520 West 41st Street

~~DRAFT~~ FINAL SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT

CEQR NO. 14DCP192M

~~June 27~~November 10, 2014

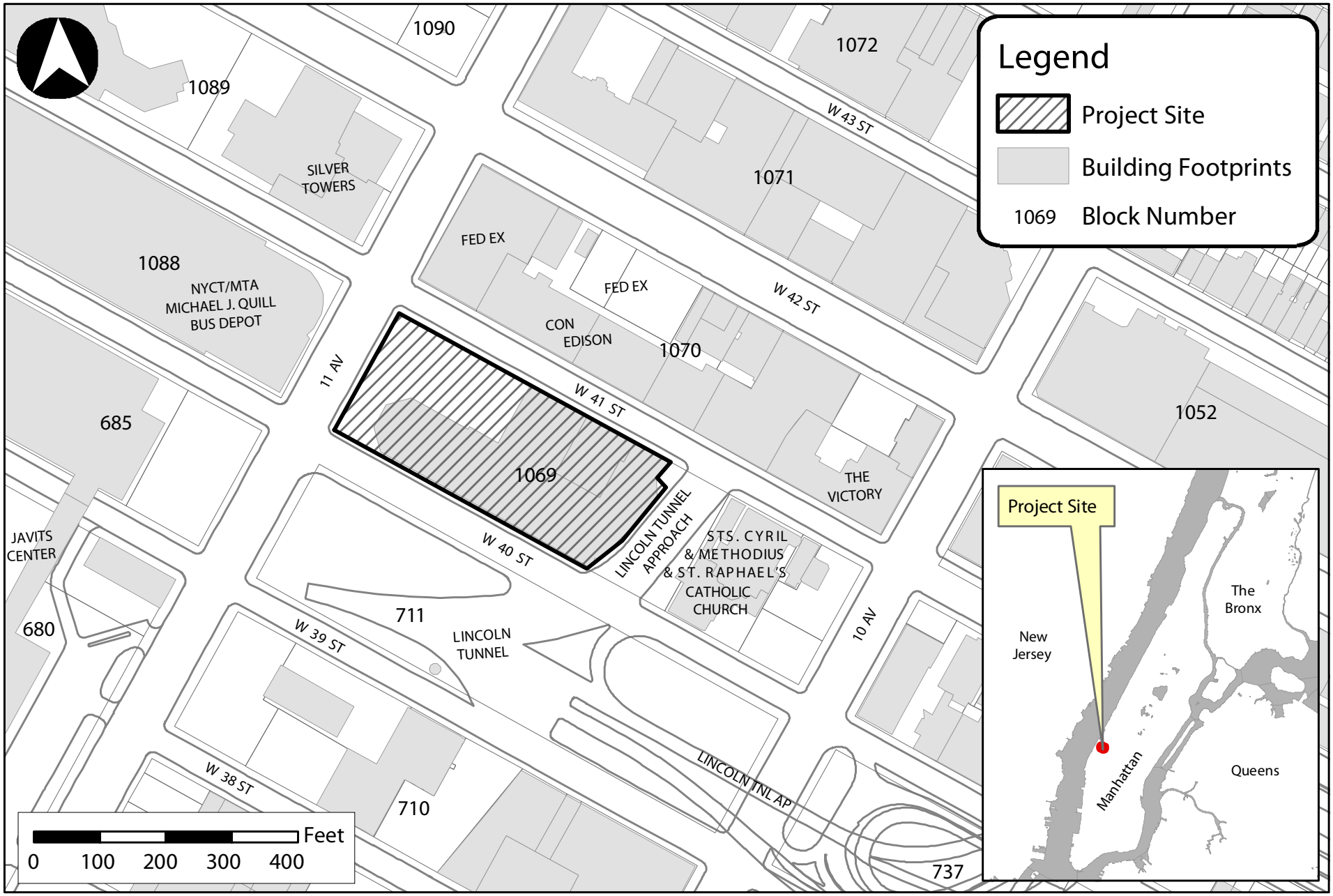
A. INTRODUCTION

This scope of work outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the 520 West 41st Street development. Silverstein Development Corp. (the "applicant") is requesting a zoning text amendment to create a new subarea within the Special Hudson Yards District that would facilitate a proposal to redevelop an approximately 2-acre site in Manhattan Community District 4. The site is generally bounded by Eleventh Avenue to the west, West 41st Street to the north, ~~Cardinal Stepinac Place (~~the Lincoln Tunnel Approach (Galvin Avenue) to the east, and West 40th Street to the south (see Figure 1), and comprises Block 1069, Lot 1 (the "project site"). The proposed action would facilitate the development of an approximately 1,100-foot tall mixed-use residential and commercial building on the project site, with up to approximately 1,400 residential units, approximately 300,000 gross square feet (gsf) of retail, and approximately 175,000 gsf of commercial space that would be occupied by up to 175 corporate apartments (Use Group 5) (the "proposed project"), for a total of approximately 1.7 million gsf of development. In addition, the proposed project may include a 200-space accessory parking garage located below grade and a covered publicly accessible open space, or plaza, along West 41st Street.

This document provides a description of the proposed project, and includes task categories for all technical areas to be analyzed in the EIS.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The applicant is requesting a zoning text amendment to create a new subarea within the Special Hudson Yards District (SHYD) that would allow more of the overall permitted floor area on the project site to be allocated to residential use (from a maximum residential Floor Area Ratio (FAR) of 6 FAR as currently permitted to 12 FAR), with no increase in the maximum total FAR of 20 permitted by current zoning. Furthermore, the new subarea would permit residential development on a zoning lot without the requirement that such development either (i) be preceded by a minimum amount of non-residential floor area on the zoning lot or (ii) occur after the reservation of a portion of the zoning lot for future commercial development. The proposed new subarea (Subarea A6 of the Large-Scale Plan Subdistrict A), as shown Figure 2, would encompass the project site only, due to the site's unique characteristics (discussed below). All other sites in the SHYD, including the office development sites to the south, would be unaffected and would remain subject to existing zoning regulations. The proposed zoning text amendment would affect Zoning Resolution Sections 93-04, 93-122, 93-21, 93-32, 93-34, 93-512, 93-513, 93-541, 93-66 and Map 1 in Appendix A.~~93-21: "Floor Area Regulations in the Large-Scale Plan Subdistrict A."~~ The applicant also intends to seek in the future (prior to obtaining building permits) two CPC Chairperson's certifications, one pursuant to ZR Section 93-31 to increase the FAR permitted on the

