



**ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION**

at

at Long Island University's Brooklyn Campus  
Library Learning Center – 515C Conference Room (5<sup>th</sup> Floor)  
One University Plaza (at Flatbush and DeKalb Avenues)  
Brooklyn, New York 11201

**Meeting of the Directors**

Tuesday  
July 28, 2015 at 3:00 pm

**REVISED AGENDA**

**FOR INFORMATION**

1. President's Report – Corporate Update (Oral Report)
  - Community Relations Update
  - Project Update
  - Open Space Concept Design Presentation - Thomas Balsley, Landscape Architect – Pacific Park Brooklyn

**CORPORATE ACTION**

2. Open Space Concept Design – Authorization to Recommend that Empire State Development's Directors Approve Open Space Concept Design Presentation Modifications to Open Space Design Guidelines; and Authorization to Take Related Actions

**FOR INFORMATION**

3. Public Comments

# Item # 1 – President's Report

Presentation by  
Henningson, Durham & Richardson Architecture and Engineering, P.C.

Pacific Park Brooklyn  
Noise Receptor Control Program

# PACIFIC PARK BROOKLYN NOISE RECEPTOR CONTROL PROGRAM

HENNINGSON, DURHAM & RICHARDSON ARCHITECTURE AND  
ENGINEERING, P.C.  
JULY 28, 2015



**Empire State  
Development**

# BACKGROUND

- The Final Environmental Impact Statement (FEIS, 2006) and Final Supplemental Environmental Impact Statement (FSEIS, 2014) analyzed the potential for significant adverse construction noise impacts
- City Environmental Quality Review (CEQR) provides a guideline for acceptable interior noise level of 45 decibels
- Receptor controls allow for a closed-window condition and increased building attenuation to achieve and maintain the CEQR interior noise level
- Requirement for receptor controls included in Memorandum of Environmental Commitments (amended June 2014)
- Program first implemented in 2007

# MEC REQUIREMENT

- Section N.8.h and N.8.k
  - Provision of double-glazed or storm windows and one air conditioner per bedroom or main living room with a window along a façade predicted to experience significant adverse construction noise impacts
  - Residential locations where FEIS or FSEIS identified impacts and such receptor controls are not already installed
  - Subject to consent of owners and tenants of residences
  - Receptor controls provided and installed free of charge
  - Implemented in a timely manner
- Henningson, Durham & Richardson Architecture and Engineering, P.C. (HDR) monitors the Developer's compliance with these MEC requirements in its role as Empire State Development's (ESD) Independent Mitigation Monitor

# ELIGIBLE LOCATIONS

- Buildings units whose façades and floors were predicted to experience significant adverse construction noise impacts in the FEIS or FSEIS
- Do not have existing receptor controls
  - alternative ventilation
  - double glazed or storm windows

# FEIS OUTREACH PROGRAM

- FEIS outreach began in 2007
- Letters sent to approximately 550 building and unit owners and tenants
- Developer received more than 190 responses to letters
- Approximately 400 air conditioning unit vouchers issued; approximately 275 vouchers redeemed and units installed
- Double-glazed/storm windows installed in 9 of 18 eligible units; remainder received financial assistance to install windows, underwent renovations or did not respond
- Requirement considered to be fulfilled prior to release of FSEIS and amended MEC (June 2014), which triggered new locations and criteria for eligibility

# FSEIS IMPACTED LOCATIONS

- 160 buildings with significant adverse construction noise impacts (FSEIS)
- Majority offered receptor controls during FEIS outreach beginning in 2007
- FSEIS methodology:
  - Revised construction schedule and phasing
  - Under refined CEQR methodology, greater number of noise model receptors analyzed
  - Analyzed street, rear and side building facades exposed to construction

# IMPACTED LOCATION MAP



- Project Site Boundary
- Location of Predicted Significant Adverse Construction Noise Impacts According to 2006 FEIS and SEIS Construction Noise Analyses
- Location of Predicted Significant Adverse Construction Noise Impacts According to SEIS Construction Noise Analysis with Existing Receptor Controls
- Location of Predicted Significant Adverse Construction Noise Impacts According to SEIS Construction Noise Analysis without Existing Receptor Controls

Construction Noise Impacts –  
All Phasing Plans

# FSEIS OUTREACH PROGRAM

- A second outreach program was initiated in late 2014 due to release of FSEIS and amended MEC which included new eligible locations and eligibility criteria
- Primary outreach is by flyers distributed to residences in areas predicted to experience significant adverse construction noise impacts
- Flyers affixed to front door and secondary entrances of buildings, in English and Spanish
- Notice is given when construction fences/MPT are being implemented for a particular construction site
- 8 foot/16 foot site perimeter fences provide effective noise mitigation during early phase of work (e.g. excavation)

# FLYERS

## Pacific Park *brooklyn*

Dear Property Owner & Tenants:

As neighbors of the Pacific Park Brooklyn project you may be eligible to receive noise attenuating mitigation in the form of Air Conditioners and/or Double-paned Windows.

You may be eligible to receive and have installed by Greenland Forest City (the "Developer") double paned windows and an in-window air conditioning unit for certain residential units where such air conditioning and/or double paned windows do not exist today. The cost of any windows and any air conditioning units, and the cost of their installation, would be borne by the Developer.

The locations that may be eligible at this time are the residential sites in proximity to site construction and identified in the 2006 Final Environmental Impact Statement (FEIS) or the 2014 Final Supplemental Environmental Impact Statement (FSEIS) as having the potential to experience significant adverse noise impacts during the construction of the Pacific Park Brooklyn project.

In order to schedule an on-site inspection by the Developer to determine which windows may be eligible for replacement and/or AC units provided please contact:

Roberta Fearon  
Forest City Ratner Companies  
Tel: (718) 923-5314  
Email: [rfearon@fcrc.com](mailto:rfearon@fcrc.com)

Thank you for your attention. We look forward to working with you.

## Pacific Park *brooklyn*

Estimado Propietario y arrendatarios:

Como los vecinos del proyecto Pacific Park Brooklyn usted puede ser elegible para recibir la mitigación del ruido atenuar en forma de acondicionadores de aire y / o ventanas de doble acristalamiento.

Usted puede ser elegible para recibir y tener instalado por Greenland Forest City (el "desarrollador") ventanas de doble cristal o un aire acondicionado en las ventanas para ciertas unidades residenciales donde no existen tales de aire acondicionado y / o ventanas de doble acristalamiento hoy. El costo de las ventanas y las unidades de aire acondicionado, y el coste de su instalación, sería a cargo del desarrollador.

Los lugares que pueden ser elegibles en este momento son los sitios residenciales en proximidad a la construcción del proyecto y identificadas en la Declaración de 2006 Final de Impacto Ambiental (FEIS) o la Declaración Final de Impacto Ambiental Suplementaria 2014 (FSEIS) como tener el potencial de experimentar ruido adverso significativo impactos durante la construcción del proyecto Pacific Park Brooklyn.

Para elegir una sita de inspección con el desarrollador para determinar qué ventanas pueden ser elegibles para el reemplazo y / o unidades de aire acondicionado proporcionadas por favor póngase en contacto con:

Irma Barrera  
Forest City Ratner Companies  
Tel: (718) 923-5306  
Correo electrónico: [ibarrera@fcrc.com](mailto:ibarrera@fcrc.com)

Gracias por su atención. Esperamos con interés trabajar con usted.

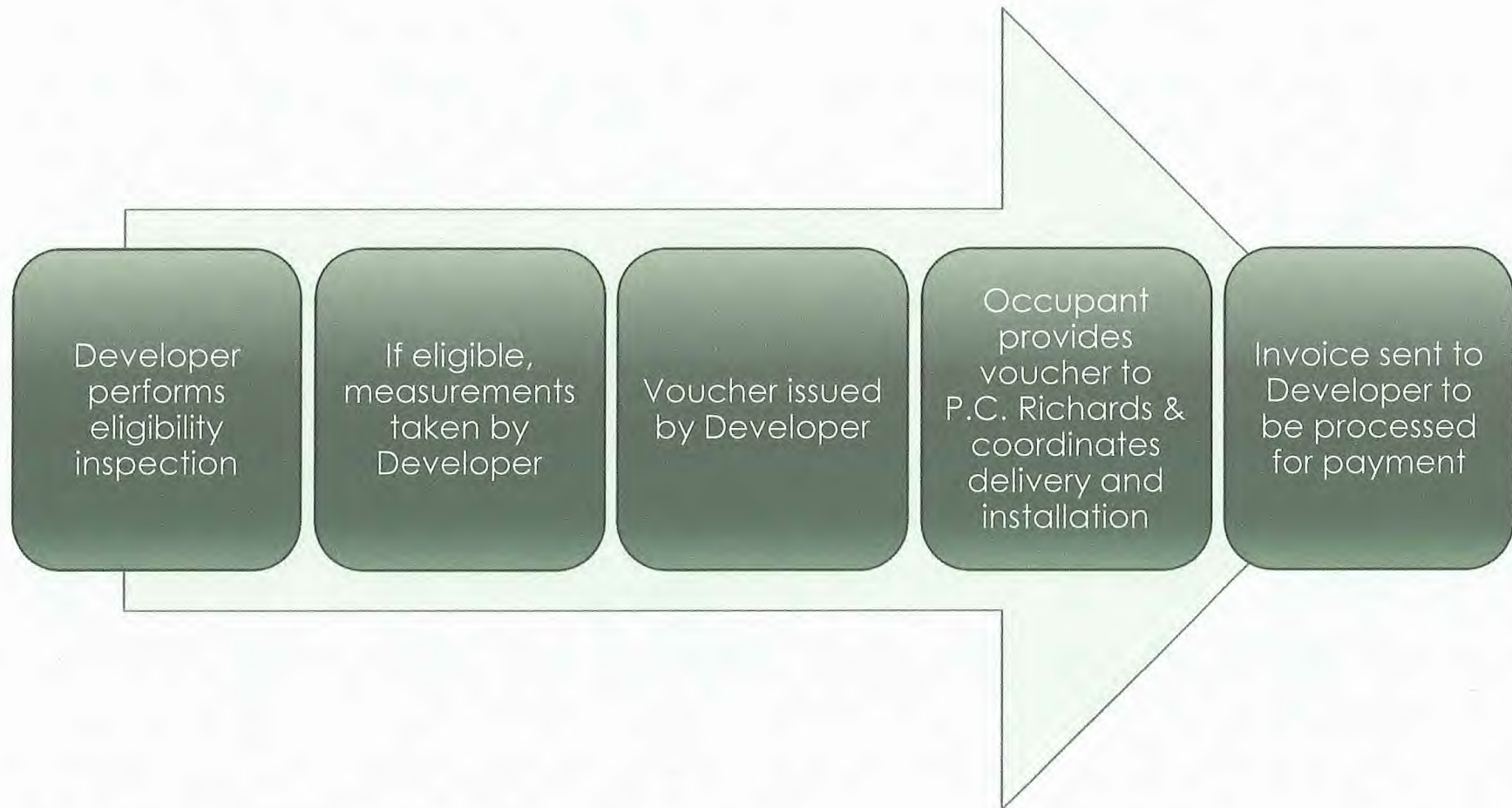
# DEVELOPER'S TRACKING SYSTEM

- Includes:
  - Eligible building and unit
  - Impacted floor and façade
  - Construction site-specific trigger (B2, Block 1129, Railyard, etc)
  - Dates of outreach by letter, flyer, email and/or phone
  - Implementation milestones (response date, inspection date, installation date, voucher issuance date, invoice number)
- Work in progress
  - Meetings with Developer/HDR/ESD to discuss refinements to tracking system
  - Information which needs to be clarified and added to tracking system

# HDR'S MONITORING EFFORTS

- Acts on behalf of ESD to monitor implementation of program
- Monitors whether Developer is implementing a program to reach affected residents
- Spot-checks tracking system to determine progress towards:
  - reaching qualified building units
  - responding in a timely manner to requests for receptor controls (less than 2 weeks)
  - providing units with receptor controls
- Spot-check vouchers and invoices

# AC UNIT INSTALLATION PROCEDURE




# WINDOW INSTALLATION PROCEDURE

- 
- Preliminary inspection for eligibility performed by Developer

- 
- Second inspection performed by Developer with owner and window contractor; measurements taken by window contractor

- 
- Appointment for window installation coordinated by Developer between owner and window contractor

- 
- Invoice sent to Developer to be processed for payment

# FSEIS PROGRAM - STATUS UPDATE

- Certified letters sent to building owners near Block 1129 and FSEIS impacted buildings not predicted to experience impacts in FEIS (December 2014/March 2015)
- Approximately 350 flyers distributed (May/June 2015) to all FEIS and FSEIS buildings with impacted units
- 45 vouchers issued
- 30 vouchers redeemed
- 4 eligible historic properties will receive financial assistance to install windows if they wish to do so
- 1 eligible building unit is in discussions with Developer regarding window installation
- No window installations performed to date
- No window installations are scheduled
- HDR considers the Developer to be actively fulfilling these mitigation requirements and will continue to monitor its progress

# RECOMMENDATIONS

- Initiate outreach 3 months prior to the implementation of construction fences/MPT at a construction site
- Provide way for potentially eligible residents who did not receive flyer to contact Developer
- Maintain website for residents to make inquiries with respect to eligibility
- Maintain latest copy of tracking system on Developer's file sharing website with HDR

# INQUIRIES

- English:

Roberta Fearon

Forest City Ratner Companies

Tel: (718) 923-5314

Email: [rfearon@fcrc.com](mailto:rfearon@fcrc.com)

- Spanish:

Irma Barrera

Forest City Ratner Companies

Tel: (718) 923-5306

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# Item # 1 – President's Report

Presentation by  
Thomas Balsley, Landscape Architect

Pacific Park Open Space Design



PACIFIC PARK OPEN SPACE DESIGN

**GF** GreenlandForestCity  
Partners

thomas**balsley**associates  
landscape architecture | urban design

## DESIGN GOALS

1. Create a cohesive continuous and inviting open space with a range of uses and activities.
2. Provide open space links from north to south between the new development and the surrounding neighborhoods by continuing the existing street system as pedestrian corridors into the open space.
3. Create an open space sheltered from atlantic avenue traffic while promoting public access and use.



