out-of-pocket expenses incurred by ESD in connection with the Project, including legal and other consultant fees, and will pay ESD a one-time administrative fee to defray ESD’s internal costs associated with the Project and in lieu of further ESD participation in Project income and appreciation.

The myriad significant public benefits to be derived from the Project are described at Section VIII below. A failure to implement the Project is likely to mean, at a minimum, that such public benefits will not accrue in a timely or complete fashion, and such failure is likely to inhibit substantial economic growth and opportunity in the Morris Park neighborhood and in the wider community.

## VIII. Public Use, Benefits, and Purpose

The Project will provide multiple public benefits, including but not limited to:

A. Elimination of blight. Absent the Project, the Development Site would remain vacant, underutilized, and subject to deterioration. Such conditions would hamper or impede sound economic growth and development and impair or arrest the sound growth of the area surrounding the Development Site. The Project will eliminate substandard and insanitary conditions at the RFP Site.

B. Job creation. The Project will accommodate, in a concentrated location, the unique office space needs of private sector employers such as health care institutions, business establishments, and educational institutions. The Project's Phase I is anticipated to provide approximately 1,900 construction jobs and 4,700 full-time permanent jobs, many of which will be in management, clinical, and technical positions. The Project's Phase II is anticipated to create an additional approximately 700 construction jobs and 3,300 full-time permanent jobs upon completion.

C. Creation of office and other supporting space. The Project is intended to create a total of approximately 2 million square feet of new space for uses promoting economic development in the surrounding neighborhood and the Borough of the Bronx, such as: business and medical offices, clinical medical facilities, retail stores, educational facilities, research facilities, hotel and hospitality amenities, open space (including new baseball diamonds), Accessory Use, and Community Facility Space.

D. Enhancement of tax bases. The Project will promote substantially increased employment levels and restore part of a formerly state-owned tax-exempt property to New York State and New York City tax rolls, thereby substantially increasing all forms of tax revenue to be derived from the RFP Site, including real property taxes, sales taxes, and employee income taxes.

E. Create community recreational facilities and community facilities and promote public health. The Project will include Community Facility Space, which will be made available to members of Community District 11. The Project will also include approximately 8.7 acres of Open Space, including two baseball diamonds that will be made available for local league play. The Developer intends to explore partnerships to promote cultural and entertainment events and other community activities on the Development Site and in coordination with HMC. The Project will also include a bike path to connect to the HRP bike path and to Marconi Street, along with bike parking for visitors to the Project.

F. Sustainable "green building" amenities. The Project will incorporate sustainable building practices in the renovated Parker and Thompson Buildings as well as the new buildings on the Development Site. All buildings (with the exception of parking garages and the small retail building) will be designed and constructed to achieve: 1) at least a five percent reduction in energy expenditure relative to the ASHRAE 90.1-2013 standard (equivalent to the current building code requirement), 2) the USEPA Energy Star, and 3) LEED and Energy Star certification.

The Project will be designed to be resilient to flood elevations of up to the base flood elevation defined by the Federal Emergency Management Agency ("FEMA") with 1 foot of freeboard plus sea-level rise projected by the New York City Panel on Climate Change for at least 50 years beyond the construction date for the high end of the "Middle Range" scenario.

**IX. Environmental Review**

ESD is the lead agency for environmental review under SEQRA and the implementing regulations of the New York State Department of Environmental Conservation. A Final Environmental Impact Statement has been prepared under the direction of ESD. SEQRA Findings will have been adopted by the ESD Directors, and this action will conclude the environmental review requirements for the GPP.

**X. General Project Plan Review**

On August 15, 2019, the ESD Board of Directors adopted a GPP, authorized a public hearing on the Draft Environmental Impact Statement and GPP, authorized ESD to acquire and dispose of property and take related actions. A public hearing was held on September 16, 2019, and ESD received written comments on the project through October 16, 2019. ESD also received a letter from the New York City Planning Commission, which summarized the robust consultation that ESD undertook with that agency as the project and zoning overrides were developed. A summary of the comments and responses are in the FEIS.

At its December 2019 meeting, the Directors accepted and approved the Final Environmental Impact Statement for the project as complete and authorized its publication and circulation.

**XI. Essential Terms of the Transaction**

**A. Acquisition:**

ESD would acquire title to and possession of the RFP Site from DASNY and the Lot 35 Parcel from its current owner, and would convey both sites (the Development Site) to Developer.

**B. Project Location:**

See Section II (“Description of the Development Site”) above.

**C. Project and Schedule:**

See Section III (“Project Description and Schedule”) above.

**D. Financial Terms:**

Developer will pay ESD an all cash, non-contingent purchase price of \$14,959,154.92 (“**Purchase Price**”) for the RFP Site, excluding adjustments. ESD currently holds a 10% deposit from Developer which will be applied to the Purchase Price at Closing. The proceeds of the sale of the RFP Site shall be utilized by DASNY to satisfy a portion of the outstanding bonds on the RFP Site.

Further:

(a) Developer will pay to ESD a one-time, all cash, non-contingent administration fee of up to \$972,345, plus a nominal fee for the Lot 35 Parcel, on the date of its acquisition of the Development Site (the “**Closing**”).

(b) Developer is funding all out-of-pocket, third-party expenses incurred by ESD in connection with the Project, including consultant, counsel and environmental expenses.

(c) Developer is responsible for the cost of appraisals required to be performed by independent appraisal firm(s) in connection with the Project.

(d) Developer will pay to OMH site operation costs incurred by OMH from December 23, 2014 to Closing that result from Developer's activities related to access to the Development Site in connection with the Project.

(e) Developer is responsible for all costs of due diligence and other preliminary work it conducts.

(f) Developer shall be responsible for any and all Development Site preparation costs, including demolition, and all required environmental remediation.

(g) At ESD's sole option, but subject to force majeure, ESD may demand that Developer pay to ESD: (a) a one-time fee of \$308,750 if renovation of the Thompson and Parker Buildings and two baseball diamonds are not substantially complete and available for lease within five years of Closing; and (b) a one-time fee of \$308,750 if 225,000 square feet of floor area remaining in Phase I intended to be constructed within 2 new buildings is not substantially complete and available for lease for the uses permitted by this GPP within ten years of Closing.

(h) The EIS analysis was based on a completion date for Phase I in 2023, and a completion date for Phase II in 2028. If elements of the project are built later than what was analyzed in the EIS, then ESD may require additional environmental review, and the Developer will be responsible for ESD's third-party expenses.

E. Construction:

It is anticipated that Developer will commence Phase I on or before the first anniversary of Closing. Once construction commences on a component of the Project, Developer will diligently pursue substantial completion of such component of the Project that is under construction. Developer will use commercially reasonable efforts to substantially complete Phase I by 2023. It is anticipated that Phase II, if constructed, will be substantially completed by 2028. All outside dates for performance are subject to force majeure.

F. Restrictive Declaration:

Developer and ESD will enter into a Restrictive Declaration requiring Developer to design, develop, construct, and operate the Project as described in this General Project Plan, and in accordance with the Design Guidelines.

G. Assignment:

The Restrictive Declaration governs any assignment or transfer by Developer to a third party prior to substantial completion of Phase I of the Project which shall require ESD's written approval based on assignee's net worth, experience and other factors.

**XII. Non-Discrimination and Contractor Diversity**

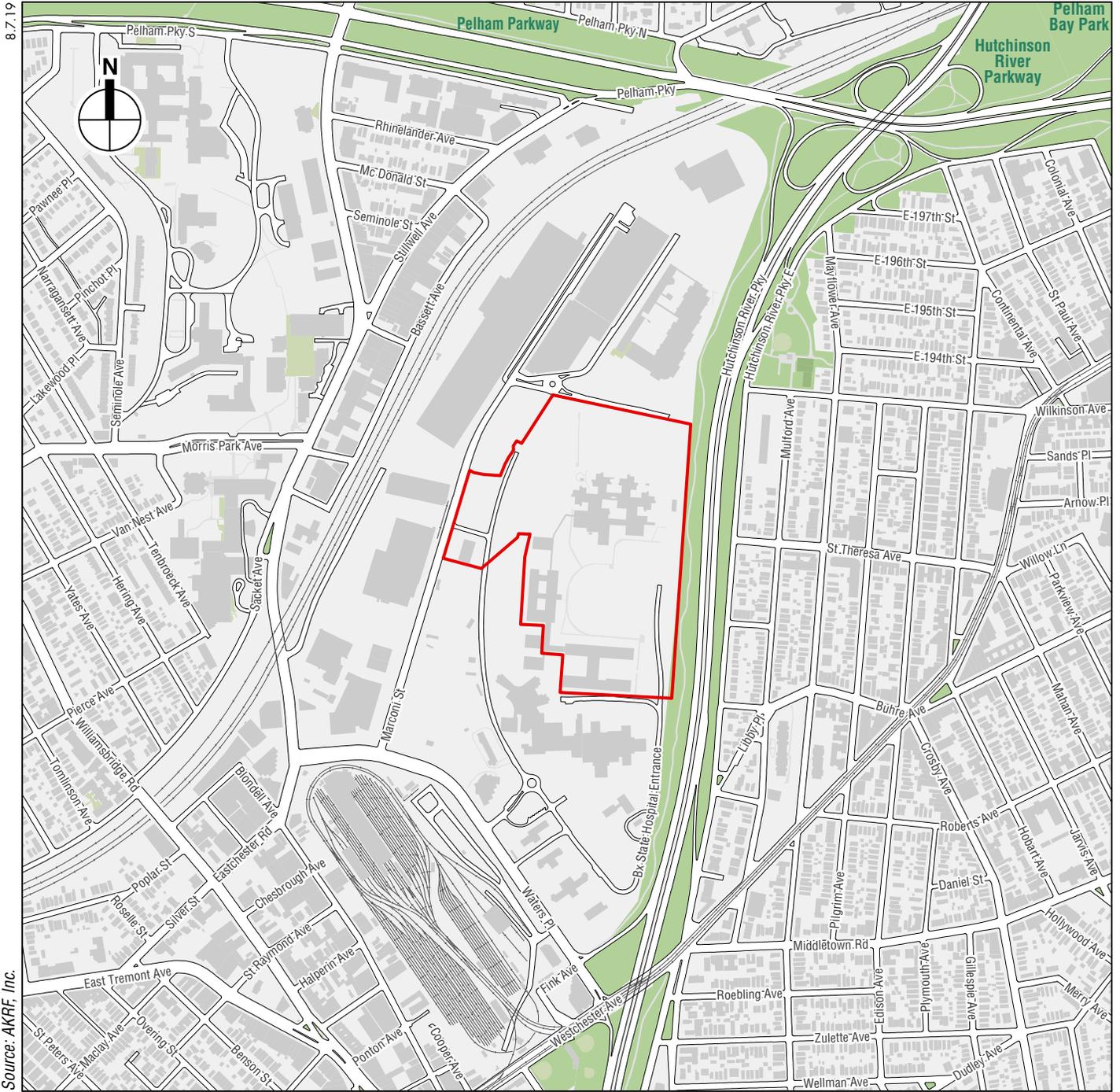
Pursuant to New York State Executive Law Article 15-A, ESD recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified Minority and Women-owned businesses ("MWBEs") in the performance of ESD projects. Accordingly, ESD's Non-

Discrimination and Contractor & Supplier Diversity policies will apply to construction of the Project. Developer and its affiliates and/or partners shall be required to solicit and utilize MWBEs for contractual opportunities generated in connection with the construction of the Project and to use Good Faith Efforts (5 NYCRR §142.8) to achieve an overall MWBE Participation Goal of 30% in relation to the total development cost of the Project. The overall goal shall include a Minority-owned Business Enterprise (“MBE”) Participation Goal of 18% and a Women-owned Business Enterprise (“WBE”) Participation Goal of 12%, related to the total development cost of the Project.

## **EXHIBITS**

# EXHIBIT A

## Development Site Location Map



Source: AKRF, Inc.

0 1,000 FEET

 Development Site



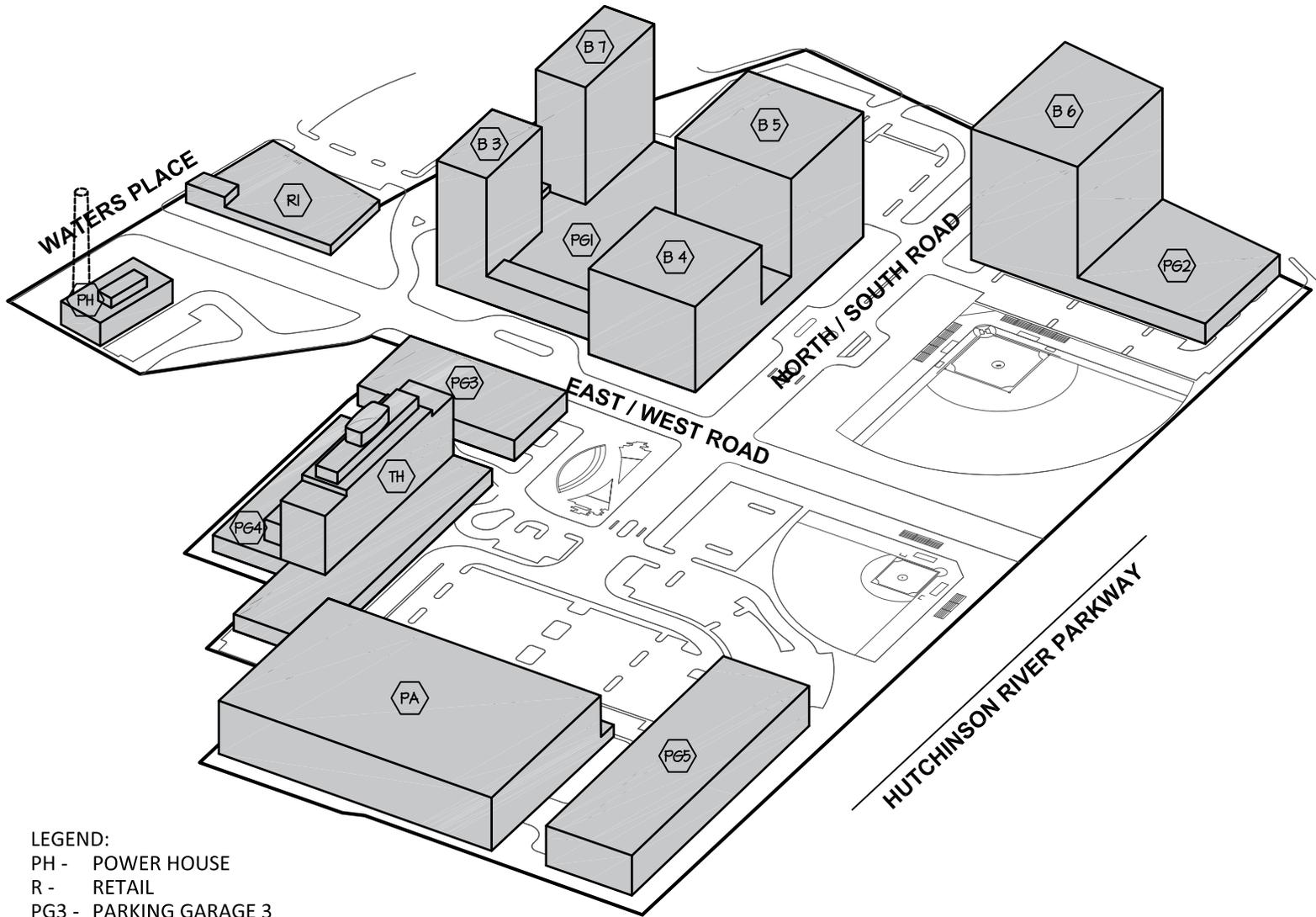
Project Location



Exhibit B: Conceptual Illustration of Project

# EXHIBIT C

## SITE PLAN



**LEGEND:**

- PH - POWER HOUSE
- R - RETAIL
- PG3 - PARKING GARAGE 3
- PG4 - PARKING GARAGE 4
- TH - THOMPSON BUILDING
- PA - PARKER BUILDING
- PG5 - PARKING GARAGE 5
- B3 - BUILDING 3
- B7 - BUILDING 7
- PG1 - PARKING GARAGE 1
- B4 - BUILDING 4
- B5 - BUILDING 5
- B6 - BUILDING 6
- PG2 - PARKING GARAGE 2

# Bronx Psychiatric Center

## Land Use Improvement Project

January 2020



Newman Design Architects PLLC

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## 1. GENERAL GOALS AND OBJECTIVES

The Project shall be developed in conformance with the General Project Plan (GPP) and the Design Guidelines outlined herein, which shall apply in lieu of the New York City Zoning Resolution. The construction of all buildings and public improvement shall conform to all other applicable statutory or regulatory requirements, including the New York City Building Code, Multiple Dwelling Law and Federal Fair Housing Act.

Certain terms and concepts used in these Design Guidelines are based upon and are intended to have the same meaning as similar terms and concepts contained in the Zoning Resolution of the City of New York (Zoning Resolution), and where so identified, those provisions of the Zoning Resolution shall be incorporated by reference in these Design Guidelines.

### 1.1 Definitions

The diagrams complement the text; the diagrams are as binding as if fully described in the text.

#### 1.1.a Rules for Construction of language

The word “shall” or “required” is always mandatory and not discretionary. The word “may” or “permitted” is discretionary.

#### 1.1.b Definitions

Certain terms used in these Design Guidelines are as defined below.

*Access Roads:* The “East-West” and “North-South” roads to be constructed on the site as illustrated in Figure II-14.

*Accessory Amenity Space:* space used as Accessory Space, provided further that Accessory Amenity Space shall be designed and used exclusively for users of other buildings located in the Project, and such use does not invite or draw other users to the Project.

*Accessory Space:* A use that falls under the definition of an accessory as set forth in the Zoning Resolution. For the avoidance of any doubt an Accessory Use must be clearly incidental to and customarily found in connection with a Permitted Use located within the Project.

*Accessory Use:* accessory housing located within the Project and reserved for those working or studying within the Hutchison Metro Center or the Project and their families, including (i) students, faculty and staff of any university, college or trade school within the Project or the Hutchinson Metro Center, (ii) professionals, researchers, scientists and/or employees working for and at any medical biotechnical, healthcare or research and development institution within the Project or the Hutchinson Metro Center, and (iii) employees working for any other industry reasonably approved by ESD that occupies a portion of the Project or the Hutchinson Metro Center.

*Baseball Field, Jr/Sr Division:* A baseball field constructed in accordance with the specifications set forth in [www.littleleague.org](http://www.littleleague.org) specification for Junior/Senior Division field layout with a minimum distance from home plate to the outfield fence of 300 feet.

*Baseball Field, Major/Minor Division:* A baseball field constructed in accordance with the specifications set forth in [www.littleleague.org](http://www.littleleague.org) specification for Major/Minor Division field layout with a minimum distance from home plate to the outfield fence of 200 feet. Such field will provide a pitching mound and “infield skin” that allows for modification from Major Division play (46/60 configuration) to Intermediate Division play (a 50/70 configuration).

*Base Plane:* A horizontal plane from which the height of a building is measured. For buildings on this project site, *Base Plane* will be the average elevation of the final grade adjoining the building, as determined in the manner prescribed by the New York City Building Code for adjoining grade elevation.

*Basement:* a building Story that has at least one-half of its floor-to-ceiling height above *Base Plane*

*Bike Lane:* a portion of a roadway that has been designated by striping, signs, and pavement markings for the preferential or exclusive use of bicyclists

*Bio-tech/Research:* shall include life sciences research, testing and development, including medical laboratories engaged in the synthesis and manipulation of chemical substances, biological matter, and animal modes, as well as certain manufacturing or light industrial establishments devoted to the design, prototype and manufacture of products using tools such as 3-D printers, laser cutters, robotics, digital fabrication machines, computer-aided design (CAD) software, and other forms of artificial intelligence, provided that such uses are supportive of uses that are otherwise Permitted Uses hereunder.

*Building Height:* measured to the roof of the structure above the *Base Plane*, excluding *Permitted Obstructions*.

*Cellar:* a building Story that has at least one-half of its floor-to-ceiling height below *Base Plane*.

*Commercial Office:* professional and business offices as set forth in Use Group 6 of the Zoning Resolution.

*Community Facility:* a community facility uses as set forth in Use Group 3 or 4 of the Zoning Resolution.

*College or Trade School:* any academic use or educational facility such as a school, college, university, business school, or trade school, whether public or private, as set forth in Use Groups 3, 9 or 16 of the Zoning Resolution.

*Floor Area:* shall mean "Floor Area" as defined in Section 12-10 of the Zoning Resolution, except that for purposes of these Design Guidelines Floor Area shall exclude all *Parking Structures whether located below or above 23 feet above curb level*.

*Hotel:* a hotel use as set forth in Use Group 5 of the Zoning Resolution.

*Little League Field Support Building:* a structure or combination of structures consisting of 2,000 sf of *Floor Area* to support and maintain the use of the Baseball Fields and Active Recreation within the Project Site. Support Buildings will be permanent structures and will be provided with electricity for interior lighting, but will not be required to have plumbing or any HVAC systems. The buildings will be designed to have an architectural language and materials that are consistent with the buildings on the campus.

*Medical Office:* doctor and medical offices and facilities, including ambulatory diagnostic or treatment health care as set forth in Use Group 3, 4 or 6 of the Zoning Resolution.

*Mezzanine:* An intermediate level or levels between the floor and ceiling of any Story. Mezzanines shall contain no more than 40% the floor area of the Story below it.

*No-Build Area:* The area between the allowable building footprint and the Tax Lot boundary where new construction is prohibited, as illustrated in the Figures.

*Open Space:* Publicly available- and private open areas on the Project Site. Open Space does not include private recreation areas located upon the roofs of the Buildings on the Project Site.

*Open Space, Publicly Accessible:* The portion of the Open Space comprised of the publicly accessible - active

and passive- recreation areas on the Project Site constructed in accordance with the Open Space Design Guidelines in the locations set forth on Figs. II-19 AND II-20. Public use and access to *Publicly Accessible Open Space* is regulated by the Restrictive Declaration.

*Parcel*: a tract of land intended for development, as illustrated in Figure II-1, Site Plan .

*Parking Structure*: a building or other structure that provides self-parking or storage for motor vehicles. Parking spaces will be accessory to the Permitted Uses on the site. The area of the Parking Structures will not contribute to the Project's *Floor Area*

*Parking Lot*: any open area on a parcel that is used for the self-parking or storage of motor vehicles. Parking spaces will be accessory to the Permitted Uses on the site. The area of the Parking Lot will not contribute to the Project's required *Open Space*.

*Permitted Obstructions*: a structure or object that may penetrate the maximum height limit. Permitted Obstructions shall be as set forth in Section 33-42 to of the Zoning Resolution.

*Permitted Uses*: Permitted Uses include Commercial Office, Medical Office, Bio-tech/Research, Accessory Use, Hotel, College/Trade School, Retail, Community Facility, Little League Field Support Building, Accessory Amenity and Pharmaceutical Manufacturing. The permitted uses may be expanded or modified in connection with a modification of these Design Guidelines by ESD.

*Pharmaceutical Manufacturing*: pharmaceutical manufacturing use as set forth under Use Group 17B of the Zoning Resolution.

*Plaza*: A publicly accessible open space for public use developed in accordance with the requirements of the *Open Space Guidelines*

*Signage*: A sign is any writing—words, pictures or symbols—that is on or attached to a building or other structure.

An *accessory sign* directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered upon the same zoning lot.

An *advertising sign* directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered on a different zoning lot. Advertising signs are prohibited on the site

A *flashing sign* is any illuminated sign, whether stationary, revolving or rotating, which changes light or color. Flashing signs are prohibited on the site.

An *illuminated sign* is a sign designed to give forth any artificial light or reflect such light from an artificial source. Illuminated signs are permitted as described in the Signage section of these Design Guidelines

*Retail*: Retail or service establishments as set forth in Use Group 6 of the Zoning Resolution. Retail spaces leased to operators of Physical Culture Establishments (PCE) will be required to follow the typical PCE special permit process as outlined in the Zoning Resolution.

*Restrictive Declaration*: The restrictive declaration recorded against the Project Site requiring, among other things, that the Site be developed in accordance with the GPP and Design Guidelines.

*Story*: that part of a building between the surface of a floor (whether or not counted for purposes of computing floor area) and the ceiling immediately above.

*Tax Lot*: a parcel of land identified with a unique borough, block and lot number for property tax purposes.

*Walkways*: a paved way, located on privately owned land, designated to encourage public pedestrian

circulation and other appropriate public uses.

## **1.2 Site Organization**

The project site is currently one Tax Lot. In the future it may be divided into multiple Tax Lots. The potential future subdivision of the site into multiple Tax Lots will not change the underlying requirements and limits of these Design Guidelines.

The site is subdivided into Parcels to help organize these Design Guidelines. Parcel boundaries have no relation to NYC or NYS jurisdictional boundaries. Potential future Tax Lot boundaries need not relate to current Parcel boundaries.

## 2. PROJECT PROGRAM

### 2.1 Permitted Uses

The project will include the renovation and expansion of existing buildings as well as the construction of new buildings. The project site will be improved with *Access Roads, Open Space, Parking Lots, Parking Structures, Bike paths* and *Walkways*. The GPP establishes the Permitted Uses within the Project.

### 2.2 Project Phasing

Construction of the Project is expected to occur in two phases. Figure II-1 illustrates the fully built Phase 1 and Phase 2 project site. Phase I comprises the redevelopment of the Thompson and Parker Buildings the development of a new retail building, Buildings 3 and 4, and approximately 309,700 square feet of open space, including the *Jr./Sr Division* and *Major/Minor Division* Baseball Fields. Figure II-2 illustrates the permitted extent of Phase 1. Should certain conditions, as described in the GPP, be met, it is anticipated that Developer will elect to construct Buildings 5, 6, and 7 for commercial office space, medical office space, accessory uses, retail space, approximately 71,500 square feet of open space, and up to approximately 1,520 parking spaces. Figure III-A is a chart that summarizes the *Floor Area of each Permitted Use, Open Space and Parking* included in each Phase of the Project.

**Figure III-A**

| <b>Floor Area Permitted Uses</b>            | <b>PHASE 1</b>   | <b>PHASE 2</b>      | <b>TOTAL</b>              |
|---|------------------|---------------------|---------------------------|
| Commercial Office                           | 217,000          | 250,000             | 467,000                   |
| Medical Office                              | 325,500          | 375,000             | 700,500                   |
| Bio-tech/Research                           | 100,000          | -                   | 100,000                   |
| Accessory use<br>(100 units)                | 100,000          | (150 units) 150,000 | (250 units) 250,000       |
| Hotel<br>(up to 133 rooms)                  | 124,300          | -                   | (up to 133 rooms) 124,300 |
| College/Trade School                        | 100,000          | -                   | 100,000                   |
| Retail                                      | 33,500           | 6,500               | 40,000                    |
| Community Facility                          | 2,000            | -                   | 2,000                     |
| Little League Support Building(s)           | 2,000            | -                   | 2,000                     |
| Amenities (accessory)                       | 8,100            | -                   | 8,100                     |
| <b>TOTAL (Excluding Parking Structures)</b> | <b>1,012,400</b> | <b>781,500</b>      | <b>1,793,900</b>          |

| <b>Parking</b>       | <b>PHASE 1</b> | <b>PHASE 2</b> | <b>TOTAL</b> |
|----------------------|----------------|----------------|--------------|
| Parking Structure SF | 641,100        | 396,000        | 1,037,100    |
| Spaces               | 2,509          | 1,520          | 4,029        |

| <b>Open Space</b>                            | <b>PHASE 1</b>             | <b>PHASE 2</b>            | <b>TOTAL</b>               |
|--|----------------------------|---------------------------|----------------------------|
| Publicly Available Open Space                | 155,810                    | 19,275                    | 175,085                    |
| Parcel D & E Baseball Fields                 | 153,932                    | -                         | 153,932                    |
| Private Rooftop Open Space                   | -                          | 52,213                    | 52,213                     |
| <b>TOTAL Open Space (Public and Private)</b> | <b>(7.1 acres) 309,742</b> | <b>(1.6 acres) 71,488</b> | <b>(8.7 acres) 381,230</b> |

|   |  |  |  |
|---|--|--|--|
| <b>Notes:</b>   |  |  |  |
| 1- The Commercial Office and Medical Office may include up to 20,000 SF of pharmaceutical manufacturing Floor Area. |  |  |  |
| 2- Private Rooftop Open Space is not required but may be provided.  |  |  |  |

The project will be in conformance with these Design Guidelines as long as:

- Maximum Program Floor Area amounts in Figure III-A are not exceeded
- The building footprints (as illustrated in the Figures) are maintained
- The building envelopes (as illustrated in the Figures) are maintained

Unutilized *Floor Area* from Phase 1 may be used in Phase 2. Under no circumstances may *Floor Area* from Phase 2 be moved to Phase 1 or constructed before certain conditions, as described in the GPP, are met.

### **3. BULK**

The GPP establishes the overall bulk controls for the Project. The GPP controls are made more specific herein by providing plan dimensions for the setback distances and building heights.

#### **3.1 Building Footprint**

The accompanying Parcel Figures indicate, in plan, the allowable foot prints for new buildings. For existing buildings that will be expanded, the Figures indicate the existing building and the area where expansions are permitted.

*No Build Zones* indicate where construction is prohibited.

#### **3.2 Building Envelope**

The permitted maximum building height of each building is illustrated in the building envelope axonometric diagrams in the accompanying Parcel Figures. For graphic clarity, the axonometric diagrams omit *Permitted Obstructions* on building rooftops.

Roof mechanical equipment shall be screened; materials and design to be consistent with the building architecture. Chain link fence is not permitted.

#### **3.3 Minimum Distances**

The minimum distances between buildings shall be in conformance with the NYC Building Code. The minimum distances between windows shall be in conformance with the NYC Building Code. Window locations, sizes and ventilation requirements for habitable rooms in the *Accessory Use* shall conform to NYC Building Code for dwelling units.

## **4. DESIGN CONSIDERATIONS**

### **4.1 Accessibility**

All components of the project are required to meet Federal ADA requirements. The developer shall meet all applicable accessibility requirements set forth in the NYC Building Code. The developer may elect to exceed minimum accessibility requirements by adopting a Universal Design approach as described in “The NYC Guide book to Accessibility and Universal Design, Denise Levine, ed.”

### **4.2 Sustainability**

All buildings (with the exception of parking structures and the Parcel M Retail Building #1) shall be designed and constructed in accordance with the sustainability requirements described in the EIS, and as set forth in the Declaration.

### **4.3 Resiliency**

The Project shall be designed to be resilient to flood elevations of up to the base flood elevation defined by the Federal Emergency Management Agency (“FEMA”) with 1 foot of freeboard plus sea-level rise projected by the New York City Panel on Climate Change for at least 50 years beyond the construction date for the high end of the “Middle Range” scenario (the “Resiliency Base Elevation”). Where the Resiliency Base Elevation is higher than Base Plane, the maximum building height will be measured from the Resiliency Base Elevation. Notwithstanding the foregoing, a ground level retail space or building lobby may be located below the Resiliency Base Elevation where dry flood proofing is provided.

### **4.4 Retail Storefront**

Where Retail is provided at the ground level of any building, a minimum of 75% of the portion of the façade fronting such *Retail* use shall be of transparent materials between the level of a maximum of two feet above Base Plane and to a minimum of height of 12 feet above Base Plane. 25% of this required amount may be translucent or spandrel glazing. Entrance doors to the retail may encroach 1’-6” past the building footprint boundary. Retail Building #1 on Parcel M is only subject to the Retail Storefront requirements of this section within the Storefront Zone illustrated in Figure II-12.

### **4.5 Loading Docks**

To the greatest extent possible, loading docks shall be separated from pedestrian circulation areas. Fencing and signage shall be used to alert pedestrians to the proximity of the loading dock. Where a pedestrian walkway crosses a loading dock driveway, the driveway shall be clearly marked and signed to indicate the location of the walkway and to require vehicles to stop for individuals using the walkway.

Loading dock areas shall be screened from adjoining *Open Spaces* and Project Site boundaries with decorative fencing, walls or landscaping. Landscape screening may consist of a strip at least four feet wide, densely planted with shrubs or trees that are at least four feet high at the time of planting and that are of a type which may be expected to form a year-round dense screen at least six feet high within three years. Fencing or walls may consist of uniformly painted fence of fire-resistant material, at least six feet but not more than eight feet above finished grade. Such wall, barrier or fence may be opaque or perforated, provided that not more than 50 percent of the face is open.

In addition, such screening:

- (1) shall be maintained in good condition at all times;
- (2) may be interrupted by normal entrances and exits; and
- (3) shall have no signs hung or attached thereto

## 4.6 Signage

The developer shall ensure a cohesive visual character for project identification signage, primary building identification signage, retail/commercial signage, *Parking Structure* signage and site wayfinding signage (environmental graphics). All signage installed on the project should be of a high quality; acrylic faced cabinet signs are prohibited. Canopies, awnings, banner signs and other elements that create variety and visual interest at a pedestrian level are encouraged. Wayfinding signs under a height of six feet are permitted and are not subject to review or approval by ESD. The Project may also include a Pylon sign drawing attention to the project, buildings, tenants and services located within the Project Site, similar to the construction and specifications set forth in Figures II-27 and II-27.1

The project shall provide building identification and address signage for each building, as required by State and City code. Advertising signage is prohibited. Flashing signs are prohibited.

An illuminated sign is a sign designed to give forth any artificial light or reflect such light from an artificial source. Illuminated signs are permitted provided such sign is so located as to minimize the amount of light projected on the abutting on adjacent residences.

The following permitted sign types will require reviewed and approval of ESD:

- **Parking Entry Signage:** One overhead accessory sign is permitted at each garage entry/exit. This sign shall be mounted flush with the surface of the building and shall have only one face. The maximum height of letters on this sign shall be 18". The width shall not exceed the width of the garage entry and the sign shall be centered over the garage entry. Flashing or animated signs are not permitted. See Fig. II-25

(Directional/wayfinding as well as safety signage within *Parking Structures* shall be provided as required by code and to ensure ease of navigation for visitors. This signage shall not be reviewed by ESD.)

- **Commercial/Retail Storefront Signage:** Ground floor establishments shall be permitted to install an accessory sign above the main entrance of such establishment. Maximum height of lettering is 14". Maximum area of each sign is 25 square feet. See Fig. II-24.

Secondary storefront signs, such as blades, banners, awning or canopy signs may also be allowed, but will be permitted only as part of a comprehensive storefront signage program. If the developer elects to create a storefront signage program, ESD will review and approve the program (with approval not to be unreasonably withheld). Administration of, and tenant compliance with, the storefront signage program will be the responsibility of the developer after ESD's initial approval of the program.

- **Building Identification:** Each commercial building is permitted to have two Primary Building signs that identify the name of, address of, or primary tenant of the building. Area of each sign not to exceed 100 feet with lettering not to exceed 24". The top of each sign may not be mounted higher than 30 feet above the Base Plane.
- **Project Identification:** the developer may install up to two accessory signs in up to two locations within the Project. Such signs will be located no higher than the building parapets. Each sign shall not exceed 300 square feet in size, text shall not exceed 48". See Fig. II-26
- **Smokestack:** If the smokestack is retained, the developer may elect to paint the exterior surface of the stack and illuminate it by washing it with lights. The painting approach may be to utilize one color or several colors to draw attention to and celebrate the smokestack. Accessory signage may be painted vertically on no more than three (3) sides of the stack. The max height of the accessory signage letters will be 48" and the vertical run of the sign will depend on how many letters are in the name being depicted. A "sign" will consist of a single entity or project name.

## **5. LIGHTING**

### **5.1 General Lighting Requirements**

Time clocks, daylight sensors and lighting control systems shall be installed to provide lighting from dusk to dawn.

Light trespass shall be controlled through the selection and locations of the lighting luminaires. Where appropriate, lighting fixtures shall be fully shielded and pointing downward. Fixtures which are not fully shielded shall be controlled in terms of overall lumen output and orientation. Lighting shall minimize blue light emissions.

Up lighting, where provided, shall be focused on architectural or landscape features to control light trespass.