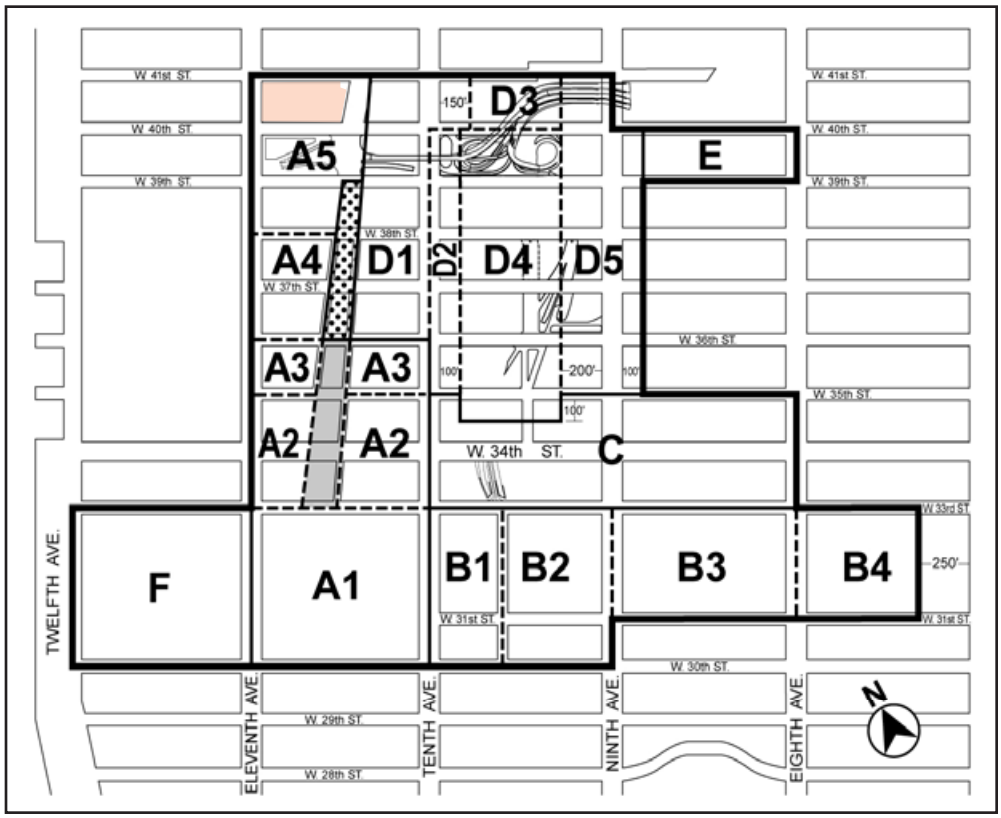


520 West 41st Street

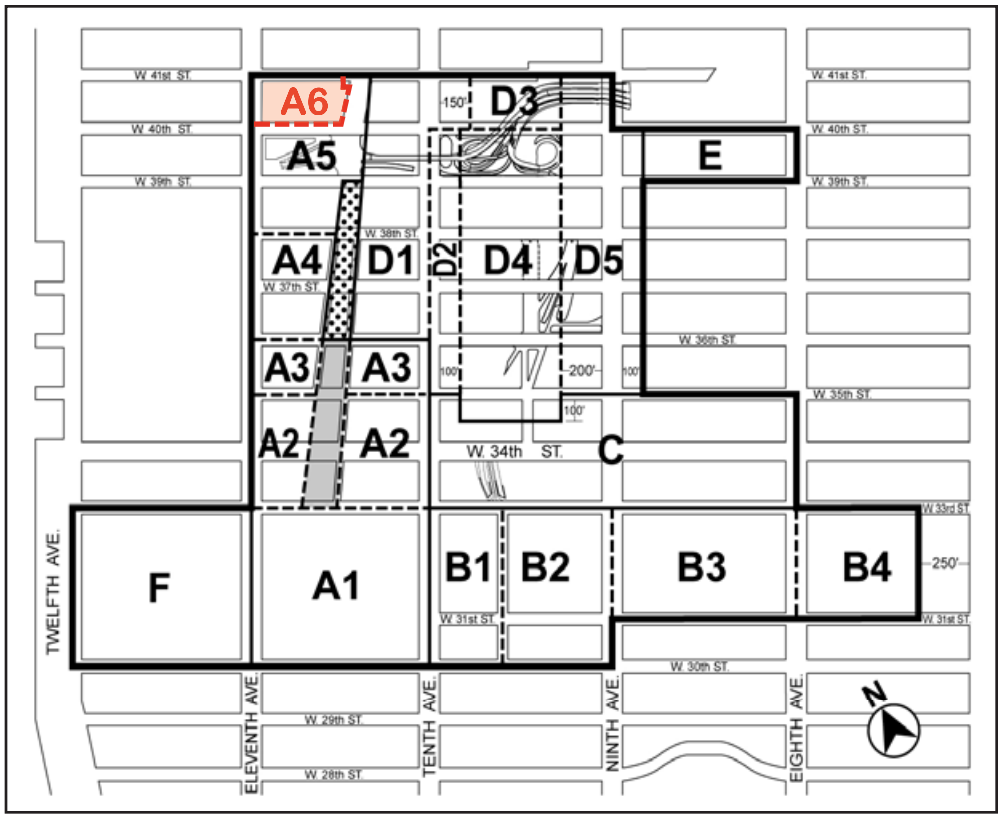
Figure 1
Project Site Location

Figure 2

Appendix A to Special Hudson Yards District: Map 1
Existing Subdistricts and Subareas and Proposed New Subarea A6



EXISTING



PROPOSED

LEGEND

- *Special Hudson Yards District*
- Subdistricts
- Subareas within subdistricts
- Phase 1 Hudson Boulevard and Park
- Phase 2 Hudson Boulevard and Park

Large-Scale Plan Subdistrict A
Eastern Rail Yards Subarea A1
Four Corners Subarea A2
Subareas A3 through A5

Farley Corridor Subdistrict B
Western Blocks Subarea B1
Central Blocks Subarea B2
Farley Post Office Subarea B3
Pennsylvania Station Subarea B4

34th Street Corridor Subdistrict C

Hell's Kitchen Subdistrict D
Subareas D1 through D5

South of Port Authority Subdistrict E

Western Rail Yard Subdistrict F

Project Site

project site from a basic maximum FAR of 10 to 17 through a contribution to the District Improvement Bonus and a second pursuant to ZR 93-82 to allow up to 200 accessory parking spaces on the site. The CPC Chairperson certifications are ministerial in nature and not subject to CEQR. The proposed zoning text amendment is a discretionary action subject to CEQR review.

City Environmental Quality Review (CEQR) and Scoping

The proposed project requires environmental review pursuant to CEQR procedures. An Environmental Assessment Statement (EAS) was completed on June 27, 2014. The New York City Department of City Planning (NYCDCP), acting as lead agency on behalf of the City Planning Commission (CPC), determined that the proposed project may potentially result in significant adverse environmental impacts, thus requiring that an EIS be prepared. NYCDCP issued a Positive Declaration on June 30, 2014.

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the proposed project. The process also allows other agencies and the public a voice in framing the scope of the EIS. This scoping document sets forth the analyses and methodologies which will be utilized to prepare the EIS. The Draft Scope of Work for the EIS (dated June 27, 2014) was distributed along with a public notice of a scoping meeting on June 30, 2014. A public scoping session on the Draft Scope of Work was ~~During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, Manhattan Community Board 4, and elected officials are invited to comment on the Draft Scope, either in writing or orally, at a public scoping session to be~~ held on Thursday, July 31, 2014 at 10:00 AM at the New York City Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007. One oral ~~C~~comment~~s~~ was received during the public scoping session.~~, and~~ The period for submitting written comments remained open for~~written comments received up to~~ 10 days after the session (until 5:00 P.M. on August 11, 2014)~~, will be considered and incorporated as appropriate into a final scope of work~~. No written comments were received during the public comment period, but one written comment (from Community Board 4) was received shortly after the close of the public comment period. The comment from Community Board 4 was considered in full in preparing this Final Scope. ~~The lead agency will oversee preparation of a Final Scope of Work, which will revise the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The draft EIS (DEIS) will be prepared in accordance with the Final Scope of Work for an EIS.~~This Final Scope of Work will be used as a framework for preparing the Draft EIS (DEIS) for the proposed project. The Final Scope incorporates all relevant comments made on the Draft Scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during the scoping process and to include any other necessary changes to the scope of work for the EIS. Appendix 2 includes responses to comments made on the Draft Scope of Work. The only written comment received is included in Appendix 3.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. It is anticipated that the DEIS will accompany the land use application for the zoning text amendment. Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time the public may review and comment on the DEIS, either in writing and/or at a public hearing that is convened for the purpose of receiving such comments. A public hearing will be held on the DEIS to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will incorporate all substantive comments made on the DEIS, along with any revisions to the technical analysis necessary to respond to those comments. The FEIS will then be used by the decision makers to evaluate project impacts and proposed mitigation measures before deciding whether to approve, modify or disapprove the requested discretionary actions.

C. DESCRIPTION OF PROPOSED PROJECT

Background – Special Hudson Yards District

In January 2005, the City Council approved a set of actions to facilitate the transformation of an underutilized area on the far west side of Manhattan into a dense mixed-use district to be known as Hudson Yards that would be accessed by an extension of the No. 7 subway line. The plan rezoned low-density manufacturing districts to high-density commercial and residential districts. It established a new special zoning district with detailed use and bulk controls to accommodate large Class-A office buildings along an L-shaped corridor running west from Pennsylvania Station and then north on the blocks between Tenth and Eleventh Avenues. The remainder of the Hudson Yards area located further from the extension of the No. 7 subway line was rezoned to facilitate predominantly residential high-density development. The Hudson Yards plan was modified in 2008 and again in 2009 to address a number of issues that were raised during the initial implementation of the plan. In 2010, the plan was modified for a third time to eliminate the requirement for off-street parking and to significantly limit the amount of new parking that can be provided in the area. This unique 2010 parking regulation was crafted as a response to the Stipulation and Order of Settlement in *Hell's Kitchen Neighborhood Association v. Bloomberg*.[1]

The final generic environmental impact statement for the No. 7 Subway extension and Hudson Yards rezoning and development prepared in 2004 (the "HY FGEIS") assessed environmental conditions in the Hudson Yards area with the extension of the No. 7 subway line and the proposed Hudson Yards rezoning. At the time the HY FGEIS was prepared, it was assumed that the then-proposed extension of the No. 7 subway line into the area would include two new subway stations: an Intermediate Station beneath West 41st Street and Tenth Avenue (immediately adjacent to the project site) and a Terminal Station between West 34th Street/West 33rd Street and Eleventh Avenue. The HY FGEIS projected a likely 30-year (i.e., 2035) time frame for the development generated by the subway line extension and rezoning, but stated that it would use 2025 as the analysis year for purposes of the technical analysis of environmental impacts, as a "conservative" measure. The HY FGEIS analyzed tens of millions of gross square feet of new commercial development in the area and thousands of new residential units at dozens of re-development locations that were identified as likely to be re-developed as a result of the subway line extension and rezoning. The HY FGEIS identified 520 West 41st Street (the project site) as one of these projected redevelopment sites; it is labeled as "Projected Development Site 46" in HY FGEIS Appendix A.2b. This appendix, which sets forth "RWCDS Summary Tables," assumed that the Hudson Yards rezoning could result in the construction of a large office building at the site, comprising approximately 1.7 million sf of office floor area and 25,000 sf of retail floor area.

It is apparent from the text of the HY FGEIS that this "reasonable worst case development scenario" for 520 West 41st Street was based upon its proximity to the then planned Intermediate Station for the No. 7 subway line at 41st Street and Tenth Avenue. See HY FGEIS, p. 2-3 ("New office development would also be located within existing commercial neighborhoods, where there are both existing and planned public transportation infrastructure, and sufficiently large development sites. These areas include sites near the planned location of a new intermediate subway station for the No. 7 Subway Extension at Tenth Avenue and West 41st Street…."). After publication of the HY FGEIS, the plan to build the Intermediate Station was put on hold by the Metropolitan Transportation Authority (MTA) indefinitely due to lack of funding.

[1] Stipulation and Order of Settlement in Hell's Kitchen Neighborhood Association, et al. v. Bloomberg, et al., Case 1:05-cv-04806-SHS (U.S.D.C. S.D.N.Y.).