# PACIFIC PARK - SITE AND PROJECT ANALYSIS

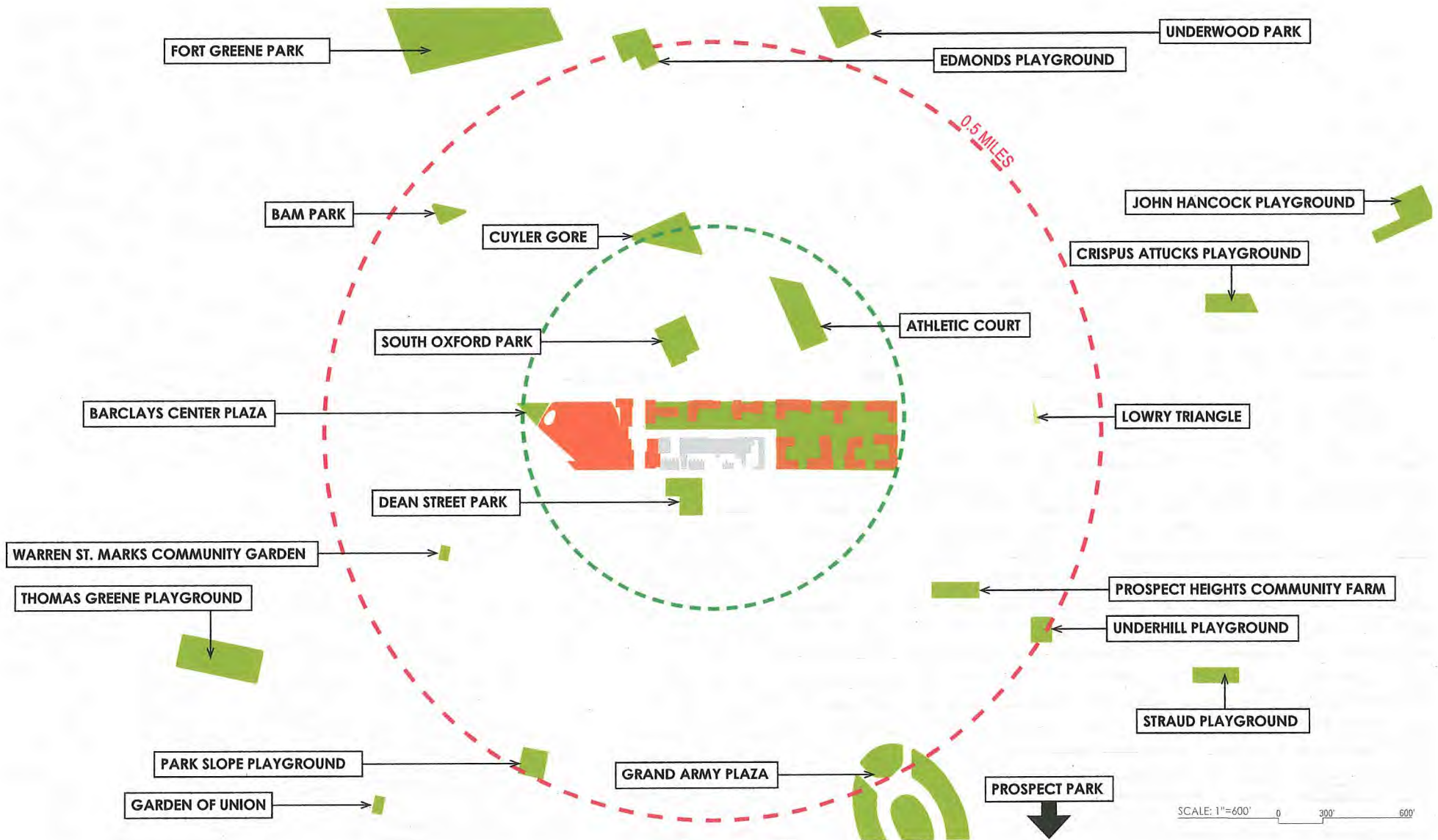
PACIFIC PARK OPEN SPACE DESIGN



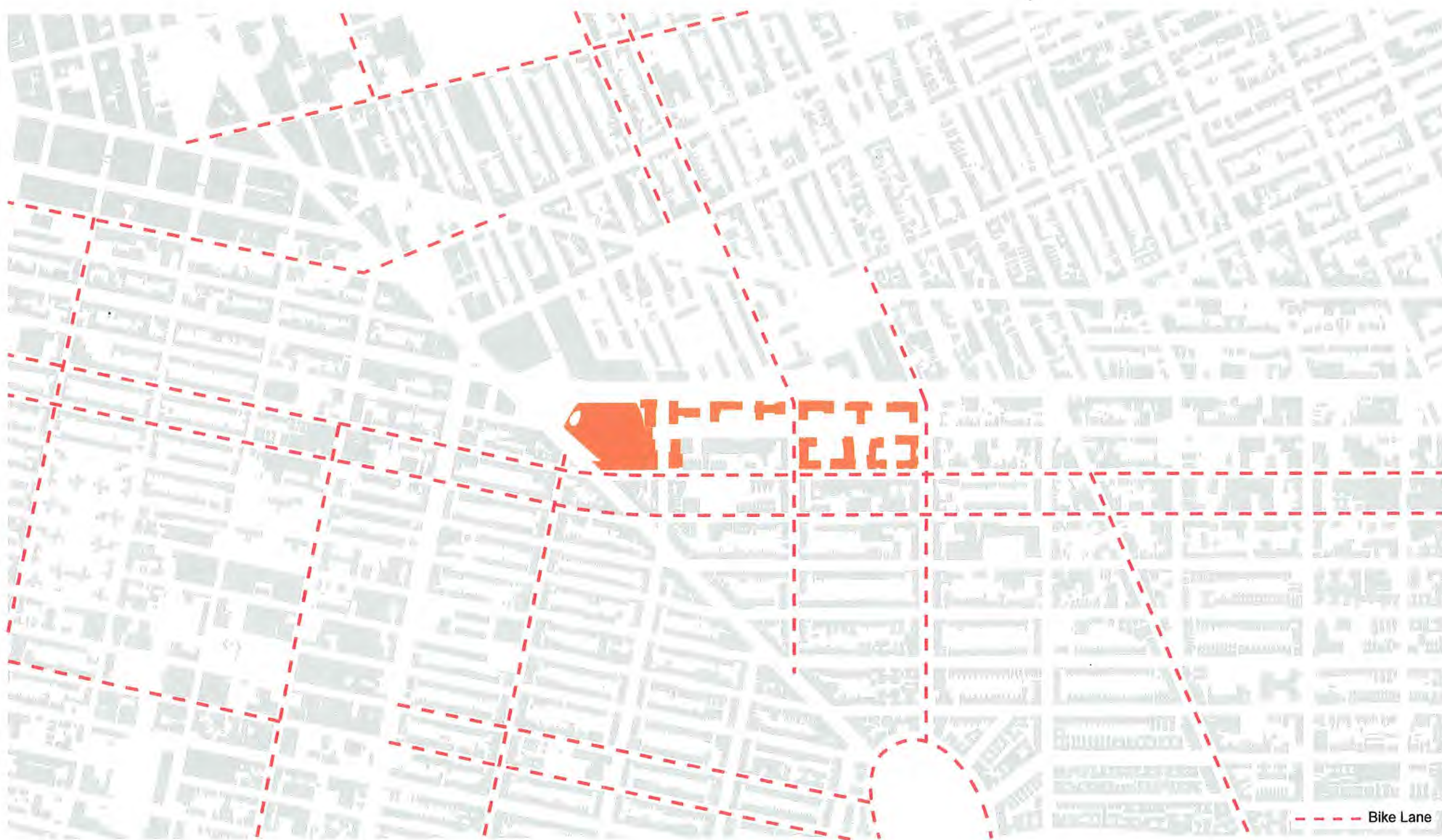
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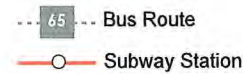




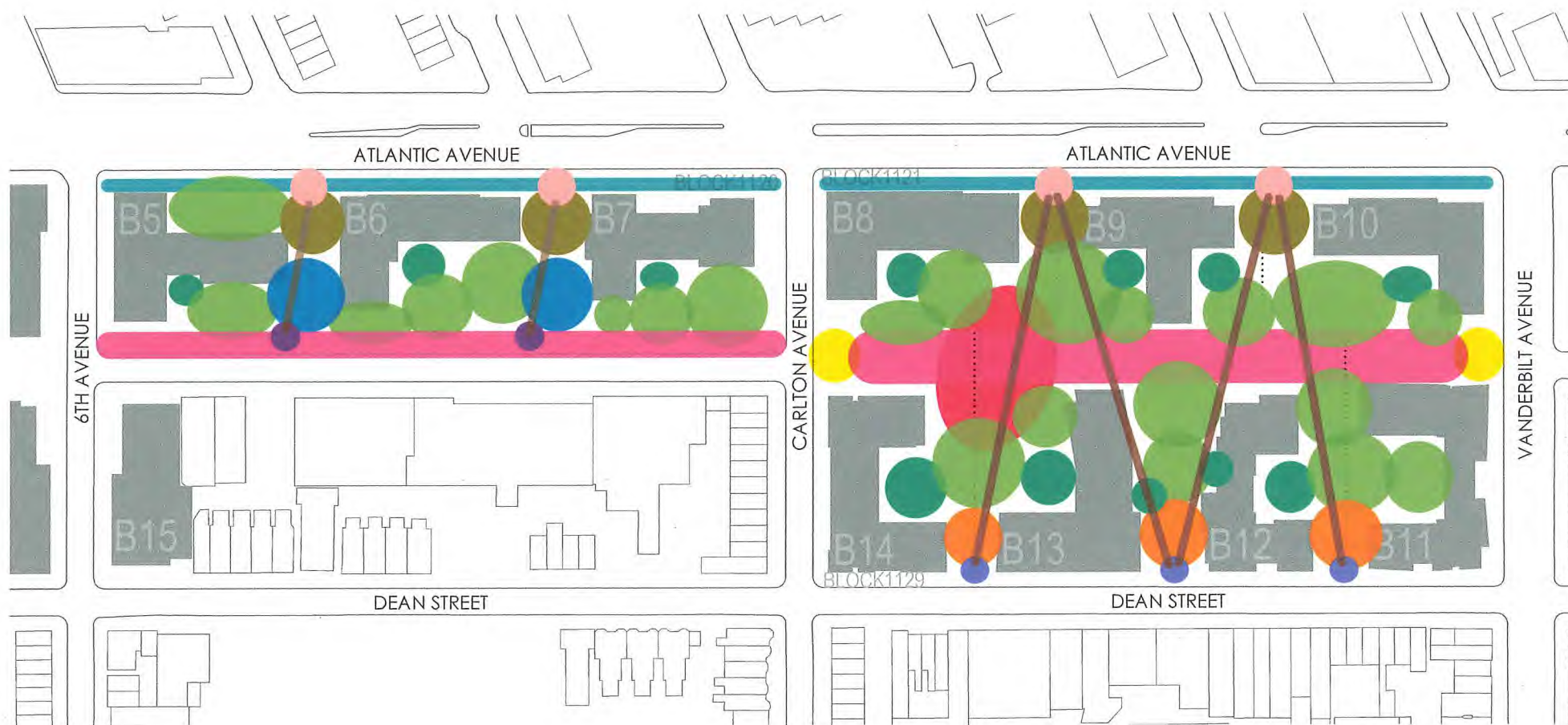




--- Bike Lane

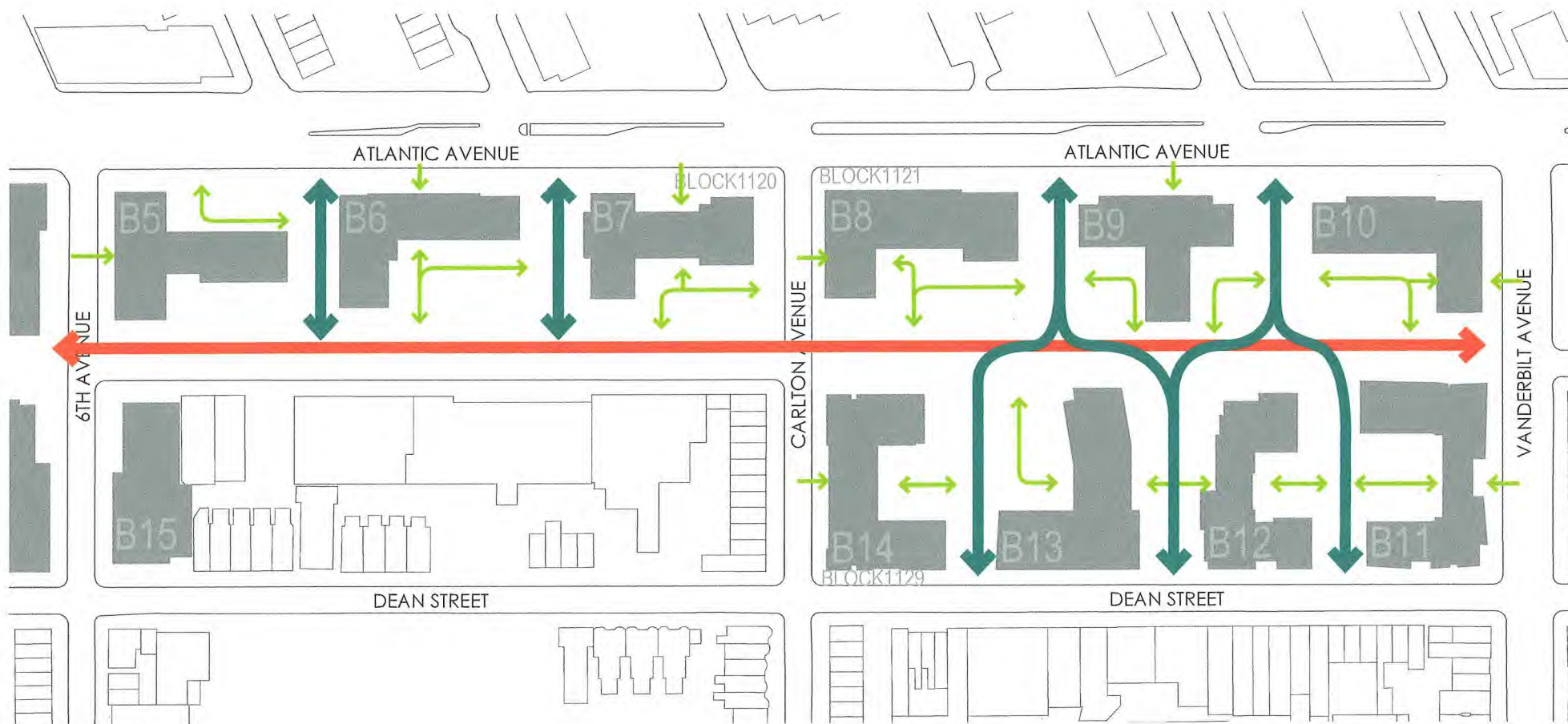






# LEGEND

- |   |   |  |   |
|---|---|--|---|
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> civic landscape               | <span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> flexible landscape: programmed space, transitional space, retail plaza | <span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> atlantic community landscape     | <span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> pacific gateway       |
| <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> central spine/common ground | <span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> formal garden   | <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> pacific street community landscape | <span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> pacific street portal |
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> atlantic ribbon               |   | <span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> dean street community landscape  | <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> dean street portal      |
| <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> north-south connectors        |   |  | <span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> atlantic portal         |



