

1.0 EXECUTIVE SUMMARY

INTRODUCTION

The New York City Economic Development Corporation (NYCEDC) is proposing the East 125th Street Development, requiring the rezoning of three parcels situated on approximately six acres in East Harlem, from East 127th Street to East 125th Street, and from Third Avenue to Second Avenue. The project, when complete, would include approximately 1.7 million square feet of new residential, retail and commercial uses. The project site includes a Metropolitan Transportation Authority (MTA) at-grade bus storage facility and the development would include an underground replacement facility for these operations. An off-site parcel that is on the same block as Parcel A of the East 125th Street Development, but not part of the East 125th Street Development, is included in the rezoning action, although no new development is proposed for that off-site parcel at this time.

The project is intended to promote local economic growth and job creation, encourage private investment, and improve quality-of-life for East Harlem residents by facilitating the replacement of mostly vacant and underutilized land with new affordable housing; office, media and entertainment businesses; cultural space; and, retail uses. Areas of East Harlem surrounding the Project Site have some of the highest remaining concentrations of vacant land and buildings of the overall 125th Street corridor and its surrounding blocks. The proposed rezoning and its associated actions would upgrade conditions in this area and facilitate mixed-use development on mostly vacant and underutilized land that has excellent access to transit and services. As a result of the project, long-vacant City-owned land would be returned to the City's tax rolls.

A scope of work was prepared that outlines the issues and methodologies to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the proposed East 125th Street Development ("the proposed project"). Comments received at the July 19, 2007 Public Hearing on the Draft Scoping Document and during the public comment period that was closed on July 30, 2007 have been considered and incorporated as appropriate into a Final Scoping Document for the Draft EIS.

Once the lead agency was satisfied that the Draft EIS was complete, the document was made available for public review and comment. On March 19, 2008, the Office of the Deputy Mayor for Economic Development, as lead agency, issued a Notice of Completion for the Draft EIS. The Draft EIS accompanied the ULURP application through the public hearings for the Community Board, Borough President, and City Planning Commission (CPC). The public, interested agencies, Manhattan Community Board 11, and elected officials were invited to comment on the Draft EIS. The public hearing on the Draft EIS was held in conjunction with the ULURP public hearing at 22 Reade Street in Manhattan on July 23, 2008, to afford interested parties the opportunity to provide oral comments on the Draft EIS. The record remained open for 10 days after the public hearing until August 4, 2008, to allow additional written comments on the Draft EIS. At the close of the public review period, this Final EIS (Final EIS) was prepared that incorporates all substantive comments made on the Draft EIS, along with any revisions to

the technical analysis necessary to respond to those comments. This Final EIS has been prepared for use by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, before deciding whether to approve the requested discretionary actions.

City actions and approvals required include: zoning map amendments; the disposition of City-owned property; and amendment of the Harlem-East Harlem Urban Renewal Plan (HEHURP). The Project Site consists of parcels on three separate blocks located between Second Avenue and Third Avenue from approximately East 125th Street to East 127th Street. The parcels are designated as Parcel A, located between East 126th Street and East 127th Street; Parcel B, located between East 125th Street and East 126th Street; and, Parcel C, located south of East 125th Street at the corner of Third Avenue. The off-site parcel that is on the same block as Parcel A that is included in the proposed action, but is not part of the East 125th Street Development, is located at the corner of Third Avenue and East 127th Street (Block 1791, Lot 44).

The project site falls within Manhattan Community District #11 and is located within several blocks of the Harlem River (see Figure 2-1, Project Location). The proposed rezoning of the project site, urban renewal plan changes and associated actions would allow the proposed mixed-use program subject to urban design guidelines contained in the proposed 15th Amended Harlem-East Harlem Urban Renewal Plan (see Appendix C for Urban Design Guidelines and Appendix L for the proposed 15th Amended HEHURP).

This Final EIS/DEIS has been prepared in conformance with all applicable laws and regulations, including Article 8 of the New York State Environmental Conservation Law and Executive Order No. 91, New York City Environmental Quality Review (CEQR) regulations, dated August 24, 1977, and follows the guidelines of the CEQR Technical Manual. The DEIS-Final EIS includes review and analysis of all impact categories identified in the *CEQR Technical Manual*. The DEIS-Final EIS contains a description and analysis of the proposed action and its environmental setting; the environmental impacts of the proposed action, including its short and long term effects, and typical associated environmental effects; identification of any significant adverse environmental effects that can be avoided through incorporation of corrective measures into the proposed action; a discussion of alternatives to the proposed action; the identification of any irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented; and a description of any necessary mitigation measures proposed to minimize significant adverse environmental impacts. The analysis considers an analysis year of 2012-2016 when construction and occupancy of the project, including relocation of bus storage, would be expected to be completed.

Subsequent to the issuance of the DEIS, the MTA Bus Depot Alternative emerged as the preferred option for the project. This alternative includes the relocation of the existing bus parking from Parcel A to the bus depot located directly across Second Avenue. Under this alternative, no underground MTA bus garage would be located on Parcel A. The space that was reserved within Parcel A for bus parking would be redistributed for non-residential uses, and the building would have a shallower basement, with less excavation required compared to the

proposed action. Vehicular parking for the proposed project would continue to be located on both Parcel A (approximately 200 spaces) and Parcel B (approximately 400 spaces).

The MTA Bus Depot Expansion Alternative would be more compatible with the overall mixed-use program of development for the project site. Buses would not enter or exit the proposed buildings on East 126th Street or East 127th Street, and the bus parking would be relocated to an adjacent manufacturing district above an existing MTA Bus Depot. In order to relocate the bus parking, a two story addition to the existing MTA Bus Depot would be required and increases in shadow and urban design effects would be expected. However, these incremental increases in shadows and additional building height would not result in significant adverse impacts. These and other topics were fully analyzed in the FEIS.

To account for project construction and relocation of the bus parking to the existing depot site, the year of completion for the project has been extended from 2012 to 2016. The Build Years of the proposed action and all alternatives have been changed to 2016 in the FEIS. The revised analyses resulting from this change in Build Year do not significantly alter the conclusions or findings of the DEIS with regard to either project impacts or proposed mitigation, which would remain the same in both 2012 and 2016. Utilization of open space, community facilities and infrastructure resulting from other planned projects and background growth would increase to a minor extent with a 2016 Build Year compared to 2012. The MTA Bus Depot Expansion Alternative would result in generally similar demands on services, and similar amounts of traffic, air quality and noise effects as the proposed action as described fully in this FEIS.

PURPOSE AND NEED

The purpose of the proposed action is to promote local economic growth, encourage private investment, and improve the quality-of-life for East Harlem residents by facilitating the replacement of mostly vacant and underutilized land with new affordable housing, media and entertainment businesses, cultural space, and retail uses. Areas of East Harlem surrounding the Project Site have some of the highest remaining concentrations of vacant land and buildings of the overall 125th Street corridor and its surrounding blocks. The proposed rezoning and its associated actions would facilitate mixed-use development and upgrade conditions in this area on mostly vacant and underutilized land that has excellent access to transit, open space, and commercial services. As a result of the project, long-vacant City-owned land would be returned to the City's tax rolls.

The proposed program of development is the result of ongoing consultations with a Task Force begun in 2006 through Manhattan Community District #11 and local elected officials. The Task Force also includes representatives of the local community organizations and elected officials. A Request for Proposals (RFP) for development of the project site was released by the NYCEDC in October 2006 and the disposition is a discretionary action of the NYCEDC Board. The RFP responded directly to Task Force concerns including the need for affordable housing, economic development, and cultural uses; protection of air quality; local participation in development,

employment and retail; and, avoidance of impacts on health, education, and sanitary services. The proposed program of development reflects the overall goals of the Task Force for the Project Site to create a dynamic retail, residential, entertainment and media destination for upper Manhattan. The project would sustain and enhance the ongoing revitalization of 125th Street as a unique Manhattan Main Street and destination for premier arts, culture and entertainment, and would create a critical mass of media and entertainment-related businesses at a site that comprises the eastern gateway to the 125th Street corridor.

In addition to its commercial and media/art/entertainment components, the proposed action addresses the city-wide need for affordable housing and the local need to reinforce the residential character of East Harlem and foster round-the-clock residential activity on the Project Site. Up to 1,000 units of low, moderate and middle income housing are proposed, advancing the goals of the City's New Housing Marketplace Plan that is intended to create 165,000 units of affordable housing and build and preserve affordable housing for 500,000 New Yorkers over ten years. The proposed residential units would be split between homeownership and rental units, with approximately 30 percent targeted to low income households, 35 percent targeted to moderate income households, and 35 percent targeted to middle income households. Residents of Manhattan Community District #11 would be given preferential consideration for a minimum of 50 percent of the units.

The proposed action also advances economic development goals of the City of New York. The project site is located within the federally-designated Upper Manhattan Empowerment Zone, as well as the state-designated East Harlem Empire Zone. The proposed action would take advantage of the benefits of these programs and would bring significant new investment and employment to this part of upper Manhattan.

Construction of the East 125th Street Development would adhere to green building and sustainable design principles, and urban design guidelines to promote environmental best practices and create a streetscape that respects the existing built context and character of the 125th Street corridor and surrounding neighborhood. "Green" design elements include energy efficient site and building design, appliances, heating, ventilation and air conditioning systems, green roofs, and other measures designed to promote sustainability.

Public outdoor open space is a key component of the proposed project. This outdoor open space would be provided to ensure access to a significant space for outdoor gatherings (small scale performances and other cultural events and festivals) as well as light and air; enhance the streetscape; and, promote a pedestrian-friendly environment. Urban design guidelines are proposed as part of the Harlem-East Harlem Urban Renewal Plan to promote active uses at the ground floor level of the proposed mixed-use buildings, appropriate streetwall and building heights, and transparency and visibility of retail, entertainment and other active uses.

The proposed project would replace an at-grade MTA bus storage facility currently located on a portion of Parcel A with an underground storage facility, improving visual conditions of the project site. The replacement bus storage facility would accommodate 80 buses within approximately 109,000 square feet of bus storage area on Parcel A. Entrances would be

positioned to minimize traffic congestion, and mechanical ventilation would be provided and located to minimize air quality effects.

Existing Zoning

The Project Site is comprised of one full block and two block portions, with the northern parcel (Parcel A) zoned mostly R7-2, the parcel north of 125th Street (Parcel B) zoned mostly M1-2, and Parcel C and the southwestern corner of Parcel B zoned C4-4. The off-site parcel is zoned R7-2 and is located at the corner of Third Avenue and East 127th Street (Block 1791, Lot 44).