The Special Hudson Yards District mandates a variety of use, bulk, and urban design controls applicable to six subdistricts (the applicant's project site is located within Subarea A5 of Large-Scale Plan Subdistrict A). In certain zoning districts, the maximum floor area ratios of the underlying districts may be increased through a District Improvement Bonus mechanism (alone or in tandem with the Inclusionary Housing designated areas program) that would support financing of specific capital improvements in the area. Transfers of floor area from the Eastern Rail Yards are also permitted for the project site under certain conditions. Mandated improvements include retail use on major corridors, street wall continuity, pedestrian circulation space, plantings, subway entrance easements, and screened or below-grade parking. As referenced above, the district also has unique off-street parking regulations as a result of the Stipulation and Order of Settlement in *Hell's Kitchen Neighborhood Association v. Bloomberg*, with the exception of Subdistrict F, in which the provisions of Article I, Chapter 3 of the NYC Zoning Resolution apply (Comprehensive Off-Street Parking and Loading Regulations in the Manhattan Core). The SHYD parking regulations limit the total amount of parking that can be constructed in the district as it is developed.

Existing Conditions

Project Site

The project site consists of Block 1069, Lot 1, which is controlled by the applicant. The project site is bounded by Eleventh Avenue to the west, West 41st Street to the north, ~~Cardinal Stepinac Place (~~the Lincoln Tunnel Approach (Galvin Avenue) to the east, and West 40th Street to the south (see Figure 1). The project site has a lot area of approximately 91,856 sf, and is currently occupied by a one- to three-story commercial building that formerly accommodated an auto dealership, but is currently vacant. The existing building has a footprint of approximately 62,212 sf, an estimated 162,300 sf of built floor area, and the site has a built floor area ratio (FAR) of approximately 1.77. The remainder of the project site is a paved accessory parking lot. The project site has been accepted into the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP), and all cleanup and remedial activities on the site are expected to be completed, with or without the proposed action, as early as 2015 and well before 2020.

The project site that would be affected by the proposed zoning text amendment is located on the northwestern edge of the established Hudson Yards Special District, within Subarea A5 of Large-Scale Plan Subdistrict A (see Figure 2 above). The project site is located in a C6-4 district within the Special Hudson Yards District, which allows 10.0 FAR as-of-right and up to 20.0 FAR via the District Improvement Bonus (8.0 FAR) and transfer of development rights (TDRs) from the Eastern Rail Yards (2.0 FAR). In addition, residential use is generally not allowed on a zoning lot within Subarea A5 unless a minimum of 14.0 FAR of non-residential use is also provided on the zoning lot.[2]

(E) Designations

The project site is currently mapped with (E) designations (E-137) for hazardous materials, air quality, and noise, which were placed as part of the *No. 7 Subway Line Extension and Hudson Yards Rezoning FGEIS* (CEQR No.03DCP031M). The FGEIS indicated that the lot was historically occupied by auto sales

[2] Pursuant to ZR 93-122 residential use may be permitted on a zoning lot with a lot area in excess of 69,000 sf that does not contain commercial use upon certification that a plan has been submitted whereby, among other things, one or more regularly-shaped portions of the zoning lot with a minimum area of 50,000 sf is reserved for future development of commercial floor area.

and service and other commercial developments, and there is potential for petroleum contamination on the site, and hence an (E) designation for hazardous materials was mapped. The (E) designation for air quality limits HVAC fuel to natural gas on the project site (Block 1069, Lot 1), and the (E) designation for noise requires 35 dBA of window/wall attenuation for development on the site.

Surrounding Area and Context

The area ~~within a radius of approximately 400 feet~~in proximity of the project site accommodates a variety of land uses, including residential, commercial, mixed-use, ~~industrial/manufacturing,~~ transportation/utility, public facilities and institutions, parking facilities, and vacant land. Much of the area ~~in the northern portion of the 400-foot radius~~north of the project site has been redeveloped with tall, new residential buildings with ground-floor retail (refer to aerial photo in Figure 3). Examples include the twin 60-story Silver Towers (approximately 653 feet tall) to the northwest of the project site, located on Eleventh Avenue between West 41st and West 42nd Streets, and the Victory, a 45-story (approximately 462 feet tall) residential building northeast of the project site, located on the corner of Tenth Avenue and West 41st Street. Additionally, an approximately ~~60~~52-story residential tower is ~~in the process of~~ being constructed to the east of the project site on Tenth Avenue between West 40th and West 41st Streets and another approximately 60-story residential tower is being constructed to the northwest of the project site on Eleventh Avenue and West 42nd Street. ~~The only known o~~Open space resources ~~within an approximate 400-foot radius of the project site~~in the surrounding area include Hudson River Park/Route 9A bikeway ~~is~~ and River Place Plaza, a quarter-acre facility that is privately controlled and maintained but is open to the public, which is located along West 41st and W~~w~~est 42nd streets between Eleventh Avenue and the West Side Highway. That open space includes a dog run, children's play area, a fountain, tables, chairs, open lawns, and trees.

In addition to the Victory, the eastern portion of the block immediately north of the project site accommodates low-rise mixed-use and commercial buildings as well as the four-story NYPD Manhattan South Task Force building. The western portion of that~~e~~ block includes transportation/utility buildings and parking facilities, similar to the makeup of blocks west and south of the project site, including a FedEx Ship Center and accessory parking lots, and a Con Edison electrical substation facility. Immediately to the east of the Con Edison facility is the 101-room OUT NYC hotel, a four story "urban resort" with a spa, restaurant, and nightclub, which was completed in 2012. To the east of the project site across ~~Cardinal Stepinac Place (~~the Lincoln Tunnel Approach (Galvin Avenue) is the Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, which is eligible for designation as a New York City Landmark (NYCL) and listing on the State/National Register of Historic Places (S/NR)[3] and the Nikola Tavelic Croatian Center.

Immediately south of the project site, across West 40th Street, are the Lincoln Tunnel approach ramps. Vents for the tunnel are located south and southwest of the project site~~in the southern and southwestern sections of the 400-foot radius~~. To the west of the project site is the MTA/NYCT Michael J. Quill Bus Depot and to the southwest of the project site is the Javits Center, which extends from West 34th to West 40th Streets between Eleventh Avenue and the West Side Highway, and accessory parking lots. The block immediately to the south of the Lincoln Tunnel entrance/exit accommodates parking facilities and low-rise ~~industrial/manufacturing~~commercial and warehousing ~~buildings~~uses, including a Verizon parking lot, general automotive repair shops, and a DHL/Gotham Storage building.

[3] Source: No. 7 Subway Extension—Hudson Yards Rezoning and Development Program FGEIS, 2005; Table 9-1.

Aerial view looking northwest

Project Site

Image Source: Google Maps

Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church

520 West 41st Street

Figure 3
Project Site Location - Aerial View

Purpose and Need for Proposed Action

The proposed action would apply only to the project site due to its unique location and site conditions. All other sites in the SHYD, including the office development sites to the south, closer to the new 7 line subway station, would be unaffected and would remain subject to existing zoning regulations.

The proposed zoning text amendment would increase the residential FAR permitted on the project site from 6 to 12 FAR. It would also permit residential use to be developed on the project site without the requirement contained in ZR 93-21~~,~~ that the non-residential floor area of the project site ~~must~~ be 14 FAR prior to the development of any residential floor area.[4] However, the overall permitted FAR would remain unchanged at 20 FAR, and the allowable uses would also remain unchanged. The retail uses that would be a key element of the proposed project are permitted by current zoning. The corporate apartments are also permitted by current zoning. As discussed below, the applicant believes that the proposed zoning text changes to facilitate the residential development at the site are appropriate and necessary, as the project site has unique qualities and characteristics that make it more suitable for residential development while at the same time unsuitable for large scale office development as was originally contemplated under the HY FGEIS.

The project site is uniquely situated directly north of the outbound Lincoln Tunnel approaches and is therefore physically cut off from the rest of the future Hudson Yards commercial corridor to the south. These physical barriers between the project site and the rest of the Hudson Yards district to the south make the project site~~it~~ more naturally an extension of the Clinton residential area to the north and the West 42nd Street residential corridor rather than the future commercial area to the south (refer to Figure 3).

The applicant believes that the proposed increase in residential use on the project site from 6 FAR to 12 FAR is appropriate because much of the surrounding area already allows high density residential use. Residential use at 12 FAR is permitted on portions of 16 blocks throughout Hudson Yards, including the site directly to the east of the project site on Tenth Avenue between West 40th and West 41st Streets, where an approximately ~~60~~52-story residential tower is being constructed. Similarly, the blocks to the north of the development site within the West 42nd Street residential corridor allow residential development at a FAR of 12, and as discussed above in "Surrounding Area and Context," several large residential buildings have recently been built or are under construction in this area (refer to Figure 3), further substantiating the viability of this area north of West 40th Street as a residential neighborhood.

The proposed project would include up to approximately 1,400 new residential units, introducing a new residential population that is intended to help carry the vibrancy and character of the Clinton neighborhood and West 42nd Street residential corridor south into this adjoining area of Hudson Yards. Additionally, the proposed project would include a significant amount of destination retail, potentially drawing more people to the area. New residents and shoppers on the development site could provide the critical mass necessary to make the area a more vibrant New York City neighborhood.