### **5.2 Surface Parking Lots**

Parking field poles shall be a maximum of 40 feet tall with luminaires that shall provide a minimum of 1 foot-candle and maximum of 10 foot-candles on all parking surfaces. Luminaires shall be spaced to provide even illumination in the parking fields. Full cut-off luminaires shall minimize light trespass at the property boundary.

### **5.3 Access Roads**

Roadway poles shall be a maximum of 35 feet tall with full luminaires that shall provide a minimum of 0.5 foot-candles and maximum of 5 foot-candles along the roadway surface. Full cut-off luminaires shall minimize light trespass at the property boundary.

### **5.4 Parking Structures**

Parking Structures shall be lit with surface or pendant mounted fixtures with 3000K color temperature. Lighting levels shall not be less than 0.5 foot-candles and shall not exceed 10 foot-candles on parking and driving surfaces.

Luminaires shall be located inboard of the edge of above grade structured parking garages so as to minimize any light spillage beyond the building footprint.

A lighting control system shall be used to reduce entrance light levels at nighttime and overall light levels when structured parking garages are not in use.

For Parking Structures with roof-top parking, no flood lighting shall be permitted and any lighting shall be directed away from any residential windows on the same or an adjacent zoning lot.

### **5.5 Open Spaces**

Walkways and plazas shall be lit with a combination of sources including poles of a pedestrian scale up to a maximum of 18 feet tall, providing a minimum of 1 foot-candles and maximum of 10 foot-candles along the walking surface. Various kinds of step lights, illuminated railings, bench lighting, and landscape lighting may be used to provide functional lighting for safety and security and to create an inviting atmosphere for employees and visitors during the evening.

## 6. ACCESS ROADS AND PARKING

For the maximum allowable number of parking spaces per phase see Figure III-A.

### 6.1 Access Roads

Phase 1 site access will be provided by the east-west Access Road (as shown in Parcel P) and the north-south access roads (as shown in Parcel R). A connection to the existing OMH campus road will be created as illustrated in Parcel N. Portions of the eastern most section of the east-west Access Road (east of the intersection with the north-south Access Road) may be constructed as part of Phase 1, or may be constructed as part of Phase 2.

While the construction documents for the roads have not been completed, the roads must conform to the general configuration shown in Figures II-15, II-16 and II-17. Conformance with intersection configuration, distances between intersections, lane quantity and width, turn lane locations and lengths and general vehicular capacity must adhere to the Access Road design that was studied as part of the project's SEQR process.

The East-West Access Road is to be constructed as private road but may be turned over to the City and mapped as public streets at a later date. To facilitate this potential turn-over, the developer will construct the East-West Access Roads to NYC DOT standards. DOT reference standards are as follow:

- NYC DOT, Standard Highway Specifications, dated February 1, 2009 (Limited to: Division IV- Construction Methods)
- NYC DOT, Standard Details of Construction, dated July 1, 2010
- NYC DOT, Typical Markings per Transportation and Management (TP&M) package, sheets 1 thru 18

### 6.2 Parking Lots

#### *Lot lay-out, Stall Size, Maneuverability*

Parking layouts and drive aisles shown in the Figures are for illustrative purposes only. Final Parking Lot layout to be determined. Parking stall sizes and maneuverability shall conform to Zoning Regulation Section 36-58 (including ZR Figures: 36-58b.1 thru b.3)

#### *Paving Materials*

Lots and drives to be defined by concrete curbs and to be graded, constructed, surfaced and maintained so as to provide adequate drainage and to prevent the release of dust. Any area intended to be used permanently for parking shall be surfaced with asphaltic or Portland cement concrete, or other hard-surfaced dustless material, at least four inches thick. Granite curbs, decorative pavers or other paving material (such as permeable paving) may be installed, subject to review and approval by ESD.

#### *Parking Lot Interior Landscaping*

All open parking areas of 36 or more parking spaces or at least 12,000 square feet in area shall provide tree planting areas. Such trees shall be in addition to the trees required in the perimeter landscape area. Each such tree shall have a minimum caliper of three inches and be located in a planting island with a minimum area of 150 square feet of pervious surface.

The following distribution rules shall apply:

- Each end space in a row of five or more parking spaces shall fully abut a planting island or a perimeter landscaped area along the long dimension of such end space;
- No more than 15 parking spaces shall be permitted between planting islands, or a planting island and a perimeter landscaped area; and
- For open parking areas, in addition to the above requirements set forth in this Section, every third interior row of parking spaces in which each space does not fully abut a perimeter landscaped area shall abut a planting island. Such planting island shall have a minimum width of five feet and extend along the entire length of such row of parking spaces. Such planting islands may be traversed by walkways.

- Planting islands may be discontinued where a pedestrian access lane is provided that serves parking spaces required by the Americans with Disabilities Act.

*Parking Lot Perimeter Landscaping:* Perimeters of parking lot circulation, maneuvering and parking areas fronting upon Public Streets, Open Space or areas otherwise not subject to other sections of the Design Guidelines shall be landscaped with ground cover (lawn and planting beds) and trees that integrate with the overall landscaping provided throughout the Project Area.

### **6.3 Parking Structures**

The area of Parking Structures will not count towards total allowable *Floor Area*. Parking Structures P2, P3 and P5 are permitted to have roof-top parking.

Entries and exits to Parking Structures that cross pedestrian walk ways shall include safety lighting and audio cues to alert pedestrians of on-coming traffic. Best practice methods shall be suggested by design professionals.

Parking Structures are required to be screened. However, in order for the Parking Structures to be considered open parking structure under the New York City Building Code, such screening need be a minimum of 45% but no greater than 49% of each exterior wall. Screening shall consist of opaque materials which may include graphic or sculptural art, decorative screening or latticework, or living plant material. Such screening may project past the Parking Structure footprint by 18 inches except within a No Build Zone or where the Parking Structure is less than 18" from an adjacent Walkway, in which case such screen may only project past the building footprint by 18" beginning at a level above the ground floor.

### **6.4 Bicycle Parking**

Provide bicycle parking as follows:

- *Accessory Use*- 1 bicycle parking space for every 2 units
- *Other Permitted Uses*: 1 bicycle parking space for every 7,500 SF of *Floor Area*

Fractions equal to or greater than one-half resulting from this calculation shall be considered to be one bicycle space.

Bicycle parking spaces for *Accessory Use* must be located in an interior bike room that is on the ground floor or basement of the building housing the *Accessory Use*.

The balance of the required bicycle parking spaces shall be located in covered or enclosed racks within a maximum of 300 feet of the entrance to the building generating that required bicycle parking capacity.

Each bicycle rack shall allow for the bicycle frame and at least one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and an eight foot wide aisle shall be provided between bicycle rack areas. Racks shall be a minimum of 24 inches from any wall.

## **7. OPEN SPACE DESIGN GUIDELINES**

The *Open Space* is comprised of the *Walkways* and *Bike Lanes* lining the *Access Roads*, the baseball fields for active recreations, the public *Plazas* on Parcels U, F, and T for passive recreation as well as the balance of the landscaped spaces between buildings, *Parking Lots* and *Parking Structures*.

The Open Space should incorporate a variety of features including soft-scape, walking areas, hardscape, and space for active uses such as a play area. A variety of planting types, paving materials and landscape features should be provided in order to create visual interest.

The Open Space should allow for quiet contemplation and relaxation, animated interaction among groups of individuals and space for active families. Design elements suitable for different activities should include areas for seating with close proximity to plantings.

Adequate signage or other design and wayfinding mechanisms should be used at various entrance points to the Open Space to invite members of the public into and inform them about the public nature of the Open Space.

### **7.1 Sidewalks and Street Trees at Mapped Streets**

At the Parcels abutting Marconi Street, the developer is required to prepare and submit a Builder's Pavement Plan (BPP) to NYC DOB that conforms to DOB, DOT, and City of New York Parks and Recreation's requirements for sidewalks and street trees.

### **7.2 Street Trees at Access Roads**

The developer is required to provide street trees at access roads as per City of New York Parks and Recreation's "Street Tree Planting Standards". Tree pit guards are not required but may be installed at the developer's discretion.

### **7.3 Bike Lanes**

*Bike Lanes* shall be provided along the East-West and North-South Access Roads to promote 2-way bike traffic in and out of the Project. The Bike Lane on the East-West Access Road will connect Marconi Street with the bike path on the Hutchinson River Greenway. Additional one-way *Bike Lane* loops will connect the required bicycle parking areas throughout the site with the *Bike Lanes* on the *Access Roads* to create a logical and comprehensive bike circulation strategy.

### **7.4 Walkways**

Walkways are a continuous area, located on privately owned land, designated for and designed to encourage public pedestrian circulation and other appropriate public uses. The Walkways shall include lighting, A.D.A. access, seating, grass areas and trees. Walkway furnishing shall be compliant with DOT guidelines. Extent and details as per Figures II-14- Roadway and Streetscape controls.

Building owners shall be responsible for the maintenance of Walkways to include but not be limited to, litter control, and the care and replacement of vegetation within Walkways adjacent to each building parcel. The maintenance of Walkways may be undertaken by a property owners association, or a similar organization, formed for the purposes of maintaining common Walkways throughout the Project.

### **7.5 Plazas**

The Plaza spaces on Parcels U, F and T will feature a variety of hard and soft scape features to support a passive recreation use. Water features are permitted.

### *Seating:*

A variety of seating types shall be used to provide varied and comfortable seating options for a variety of users in both solitary and social seating arrangements. Seating materials shall be durable, comfortable, and minimize temperature conduction and maintenance requirements.

There shall be a minimum of one linear foot of seating for each 75 square feet of Plaza

- Moveable seating is permitted and shall be credited as 30" of linear seating per chair.
- Seating without backs shall have a minimum depth of 16". Seating 30" or more in depth shall count double provided there is access to both sides.
- Seating higher than 24" and lower than 12" above the level of the adjacent walking surface shall not count toward meeting the seating requirements with the exception of seating steps as outlined below.
- Seating steps shall not include any steps intended for circulation and must have a height not less than 6" nor greater than 30".
- The tops of walls, including but not limited to those which bound planting beds and water features, may be counted as seating when they conform to the dimensional standards previously stated above.

### *Plantings:*

A minimum of 35% of the Plaza shall be planting beds (surface and/or raised) with ground cover, flower beds, shrubs or lawn. Provide a minimum of 1 tree per 1,500 SF of Plaza area.

### *Paving:*

Acceptable paving materials within Publicly Accessible Open Space shall include, but are not limited to, the following: Stone, Brick, Concrete, Dust stone, Exposed aggregate concrete, Pervious pavers

## **7.6 Active Recreation**

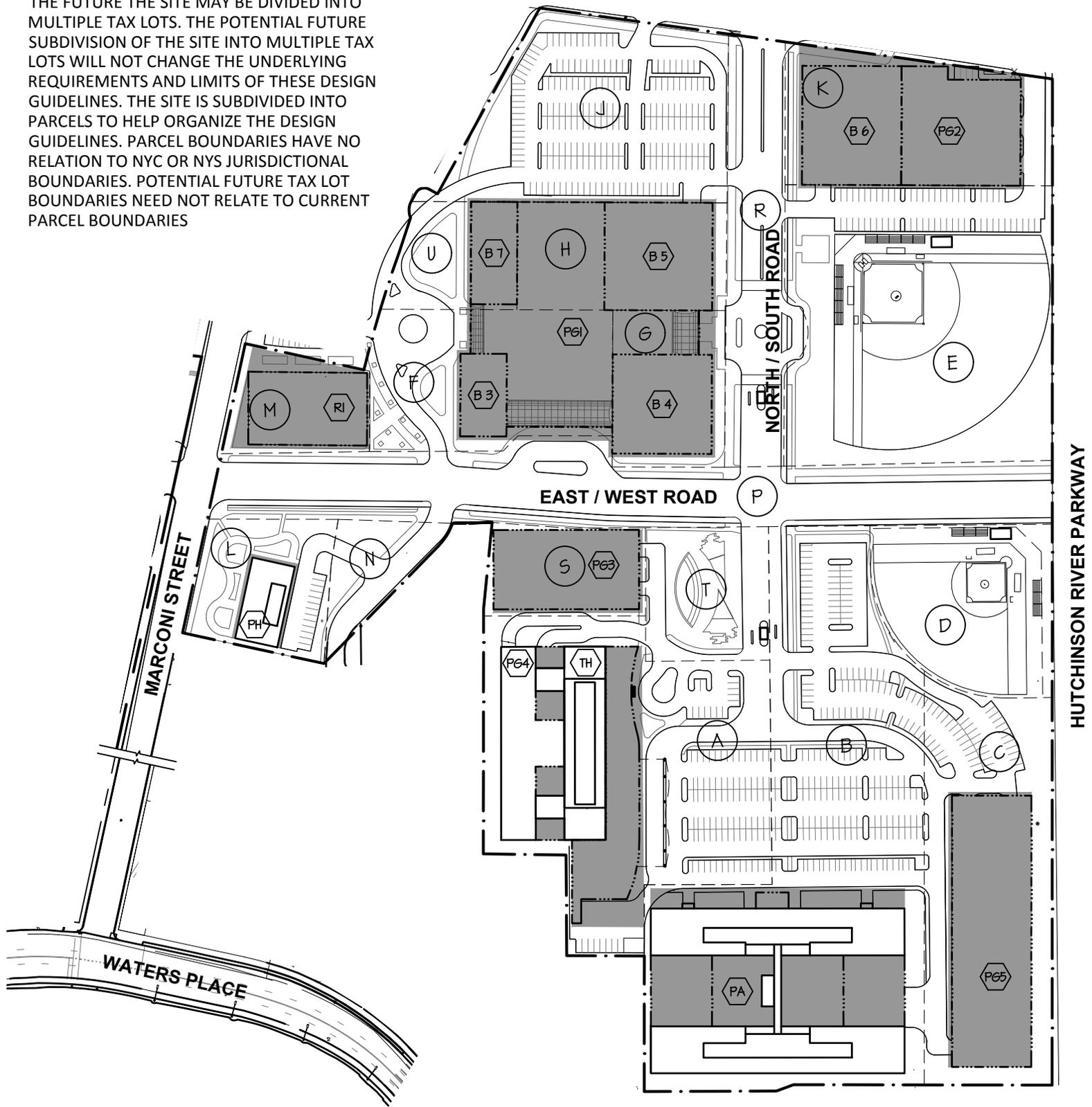
The Project shall include a Jr/Sr Division Baseball Field and a Major/Minor Division Baseball Field, and a Little League Field Support Building (or Buildings) including approximately 2,000 sf of Floor Area to support and maintain the Active Recreation within the Project Site.

## **7.7 Operations**

*Rules and Regulations:* Rules and regulations that provide for the security and safety of the Open Space and its users may be posted in visible locations throughout the Project Site Open Spaces. Such postings shall include the hours of operation of the Open Space, which may be modified from time to time as may be necessary to ensure the safety and maintenance of the Open Space, provided that league access shall be provided during reasonable and customary hours to the Baseball Diamonds.

*Closure:* For times when the public access area is not open to the public, a gate or other mechanism may be used to close access from the street and inform the public that the area is closed.

THIS PROJECT SITE IS CURRENTLY ONE TAX LOT. IN THE FUTURE THE SITE MAY BE DIVIDED INTO MULTIPLE TAX LOTS. THE POTENTIAL FUTURE SUBDIVISION OF THE SITE INTO MULTIPLE TAX LOTS WILL NOT CHANGE THE UNDERLYING REQUIREMENTS AND LIMITS OF THESE DESIGN GUIDELINES. THE SITE IS SUBDIVIDED INTO PARCELS TO HELP ORGANIZE THE DESIGN GUIDELINES. PARCEL BOUNDARIES HAVE NO RELATION TO NYC OR NYS JURISDICTIONAL BOUNDARIES. POTENTIAL FUTURE TAX LOT BOUNDARIES NEED NOT RELATE TO CURRENT PARCEL BOUNDARIES



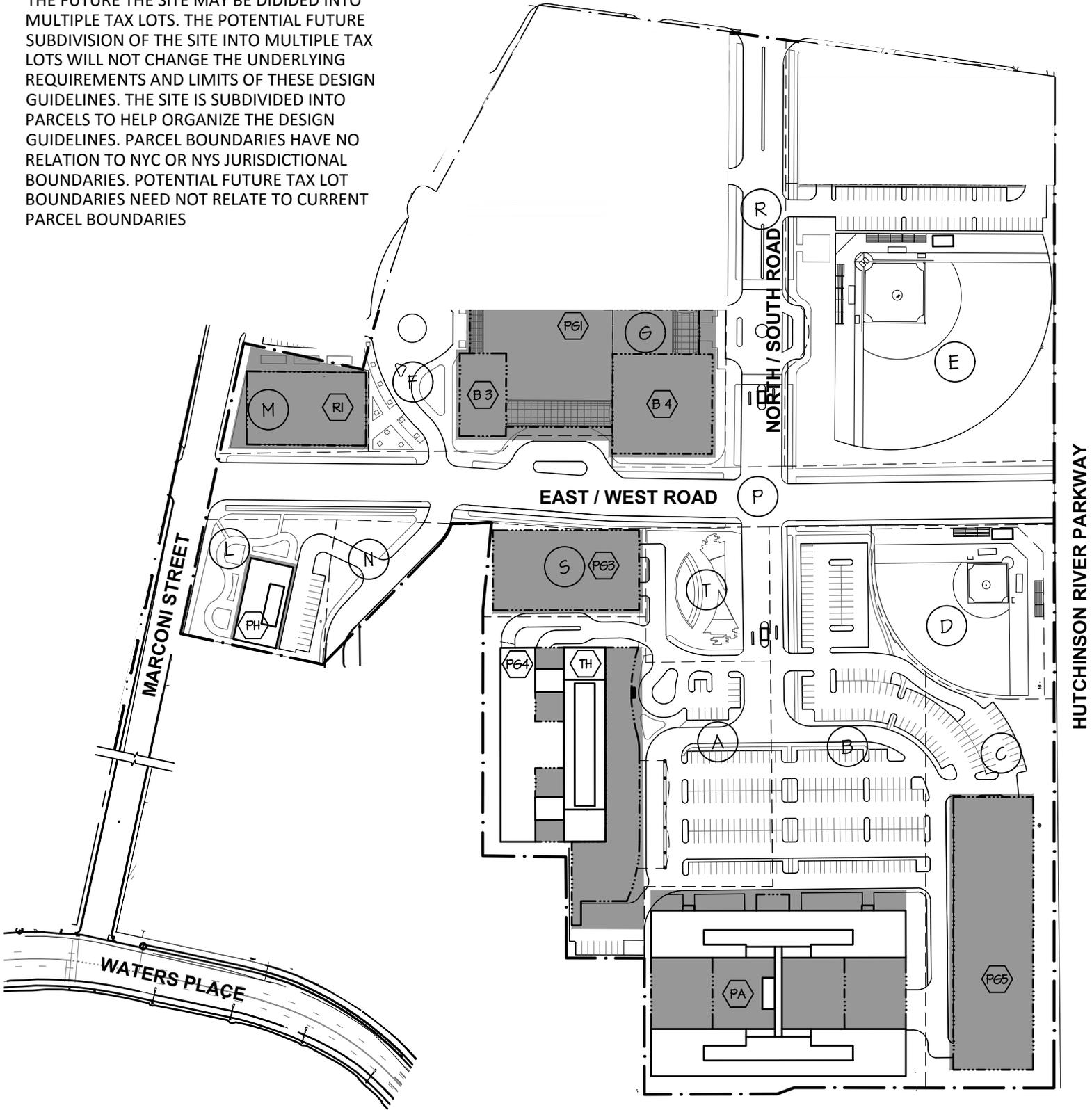
**SITE PLAN (FULL BUILD):**

-  LETTER INDICATES PARCEL
-  BUILDING NAME
-  PARCEL LINE
-  PROPERTY LINE
-  PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE

  
SCALE- 1:200



THIS PROJECT SITE IS CURRENTLY ONE TAX LOT. IN THE FUTURE THE SITE MAY BE DIDDED INTO MULTIPLE TAX LOTS. THE POTENTIAL FUTURE SUBDIVISION OF THE SITE INTO MULTIPLE TAX LOTS WILL NOT CHANGE THE UNDERLYING REQUIREMENTS AND LIMITS OF THESE DESIGN GUIDELINES. THE SITE IS SUBDIVIDED INTO PARCELS TO HELP ORGANIZE THE DESIGN GUIDELINES. PARCEL BOUNDARIES HAVE NO RELATION TO NYC OR NYS JURISDICTIONAL BOUNDARIES. POTENTIAL FUTURE TAX LOT BOUNDARIES NEED NOT RELATE TO CURRENT PARCEL BOUNDARIES



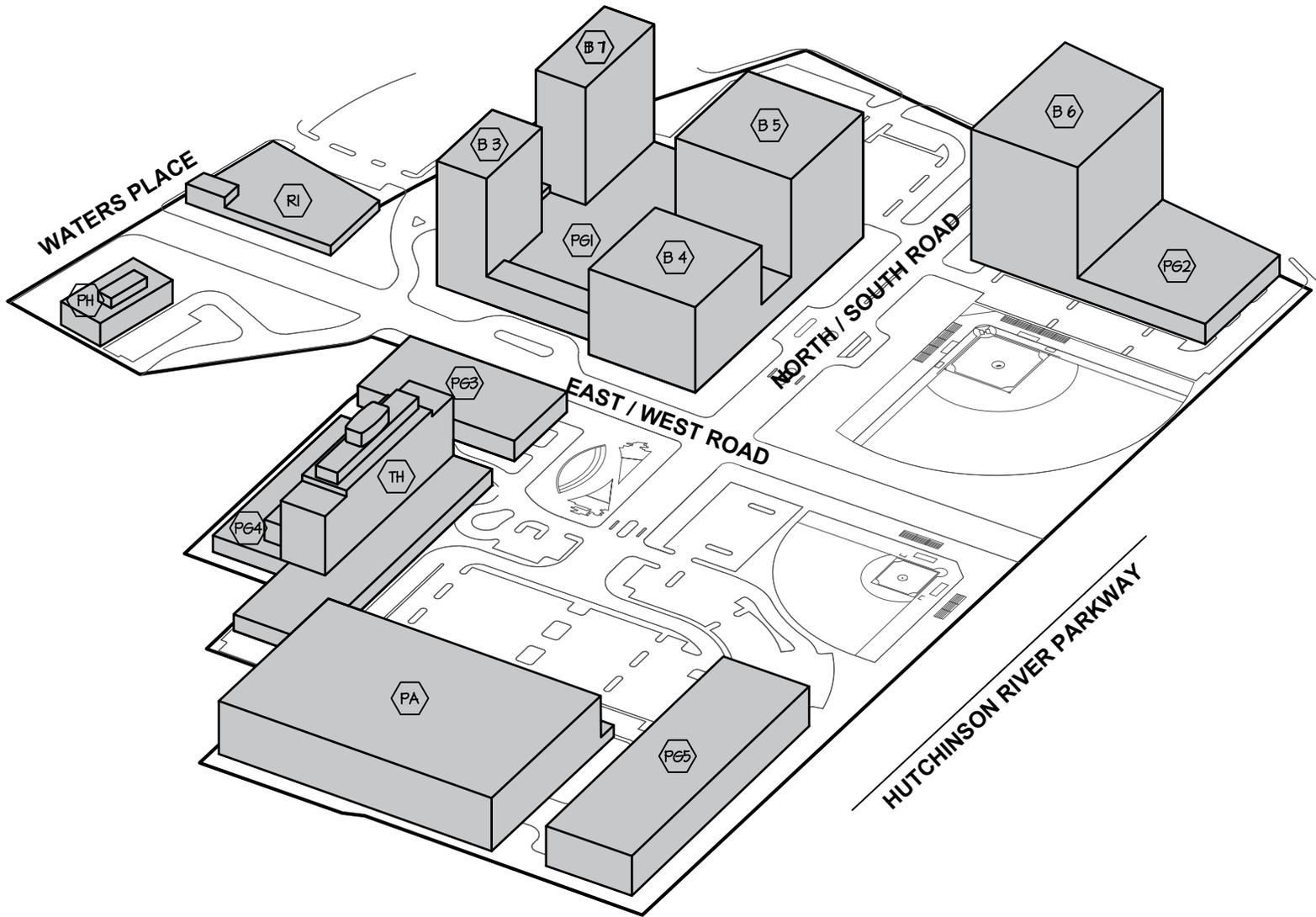
**SITE PLAN (PHASE 1):**

-  LETTER INDICATES PARCEL
-  BUILDING NAME
-  PARCEL LINE
-  PROPERTY LINE
-  PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE

  
**SCALE- 1:200**



- PH - POWER HOUSE
- R - RETAIL
- PG3 - PARKING GARAGE 3
- PG4 - PARKING GARAGE 4
- TH - THOMPSON BUILDING
- PA - PARKER BUILDING
- PG5 - PARKING GARAGE 5
- B3 - BUILDING 3
- B7 - BUILDING 7
- PG1 - PARKING GARAGE 1
- B4 - BUILDING 4
- B5 - BUILDING 5
- B6 - BUILDING 6
- PG2 - PARKING GARAGE 2



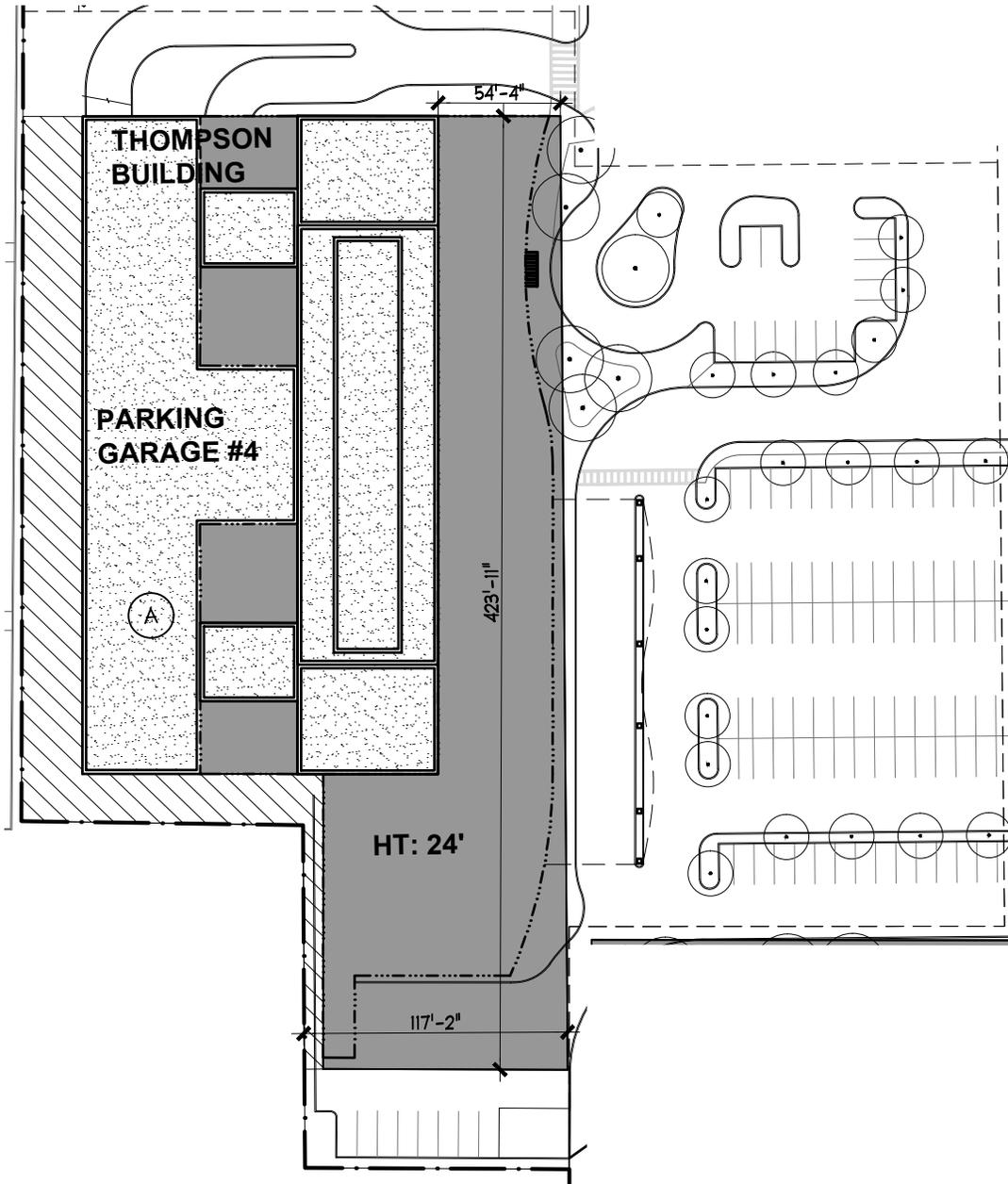
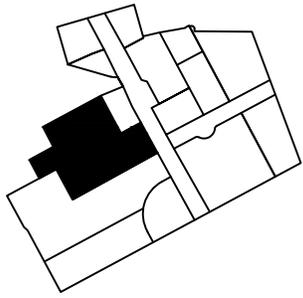
## SITE AXON OF BUILDING ENVELOPES:

-  BUILDING NAME
-  PROPERTY LINE
-  PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE

VIEW FROM SE



KEY PLAN



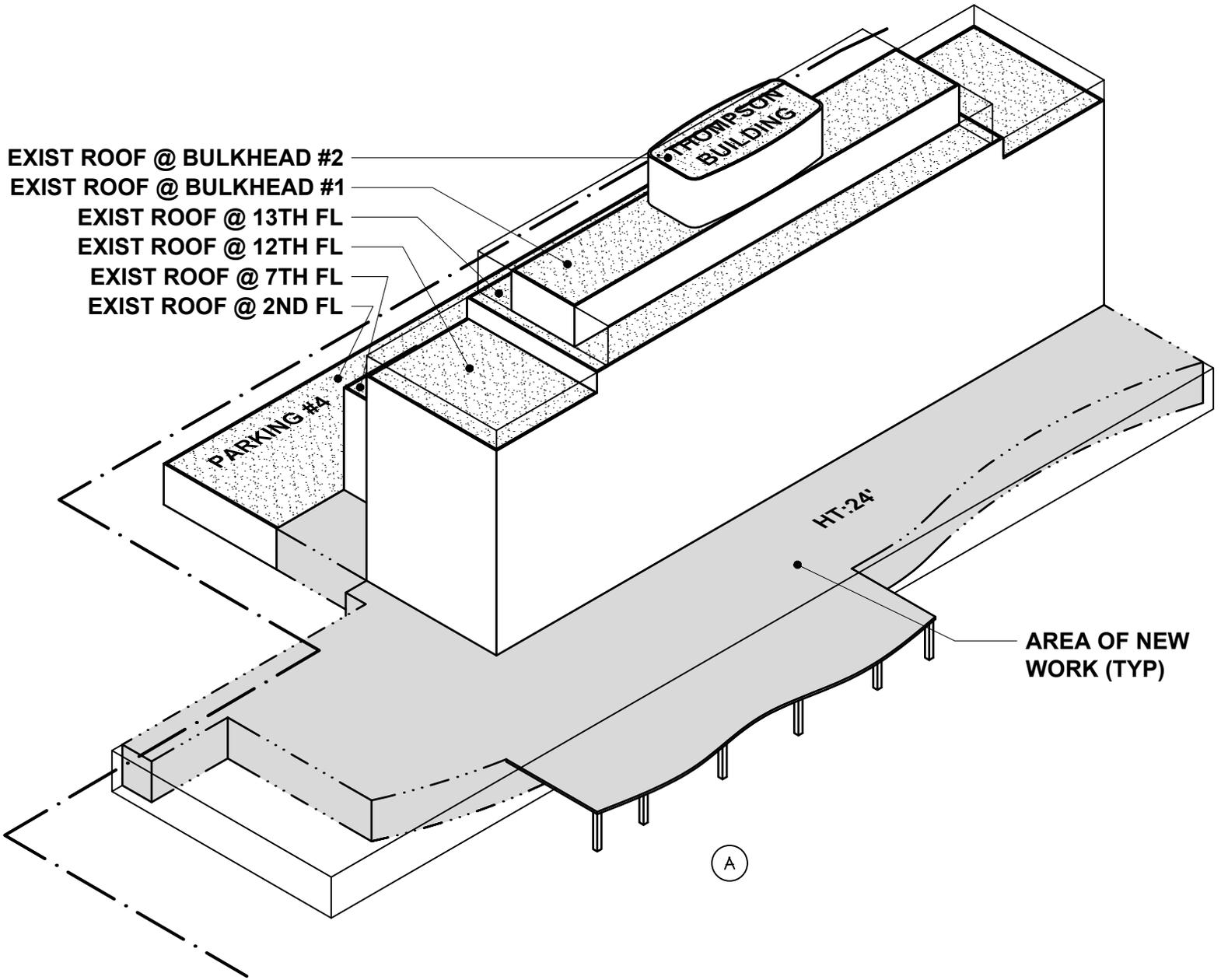
**PARCEL A: THOMPSON**

- PARCEL LINE
- PROPERTY LINE
- ..... PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- EXISTING BUILDING
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES

SCALE- 1:80



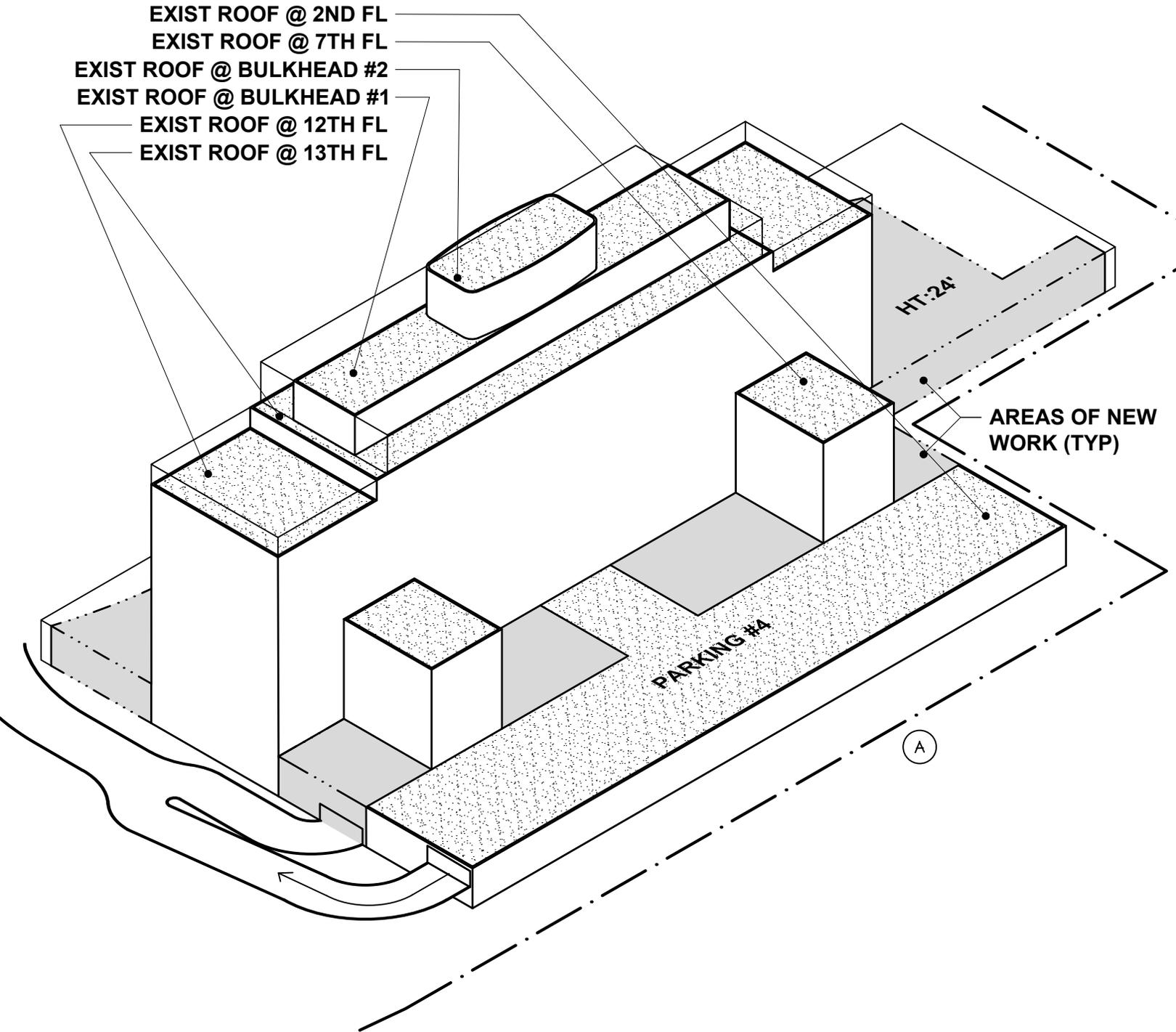


**PARCEL A: THOMPSON**  
**BUILDING ENVELOPE CONTROLS**

- (X) LETTER INDICATES PARCEL
- PROPERTY LINE
- EXIST MAX. BLDG. HEIGHT
- [Stippled Box] PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- [Solid Line] BUILDING ENVELOPE
- [Dotted Box] EXISTING BUILDING