The C4-4 District is a general commercial district, which allows regional shopping with a wide range of commercial uses. C4-4 districts allow commercial development up to 3.4 FAR, residential development up to 3.44 FAR and community facility uses up to 6.5 FAR. On wide streets outside the Manhattan Core (i.e., Manhattan Community Districts 9-12), residential development that complies with the Quality Housing program is allowed up to 4.0 FAR. One off-street parking space per 1,000 feet of commercial floor area for most retail uses is generally required; however, parking requirements can be waived if less than 40 parking spaces are provided. The low density M1-2 Districts allows light manufacturing and commercial uses up to 2.0 FAR and certain community facility uses up to 4.8 FAR. The R7-2 District is a medium density residential district with a maximum FAR for residential development of 3.44 FAR, and a maximum FAR for community facility uses up to 6.5 FAR. Quality Housing program residential development is allowed up to 4.0 FAR.

An existing Special TA District is mapped along portions of East 125th Street and Second Avenue. The Special TA District is mapped in the vicinity of the proposed Second Avenue subway line to provide easements to facilitate pedestrian access to the proposed subway and the access of light and air to the stations. Table 1-1 provides a summary of the existing allowed density in the rezoning area.

Table 1-1: Summary of Existing Allowable Density

District	Residential FAR	Commercial FAR	Community Facility
R7-2	3.44 (4.0 with Quality Housing)		6.5
C4-4	3.44 (4.0 with Quality Housing)	3.4	6.5
M1-2	NA	2.0	4.8

Source: NYC DCP

Proposed Zoning

A rezoning of the Project Site is proposed would map a C6-3 or similar district on nearly the entire project site (excluding only a small area on Parcel C), which would allow development on the site at an FAR of 7.2 (approximately 1.7 million square feet development capacity for the Project Site). Building form and bulk regulations for the East 125th Street Development would be defined by the proposed zoning, and through proposed urban renewal plan amendments in order to achieve the desired urban design and open space goals that were developed in conjunction with the Task Force and NYCDP and stated in NYCEDC's 2006 RFP to developers. As indicated in Appendix C, these guidelines call for building heights of up to 210 feet on Second and Third Avenue, minimum streetwall heights on the midblocks of 60 feet, with an 85-foot maximum, a maximum slab width for any building exceeding the streetwall height of 175 feet for a commercial building or 170 feet for a residential building, minimum setbacks for building faces above the streetwall of 10 feet on wide streets, and 15 feet on narrow streets and for Parcel C. Active ground floor uses including retail and entertainment-related uses are required for 125th Street and Third Avenue lot frontage (other than building entrances), with requirements for maximum transparency, and visibility where roll-down or security gates are proposed. Additional open space guidelines are proposed as part of the proposed action requiring, among other things, a minimum of 2,500 square feet of public open space on Parcel A, and a minimum of 10,000 square feet of public open space on Parcel B, with direct access from East 125th Street and East 126th Street.

Proposed building design and uses are expected to be compatible with the surrounding neighborhood. A 210-foot office tower above a retail base is contemplated for the Third Avenue frontage of the Project Site between East 125th Street and East 126th Street, with a 150-foot hotel tower and two 150-foot residential towers above a retail base occupying the eastern portion of Parcel B. A 10,000-square foot public open space plaza is proposed in between the office tower and the residential/hotel tower buildings on Parcel B that would connect East 125th Street and East 126th Street, with retail uses on either side. Open space is proposed north of East 126th Street with a 2,500-square foot public open space on a midblock portion of Parcel A. Parcel A would contain four 150-foot residential towers and one 210-foot residential tower on a base that includes retail along its periphery and interior ground floor public parking, with production studio facilities also located within the tower base. Parcel C would contain a 112-foot residential tower with several floors of retail. The ground floor of all proposed buildings would include retail and transparency to provide a pedestrian-oriented and active streetscape. There are elements of these urban design requirements that relate to streetwall heights, density, and the overall mix of uses of DCP's 125th Street Rezoning and Related Actions project.

DESCRIPTION OF THE PROPOSED ACTION

The Office of the Deputy Mayor's Office for Economic Development, in the Office of the Mayor, is proposing zoning map amendments that would affect one full block and portions of two blocks in East Harlem referred to herein as Parcel A, Parcel B, and Parcel C. The area proposed to be rezoned is generally bounded by 125th Street, 127th Street, Second Avenue and

Third Avenue (the exact boundaries are shown in Figure 2-6). An off-site parcel that is on the same block as Parcel A of the East 125th Street Development is included in the proposed rezoning action, but is not part of the East 125th Street Development. It is located at the corner of Third Avenue and East 127th Street (Block 1791, Lot 44). The proposed changes are part of a comprehensive City initiative to support the ongoing revitalization of 125th Street, Harlem’s Main Street. Table 1-2 below provides a list of the block and lots affected by the proposed action.

The project site ~~currently generally~~ contains a mix of vacant land, commercial development, and an at-grade MTA bus storage facility. The off-site parcel to be rezoned contains a church (see Figure 2-2, Project Site). Block and Lot numbers of the three subject parcels and the off-site parcel to be rezoned are identified in Table 1-2 below, and shown in Figure 2-3, Tax Map, and Figure 2-4, Sanborn Map. The Project Site is located to the east of sections of the 125th Street corridor that have experienced recent redevelopment including a Pathmark supermarket, and Gotham Plaza and Gateway Plaza, located at Lexington Avenue and 125th Street.

Table 1-2: List of Blocks and Lots Affected by Proposed Action

Parcel	Affected Blocks	Affected Lots
Parcel A	1791	1, 25, and 34
Parcel B	1790	1, 101, 3, 5, 6, 8, 12, 13, 20, 24-31, 40, 45, 46, 49
Parcel C	1789	46
Off-site parcel to be rezoned only	1791	44

The proposed project would extend new mixed-use development on 125th Street to the east of development that has taken place recently or is otherwise expected as a result of the establishment of a new special purpose district along the 125th Street corridor - the Special 125th Street District. This special purpose district is ~~proposed as part of the City’s 125th Street Corridor Rezoning and Related Actions Project~~. It ~~would allow~~s a wide range of retail, arts, entertainment and cultural uses to physically and economically activate the street, ~~would allow~~s building form controls, and ~~would support~~s future job creation and career opportunities.

The Project Site consists of three parcels of land as described in Table 1-2 above. Parcel A, the northernmost parcel located between East 126th Street and East 127th Street, is predominantly zoned R7-2, with its northeastern portion zoned M1-2. Parcel B, occupying a full block between East 125th Street and East 126th Street, is zoned M1-2, with a C4-4 District mapped on its southwestern corner at Third Avenue and East 125th Street and a Special TA District mapped on its southeastern corner. Parcel C, a corner parcel at the intersection of Third Avenue and East 125th Street, is zoned C4-4 (see Figure 2-5, Existing Zoning).

The zoning proposal includes mapping a C6-3 or similar district to allow the proposed mix of uses and amount of proposed floor area (see Figure 2-6, Proposed Zoning). The proposed rezoning and its associated actions would increase the amount of permitted floor area on the Project Site, and facilitate major commercial development to support the ongoing revitalization of 125th Street, including uses that are underrepresented in the East Harlem market and that would be unique to the area. As a result of its proposed rezoning, the off-site parcel on Block 1791, Lot 44 could potentially be developed in the future separately from the currently proposed development, and at a higher density than would otherwise currently be permitted. A small portion of Parcel C that is approximately 25-feet in length and width would not be part of the proposed rezoning, as it would extend slightly beyond since following the boundaries of this small portion would create an irregular zoning boundary.

The mixed-use program for the proposed project recognizes that affordable residential development is critical to the long term vitality of East Harlem, and is needed to strengthen the surrounding neighborhood and maintain or increase its residential population. A mixed-income approach is proposed for up to 1,000 units of housing for low income households (30 percent of units), moderate income households (35 percent of units), and middle income households (35 percent of units).

The East 125th Street Development also includes approximately 470,000 square feet of retail/entertainment space (including 300,000-square feet of anchor retail, and approximately 120,000 square feet of specialty retail/entertainment space including 50,000 square feet of local retail); 300,000 square feet of commercial office space for media and production/post-production companies; 30,000 square feet of not-for-profit performing/media arts space; a 100,000-square foot hotel; and, a minimum of 12,500 square feet of public open space. A total of approximately 600 vehicular parking spaces are proposed on the site's two northerly blocks, with 200 spaces proposed for Parcel A and 400 spaces proposed for Parcel B. The vehicular parking would be accessed from East 126th Street and East 127th Street. A 109,000-square foot, 80-space underground bus storage facility would be located on Parcel A (see Figure 2-7, Illustrative Site Plan and Figure 2-8, Illustrative Plan Isometric View).

A 2,000-square foot easement area in favor of the MTA is proposed on Parcel C for the purpose of providing future emergency access and ventilation related to the Second Avenue Subway project.

Urban Renewal Plan Amendments

The Harlem-East Harlem Urban Renewal Area (HEHURA) is located in Community Districts 10 and 11 in the Borough of Manhattan and is generally bounded by West 127th Street and East 133rd Street on the north, the Harlem River on the east, West 110th Street, East 106th Street, East 107th Street and East 110th Street on the south, and Fifth Avenue, Madison Avenue, Park Avenue, Lexington Avenue and Lenox Avenue (Malcolm X Blvd.) on the west.

The HEHURP was established in 1968 to redevelop an area consisting of all or portions of 19 blocks in Harlem in a comprehensive manner, removing blight and maximizing appropriate land use. This plan and other public actions have brought new investment to Harlem, revitalized the area's housing stock, and strengthened local economic conditions with new commercial development.

The portion of the HEHURA north of approximately East 125th Street and east of Park Avenue comprises the East Harlem Triangle Sub-Area. Within the East Harlem Triangle sub-area of the HEHURA is the approximately six-acre project site of the East 125th Street Development (see Figure 2-9, Project Site and Existing 14th Amended Harlem-East Harlem Urban Renewal Plan Designated Sites). There are four additional parcels that are part of the East 125th Street Development project site that are proposed to be newly designated in the 15th Amended HEHURP. The 15th Amended HEHURP is proposed to incorporate the additional parcels, revise HEHURP land use designations, and establish urban design controls consistent with the proposed East 125th Street Development project (see Figure 2-10, Project Site and Proposed 15th Amended Harlem-East Harlem Urban Renewal Plan Designated Sites). The urban design guidelines are included in Appendix C, and the proposed 15th Amended HEHURP is included in Appendix L.

The overall objectives of the HEHURP are to redevelop the area in a comprehensive manner, remove blight, and maximize appropriate land use. Other objectives include:

- remove or rehabilitate substandard and unsanitary structures;
- remove impediments to land assemblage and orderly development;
- strengthen the tax base of the City by encouraging development and employment opportunities in the area;
- provide new housing of high quality and/or rehabilitated housing of upgraded quality;
- provide appropriate community facilities, parks and recreational uses, retail shopping, public parking and private parking; and,
- provide a stable environment within the area that will not be a blighting influence on surrounding neighborhoods.