The assumed office development on this site that was studied in the HY FGEIS was predicated on a Tenth Avenue/West 41st Street station for the No. 7 subway line extension, which would have placed an

[4] As noted above, however, there is an exception to this general requirement. Pursuant to ZR 93-122, ~~however,~~ residential use may be permitted on a zoning lot with a lot area in excess of 69,000 sf that does not contain a minimum of 14 FAR of commercial use upon certification that a plan has been submitted whereby, among other things, one or more regularly-shaped portions of the zoning lot with a minimum area of 50,000 sf is reserved for future development of commercial floor area.

entrance either directly on the project site or just across the street. Convenient access to the subway is a key component of attracting office tenants and developers of office buildings. However in 2007, after the enactment of the Hudson Yards rezoning, the plan to construct the Tenth Avenue/West 41st Street subway station was placed on-hold by the MTA due to a lack of funding. While some efforts have been made since then to secure the necessary funding for the subway station, these efforts have as of yet not succeeded. At this time there is no projected source for the roughly $1 billion needed to complete the station. While the No. 7 subway line extension is expected to open in 2015, ~~T~~the possibility that the Tenth Avenue/West 41st Street station would be built in the near future appears to be very unlikely.

The applicant also believes the development site is less attractive for office development due to the presence of easements for both the No. 7 subway extension and Amtrak directly beneath the project site (refer to Figure 4). The easements cross in the center of the site, making it extremely difficult (if not impossible) to locate a commercial building core for a large floor-plate office building on the site, as commercial buildings require substantially more vertical circulation than residential buildings due to their higher population densities. Additionally, the two easements preclude the development of large amounts of below-grade space, which typically provide the mechanical and back-of-house services critical to support large office buildings.

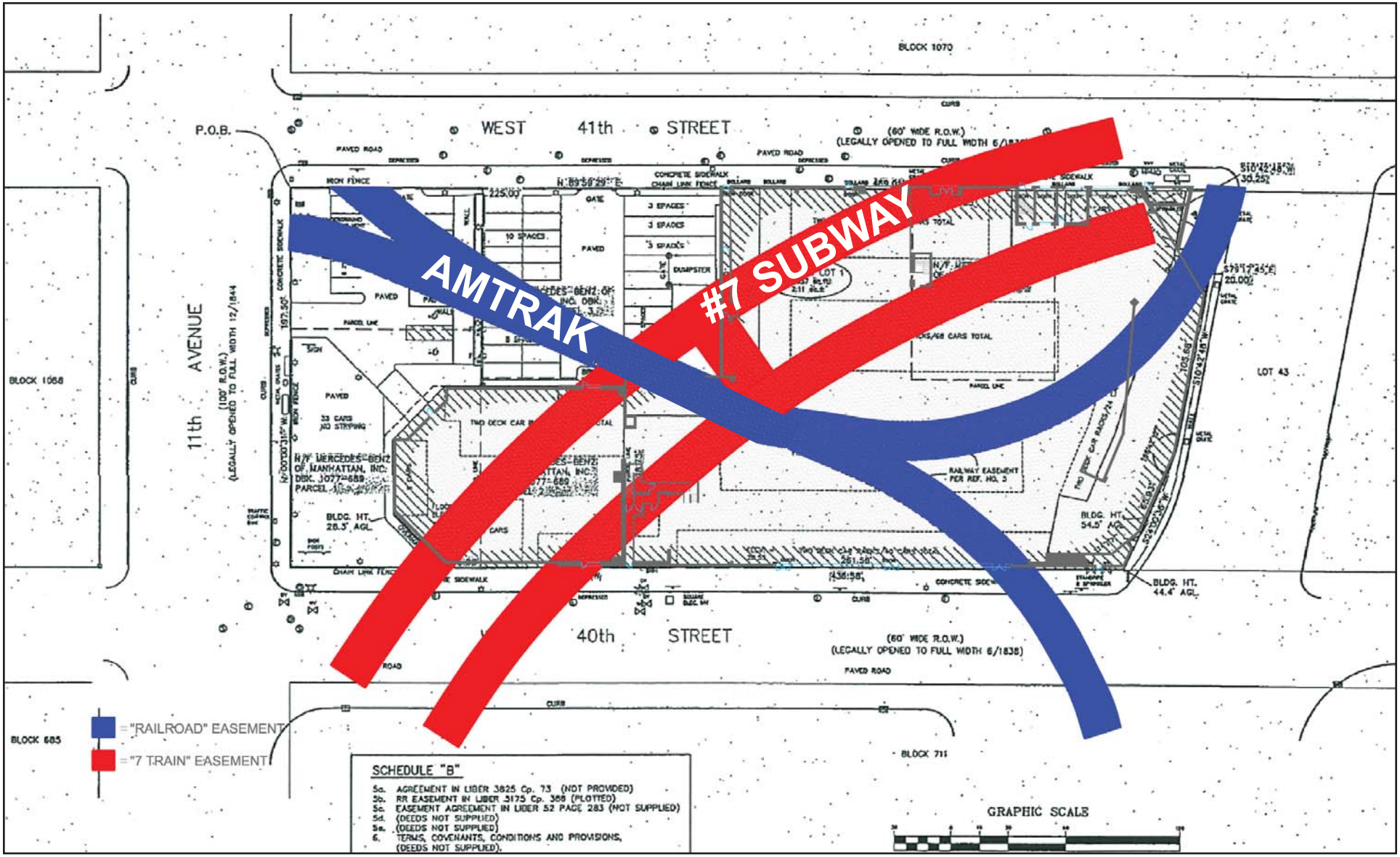
Furthermore, the applicant believes the project site is significantly less attractive for office development than other large sites in the Hudson Yards area due to its location directly adjacent to the entrance to the Lincoln Tunnel. The Tunnel approach separates the site from the rest of the Hudson Yards area to the south, and the surrounding traffic makes the site less attractive to potential office tenants.

Consequently, the applicant believes there will be little if any demand for office space on the project site and furthermore, that it is also very unlikely that the project site would be fully developed in the absence of a zoning text amendment. Without the zoning text change, the project site would likely remain underutilized for many years to come, neither contributing to the Hudson Yards District Improvement Fund or the City's tax base nor mitigating the physical barrier between the Hudson Yards district to the south and the Clinton neighborhood to the north. Indeed, a 2011 report by Cushman & Wakefield commissioned by the City presumes that the project site will not be developed before 2041, which is the last year contemplated by the report.[5] In contrast, the proposed action would result in the site's development in 2017 and occupancy in 2020, bringing needed revenue into the District Improvement Fund, new City tax revenues, and providing housing as well as temporary and permanent jobs.

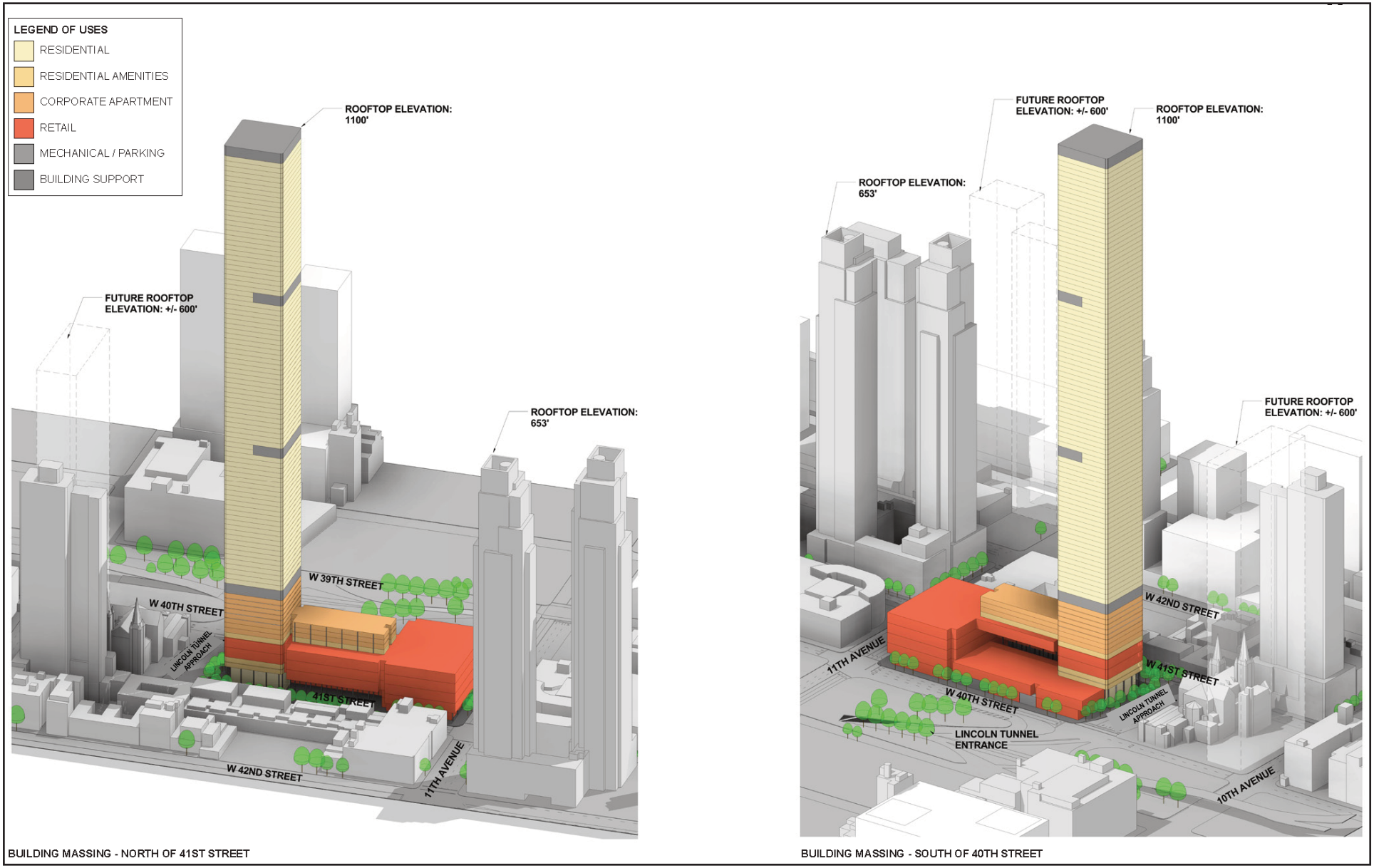
Description of The Proposed Project

The applicant is proposing a mixed-use residential and commercial building on the project site. The proposed project would consist of an approximately 1,100-foot tall building with 1.14 million gsf of residential space and 475,000 gsf of commercial space (refer to Table 1 below). The proposed development would comply with existing bulk regulations applicable to the project site and no bulk waivers are being sought. There are a variety of building forms that would comply with the applicable bulk regulations; thus, the building shown in Figures 5 through 8 is provided for illustrative purposes only. The proposed building would have a base of five floors covering most of the lot, and an approximately 100-story tower located in the easternmost third of the lot (see Figures 5 and 6). As shown in Figure 5, the building would include approximately 300,000 gsf of retail space on the first five

[5] *Hudson Yards Demand and Development Report*, Cushman & Wakefield, Inc.; August 2011; commissioned directly by the City as part of the Hudson Yards Infrastructure Corporation ("HYIC") bond offering.