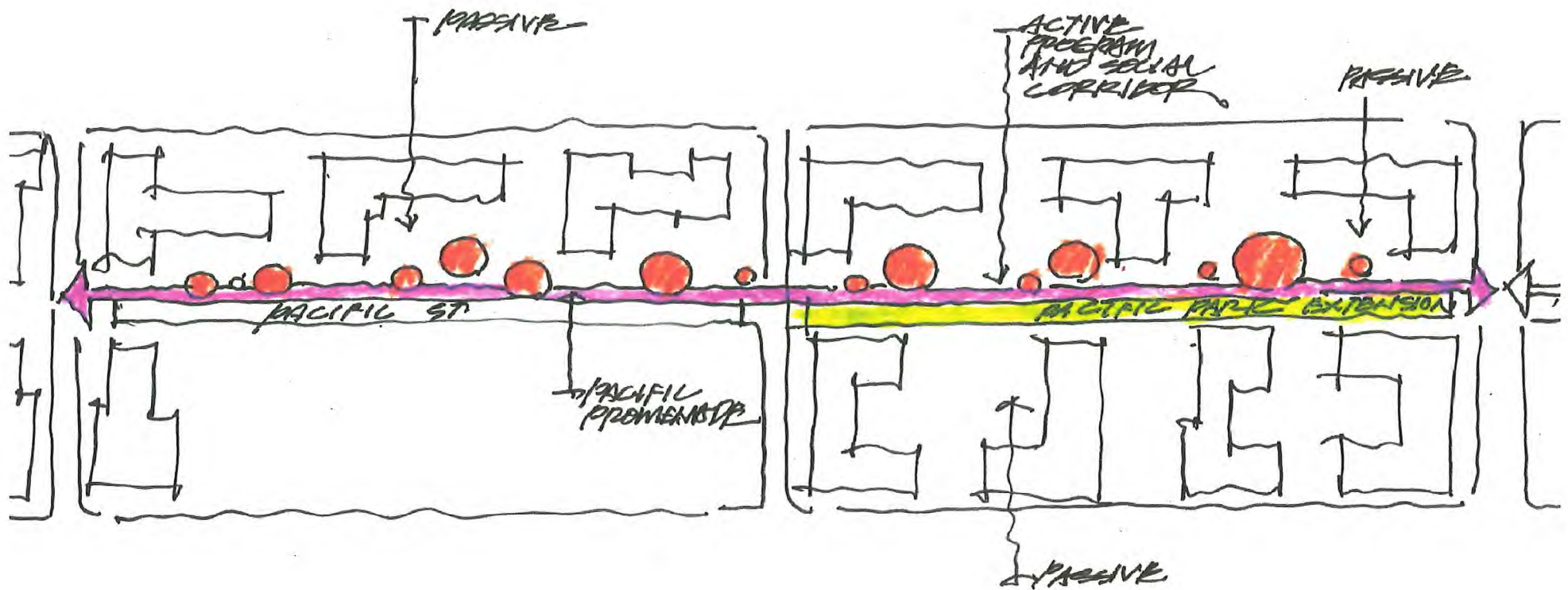
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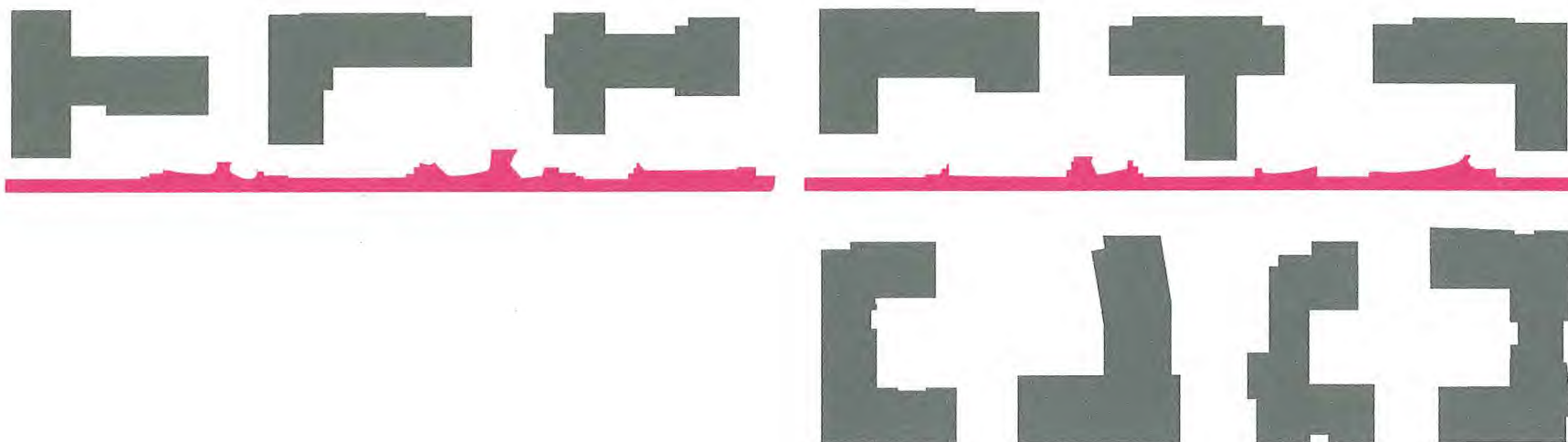
- major east-west walkway
- major north-south walkway
- secondary path