The amendments proposed as part of the 15th Amended HEHURP, which is part of this proposed action, include extension of the plan until December 2020; removal of Sites 8, 8A, 9, 12 and 13A from density restrictions outlined in the plan; addition of specified zoning restrictions for Sites 8, 8A, 12 and 13A, and changes to the designated land uses of Sites 8, 8A, 9, 12 and 13A. Amendments to the HEHURP proposed as part of the 15th Amended HEHURP include proposed additions to designated sites consisting of the following proposed newly designated sites:

- Block 1790, Lot 8
- Block 1790, Lot 46
- Block 1791, Lot 25
- Block 1791, Lot 34

FUTURE WITHOUT THE PROPOSED ACTION

In the future without the proposed action, areas surrounding the project site are likely to experience a continued trend of housing rehabilitation and increasing population, as continued housing renovations take place, and as subsidized and luxury housing now planned or in construction comes on-line. Along with major luxury housing complexes including The Kalahari and Fifth on the Park, new development under Future Without The Proposed Action conditions includes the East River Plaza development, which includes redevelopment of the Washburn Wire plant site with 485,000 square feet of retail use, and a 300-unit affordable housing development located between East 131st Street and East 132nd Street east of Park Avenue. Residential, commercial, and other developments or conversions that are anticipated on projected development sites as a result of the New York City Department of City Planning's (DCP's) 125th Street Rezoning and Related Actions project are also evaluated in the analysis of Future Conditions Without the Proposed Action. While DCP projects future development resulting from that separate rezoning action to occur by 2017, this EIS assumes the buildout of those projected development sites by ~~2012~~2016, for the purpose of providing a conservative analysis. Known and anticipated developments identified in the DEIS for the 125th Street Rezoning and Related Actions project are also evaluated.

REQUIRED APPROVALS AND REVIEW PROCEDURES

The proposed action requires City Planning Commission (CPC) and City Council approvals through the Uniform Land Use Review Procedure (ULURP), and includes the following actions:

- Zoning map amendments that would map a new zoning district;
- Disposition of City-owned property;
- an Urban Renewal Plan amendment, and UDAAP designation and project approval (a non-ULURP action) to facilitate the development of a residential project with ground floor retail on a site within the proposed rezoning area; and,
- CPC certification pursuant to the Special TA (transit land use) District

The New York City Department of Housing Preservation and Development (HPD) is the Applicant for the UDAAP and modification of Large Scale Residential Development actions and HPD and NYCEDC are the Co-Applicants for the Disposition and Zoning Map Amendment actions.

These actions are subject to the CEQR procedures. Based on an Environmental Assessment Statement (EAS) dated June 19, 2007, the Deputy Mayor's Office for Economic Development, as lead agency, has determined that the proposed action would have the potential for significant adverse impacts. Therefore, this Draft EIS provides a detailed assessment and disclosure of likely effects in those areas of concern.

The Final Scoping Document sets forth the analyses and methodologies used in the Draft EIS. The public, interested agencies, Manhattan Community Board 11 and elected officials were

invited to comment on the scope, either in writing or orally, at a public scoping meeting held on Thursday, July 19, 2007, at 6PM at Taino Towers, 2253 Third Avenue, New York, NY 10035. Comments received during the draft scope's public meeting, and written comments received until 5 PM on July 30, 2007 after the meeting have been considered and were incorporated as appropriate into the final scope of work for ~~the~~^{is} Draft EIS.

Once the lead agency ~~is~~^{was} satisfied that ~~the~~^{is} Draft EIS ~~was~~^{is} complete, the document ~~was~~^{ill} be made available for public review and comment. On March 19, 2008, the Office of the Deputy Mayor for Economic Development, as lead agency, issued a Notice of Completion for the DEIS. The Draft EIS ~~will~~^{accompanied} the ULURP application through the public hearings for the Community Board, Borough President, and City Planning Commission (CPC). The public, interested agencies, Manhattan Community Board 11, and elected officials were invited to comment on the DEIS.

In addition, the ~~A~~ public hearing ~~was~~^{ill} be held on the Draft EIS in conjunction with the CPC hearing on the ULURP applications on July 23, 2008, to afford all interested parties the opportunity to submit oral and written comments. The record ~~will~~^{remained} open for 10 days after the public hearing until August 4, 2008 to allow additional written comments on the Draft EIS. At the close of the public review period, a Final EIS (FEIS) ~~was~~^{ill} be prepared that ~~will~~ incorporate all substantive comments made on the Draft EIS, along with any revisions to the technical analysis necessary to respond to those comments. ~~This~~^{FEIS} has been prepared for ~~will then be used~~ by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, before deciding whether to approve the requested discretionary actions.

FUTURE WITH THE PROPOSED ACTION

Land Use, Zoning, and Public Policy

In the future with proposed action, there would be no significant adverse impacts anticipated for land use, zoning, or public policy in the primary or secondary study areas. The proposed action would be consistent with zoning and public policies related to the project site, and with design guidelines for the site developed by a Task Force convened to develop design guidelines for the site.

Land Use

The land use on the project site is the strongest factor in determining the character of the area because changes to land use would alter the "look and feel" of the area, and the levels of activity in the area. Land use changes would spur changes to neighborhood character in the area of visual resources, urban design, socioeconomic conditions, and vehicular and pedestrian traffic.

The proposed action would spur changes in the area's land use patterns, with new construction

for residential, entertainment, office, retail and cultural uses, and public open space. The proposed action would replace underutilized land (surface parking) and predominantly low density commercial uses with high density residential and commercial developments. In addition, developments under the proposed action would help provide much needed affordable housing. The proposed East 125th Street Development would revitalize an area that has experienced disinvestment in the past and it would extend development along the 125th Street mixed-use corridor to the east.

The project site is ~~currently generally~~ occupied by existing vacant land, commercial and parking uses. Existing buildings contain a carpet/flooring store, a dry cleaner, salon, an autobody shop (muffler and transmission repair) with an upper floor health services clinic, a vacant automobile repair shop, an appliance parts store, a gas station, a donut shop, a flat tire repair shop, an antique store with upper floor apartments that appear to be used for commercial storage, and a motorcycle dealership.

The project would re-establish residential uses on the project site that were replaced in the past through demolition of apartment buildings and row houses, and commercial conversions. Major office development would be introduced that would strengthen the role of 125th Street as an employment center and bring workers and visitors to an area that is well served by mass transit. The project would also include open space plazas that would complement the proposed residential and commercial uses, as well as providing additional open space for existing East Harlem residents and visitors. By ~~2012~~2016, with the proposed action, the project site would contain new office, retail, cultural, hotel, and residential uses, and new open space, bringing activity further east on the 125th Street corridor to be more consistent with the mixed-use development pattern that is prevalent on blocks to the west.

The proposed action would provide increased opportunities for residential and mixed-use development, including the offsite parcel that is proposed for rezoning with no development currently proposed. Given the project site's proximity to the mixed-use development along the 125th Street corridor and the residential development within the surrounding East Harlem neighborhood, the land uses generated by the proposed action would not be expected to result in significant adverse land use impacts.

Zoning

The proposed action would amend the zoning map and replace the existing M1-2, R7-2 and C4-4 districts that are currently mapped in the rezoning area with a single C6-3 district (see Figure 3.1-5, Proposed Zoning). The C6-3 district allows for higher densities and would also permit the mix of residential, commercial and community facility uses proposed for the East 125th Street Development project site. The MTA bus storage facilities that are proposed are considered to be a continuation of a pre-existing nonconforming use. An additional increment of development potential, and as-of-right commercial development, would be permitted on the off-site parcel located at the intersection of Third Avenue and East 127th Street that is to be rezoned only, with no development currently proposed on that lot (Block 1791, Lot 44).

The C6-3 district allows for a wide range of commercial uses including large office buildings, corporate headquarters, large hotels, entertainment facilities, department stores, and high-rise residential uses in mixed-use buildings. The C6-3 district is designed to accommodate destination uses that draw people from outside the immediate neighborhood. Consequently, C6-3 districts are usually only mapped in areas that are well served by public transportation, such as the rezoning area.

The residential equivalent of the C6-3 district is the R9 district. The maximum FAR allowed in the district varies according to use as follows.

- Commercial = 6.0 FAR
- Residential = 7.52 FAR
- Community Facility = 10.0 FAR

Public Policy

The proposed action would be consistent with public policies that guide the development of the primary and secondary study areas, including those of the 125th Street Business Improvement District, proposed revisions to the Harlem-East Harlem Urban Renewal Plan, the Comprehensive Manhattan Waterfront Plan, the Upper Manhattan Empowerment Zone, and the East Harlem Empire Zone, among others. It would also be complementary to the Department of City Planning's 125th Street Rezoning and Related Actions project.

Socioeconomics

The Socioeconomic Conditions analysis (see Chapter 3.2) indicates that by ~~2012–2016~~ the proposed action could result in the direct displacement of a small number of formerly occupied residential units and an estimated ~~ten~~ eleven businesses with approximately ~~75–79~~ private sector employees. However, the direct displacement would not result in a significant adverse impact.

While all businesses contribute to neighborhood character and provide value to the city's economy, CEQR seeks to determine whether displacement of a single business or group of businesses would rise to a level of significance in terms of impact on the City's or the area's economy or the character of the affected neighborhood. The purpose of CEQR is to identify significant adverse impacts to the environment. Under CEQR, displacement of a business or group of businesses is not, in and of itself, an adverse environmental impact. Rather, the CEQR Technical Manual provides a framework to analyze the effects of displacement by asking whether the businesses in question have "substantial economic value to the City or region" or "contribute substantially to a defining element of neighborhood character".

Redevelopment of the project site would potentially cause displacement. However, according to the analysis conducted according to the CEQR Technical Manual methodology discussed in Chapter 3.2, the potential direct displacement would not constitute a significant adverse impact.

The principal categories of businesses that could be displaced are in the retail and service sectors, in particular, personal services and auto-related services and sales, two businesses that sell appliances and antiques, respectively, and a commercial parking lot. Given that New York City's commercial streets are dynamic -- and that businesses regularly open and close in response to changes in the economy, local demographics, and consumer trends -- it is possible that some of the businesses identified for displacement as the project site is redeveloped could close or relocate prior to site development due to reasons independent of the proposed action.

The assessment of a business' economic value considers its products and services, its locational needs, particularly whether those needs can be satisfied at other locations, and potential effects on business or consumers of losing the displaced business as a product or service. An example of redevelopment that affected a special and identifiable sector of the City's economy was the redevelopment of the World Trade Center in the 1960s, which resulted in the displacement of the locus of the radio parts industry.