**VIEW FROM SE**





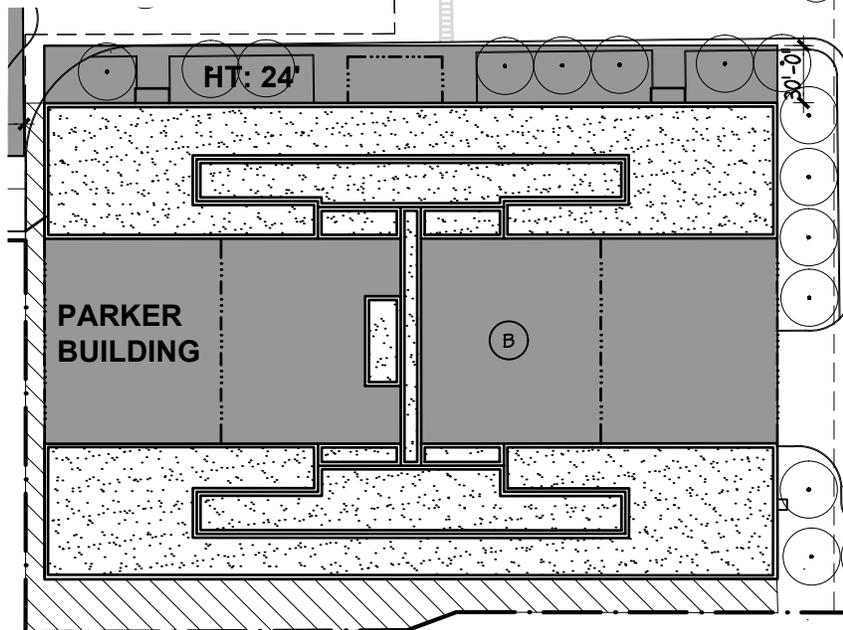
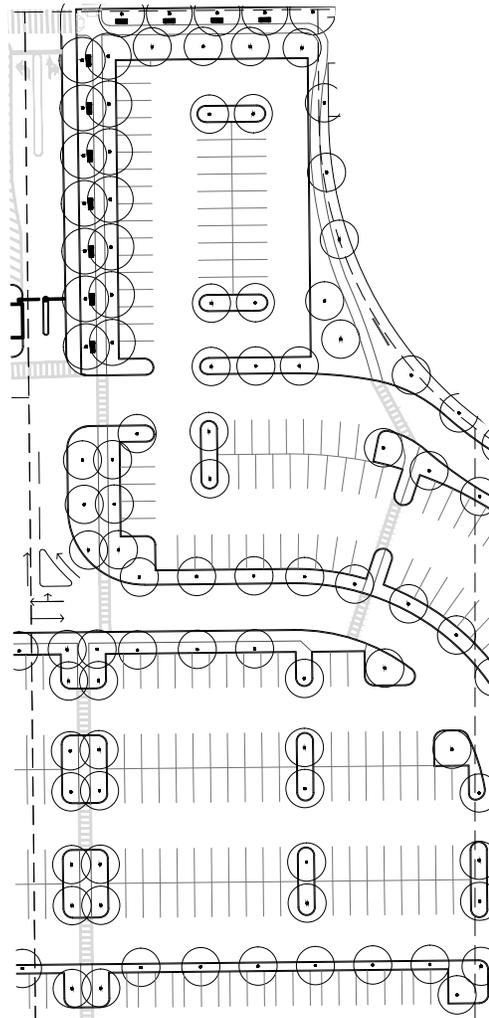
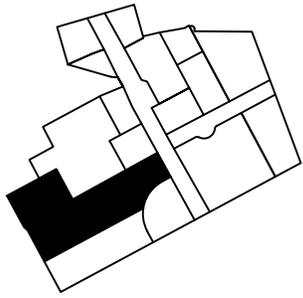
**PARCEL A: THOMPSON**  
**BUILDING ENVELOPE CONTROLS**

- (X) LETTER INDICATES PARCEL
- PROPERTY LINE
- EXIST. MAX. BLDG. HEIGHT
- [Stippled Box] PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- [Solid Line] BUILDING ENVELOPE
- [Dotted Box] EXISTING BUILDING

**VIEW FROM NW**



KEY PLAN

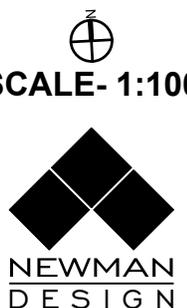


PARCEL B: PARKER

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- EXISTING BUILDING
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

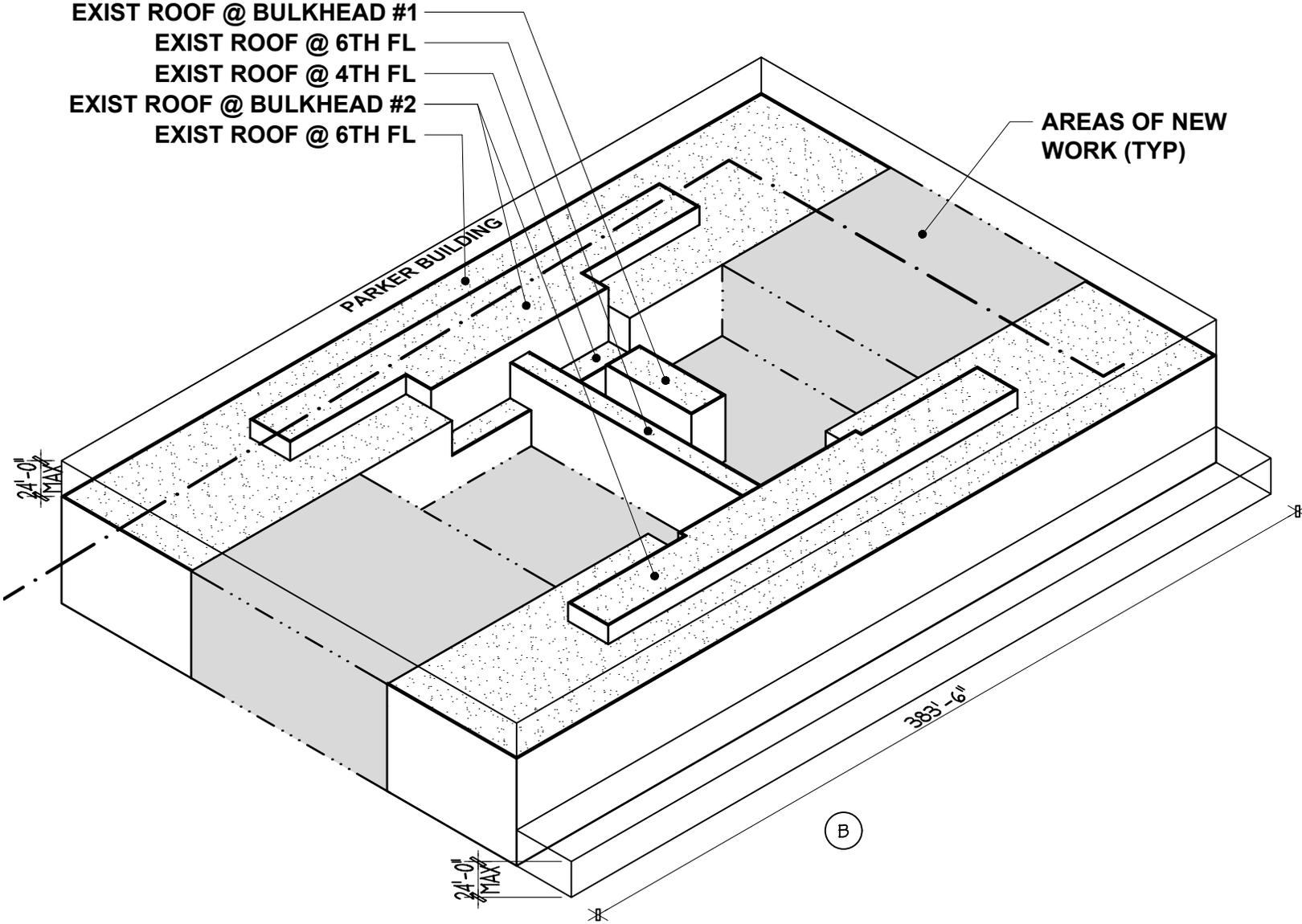
\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES

SCALE- 1:100



EXIST ROOF @ BULKHEAD #1  
 EXIST ROOF @ 6TH FL  
 EXIST ROOF @ 4TH FL  
 EXIST ROOF @ BULKHEAD #2  
 EXIST ROOF @ 6TH FL

AREAS OF NEW WORK (TYP)



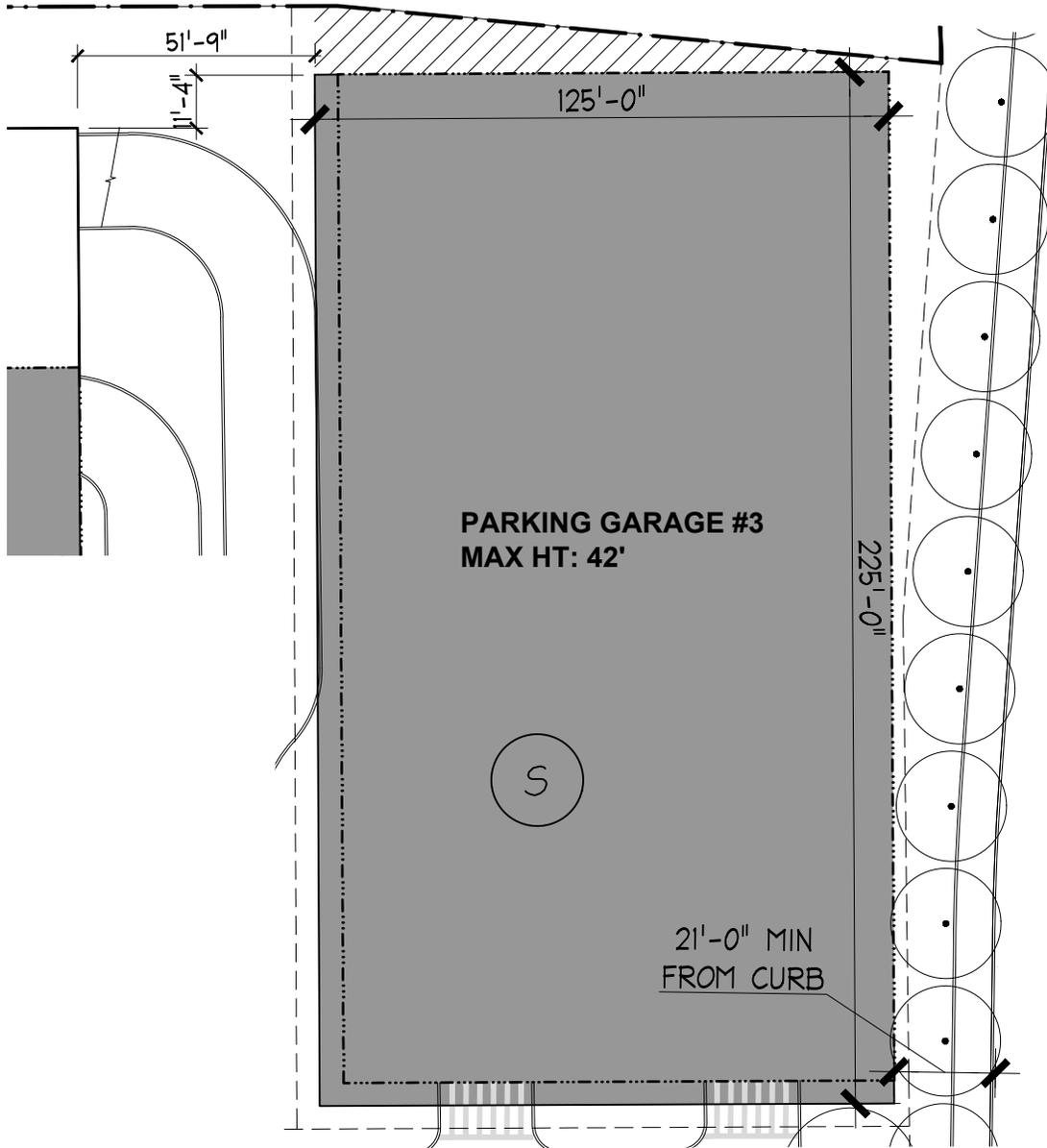
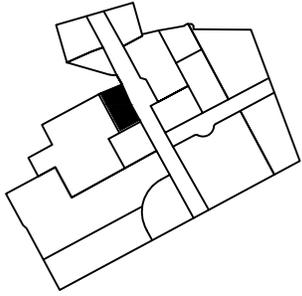
## PARCEL B: PARKER BUILDING ENVELOPE CONTROLS

- (X) LETTER INDICATES PARCEL
- PROPERTY LINE
- +24' MAX. BLDG. HEIGHT
- [Stippled Box] PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- [Solid Line] BUILDING ENVELOPE
- [Hatched Box] EXISTING BUILDING

VIEW FROM NE



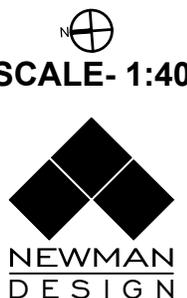
KEY PLAN



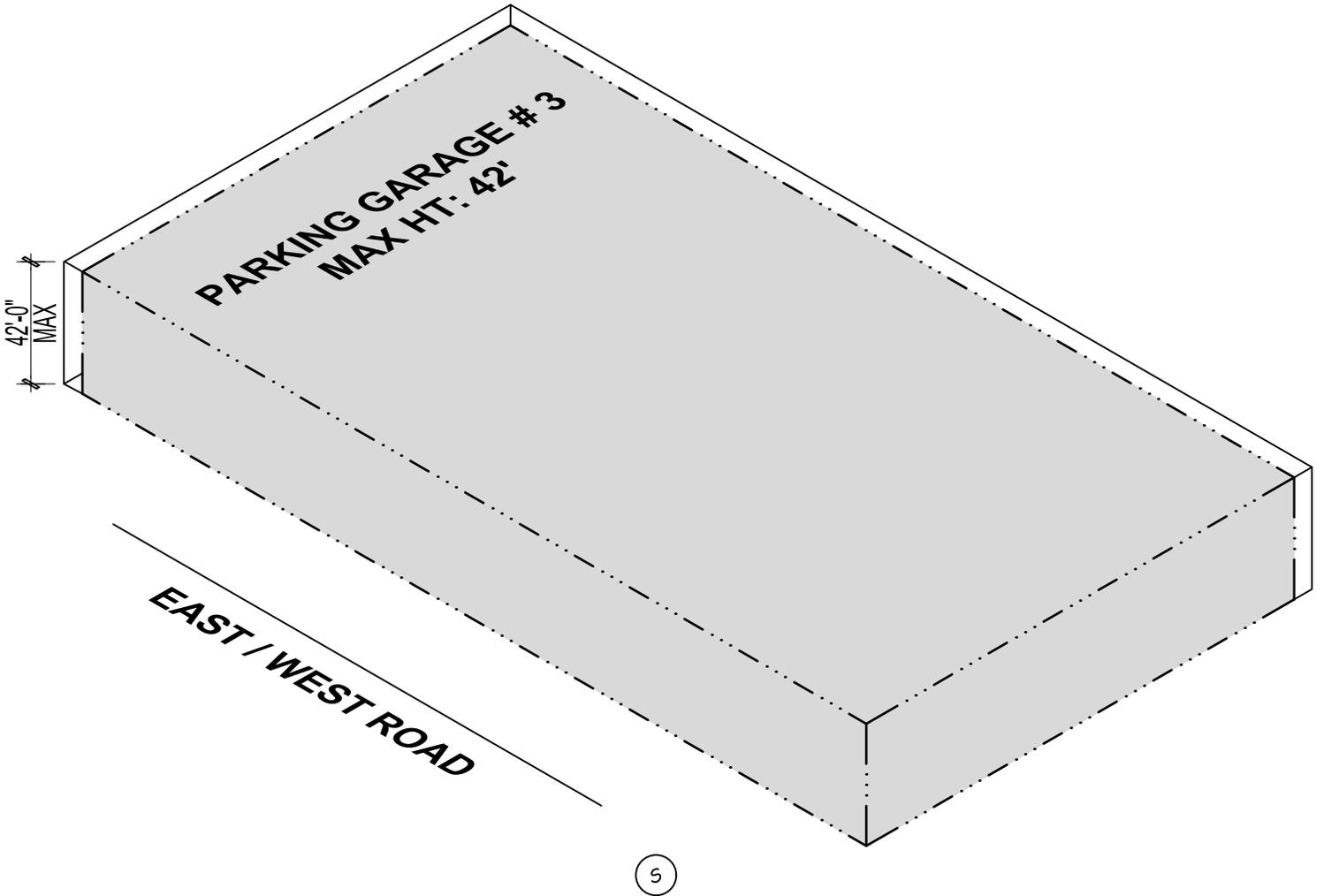
# PARCEL S: PARKING GARAGE 3

SCALE- 1:40

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES



\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



# PARCEL S: PARKING GARAGE 3

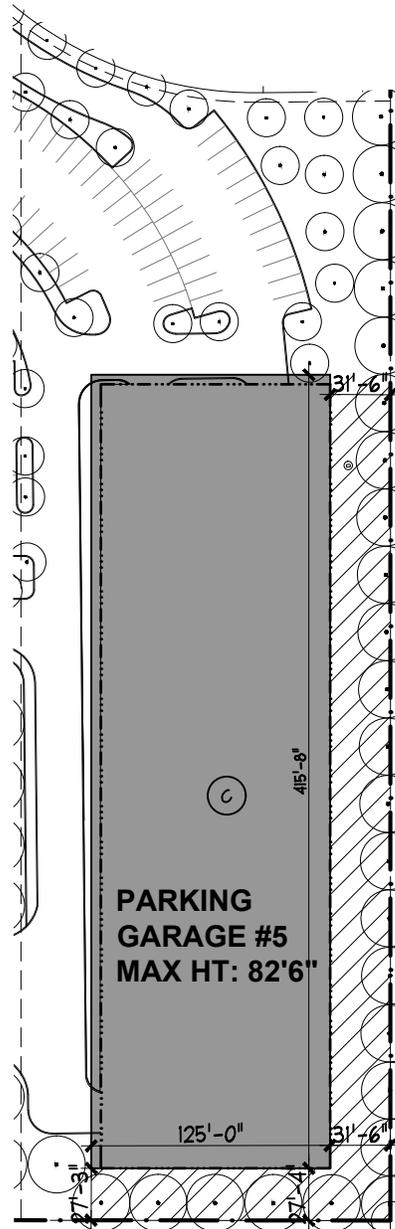
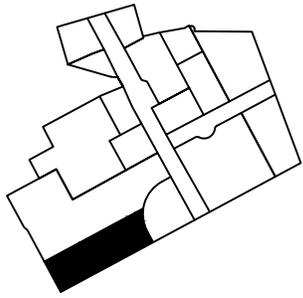
## BUILDING ENVELOPE CONTROLS

- (S) LETTER INDICATES PARCEL
- PROPERTY LINE
- 42'-0" MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

VIEW FROM NW



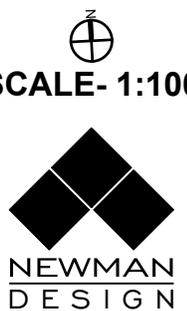
KEY PLAN



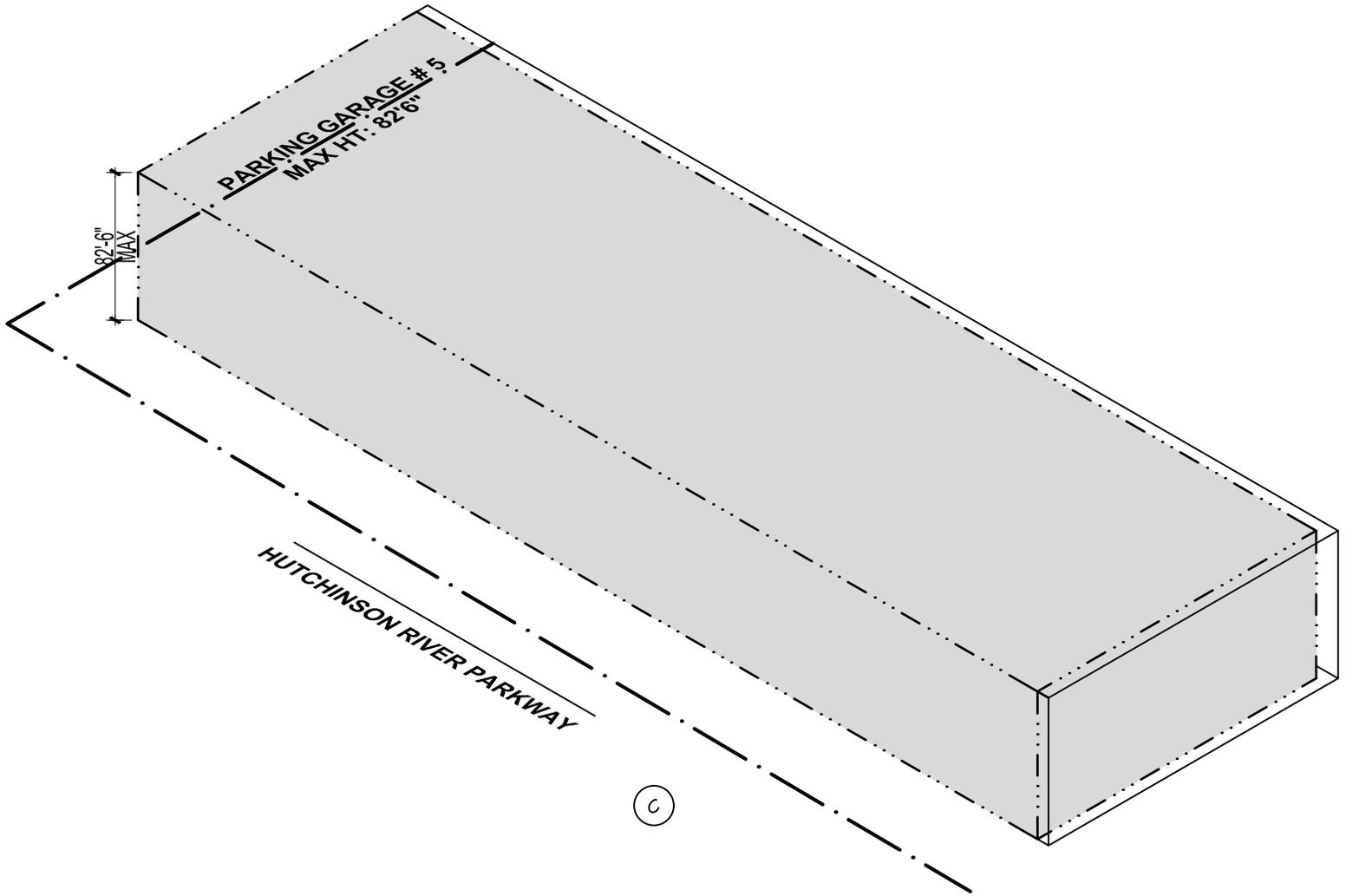
# PARCEL C: PARKING GARAGE 5

SCALE- 1:100

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
-  NO BUILD AREA
-  BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES



\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



# PARCEL C: PARKING GARAGE 5

## BUILDING ENVELOPE CONTROLS

- (C) LETTER INDICATES PARCEL
- PROPERTY LINE
- 82'-6" MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

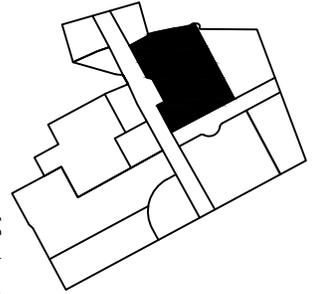
VIEW FROM NE



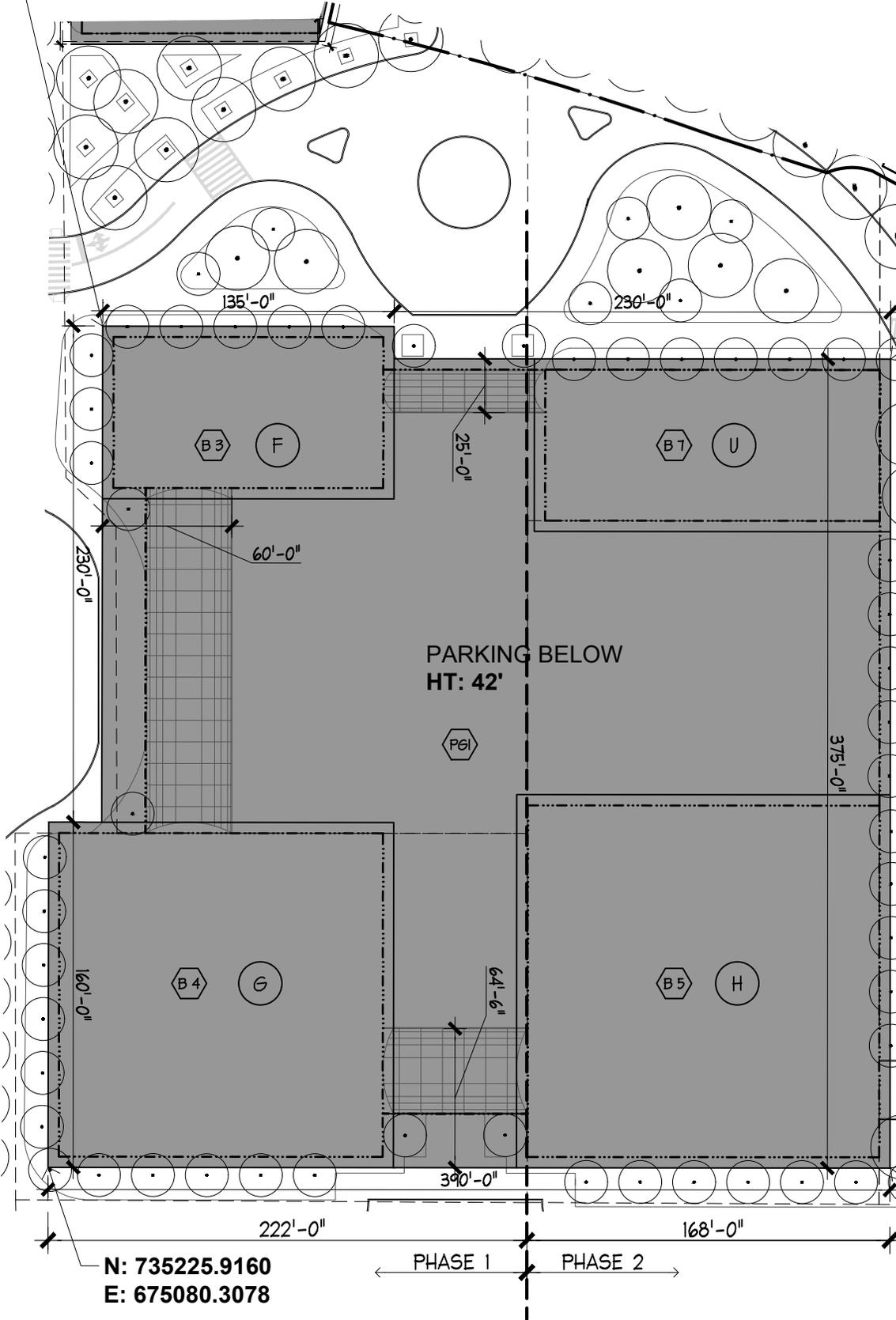
N: 735280.9779  
E: 674693.6514

\*COORDINATES ARE BASED ON NAD 83 NEW YORK STATE PLANE LONG ISLAND ZONE

KEY PLAN



N: 735643.5084  
E: 674736.8190



N: 735225.9160  
E: 675080.3078

N: 735614.5210  
E: 675110.4564

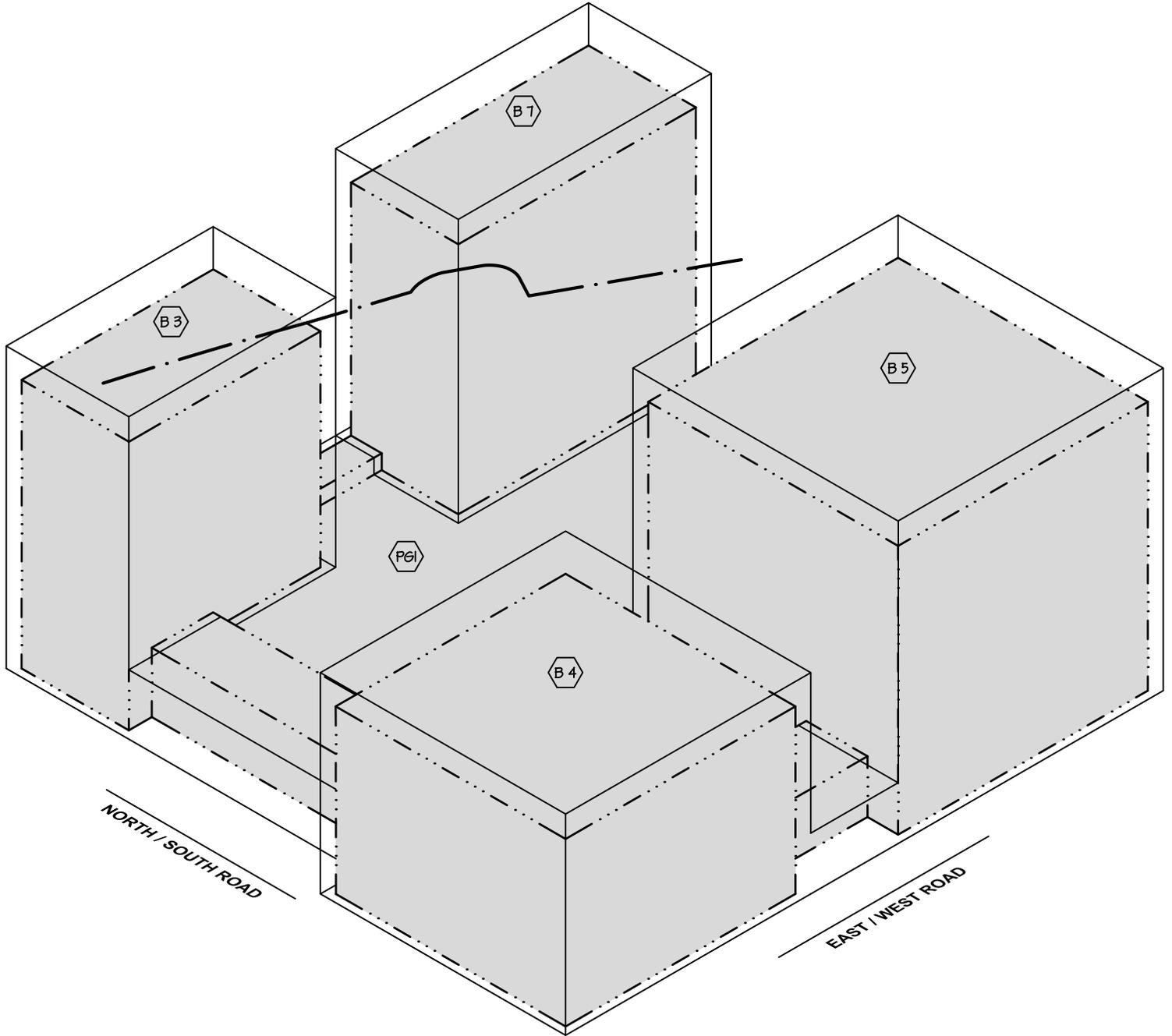
SCALE- 1:70

# PARCELS F, G, H & U: BUILDINGS 3, 4, 5 & 7

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



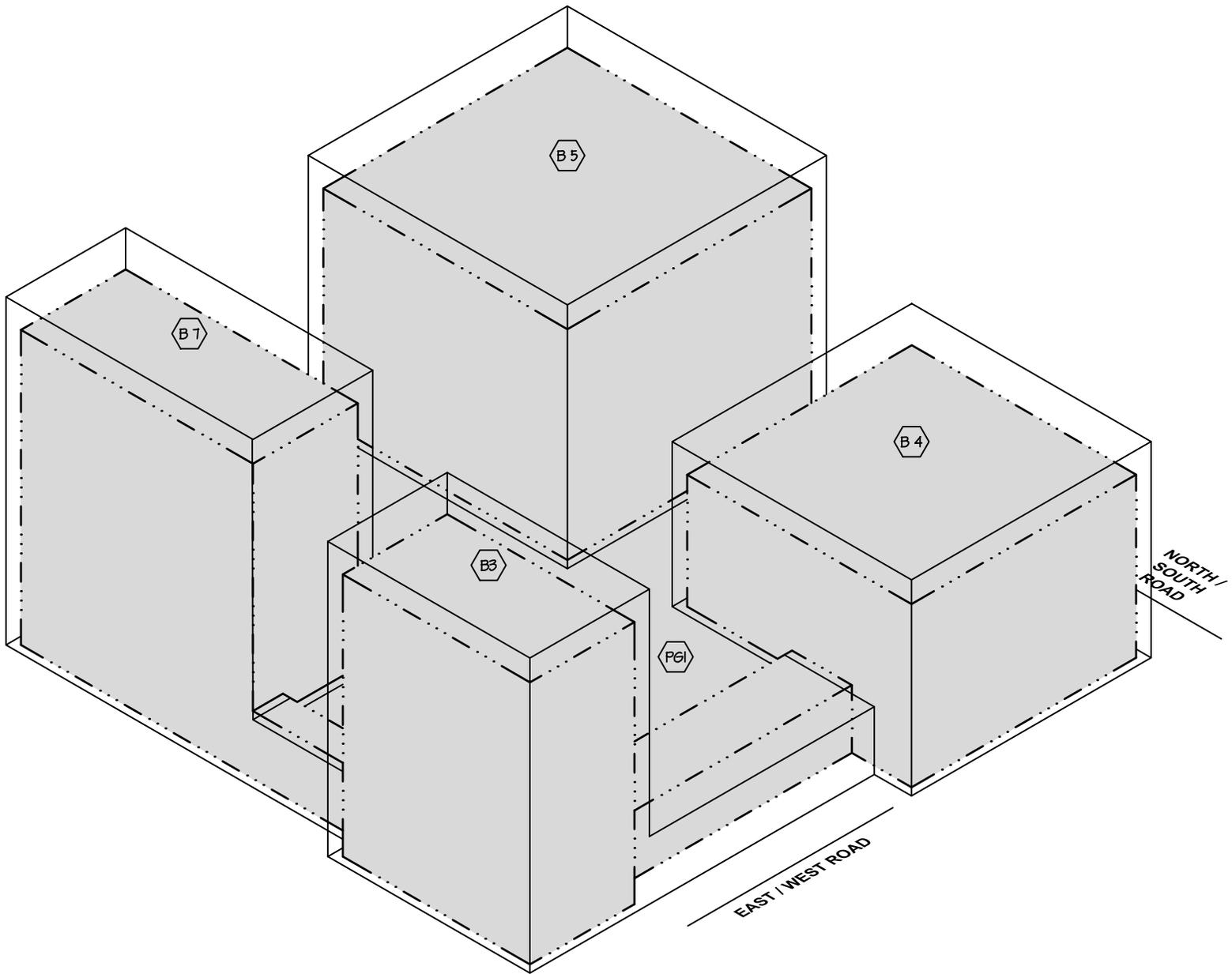


**PARCELS F, G, H & U: BUILDINGS 3, 4, 5 & 7**  
**BUILDING ENVELOPE CONTROLS**

- x
  -
- 285'-0" MAX. BLDG. HEIGHT

**VIEW FROM SE**





**PARCELS F, G, H & U: BUILDINGS 3, 4, 5 & 7**  
**BUILDING ENVELOPE CONTROLS**

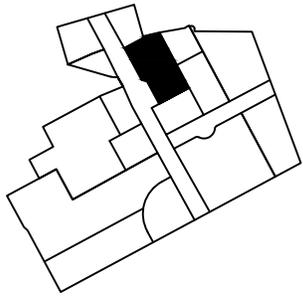
- x LETTER INDICATES PARCEL
  - PROPERTY LINE
  - PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
  - BUILDING ENVELOPE
- 285'-0" MAX. BLDG. HEIGHT