Courtesy of Silverstein Properties

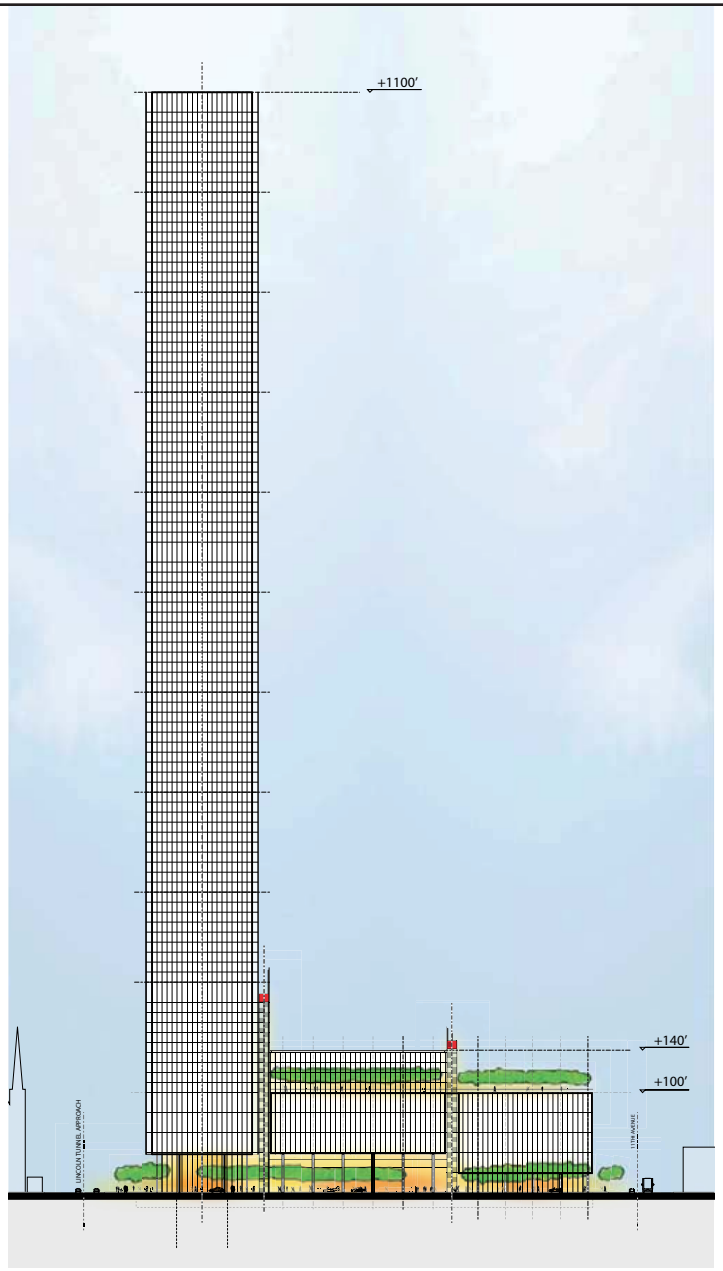


Courtesy of Silverstein Properties

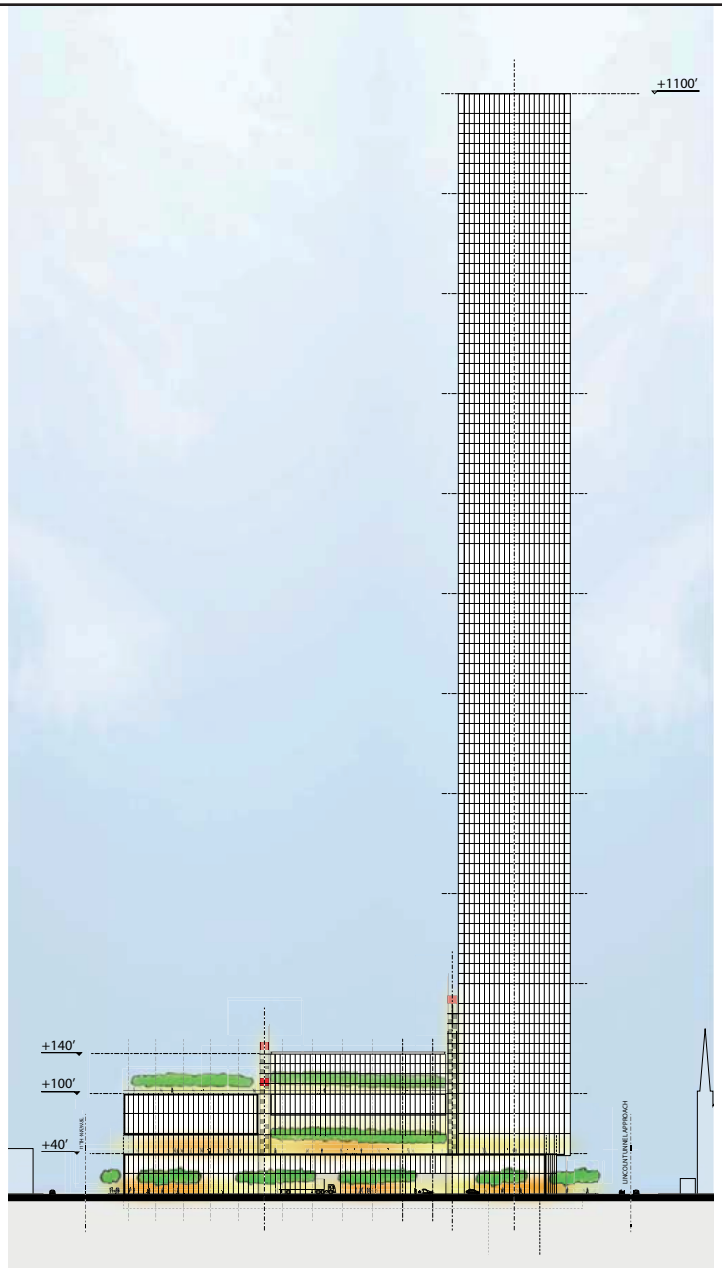
FOR ILLUSTRATIVE PURPOSES ONLY

520 West 41st Street

Figure 5
Proposed Project - Illustrative Building Massing



NORTH ELEVATION - 41ST STREET



SOUTH ELEVATION - 40TH STREET

Courtesy of Silverstein Properties

FOR ILLUSTRATIVE PURPOSES ONLY

520 West 41st Street

Figure 6
Proposed Project - Illustrative Elevations

floors. Although the specific retail mix has not yet been determined, the retail component is anticipated to consist of predominantly destination retail uses.

The retail base would be topped with eight floors (approximately 175,000 gsf) of corporate apartment space (Use Group 5), which would include up to 175 corporate apartments.[6] The remainder of the tower would accommodate up to 1,400 dwelling units (DUs). Although some of these units may be affordable (i.e., low- to moderate-income units), the specific unit mix has not been determined at this time. Additionally, the proposed project may include a 200-space underground accessory parking garage (approximately 38,000 gsf), and an approximately 10,000 sf covered publicly accessible open space, or plaza, along West 41st Street. Figure 7 shows an illustrative rendering of the proposed project.

TABLE 1
Proposed Development Program

Lot Size (SF)	GSF Above Grade	GSF Below Grade	Total GSF (Including Parking)	Commercial GSF	Residential GSF	# of Residential Units	# of Accessory Parking Spaces	Accessory Parking GSF	Building Height (ft)
91,856	1,615,000	70,000	1,685,000	475,000	1,140,000	up to 1,400	200	38,000	1,100

As shown in the ~~preliminary~~ proposed project's illustrative site plan in Figure 8, the residential tower entrance and interior lobby would be located in the easternmost portion of the lot fronting West 41st Street. Entrances to the ground-level retail spaces would be located along West 41st Street as well as Eleventh Avenue. The plaza, if provided, may be located midblock on West 41st Street and is anticipated to accommodate passive uses, typical of comparable urban plazas (seating, plantings, etc.). Trees would be planted around the building on the sidewalks of West 41st Street, ~~Cardinal Stepinac Place (Lincoln Tunnel Approach),~~ West 40th Street, and Eleventh Avenue, per zoning requirements. Both the entrance to the below-grade parking garage, if built, and the loading dock would be located midblock on West 40th Street.

As residential uses on this site are limited to an FAR of 6, the proposed project would only occur in the future with the proposed action, where permitted residential FAR would be increased to 12.