In the case of the East 125th Street Development, the goods and services provided by the displaced businesses are commonly found on commercial streets in the area and in New York City. They consist primarily of personal services, auto-related services and sales, a health services clinic and several retail establishments. Although the potentially displaced firms each contribute to the City's economy and therefore have economic value, the products and services they provide are widely available in the area and the city; the locational needs of these firms could be accommodated in the area and in other commercial districts, which are widely mapped throughout the city; and the products and services provided by these companies would still be available to consumers as many other existing businesses would remain and firms providing similar products and services would still be available in the socioeconomic study area, on 125th Street, or in the surrounding area.

On the subject of neighborhood character, the *CEQR Technical Manual* advises that an impact could occur if the displaced businesses "define or contribute substantially to a defining element of neighborhood character," such as a marina or shipyard on the waterfront. The character of portions of 125th Street in the socioeconomic study area is a regional destination retail street, with a mix of national and regional chains, franchises and independent businesses. The area contains stores and service establishments that offer a variety of shopper goods and services, such as retailers, auto-related services and sales, and services such as salons.

The potentially displaced businesses sell mostly comparative retail goods related to appliances and antiques, or provide personal or auto-related services - products and services that will continue to be widely available in the area after redevelopment. Although each business adds to the commercial fabric of the study area, none of the businesses that could be displaced from the project site individually define the character of the neighborhood. Nor would the collective displacement of the firms be expected to change neighborhood character, since the similar types of goods and services would continue to be available in the surrounding area. Furthermore, the proposed project would contain ground floor retail in the future, creating new retail opportunities to replace the non-automotive-related businesses that may be displaced.

Some potential exists for secondary residential displacement. However, secondary displacement trends have been ongoing in East Harlem for a number of years and the additional pressure on low income renter households as a result of the proposed East 125th Street Development would represent the continuation of trends that are already in place. Up to 650 units of low and moderate income housing would also be constructed on the project site as part of the proposed action. No significant impacts on Neighborhood Character from changes to socioeconomic conditions would be expected.

Community Facilities

The assessment of potential impacts on community facilities and services is based on the number of net new potential users of community facilities and services that would be generated by the East 125th Street Development. By 2016, in the future with the proposed action, there would be a net increase of 1,000 dwelling units (DUs) over the future without the proposed action. The projected 2,570 new residents of the proposed development, as well as workers and visitors to the future East 125th Street Development, would generate increases in demand for community facilities and services. However, no significant adverse impacts to community facilities are anticipated. An estimated 120 elementary, 30 intermediate, and 50 high school students would be introduced into the half-mile study area, located entirely within Community School District 5 (CSD 5), which is below its capacity for elementary schools. There would be also be no significant adverse impacts expected on library services, publicly funded day care facilities, health care services, or other community facilities and services as a result of the proposed action.

An existing substance abuse clinic located on the second floor of a mixed-use building on Parcel B would be displaced as a result of the proposed action. While the *CEQR Technical Manual* does not call for an evaluation of impacts to outpatient health clinics, adequate replacement space for this type of use is likely to be available within the Health Services study area, and there are currently 19 other substance abuse health clinics in the one-mile study area that serve a similar function.

Open Space

As described in Chapter 3.34, the proposed East 125th Street Development project would not result in significant adverse open space impacts. The 2001 *New York City Environmental Quality Review (CEQR) Technical Manual* guidelines indicate the need for an open space analysis when an action would result in the physical loss of public open space, or the introduction of 200 or more residents or 500 or more workers to an area. The proposed East 125th Street Development calls for the creation of new publicly accessible open space in the central portion of the northerly two project blocks, between East 125th Street and approximately East 127th Street. No direct impact on an existing open space is proposed.

While the open space ratios for the non-residential and residential study areas are below the levels recommended by the New York City Department of City Planning (DCP) under existing

conditions, future conditions without the proposed action, and future conditions with the proposed action, it is recognized that these are goals that are not feasible for many areas of the city and are therefore not considered impact thresholds. The qualitative assessments of the residential and non-residential open space study area presented in Chapter 3.3 conclude that even though the proposed project would result in a substantial increase in the number of residents and employees, and a decrease in the open space ratio, the existing and future open space resources in the study areas would be sufficient to address the needs of the user populations of the area. The proportional amount of open space and the ratio of acreage to population are also higher than in the majority of other Manhattan neighborhoods.

Shadows

Most shadow sensitive resources in the study area would not experience shadow impacts from the proposed project. Five existing resources would experience incremental shadow impacts from the proposed project, but most of those impacts would not be considered significant. The only significant shadow impact from the proposed project on existing shadow sensitive resources would be on the eastern portion of the PS 30 Playground in the winter, which would reduce the usability of this open space in the morning hours during the coldest months. The proposed open spaces created by the action would also see shadow effects from the action. While much of this shadow impact would be an unavoidable consequence of the design guidelines, the impact would be mitigated through the programming of those open spaces, and their orientation, which provides the most sun during times of day when these open space plazas would be expected to be most highly utilized. Because the creation of this open space is part of the proposed action, these shadows are not considered a significant adverse impact.

Historic Resources

Architectural Resources

The proposed action would not result in significant adverse impacts to any historic resources. None of the five identified historic resources are located within the identified project site or rezoning area. Five National Register eligible or potentially eligible resources are located within the 400-foot study area; each resource is located 90 feet or greater beyond the projected development site. No adverse effects on architectural resources as a result of construction, indirect effect, or shadows are anticipated.

Archaeological Resources

The proposed action is not expected to result in significant adverse impacts on archaeological resources, although two lots within the project site that may not have been disturbed by twentieth-century construction and demolition could potentially contain intact nineteenth-century archaeological resources. The LPC has reviewed a November 2007 Archeological Documentary Study prepared by Historical Perspectives, Inc. (see Appendices) and have determined that archeological testing is required before any excavation can occur at the site.

Urban Design

The Urban Design and Visual Resources analysis (see Chapter 3.7) indicates that the proposed action would result in changes to the urban form of the proposed rezoning area. The proposed action would bring new office, retail, cultural, hotel, and residential construction, and new open space, to the project site. The new buildings proposed for the project site would be much larger than the buildings that currently exist on the site, and would be characterized by much larger building frontages and a more intensive array of uses, than would otherwise be present under future conditions without the proposed action.

The proposed action would achieve urban design objectives for the project site described in guidelines developed by the Task Force convened to prepare guidelines for the development of the site. The current zoning on the project site that faces much of 125th Street (M1-2) acts as an impediment to uses, building forms, heights and densities considered desirable for a commercial corridor. The proposed action would result in an integrated, active building form, with streetwalls along 125th Street enlivened by new retail and mixed-use development through requirements for urban design features such as transparent and “active” retail frontages. The proposed action would result in development of the site in a comprehensive manner with a unified streetwall and central open space plaza. A visual connection to 126th Street from 125th Street would be created. The project site would be developed with the intensive array of uses, creating a substantial eastern anchor to the 125th Street corridor.

Neighborhood Character

The proposed action would result in a change in the character of East Harlem in general. However, were the proposed action not to change the character of the area, it would fail to achieve the project’s goals. Examination of the future No-Action condition, compared to the analyses of conditions as projected in ~~2012-2016~~ resulting from the proposed action, indicates that the action would result in an overall change in the character of the project site with respect to land use, socioeconomic conditions, urban design and visual resources, and street-level pedestrian activity. While a number of significant adverse traffic impacts were identified, it is expected that these transportation impacts would not significantly alter neighborhood character. The neighborhood character of the area would not be impacted by noise increases resulting from the proposed action. In addition, the proposed action would not affect historic resources so as to affect neighborhood character.

Overall, the proposed action would alter neighborhood character in beneficial ways, by bringing about significant improvements to the urban form of the project site and the surrounding area and providing for the replacement of underutilized land and predominantly low density commercial uses with high density residential and commercial development. The new mixed-use development on the project site generated by the proposed action would include “active” ground floor retail uses which in turn would encourage pedestrian activity and enhance the area’s streetscape. In addition, residential and office uses on the project site would strengthen the area

as a 24-hour neighborhood that would bring increased pedestrian traffic to area sidewalks.

The proposed higher building coverage and form is expected to be beneficial for urban design conditions of the study area, bringing more activity to the sidewalks of the area while maintaining a continuous streetwall that would create an attractive environment for pedestrians. The project is designed so that up to four levels of retail uses would line the base of the proposed mixed-use buildings, which would encourage pedestrian activity. The office tower at the corner of Third Avenue and East 125th Street, and the residential and hotel uses would also foster pedestrian activity. While taller than most of the new buildings built or planned for the study area, the heights of proposed buildings would not be exceptional in the study area. The proposed project would encourage growth and development in this area of Manhattan, and the increased built density of the project would be in keeping with changes that are occurring and planned along the 125th Street corridor and the surrounding area.

Given that the proposed action is expected to have an overall beneficial effect on neighborhood character, significant adverse impacts to neighborhood character are not expected.

Natural Resources

The project site and upland areas of the study area are generally urbanized and largely devoid of natural resources. The proposed action would not be expected to result in significant adverse impacts on the condition of natural resources on the project site or in the study area.

Hazardous Materials

Recognized Environmental Conditions (RECs) were identified during a non-intrusive Phase I Environmental Site Assessment (ESA) prepared for the New York City Economic Development Corporation by Metcalf & Eddy, Inc. in November 2006. The Phase I ESA identified RECs pertaining to the potential presence of petroleum underground storage tanks identified at the project site through visual observations and historical records; two open New York State Department of Environmental Conservation (NYSDEC) spill cases and offsite (adjacent) areas of concern including an adjacent service/gasoline station, several service/gasoline stations hydraulically upgradient and cross gradient to the project site, and an adjacent dry cleaning establishment (2315 Third Avenue, Block 1790, Lot 46). While no assessment was conducted of asbestos or lead based paint as part of the Phase I ESA, these are expected to be present in buildings on the project site.

A Phase II Environmental Site Investigation (ESI) was prepared by STV, Inc., for the East 125th Street Development project site in July 2007 to investigate areas of environmental concern identified in a Phase I ESA. A Phase II ESI Work Plan identified the methods for investigation in the Phase II ESI and characterization of site soils and groundwater, potential USTs, and subsurface soil vapor, and also described quality assurance/quality control (QA/QC) protocols to be followed during the investigation activities. The Work Plan was implemented in accordance with applicable NYSDEC and New York City Department of Environmental Protection

(NYCDEP) guidance, NYCEDC requirements, and safety protocols as specified in a site-specific Construction Health and Safety Plan (CHASP).

Under conditions with the proposed East 125th Street Development, the developer would be obliged to prepare and submit plans for site remediation, for NYCDEP approval. Along with these plans, a Site Management Plan (SMP) and a CHASP would be required, in accordance with standard industry practice. In addition, it is expected that the selected developer would apply for inclusion in the NYSDEC Brownfields Cleanup Program (BCP), and would also be required to prepare the documentation required by NYSDEC to support that application. The New York State Department of Environmental Conservation would provide oversight for spill remediation. Requirements for vapor mitigation would follow NYSDOH Final “Guidance Evaluating Soil Vapor Intrusion in the State of New York,” dated October 2006.