**VIEW FROM SW**

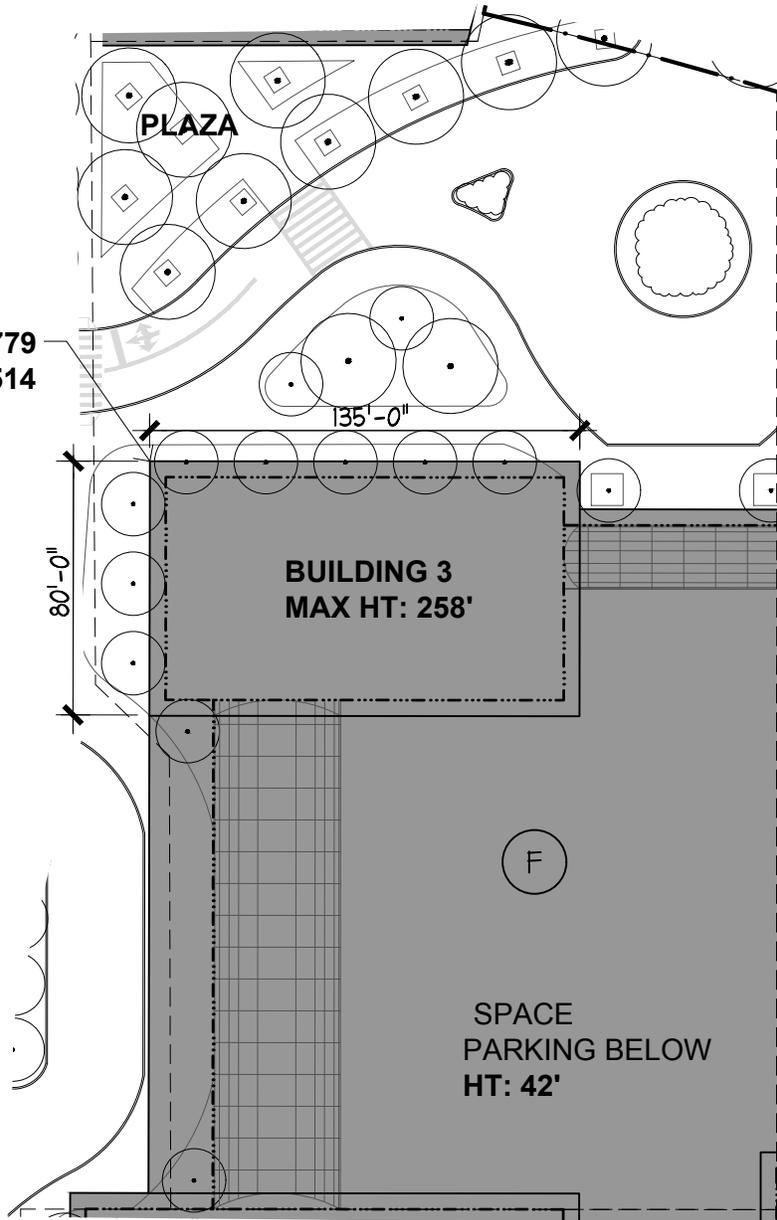


KEY PLAN

\*COORDINATES ARE BASED ON NAD 83 NEW YORK STATE PLANE LONG ISLAND ZONE



N: 735280.9779  
E: 674693.6514



PARCEL F: BUILDING 3

SCALE- 1:60

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

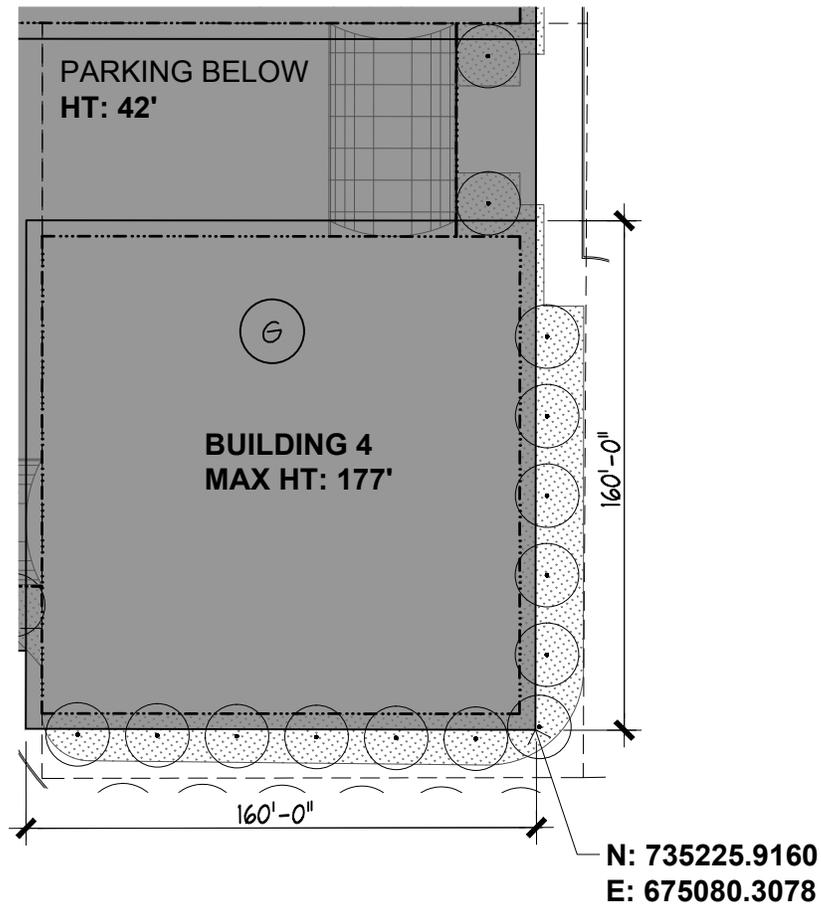
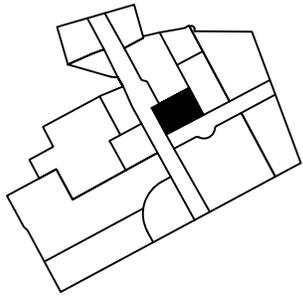


\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



KEY PLAN

\*COORDINATES ARE BASED ON NAD 83 NEW YORK STATE PLANE LONG ISLAND ZONE

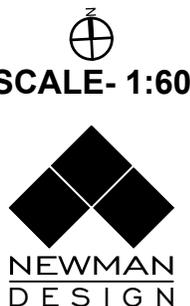


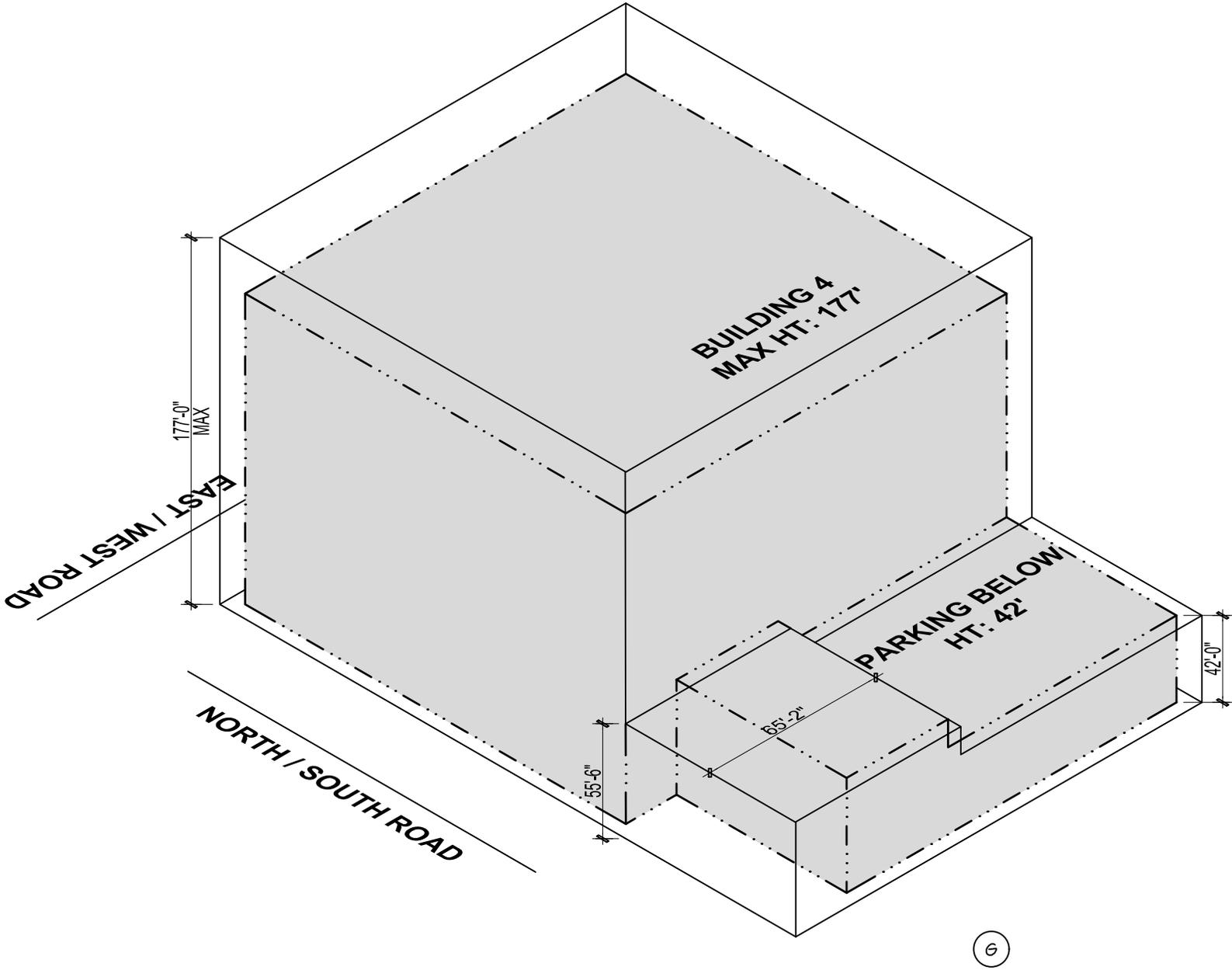
# PARCEL G: BUILDING 4

SCALE- 1:60

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES





**PARCEL G: BUILDING 4**  
**BUILDING ENVELOPE CONTROLS**

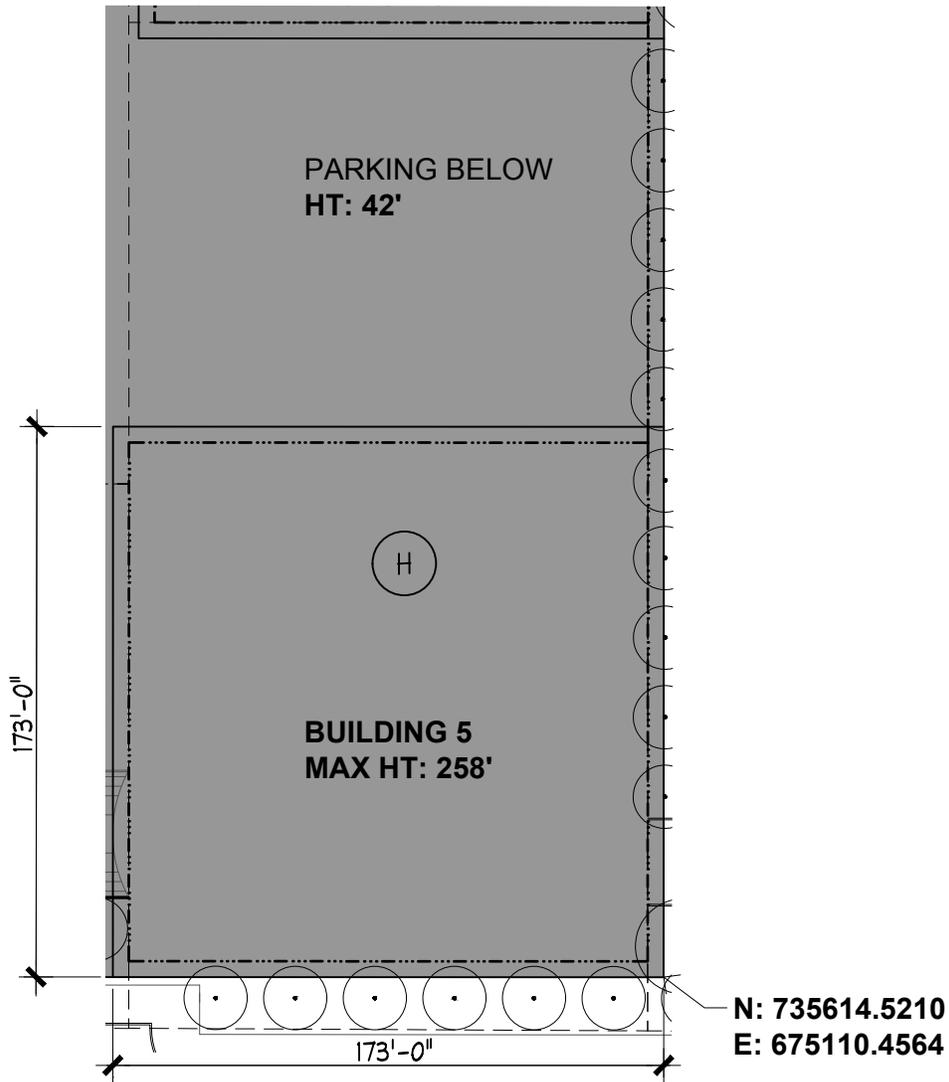
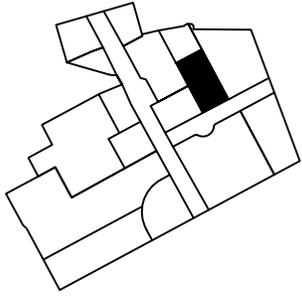
- G LETTER INDICATES PARCEL
- PROPERTY LINE
- 177'-0" MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

**VIEW FROM NE**



\*COORDINATES ARE BASED ON NAD 83 NEW YORK STATE PLANE LONG ISLAND ZONE

KEY PLAN



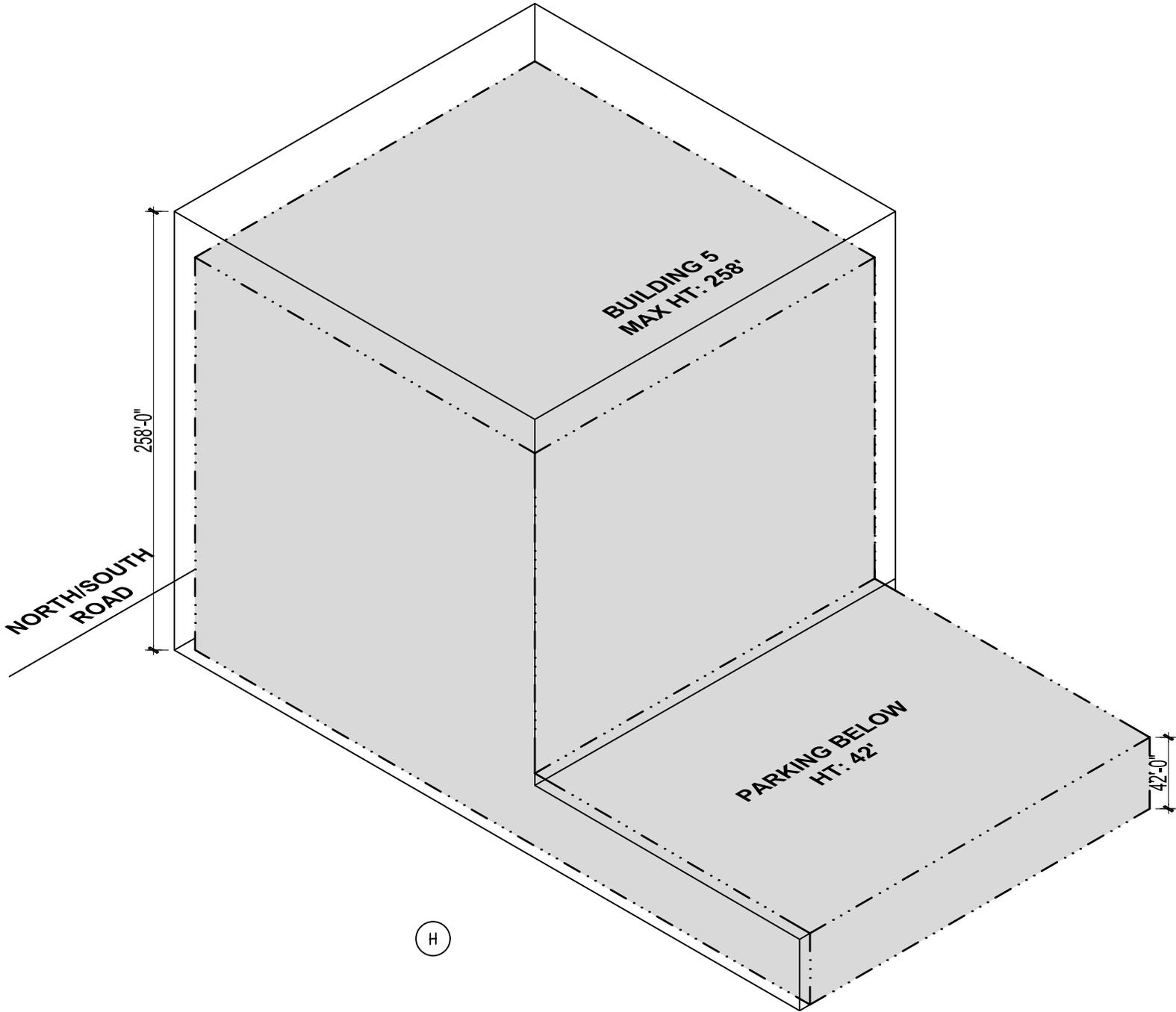
# PARCEL H: BUILDING 5

SCALE- 1:100

- PARCEL LINE
- PROPERTY LINE
- ..... PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES



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**PARCEL H: BUILDING 5**  
**BUILDING ENVELOPE CONTROLS**

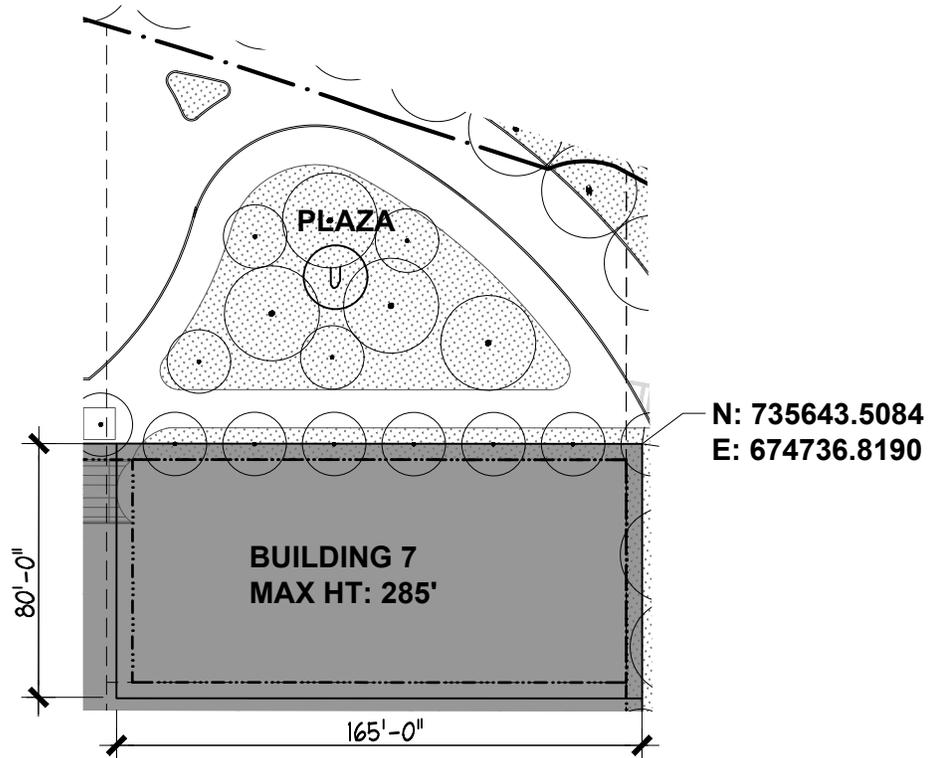
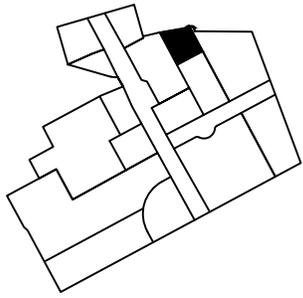
- (X) LETTER INDICATES PARCEL
- PROPERTY LINE
- 258'-0" MAX. BLDG. HEIGHT
- [Dotted Box] PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

**VIEW FROM NE**



KEY PLAN

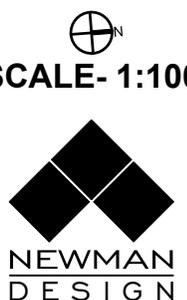
\*COORDINATES ARE BASED ON NAD 83 NEW YORK STATE PLANE LONG ISLAND ZONE



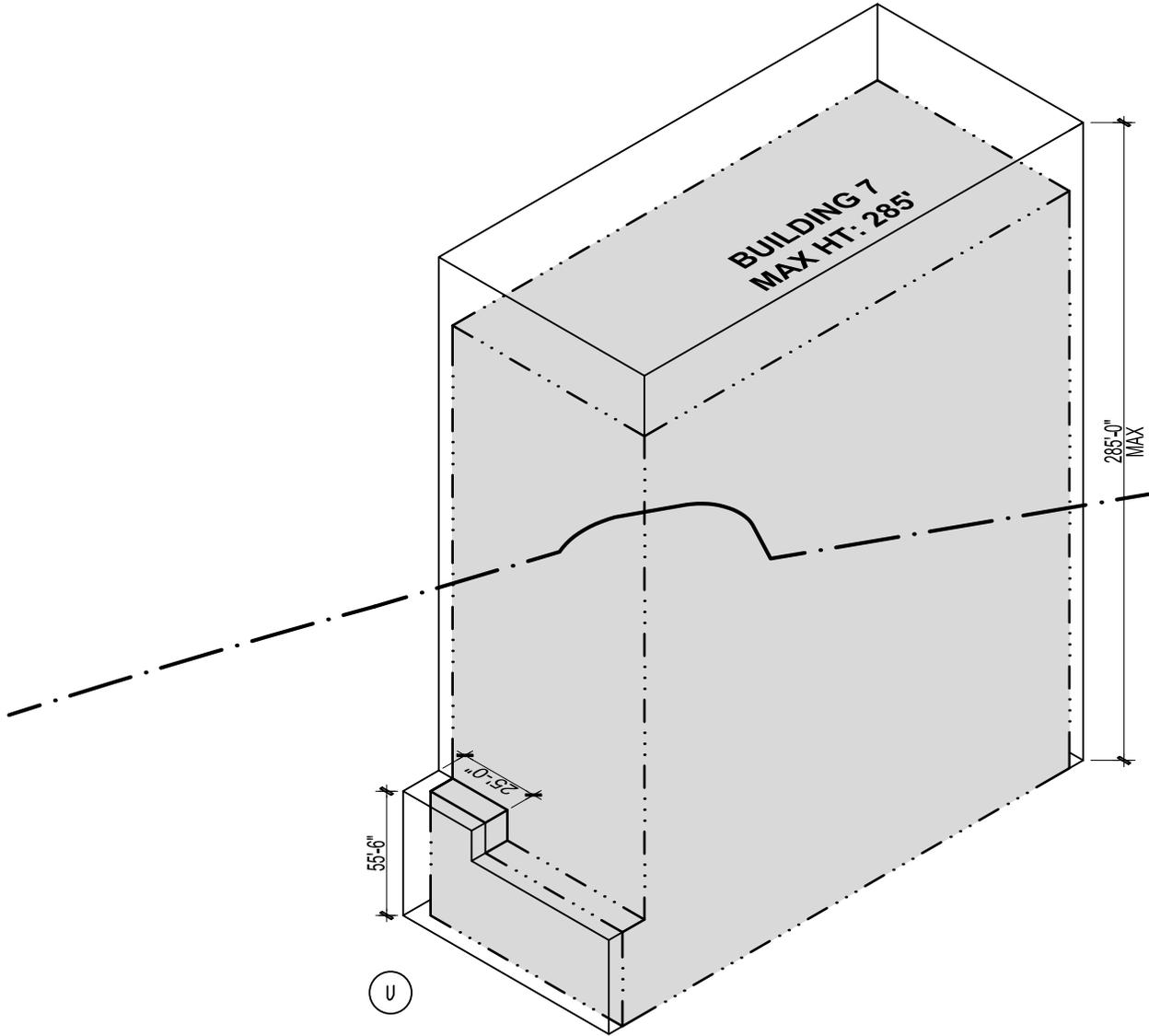
PARCEL U: BUILDING 7

SCALE- 1:100

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES



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# PARCEL U: BUILDING 7

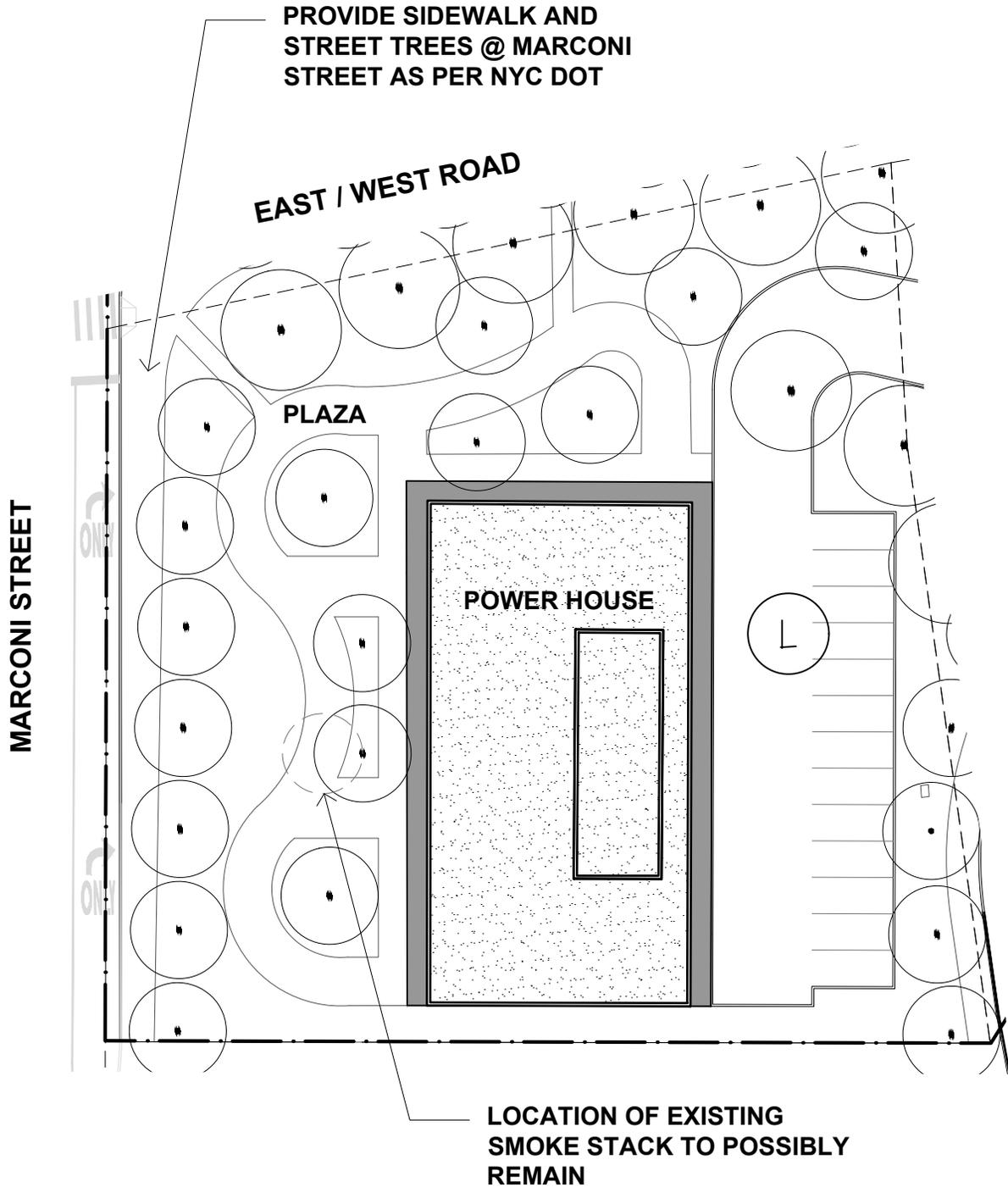
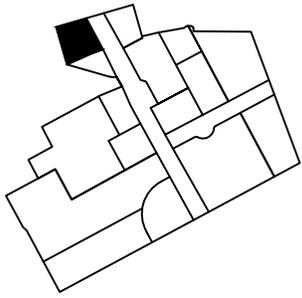
## BUILDING ENVELOPE CONTROLS

- (X) LETTER INDICATES PARCEL
- PROPERTY LINE
- 285'-0" MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

VIEW FROM SE



KEY PLAN

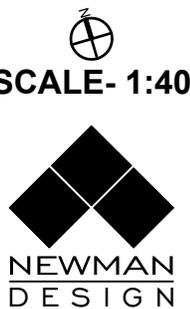


# PARCEL L: POWER HOUSE

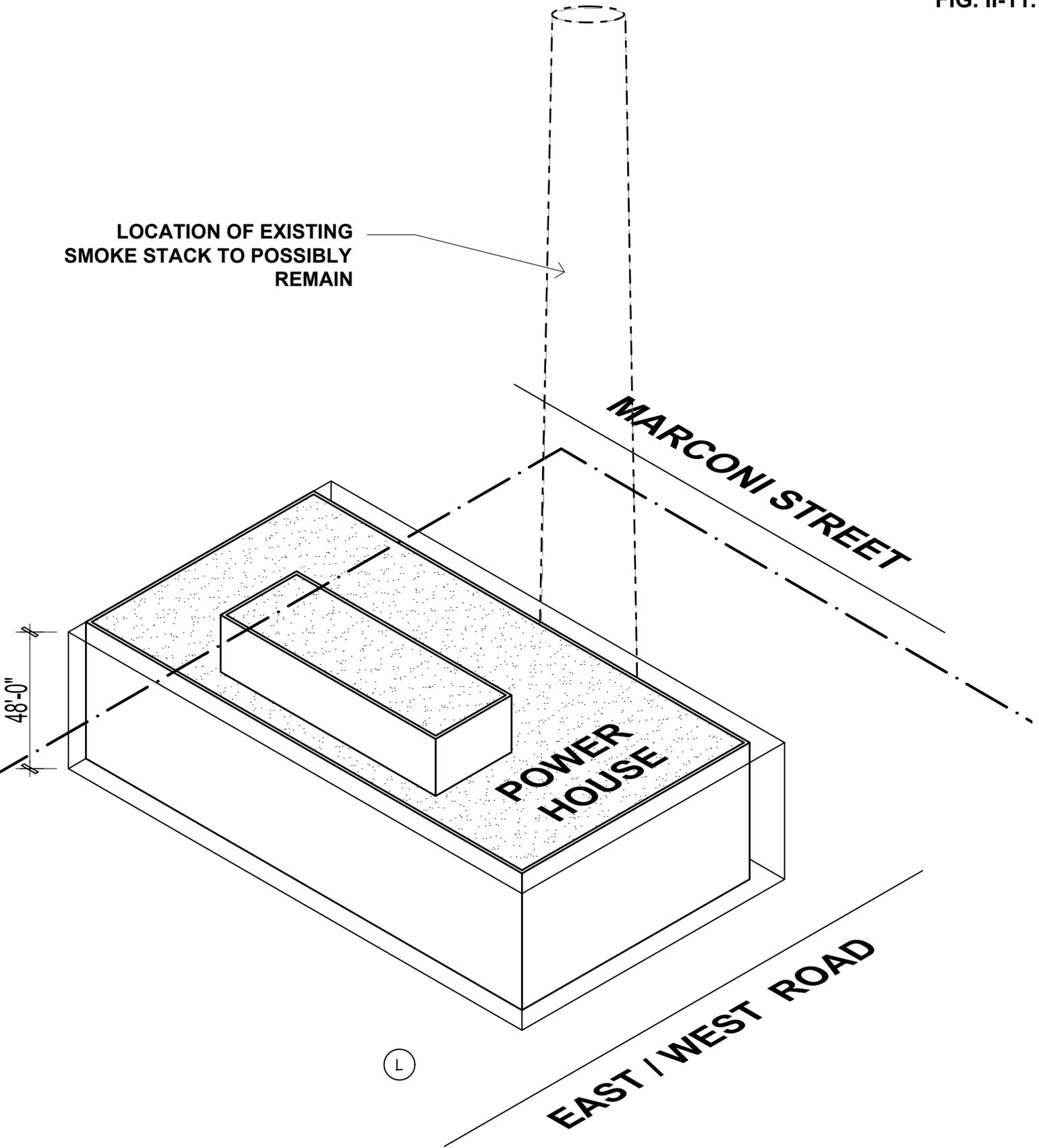
SCALE- 1:40

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- EXISTING BUILDING
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