# CONCEPT











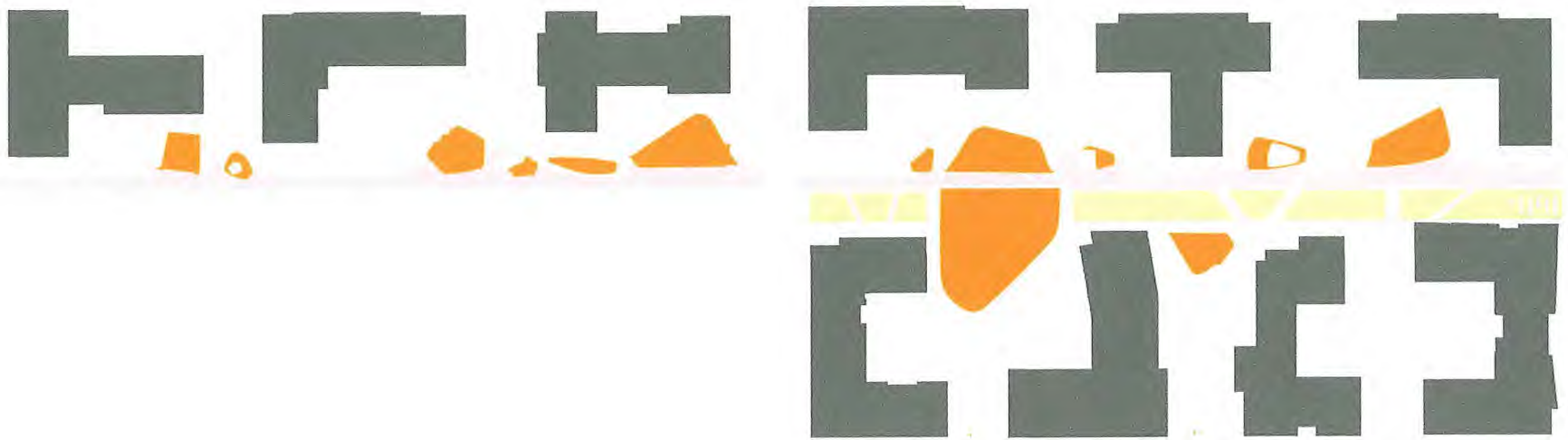
LEGEND

 promenade



# LEGEND

 ribbon lawn



# LEGEND

program areas



# LEGEND

- lantern folly
- gateway marker



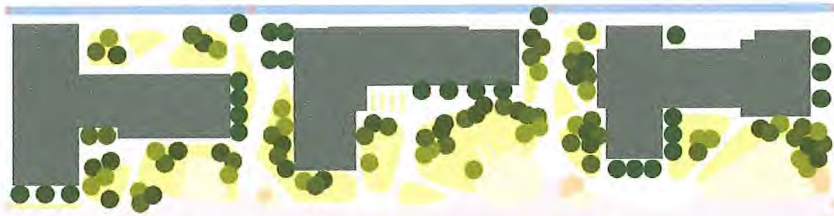
# LEGEND

interpretative retail rail ribbon



# LEGEND

planted areas




# LEGEND

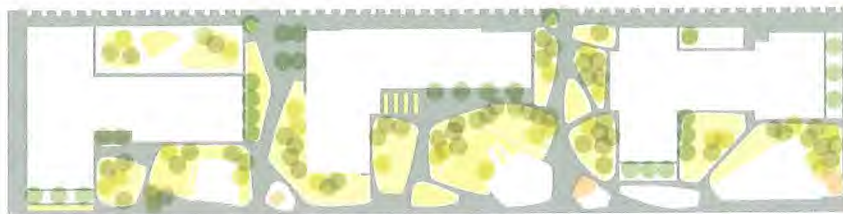


trees



## LEGEND

 water feature




# LEGEND

■ matrix paving



# LEGEND

 north / south connectors



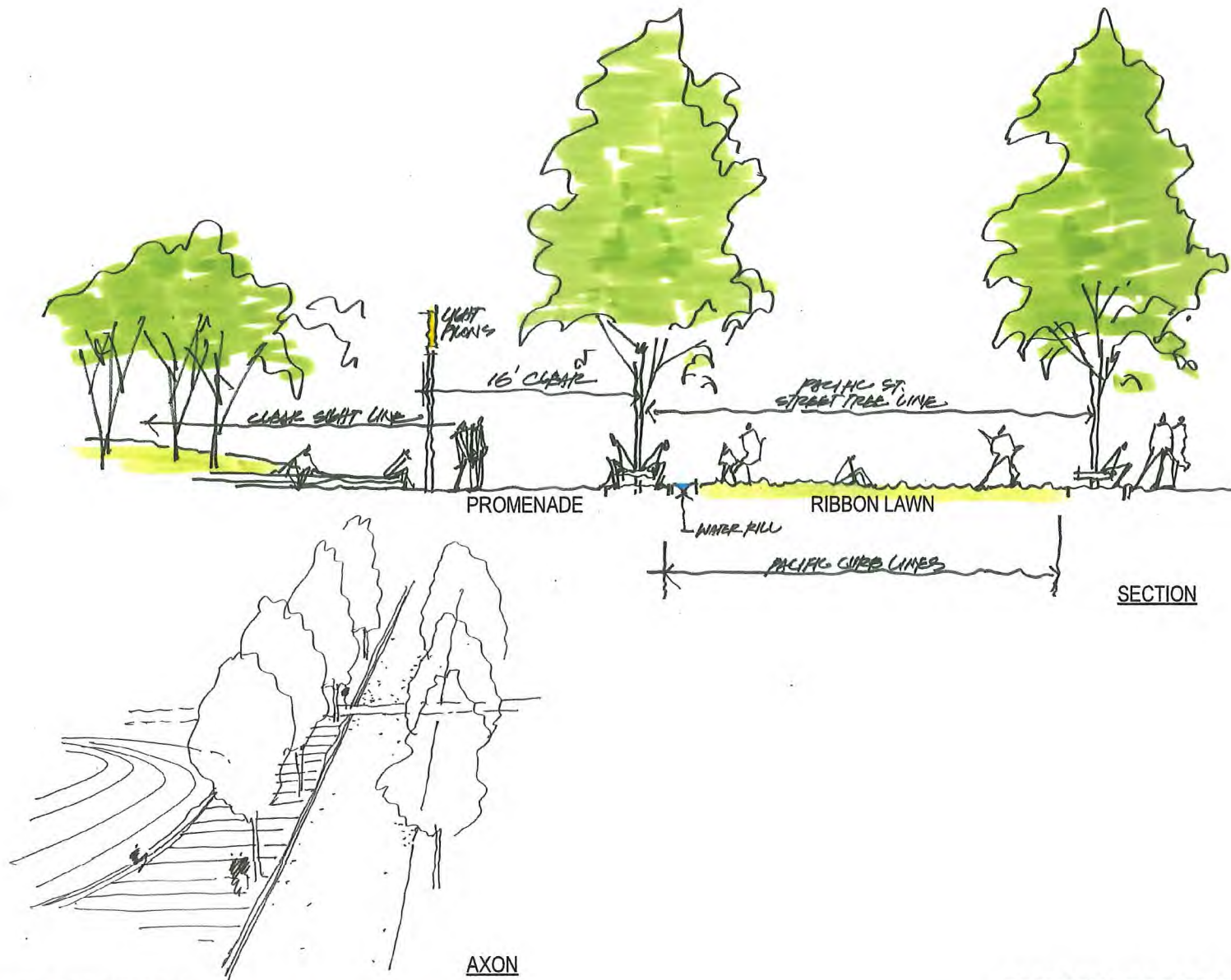
## LEGEND

- promenade
- ribbon lawn
- program areas

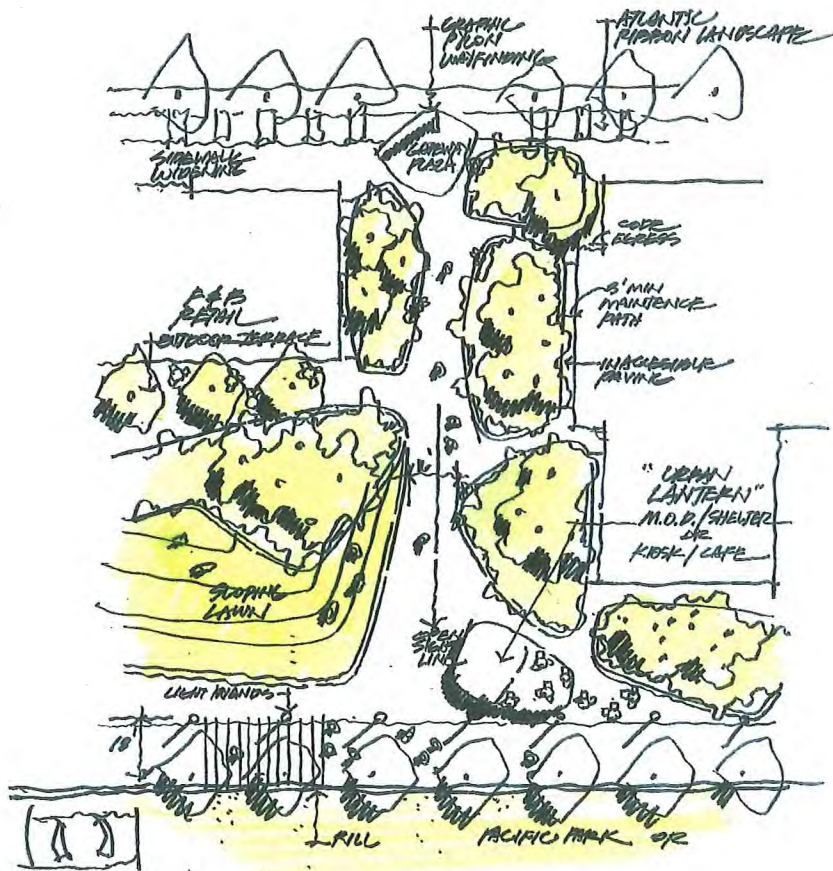
- lantern folly
- gateway marker
- interpretative retail rail ribbon

- planted areas
- trees
- water feature
- matrix paving

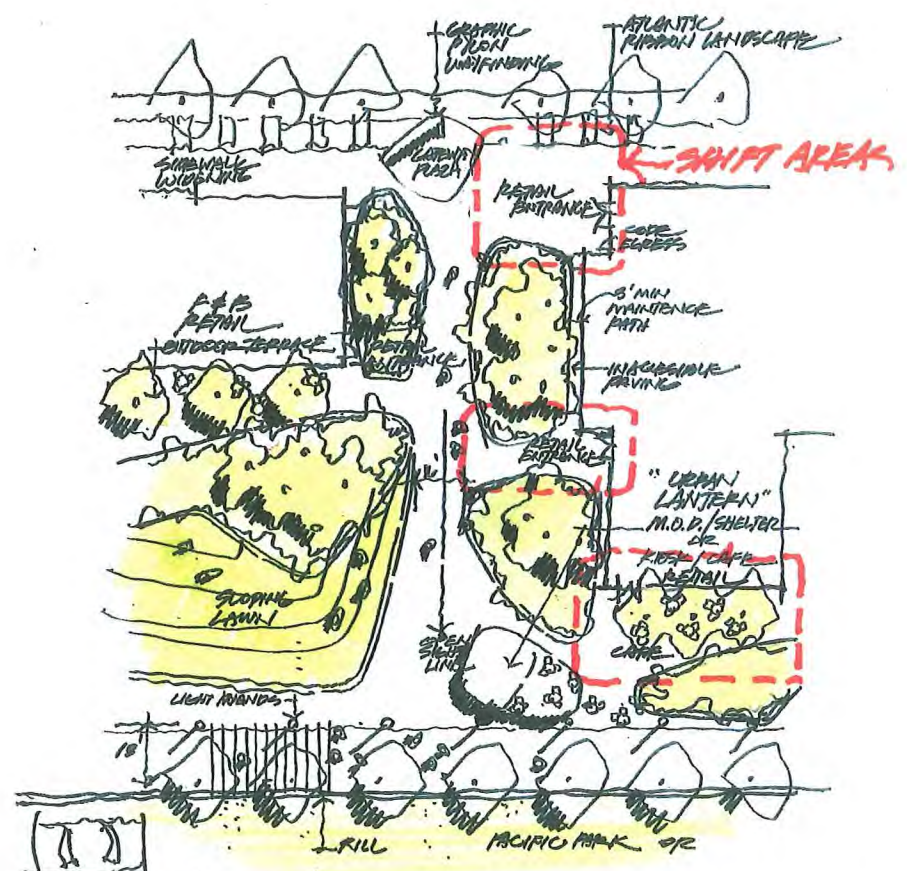








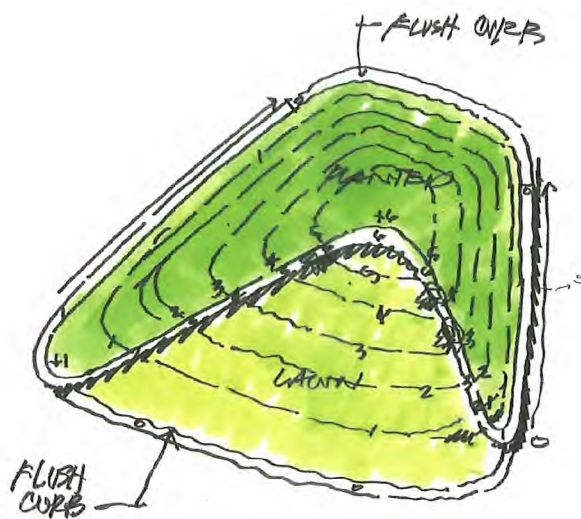
FLEXIBLE CONCEPT PLAN



SHIFTS MAINTAIN DESIGN INTEGRITY



MULTI-PURPOSE ACCESS WITH BUFFER



MULTI-PURPOSE ACCESS WITH BUFFER



TOTALLY PLANTED - ACTIVE AREAS



TOTALLY PLANTED - PASSIVE AREAS



COMPOSITE LIGHTING SECTION

DESIGN PROVIDES FOLLOWING FOOT-CANDLE LEVELS:

- 1.0 FC along pedestrian walkways
- 2.0 FC at Primary Access Points
- 0.5 FC in other locations



# LEGEND

- |                   |   |                      |                            |                                      |
|-------------------|---|----------------------|----------------------------|--------------------------------------|
| 1 plaza           | 6 skim fountain   | 11 cafe seating      | 17 bocce court             | 23 lantern / skylight                |
| 2 lawn            | 7 water rill  | 12 play area         | 18 water garden            | 24 sculpture                         |
| 3 retail terrace  | 8 sloping lawn  | 13 dog run           | 19 Pacific street terminus | 25 maisonette court                  |
| 4 toddler play    | 9 formal garden   | 14 basketball court  | 20 lantern / exhaust       | 26 flowering slope                   |
| 5 amenity terrace | 10 gateway portal with graphic signage / wayfinding pylon | 15 garden            | 21 lantern / kiosk         | 27 railroad heritage / retail ribbon |
|                   | 16 terrace  | 22 lantern / shelter |                            |                                      |



RENDERING COURTESY OF VUW STUDIOS

## PACIFIC PARK OPEN SPACE DESIGN



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## OPEN SPACE RENDERING, TOWARD 550 VANDERBILT

07-28-2015



RENDERING COURTESY OF VUW STUDIOS

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## OPEN SPACE RENDERING, FROM ATLANTIC

07-28-2015

33



RENDERING COURTESY OF VUW STUDIOS

## PACIFIC PARK OPEN SPACE DESIGN



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## OPEN SPACE RENDERING, TOWARD MAIN LAWN

07-28-2015

## FEATURES AND SPACES - PRECEDENTS



HERITAGE MATERIALS, BROOKLYN, NYC



STONE DUST PAVING



BLUESTONE PAVING



STONE WALLS

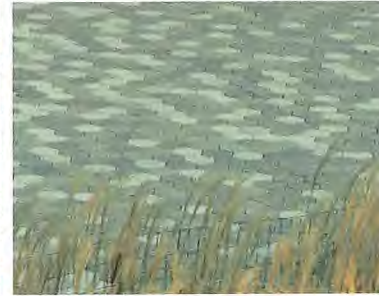


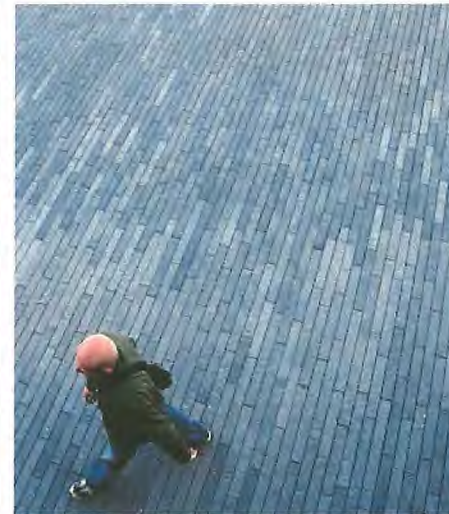
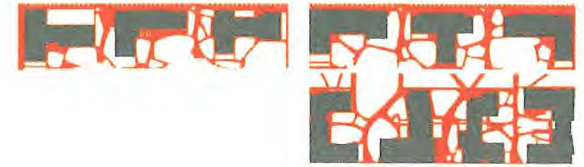
HEXAGONAL PAVERS



COBBLESTONE PAVING

INTERPRETED MATERIALS





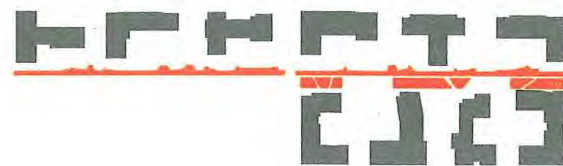
## PACIFIC PARK OPEN SPACE DESIGN



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## PAVING MATRIX

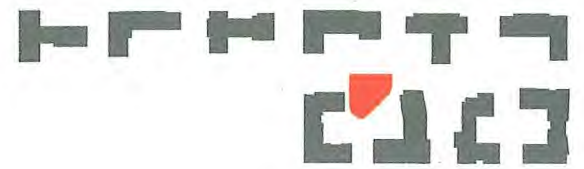
07-28-2015



THE HIGHLINE, NEW YORK, NY



BROOKLYN HEIGHTS PROMENADE, BROOKLYN, NY



BRYANT PARK, NEW YORK, NY



CURTIS HIXON WATERFRONT PARK, TAMPA, FL



TEARDROP PARK, NEW YORK, NY



WESTSHORE PARK, BALTIMORE, MD

## PACIFIC PARK OPEN SPACE DESIGN



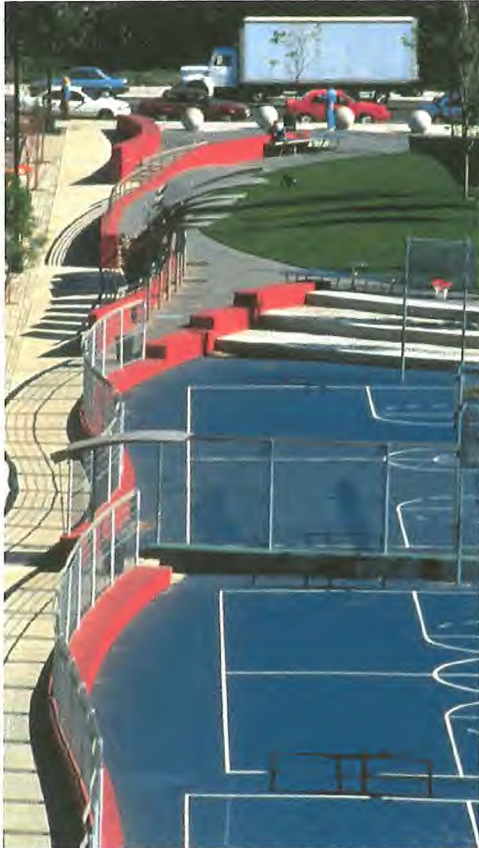
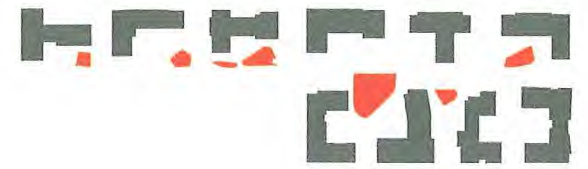
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## MAIN LAWN

07-28-2015

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HUNTERS POINT COMMUNITY PARK, NEW YORK, NY