Potential redevelopment of the off-site parcel located at Third Avenue and East 127th Street that is to be rezoned only would be expected to occur in accordance with applicable regulations and guidelines related to hazardous materials. No development is currently proposed for that separate parcel. The proposed rezoning would be expected to increase the amount of potential floor area that could be developed on that site, which now contains the two-story United Moravian Church.

It is expected that the project development efforts required for the East 125th Street Development project site would include removal of existing buildings and foundations, and excavation for site development, to depths that would accommodate the proposed underground MTA bus garages on both Parcel A and the vehicle garage on Parcel B. Basement foundations for Parcel A are estimated to be about 25 feet below grade and the basement for Parcel B is estimated to be 15 or 30 feet deep, depending on the number of parking levels. Note that the 2007 ESI served as an initial due diligence document and additional investigation may be required, depending on development details. A Memorandum of Understanding (MOU) between the NYC Economic Development Corporation and the NYC Department of Environment Protection is being finalized~~was executed~~will be signed before issuance of the Final EIS, committing the designated developer to perform additional investigation when and if necessary.

For future site development (projected for the year ~~2012~~2016), the following actions would be undertaken:

- Additional soil and groundwater investigations, followed by remediation of the gasoline station property area located at 255 East 125th Street (Block 1790, Lot 24);
- Removal of the former gasoline USTs at the northeast corner lot of Third Avenue and 126th Street (southwest corner of Block 1791) in accordance with NYSDEC requirements;
- Inspection of existing buildings by a licensed asbestos inspector to ensure that Asbestos Contaminated Materials (ACMs) are identified and removed prior to demolition in accordance with applicable federal, State, and local requirements; and,

- In a similar vein, prior to demolition, the existing buildings would be inspected for the presence of lead-based paint (LBP), to be removed and disposed of as required by the Occupational Safety and Health Administration (OSHA).

Additionally, in accordance with industry practice, the following is recommended:

- Incorporation of engineering controls such as soil vapor barriers or other vapor mitigation procedures in new buildings, in accordance with the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006, to address residual elevated concentrations of volatile organic compounds attributed to the existing dry cleaning and automotive establishments;
- If shallow soils at the site are excavated during renovations or construction activities, it is recommended that the soils be characterized to identify material handling and/or waste disposal requirements and, for material reuse, handling requirements; and that they be managed in accordance with federal, state and local regulations;
- As at-grade landscaped areas may be incorporated into the development of the project site, at least two-foot thick certified clean fill cap should be placed over on-site soils in these areas;
- If dewatering is required for construction activities, then groundwater at the locations of dewatering should be sampled and the need for pretreatment assessed prior to discharge to the NYC sewer; and,
- Adherence to a Site-Soil Management Plan (SMP) and a CHASP.

Waterfront Revitalization Program

Because the project site falls outside of the Coastal Zone, no evaluation of its consistency with LWRP policies is necessary. The East 125th Street Development project would not be incompatible with the Coastal Policies affecting the adjacent uses.

Infrastructure

Water Supply

The proposed action would increase demand by approximately 550,000 gallons per day (gpd) above Future Conditions without the Proposed Action, including usage by residents, employees, visitors, and air conditioning systems. This increase does not exceed the CEQR impact threshold of one million gallons per day (mgd) and, therefore, would not create any adverse impacts to water pressure or supply. No detailed assessment of the development's effects on water supply or pressure is required.

Sanitary Sewage and Stormwater

Sewage generation from the proposed East 125th Street Development is estimated to be approximately equivalent to water consumption, or 432,840 gpd during peak demand (does not include water used for air conditioning). This represents an increase of less than 0.2 percent of

the average flow (2006) to the Wards Island WPCP and would not be expected to adversely impact the plant's treatment design capacity of 275 mgd.

The proposed action would increase the built density of the project site with vacant lots and underutilized parcels replaced with new commercial, residential, retail, and other uses. As a result, the Project Site may experience an increase in impermeable surfaces, and stormwater runoff may likewise increase. The project includes rooftop gardens where buildings are conducive to green space on the roof. This would help to reduce stormwater runoff, although rooftop gardens have not been factored into the estimate of increase in stormwater runoff from the site presented below in order to provide a conservative analysis.

As outlined in the *CEQR Technical Manual* (§323), by applying the *Rational Method* for calculating stormwater runoff, the estimated increase in stormwater runoff from the East 125th Street Development would be approximately five cubic feet per second (cfs) during a 10-year storm event, from 20 cfs in existing conditions to 25 cfs with the proposed action. This calculation assumes a reduction of permeable surfaces from approximately 1 ½ acres to no permeable surfaces and a rainfall intensity of five inches per hour. Although an increase in storm water runoff is anticipated, the change would be small and the proposed action would not result in significant impacts as the result of CSO events.

Solid Waste and Sanitation Services

An increase in the amount of Municipal Solid Waste (MSW) generated as the result of development in the study area, including the proposed action, would have no significant adverse impact to solid waste and sanitation services. Residential uses and other uses generating New York City Department of Sanitation (DSNY) managed waste would increase MSW by 44,500 pounds (22 tons) per week as a result of the East 125th Street Development compared to future conditions without the action. Considering a DSNY six-day work-week, this amount is the equivalent of less than one truckload per day; there would be no significant burden on the City's solid waste management program. The study area is currently served by DSNY-managed waste collection trucks and any increases could be easily accommodated.

Commercial waste from future development in both No-Action and Build conditions would increase, but not significantly. Private carters collecting MSW from commercial users would be hauling the equivalent of one truckload extra per day (approximately 11 tons), assuming 12.5 ton hauling capacity. This amounts to less than two percent of the potential quantity of commercial wastes (780 TPD) hauled to the East 91st Street Converted MTS by commercial carters. This is a minimal amount and it is expected that it could be easily handled by commercial solid waste management entities.

Curbside pickup and removal of commercial trash (non-DSNY-managed trash) is not proposed. All commercial solid waste would be housed within the East 125th Street Development buildings and removed in a discreet, controlled manner in order to mitigate noise, alleviate traffic, and

minimize disruption to neighbors. It is anticipated that restaurants would store trash in refrigerated trash rooms within the tenant space until the scheduled pickup time.

Energy

For the Build Year of ~~2012~~2016, summer peak demand for all of New York City is forecasted at ~~12,645~~12,825 Megawatts (MW) and the entire New York Control Area (NYCA) at ~~35,566~~36,436 MW. The total resource capacity that will be available to the NYCA for the summer of ~~2012~~2016 is forecasted at ~~40,500~~43,161 MW. The energy demand for the East 125th Street Development would be approximately 4.5 MW which would account for 0.03 percent of the total forecasted electric demand for the city; therefore, energy consumption at this level would not be expected to have any significant adverse effect on energy systems.

Traffic and Parking

In the ~~2012-2016~~Future with the Proposed Action condition, there would be a net increase of 435 vehicle trips (autos, taxis and trucks) during the 7:45-8:45 AM peak hour, 1,002 vehicle trips during the 1-2 PM peak hour, 1,223 trips during the 4-5 PM peak hour, and 1,929 during the Saturday midday peak hour. This new demand would create significant traffic impacts at nine signalized intersections in one or more peak hours by ~~2012-2016~~(see Table 1-3). The PM peak hour would have the most impacts, with six impacted intersections, followed by the midday and the Saturday midday with three impacted intersections each, and lastly the AM peak hour with two impacted intersections. See Chapter 3.22, “Mitigation,” for proposed mitigation measures.

It is expected that the accessory off-street parking capacity provided under the proposed action would be sufficient to accommodate overnight demand from proposed residential and hotel uses. The accessory parking facilities would be at capacity during one hour during the midday peak period, during which time the excess demand (approximately nine vehicles) would need to park at other public parking facilities in the area, or on the street. Both the existing off-street public parking facilities and on-street parking would have spaces available during this time of day to accommodate this small amount of excess demand. Therefore, no significant adverse impacts to study area parking conditions would result from the proposed action.

Table 1-3 Summary of Traffic Impacted Intersections

Signalized Intersections		AM	MD	PM	Sat MD
West 129 th Street @	Lenox Avenue				X
West 128 th Street @	Lexington Avenue			X	
West 126 th Street @	Lenox Avenue			X	
East 126 th Street @	Park Avenue		X	X	
	Third Avenue	X		X	X
	Second Avenue	X			
East 125 th Street @	Lexington Avenue		X	X	
	Second Avenue			X	
East 124 th Street @	Lexington Avenue		X		X

The analysis for the DEIS assumed a Build Year of 2012 with five years of background growth at 0.5 percent per year from 2007 to 2012 (total 2.5 percent). However, in the past year overall traffic has significantly declined. A Technical Memorandum discussing this reduction in traffic is located in Appendix O and the findings of the memo are as follows. The traffic crossing the Triborough Bridge Manhattan Plaza has declined 4.5 percent between 2007 and 2008. This reduction of traffic in the area attributable to high fuel cost and a declining economy demonstrates that the approximately 2.5 percent growth that was analyzed between 2007 and the 2012 (DEIS Build Year) would still be valid, if not conservative, for the revised 2016 FEIS Build Year analysis. As such, future No Build traffic conditions in the FEIS remain unchanged from those presented in the DEIS.

Transit and Pedestrians

The analyses of transit and pedestrian facilities show that new demand from the proposed action would not result in any significant adverse impacts to subway line haul conditions, local bus services or pedestrian facilities (sidewalks, corner areas and crosswalks) in any analyzed peak hour in the 2012 Future with the Proposed Action condition. However, project-generated subway trips at the 125th Street IRT (4, 5, 6) subway station would result in significant adverse impacts to stair S4 at the northeast corner of East 125th Street and Lexington Avenue in both the AM and PM peak hours. Mitigation measures to address subway station stairway impacts typically involve physically widening an affected stair to increase its capacity, or implementing measures that would decrease demand, typically by providing new and/or more convenient access points. A theoretical widening of stair S4 by 27.8 inches would return the stair to an acceptable LOS in both the AM and PM peak hours. In practice, NYC Transit typically widens stairs to a standard width of either 7.5 feet or 8.5 feet. It is therefore anticipated that stair S4 would be widened by approximately 31 inches to a total width of 8.5 feet. With this widening, stair S4 would operate at an acceptable LOS C (v/c ratio of 0.75) in the AM peak hour and LOS C (v/c ratio of 0.95) in the PM peak hour, and the proposed project's significant adverse impacts in both peak hours would be fully mitigated. Implementation of this mitigation measure would be coordinated with NYC Transit. ~~Between the Draft EIS and Final EIS, the feasibility of~~

~~widening stair S4 and other potential mitigation measures will be evaluated in consultation with NYC Transit.~~ If widening stair S4 and other potential mitigation measures should prove infeasible, the proposed project's significant adverse impacts to this stair in the AM and PM peak hours would remain unmitigated.