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LOCATION OF EXISTING SMOKE STACK TO POSSIBLY REMAIN



# PARCEL L: POWER HOUSE

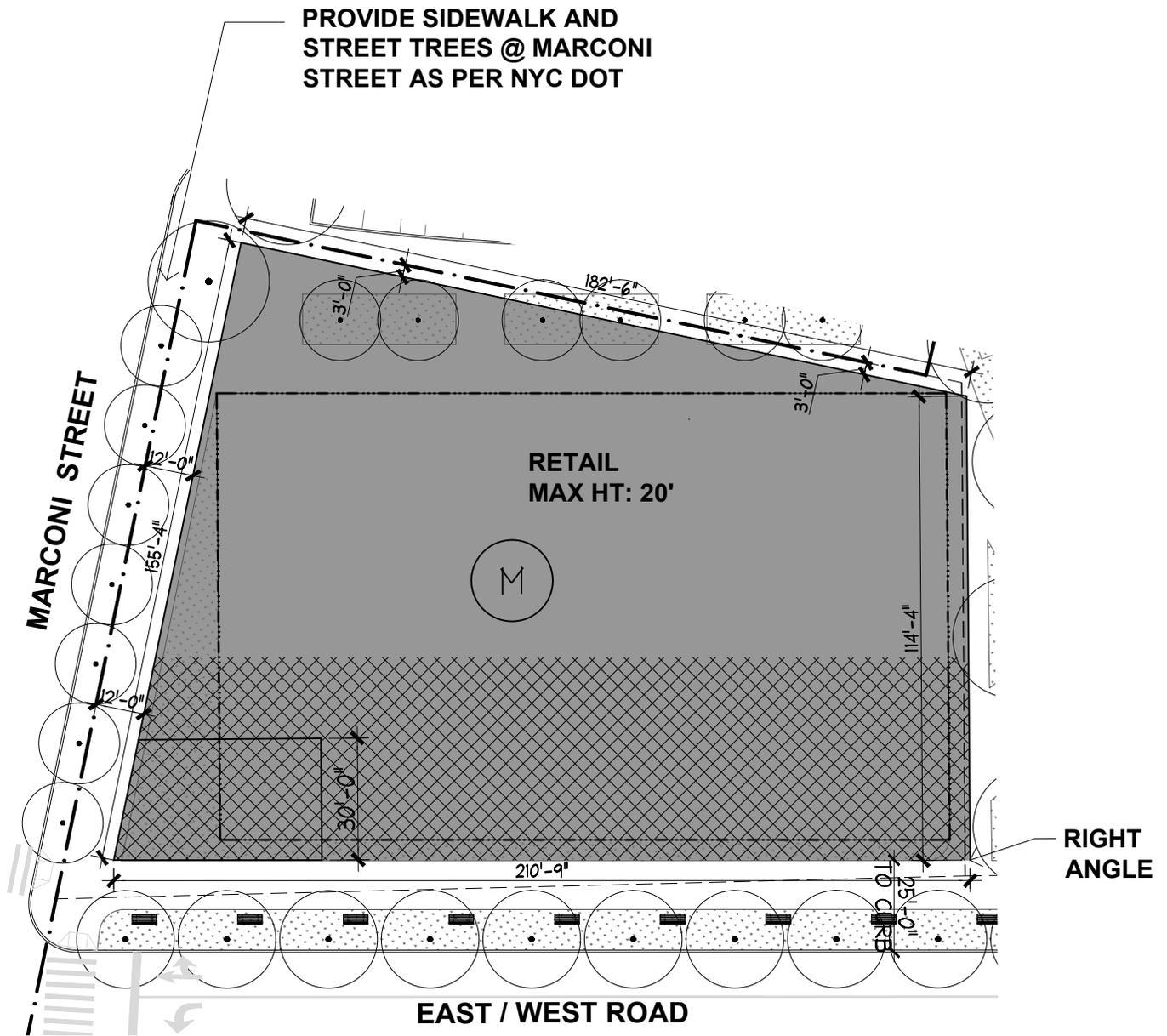
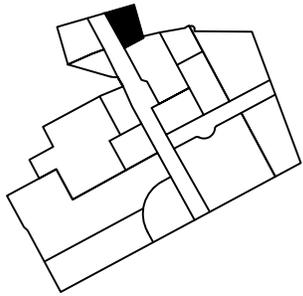
## BUILDING ENVELOPE CONTROLS

- L LETTER INDICATES PARCEL
- PROPERTY LINE
- EXIST MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE
- EXISTING BUILDING

VIEW FROM NE



KEY PLAN



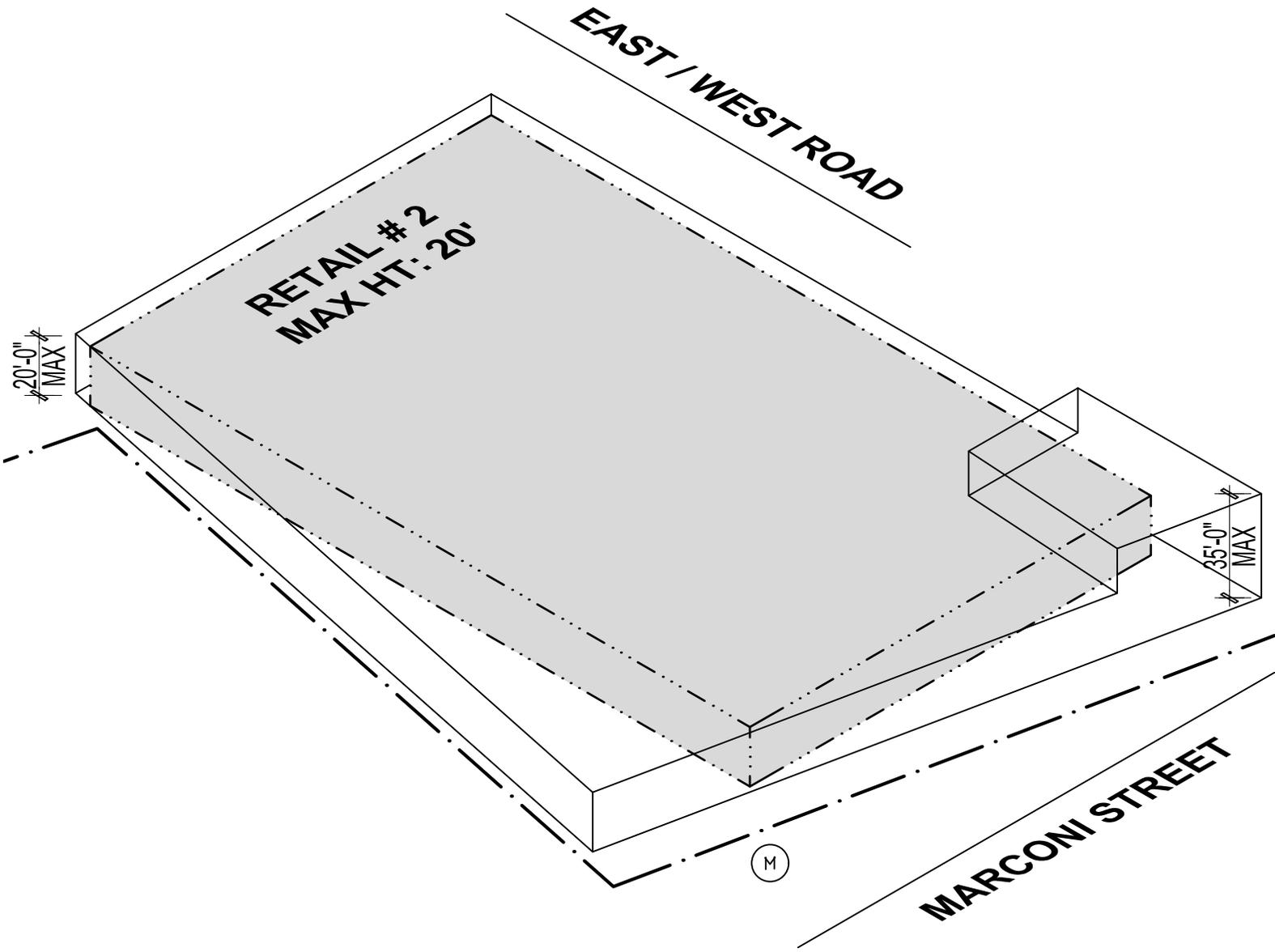
**PARCEL M: RETAIL**

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- STOREFRONT ZONE
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES

SCALE- 1:40





# PARCEL M: RETAIL

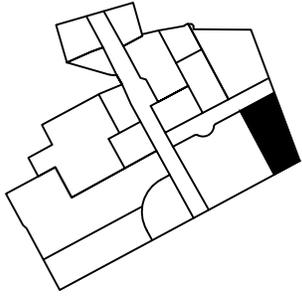
## BUILDING ENVELOPE CONTROLS

- (M) LETTER INDICATES PARCEL
- PROPERTY LINE
- 20'-0" MAX. BLDG. HEIGHT
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- BUILDING ENVELOPE

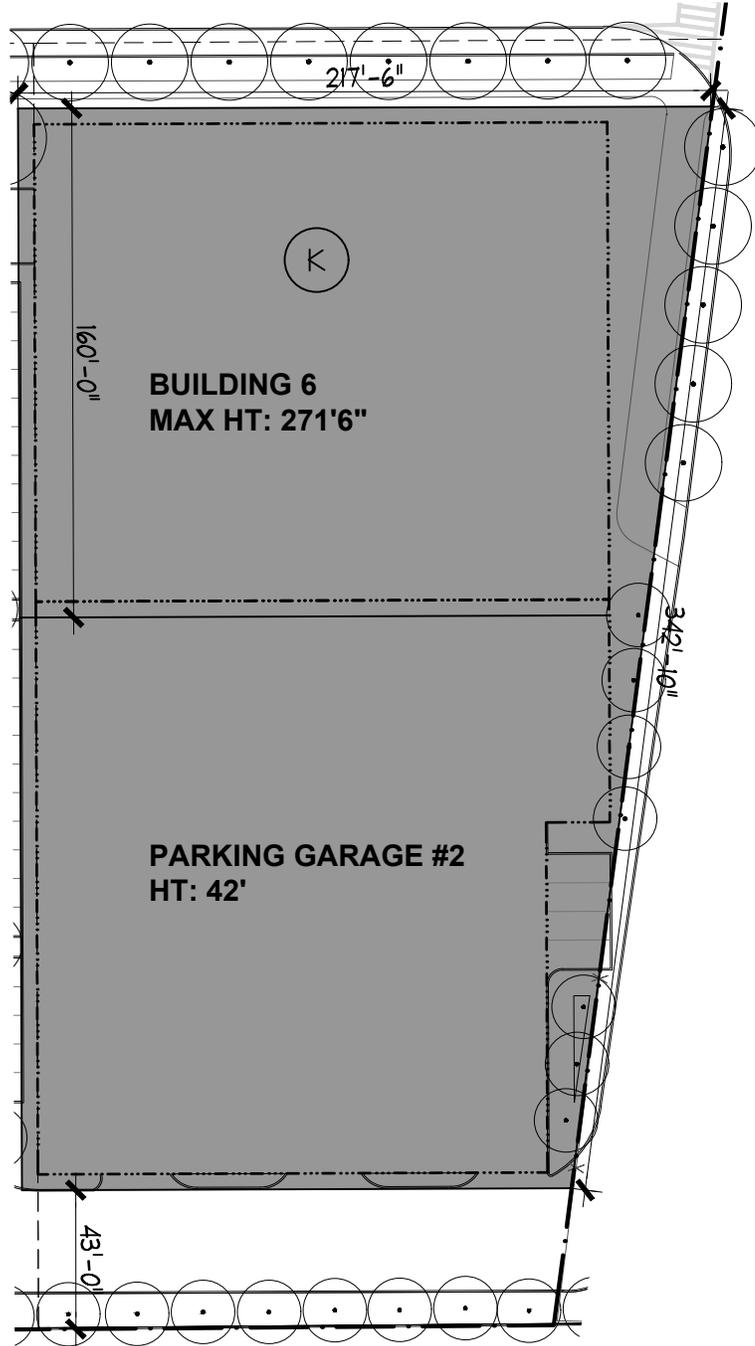
VIEW FROM NW



KEY PLAN



NORTH / SOUTH ROAD



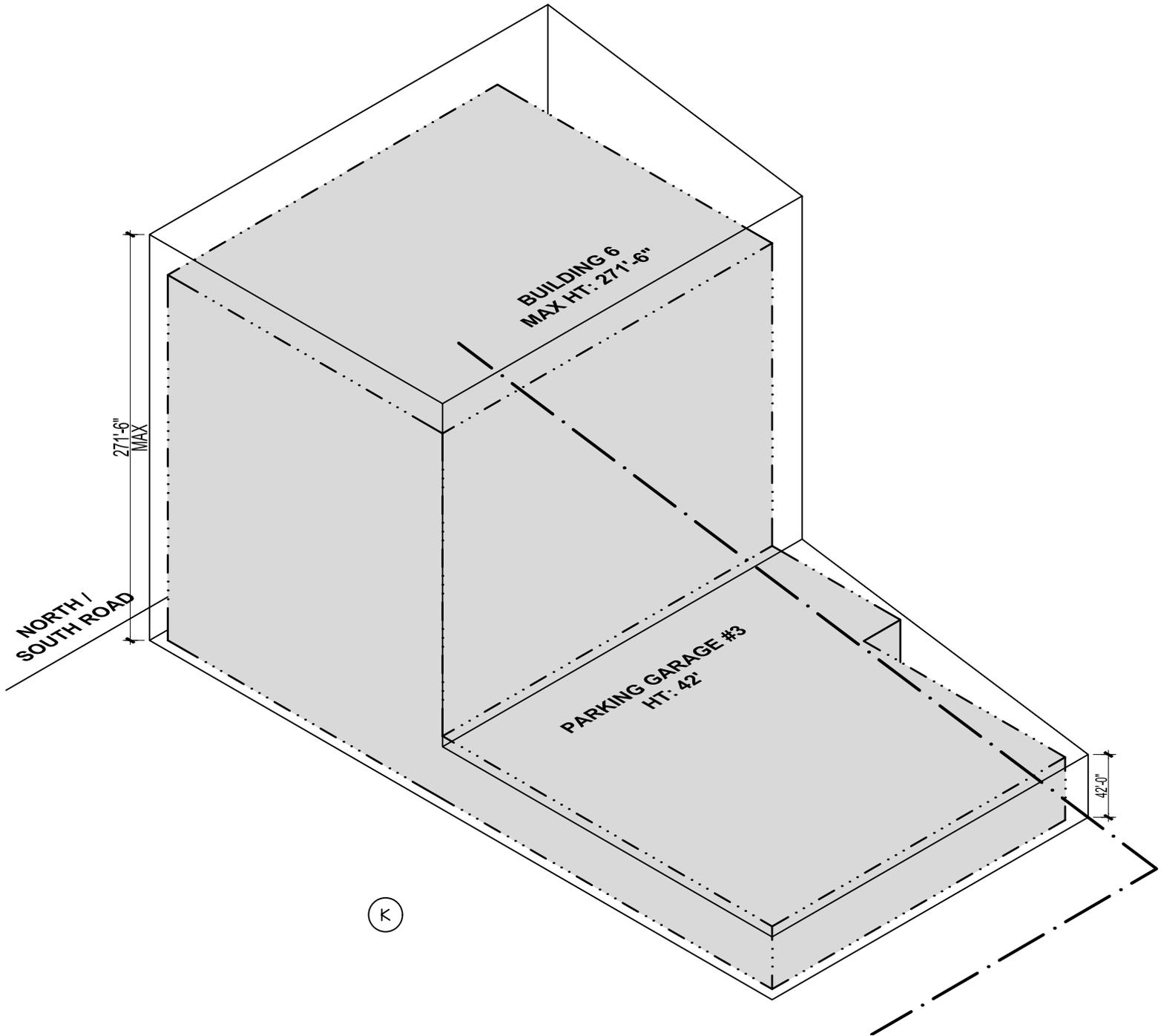
PARCEL K: BUILDING 6

SCALE- 1:60

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
- NO BUILD AREA
- BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES



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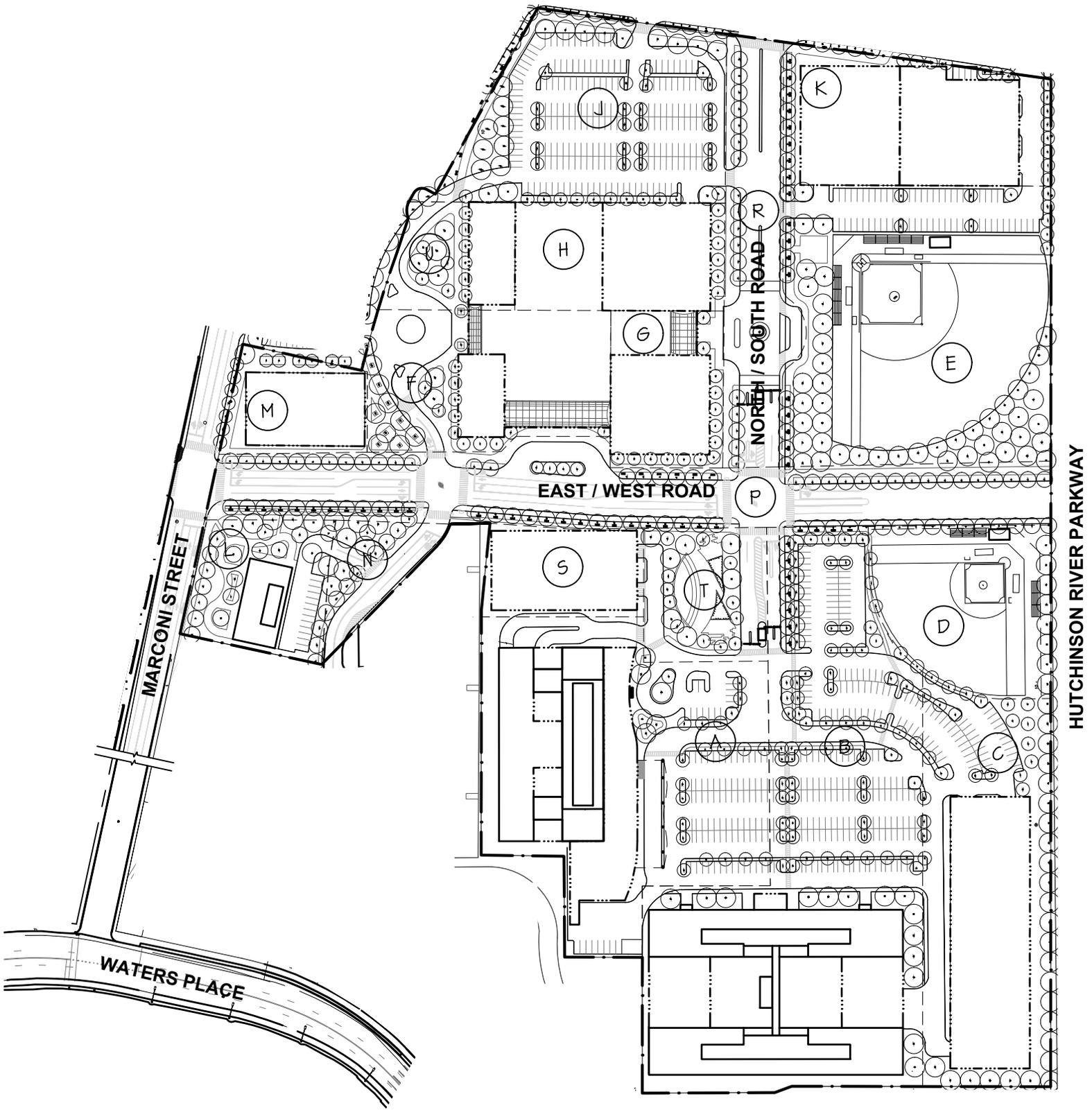
# PARCEL K: BUILDING 6

## BUILDING ENVELOPE CONTROLS

- (K) LETTER INDICATES PARCEL
- — — — — PROPERTY LINE
- 271'-6" MAX. BLDG. HEIGHT
- ▭ PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- — — — — BUILDING ENVELOPE

VIEW FROM SE





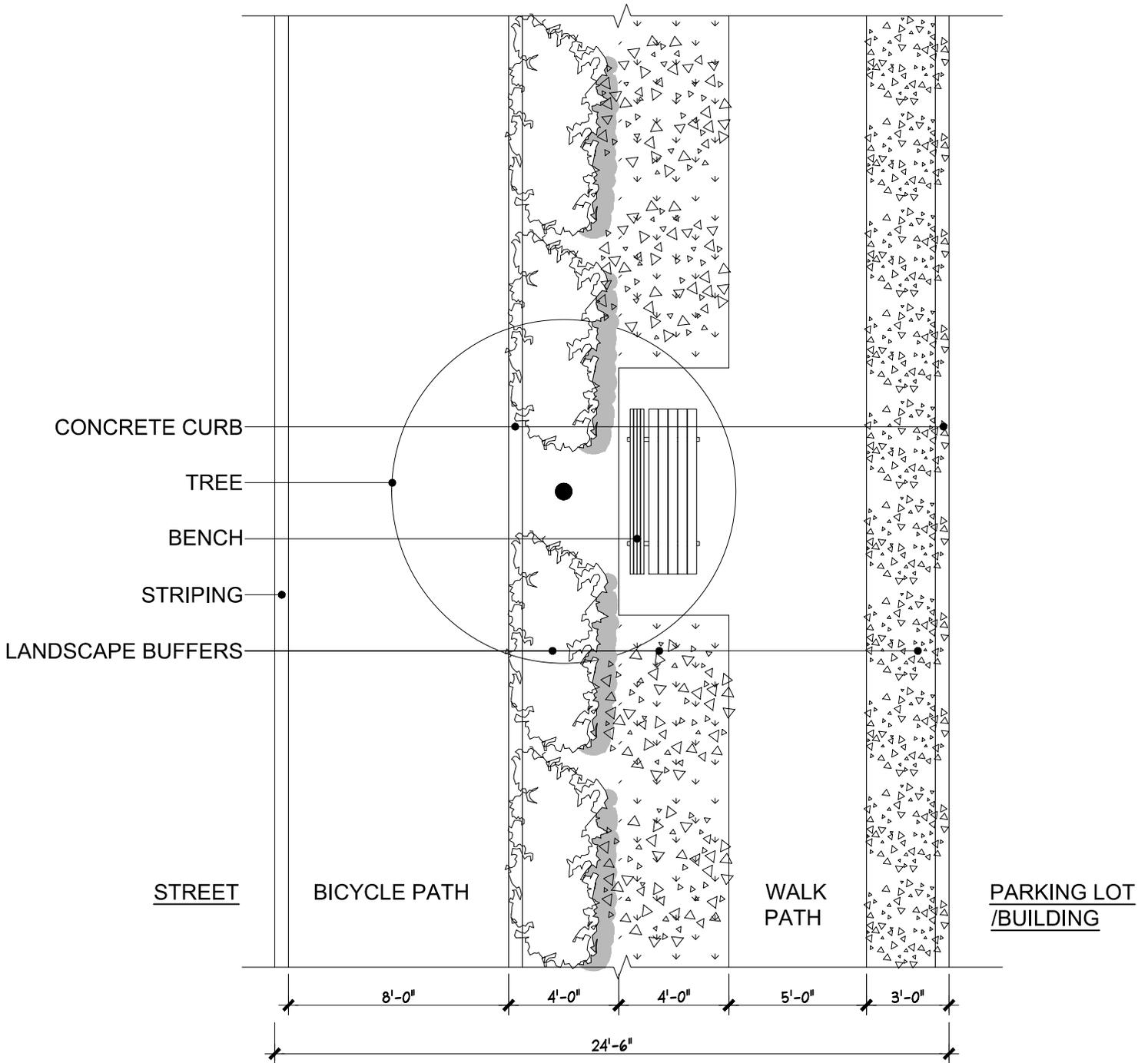
# ROADWAY & STREETScape CONTROL PLAN:

PARCELS A, B, C, D, E, F, G, H, J, K, L, M, N, P, R & S

- (X) LETTER INDICATES PARCEL
- PARCEL LINE
- .-.- PROPERTY LINE

  
 SCALE- 1:200





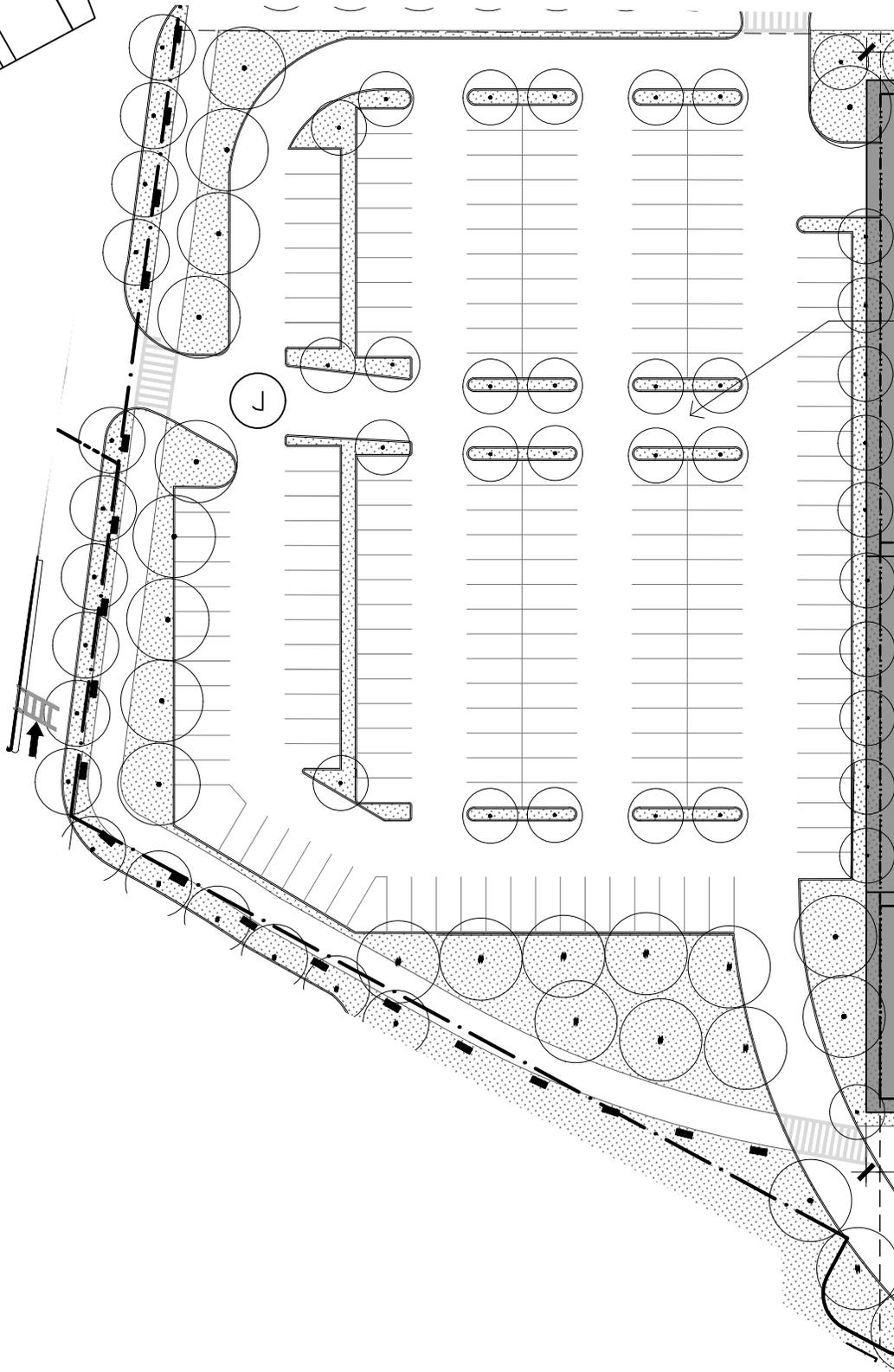
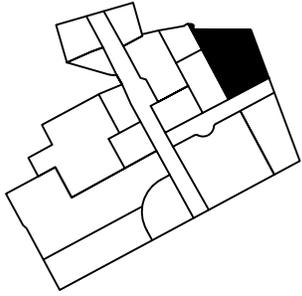
# PEDESTRIAN WALKING / BIKE LANE DETAIL:

PARCELS: E, F, G, H, J, K, L, M, N, P, Q, R & S

SCALE- NTS



KEY PLAN



PARKING LAYOUT AS PER DESIGN GUIDELINES SECTION 6.2

PARCEL J: PARKING LOT STREETScape CONTROLS

- LOT LINE
- ▨ GRASS/PLANTING BED

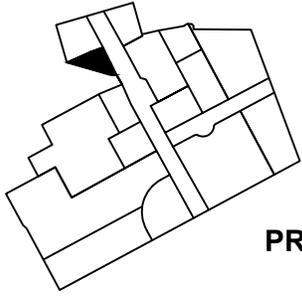
- STREET TREES
- ▬ PARK BENCH



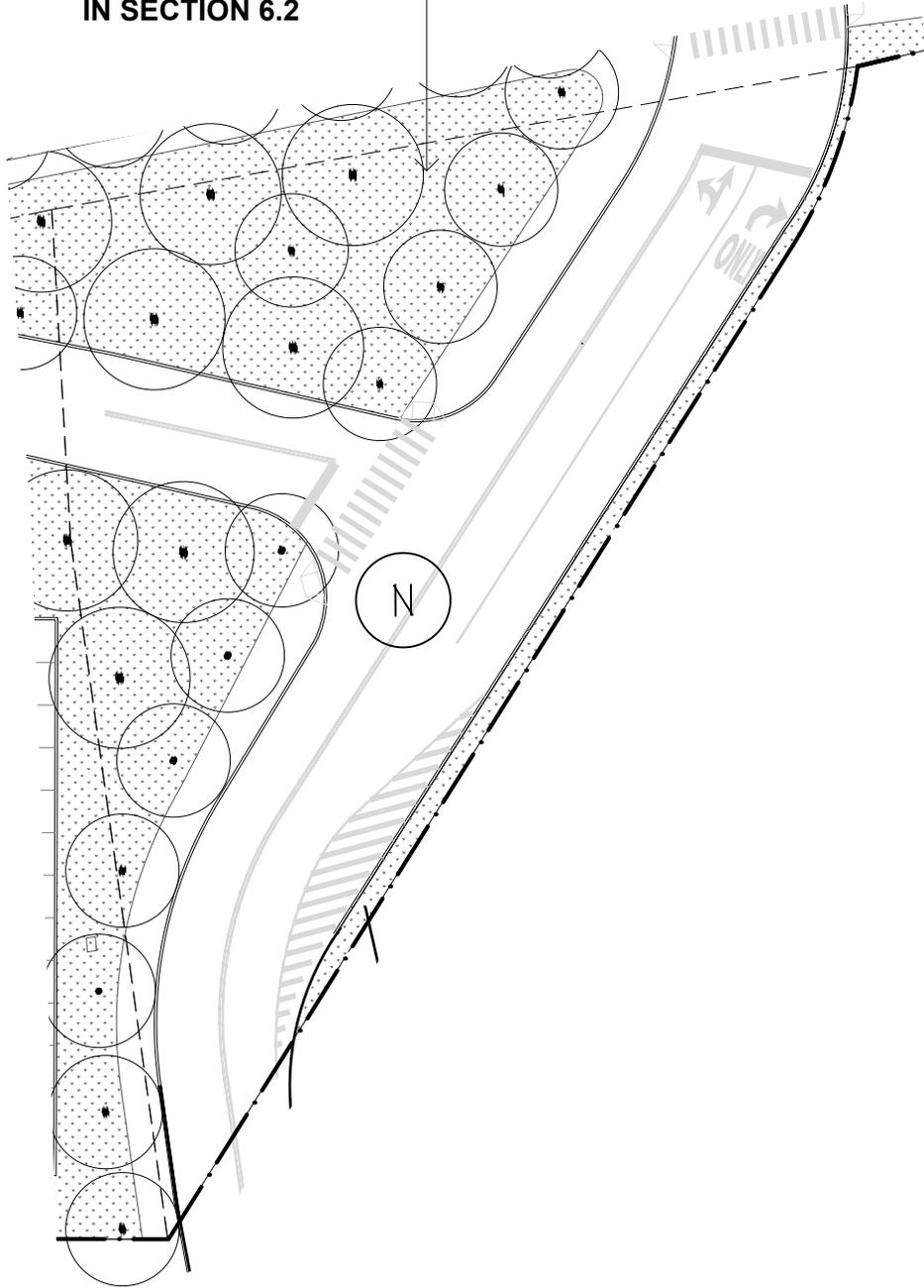
SCALE- 1:60



KEY PLAN



PROVIDE LANDSCAPING AS PER "PARKING LOT PERIMETER LANDSCAPING" IN SECTION 6.2



PARCEL N: ACCESS ROAD  
STREETSCAPE CONTROLS

- LOT LINE
- ▨ GRASS/PLANTING BED

- STREET TREES
- ▬ PARK BENCH

SCALE- 1:40



KEY PLAN

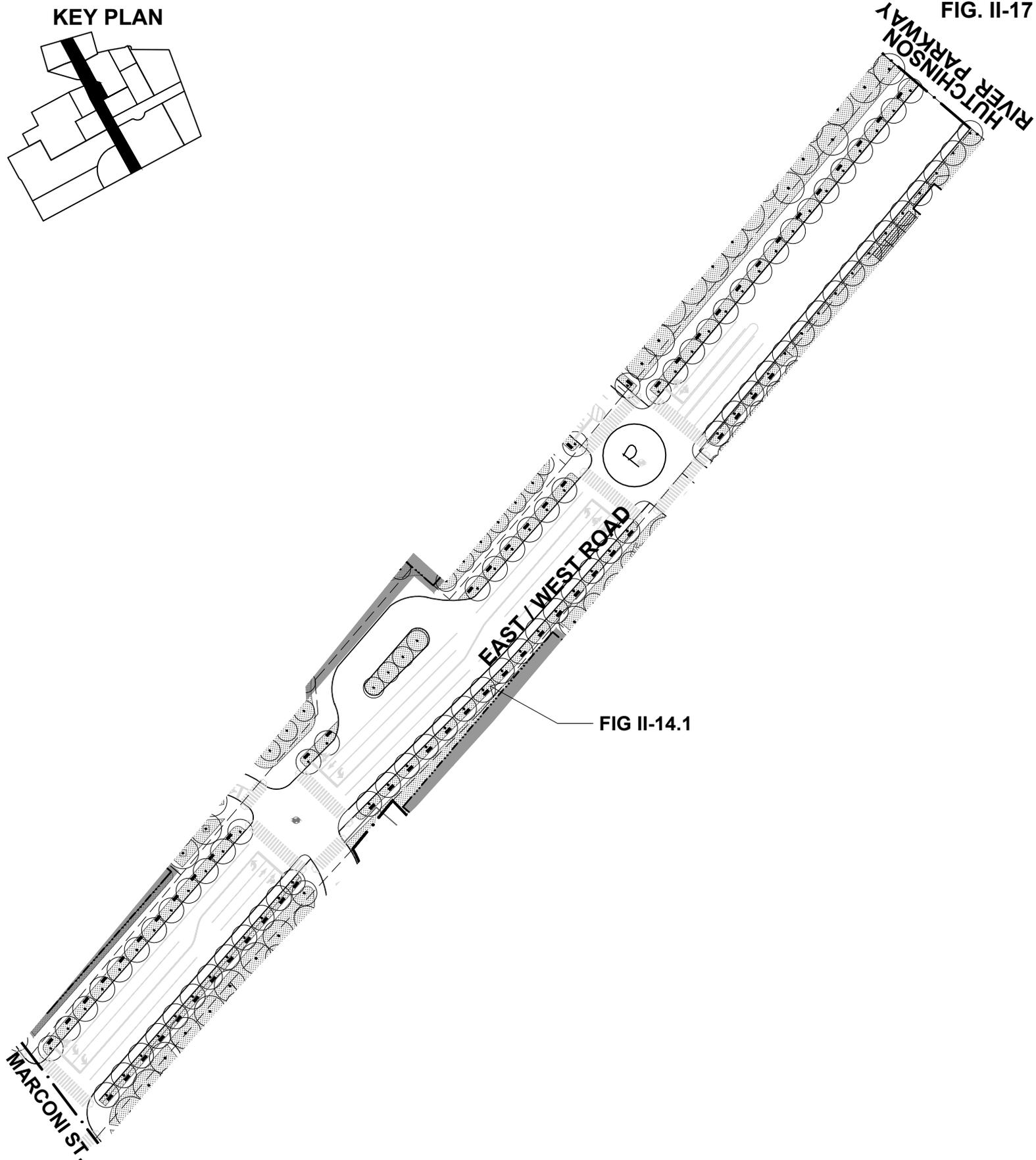
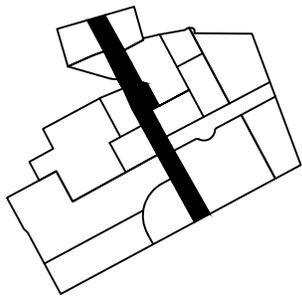