SKYLINE PARK, DENVER, CO



RIVERSIDE PARK SOUTH, NEW YORK, NY



CHELSEA WATERSIDE PARK, NEW YORK, NY

## PACIFIC PARK OPEN SPACE DESIGN



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## ACTIVE PLAY

07-28-2015

40



HUNTERS POINT SOUTH PARK, QUEENS, NY



SILVER PARK, NEW YORK, NY

## PACIFIC PARK OPEN SPACE DESIGN



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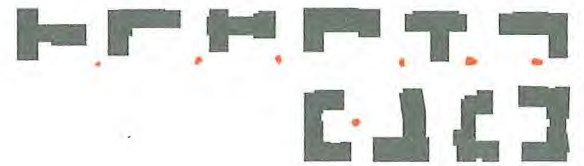
## DOG RUNS

07-28-2015

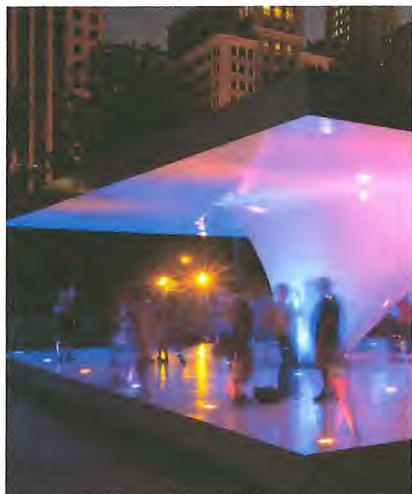
41



URBAN LANTERN FOLLY  
AS VENT AND SHELTER



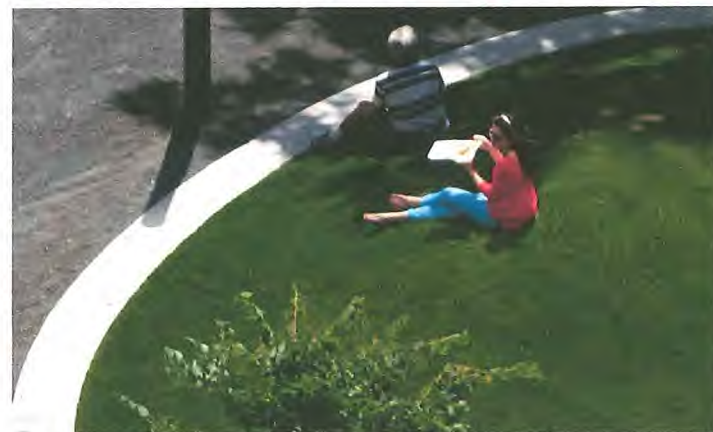
LANTERN FOLLY AS FOOD KIOSK



URBAN LANTERN FOLLY AS SHELTER



LANTERN FOLLY AS LIGHT CHIMNEY



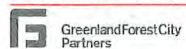
PERK PARK, CLEVELAND, OH



TBA CANADIAN MUSEUM OF CIVILIZATION, GATINEAU

CLAUDE CORMIER + ASSOCIÉS

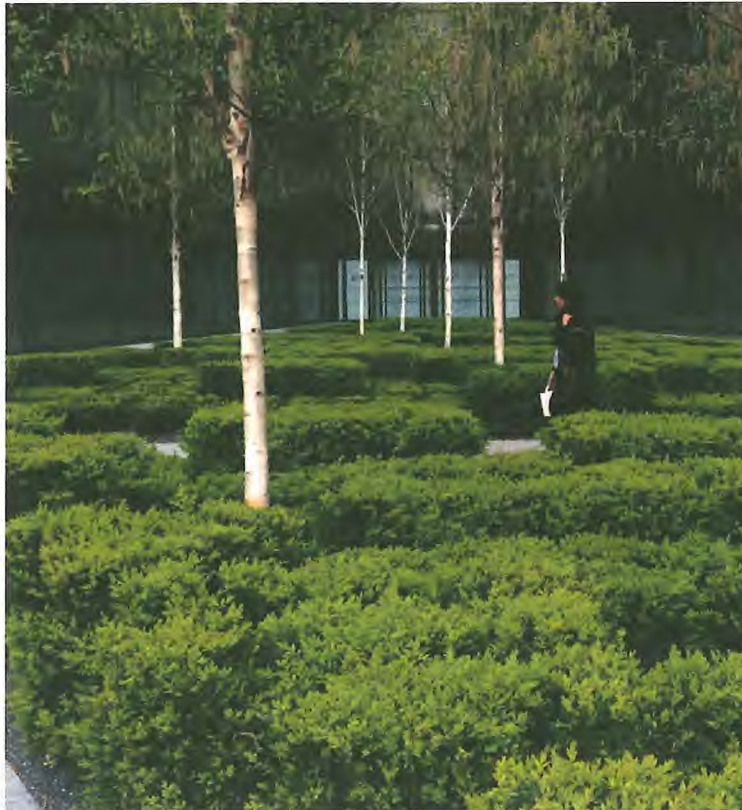
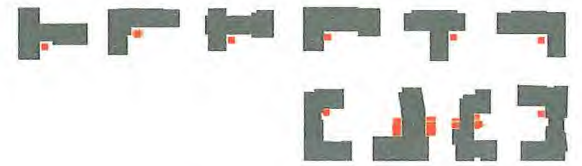
## PACIFIC PARK OPEN SPACE DESIGN



thomas**balsley**associates  
landscape architecture | urban design

## ARCHIPELAGO ISLANDS

07-28-2015



THE BURJ KHALIFA PARK, DUBAI



PEGGY ROCKEFELLER UNIVERSITY PLAZA, NEW YORK, NY



CARDIOVASCULAR RESEARCH CENTER, SAN FRANCISCO, CA





# LEGEND

- |                   |   |                     |                            |                                      |
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# Item #2



**Atlantic Yards  
Community  
Development  
Corporation**

A Subsidiary of Empire State Development

**FOR CONSIDERATION**

July 28, 2015

**TO:** The Directors

**FROM:** Marion Phillips, III

**SUBJECT:** Brooklyn (Kings County) – Atlantic Yards Land Use Improvement and Civic Project

**REQUEST FOR:** Authorization to Recommend that Empire State Development’s Directors Approve Open Space Concept Design Presentation Modifications to Open Space Design Guidelines; and Authorization to Take Related Actions

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**I. Summary**

**Developer** Atlantic Yards Venture, LLC, through itself and various affiliates (the “Venture”). The Venture consists of Forest City Ratner Companies (“FCRC”) and Greenland Atlantic Yards LLC (“Greenland”).

**Project Site** Generally bounded by Atlantic, Flatbush, and Vanderbilt Avenues and Dean Street. See Project Site Map attached as **Exhibit A**.

**Project Description** The Project’s ~18,000 seat Barclays Arena opened in 2012. The Project also includes: (a) development of 16 buildings for residential, office, and retail uses, and potential ancillary uses, including up to 6,430 units of housing, with 4,500 rental units, of which 2,250 units (50%) will be affordable to low, moderate, and middle income households; (b) reconfigured and improved subway and commuter rail facilities; and (c) development of eight acres of publicly accessible open space.

**General Project Plan** The Project’s initial General Project Plan was affirmed, as modified, by Empire State Development’s (“ESD”) Directors in 2006. In 2009, ESD’s Directors affirmed a further modified General Project Plan, which amended and restated the 2006 MGPP. In mid-2014, ESD’s Directors further modified the General Project Plan.

**Design Guidelines**      The Project's Design Guidelines are attached to the General Project Plan and are unchanged since 2006, except that in 2013 ESD's Directors adopted a modification to the bulk envelope drawings for one of the residential buildings (B4). Developer is required to construct the Project in conformance with the Design Guidelines. The Open Space Design Guidelines ("OSDGs") are set forth at Section VII of the Design Guidelines. The OSDGs constitute the design criteria to which the eight acres of publicly accessible open space must conform.

**Proposed Modifications**      For reasons detailed in these materials, staff recommends that the OSDGs be modified as fully described under Proposed OSDGs Modifications below. A copy of the OSDGs, marked to show the proposed modifications, is attached hereto as **Exhibit B**. No other provisions of the OSDGs would be modified, no Project building design is affected, and the Design Guidelines and the General Project Plan would remain otherwise unmodified.

## **II.      Project Background and Update**

In 2006, ESD's Directors accepted a Final Environmental Impact Statement for the Project (the "FEIS") and affirmed the initial General Project Plan. In 2009, the ESD Directors approved certain further modifications to the Project and affirmed an amended and restated General Project Plan. As a result, ESD condemned certain Project properties required for Project construction, and ESD, FCRC (and affiliates), The City of New York, the Metropolitan Transportation Authority, and various other parties entered into Project contractual documents requiring and defining development of the Project consistent with the General Project Plan. Barclays Arena, with associated transportation and infrastructure improvements, opened in September 2012.

In mid-2014, ESD's Directors accepted a Final Supplemental Environmental Impact Statement for the Project (the "FSEIS"), the General Project Plan was further amended to modify miscellaneous bulk and parking requirements, Project documents were amended to accelerate both the commencement and the completion of affordable housing construction, and FCRC partnered with Greenland to form the Venture. Construction of four residential buildings, including two 100% affordable buildings, has commenced. Construction work also continues on the commuter rail yard improvements.

## **III.      Design Guidelines Background**

The Design Guidelines set forth both general goals and objectives and specific requirements for Project design. General goals include: development envelopes that establish street wall presence and a unique identity for individual buildings; modulated building scale with setbacks

and horizontal and vertical architectural breaks; and building façade articulation with variation in materials and window detailing. The OSDGs control the location, configuration, uses, and amenities of the Project's open space.

#### IV. OSDGs Modification Background

The OSDGs have been unchanged since 2006. Since that time, almost ten years ago: (a) specific Project building designs (including footprints) have been advancing from conceptual to construction; and (b) general optimal urban open space design concepts have highlighted sightlines for safety and more active space for recreational activities. These changes have suggested some modification of the 2006 OSDGs in order to fully maximize the utility of the Project open space both for Project residents and for members of the public at large.

#### V. Proposed OSDGs Modifications

A rendering of the currently effective 2006 Open Space plan is attached hereto as **Exhibit C**. For comparison purposes, a rendering of the proposed 2015 Open Space plan is attached hereto as **Exhibit D**. The proposed OSDGs modifications include:

1. Water Feature: Delete paragraph 5b(i) and insert "The open space shall include water features with a minimum surface area of 0.22 acres. Water features shall comply with all applicable rules and regulations." The passive viewing pond of 0.30 acres would be replaced with dispersed distribution of water in the landscape, with water gardens, interactive skim/play areas, and a water rill that runs along the unifying linear lawn on the former Pacific Street roadbed. A skim fountain would be between sites B9, B10, B11, and B12, with approximately 0.01 acres falling within B12.
2. Water Feature Boardwalk: A boardwalk integrated with the passive viewing pond also would be eliminated, with the deletion of paragraph 5b(i).
3. Seating: At paragraph 6a(vi), delete "25%" and insert "35%". The maximum amount of seating that may be backless would increase to 35% from 25%. Permitting a maximum of 35% backless seating would facilitate a design that is responsive to the variety of seating conditions sought by the public. Where passive and active programming is focused adjacent to and along the West-East promenade, a greater concentration of backed seating is anticipated. The design of the North-South walkways and tertiary paths are less formalized and will primarily facilitate movement. Mixed seating opportunities – wide edges, steps, graded slopes, and moveable furniture (backed) – allow a response to this condition; one that is fun, flexible, and interactive.
4. Walkways: The total acreage consumed by walkways would reduce from 4.62 acres to 3.65 acres. The bulk of that reduced acreage would be used for planted areas (see 5 below). This change would decrease the amount of paved open space and increase the amount of planted open space.
5. Planted Areas: At paragraph 6d(i), delete "2.6" and insert "3.5". At paragraph 6d(ii), delete ".75" and insert "1.0". At paragraph 6d(iii), delete "1.25" and insert "1.20"; delete "1.85" and insert "2.50". The maximum acreage of open space planted areas

would increase from 2.6 acres to 3.5 acres, mostly by utilizing the reduced walkway areas.

6. Planted areas, Canopy Trees: Paragraph 6d(v) would be amended by inserting at the end of the first sentence, “with the exception of the Major East-West Walkway at the large open lawn area bordered by sites B8, B9, B13, and B14.” This will permit a visually unobstructed main lawn to serve as a unifying focal point for active and passive use.
7. Open Space Diagrams: Delete the Open Space Diagrams attached to the Design Guidelines at Appendix 2a (pages 87 to 93) and insert the attached Exhibit E. Delete the Open Space Illustrative Phasing Diagrams attached to the design Guidelines at Appendix 2b (pages 94 to 104) and insert the attached Exhibit F. The open space for each individual building will be completed, as shown on the Illustrative Phasing Diagrams, as each individual building is completed, as previously required.

These proposed modifications are not material modifications to the OSDGs and do not require other modifications of the OSDGs, or of the Design Guidelines, or of the General Project Plan, all of which will otherwise remain in full force and effect. The proposed modifications are consistent with the general goals and objectives of the OSDGs. Such modifications would not reduce the requirement for eight acres of open space, and in fact would increase the available open space to approximately 8.42 acres. The modifications will not reduce, and are expected to enhance, the beauty, safety, and utility of the open space for Project residents and the general public alike.

These minor modifications to the OSDGs would leave unchanged the key elements of the open space design. The open space would continue to have not less than a minimum of 8.0 acres of publicly accessible open space on Blocks 1120, 1121, and 1129 at the Project site, and the open space would continue to consist of an approximately similar mix of active and accessible open space design features. The key open space corridors – the E-W corridor along the bed of the former Pacific Street between Blocks 1121 and 1129; and the five N-S corridors between the buildings on Blocks 1120, 1121, and 1129 – would remain in the same general locations, to encourage public access and use of the open space. The total amount of public seating and the number of canopy trees would also remain approximately unchanged.

## VI. Environmental Review

The Project’s FEIS and FSEIS were completed pursuant to the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations of the New York State Department of Environmental Conservation. ESD’S Directors: (a) adopted SEQRA Findings on December 8, 2006 based on the FEIS; (b) accepted a June 2009 Technical Memorandum and a December 2010 Technical Analysis under SEQRA; and (c) adopted supplemental SEQRA Findings on June 27, 2014 based on the FSEIS.