Air Quality

The proposed action is not expected to result in significant adverse impacts to Air Quality. Increases in mobile source emissions of CO, PM_{2.5} and PM₁₀ related to increases in project-induced traffic would not result in any exceedances of the National Ambient Air Quality Standards (NAAQS) or the DEP/DEC NYC interim guideline impact criteria at existing or future project-related sensitive receptors. Pollutant emissions of SO₂, PM_{2.5} and PM₁₀ related to the proposed developments HVAC systems and the proposed bus garage would not result in any violations of applicable NAAQS standards or exceed the DEP / DEC NYC interim guideline incremental impact criteria. Existing pollutant sources would not result in any air quality related impacts of the proposed development. Existing large scale pollutant sources, in addition to industrial sources that would emit air toxics, would not result in any significant adverse impacts at any of the sensitive land uses that would be created by the proposed action.

Noise

The proposed development would not result in significant adverse impacts related to noise. The proposed action would generate new residential, commercial and cultural uses in an area that is already characterized by medium to high density residential and commercial development. Residential, commercial and cultural use portions of the development would be required to provide sufficient noise attenuation to maintain interior noise levels of 45 dBA or lower, so that the proposed development would not result in significant adverse noise impacts. It is anticipated that "E" designations, a restrictive declaration, restrictions in the property deed, or other similar techniques would be used to enforce these noise abatement measures.

Construction Impacts

Construction-related activities resulting from the proposed action are not expected to have any significant adverse impacts on historic resources, natural resources, infrastructure, traffic, air quality, noise, or hazardous materials conditions. Project construction would be completed in ~~2012~~2016, a total construction and bus relocation period of approximately ~~eight~~four years. Construction on the project site would entail temporary relocation of the existing at-grade MTA bus parking facility, currently housed on Parcel A, to Parcel B or elsewhere during construction of the new MTA underground bus storage facility on Parcel A. (If Parcel B is selected, this stage of the project would involve land clearing of Parcel B to allow for a portion of Parcel B to be used for temporary surface parking for the MTA). Once construction of the new MTA underground bus storage facility on Parcel A is fully built out and operational, construction of the buildings on Parcel B would begin and the above-grade portions of construction on Parcel A would continue. Environmental remediation and building demolition, excavation and grading, installation of

foundations, and building construction on Parcels A, B, and C would likely occur in overlapping stages. The activities and durations indicated are estimated based on the Illustrative Concept Plan as indicated in Chapter 3.19.

Construction of the proposed project would begin with environmental remediation to address hazardous materials currently existing on the site and demolition of the existing structures. As described in Chapter 3.10, “Hazardous Materials,” the selected developer would be obliged to prepare and submit plans for site remediation, for NYCDEP approval. The environmental remediation would be conducted under a Remedial Work Plan (RWP) and CHASP to be approved by the NYCDEP. In addition, it is expected that the selected developer would apply for inclusion in the NYSDEC Brownfields Cleanup Program (BCP), and would also be required to prepare the documentation required by NYSDEC to support that application. The New York State Department of Environmental Conservation would provide oversight for spill remediation.

Public Health

The proposed action would not result in significant adverse impacts to public health.

The *City Environmental Quality Review (CEQR) Technical Manual* states that a public health assessment may not be necessary for many proposed actions, but a thorough consideration of health issues should be documented. In determining whether a public health assessment is appropriate, the following has been considered:

Whether increased vehicular traffic or emissions from stationary sources would result in significant adverse air quality impacts.

The potential for these impacts was examined in Chapter 3.17, “Air Quality.” As indicated above, the proposed action is not expected to result in significant adverse impacts to Air Quality.

If there is an increased potential for exposure to contaminants in soil or dust or vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts.

As described in detail in Chapter 3.10, “Hazardous Materials,” the proposed action has the potential to result in an increased human exposure to potential contaminants in soil or dust during construction and potentially during occupancy of the project site. Prior to construction, further investigation would be performed on the project site to determine the presence and nature of contamination of concern and the proper remedial and/or health and safety measures that would be employed during development of the project site. Under conditions with the proposed action, the developer would be obliged to prepare and submit plans for site remediation, for New York City Department of Environmental Protection (NYCDEP) approval. Significant adverse hazardous materials or air quality impacts are not anticipated.

Solid waste management practices that could attract vermin and result in an increase in pest

populations.

No solid waste management practices are proposed beyond those which occur at residential and commercial uses found in the City. These practices would include all contemporary solid waste collection and containment practices and conformance with the laws of the New York City Board of Health. Development pursuant to the proposed action would occur in an area that is currently served by DSNY residential trash and recycling pickups. As discussed in Chapter 3.13, “Solid Waste and Sanitation Services,” the proposed action would not affect the delivery of these services, or place a significant burden on the City’s solid waste management system.

Potentially significant adverse impacts to sensitive receptors from noise.

The proposed action would facilitate a new mixed-use development in an area with high ambient noise levels, due to the presence of transportation infrastructure, commercial and transportation land uses, and proximity to the busy 125th Street traffic corridor. No new significant sources of noise would be generated by the proposed action. Traffic generated by the proposed action would not produce any significant adverse noise impacts.

Potentially significant adverse impacts to sensitive receptors from odors.

No new odor sources would be created as a result of the proposed action.

No activities are proposed that would exceed accepted City, State, or federal standards with respect to public health or result in activities which result in significant public health concerns. For the reasons stated above, a full assessment of potential impacts on public health is not necessary and no significant adverse impacts are expected as a result of the proposed action. While the proposed project would not meet any of the thresholds warranting a public health assessment, this DEIS presents a discussion of asthma, its prevalence in New York City and its possible causes and triggers, and then presents an assessment of the potential public health effects from the proposed project. This analysis concludes that potential PM_{2.5} emissions from mobile and stationary sources related to the proposed project are not expected to result in adverse public health impacts, including impacts on asthma rates.

Alternatives

CEQR requires that alternatives to a proposed action be identified and evaluated in an EIS. Alternatives considered should reduce or eliminate impacts of the proposed action while substantively meeting the goals and objectives of the action. These typically include a No Action Alternative that would demonstrate environmental conditions that would exist if no action were implemented; an As-of-Right alternative that demonstrates the reasonable worst-case development scenario for a given site or area under existing regulatory and land use policy conditions; and, alternatives that demonstrate differing types, or levels of intensity, of a particular use, such as a different size, design or configuration. Another typical alternative would be a development that does not result in impacts.

For the East 125th Street Development, four alternatives are considered, including: 1) a No Action Alternative; 2) an As-of-Right Alternative; 3) a No Impact Alternative; and, 4) an MTA Bus Depot Expansion Alternative that entails the relocation of the existing MTA bus storage lot from Parcel A of the East 125th Street Development to an adjacent offsite block to the east that contains an existing MTA Bus Depot. With this alternative, the Bus Depot in this location would be enlarged.

No-Action Alternative

The No-Action Alternative entails a scenario in which no rezoning or other approvals are sought and no development occurs on the Project Site during the Build Year of ~~2012~~2016. Under this alternative, the site would remain partially vacant and underutilized, and the MTA bus storage facility would continue in its at-grade location as it presently exists.

The introduction of up to 1.7 million square feet of new mixed-use development in East Harlem that would occur under the proposed action would not be realized under the No-Action Alternative. As a result, there would be no restoration of the population base on the East 125th Street Development project site and no associated incremental increases in demand for community facilities or open space. Proposed action-generated impacts including increases in traffic and shadows would not occur under the No-Action Alternative.

The surrounding community would not experience the benefits of the proposed action under the No-Action Alternative. Substantial increases in affordable housing and construction of new office and retail development bringing jobs and shopping opportunities would not occur on the East 125th Street Development project site, which would continue to contain underutilized parcels and an at-grade bus storage facility. Policies of the City of New York, including objectives of the Harlem-East Harlem Urban Renewal Area, and redevelopment recommendations of a Task Force convened to formulate redevelopment guidelines would not be implemented for the East 125th Street Development project site. The No-Action Alternative would not sustain the ongoing revitalization of 125th Street at its eastern gateway.

As-of-Right Alternative

The project site would be redeveloped under the current R7-2, C4-4 and M1-2 zoning, and no additional amendments to the HEHURP would occur. The As-of-Right Alternative includes the redevelopment of the project site with the following uses by parcel, pursuant to existing zoning:

- Parcel A: construction of approximately 300 units of mid-rise residential development on the R7-2 portion of Parcel A (maximum Residential FAR 3.44) and approximately 50,000 square feet of light industrial use (warehouse/storage) on the M1-2 portion of Parcel A (maximum FAR of 2.00);
- Parcel B: approximately 112,000 square feet of retail space on the southern M1-2 portion of the Parcel B facing East 125th Street (maximum FAR of 2.00), approximately 120,000 square feet of light industrial (warehouse/storage) space facing the M1-2 portion of Parcel B on East 126th Street, and approximately 20 market rate apartments in a mixed-use building with approximately 8,000 square feet

of ground floor retail at the northeast corner of Third Avenue and East 125th Street on the C4-4 portion of Parcel B (R7-2 equivalent 3.44 Residential FAR);

- Parcel C: approximately 24 market rate apartments in a mixed-use building with approximately 10,000 square feet of ground floor retail on the C4-4 southeast corner of Third Avenue and East 125th Street (R7 equivalent 3.44 Residential FAR).

As-of-Right development on the project site would result in lower demands on services, and lower amounts of traffic, air quality and noise effects and lower shadow effects with the lower density and scale of the development that would result. There would also be a different mix of uses anticipated, with less mixed-use development, little office use, if any, and the development of light industrial uses on East 126th Street where mixed-use development is proposed under the proposed action. While as-of-right development would result in far lower numbers of residents and workers on the project site, and far less of the associated traffic and other environmental effects, it would also not stimulate the revitalization of the surrounding area to the degree that would be expected through the proposed action's introduction of up to 1.7 million square feet of new mixed-use development. The 344 units of market rate housing under this alternative would not increase options for affordable housing as with the proposed action, and jobs created on the project site would not include a substantial amount of office workers that could create a critical mass of media businesses on the eastern end of the 125th Street corridor.

Policies of the City of New York for the East 125th Street Development project site, including objectives of the Harlem-East Harlem Urban Renewal Area, and redevelopment recommendations of a Task Force of elected and community representatives convened to formulate redevelopment guidelines for the East 125th Street Development project site, would not be implemented.

No Impact Alternative

The No Impact Alternative includes a mixed-use program of development with only retail and residential development, and at a reduced scale and density. Only market rate housing would be expected, as opposed to the low-, moderate-, and middle-income housing units included in the proposed action. This alternative would eliminate impacts of the proposed action related to traffic and shadows.