FIG II-14.1

**PARCEL P: EAST WEST ROAD**  
**STREETScape CONTROLS**

--- LOT LINE

[Hatched Box] GRASS/PLANTING BED

[Circle with Dot] STREET TREES

[Rectangle with Horizontal Lines] PARK BENCH



SCALE- 1:120



NEWMAN  
DESIGN

KEY PLAN

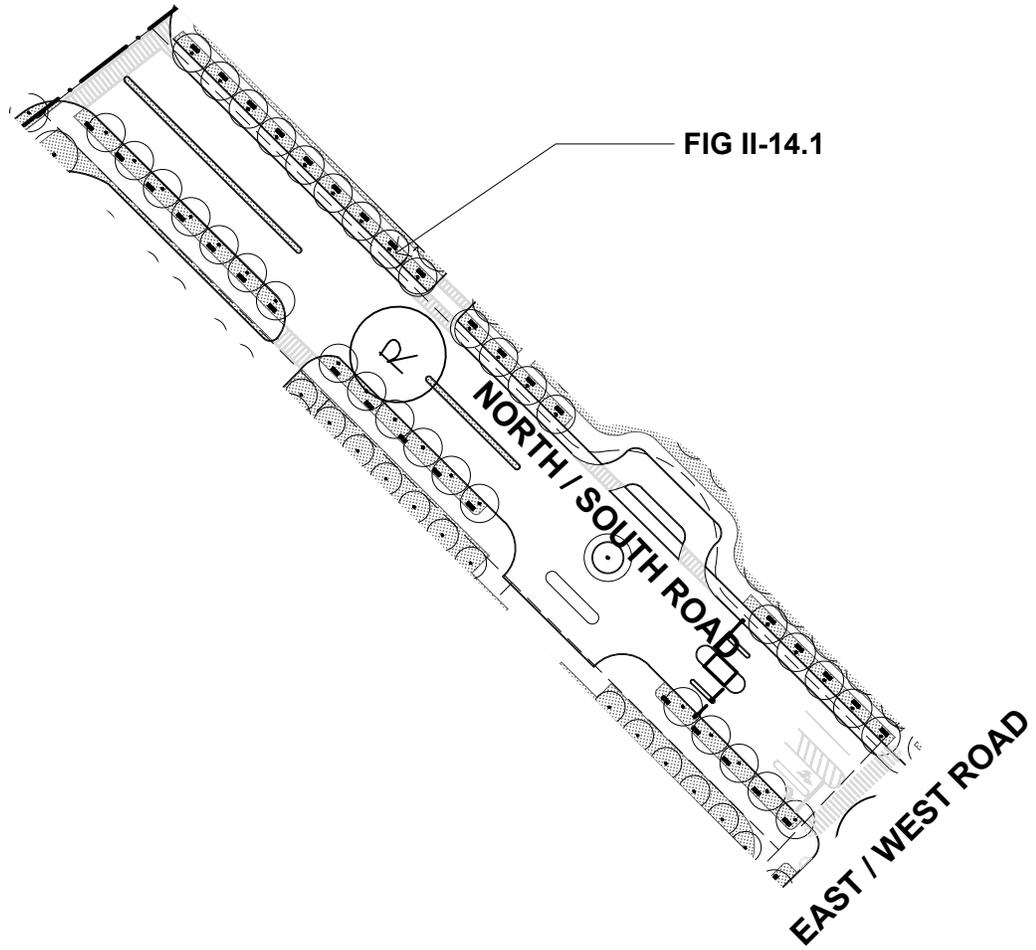
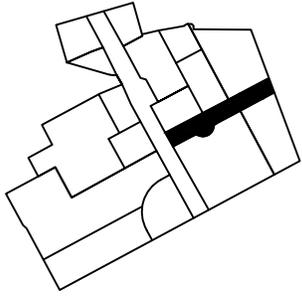


FIG II-14.1

PARCEL R: NORTH SOUTH ROAD  
STREETScape CONTROLS

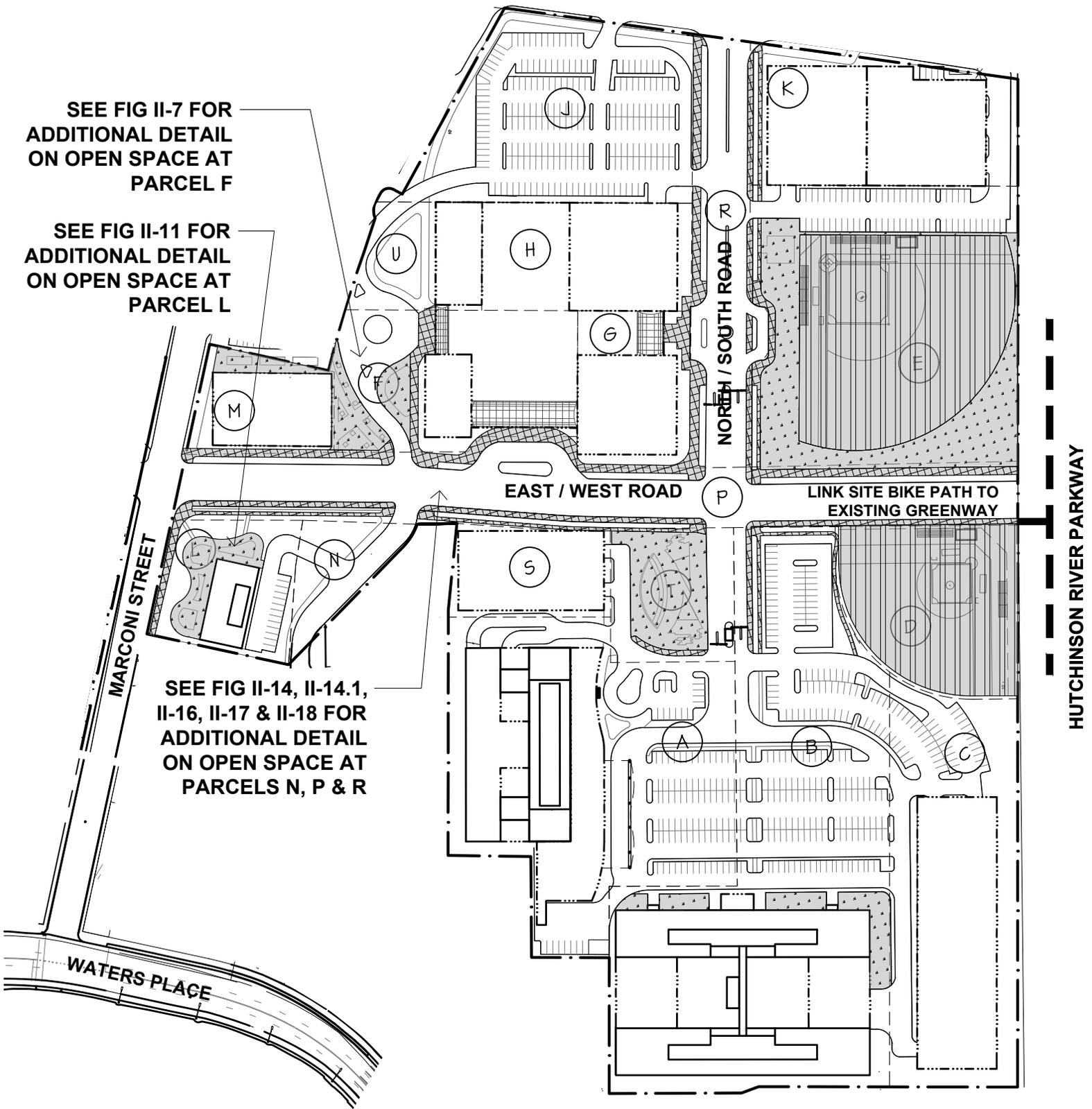
- LOT LINE
- ▨ GRASS/PLANTING BED

- STREET TREES
- ▬ PARK BENCH



SCALE- 1:120





# OPEN SPACE: PHASE 1

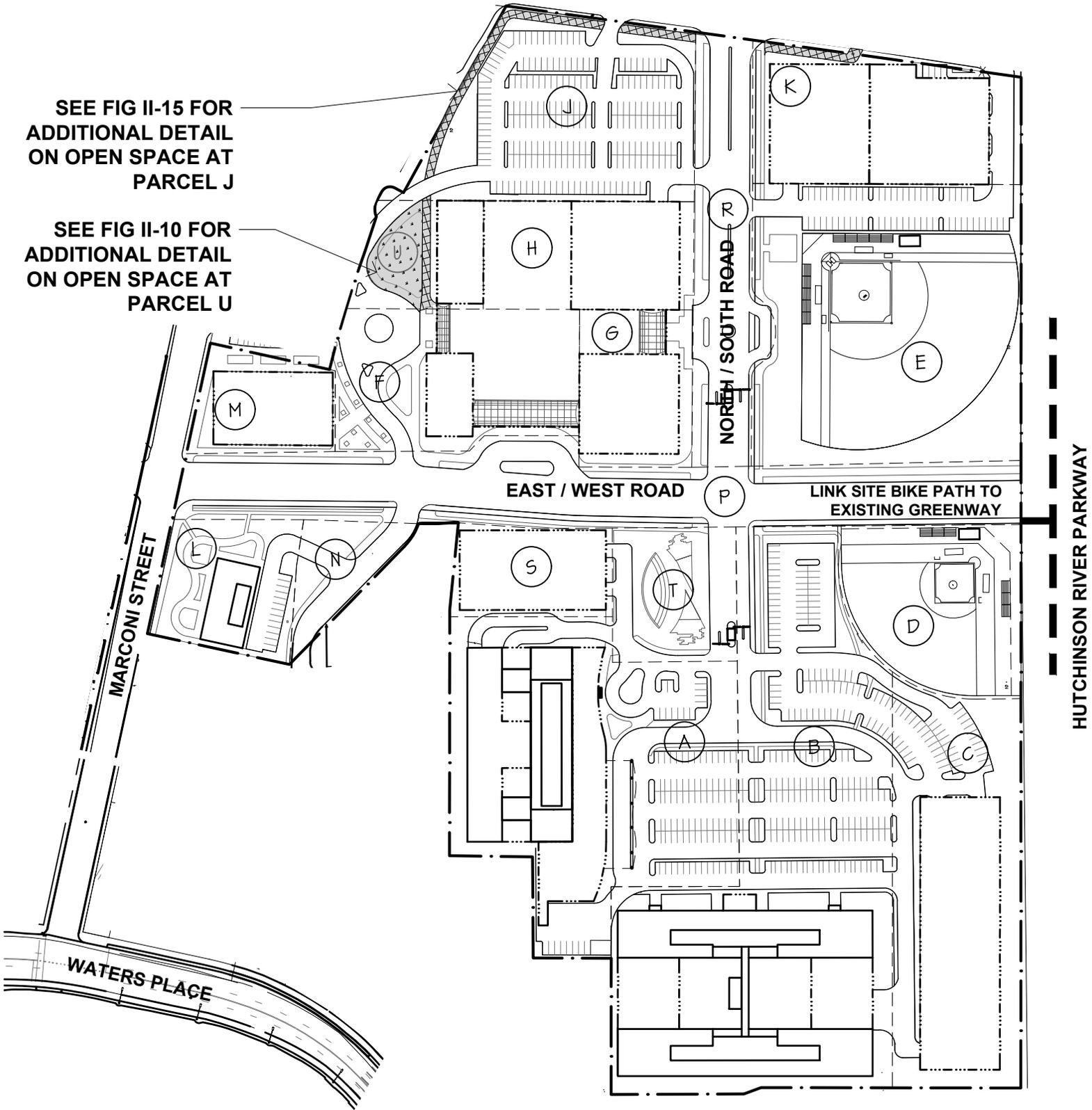
## PHASE 1 AREAS:

|  |                       |            |
|--|-----------------------|------------|
|  | REC SPACE =           | 99,408 SF  |
|  | WALK PATH/BIKE LANE = | 56,402 SF  |
|  | BASEBALL FIELD =      | 153,932 SF |
| TOTAL:   |                       | 309,742 SF |

TOTAL REC SPACE FOR PHASES 1 & 2 = 328,669 SF

SCALE- 1:200





## OPEN SPACE: PHASE 2

### PHASE 2 AREAS:

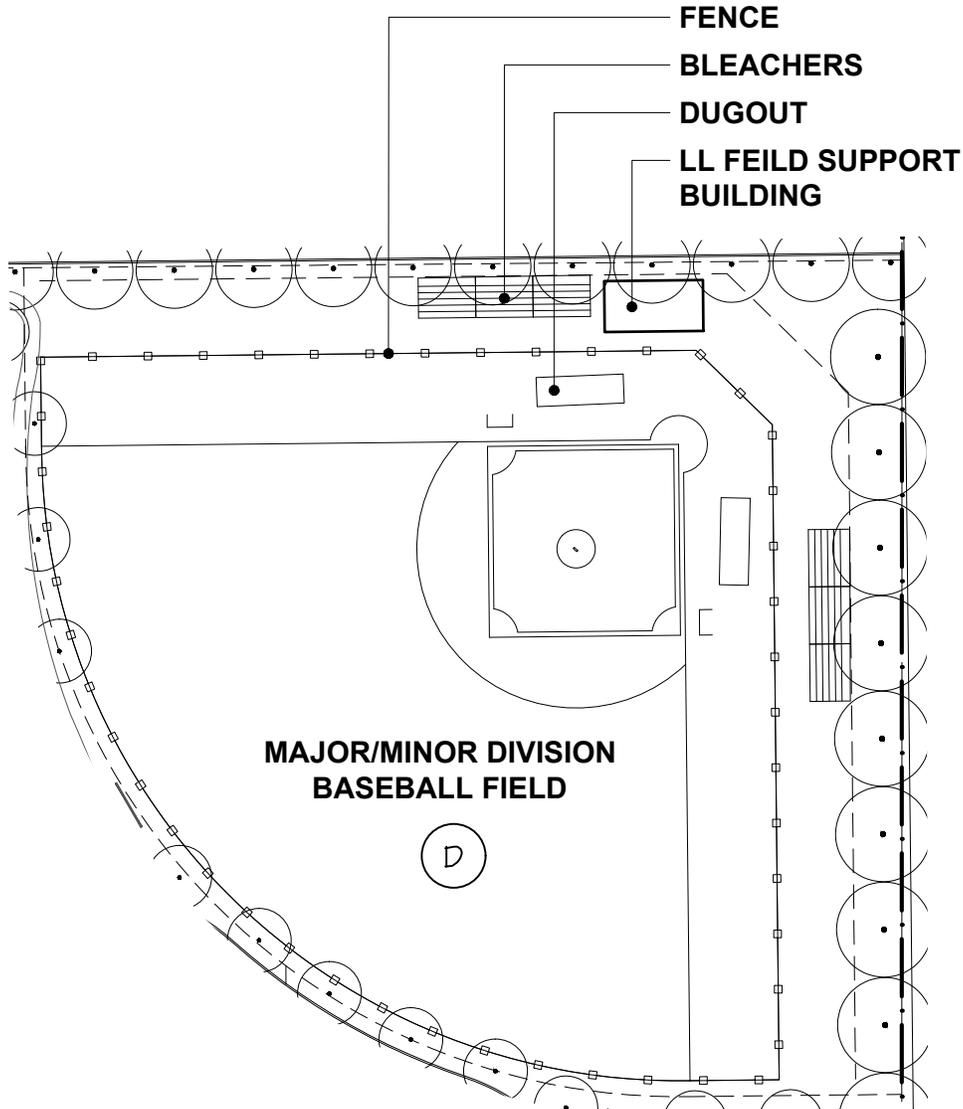
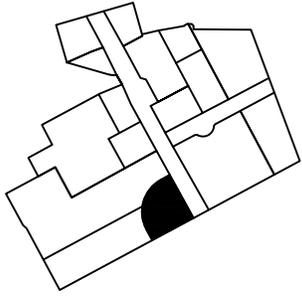
|  |                  |           |
|--|------------------|-----------|
|  | REC SPACE =      | 8,857 SF  |
|  | WALK/BIKE PATH = | 10,418 SF |
|  | BASEBALL FIELD = | 0 SF      |
| TOTAL:   |                  | 19,275 SF |

TOTAL REC SPACE FOR PHASES 1 & 2 = 336,342 SF

SCALE- 1:200



KEY PLAN



FENCE  
 BLEACHERS  
 DUGOUT  
 LL FEILD SUPPORT BUILDING

MAJOR/MINOR DIVISION  
 BASEBALL FIELD

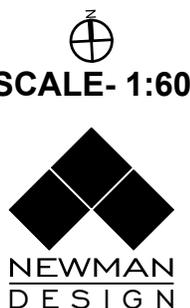
D

PARCEL D: LITTLE LEAGUE FIELD

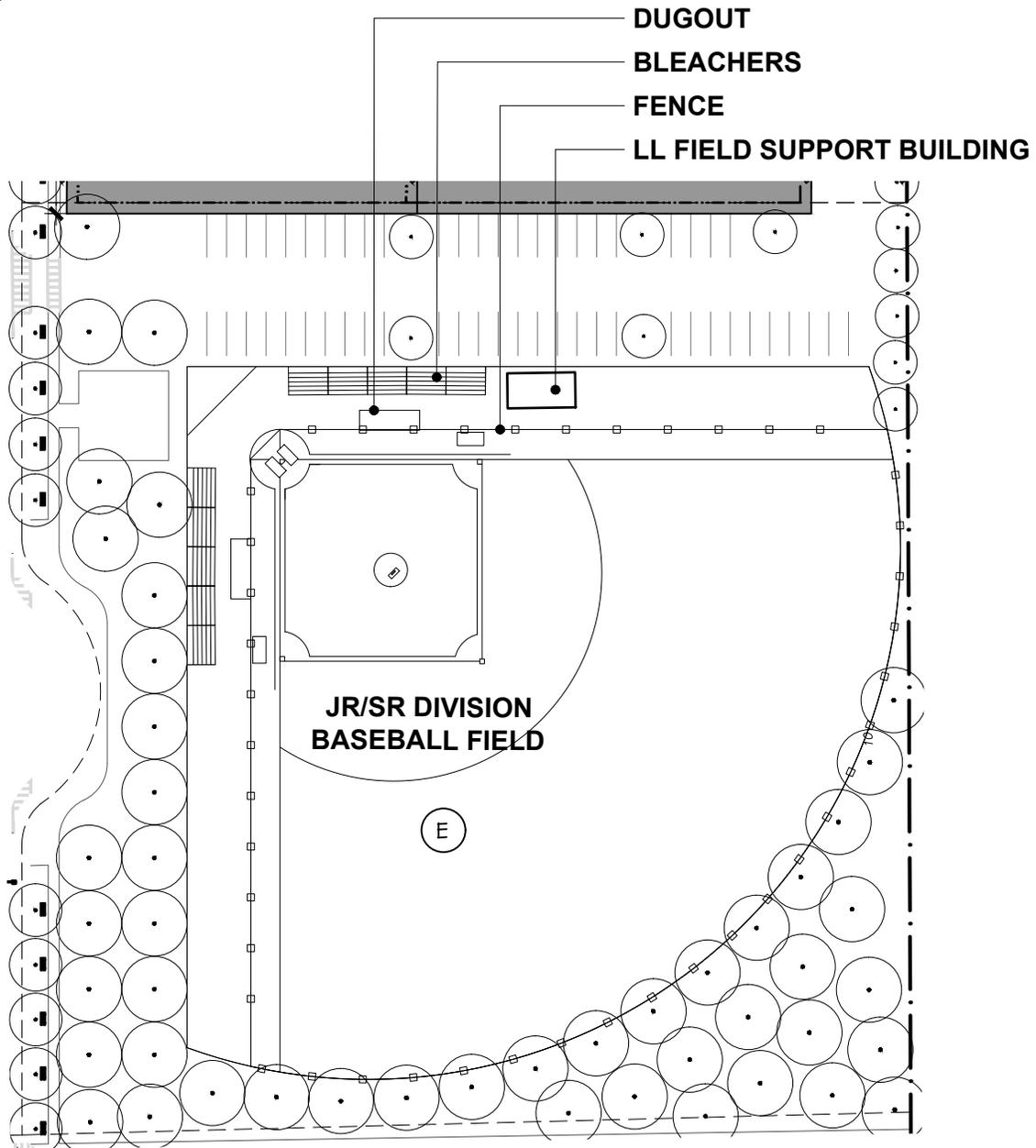
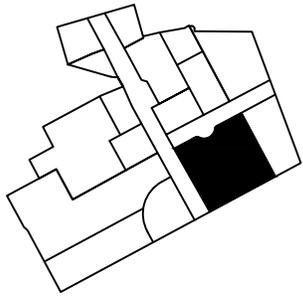
SCALE- 1:60

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
-  NO BUILD AREA
-  BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



KEY PLAN

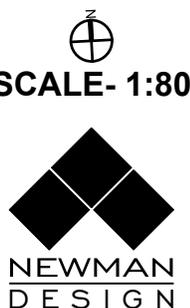


# PARCEL E: JR/SR LITTLE LEAGUE FIELD

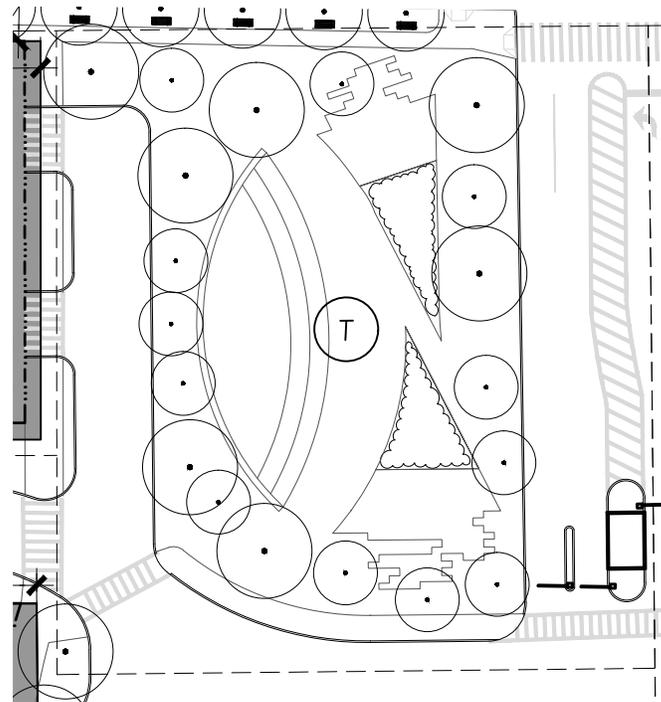
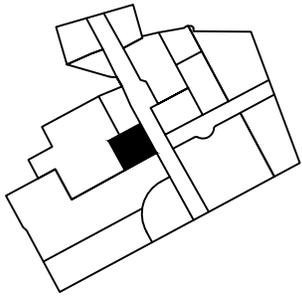
SCALE- 1:80

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL
-  NO BUILD AREA
-  BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES



KEY PLAN



PLAZA

PARCEL T: PLAZA

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL

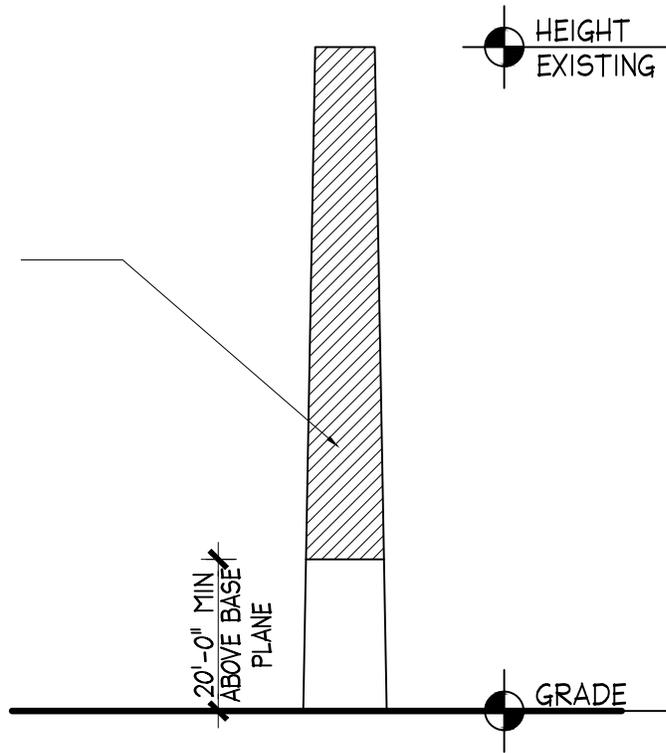
-  NO BUILD AREA
-  BUILDING FOOTPRINT - ALL CORNERS ARE RIGHT ANGLES

\*LOCATION OF PARKING, NUMBER OF SPACES & LAYOUTS SUBJECT TO CHANGE. SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. LAYOUT SHALL CONFORM TO SEC. 6.2 PARKING LOTS, OF DESIGN GUIDELINES

SCALE- 1:60



STARTING AT 20' ABOVE  
BASE PLANE, UP TO 50% OF  
THE EXISTING SMOKE STACK  
IS PERMITTED TO CONTAIN  
SIGNAGE

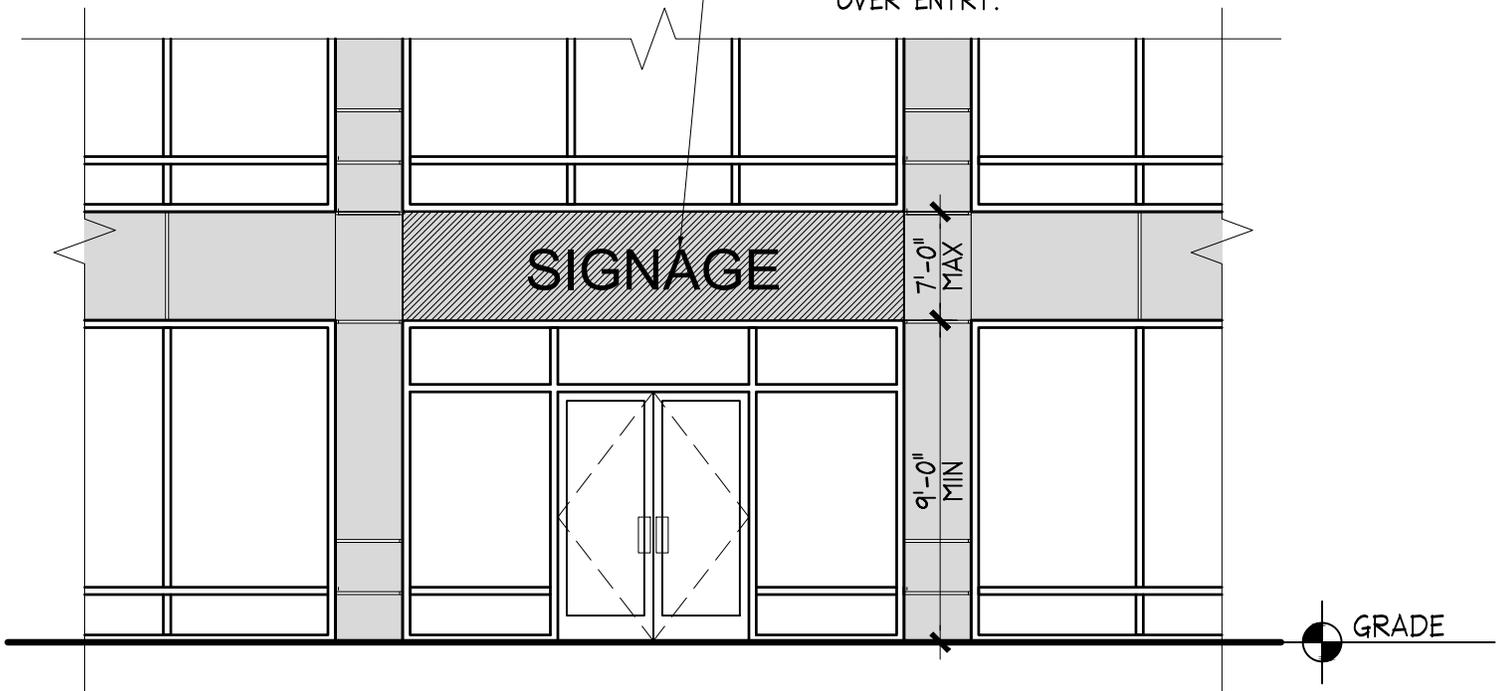


# EXISTING SMOKE STACK SIGNAGE

PARCEL: L

SCALE- NTS

FLUSH MOUNTED OVERHEAD SIGN: WIDTH IS  
EQUAL TO WIDTH OF ENTRY SIGN MUST BE NO  
MORE THAN 2' FROM TOP OF ENTRY, CENTERED  
OVER ENTRY.



# COMMERCIAL AND RETAIL USE SIGNAGE

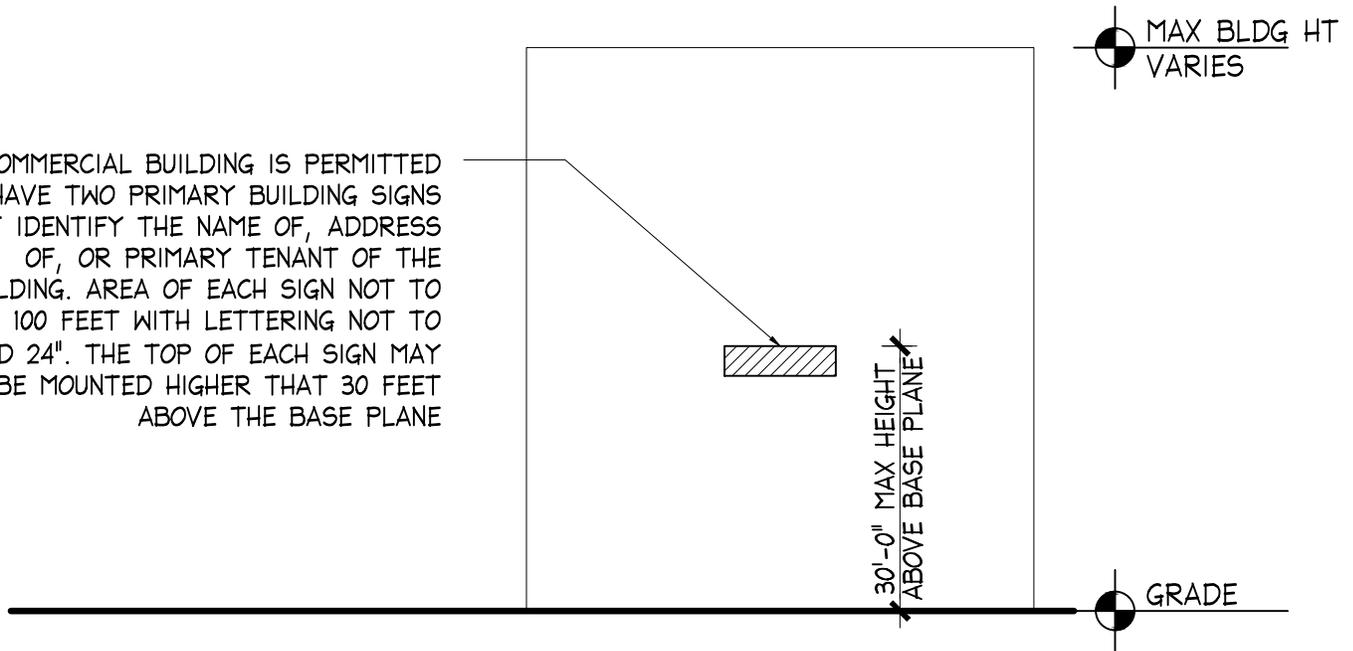
PARCELS: A, B, F, G, H, K, L, M & U

 SIGNAGE

SCALE- NTS



EACH COMMERCIAL BUILDING IS PERMITTED TO HAVE TWO PRIMARY BUILDING SIGNS THAT IDENTIFY THE NAME OF, ADDRESS OF, OR PRIMARY TENANT OF THE BUILDING. AREA OF EACH SIGN NOT TO EXCEED 100 FEET WITH LETTERING NOT TO EXCEED 24". THE TOP OF EACH SIGN MAY NOT BE MOUNTED HIGHER THAT 30 FEET ABOVE THE BASE PLANE

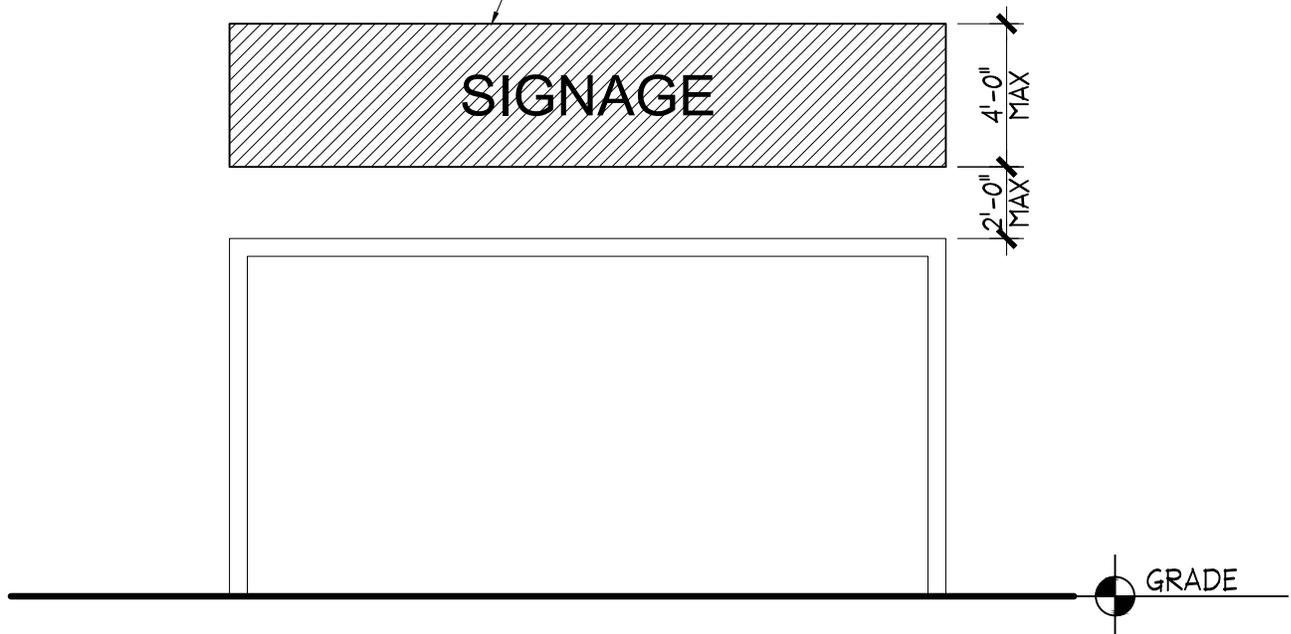


### PROJECT IDENTIFICATION SIGNAGE

PARCELS: A, B, F, G, H, K, L & U

SCALE- NTS

FLUSH MOUNTED OVERHEAD SIGN: WIDTH IS EQUAL TO WIDTH OF ENTRY SIGN MUST BE NO MORE THAN 2' FROM TOP OF ENTRY, CENTERED OVER ENTRY. SIGN MUST BE FLUSH TO FACE OF BUILDING.