The minor changes to the OSDGs discussed above: (a) would be consistent with the general goals and objectives of the Project’s OSDGs and Design Guidelines generally; (b) would not materially alter the open space required by the General Project Plan, inclusive of the OSDGs;

and (c) would not result in any new or substantially different significant adverse environmental impacts than those addressed in the FEIS and the FSEIS. The changes would not affect the quantitative analysis of open space impacts presented in the FEIS and the FSEIS because they would not constitute material changes to the amount of publicly accessible open space devoted to passive or active uses. The changes would not reduce the utility or adversely affect the accessibility or design of the open space, and therefore would not result in any significant adverse environmental impacts with respect to the qualitative analysis of open space impacts or urban design impacts of the Project. Therefore, a further Supplemental Environmental Impact Statement is not required in connection with the proposed modifications set forth in these materials, and no further environmental review is required under SEQRA in connection with such proposed modifications.

VII. Non-Discrimination and Contractor Diversity

ESD's Non-Discrimination and Contractor & Supplier Diversity policies will continue to apply to the Project.

VIII. Requested Actions

The AYCDC Directors are requested to recommend that the ESD Directors approve the proposed modifications to the Project's Open Space Design Guidelines as set forth in these materials, and to authorize all actions related to the foregoing.

Attachments

Resolutions

Exhibit A – Project Site Map

Exhibit B – Project Open Space Design Guidelines, as currently effective and as proposed to be revised

Exhibit C – 2006 Open Space Rendering

Exhibit D – Proposed 2015 Open Space Rendering

Exhibit E – new OSDGs Appendix 2a

Exhibit F – new OSDGs Appendix 2b

July 28, 2015

ATLANTIC YARDS COMMUNITY DEVELOPMENT CORPORATION - Brooklyn (Kings County) – Atlantic Yards Land Use Improvement Project and Civic Project - Authorization to Recommend that Empire State Development's Directors Approve Open Space Concept Design Presentation Modifications to Open Space Design Guidelines; 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"), the Corporation hereby recommends that the ESD Directors approve the proposed modifications to the Project's Open Space Design Guidelines set forth in the Materials; and be it further

RESOLVED, that the President is authorized and directed, in the name and on behalf of the Corporation, to take any and all such actions as may be necessary or appropriate to effectuate the foregoing resolutions, including making report to and submitting materials to the ESD Directors.

\* \* \*

# Exhibit A

# General Project Plan

## Site Plan



## Proposed Project (Approximate GSF)

Arena	850,000 GSF
Office*	336,000 GSF
Hotel*	165,000 GSF (Approx. 180 Rooms)
Residential*	6.4 M GSF (Approx. 6,430 Units)
Retail	247,000 GSF
Open Space	8 Acres Public/ 1+ Acres Private

## \*Variation (B1, B2, Site 5)

The project allows for certain variation, which would replace some residential use and the entire hotel use with additional commercial space in B1, B2 and Site 5.

# **Exhibit B**

## **VII. Open Space Design Guidelines**

### **1. Size**

- a. Overall - Eight acres of publicly accessible open space in the aggregate shall be provided on Blocks 1120, 1121, and 1129 including the bed of Pacific Street between Vanderbilt and Carlton Avenues.
- b. Block 1120 – a minimum of 2.0 and a maximum of 3.25 acres of the required publicly accessible open space shall be located on Block 1120. Additional open space, either private or publicly accessible, may be provided on the Block at the discretion of the developer.
- c. Block 1121/1129 – a minimum of 4.75 and a maximum of 6.00 acres of the required publicly accessible open space shall be located on the block created by Block 1121, Block 1129, and Pacific Street between Vanderbilt Avenue and Carlton Avenue. Additional open space, either private or publicly accessible, may be provided on the combined block at the option of developer.
- d. Minimum Widths – the minimum width of any portion of the publicly accessible open space bounded by two or more buildings shall be sixty feet.

### **2. Primary Access Points**

- a. The publicly accessible open space shall include Primary Access Points located directly adjacent to the surrounding street network as shown in Figure 2.1.
- b. Dimensions: The Primary Access Point shall have a width of sixty feet parallel to the street line and a depth of thirty feet from the adjoining street line, provided that the primary access point to the major East-West walkway at Carlton Avenue shall be 100 feet.
- c. Openings – Each Primary Access Points shall include a clear and unobstructed walkway with a minimum width of 18 feet connecting the adjoining sidewalk and a Major North-South Walkway (described in Section 3 below), or two or more pathways each providing a clear unobstructed width of not less than 12 feet.
- d. Primary Access Points shall meet the adjoining street line at the elevation of the adjoining sidewalk.
- e. Planting Areas shall be incorporated into each Primary Access Point, and shall utilize a combination of trees, shrubs, and other plant materials.
- f. Seating shall be provided in each Primary Access Point as set forth in Section 6(a) below.

- g. Signage shall be located at each Primary Access Point listing the hours the open space is open to the public, the names and addresses of the entity responsible for maintenance, and a contact number for information and complaints.

3. Major North-South Walkways. Major North-South Walkways shall link the Primary Access Points to the Major East-West Walkway described in Section 4 in the locations shown in Figure 2.1. The width of the Major North-South Walkway zones as shown in Figure 2.1 shall be unobstructed by any building or other structure not part of the open space for a minimum width of sixty feet throughout.

- a. Each Major North-South Walkway shall include a clear unobstructed pedestrian walkway with a minimum width of 16 feet, which path can split into two or more pathways at any point along its length provided that the resulting pathways each provide a clear unobstructed width of not less than 12 feet.
- b. The minimum width of the required pedestrian walkways shall be of a smooth, durable material, which may include without limitation: Stone, concrete or brick pavers, asphalt unit pavers, decomposed granite paving, and wood decking. Textured walkway materials, such as cobblestones or crushed gravel may be used in pedestrian areas but shall not be considered part of the required pedestrian walkway.
- c. In no event shall the required pedestrian walkways have a slope of more than 4.9% at any point in the major direction of travel.
- d. Seating shall be provided along each Major North-South Walkway as set forth in Section 6(a) below.

4. Major East-West Walkway

- a. The publicly accessible open space shall include a Major East-West Walkway east of Carlton Avenue within the publicly accessible open space connecting Sixth Avenue and Vanderbilt Avenue.
- b. The Major East-West Walkway shall be located within fifty-five feet of the mapped width of Pacific Street (as shown on the City Map of the City of New York as of the date of these Design Guidelines) east of Carlton Avenue for its full length, and shall be located adjacent to the northern street line of Pacific Street west of Carlton Avenue.
- c. The Major East-West Walkway shall meet the adjoining Carlton Avenue and Vanderbilt Avenue street lines at the elevation of the adjoining sidewalks. In no event shall the Major East-West Walkway have a slope of more than 4.9% at any point in the major direction of travel.
- d. The Major East-West Walkway shall have a minimum clear width of 16 feet, which path can split into two or more pathways at any point along its length provided that the resulting pathways each provide a clear unobstructed width of

not less than 12 feet, and shall be of a smooth, durable material, which may include without limitation stone, concrete or brick pavers, asphalt unit pavers, decomposed granite paving, and wood decking. Notwithstanding the foregoing, not more than two feet of the required width may be comprised of textured paving such as cobblestone or crushed gravel. In addition, the width of the walkway may be reduced on Parcel 5 to accommodate Building 5 provided that in such event the landscaping of the walkway adjacent to Building 5 shall, to maximum extent possible maintain visibility in an east-west direction. Design features, including steps, and additional textured paving may be used in the Major East-West Walkway, but shall not be considered part of the minimum required clear width.

- e. An additional zone shall be provided on each side of the Major East-West Walkway to accommodate trees and seating as set forth in Section 6(a) below.
- f. The Pacific Street sidewalk shall be widened by not less than 4 feet for its entire length between 6<sup>th</sup> Avenue and Carlton Avenue. The materials for the widened sidewalk may be from the same pallet as used for the Major East-West Walkway.

## 5. Uses

### a. Active Space

- i. A minimum of 0.80 acres of active space (including 50% of area of the Main Lawn described in Section 5(c) below) shall be located within the publicly accessible open space, with a minimum of 0.1 acres of such space to be located on Block 1120 and a minimum of 0.3 acres to be located on Block 1121/1129.
- ii. Active spaces shall include a combination of playgrounds, open lawns, and defined recreational areas for games such as volleyball, basketball, bocce ball, and similar activities.
- iii. A designated bicycle path may be located within the publicly accessible open space. No portion of such bike path shall count towards the minimum active open space requirement.

### b. Water Feature

- i. The Block 1121/1129 open space shall include a water feature with a minimum surface area of 0.30 acres, such feature to be located within the area identified on Figure 2.2 attached to these Open Space Design Guidelines. A boardwalk, which shall also serve as a Primary Access Point and Major North-South Walkway, shall be integrated with the Water Feature. The open space shall include water features with a minimum surface area of 0.22 acres. Water features shall comply with all applicable rules and regulations.

c. Main Lawn

- i. The Block 1121/1129 open space shall include a sloped lawn area with a minimum size of 0.25 acres, such space to be located within the area identified on Figure 2.2 attached to these Open Space Design Guidelines. The lawn shall be sited to optimize solar exposure and may include one row of trees along its perimeter within the Main Lawn area.

6. Amenities

a. Seating

- i. A minimum of 2,400 linear feet of seating shall be provided in the publicly accessible open space, which seating shall include not less than 100 moveable chairs. Each moveable chair shall be considered 1-1/2 linear feet of seating.
- ii. A portion of the required seating shall be located along pedestrian walkways in the Major Access Points and along the Major East-West Pathway as follows:
  1. A minimum of 300 linear feet of benches shall be located along the Major East-West Pathway
  2. Seating shall be provided along the Major North-South Walkways at a rate of not less than 1 linear feet of seating for every six linear feet of required pedestrian walkway, except in areas where the change in grade of the walkway exceeds 3%.
- iii. A minimum of 30 linear feet of seating shall be located in each Primary Access Area.
- iv. The remainder of the required seating may be located anywhere within the publicly accessible open space at developer's option.
- v. The required seating may be comprised of one or a combination of benches, seating walls, amphitheater seating and moveable chairs.
- vi. A maximum of ~~35~~25% of the required seating may be backless.
- vii. Seating shall comply with the following requirements:
  1. Minimum Seat Height: 16"
  2. Maximum Seat Height: 21"
  3. Minimum Width: 18"
  4. Minimum Depth: 18"

b. A minimum of one cubic feet of waste receptacle shall be provided for every 2,000 sf of publicly accessible open space.

c. Lighting

- i. Lighting within the publicly accessible open space shall be located so as to provide minimum illumination of 1.0 FC along pedestrian walkways and active areas, 2.0 FC at Primary Access Points and 0.5 FC in other locations.
- ii. Light standards located along pedestrian walkways shall be no higher than 15 feet.

d. Planted Areas

- i. A minimum of 2.0 and a maximum of ~~3.52~~.6 acres of the required publicly accessible open space acres shall be planted areas.
- ii. Between 0.6 and ~~1.00~~.75 acres of the required Planted Areas shall be located on Block 1120.
- iii. Between ~~1.20~~1.25 and ~~2.50~~1.85 acres of the required Planted Areas shall be located on Block 1121/1129, such amount to be inclusive of the Main Lawn.
- iv. Planted Areas shall include a combination of one or more of the following: canopy trees, understory trees, shrubs, perennials, groundcovers, ornamental grasses, aquatic plants (other than aquatic plants located within the required Water Feature), and lawn.
- v. Canopy Trees shall be located on either side of the required pedestrian walkways within the Primary Access Points, the Major North-South Walkways, and along the Major East-West Walkway and shall be spaced a minimum of 25 feet and maximum of 40 feet on center, with the exception of the Major East-West Walkway at the large open lawn area bordered by Site B8, B9, B13, and B14. Spacing of canopy trees shall depend on the species being planted and their anticipated canopy and form.
- vi. Not less than 1 Canopy Tree shall be provided within the publicly accessible open space for each 1,200 square feet of open space area.
- vii. Canopy Trees shall be not less than 4 inches caliper at the time of their initial planting and shall be selected from the list of trees annexed to these Open Space Design Guidelines.
- viii. Other plantings may be located throughout the publicly accessible open space at developer's discretion.

e. Other features

- i. Features typically allowed in plazas and park areas shall be permitted developer's discretion, subject to the other requirements of these Open Space Design Guidelines, including without limitation: outdoor furniture, artwork and statuary, water fountains, arbors, trellises, and pavilions.
- ii. Developer shall be entitled to locate a maintenance enclosure of not more than 150 square feet within the publicly accessible open space to accommodate equipment and materials required for or used in maintaining the publicly accessible open space and shall be entitled to locate one food concession of not more than 150 square feet within the publicly accessible open space.
- iii. Developer shall be entitled to permit vendors within the public open space, provided that any such vendor shall operate from a cart or similar moveable structure having a footprint of not more than 25 sf, and provided that no more than 6 such vendors shall be permitted to operate in the open space at any time.

7. Adjoining Property.

- a. Private open space contiguous with the exterior wall of any building, with a depth of not more than 20 feet, as measured from such exterior wall, shall be permitted where associated with individual at-grade residential units. No communal private open space shall be permitted at grade for occupants of the residential buildings.
- b. The publicly accessible open space shall be physically separated from any private open space that may be located on the project site by either (i) a fence with a minimum height of six feet and a maximum height of 7'-6", or (ii) a densely planted buffer of a minimum of 4 feet in depth and which, when fully grown, is anticipated to be at least six feet in height. If such separation is by a fence, landscaping shall be located between the fence and any public walkway.
- c. Any fence separating publicly accessible and private spaces shall be primarily opaque and shall not include chain link material.
- d. Any private open space shall not be located in a Primary Access Point, a Major North-South Walkway, or Major East-West Walkway, and shall not be located between any building and the Main Lawn or between any building and the Water Feature.
- e. Except as set forth in Sections 7(a), (b), (c), and (d) above, these Open Space Guidelines shall not be applicable to any private open space located on the Project Site.