Similar to the proposed action, the No Impact Alternative would result in lower demands on services, and lower amounts of traffic, air quality and noise effects and lower shadow effects with the lower density and scale of the development that would result. However, the program of development would be limited to 500 dwelling units and 50,000 square feet of retail use in order to eliminate any significant adverse impacts related to traffic or pedestrians. The lower building height would also eliminate the potential shadow impacts that would be expected with the proposed action. While the No Impact Alternative would generate a far smaller number of residents and worker population on the project site, and no traffic, shadow, or other environmental effects, it would also not stimulate the revitalization of the surrounding area to the degree that would be expected through the proposed action's introduction of up to 1.7 million square feet of new mixed-use development. No office development would result, and the 500

units of market rate housing under this alternative would not increase options for affordable housing as with the proposed action. Jobs created on the project site would not include a substantial amount of office workers that could create a critical mass of media businesses on the eastern end of the 125th Street corridor.

Policies of the City of New York for the East 125th Street Development project site, including objectives of the Harlem-East Harlem Urban Renewal Area, and redevelopment recommendations of a Task Force of elected and community representatives convened to formulate redevelopment guidelines for the East 125th Street Development project site, would not be implemented.

MTA Bus Depot Expansion Alternative

The MTA Bus Depot Expansion Alternative (“Depot Alternative”) includes the relocation and enlargement of the ~~off-site~~ MTA Bus Depot located across Second Avenue to the east of Parcel A to accommodate bus storage that currently occurs on the ~~Project Site~~ Parcel A and its surroundings. The MTA’s 126th Street Bus Depot is located at 2460 Second Avenue (Block 1803, Lot 1). Under this alternative, no underground MTA Bus Storage would be located on Parcel A of the East 125th Street Development. As shown on Figure 3.21-1, the enlargement of the MTA Bus Depot would result in the addition of two additional floors of bus storage to accommodate the equivalent of 250 ~~standard size~~ buses, including both standard and articulated buses, for a total of three full floors.

Although including bus storage below the mixed-use buildings on Parcel A would not be considered to result in significant adverse land use impacts under the proposed action, this alternative would be more compatible with the overall mixed-use program of development for the project site. An additional 19,000 square feet of retail space would be constructed on Parcel A of the East 125th Street Development project site, with the businesses that would occupy that space employing an additional 57 workers. Buses would not be entering or exiting the proposed buildings on East 126th Street or East 127th Street, and the bus storage would be relocated to an adjacent manufacturing district above an existing MTA Bus Depot. In order to relocate this bus storage, increases in shadow and urban design effects would be expected with the addition of two stories to the existing MTA Bus Depot. However, these incremental increases in shadows and additional building height would not be expected to result in significant adverse impacts.

The ~~MTA Bus Depot Expansion~~ Alternative would result in generally similar demands on services, and similar amounts of traffic, air quality and noise effects as the proposed action. Policies of the City of New York for the East 125th Street Development project site, including objectives of the Harlem-East Harlem Urban Renewal Area, and redevelopment recommendations of a Task Force convened to formulate redevelopment guidelines for the East 125th Street Development project site would be implemented similar to the proposed action.

Aside from the removal of bus storage from the future East 125th Street Development that would result from this alternative and consolidation of area bus storage onto the site of the MTA Bus Depot, this alternative would result in alterations of visual conditions of the MTA Bus Depot,

with an increase in building height by approximately 40 feet. Impacts on urban design and visual conditions would be limited due to the existing industrial appearance of this site and its separation from the waterfront by elevated highway. Increases in shadow effects on parkland to the north would result. However, these incremental shadow effects would not be expected to result in significant adverse impacts. Shadows would only be cast on these areas late in the day in March and May. There would be no impact on the Crack is Wack Playground. The open space in Harlem River Park that would be affected includes small, irregularly shaped open spaces that are used for planting, and not for recreational purposes or sitting areas. Extensive shadowing would occur only in December, when the trees in these open spaces are dormant. The added shadows would not be expected to affect plant survival in these open spaces. Therefore, the impact of this shadowing would not be considered to be significant, even though it would be extensive. The increased bulk of the building would be an addition onto an existing industrial-type use, in an existing manufacturing district.

Increases in construction effects from noise and mobile source emissions would be temporary and would not be expected to result in significant adverse impacts. If the potential for archeological impacts is identified, mitigation measures related construction impacts to archeological resources would be determined through consultation with LPC and, as the MTA is a public benefit corporation of New York State, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP).

Mitigation

Where significant impacts have been identified, in accordance with the CEQR Technical Manual, mitigation measures are examined to minimize or eliminate these impacts. These mitigation measures are discussed below.

Socioeconomic Conditions

As described in Chapter 3.2, “Socioeconomic Conditions,” with regard to secondary or indirect residential displacement, the Population and Housing Study Area contains populations that could be vulnerable to displacement pressures. Potential secondary displacement as a result of the substantial increase in the non-residential development proposed, and the upgrading of three blocks in the East Harlem Triangle with new mixed-use development, would be offset to some degree by the proposed affordable housing that would include up to 650 units of low- and moderate-income housing. However, some negative effects may result as a result of rising land values and rents in areas surrounding the project site if low income households in unprotected buildings in the area are forced to move due to rising rents.

Mitigation measures described in the *CEQR Technical Manual* to address such adverse effects include actions such as providing appropriate, comparable space as part of development projects, either on-site or off-site but within a reasonable distance of the current location of the units that would be displaced; contributions to tenant advocacy groups; or enacting laws and regulations to prevent indirect displacement from occurring. In the case of the East 125th Street Development,

a significant amount of affordable housing is proposed onsite. Further measures that could mitigate indirect residential displacement impacts caused by the proposed action could include HPD working with local Community Development Corporations to counsel displaced tenants and connect them to affordable housing resources. Another option for mitigation to address the potential for secondary displacement would be for HPD to continue to utilize publicly controlled properties in the community for the development of affordable housing, and to target a certain percentage of affordable units constructed on publicly-controlled property for local residents. Even with the implementation of such mitigation measures to address the potential for secondary displacement, some degree of potential indirect residential displacement resulting from the East 125th Street Development might remain unmitigated.

Transit & Pedestrians

Subway Service

The results of the analysis of the 125th Street IRT (4, 5, 6) subway station in the future with the proposed action indicate that new demand from the proposed project would result in significant adverse impacts in the AM and PM peak hours to stairway S4 located at the northeast corner of East 125th Street and Lexington Avenue. As shown in Table 3.16-17, under future conditions with the project, this stair would deteriorate from LOS B (0.690.71 v/c ratio) to LOS D (1.241.25 v/c ratio) in the AM peak hour, with 41.812.2 inches of theoretical widening required to return this stair to an acceptable LOS (a v/c ratio of less than 1.00). In the PM peak hour, stair S4 would deteriorate from LOS B (0.570.58 v/c ratio) to LOS E (1.571.58 v/c ratio), with 27.327.8 inches of theoretical widening required to return this stair to an acceptable LOS. All other analyzed station elements, including stair S2 and the fare array and exit gates, would not be impacted based on *CEQR Technical Manual* impact criteria.

Mitigation measures to address subway station stairway impacts typically involve physically widening an affected stair to increase its capacity, or implementing measures that would decrease demand, typically by providing new and/or more convenient access points. As described above, a theoretical widening of stair S4 by 27.8 inches would return the stair to an acceptable LOS in both the AM and PM peak hours. In practice, NYC Transit typically widens stairs to a standard width of either 7.5 feet or 8.5 feet. It is therefore anticipated that stair S4 would be widened by approximately 31 inches to a total width of 8.5 feet. With this widening, stair S4 would operate at an acceptable LOS C (v/c ratio of 0.75) in the AM peak hour and LOS C (v/c ratio of 0.95) in the PM peak hour, and the proposed project's significant adverse impacts in both peak hours would be fully mitigated. Implementation of this mitigation measure would be coordinated with NYC Transit. ~~As described above, a widening of stair S4 by more than two feet would be needed for this stair to accommodate projected 2012 demand under future conditions with the proposed action at an acceptable level of service, thereby fully mitigating the proposed project's significant adverse impacts in both the AM and PM peak hours. (In practice, NYC Transit would typically require that this stair be widened to a standard eight feet.) Between the Draft EIS and Final EIS, the feasibility of widening stair S4 and other potential mitigation measures will be evaluated in consultation with NYC Transit. If widening stair S4 and other potential~~

mitigation measures should prove infeasible, the proposed project's significant adverse impacts to this stair in the AM and PM peak hours would remain unmitigated.

Traffic and Parking

As discussed in Chapter 3.15, "Traffic and Parking" and shown in Table 3.15-8, demand from the Proposed Project would result in significant adverse impacts traffic impacts at nine signalized intersections in one or more peak periods by 2012. A traffic mitigation plan was therefore developed to address these impacts. The paragraphs below discuss the measures that would be included in the traffic mitigation plan, and the effects that these measures would have on each of the impacted intersections. Table 3.23-1 summarizes the measures contained in the mitigation plan.

According to the *CEQR Technical Manual*, a significant traffic impact is considered mitigated if measures return projected future conditions to what they would be if a proposed project were not in place, or to acceptable levels. For a future No-Build level of service (LOS) D, E or F, mitigating back to the No-Build condition is required; for No-Build LOS A, B, C, mitigating to mid-LOS D is required (45 seconds of delay for signalized intersections). Table 3.22-2 shows the effectiveness of the proposed traffic mitigation measures during the weekday AM, midday, PM, and Saturday midday peak periods based on these criteria.

West 129th Street and Lenox Avenue

To address the project's Saturday midday peak hour impact to the westbound West 129th Street approach, proposed mitigation measures would include the transfer of one second of green time from the northbound/southbound signal phase to West 129th Street phase in the Saturday midday. As shown in Table 3.22-2, this measure would reduce delay on this approach to 66.1 seconds in the Saturday midday, below the 69.6 seconds of delay in the No-Build Condition, fully mitigating the impact from the proposed action at this location.

East 128th Street and Lexington Avenue

To address the project's PM peak hour impact to the eastbound East 128th Street approach, proposed mitigation measures would include the transfer of three seconds of green time from the southbound signal phase to East 128th Street phase in the PM peak hour. As shown in Table 3.22-2, this measure would reduce delay on this approach to 50.5 seconds in the PM, below the 55.7 seconds of delay in the No-Build Condition, fully mitigating the impact from the proposed action at this location.

West 126th Street and Lenox Avenue

To address the project's PM peak hour impact to the westbound West 126th Street through-right movement, proposed mitigation measures would include the transfer of one second of green time from the northbound only signal phase to the West 126th Street phase in the PM. As shown in Table 3.22-2, this measure would reduce delay at this movement to 44.3 seconds in the PM, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impact from the proposed action at this location.