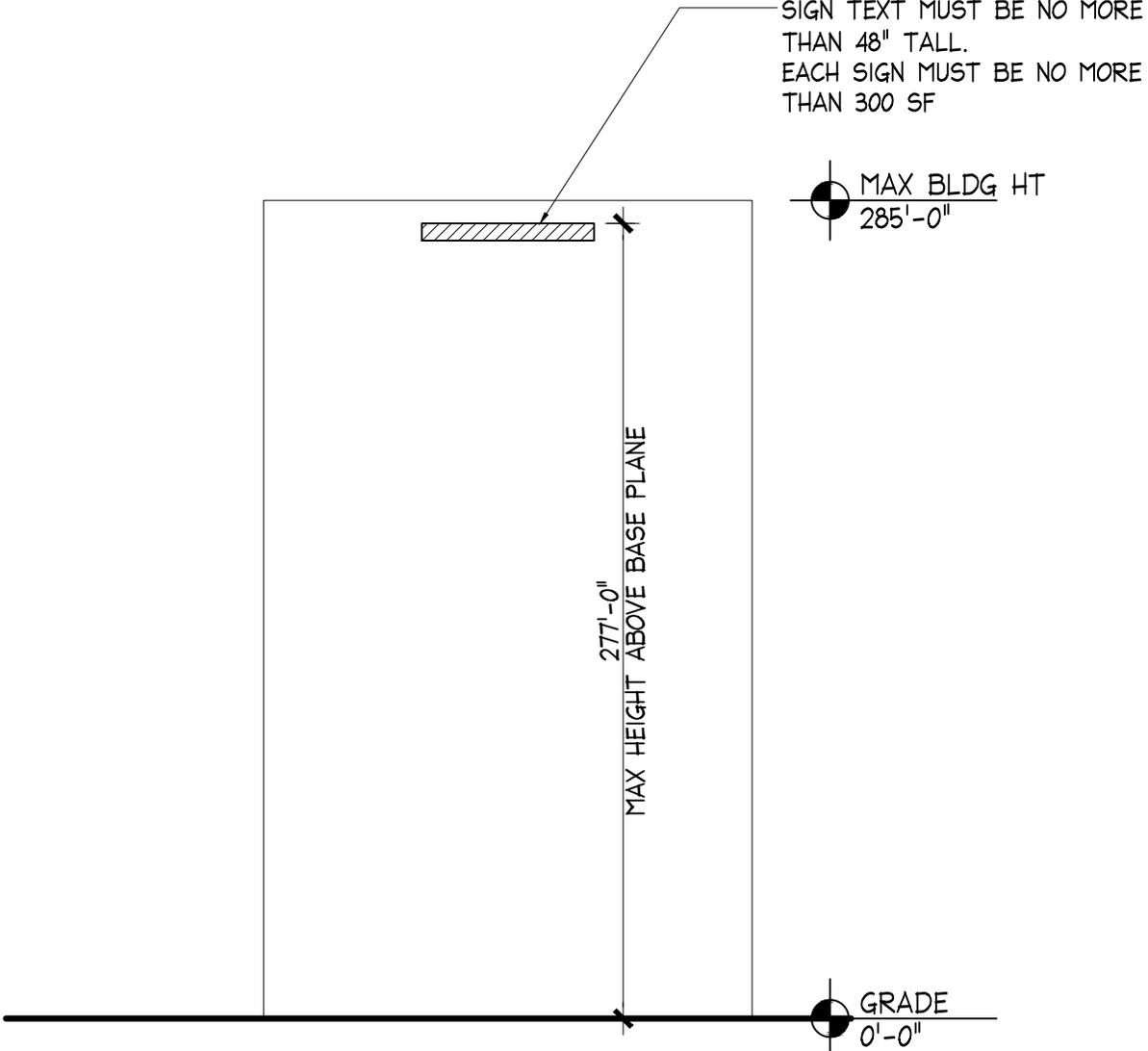
### PARKING FACILITY SIGNAGE

PARCELS: A, C, F, G, H, K, U & S

 SIGNAGE

SCALE- NTS





# PROJECT IDENTIFICATION SIGNAGE

PARCELS: A, B, F, G, H, K & L

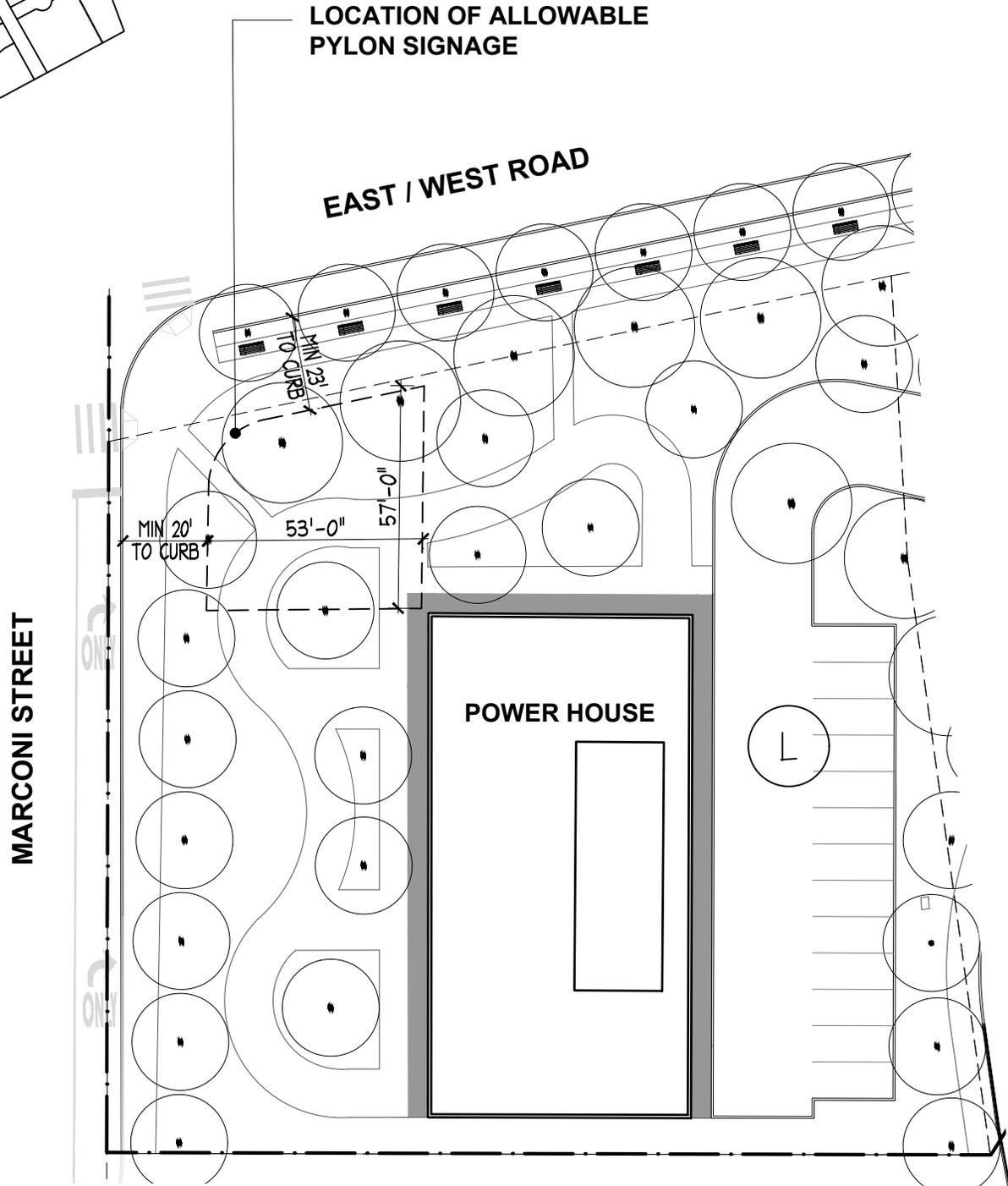
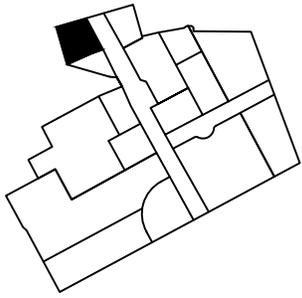
 SIGNAGE

SCALE- NTS



NEWMAN  
DESIGN

KEY PLAN



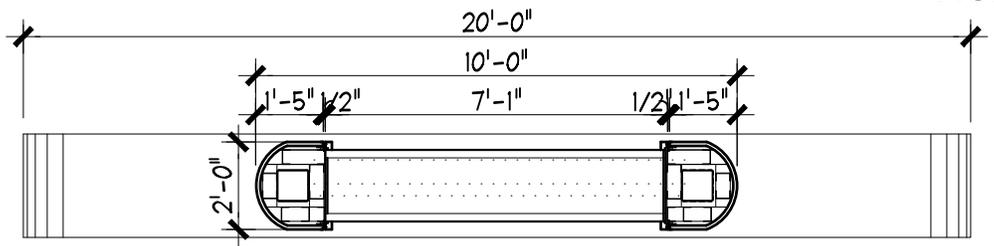
PYLON SIGNAGE PLAN

- PARCEL LINE
- PROPERTY LINE
- PROPOSED BLDG. LINE, SHOWN FOR ILLUSTRATIVE PURPOSES, SUBJECT TO CHANGE
- (X) LETTER INDICATES PARCEL

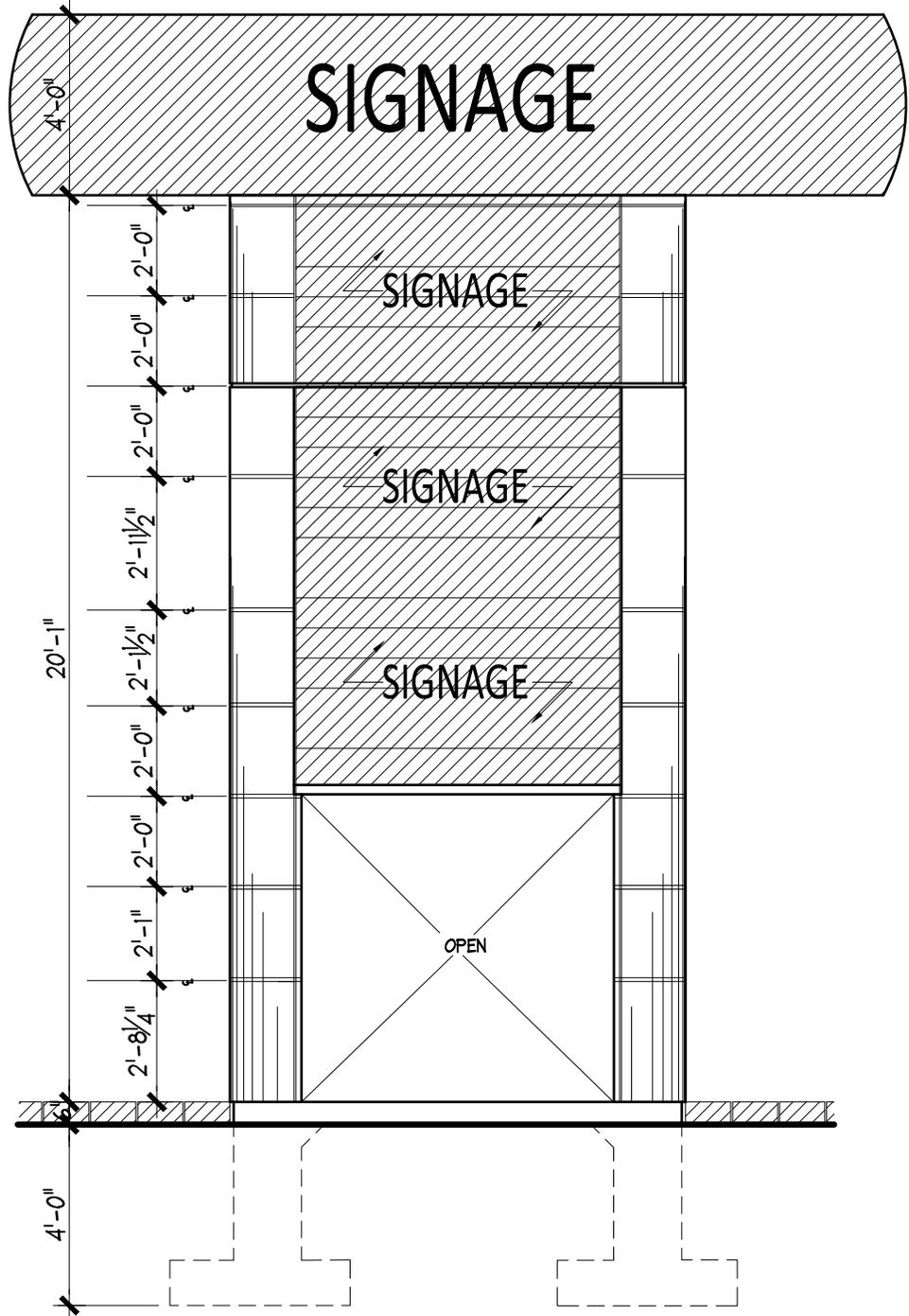
  
**SCALE- 1:40**



CROSS SECTION



ELEVATION



PYLON SIGNAGE DETAIL

PARCEL: L

 SIGNAGE

SCALE- NTS



**STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT**  
**BRONX PSYCHIATRIC CENTER LAND USE IMPROVEMENT PROJECT**

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a/ EMPIRE STATE  
DEVELOPMENT

Pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act [SEQRA]) and 6 NYCRR Part 617, the New York State Urban Development Corporation (UDC) d/b/a Empire State Development (ESD), as lead agency under SEQRA, makes the following findings.

**Name of Action:** Bronx Psychiatric Center Land Use Improvement Project

**Project Location:** The project site is located in the Morris Park section of the Bronx and is generally bounded by the Hutchinson Metro Center to the north, the Hutchinson River Parkway to the east, the remaining portion of the BPC campus and Waters Place to the south, and Marconi Street to the west.

**Summary of Action:** The proposed project entails the redevelopment of the northern portion of the New York State Office of Mental Health (OMH) Bronx Psychiatric Center (BPC) campus located at 1500 Waters Place in the Morris Park section of the Bronx (the project site). ESD has conditionally selected Simone Development Companies (the “developer”) to redevelop the approximately 34-acre project site with approximately 1.2 million gross square feet (gsf) of commercial office space for business, professional, or medical facilities; it will also include 100,000 gsf of bio-tech/research space; 250,000 gsf of accessory use; 124,300 gsf of hotel use; 100,000 gsf of college/trade school space; 40,000 gsf of retail space; 2,000 gsf of community facility space; 8.7 acres of open space, including two baseball diamonds with a 2,000 gsf support building and supporting amenities; 8,100 gsf of accessory amenity space; and approximately 4,029 accessory parking spaces. The proposed project is analyzed in the Bronx Psychiatric Center Land Use Improvement Project Final Environmental Impact Statement dated December 19, 2019. Construction of the proposed project is expected to occur in two phases over a period of approximately nine years. Phase I is expected to be complete in 2023, with the full build-out of Phase II expected in 2028. The proposed project requires a number of actions including: adoption of a General Project Plan (GPP) by ESD in accordance with the New York State Urban Development Corporation Act, including overrides of the New York City Zoning Resolution; ESD approval of the Essential Terms of Transaction; and ESD acquisition and subsequent disposition of real property. In addition, the proposed project will require the Dormitory Authority of the State of New York (DASNY) to convey real property to ESD for subsequent sale and conveyance of the property by ESD to the developer, New York State Office of General Services, with the consent of OMH, granting a permanent access easement for the use of the BPC west access road, and OMH approval granting the developer utility easements required for the construction and operation of the proposed project.

**Lead Agency:** Empire State Development  
633 Third Avenue, New York, NY 10017  
Contact Person: Soo Kang, Senior Director, Planning and  
Environmental Review  
(212) 803-3253

**SEQRA Classification:** Type I

### **DESCRIPTION OF LEAD AGENCY ACTIONS**

To facilitate development of the proposed project, ESD, the lead agency for the proposed project, will undertake several actions. In summary, ESD actions include the following in accordance with all applicable requirements of law:

- Adoption and affirmation of a GPP in accordance with the Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1068; codified at N.Y. Unconsol. Laws §6251 *et seq.*), which will include overrides of the New York City Zoning Resolution to facilitate the proposed project.
- Approval of the Essential Terms of Transaction.
- Acquisition and subsequent disposition of real property. DASNY will convey real property (the project site) to ESD for subsequent sale and conveyance of the property by ESD to the developer. In addition to the conveyance of the DASNY-owned property, the proposed project will involve the subdivision of the developer-owned existing Bronx Block 4226 Lot 35. A portion of Lot 35 will be subdivided into a new tax lot and conveyed by the developer to ESD and back to the developer acquiring the remainder of the Bronx Psychiatric Center property.

ESD conducted a coordinated review pursuant to SEQRA in coordination with the review of the GPP under the Urban Development Corporation Act. ESD issued a Positive Declaration and a Draft Scope of Work for the EIS on November 20, 2015. This Draft Scope was widely distributed to concerned citizens, public agencies, and other interested groups. A public scoping meeting was held under the direction of ESD on December 7, 2015 from 4:00 PM to 7:00 PM at the Herbert H. Lehman High School Auditorium, 3000 East Tremont Avenue, Bronx, New York 10461. In addition to public comments received orally and in writing at the scoping meeting, written comments on the Draft Scope were accepted through 5:00 PM on December 22, 2015, at which point the public comment period for the Draft Scope closed. All comments received prior to the close of the comment period were considered by the lead agency and any changes as appropriate were included in the Final Scope of Work that was prepared and distributed on July 26, 2019.

A Draft Environmental Impact Statement (DEIS) was accepted by ESD on August 15, 2019, and a Notice of Completion issued. The DEIS was filed with involved and interested agencies and made available for public review. Oral and written comments were received during the public hearing held by ESD on September 16, 2019. Written comments were accepted from issuance of the DEIS through the public comment period which closed on October 16, 2019. A total of

five speakers presented oral comments at the public hearing and a total of 29 written submissions were received by ESD by the close of the public comment period.

A Final Environmental Impact Statement (FEIS) was accepted by ESD on December 19, 2019, and a Notice of Completion was issued. The FEIS includes a chapter addressing all comments received at the public hearing and submitted in writing (see Chapter 27). The FEIS was filed with all involved and interested agencies and made available for public review.

## **FACTS AND CONCLUSIONS IN THE FEIS RELIED UPON TO SUPPORT THE DECISION**

### **PROJECT SITE**

The proposed project entails the redevelopment of the northern portion of the OMH BPC campus located at 1500 Waters Place in the Morris Park section of the Bronx (the project site). The approximately 34-acre project site is generally bounded by Hutchinson Metro Center to the north, the Hutchinson River Parkway (HRP) to the east, the remaining portion of the Bronx Psychiatric Campus and Waters Place to the south, and Marconi Street to the west (see FEIS **Figures S-1 and S-2**). Independent of the proposed project, three primary existing BPC buildings on the project site—(1) the Bronx Children’s Psychiatric, (2) the John W. Thompson, and (3) the Betty Parker Buildings—have been vacated and uses were relocated to new BPC facilities located at the southern portion of the campus. In addition to these three existing, primary buildings, the project site contains a steam-generating powerhouse, two metal shelters, and a small storage building. OMH has vacated all of the buildings on the project site and has consolidated its services on the redeveloped 40-acre southern portion of the BPC campus.

### **PROJECT DESCRIPTION**

The proposed project will redevelop the northern portion of the BPC campus with approximately 1.2 million gsf of commercial office space for business, professional, or medical facilities; 100,000 gsf of bio-tech/research space; 250,000 gsf of accessory use (250 residential units); 124,300 gsf of hotel use including up to 133 rooms and an 11,200-gsf conference space; 100,000 gsf of college/trade school space; 40,000 gsf of retail space to support campus employees and visitors; 2,000 gsf of community facility space; 8,100 gsf of accessory amenity space; 8.7 acres of open space (of which approximately 4.0 acres will be publicly accessible), including two baseball diamonds with a 2,000-gsf support building and supporting amenities; and approximately 4,029 accessory parking spaces (see FEIS **Figure S-3**).

The recently vacated Bronx Children’s Psychiatric Building, Thompson Building, and Parker Building have had their uses relocated to new BPC facilities located at the southern portion of the campus. The Bronx Children’s Psychiatric Building will be demolished under the proposed project. The Thompson Building and Parker Building (also known as Building 1 and Building 2, respectively) will be renovated and expanded with new additions. Portions of the existing first and second floor of the Thompson Building will be infilled and converted to a two-story parking garage (Parking Garage 4). At the Parker Building, the open ends of the existing H-plan structure will be enclosed. The Thompson Building is proposed to be renovated for educational, hotel, and office use, and the Parker Building is proposed to be renovated for office, community facility, bio-tech/research, and retail uses, although these buildings could contain other uses within the

envelope of the overall proposed project. A new three-story parking garage (Parking Garage 3) will be located north of the Thompson Building and a new six-story parking garage (Parking Garage 5) will be located east of the Parker Building. The existing surface parking lot between the Thompson Building and Parker Building will be reconfigured and expanded.

The proposed project will also include five new Buildings— Buildings 3, 4, 5, 6, and 7—for office, accessory, community facility, and retail uses, and a new retail building. Buildings 3, 4, 5, 6, and 7 will be located on the north portion of the project site, approximately in the location of the existing Children’s Hospital Building and existing ballfields. These new buildings will be 8 to 16 stories and range in size from 106,000 gsf to 330,000 gsf. Buildings 3, 4, 5, and 6 will have ground-floor retail. Buildings 3, 4, 5, and 7 will be connected by a new, shared, four-story parking garage with a private roof garden (Building 3/4 Garage and Building 5/7 Garage). Building 6 will be located northeast of Building 5 and will be connected to a new, three-story parking garage (Parking Garage 2). Surface parking lots will be located north of Buildings 5 and 7 and south of Building 6. All of the proposed project structures will be similar in appearance to existing buildings in the Hutchinson Metro Center.

The new retail building will be constructed along Marconi Street. The existing powerhouse on Marconi Street will remain and will be repurposed to provide accessory amenity space for the proposed project. New surface parking lots will be constructed adjacent to the powerhouse and proposed retail building.

The proposed project will remove the four existing baseball fields currently located on the project site, but will replace them with two baseball diamond fields. One baseball diamond will be regulation size and one will be little league size. Programming for the proposed replacement fields will be coordinated with local community athletic organizations and therefore the proposed fields are not considered public open space. The proposed project will also provide publicly accessible walking/biking paths with benches and new open space amenities in the vicinity of the proposed little league baseball field and landscaped passive recreation space. The proposed project will also include a private roof garden for project tenants on the shared parking structure connecting Buildings 3, 4, 5, and 7.

As noted above, the proposed project will include “accessory uses.” For the purposes of the proposed project, “accessory use” shall mean accessory housing located within the proposed project and reserved for those working or studying within the Hutchinson Metro Center or the proposed project (and their families), including (i) students, faculty and staff (and their families) of any university, college, or trade school within the proposed project or the Hutchinson Metro Center; (ii) professionals, researchers, scientists, and/or employees (and their families) working for and at any medical biotechnical, healthcare, or research and development institution within the proposed project or the Hutchinson Metro Center; and (iii) employees (and their families) working for any other industry reasonably approved by ESD that occupies a portion of the proposed project or the Hutchinson Metro Center.

#### *Site Access and Egress*

New roads will be constructed to provide access within the project site and connect to the existing street network. A new access drive (East-West Road) will be constructed through the project site. Building entrances will be distributed adjacent to interior parking lots accessible by the East-West Road and other interior streets connected to Marconi Street, a public roadway. Access and

egress to the project site will primarily be through the East-West Road at Marconi Street, located across from the Hutchinson Metro Center Atrium driveway. As part of the proposed project, geometry and operational improvements will also be made at this intersection to accommodate the projected future traffic demand. These measures include relocating an existing Bx24 bus stop on Marconi Street from south to north of the intersection to facilitate the addition of a dedicated northbound right-turn lane. The construction of this lane will require an action to map private land to facilitate the proposed roadway geometry for the intersection of Marconi Street and the East-West Road. This mapping action will be undertaken by the developer in the future. The proposed project will also introduce one new driveway north of the East-West Road along Marconi Street to provide an additional access point for project-generated vehicle trips.

OMH has agreed to permit use of the BPC west access road by the developer's future newly tenanted building employees and accessory use residents for vehicle access/egress to and from the proposed project. The BPC west access road will provide a secondary access and egress point (at the intersection of Waters Place and BPC Driveway) for the future proposed project vehicular traffic demands (it will not be available for use by project-related pedestrian trips). This will be in addition to the main access point at the intersection of Waters Place and Marconi Street. The proposed project, at the request of OMH, will also relocate an existing Bx21 bus stop within the BPC campus to the intersection of Waters Place and BPC Driveway.

The East-West Road will terminate within the project site in Phase I and in Phase II will potentially connect with a service road along the southbound Hutchinson River Parkway if new access improvements to the HRP are constructed. Another internal access road (North-South Spine Road) will be constructed from approximately the Parker Building to the existing Hutchinson Metro Center roadway on the northern boundary of the project site. The East-West Road, North-South Spine Road, and BPC west access road are shown on FEIS **Figure S-3**.

**Figure S-4** in the FEIS presents an illustrative axonometric view of the proposed project.

### *Phasing*

Construction of the proposed project is expected to occur in two phases over a period of approximately nine years. Phase I is expected to be complete in 2023, with the full build-out of Phase II expected in 2028. Phase II of the proposed project is contingent on the construction of the HRP access improvements and assumes that the improvements will be constructed by 2028. There is currently no funding or plan to construct the HRP improvements by the New York City Department of Transportation (NYCDOT) by 2028; therefore, without some other means of addressing traffic expected to be generated by that year, the second phase of the proposed project cannot proceed.

Phase I will include the redevelopment of the Thompson and Parker Buildings and the development of a new retail building. Phase I will also include the construction of two new buildings (Buildings 3 and 4) for commercial and medical office use, community facility, accessory, and retail use. Phase I will include approximately 217,000 gsf of commercial office space and approximately 325,500 gsf of medical office; 100,000 gsf of bio-tech/research spaces; 100,000 gsf of accessory use (100 dwelling units); an approximately 124,300-gsf (133-room) hotel; an approximately 100,000-gsf college/trade school; approximately 33,500 gsf of retail; approximately 2,000 gsf of community facility space; 8,100 gsf of accessory amenity space; approximately 2,509 parking spaces; and approximately 309,700 sf (7.1 acres) of open space (of

which approximately 3.6 acres will be publicly accessible), including two new baseball fields. FEIS **Figure S-5** presents the site plan for Phase I of the proposed project.

Phase II will involve the construction of three new buildings (Buildings 5, 6, and 7) for commercial office, medical office, community facility, accessory, and retail uses. Phase II will include approximately 250,000 gsf of commercial office space, approximately 375,000 gsf of medical office space, 150,000 gsf of accessory use (150 dwelling units), 6,500 gsf of retail space, approximately 1,520 parking spaces, and approximately 71,500 sf (1.6 acres) of open space (of which approximately 0.4 acres will be publicly accessible).

**Table S-2** in the FEIS provides a summary of the proposed project buildings, uses, and anticipated phasing. The height and number of stories presented in **Table S-2** in the FEIS reflect the project as currently proposed. In order to provide flexibility as the proposed project is developed, the GPP will allow approximately 25 feet in height (two stories) and associated floor area to be shifted among buildings within each phase. Any increases in height and floor area for one building will be accompanied by a commensurate decrease in height and floor area for another building in the same phase. Within Phase I, the shifts in height and floor area will be permitted between the Parker Building, Building 3, and Building 4. Within Phase II, the shifts in height and floor area will be permitted between Buildings 5, 6, and 7. Therefore, the maximum height for these buildings could be up to approximately 25 feet taller than shown in FEIS **Table S-2** (and another building would be shorter than shown). The total overall floor area within each phase of the proposed project will not change as a result of these reallocations. Where appropriate, the EIS assesses potential impacts based on the reallocated building heights.

## **PURPOSE AND NEED**

In an effort to reduce its facilities footprint and optimize its service provision shifting from institutionalized to transitional/community-based settings, OMH has consolidated its operations and has created a smaller, 40-acre campus of newly constructed buildings adjacent to the project site. With this consolidation, OMH has vacated the 34-acre site occupied by three primary and four smaller buildings, and made it available for development. Building on this consolidation, the proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the proposed uses to surrounding development at Hutchinson Metro Center.

In its 2013 Request for Developer Proposals for the project site, ESD identified development priorities for the project site, including the following:

- Maximizing economic impact;
- Creating recreational and community facilities;
- Creating programs and activities that promote and encourage public health and physical fitness; and
- Incorporating sustainable building practices and appropriate levels of Leadership in Energy and Environmental Design (LEED) or Energy Star certification.

The proposed project will be supportive of these priorities:

*Maximize economic impact.* The project site is located northeast of the Westchester Square Medical Center and east of Albert Einstein College of Medicine. Just north of the project site,

over 80 companies, medical practices, and healthcare organizations are located at Hutchinson Metro Center, which employs approximately 7,500 people and serves approximately 5,000 visitors every weekday. The Center includes Montefiore Health System, other community hospitals, ambulatory subspecialty organizations and the Montefiore Ambulatory Surgical Center. Within Hutchinson Metro Center, the Metro Center Atrium includes approximately 360,000 gsf of office and medical space, as well as retail and restaurants and a recently completed hotel. The proposed project will provide the opportunity for Hutchinson Metro Center to expand so the current base may continue to grow, and new companies can be located in the Bronx Community District 11, contributing to new quality employment.

Hutchinson Metro Center's success demonstrates the importance of public health issues to community, business, and healthcare leaders both in the Morris Park neighborhood of the Bronx and in New York City as a whole, and has highlighted the need for commercial space capable of supporting and addressing these concerns. The proposed project's adjacency to Hutchinson Metro Center will fulfill the need by providing proximate, high-quality, available development space capable of supporting a range of healthcare needs, from training to treatment to research to administration.

The proposed project will build on this economic activity, adding approximately 1.2 million gsf of complementary medical and professional office space, bio-tech/research space, and accessory uses to the project site. The proposed college/trade school will be focused on training entry-through mid-level technical and management professionals serving industries including healthcare, life sciences, engineering, nursing, research sciences and other emerging uses related to, or supportive of, healthcare and biotechnology industries, who could then be placed in jobs at the surrounding businesses and organizations. The proposed project is also anticipated to include a bio-tech incubator dedicated to emerging technologies and research in urban health care issues, which is intended to encourage additional participation in these fields.

*Creating public recreation and community facilities and providing programs and activities that promote and encourage public health and physical fitness.* The proposed project will include community facility space for members of Community District 11. The developer intends to explore partnerships that promote cultural and entertainment events, and other community activities on the project site and in coordination with Hutchinson Metro Center. The developer will also work with the community and healthcare partners such as Montefiore Health System to incorporate programs designed to promote and encourage public health. The proposed project will also include recreational amenities for the community and nearby schools. The proposed baseball diamonds will replace the four existing baseball fields on the site. The new fields will use state-of-the-art technology for drainage and turf, making them available for the majority of the year. Programming for the fields will be coordinated with local community athletic organizations. The project will also include a bike path to connect to the HRP bike path and to Marconi Street, with parking and resting stations at key locations.

*Incorporating sustainable building practices and appropriate levels of LEED or Energy Star certification.* The proposed project will incorporate sustainable building practices in both the renovated Parker and Thompson Buildings as well as the new buildings on the project site. The developer is committed to achieving LEED certification at the LEED-certified level and Energy Star rating, including incorporating the use of LED light fixtures, high solar reflective index

(SRI) rating on roofing materials designed to lower the heat island effect, low-flow plumbing fixtures, and electric vehicle charging stations.

The proposed project will provide multiple public benefits, including but not limited to:

- *Elimination of blight.* The project site has been deemed surplus property by OMH, and has been vacated by OMH in favor of new facilities constructed as part of the OMH consolidation project at the remaining OMH property. Absent a project to use the property, the project site will remain vacant, underutilized, subject to deterioration, and will continue to be a burdensome carrying cost to OMH. Such conditions will hamper or impede sound economic growth and development and impair or arrest the sound growth of the project area. The proposed project will eliminate substandard and insanitary conditions on the project site.
- *Job creation.* The proposed project will accommodate, in a concentrated location, the unique space needs of major health care institutions, entrepreneurs, and jobs; encourage and facilitate with the completion of Phase I of the project creation of approximately 1,900 construction jobs and 4,700 full-time permanent jobs, many of which will be in highly paid management, clinical, and technical positions. Phase 2 of the project will generate up to an additional approximately 700 construction jobs and 3,300 full time permanent jobs.
- *Creation of office and other supporting space.* As noted above, the proposed project will provide a total of approximately 1.2 million square feet of new, available, Class A office space to meet the future demand for such space in New York City, in addition to supporting hotel, college/educational space, and retail amenities.
- *Enhancement of tax bases.* The proposed project will restore a formerly state-owned and tax exempt property to New York State and New York City tax rolls as a direct result of an improved physical structure that will house substantially increased employment levels. This will substantially increase all forms of tax revenue from the project site, including real property taxes, sales taxes, and employee income taxes.

## **CONSIDERATION OF POTENTIAL ENVIRONMENTAL IMPACTS, FACTS AND CONCLUSIONS DISCLOSED IN THE FEIS**

### **LAND USE, ZONING, AND PUBLIC POLICY**

The FEIS analysis finds that both Phase I and Phase II of the proposed project will be compatible with existing uses in the surrounding area, and will not result in any significant adverse impacts to land use, zoning, or public policy. The proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the proposed uses to surrounding development at Hutchinson Metro Center. It will also be consistent with and complement existing land uses surrounding the study area by providing new, available, Class A office space to meet the future demand for such space in New York City, in addition to supporting hotel, college/educational space, and retail amenities. The new uses on the project site will also complement the future Morris Park MNR station to be developed in the future independent of the proposed project.

The proposed project requires the adoption and affirmation of a GPP by ESD and approval of the Essential Terms of Transaction, including the acquisition and subsequent disposition of real property. The GPP is required to facilitate the project development. It will be administered by

ESD and will govern all development of the site, including site planning, land uses, and densities, and will establish design controls through Design Guidelines for the proposed project's buildings, open space, and other features. As part of the GPP, the project will require the override of the New York City Zoning Resolution. The zoning overrides are needed to facilitate development of the proposed project, which will provide public benefits such as elimination of blight from the project site, job creation, creation of office and other supporting space, and the enhancement of the tax base.

The proposed project will not include any changes to public policy on the project site or in the study area, and will be consistent with the public policies that currently govern the site and the surrounding area, including the NYS Coastal Zone Management Program, New York City Waterfront Revitalization Program, and the New York State *Smart Growth Public Infrastructure Policy Act*.

## **SOCIOECONOMIC CONDITIONS**

The FEIS analysis finds that the proposed project will not result in significant adverse socioeconomic impacts. The following summarizes the conclusions for each of the five CEQR areas of socioeconomic concern.

### *Direct Residential Displacement*

There are no residential units on the project site; therefore, the proposed project will not directly displace any residents and will not result in significant adverse socioeconomic impacts due to direct residential displacement.

### *Direct Business Displacement*

The proposed project will not directly displace any businesses. Independent of the proposed project, the Bronx Children's Psychiatric, Thompson, and Parker Buildings have been vacated and the uses relocated to new BPC facilities located at the southern portion of the campus. Therefore, the proposed project will not result in significant adverse socioeconomic impacts due to direct business displacement.

### *Indirect Residential Displacement*

The proposed project will not result in significant adverse impacts due to indirect residential displacement. The proposed project will include "accessory uses." For the purposes of the proposed project, "accessory use" shall mean accessory housing located within the proposed project and reserved for those working or studying within the Hutchinson Metro Center or the proposed project (and their families), including (i) students, faculty and staff (and their families) of any university, college or trade school within the proposed project or the Hutchinson Metro Center, (ii) professionals, researchers, scientists and/or employees (and their families) working for and at any medical biotechnical, healthcare or research and development institution within the proposed project or the Hutchinson Metro Center, and (iii) employees (and their families) working for any other industry reasonably approved by ESD that occupies a portion of the proposed project or the Hutchinson Metro Center. Therefore, the accessory uses will not directly influence the rental market. With respect to indirect influences of changing demographics, the average household income of the proposed project's tenants is expected to be greater than the

current average household income within the study area, but the overall size of the proposed project's population will not be large enough to affect residential market conditions.

#### *Indirect Business Displacement*

The proposed project will not result in significant adverse impacts due to indirect business displacement. The study area already has a well-established commercial office market, and therefore the proposed project will not be introducing new economic activities to the project site or to the study area that will alter existing economic patterns. The retail uses introduced by the proposed project will not be of an amount that will alter retail market trends within the study area. The retail added on the project site will be service-oriented and support the existing and future study area populations. In addition, the proposed hotel would not be considered substantial new development that is markedly different from existing uses, development, and activities within the neighborhood.

#### *Adverse Effects on Specific Industries*

The proposed project will not result in significant adverse impacts on specific industries. The proposed development will not significantly affect business conditions in any specific industry or any category of businesses, nor will it indirectly reduce employment or impair the economic viability of any specific industry or category of business.

### **COMMUNITY FACILITIES AND SERVICES**

Based on the *CEQR Technical Manual* screening methodologies, detailed analyses of public high schools, public libraries, publicly funded child care centers, outpatient health care facilities and police and fire protection services are not warranted for either Phase I or Phase II. Detailed analyses of public elementary and intermediate schools are also not warranted for Phase I of the proposed project.

Pursuant to *CEQR Technical Manual* guidelines, a detailed analysis of potential indirect impacts on public elementary and intermediate schools was conducted for Phase II of the proposed project. As described in the following analysis and summarized below, the proposed project will not result in significant adverse impacts on public schools in the 2028 analysis year.

#### *Potential Indirect Effects on Public Schools*

Per *CEQR Technical Manual* guidance, the study area for the analysis of elementary and intermediate schools is the school districts' "sub-district," which in this case is Sub-district 1 of Community School District (CSD) 11.

In the 2028 Phase II analysis year for Sub-district 1/CSD 11, the utilization rate of elementary schools would be above 100 percent; however, the proposed project will not result in an increase of 5 percentage points or more in the collective utilization rate between the No-Action and the With-Action conditions. Therefore, the proposed project will not result in a significant adverse impact to elementary schools.