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

Build Year

The project site has been accepted into NYSDEC's Brownfield Cleanup Program (BCP), and all cleanup and remedial activities are expected to be completed, with or without the proposed action, as early as 2015 and well before 2020. As part of the BCP, the existing building on the project site will need to be demolished to allow for excavation and cleanup on the site; the demolition, excavation and cleanup will proceed under NYSDEC's direction under the BCP with or without the proposed action. As this cleanup is ongoing, and is being carried out irrespective of the requested approvals, the project site is expected to be fully remediated, vacant, and ready for redevelopment.

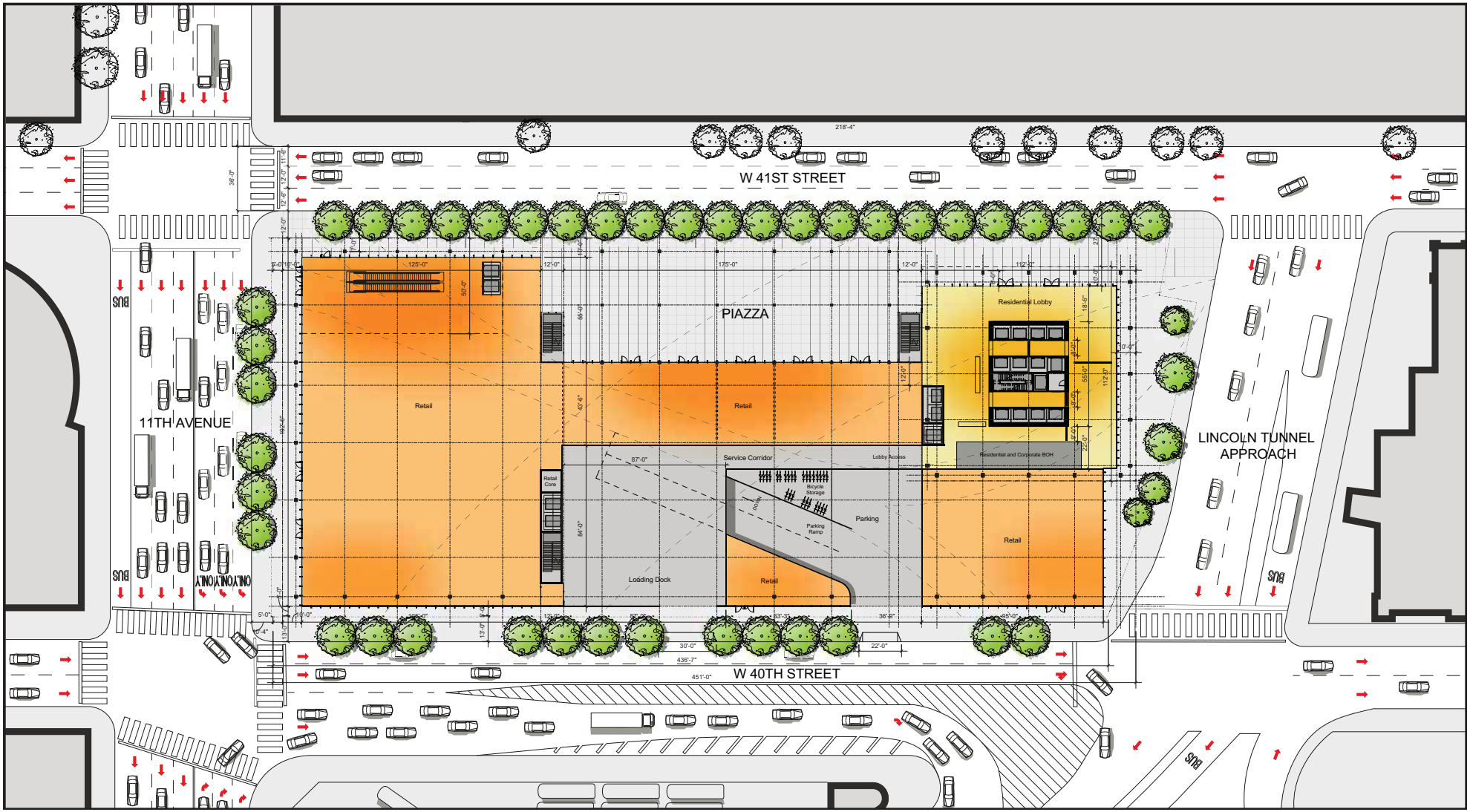
[6] The applicant anticipates that approximately 75% of the 175,000 gsf would be effectively available for the 175 planned corporate apartment units, resulting in an average size of 750 usable sf per unit. Due to the extended stay nature of these units, they would be larger than traditional hotel rooms and include a mix of studio, 1 and 2 bedrooms. The other 25% of the 175,000 gsf of space would be allocated to the lobby, reception, elevators, hallways, mechanical equipment, manager's office, storage and back-of-house space.

Proposed Project - Illustrative Rendering

Courtesy of Silverstein Properties

Street view from southwest looking northeast

FOR ILLUSTRATIVE PURPOSES ONLY



Courtesy of Silverstein Properties

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520 West 41st Street

Figure 8
Proposed Project - Illustrative Site Plan

Design and development for the proposed project would occur in one phase and commence as soon as all necessary approvals are granted. Accounting for NYCDCP Pre-Application and Pre-Certification review time, and public review under Section 200 of the City Charter (approximately seven months), construction of the proposed project is anticipated to start in early 2017. Construction would occur over an approximately three-year period, beginning in 2017, with all components complete and fully operational by the year 2020. As the proposed project would be operational in 2020, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to the expected Build Year of 2020 for the purposes of determining potential impacts. Accordingly, the RWCDS will use a 2020 Build Year for analysis purposes.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the proposed project, a reasonable worst-case development scenario (RWCDS) was established for both the future without the proposed action (No-Action or No-Build) and the future with the proposed action (With-Action or Build) for an analysis year, or Build year, of 2020. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses. The proposed project discussed above will be analyzed in the EIS as the RWCDS for the Build year of 2020.

The applicant expects to record a restrictive declaration against the project site requiring that the proposed project's development program be within the scope of the RWCDS analyzed in the EIS.

The Future Without the Proposed Project (No-Action Condition)

The project site is currently occupied by a vacant building that was formerly used as an auto dealership. However, as discussed above, as part of the ongoing remediation activities associated with the BCP, the existing building on the project site will ~~need to~~ be demolished to allow for excavation and cleanup activities on the project site, which are expected to be completed, with or without the proposed action, as early as 2015 and well before 2020. As this cleanup is ongoing, and is being carried out irrespective of the requested approvals, the project site is expected to be fully remediated, vacant, and ready for redevelopment.

In the absence of the proposed action (No-Action), the proposed zoning text amendment would not occur, and the residential FAR on the project site would be limited to 6.0. Although the site is zoned for a maximum FAR of 20, with up to 20 FAR permitted for commercial ~~FAR~~use, as discussed in the "Purpose and Need for Proposed Action" section above, there is no current or perceived future demand for commercial office development on the project site. In addition, given its distance from public transit, the project site is also not ideal for a stand-alone retail development, as there would not be sufficient critical mass on the already constrained project site to promote the necessary foot traffic that would make a large scale stand-alone retail development economically viable.

As such, although a commercial development with up to 20 FAR would be allowed as-of-right in the No-Action, the RWCDS conservatively assumes that such a development would not occur by the analysis year of 2020. Instead, for RWCDS purposes, it is anticipated that in the future without the proposed action a new one-story auto dealership would be developed on the project site. Such a use (automobile showrooms with no repair services or preparation for delivery (Use Group 9)) is allowed as-of-right pursuant to current zoning, and would entail minimal investment in infrastructure and construction. In addition, the applicant has indicated that there has been interest in such a use on this site. Therefore, the RWCDS assumes that the project site would accommodate a single-story, approximately 83,000 gsf

auto showroom building (approximately 0.9 FAR) in the No-Action condition (see Figure 9). The No-Action condition building would be built-out to West 41st Street, Eleventh Avenue, and West 40th Street, with a main entrance mid-block on West 41st Street. Existing curb cuts on West 41st Street would provide vehicular access to the site.