East 126th Street and Park Avenue

Traffic generated by the proposed action would impact westbound East 126th Street in the midday and PM peak hours. To address these impacts to the westbound East 126th Street approach, proposed mitigation measures would include the transfer of three seconds and one second of green time from the northbound/southbound signal phase to the West 126th Street phase in the midday and PM peak hours, respectively. As shown in Table 3.22-2, these measures would reduce delay on this approach to 41.1 seconds in the midday and 43.6 seconds in the PM peak hour, both of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 126th Street and Third Avenue

Traffic generated by the proposed action would impact westbound East 126th Street in the AM, PM and Saturday midday peak hours. To address the project's impacts to the westbound East 126th Street approach, proposed mitigation measures would include the transfer of two seconds from the northbound signal phase to the West 126th Street phase in both the AM and PM peak hours. For the Saturday midday impact, proposed mitigation measures would include the transfer of one second from the northbound signal phase to the West 126th Street phase. As shown in Table 3.22-2, these measures would reduce delay on this approach to 42.3 seconds in the AM, 43.3 seconds in the PM, and 43.4 seconds in the Saturday midday peak hour, all of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 126th Street and Second Avenue

To address the project's AM peak hour impact to the northbound left turn movement at Second Avenue, proposed mitigation measures would include the transfer of one second of green time from the southbound only signal phase to the northbound only phase in the AM. As shown in Table 3.22-2, this measure would reduce delay at this movement to 80.7 seconds in the AM, below the 86.6 seconds of delay in the No-Build Condition, fully mitigating the impact from the Proposed Project at this location.

East 125th Street and Lexington Avenue

Traffic generated by the Proposed Project would impact the eastbound East 125th Street approach in the midday and PM peak hours. To address the midday impact, proposed mitigation measures would include the transfer of one second from the southbound signal phase to the East 125th Street phase in the midday peak hour. For the PM impact, proposed mitigation measures would include the implementation of "No Standing, 4-7PM" for 100 feet along the south curb of the eastbound approach. As shown in Table 3.22-2, these measures would reduce delay on the eastbound approach to 44.3 seconds in the midday and 27.3 seconds in the PM, both of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 125th Street and Second Avenue

To address the project's PM peak hour impact to the southbound left turn movement at Second Avenue, proposed mitigation measures would include the re-striping of the southbound approach to include an exclusive left turn lane, one left-through lane, three through lanes and one through-right turn lane. As shown in Table 3.22-2, this measure would reduce delay on this approach to 44.3 seconds in the PM, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impact from the proposed action at this location.

East 124th Street and Lexington Avenue

Traffic generated by the Proposed Project would impact the eastbound East 124th Street approach in the midday peak hour and the southbound Lexington Avenue approach in the Saturday midday peak hour. To address the midday impact, proposed mitigation measures would include the transfer of two seconds from the southbound signal phase to the East 124th Street phase in the midday peak hour. For the Saturday midday impact, proposed mitigation measures would include the implementation of "No Standing Anytime" for 100 feet along the east curb of the southbound approach. The midday mitigation measure would reduce delay on the eastbound approach to 62.1 seconds, below the 68.9 seconds of delay in the No-Build Condition. The Saturday midday mitigation measure would reduce delay on the southbound approach to 21.1 seconds, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

Unavoidable Significant Adverse Impacts

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the impacts; and
- There are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similar significant adverse impacts.

As described in Chapter 3.22, "Mitigation," a number of the potential impacts identified for the proposed action could be mitigated. However, as described below, in some cases, project impacts would not be fully mitigated.

Socioeconomic Conditions

As described in Chapter 3.2, "Socioeconomic Conditions," with regard to secondary or indirect residential displacement, the Population and Housing Study Area contains populations that could be vulnerable to displacement pressures. Potential secondary displacement as a result of the substantial increase in the non-residential development proposed, and the upgrading of three blocks in the East Harlem Triangle with new mixed-use development, would be offset to some degree by the proposed affordable housing that would include up to 650 units of low- and moderate-income housing. However, some negative effects may result as a result of rising land

values and rents in areas surrounding the project site if low income households in unprotected buildings in the area are forced to move due to rising rents.

Mitigation measures described in the *CEQR Technical Manual* to address such adverse effects include such actions as described in Chapter 3.22. Even with the implementation of such mitigation measures to address the potential for secondary displacement, some degree of potential indirect residential displacement resulting from the East 125th Street Development might remain unmitigated. While indirect displacement could still occur with the mitigation measures described in Chapter 3.22, the amount of displacement would likely be less.

Open Space

As discussed in Chapter 3.5, “Shadows,” the Proposed Action would result in a direct adverse shadow impact on the PS 30 Playground. Most of the shadow impact on the PS 30 Playground would result from reasonable worst case development scenario development on the off-site parcel (Lot 44 of Block 1791) that is to be rezoned only, with no actual development proposed at this time. For the purposes of this EIS, it has been assumed that this site could theoretically be built as a quality housing building to the maximum streetwall and height allowed in the zoning district, which would create the significant impact discussed in Chapter 3.5. Because the Zoning Resolution largely determines the form of buildings built under these regulations, there are no meaningful mitigation measures that could be taken when the building is constructed according to the maximum development allowed for a quality housing building. A building constructed under the Zoning Resolution’s height factor regulations would likely have a smaller shadow impact on this resource. As a result, the impact disclosed in Chapter 3.5 can be viewed as the likely maximum incremental shadow impact. These shadow impacts would represent an unavoidable adverse impact resulting from the zoning amendments that are part of the proposed action, which implement the urban design objectives for the project site described in guidelines developed by the Task Force convened to prepare guidelines for the development of the site.

Shadows

As stated above, the only identified significant shadow impact of the proposed action is the impact on the PS 30 Playground. The only significant shadow impact from the proposed project on existing shadow sensitive resources would be on the eastern portion of the PS 30 Playground in the winter, which would reduce the usability of this open space in the morning hours during the coldest months. In addition, the proposed open spaces created by the action would also see shadow effects from the action. While much of this shadow would be an unavoidable consequence of the design guidelines, the impact on the onsite open space would be addressed through the programming of those open spaces, and their orientation, which provides the most sun during times of day when these open space plazas would be expected to be most highly utilized. Because the creation of this open space is part of the proposed action, these on-site shadows are not considered to be a significant adverse impact.

Archeological Resources

As described in Chapter 3.6, “Historic Resources,” with the exception of portions of two lots within the project site that may contain the potential for the recovery of remains from 19th Century occupation (Block 1790, Lot 13, and Block 1791, Lot 1), all portions of the project site and rezoning area have been significantly disturbed by past construction activities and are not expected to contain significant archeological resources. Whether or not two areas on those two lots within the project site that may not have been previously disturbed could potentially contain intact nineteenth-century archaeological resources, or whether additional testing is required, will be determined by LPC. Therefore, the potential for impacts on archeological resources will be determined prior to construction activities.

Transit and Pedestrians

Mitigation measures to address subway station stairway impacts typically involve physically widening an affected stair to increase its capacity, or implementing measures that would decrease demand, typically by providing new and/or more convenient access points. The significant adverse impacts to stair S4, located at the northeast corner of East 125th Street and Lexington Avenue, would require an ~~11.8~~12.2-inch and ~~27.3~~27.8-inch widening to return the stairway to an acceptable level of service (a v/c ratio of less than 1.00) in the AM and PM peak hours, respectively. ~~The feasibility of widening stair S4 and other potential mitigation measures will be evaluated in consultation with NYC Transit. Implementation of this mitigation measure would be coordinated with NYC Transit.~~ If widening stair S4 and other potential mitigation measures should prove infeasible, the proposed project’s significant adverse impacts to this stair in the AM and PM peak hours would remain unmitigated.

Growth Inducing Aspects of the Proposed Action

As set forth in the *CEQR Technical Manual*, growth-inducing aspects of a proposed action generally refer to "secondary" impacts of a proposed action that trigger further development. Proposals that add substantial new land use, new residents, or new employment could induce additional development of a similar kind or of support uses (e.g., stores to serve new residential uses). Actions that introduce or greatly expand infrastructure capacity (e.g., sewers, central water supply) might also induce growth, although this could be an issue only in limited areas of Staten Island and Queens, since in most areas of New York City the infrastructure is already in place and its improvement or expansion is usually proposed only to serve existing or expected users.

The proposed action is expected to result in the construction of up to approximately 1,000 units of housing within an overall program of development that includes up to 1.7 million square feet of new construction on the East 125th Street Development project site. The environmental consequences of this growth are the subject of Chapters 3.1 through 3.20 of this DEIS. The projected increase in residential population is likely to increase the demand for neighborhood services, ranging from banks to local retail. This would enhance the growth of local commercial corridors in the vicinity of the project site and rezoning area. The proposed action could also lead

to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the project site.

The proposed action includes the rezoning of an offsite parcel, the United Moravian Church, located at East 127th Street and Third Avenue. Rezoning this parcel from R7-2 to C6-3 could facilitate redevelopment of this offsite parcel, and an additional increment of development of approximately 32 dwelling units attributable to its rezoning may result if development pursuant to the proposed zoning were to occur on that offsite parcel separately from the East 125th Street Development.

As a result of the proposed new construction on the East 125th Street Development project site and any potential new development occurring on the offsite parcel that is to be rezoned only, the proposed action would result in more intensive land uses (generating new residents, daily workers, and visitors). However, it is not anticipated that it would have significant spillover or secondary effects resulting in substantial new development in nearby areas, as the development is proposed in an area that is already experiencing a high degree of growth and redevelopment. Moreover, by providing a significant new supply of affordable housing and local commercial space, the proposed action is expected to help stabilize or reduce the pressure for new development and changes in land use in areas adjoining the rezoning area beyond those already projected through planned development and the 125th Street Rezoning and Related Actions project.

Irreversible and Irrecoverable Commitment of Resources

There are a number of resources, both natural and built, that would be expended in the construction and operation of the proposed action. These resources include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the proposed East 125th Street Development; and the human effort (time and labor) required to develop, construct, and operate various components of the project. They are considered irretrievably committed because their reuse for some purpose other than the proposed action would be highly unlikely. The demolition of existing buildings on the project site would also be required.

Although the proposed action would result in a net overall increase in open spaces and a wider variety of land uses, the land use changes associated with the development of the proposed East 125th Street Development may also be considered a resource loss. The proposed action constitutes an irreversible and irretrievable commitment of the project site as a land resource, thereby rendering land use for other purposes infeasible. These commitments of land resources and materials are weighed against the public purpose and benefits of the proposed action, which are to provide a substantial amount of affordable housing, open space, office and retail uses, and other mixed-use development on a project site that consists of long-vacant parcels and generally underutilized land, and to revitalize the surrounding community with new mixed-use development that maintains the existing scale and context of the surrounding community.