In the 2028 Phase II analysis year for Sub-district 1/CSD 11, the utilization rate of intermediate schools would be below 100 percent. Additionally, the proposed project will not result in an increase of 5 percentage points or more in the collective utilization rate between the No-Action

and the With-Action conditions. Therefore, the proposed project will not result in a significant adverse impact to intermediate schools.

## **OPEN SPACE**

### *Direct Effects*

The proposed project will remove the four baseball fields located on the project site, but will replace them with one regulation-size baseball field and one little league-size field by the completion of Phase I in 2023. These existing baseball fields are used by local community athletic organizations and are not open for general public use. Therefore, they are not considered public open space for the purposes of the EIS analysis. Programming for the proposed replacement fields will be coordinated with local community athletic organizations; however, they will be private and are not considered public open space for the purposes of the EIS analysis. Nonetheless, baseball fields will continue to be available for use by local community athletic organizations with the proposed project. During construction, the developer will keep two of the existing baseball fields (one Little League field and one intermediate/adult field) in operation (subject to temporary interruptions required to ensure public safety and seasonal closures) until the two new baseball fields are constructed. The proposed project will also provide publicly accessible walking/bike paths and new open space amenities and landscaped passive recreation areas. The proposed project will result in a net increase of passive open space, active open space, and total open space acreage available to the public. Overall, the proposed project will not result in any significant adverse direct effects to open space.

### *Indirect Effects*

Potential indirect effects on open space were assessed for non-residential users in a ¼-mile study area and for residential users in a ½-mile study area. The quantitative assessment of open space is based on ratios of usable open space acreage to the study area populations (the “open space ratios”).

In the ¼-mile non-residential study area, there is no passive publicly accessible open space for non-residential users and therefore, the passive open space ratio does not meet the Department of City Planning (DCP) guideline of 0.15 acres per 1,000 non-residential users. With the addition of the proposed passive open space, the passive open space ratio would exceed the City’s planning goal of 0.15 acres per 1,000 workers in both phases of the proposed project, and would increase compared with No-Action conditions. Therefore, the proposed project will not result in significant adverse indirect impacts on open space resources in the non-residential study area.

As compared with the City’s planning goal open space ratios of 2.5 acres of total open space per 1,000 residents, including 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents, the study area is underserved by total and active open space in existing conditions and would continue to be underserved in the No-Action and With-Action conditions. However, the construction of the proposed passive and active open spaces will improve these ratios compared with No-Action conditions. Therefore, the proposed project will not result in significant adverse indirect impacts on open space resources in the residential study area.

## **SHADOWS**

A detailed shadow analysis determined that the proposed project will cast new shadow on portions of two open space resources: the Hutchinson River Greenway for several hours of the afternoon on all days throughout the year and on Colucci Playground in late afternoons in the spring and fall. The exact duration and placement of the new shadow on the Hutchinson River Greenway will vary throughout the year but will generally fall between Buhre and Wilkinson Avenues, two streets located directly east of and perpendicular to the Hutchinson River Greenway. Shadows on Colucci Playground will be less extensive and contained within the park's southwest corner and adjacent to the intersection of Hutchinson River Parkway East and Wilkinson Avenue. The areas of both resources affected by new shadow will continue to receive sufficient durations of direct sunlight throughout the morning and neither the usability of their resource nor their ability to support vegetation will be significantly altered. Therefore, the proposed project will not result in a significant adverse shadows impact on the Hutchinson River Greenway and on Colucci Playground.

## **HISTORIC AND CULTURAL RESOURCES**

The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) and the New York City Landmarks Preservation Commission (LPC) determined that the project site has no archaeological or architectural significance and that there are no archaeological or architectural resources in the study area that will be affected by the proposed project. Therefore, the proposed project will not result in any significant adverse impacts to historic and cultural resources.

## **URBAN DESIGN AND VISUAL RESOURCES**

The proposed project will not result in significant adverse impacts on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. The proposed renovation of the existing buildings and the new buildings that would be constructed would be in keeping with the uses, height, massing, and material of buildings in the study area. The proposed project will improve the pedestrian experience of the project site and surrounding area and would provide active ground-floor uses at certain locations throughout the project site. With respect to visual resources, the proposed project will not block any publicly accessible view corridors or views to any visual resources.

## **NATURAL RESOURCES**

Construction of the proposed project will result in the disturbance of mowed lawn with trees and urban structure exterior habitat, two ecological communities that provide limited habitat to wildlife other than species common to urban areas. Loss of this habitat area may adversely affect individual wildlife unable to find suitable available habitat in the vicinity of the study area. Loss of individuals of these common species would not result in significant adverse impacts to populations of these species within the New York City metropolitan region. Moreover, landscaping and the proposed project's green infrastructure such as the reduction of lawn areas (which provide nominal habitat for native wildlife), the creation of vegetative cover on barren soil areas, and the planting of shade, flowering, and native fruit bearing trees and shrubs for aesthetics and wildlife would improve conditions within the study area post construction and

have the potential to benefit natural resources. Finally, the proposed project will consider design features to minimize bird collisions, and thus impacts to migratory bird populations. Therefore, the proposed project will not result in significant adverse impacts on natural resources.

## **HAZARDOUS MATERIALS**

The proposed project will not result in significant adverse impacts related to hazardous materials. The proposed project in both Phase I (2023) and Phase II (2028) would require extensive demolition/renovation, and excavation associated with construction of new buildings, utilities, new ballfields, parking and landscaping. Although these activities could increase the potential for exposure to the project site's hazardous materials (in the buildings and the subsurface), no significant adverse impacts related to hazardous materials would be expected to occur either during or following the construction of the proposed project, provided certain required measures are implemented as specified on pages 10-5 and 10-6 of FEIS Chapter 10, "Hazardous Materials."

## **WATER AND SEWER INFRASTRUCTURE**

The proposed project will attract an increased amount of workers and visitors to the project site, which could create new demands on the City's water and wastewater sewer infrastructure. An increase in impervious surfaces in the future with the proposed project will increase the total amount of stormwater runoff on the project site; however, with the implementation of new infrastructure the proposed project will not result in significant adverse impacts on the water supply or wastewater conveyance and treatment systems.

As part of Phase I of the proposed project, it is assumed that the project will utilize existing OMH on-site sewer infrastructure to convey sanitary sewage until new, permanent sewer infrastructure is approved by the New York City Department of Environment Protection (DEP). This permanent sewer infrastructure would include a new lift station and interconnection with an existing internal sanitary lift station located on the Hutchinson Metro Center North property. The new gravity sewer infrastructure and lift station would convey sanitary sewage to the existing sanitary pump station. This existing pump station and existing 8-inch forced sewer main would convey sewage to the 156-by-108-inch New York City combined sewer located in Eastchester Road.

Stormwater collection, conveyance, and discharge would be improved with the development of the proposed project. The on-site stormwater conveyance system would discharge stormwater from the site to the existing storm sewer adjacent to the property line on the eastern side of the site, which connects downstream to a DEP storm sewer. Connection to the existing storm sewer will be subject to DEP site connection approval, which will require the incorporation of sanitary and stormwater source control best management practices (BMPs), as described on page 11-13 of FEIS Chapter 11, "Water and Sewer Infrastructure." A Stormwater Pollution Prevention Plan containing both temporary erosion and sediment controls and permanent water quality controls will be required to be prepared before commencing any construction activities.

The total sewer demand for the proposed project under both Phase I and Phase II would represent a very small proportion of the total average daily flow at Hunts Point wastewater treatment plant.

Therefore, the proposed project will not be expected to result in significant adverse impacts on the City's water and wastewater sewer infrastructure.

## **SOLID WASTE**

The proposed project will not result in a significant adverse impact on solid waste and sanitation services, nor will it directly affect a solid waste management facility. The proposed project will generate an increment above the No-Action condition of approximately 61 tons per week of solid waste, of which approximately 8.18 tons (0.0071 percent of the City's anticipated future solid waste generation) would be handled by the New York City (NYC) Department of Sanitation (DSNY), and approximately 52.43 tons (0.071 percent of the City's anticipated future commercial waste generation) would be handled by private carters. This correlates to approximately 0.65 additional truckloads per week of solid waste handled by DSNY, and approximately 4 additional truckloads per week handled by private carters. Although this would be an increase compared with the conditions in the future without the proposed project, the additional solid waste resulting from the proposed project will be a negligible increase relative to the approximately 12,260 tons of solid waste handled by the DSNY or the 13,000 tons handled by private carters per day. As such, the proposed project will not result in an increase in solid waste that would overburden available waste management capacity. The proposed project will not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the SWMP.

## **ENERGY**

The proposed project will not affect the transmission or generation of energy. It is expected that the proposed project, upon completion of Phase II, will consume approximately  $3.7 \times 10^8$  million British Thermal Units per year. This would not be considered a significant demand for energy. Therefore, the proposed project will not result in significant adverse impacts to energy supply or consumption, and no further analysis is warranted.

## **TRANSPORTATION**

### *Traffic*

Traffic conditions were evaluated at 29 intersections for the weekday AM, midday, and PM peak hours. In the 2023 With-Action without HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 17 intersections during the weekday AM peak hour, 9 intersections during the weekday midday peak hour, and 16 intersections during the weekday PM peak hour. In the 2028 With-Action with HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 18 intersections during the weekday AM peak hour, 10 intersections during the weekday midday peak hour, and 17 intersections during the weekday PM peak hour.

**Table S-3** in the FEIS summarizes the potential significant adverse traffic impacts for both the 2023 With-Action without HRP Improvements and 2028 With-Action with HRP Improvements conditions.

Freeway facility traffic conditions were evaluated for the northbound and southbound HRP for the weekday AM, midday, and PM peak periods. In both the 2023 With-Action without HRP

Improvements and 2028 With-Action with HRP Improvements conditions, the proposed project will not result in the potential for significant adverse traffic impacts for the HRP mainline and ramps. This conclusion is based on the analysis results from the FREEVAL highway analysis methodologies. Because some of the projected queues, based on the HCS analysis, for the adjacent intersections could extend beyond the corresponding ramp analysis segments, actual conditions may be worse than the reported levels of service. Accordingly, four freeway locations under the 2023 With-Action conditions and two freeway locations under the 2028 With-Action conditions could experience potential significant adverse impacts, as identified below.

*2023*

- Northbound HRP: Mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday AM and PM peak periods; and
- Southbound HRP: Mainline segment north of the Waters Place off-ramp (Exit 2) and the Waters Place off-ramp during the weekday AM, midday, and PM peak periods.

*2028*

- Northbound HRP: Mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday AM and PM peak periods.

Potential measures to mitigate the projected traffic impacts are described below in “Summary of Mitigation Measures.”

In addition, the developer would undertake potential traffic calming measures and design features in coordination with OMH along the BPC west access road to facilitate its use as a secondary access and egress point for the future proposed project traffic demands, as described on pages 14-13 and 14-14 of FEIS Chapter 14, “Transportation.”

*Transit*

Based on a detailed assignment of project-generated subway trips and in consultation with New York City Transit (NYCT), it was determined detailed analysis of subway facilities and subway line-haul analysis would not be warranted.

Weekday AM and PM peak period bus line-haul analysis were evaluated for the Bx21 and Bx24 local bus routes. In the 2023 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the westbound Bx24 during the weekday AM peak hour and the eastbound and westbound Bx24 during the weekday PM peak hour. In the 2028 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the northbound Bx21, and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. **Table S-4** in the FEIS summarizes the potential bus line-haul impacts for both the 2023 and 2028 With-Action conditions.

Potential measures to mitigate the projected bus line-haul impacts are described below in “Summary of Mitigation Measures.”

### *Pedestrians*

Weekday peak period pedestrian conditions were evaluated at key area sidewalk, corner reservoir, and crosswalk locations. Based on a detailed assignment of pedestrian trips, nine sidewalks, nine corners, and five crosswalks were selected for detailed analysis for the weekday AM, midday, and PM peak hours. In addition, the east and south crosswalks at the Marconi Street and Project Driveway intersection were included in the future No-Action and With-Action conditions analyses. Lastly, a new north crosswalk at the Marconi Street and Project Driveway intersection was also included in the With-Action condition pedestrian analysis. In the 2023 With-Action without HRP Improvements and 2028 With-Action with HRP Improvements conditions, the proposed project will not result in the potential for significant adverse pedestrian impacts.

### *Vehicular and Pedestrian Safety*

Crash data for the study area intersections were obtained from NYCDOT for the period between January 1, 2014 and December 31, 2016. During this period, a total of 349 reportable and non-reportable crashes, zero fatalities, 358 injuries, and 60 pedestrian/bicyclist-related crashes occurred at the study area intersections. A rolling yearly total of crash data identifies one study area intersection as a high crash location—Eastchester Road and Waters Place. Potential pedestrian safety improvement measure such as restriping faded crosswalks can be implemented to improve pedestrian safety at this intersection by the Phase I completion of the proposed project.

### *Parking*

Accounting for the parking supply and demand generated by the proposed project, the 2023 With-Action parking utilization is expected to reach a maximum of 63 percent of the on-site parking capacity during the weekday; and the 2028 With-Action parking utilization is expected to reach a maximum of 75 percent of the on-site parking capacity during the weekday. Therefore, the proposed project will not result in the potential for a parking shortfall or significant adverse parking impacts.

## **AIR QUALITY**

The mobile source analyses determined that in the 2023 With-Action condition, concentrations of CO and fine particulate matter less than 10 microns in diameter (PM<sub>10</sub>) due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS). The results also determined that the CO and 24-hour PM<sub>2.5</sub> increments are predicted to be below their respective *de minimis* criteria. However, in the 2028 With-Action, the maximum annual incremental PM<sub>2.5</sub> concentration is predicted to exceed the *de minimis* criterion at the intersections of Marconi Street and Waters Place and Waters Place and Fink Avenue/HRP Southbound Off Ramp. Therefore, a significant adverse air quality impact is predicted at these locations. Accordingly, traffic mitigation measures were examined to avoid a potential significant impact at the affected intersections. Mitigation measures are discussed below in “Summary of Mitigation Measures.” No unmitigated significant adverse air quality impacts would remain upon incorporation of the traffic mitigation measures.

The analysis of the proposed parking facilities determined that they would not result in any significant adverse air quality impacts.

Based on the stationary source refined analysis, which evaluated the effects of nitrogen dioxide (NO<sub>2</sub>) and PM<sub>2.5</sub> emissions from the proposed project's natural gas-fired heating and hot water systems, with the implementation of stack location restrictions and low-NO<sub>x</sub> burners as specified on pages 15-28 and 15-29 of FEIS Chapter 15, "Air Quality," there would be no potential significant adverse air quality impacts.

No industrial sources or large or major emission sources were identified within the project study area. Therefore, there would be no potential for a significant adverse impact on stationary source air quality from these sources.

## **CLIMATE CHANGE**

The building energy use and vehicle use associated with the proposed project will result in up to approximately 39 thousand metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year with the full build out of Phase II in 2028. Annual emissions would be less with the completion of Phase I in 2023.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials carbon intensity.

In accordance with the existing agreement between ESD and the developer, the developer is committed to achieving LEED certification at the LEED certified level and U.S. Environmental Protection Agency (USEPA) Energy Star rating (for all buildings with the exception of parking garages and the small retail building). The conditions of the GPP would specifically require that all buildings be designed and constructed to achieve at least a 5 percent reduction in energy expenditure relative to the ASHRAE 90.1-2013 standard (equivalent to the current building code requirement), be designed to earn the USEPA Energy Star, and achieve LEED and Energy Star certification. These commitments would result in energy expenditure lower than baseline buildings designed to meet but not exceed the minimum building code requirements by approximately 5 percent. Furthermore, additional energy savings would likely be achieved via guidance for tenant build-out, including a requirement for tenants to use Energy Star-rated appliances. The proposed project's commitment to building energy efficiency that exceeds the building code energy requirements would ensure consistency with the efficient buildings goal defined in the *CEQR Technical Manual* as part of the City's greenhouse gas (GHG) reduction goal.

The proposed project will also support other GHG goals by virtue of its proximity to public transportation, commitment to construction air quality controls and recycling construction materials, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements. All of these factors demonstrate that the proposed project supports the GHG reduction goal.

Therefore, based on the proposed project's commitment to energy efficiency, its location, and the nature of construction in New York City, the proposed project will be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

Regarding resilience to the impacts of potential climate change on the proposed project, the conditions of the GPP would require the proposed project be designed to be resilient to flood elevations of up to the base flood elevation defined by the Federal Emergency Management Agency (FEMA) at the time (currently 13 feet NAVD88) with 1 foot of freeboard plus sea-level rise projected by the New York City Panel on Climate Change (NPCC) for at least 50 years beyond the construction date for the high end of the “Middle Range” scenario (currently 39 inches). Until FEMA floodplains and/or NPCC projections are updated, the applicable elevation for design purposes would be 17 feet NAVD88, including 1 foot of freeboard. In the event that elevation and other solutions prove to be impracticable, the flood design may also include deployable flood protection for building openings (e.g., entrances). All critical infrastructure would be either elevated or sealed up to the above-defined design elevation.

## **NOISE**

The proposed project will not result in any significant adverse noise impacts at nearby noise receptors. An analysis was completed to determine potential mobile source noise impacts at the OMH Bronx Behavioral Health Center facility located immediately south of the project site. This analysis concludes that potential increases in traffic on roadways within or surrounding the OMH Bronx Behavioral Health Center facility would not result in significant adverse noise impacts in either Phase I or Phase II.

The proposed project buildings would be constructed using standard construction methods, including insulated glass windows and air conditioning as an alternate means of ventilation. The buildings’ façades, including these elements, would be expected to satisfy the CEQR interior noise level requirements.

## **PUBLIC HEALTH**

According to the *CEQR Technical Manual*, for most proposed projects, a public health analysis is not necessary. Where no significant, unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in one of these analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As described in the relevant analyses of the EIS, the proposed project will not result in unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise). Therefore, the proposed project will not have the potential for significant adverse impacts related to public health.

## **NEIGHBORHOOD CHARACTER**

The proposed project will not result in significant adverse impacts to neighborhood character. The proposed project will not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; and noise. The proposed project will result in potential significant adverse traffic and bus-line haul impacts in the 2023 Phase I analysis year, and potential significant adverse traffic and bus-line haul impacts in the 2028 Phase II analysis year. Potential

mitigation measures to address the significant adverse impacts are identified, and these impacts would not result in a substantial change to the defining elements of neighborhood character. The proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the project site to the surrounding area. The proposed project will be consistent with the study area's institutional neighborhood character and would result in a new mix of commercial and medical office, bio-tech/research, hotel, accessory, college/trade school, community facility, and retail uses along with open space and parking facilities, which would complement existing study area uses and improve the streetscape. Therefore, the proposed project will not have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas. The proposed project will not result in a significant adverse impact to neighborhood character.

## **CONSTRUCTION**

Construction activities associated with the proposed project will not result in significant adverse impacts in any technical areas except for transportation; additional information for key technical areas is summarized below.

### *Transportation*

Peak construction conditions were considered for the analysis. The proposed project is not expected to result in any significant adverse parking, transit, or pedestrian impacts during construction.

For purposes of the construction traffic analysis, the combined daily workforce and truck trip projections in the peak quarter were used as the basis for estimating peak-hour construction trips. The 2nd quarter of Year 3 construction (2022) was identified as the peak construction traffic period for Phase I, and the 1st quarter of Year 8 construction (2027) was identified as the peak construction period for Phase II. An analysis was also prepared to assess conditions when Phase I construction is completed and operational (2023) while Phase II is still under construction (until 2028). Construction of the proposed project will result in significant adverse traffic impacts during both Phase I and Phase II construction. For the 2022 Phase I construction With-Action condition, seven of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour and 12 of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. With the implementation of traffic mitigation measures, some of which would include advancing operational mitigation measures identified below in "Summary of Mitigation Measures," the significant adverse traffic impacts identified during the weekday AM construction peak hour could be fully mitigated at all but one intersection and the significant adverse traffic impacts identified during the weekday PM peak hour could be fully mitigated at all but four intersections. Impacts at the Westchester Avenue and Ericson Place/Middletown Road intersection could not be fully mitigated during the weekday AM construction peak hour and impacts at the Morris Park Avenue and Eastchester Road; Marconi Street and Project Driveway; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during the weekday PM construction peak hour. For the 2027 Phase II construction With-Action condition, eight of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour and 14 of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction

peak hour. The recommended traffic mitigation measures are expected to be effective in mitigating all of the significant adverse traffic impacts identified during the weekday AM construction peak hour except for two intersections and all of the significant adverse traffic impacts identified during the weekday PM peak hour except for six intersections. Impacts at the Waters Place and Fink Avenue/HRP Southbound Off-Ramp intersection and the Westchester Avenue and Ericson Place/Middletown Road intersection could not be fully mitigated during the weekday AM construction peak hour. Impacts at the Morris Park Avenue and Eastchester Road; East Tremont Avenue and Silver Street; Waters Place and Marconi Street; Waters Place and Fink Avenue/HRP Southbound Off-Ramp; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during the weekday PM construction peak hour.

### *Air Quality*

Measures would be taken to minimize pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. These measures would include dust suppression measures, idling restrictions, and the use of ultra-low sulfur diesel (ULSD) fuel. In addition, to minimize air emissions during construction, the developer would commit to the implementation of emissions reduction measures including the use of best available technologies (i.e., diesel particulate filters [DPFs]) and the use of newer and cleaner equipment during construction of the proposed project, as specified on pages 20-53 and 20-54 of FEIS Chapter 20, "Construction." With these measures in place, and based on the duration and intensity of construction activities, the location of nearby sensitive receptors, and an examination of construction on-road sources, the proposed project will not result in any significant adverse construction air quality impacts.

### *Noise*

Construction of the proposed project will follow the requirements of the *New York City Noise Control Code (New York City Noise Code)* for construction noise control measures. Specific noise control measures will be described in a noise mitigation plan required under the *New York City Noise Code*. These measures will include a variety of source and path controls as specified on page 20-60 of FEIS Chapter 20, "Construction."

Noise resulting from construction of the proposed project will result in exceedances of the initial construction noise screening threshold at the OMH Bronx Behavioral Health Center facility immediately adjacent to the project site as well as the Bronx Psychiatric Center sports fields (consisting of the Van Nest Little League, Bronxchester Little League, Parkchester Little League, and other multi-use fields) located immediately southwest of the project site along Marconi Street. The exceedances at these receptors, which would occur at times only during the demolition, excavation, and foundation stages of construction on immediately adjacent work areas, are predicted to occur for approximately 8 non-consecutive months at the OMH facilities and 3 to 5 continuous months at the Bronx Psychiatric Center sports fields. Furthermore, construction of the proposed project will result in exceedances of *CEQR Technical Manual* noise exposure guidelines at the completed and occupied Thompson Building and Parker Building at times during the demolition, excavation, and foundation stages of construction on immediately adjacent work areas, which would last approximately 4 to 6 continuous months during Phase I of construction, and the proposed baseball fields during the demolition, excavation, and

foundation stages of construction on immediately adjacent work areas, which would also last approximately 6 to 16 non-continuous months during both phases of construction.

Since the exceedances of CEQR noise impact criteria would occur for a limited duration, they would not rise to the level of significance. Therefore, the proposed project will not result in significant adverse construction noise impacts.

## **ALTERNATIVES**

The conclusion of the alternatives analysis is that the No-Action Alternative and No Unmitigated Significant Adverse Impacts Alternatives would not substantively meet the goals and objectives of the proposed project, while the Reduced Density Alternative would meet the goals and objectives of the proposed project to a substantially lesser degree than the proposed project. Each of the alternatives is summarized below.

### *No-Action Alternative*

The No-Action Alternative assumes no discretionary actions would occur and the proposed project will not be implemented. The project site would remain underutilized. This alternative would avoid the proposed project's significant adverse impacts related to transportation, air quality, and construction impacts related to transportation. The No-Action Alternative would not meet the ESD's development priorities of maximizing economic impact; creating recreational and community facilities; creating programs and activities that promote and encourage public health and physical fitness; and incorporating sustainable building practices and appropriate levels of LEED or Energy Star certification. Overall, the No-Action Alternative would fail to meet the proposed project's principal goals.

### *No Unmitigated Significant Adverse Impacts Alternative*

The No Unmitigated Significant Adverse Impacts Alternative considers several modifications of the proposed project to eliminate its unmitigated significant adverse impacts on traffic and construction-period traffic. To eliminate all unmitigated significant adverse impacts, the proposed project will have to be modified to the point that its principal goals and objectives would not be realized.

### *Reduced Density Alternative*

The Reduced Density Alternative considers a project program that includes less total square footage of development, including less commercial office, medical office, accessory use, retail, parking square footage, and open space than the proposed project. The Reduced Density Alternative would include one phase of development with approximately 232,500 gsf less development than Phase I of the proposed project. Under the Reduced Density Alternative, there would be no second phase of development, unlike the proposed project. This alternative would include the development of the Parker Building; Thompson Building; retail building; amenities building; Parking Garage 3, 4, and 5; the surface parking lot between the Thompson Building and Parker Building; and the little league field. Buildings 3, 4, 5, 6, and 7, their associated parking garages, and the regulation-size baseball field would not be constructed under this alternative. This alternative would avoid some of the significant adverse transportation impacts and the significant adverse air quality impact that would occur absent the proposed traffic mitigation measures with Phase II of the proposed project. This alternative would be less

supportive of the goals and objectives of the proposed project, particularly the goal to maximize the economic impact of the project.

## **SUMMARY OF MITIGATION MEASURES TO BE IMPLEMENTED**

ESD has identified a number of measures, described herein, that will either fully or partially mitigate the significant adverse impacts identified in the FEIS and summarized in this Findings Statement. ESD will require that the developer implement those measures and be responsible for any associated costs, through a Memorandum of Environmental Commitments (MOEC) that will be enforceable through a restrictive declaration recorded against the property.

### *Transportation*

The proposed project could result in significant adverse impacts to traffic (surface streets and freeway facilities) and transit (bus) as detailed below. No significant adverse impacts were identified for pedestrians, parking, or vehicular and pedestrian safety.

#### *Traffic: Intersections*

In the 2023 With-Action without HRP Improvements condition, the proposed project will result in potential significant adverse traffic impacts at 17 intersections during the weekday AM peak hour, 9 intersections during the weekday midday peak hour, and 16 intersections during the weekday PM peak hour. In the 2028 With-Action with HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 18 intersections during the weekday AM peak hour, 10 intersections during the weekday midday peak hour, and 17 intersections during the weekday PM peak hour.

Some of the locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard mitigation measures (e.g., signal timing changes, restriping and changing parking regulations). However, in the 2023 With-Action without HRP Improvements condition, the significant adverse traffic impacts at 14 intersections could not be fully mitigated during one or more analysis peak hours. These include the Waters Place intersections of Marconi Street, BPC Driveway, Fink Avenue/HRP Southbound Off-ramp, and Westchester Avenue; intersection of Project Driveway and Marconi Street; East Tremont Avenue and Silver Street; Westchester Avenue intersections of Ericson Place/Middletown Road, Tan Place, East Tremont Avenue, Commerce Avenue, and Waters Avenue; Morris Park Avenue and Eastchester Road; East Tremont Avenue and Ericson Place; and Pelham Parkway (eastbound) and Williamsbridge Road. In the 2028 With-Action with HRP Improvements condition, the significant adverse traffic impacts at 18 intersections could not be fully mitigated during one or more analysis peak hours. These include the 14 intersections identified in the 2023 With-Action without HRP Improvements condition and the intersection of Waters Place and Eastchester Road; Westchester Avenue and Blondell Avenue; Williamsbridge Road and Eastchester Road; and the intersection of East-West Road and HRP Service Road.

#### *Traffic: Freeway Facilities (HRP)*

The proposed project could experience potential significant adverse impacts at four freeway locations under the 2023 With-Action without HRP Improvements condition and two freeway locations under the 2028 With-Action with HRP Improvements condition.

The recommended traffic intersection mitigation measures could mitigate the 2023 With-Action projected freeway facility impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday PM peak period. However, in the 2023 With-Action without HRP Improvements condition, the potential significant adverse impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp, and the southbound HRP mainline segment north of the Waters Place (Exit 2) and the Waters Place off-ramp could not be fully mitigated during one or more analysis peak periods. In the 2028 With-Action with HRP Improvements condition, the potential significant adverse impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp could not be fully mitigated during one or more analysis peak periods.

### *Transit*

Bus line-haul impacts were identified for the northbound Bx21 and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. Specifically, in the 2023 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the westbound Bx24 during the weekday AM peak hour and the eastbound and westbound Bx24 during the weekday PM peak hour. In the 2028 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the northbound Bx21, and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. Increases in service frequency for the northbound Bx21 and eastbound and westbound Bx24 would fully mitigate the projected line-haul impacts.

### *Summary*

Implementation of proposed traffic mitigation measures would be subject to approval by NYCDOT prior to installation. The traffic mitigation measures include primarily signal timing changes, restriping and changes to parking regulations—standard measures routinely implemented throughout the City and generally considered to be feasible. As part of the traffic mitigation, the developer would commit to undertake a post-approval traffic monitoring plan (TMP). The developer in coordination with ESD will submit for NYCDOT’s review and approval a TMP for a proposed scope for the monitoring approximately six months prior to the completion and occupancy of the proposed project. The developer will be obligated to provide the traffic mitigation measures subject to NYCDOT approval through a MOEC that will be enforceable through a restrictive declaration recorded against the property. Regarding the significant adverse bus line-haul impacts, reducing headways by increasing the number of buses for the impacted routes would mitigate the bus line-haul impacts. These changes would take place, subject to NYCT’s fiscal and operational constraints.

### *Air Quality*

The proposed project will result in a significant adverse air quality impact at the intersections of Marconi Street and Waters Place and Waters Place and Fink Avenue/HRP Southbound Off Ramp. Maximum concentrations at each of these locations are predicted to exceed the annual *de minimis* criterion for fine particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>) of 0.1 µg/m<sup>3</sup> for the Phase II 2028 With-Action condition.

The results of a mobile source analysis with the proposed traffic mitigation measures for these two intersections indicate that annual incremental concentrations of PM<sub>2.5</sub> would be substantially lower than the With-Action condition, and would not exceed the *de minimis* criterion for PM<sub>2.5</sub>. Therefore, no unmitigated significant adverse air quality impacts would remain upon incorporation of the traffic mitigation measures.

#### *Construction*

Construction of the proposed project will result in temporary significant adverse traffic impacts during the peak construction period for both Phase I and Phase II construction. The same or similar traffic mitigation measures identified to mitigate the operational impacts could be implemented early at the discretion of NYCDOT to mitigate the temporary traffic impacts during construction.

### **UNAVOIDABLE IMPACTS**

#### *Transportation*

Under the 2023 and 2028 With-Action conditions, a number of significant adverse traffic impacts could not be fully mitigated during one or more analysis peak hours. In the 2023 With-Action without HRP Improvements condition, the significant adverse traffic impacts at 14 intersections could not be fully mitigated during one or more analysis peak hours. These include the Waters Place intersections of Marconi Street, BPC Driveway, Fink Avenue/HRP Southbound Off-ramp, and Westchester Avenue; intersection of Project Driveway and Marconi Street; East Tremont Avenue and Silver Street; Westchester Avenue intersections of Ericson Place/Middletown Road, Tan Place, East Tremont Avenue, Commerce Avenue, and Waters Avenue; Morris Park Avenue and Eastchester Road; East Tremont Avenue and Ericson Place; and Pelham Parkway (eastbound) and Williamsbridge Road. In the 2028 With-Action with HRP Improvements condition, the significant adverse traffic impacts at 18 intersections could not be fully mitigated during one or more analysis peak hours. These include the 14 intersections identified in the 2023 With-Action without HRP Improvements condition and the intersection of Waters Place and Eastchester Road; Westchester Avenue and Blondell Avenue; Williamsbridge Road and Eastchester Road; and the intersection of East-West Road and HRP Service Road.

#### *Construction*

##### *Transportation*

There is the potential for temporary significant adverse traffic impacts during the Phase I and Phase II peak construction periods that could not be fully mitigated during one or more analysis peak hours. For Phase I peak construction, the temporary significant adverse traffic impacts at the intersections of Morris Park Avenue and Eastchester Road; Marconi Street and Project Driveway; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue could not be fully mitigated during one or more construction analysis peak hours. Under Phase II peak construction, the temporary significant adverse traffic impacts at the intersections Morris Park Avenue and Eastchester Road; East Tremont Avenue and Silver Street; Waters Place and Marconi Street; Waters Place and Fink Avenue/HRP Southbound Off-Ramp; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during one or more construction analysis peak hour.

## **GROWTH-INDUCING ASPECTS**

Proposed actions may induce primary growth by expanding the numbers of employees on a site or secondary growth if further development is triggered by the proposed actions. In an environmental context, secondary growth is the main concern. Actions that may result in secondary growth effects include actions that introduce a substantial amount of new residents or new employment that could induce additional development of a similar kind and/or development of support uses (e.g., stores to serve new residents or employees). In addition, actions that result in the expansion of infrastructure capacity (e.g., sewers, central water supply, or roadways) could also induce secondary growth. The FEIS analysis concludes the proposed project will not “induce” new growth in the study area.

## **IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES**

There are a number of resources, both natural and built, that would be expended in the construction and operation of the proposed project. These resources would include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the proposed project; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the proposed project.

The resources are considered irretrievably committed because their reuse for some purpose other than for the proposed project will be unlikely. The land use changes associated with the development of the project site would be considered a resource loss. The proposed project will constitute an irreversible and irretrievable commitment of the project site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of land resources and materials are weighed against the benefits of the proposed project, which would introduce approximately 1.2 million gross square feet of complementary medical and professional offices to the vacated project site, along with biotech/research, accessory, hotel, retail, community facility, and recreation uses. The proposed project will provide multiple public benefits, including but not limited to elimination of blight; job creation; creation of office and other supporting space; and enhancement of tax bases. This proposed project will be expected to substantially improve the vacant and underutilized project site. Overall, the proposed project will not represent a substantial new irreversible and irretrievable commitment of energy resources for building operations.

## **CUMULATIVE IMPACTS**

Cumulative impacts result from the incremental consequences of an action (the proposed project) when added to other past, present, and reasonably foreseeable future actions. The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. Cumulative impacts are the net result of both the proposed project and other projects planned near and around the project site. According to the *CEQR Technical Manual*, cumulative impacts are two or more individual effects on the environment that, when taken together, are significant or that compound or increase other environmental effects.

The various EIS chapters address cumulative impacts by comprehensively defining the environmental setting expected in the No-Action condition, including a discussion of development projects expected to be completed independent of the proposed project, and the baseline growth in the No-Action condition.

The proposed project in combination with the other future development projects evaluated in the EIS would result in changes in the future conditions in the analysis study areas, and would result in certain cumulative significant adverse impacts. As presented in the various EIS chapters, the proposed project is expected to result in significant adverse impacts to transportation, air quality, and construction-period transportation. Measures have been examined to minimize or eliminate the anticipated impacts and are presented above in “Summary of Mitigation Measures.” The proposed project will also have beneficial cumulative effects by transforming the vacated project site with the development of medical and professional offices proximate to surrounding businesses and healthcare organizations including Hutchinson Metro Center, the BPC campus, the Westchester Square Medical Center, and Yeshiva University’s Albert Einstein College of Medicine.

**CERTIFICATION OF FINDINGS**

Having considered the DEIS and FEIS, including the comments on the DEIS and responses thereto, and the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, ESD finds and certifies that:

1. The Corporation has given consideration to the FEIS prepared for the Project;
2. The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that will avoid or minimize significant adverse environmental impacts to the maximum extent practicable, including the impacts disclosed in the FEIS;
4. Consistent with the social, economic and other essential considerations the significant adverse environmental impacts associated with the development of the Project which were identified in the FEIS will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures described in the FEIS

**Agency:** **NYS Urban Development Corporation d/b/a  
Empire State Development**

**Signature of Responsible Officer:** \_\_\_\_\_

**Name/Title of Responsible Officer:** Rachel Shatz, Vice President, Planning & Environmental Review

**Date:** \_\_\_\_\_

# Final Environmental Impact Statement

[https://esd.ny.gov/bronx-  
psych-redevelopment-project](https://esd.ny.gov/bronx-psych-redevelopment-project)