## 8. Operations

- a. The publicly accessible open space shall be open and available to the public seven days a week, 365 days a year between the hours of 7:00 a.m. and the later of 8:00 p.m. and sunset from October 1<sup>st</sup> through April 30<sup>th</sup> and 7:00 a.m. to 10:30 p.m. from May 1<sup>st</sup> through September 30<sup>th</sup>, subject to Paragraph 8(c) below.

Developer shall be entitled to hold public events within the open space at Developer's option, provided that such events shall not occur on average more than once a week. For purposes of this Section 8(a), "public events" shall mean events to which the general public is invited.

- b. Notwithstanding the provisions of Paragraph 8(a) hereof, Developer shall have the right to temporarily close the open space, or any part thereof, to the extent necessary to address a safety concern, and shall have the further right to close a portion of the open space not exceeding 50% of the open space area, on not more than twelve non-consecutive days or evenings per year for private events, provided that any such private closings shall not take place on public holidays. Developer shall post notice of any such closing within the open space in or near each Primary Access Area for the week immediately prior to such closing and shall maintain access to the portions of the publicly accessible open space not used for such event to the extent practicable.

9. Phasing. Subject to site logistic and safety concerns, the publicly accessible open space shall be developed in phases so that for each building constructed on the Residential Parcels, as delineated in the Residential Block Design Guidelines, publicly accessible open space containing the minimum open space required for the associated building parcel shall be constructed and opened for public use. The open space may be either a permanent or temporary improvement as necessary to respond to site and construction logistics and shall further to the extent practicable the general goal of creating a cohesive design. Development of the open space may commence at any Residential Parcel and may proceed in any order. A conceptual and illustrative phasing sequence is shown in Appendix 2b.

# Exhibit C

CONCEPT DESIGN

Illustrative  
Open Space Plan



Note:  
Elements on Plan for Information Only and Subject to Change.  
See Figures 2.1 and 2.2, and the Open Space Guidelines for  
Open Space Controls.

**Olin Partnership**  
PUBLIC LEADER BUILDING, SUITE 1103  
150 SOUTH INDEPENDENCE MALL, WEST  
PHILADELPHIA, PA 19106  
TEL: 215-460-0039 FAX: 215-460-0041  
November, 2008

FIGURE 1.0

# **Exhibit D**

DESIGN GUIDELINES

CONCEPT DESIGN

Illustrative  
Open Space Plan



Note:  
Elements on Plan for Information Only and Subject to Change.  
See Figures 2.1 and 2.2, and the Open Space Guidelines for  
Open Space Controls.

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JULY 2015

FIGURE 1.0, revision1

# **Exhibit E**

**Illustrative  
Open Space Plan**



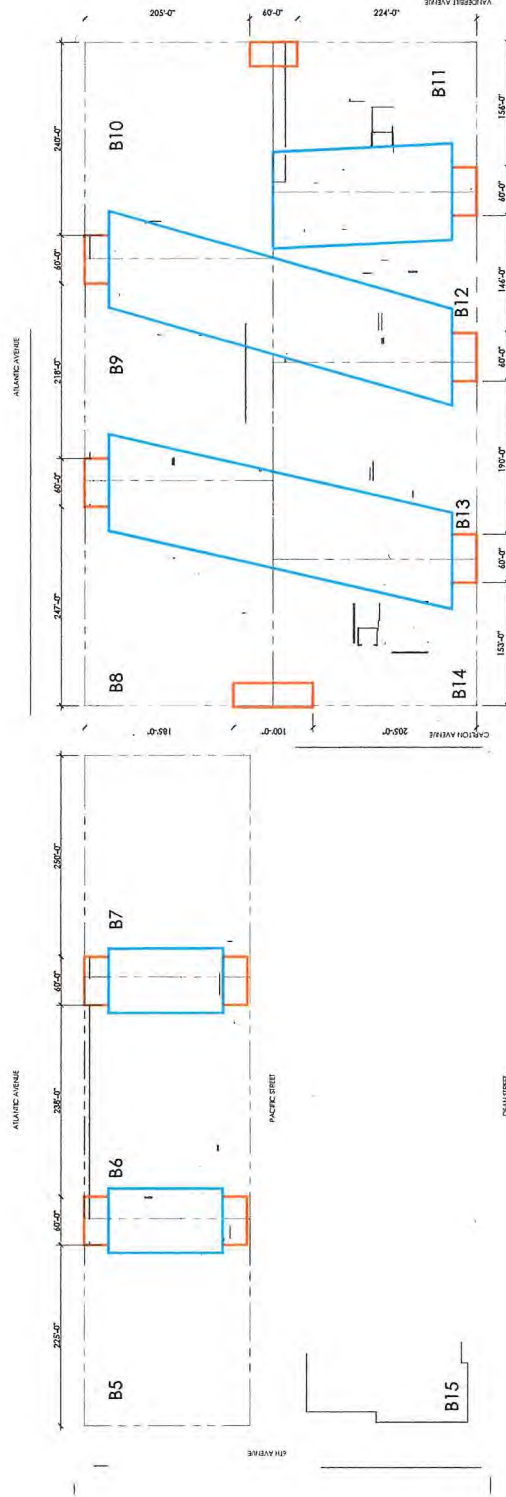
Note:  
Elements on Plan for Information Only and Subject to Change.  
See Figures 2.1 and 2.2, and the Open Space Guidelines for  
Open Space Controls.

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**FIGURE 1.0, revision1**

# Primary Access Points and Major North-South Walkway Zones



## REQUIRED ELEMENTS

**Primary Access Point Zone**  
 Required Width: 80' (100' at Carlton Avenue only)  
 Required Depth: 30'

**Major North South Walkway Zone**  
 The Major North-South Walkways Shall be Located in the Major North South Walkway Zones  
 Major North-South Walkways Shall Link the Primary Access Points to the  
 Major East West Walkway and Shall be Centered on the Primary Access Points  
 Major N-S Walkway Zone Width: 80' (between 6th Avenue and Carlton Avenue)  
 Major N-S Walkway Zone Width: 120' (between Carlton Avenue and Vanderbilt Avenue)

Note:  
 Elements on Plans Other than Required  
 Elements for Information Only and Subject to Change

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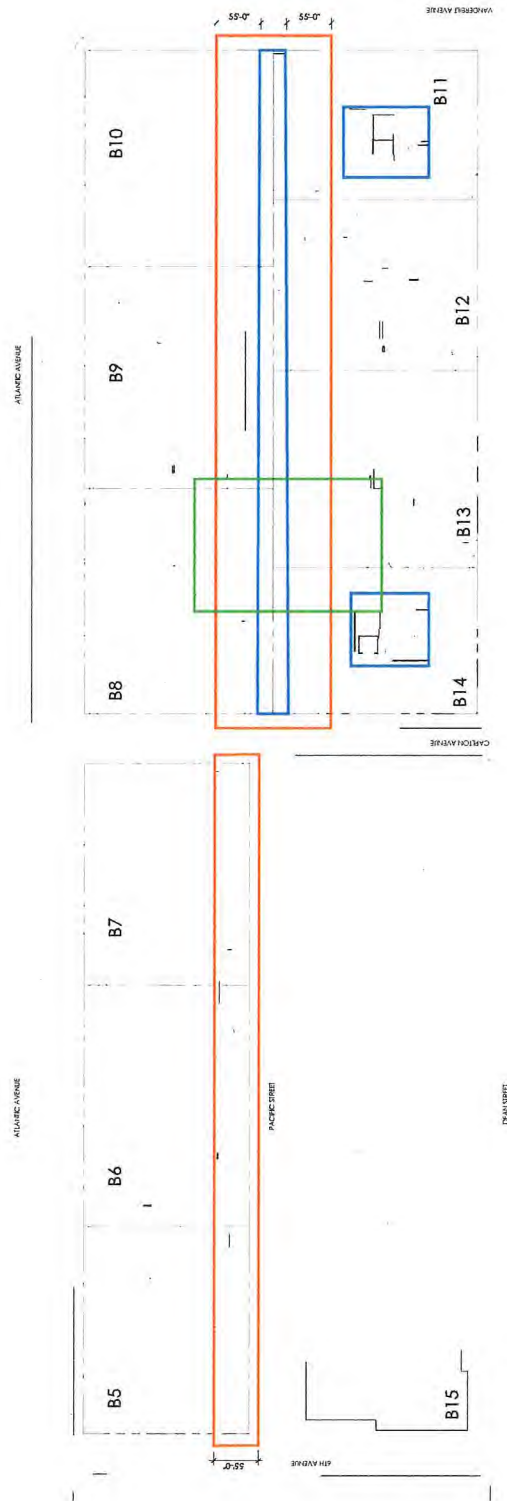
FIGURE 2.1, revision1

# Principal Design Elements

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FIGURE 2.2, revision1



Note:  
Elements on Plans Other than Required  
Elements for Information Only and Subject to Change

## REQUIRED ELEMENTS

### Water Feature Zones

Water Features with a minimum combined surface area of 0.20 acres shall be located within the Water Feature Zones

### Main Lawn Zone

A Main Lawn with a minimum size of 0.25 acres shall be located within the Main Lawn Zone

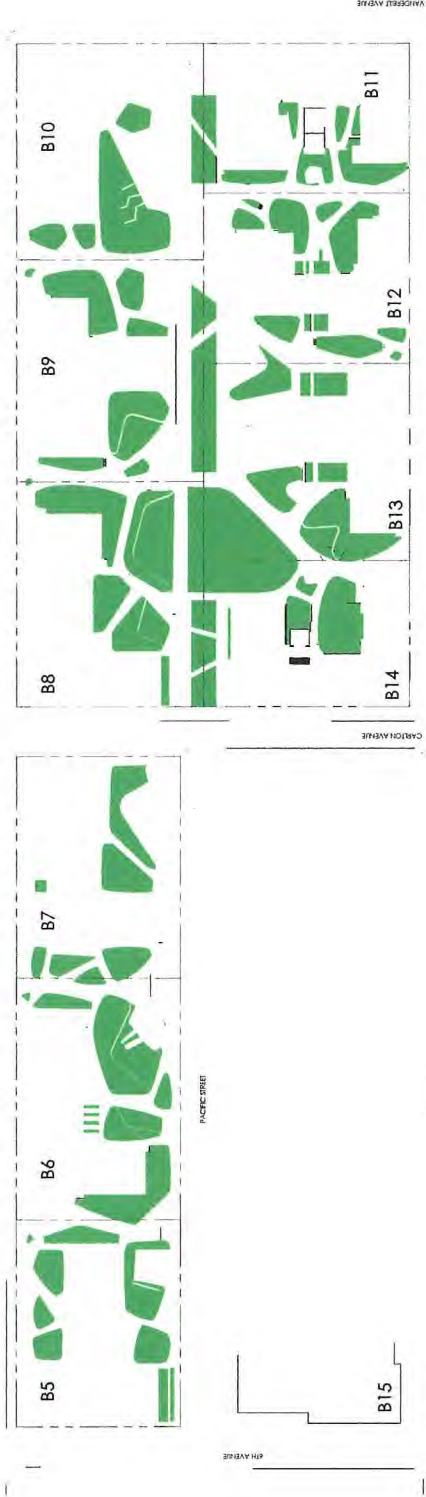
### Major East-West Walkway Zone

The entirety of the Major East-West Walkway shall be located within the Major East-West Walkway Zone

### Property Line

The Pacific Street Sidewalk between 6th Avenue and Carlton Avenue shall be widened a minimum of 4 feet northward from the Property Line along the length of that block

Planting



PLANTING

■ Required Minimum 2.0 Acres, Maximum 3.5 Acres (3.3 Acres illustrated)

Note:  
Location of Planting Illustrative Only and Subject to Change

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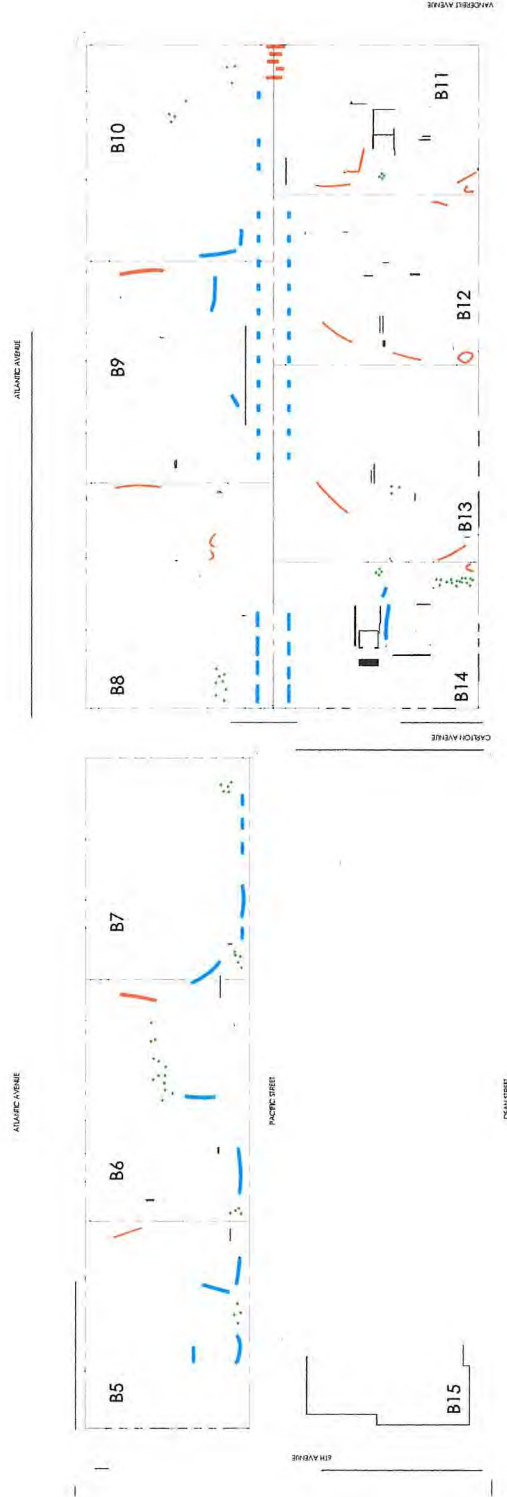
JULY, 2015

FIGURE 3.1, revision1

# DESIGN GUIDELINES

## CONCEPT DESIGN

### Seating



#### SEATING

Total: Required Minimum 2,400 LF

**Stationary Seats with Seatback:**  
Required Minimum 1560 LF

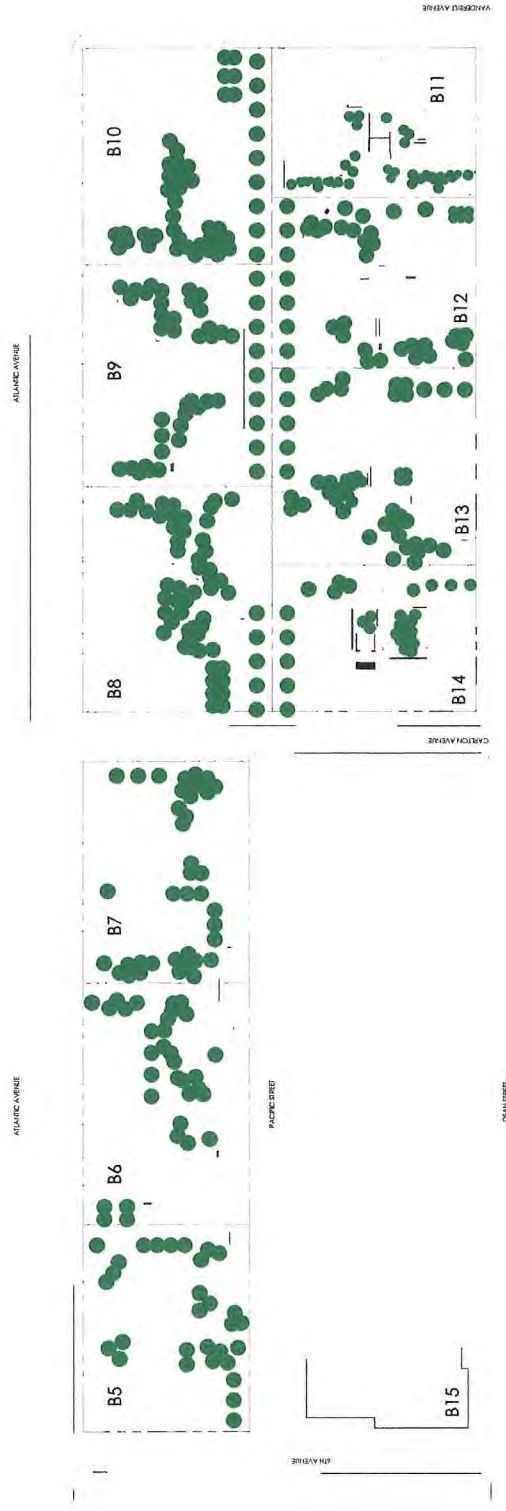
**Stationary Seats without Seatback:**  
Required Maximum 840LF (35% of Total Seating)

**Movable Seats:**  
Required Minimum 100

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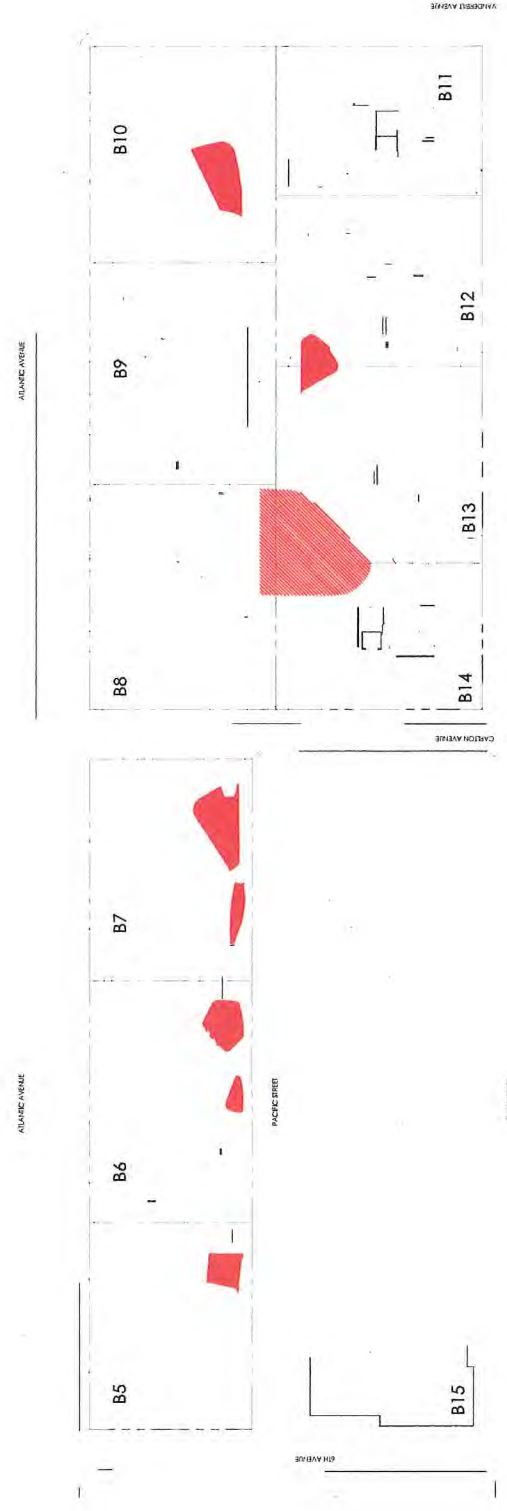
**FIGURE 3.2, revision1**



CANOPY TREES:

■ Required Minimum 1 Tree/1200 SF Open Space (Illustrated)

Note:  
Location of Canopy Trees Illustrative Only and Subject to  
Change in accordance with the Design Guidelines



ACTIVE SPACE

Required Minimum 0.8 Acres

Note:  
Location of Active Use Areas Illustrative Only and Subject to  
Change in accordance with the Design Guidelines

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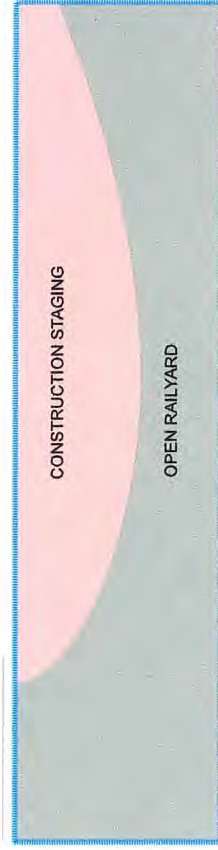
JULY, 2015

FIGURE 3.4, revision1

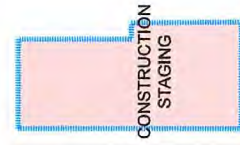
# **Exhibit F**

ATLANTIC AVENUE

ATLANTIC AVENUE



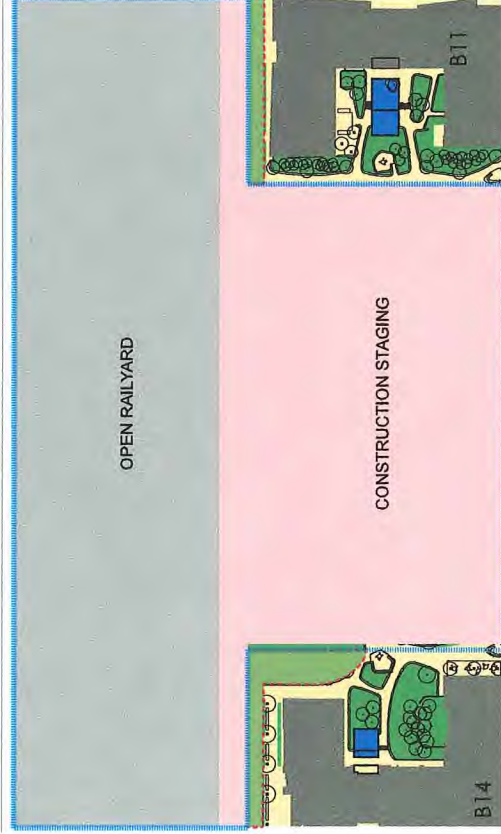
PACIFIC STREET



6TH AVENUE

CARLTON AVENUE

VAN DERBILT AVENUE



ILLUSTRATIVE PHASING PLAN ELEMENTS:

- Planting Area
- Paving Area
- Water
- Temporary Landscape
- Safety Barrier / Fence
- Construction Staging
- Building Parcel

Note:  
1. Illustrative Phasing Plan - Elements Subject to Change  
2. Phasing of Temporary and Permanent Open Space may Commence on any Parcel and Proceed in any Order

ATLANTIC AVENUE



PACIFIC STREET



4TH AVENUE

CARLTON AVENUE

DEAN STREET

ATLANTIC AVENUE



VANDERBILT AVENUE

#### ILLUSTRATIVE PHASING PLAN ELEMENTS:

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ATLANTIC AVENUE

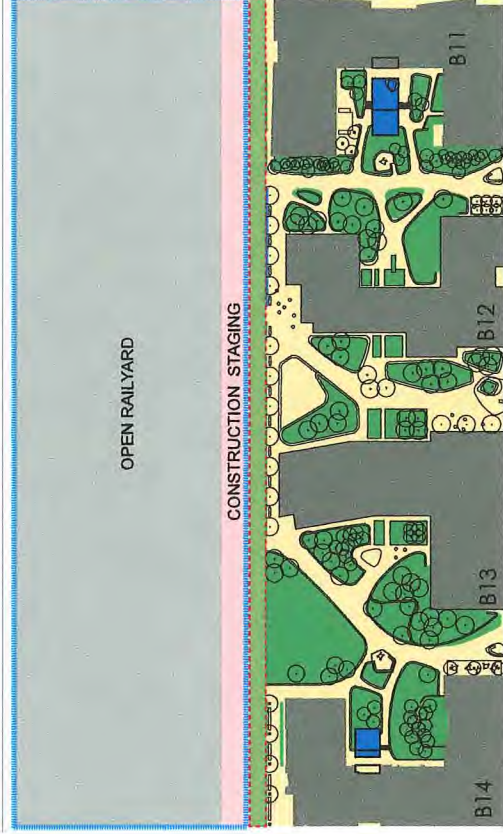


PACIFIC STREET



CARLTON AVENUE

VANDERBILT AVENUE



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ATLANTIC AVENUE



PACIFIC STREET

4TH AVENUE

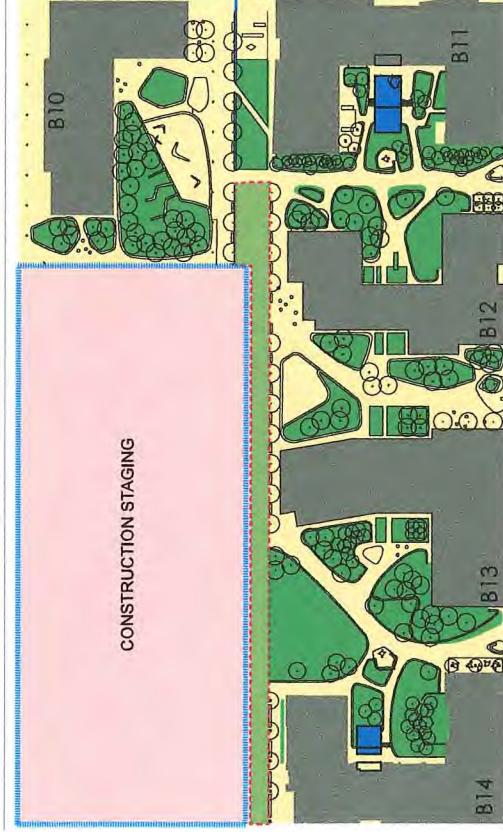


DEAN STREET

ILLUSTRATIVE PHASING PLAN ELEMENTS:

- Planting Area
- Paving Area
- Water
- Temporary Landscape
- Safety Barrier / Fence
- Construction Staging
- Building Parcel

ATLANTIC AVENUE



CARLTON AVENUE

VANDERBILT AVENUE

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ATLANTIC AVENUE



PACIFIC STREET

4TH AVENUE



DEAN STREET

ATLANTIC AVENUE



CARLTON AVENUE

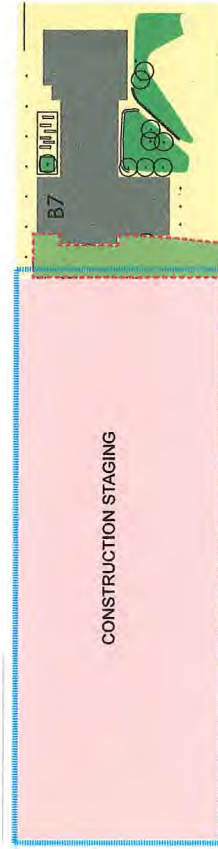
VAN DERBILT AVENUE

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ATLANTIC AVENUE



PACIFIC STREET



4TH AVENUE

DEAN STREET

CARLTON AVENUE

VANDERBILT AVENUE

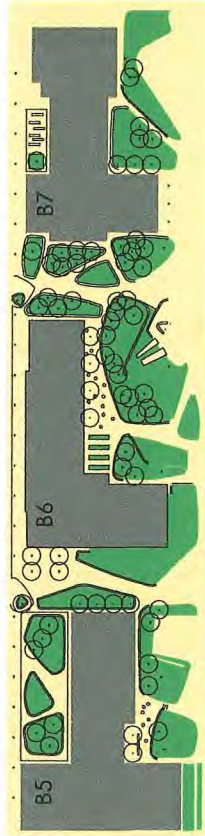


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ATLANTIC AVENUE



PACIFIC STREET



6TH AVENUE

DEAN STREET

CARLTON AVENUE

ATLANTIC AVENUE



VANDERBILT AVENUE

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