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

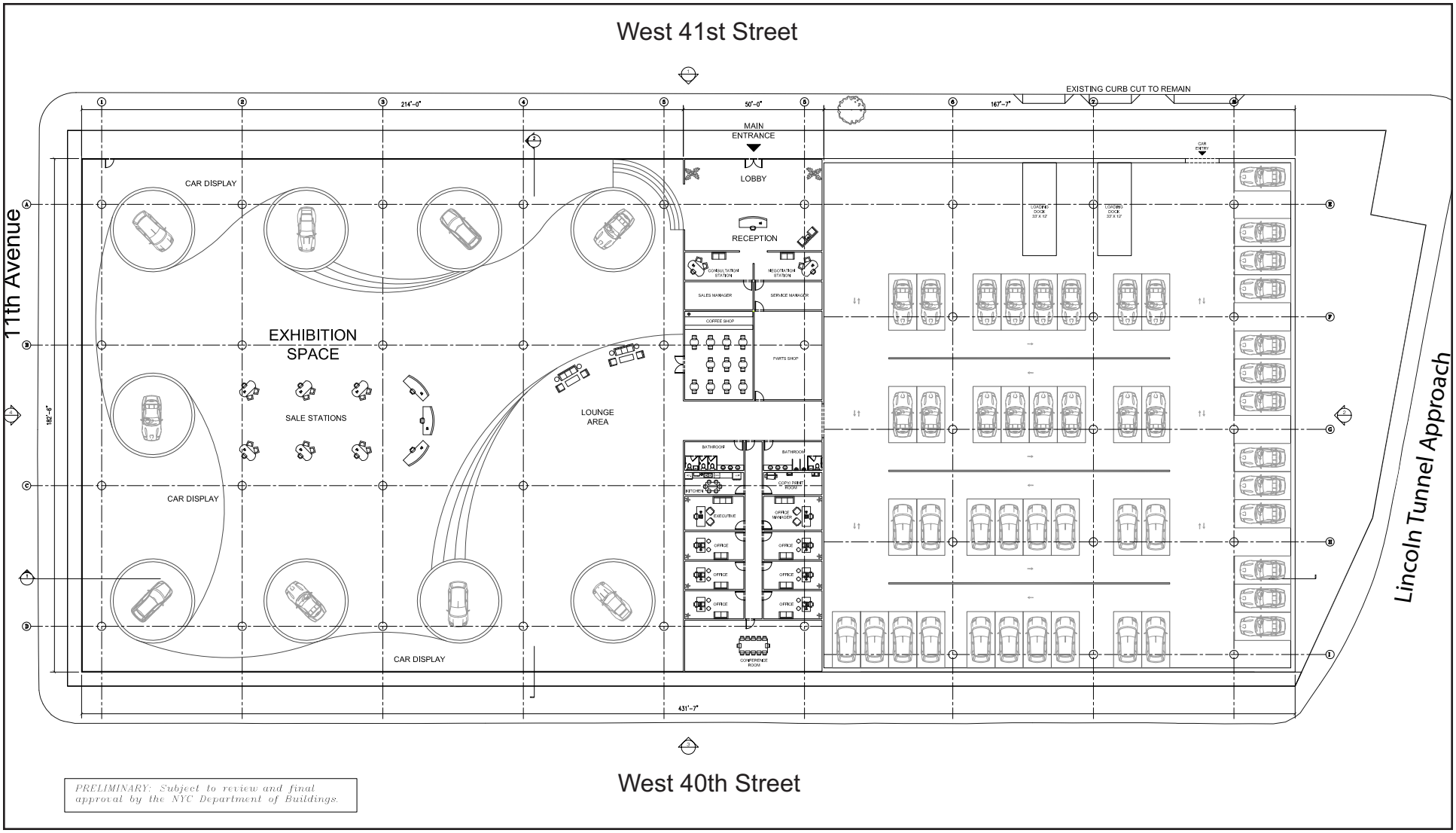
By 2020 under With-Action conditions, the requested zoning text amendment to allow more permitted residential floor area would be granted, and it is expected that the applicant would have demolished the existing building on the project site, the required NYSDEC BCP site remediation would be completed, and the proposed approximately 100-story mixed-use residential and commercial tower on the project site would be constructed and occupied. As detailed in the above section "Description of the Proposed Project" and shown in Table 1 above, the With-Action condition would result in the construction of approximately 1.14 million gsf of residential space and 475,000 gsf of commercial space (including 300,000 gsf of retail and up to 175 corporate apartments). The proposed project may also include a 200-space underground parking garage and an approximately 10,000 sf covered publicly accessible open space, or plaza, along West 41st Street.

It should be noted that in the future with the proposed action, the proposed project would maximize the residential FAR of 12.0 resulting from the proposed action. The With-Action condition also assumes commercial FAR would not exceed 5 FAR as this density maximizes the reasonable size of the retail and corporate apartment components. Commercial office space, as outlined previously, is not likely to be developed on the site. Adding other commercial uses such as a hotel, in a second tower above the retail podium, would severely impact the viability of the vertical retail space because a second tower would require a separate entrance lobby, elevator core and vertical circulation that would break up the retail floor plates making them virtually unusable. The successful integration and placement of a second tower is also greatly impacted by the unique below grade easements for the Amtrak rail spur and the No.7 subway tunnels that affect location of the tower core and structural elements. Therefore, although a 20 FAR mixed-use building could be built on the project site in the future with the proposed action, the With-Action condition reflects the applicant's proposed project for a 17 FAR building. To ensure this outcome, the applicant will, upon approval of the proposed zoning text amendment, record a restrictive declaration against the project site requiring that the proposed project's development program be within the scope of the RWCDS analyzed in the EIS.

The applicant intends to incorporate ~~a~~ 200 accessory parking spaces into the proposed project through the application of the existing parking regulations applicable to the Special Hudson Yards District.

Possible Effects of the Proposed Action

Based on the RWCDS for No-Action and With-Action conditions identified above, the net incremental change in development that would occur as a result of the proposed action is identified in Table 2. As shown in Table 2, under With-Action conditions, in the 2020 Build Year the proposed action would result in a net incremental increase of approximately 1.6 million gsf, including an increase of approximately 392,000 gsf of commercial space, approximately 1.14 million gsf of residential space, and an increase of approximately 38,000 gsf of parking. However, if the proposed parking spaces for the project are not available under the Special Hudson Yards District parking regulations in the future, the applicant would utilize the 38,000 gsf that would have been occupied by below-grade parking for commercial retail use instead. This no parking garage scenario would be analyzed as an alternative in the EIS (see Task 20: Alternatives).



Source: GHWA Architects

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Figure 9
Illustrative No-Action Site Plan

Table 2 also provides a comparison of the number of residents and workers on the project site under No-Action and With-Action conditions. As shown in the table, the proposed action under With-Action conditions would result in a net increase of up to approximately 2,310 residents, 935 employees and up to 350 occupants of corporate apartments on the project site as compared to No-Action conditions.

TABLE 2 - Comparison of No-Action and With-Action Conditions

Use	No-Action Condition	With-Action Condition	Increment
Residential	0	1,140,000 gsf (up to 1,400 DUs)	**1,140,000 gsf (up to 1,400 DUs)**
Commercial Uses			
Auto Showroom	83,000 gsf	0	**-83,000 gsf**
Retail	0	300,000 gsf	**300,000 gsf**
Corporate Apartments	0	175,000 gsf (up to 175 units)	**175,000 gsf (up to 175 units)**
Total Commercial SF	*83,000 gsf*	*475,000 gsf*	***392,000 gsf***
Accessory Parking	0	200 spaces (38,000 gsf)	**200 spaces (38,000 gsf)**
TOTAL GSF (including below-grade spaces)	**83,000 gsf**	**1,685,000 gsf**	**1,602,000 gsf**
Population/Employment*	**No-Action Condition**	**With-Action Condition**	**Increment**
Residents	0	up to 2,310 residents	**up to 2,310 residents**
Workers	83 workers	1,018 workers	**935 workers**
Corporate Apts. Occupants	0	up to 350 occupants of corporate apts.	**up to 350 occupants (corporate apts.)**

* Calculations for residents are based on the Manhattan Community District 4 ratio of 1.65 residents per occupied unit (Source: Demographic Profile, NYCDCP; 2010 Census). Number of workers estimated based on an assumption of 1 employee per 1,000 sf of auto showroom; 3 employees per 1,000 sf of retail; 1 employee per 3 corporate apartments (assumed to be equivalent to hotel rooms), 1 worker per 25 DUs; and 1 employee per 50 parking spaces. Estimate of corporate apartment occupants is based on an assumption of an average of 2.0 occupants per corporate unit.

As noted above, although the applicant anticipates that some of the proposed up to 1,400 dwelling units may be affordable (i.e., low- to moderate-income units), the specific unit mix has not yet been determined at this time. For environmental analysis purposes, the RWCDS analyzed in the EIS will assume that 20% of the proposed project's total residential floor area, or approximately 280 units, could be affordable.

E. PROPOSED SCOPE OF WORK FOR THE EIS

Because the proposed project would affect various areas of environmental concern and was found to have the potential for significant adverse impacts, pursuant to the EAS and Positive Declaration, an Environmental Impact Statement (EIS) will be prepared for the proposed action that will analyze all technical areas of concern.

The EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will follow the guidance of the 2014 *CEQR Technical Manual*, and will contain:

- A description of the proposed project and its environmental setting;
- A statement of the environmental impacts of the proposed project, including its short-and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the proposed project is implemented;
- A discussion of reasonable alternatives to the proposed project;

- An identification of irreversible and irretrievable commitments of resources that would be involved in the proposed project should it be implemented; and
- A description of mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts.

Based on the preliminary screening assessments outlined in the *CEQR Technical Manual* and detailed in the EAS document, the following environmental areas would not require detailed analysis in the EIS: natural resources and energy. The specific areas to be included in the EIS, as well as their respective tasks, are described below.

TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the proposed project and sets the context in which to assess impacts. The chapter contains a description of the proposed project: its location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a detailed description of the proposed project; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process.

TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

This chapter will analyze the potential impacts of the proposed project on land use, zoning, and public policy. The proposed action consists of a zoning text amendment that would modify the regulations affecting a site within the Special Hudson Yards District. However, as the project site is not located within the boundaries of the City's Coastal Zone, no assessment of the proposed project's consistency with the City's Waterfront Revitalization Program (WRP) is warranted. The land use, zoning and public policy analysis will be consistent with the methodologies presented in the *CEQR Technical Manual*. In completing the following subtasks, the land use study area will consist of the project site, where the land use impacts will be straightforward and direct (reflecting the proposed project), and the neighboring areas where indirect impacts may be felt. For the purpose of environmental analysis, the study area will extend approximately ¼-mile from the boundaries of the project site, as illustrated in Figure ~~9~~10. Subtasks will include the following:

- Provide a brief development history of the project site and surrounding study area.
- Provide a description and map of existing land uses in the study area.
- Describe predominant land use patterns in the study area, including recent development trends.
- Provide a zoning map and discuss existing zoning and recent zoning actions in the study area, including the Special Hudson Yards District, the Special Clinton District and the Manhattan Core parking text amendment.
- Describe any public policies that apply to the project site and the study area, including specific development projects and plans for public improvements. Public policies that apply to the study area include PlaNYC. In addition, although no assessment of the proposed project's consistency with the City's WRP is warranted, part of the study area falls within the coastal zone boundary, and therefore the WRP will be discussed as it relates to the surrounding area.
- Prepare a list of future development projects in the study area that would be expected to be constructed by the 2020 analysis year and may influence future land use trends in the future without the proposed action. Also, identify pending zoning actions (including those associated with

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Figure 10
Land Use Study Area

the identified No-Build projects) or other public policy actions that could affect land use patterns and trends in the study area as they relate to the proposed project. Based on these planned projects and initiatives, assess future conditions in the land use and zoning study area in the future without the proposed action (No-Action condition).

- Describe proposed zoning text changes, and the potential land use changes resulting from the proposed project.
- Assess the potential impacts of the proposed action and resultant development on land use and land use trends, zoning, and public policy. Discuss the proposed action's potential effects related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the proposed action on ongoing development trends and conditions in the study area.

TASK 3. SOCIOECONOMIC CONDITIONS

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. As discussed below, the proposed project warrants an assessment of socioeconomic conditions with respect to indirect residential displacement, and indirect business displacement.

According to the *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. As there are no residential uses currently on the project site, the proposed project would not directly displace any existing residents, and therefore, the proposed project would not result in significant adverse impacts due to direct residential displacement. Similarly, according to the *CEQR Technical Manual*, if a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate. As the structure on the project site is currently vacant, the proposed project would not directly displace any businesses or employees, and therefore an assessment of direct business displacement would not be warranted for the proposed project.

In addition, the *CEQR Technical Manual* indicates that an assessment is appropriate if a project is expected to affect conditions within a specific industry. This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods or services provided by the affected businesses, or if the project would result in the loss or substantial diminishment of a particularly important product or service within the city. As noted above, the structure on the project site is currently vacant, and therefore the proposed project would not directly displace any businesses or employees. Moreover, the proposed action is site-specific, and does not include any citywide regulatory change that would adversely affect the economic and operational conditions of certain types of businesses or processes. Therefore, the proposed action would not result in significant adverse effects on specific industries, and no further assessment is warranted.

In conformance with the *CEQR Technical Manual* guidelines, the assessment of the two remaining areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is

necessary. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments would be framed in the context of existing conditions and evaluations of the future No-Action and With-Action conditions in 2020, including any population and employment changes anticipated to take place by the analysis year for the proposed action.

Indirect Residential Displacement

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the ¼-mile study area. Pursuant to *CEQR Technical Manual* guidelines, this study area would be increased to a ½-mile radius if the preliminary analysis reveals that the increase in population resulting from the proposed project would exceed 5 percent in the ¼-mile study area compared to the expected No-Action population. The presentation of study area characteristics will include population, housing value and rent, estimates of the number of housing units not subject to rent protection, and median household income. Following *CEQR Technical Manual* guidelines, the preliminary assessment will perform the following step-by-step evaluation:

- **Step 1:** Determine if the proposed project would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- **Step 2:** Determine if the proposed project population is large enough to affect real estate market conditions in the study area. If the population increase is greater than 5 percent in the study area as a whole, then Step 3 will be conducted. If the population increase is greater than 10 percent in the study areas as a whole, then a detailed analysis is required.
- **Step 3:** Consider whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends. This evaluation will consider the following:
    a. If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.
    b. If no such trend exists either within or near the study area, the action could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment, and no further analysis is necessary.
    c. If those trends do exist near to or within smaller portions of the study area, the action could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis will be conducted.

If the preliminary assessment finds that the proposed project would introduce a trend or accelerate an existing trend of changing socioeconomic conditions that may have the potential to displace a residential population and substantially change the socioeconomic character of the neighborhood, a detailed analysis will be conducted. The detailed analysis would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect

these populations, and examine the effects of the proposed action on prevailing socioeconomic trends and, thus, impacts on the identified population at risk.

Indirect Business Displacement

The indirect business displacement analysis is to determine whether the proposed project may introduce trends that make it difficult for those businesses that provide products or services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of the preliminary assessment is to determine whether a proposed action has potential to introduce such a trend. The proposed project would introduce over 200,000 square feet of new commercial uses to the area, which is the CEQR threshold for "substantial" new development warranting a preliminary assessment. Moreover, as the proposed project would include a retail component in excess of 200,000 square feet on a single site, and the proposed retail uses may not primarily serve the local population, an assessment of indirect business displacement due to market saturation is appropriate.

The analysis will describe and characterize conditions and trends in employment and businesses within the study area using the most recent available data from public and private sources such as New York State Department of Labor and/or the U.S. Census Bureau, and ~~ESRI~~Claritas, as well as field surveys and discussions with local real estate brokers as necessary. This information will be used in a preliminary assessment to consider:

- Whether the proposed project would introduce enough of a new economic activity to alter existing economic patterns;
- Whether the proposed project would add to the concentration of a particular sector of the local economy enough to alter or accelerate existing economic patterns;
- Whether the proposed project would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses; and
- Whether the proposed project would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment finds that the proposed project could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. The detailed analysis would follow the *CEQR Technical Manual* guidelines to determine whether the proposed project would increase property values and thus increase rents for a potentially vulnerable category of businesses and whether relocation opportunities exist for those businesses.

Potential Indirect Business Displacement due to Retail Market Saturation

As described in the *CEQR Technical Manual*, occasionally, development activity may create retail uses that draw substantial sales from existing businesses. While these economic pressures do not necessarily generate environmental concerns, they become an environmental concern when they have the potential to result in increased and prolonged vacancy leading to disinvestment. Such a change may affect the land use patterns and economic viability of the neighborhood. According to the *CEQR Technical Manual*, projects resulting in less than 200,000 square feet of retail on a single development site, or less than 200,000 square feet of regional-serving retail on multiple sites located across a project area, would not typically result in socioeconomic impacts. For projects exceeding these thresholds, an assessment of the indirect business displacement due to market saturation is appropriate.

As the proposed project may introduce retail in excess of the 200,000-square-foot threshold, a preliminary assessment of indirect business displacement due to retail market saturation will be undertaken. The purpose of the preliminary analysis is to determine whether the project may capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result, potentially leading to vacancies and disinvestment on neighborhood commercial streets. If the preliminary assessment cannot definitively rule out the potential for significant adverse impacts, then a detailed analysis would be conducted in accordance with *CEQR Technical Manual* methodologies.

TASK 4. COMMUNITY FACILITIES

The proposed action would not displace any existing community facilities or services, nor would it affect the physical operations of or access to and from any police or fire stations. As such, the proposed project would not result in any direct effects on community facilities.

The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from the proposed action. The proposed project would add up to approximately 1,400 new residential units to the area. Although the proposed project may include an affordable housing component, the specific unit mix has not yet been determined at this time. Therefore, for environmental analysis purposes, the RWCDS for With-Action conditions assumes that 20% of the proposed project's total residential floor area, or approximately 280 units, could be affordable.

If an action introduces less than 50 elementary and middle school age children, or 150 high school students, an assessment of school facilities is not required. As disclosed in the EAS, the proposed project would result in an increase of approximately 224 new elementary and middle school students, and approximately 84 high school students in the area, thereby exceeding the CEQR screening threshold for elementary and middle schools only. For libraries, the CEQR screening threshold is the introduction of 901 residential units in Manhattan, which would represent a 5 percent increase in dwelling units per branch. As the proposed project would result in the addition of up to approximately 1,400 dwelling units to the study area, it exceeds the CEQR screening threshold. For child care, the CEQR screening threshold in Manhattan is the introduction of 170 or more affordable housing units, which would generate 20 or more eligible children under age six. As noted above, although the specific unit mix has not yet been determined at this time, the RWCDS assumes that 20% of the proposed project's total residential floor area, or approximately 280 units, could be affordable, which would exceed the CEQR screening threshold for analysis of publicly funded child care centers. Therefore, the proposed project would trigger analyses of potential impacts on public elementary and middle schools, libraries, and publicly funded child care centers. No analysis of public high schools is warranted.

According to the *CEQR Technical Manual*, a detailed analysis of police and fire protection services and health care facilities is required if a proposed action would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the proposed action would not result in any of the above, no significant adverse impacts would be expected to occur, and a detailed analysis of police/fire services and health care facilities is not warranted.

Public Schools

- According to the *CEQR Technical Manual*, the primary study area for the analysis of elementary and intermediate schools should be the school district's "sub-district" in which the project is located. The project site is located within sub-district 3 of Community School District 2. This sub-district will constitute the study area.
- Identify and locate the public elementary and intermediate schools serving the study area defined above. Existing capacity, enrollment, and utilization data for all public elementary and intermediate schools within sub-district 3 of Community School District 2 will be provided for the current or most recent school year, noting any specific shortages of school capacity.
- Identify conditions that would exist in the future without the proposed ~~action~~ project (No-Action condition), taking into consideration projected changes in future enrollment, including those associated with other developments in the vicinity of the project site, and plans to alter school capacity either through administrative actions on the part of the New York City Department of Education (DOE) or as a result of the construction of new school space. Planned new capacity projects from the DOE's Five Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. They may, however, be included in a qualitative discussion.
- Analyze future conditions with the proposed ~~action~~project, adding students likely to be generated by the proposed project to the projections for the future No-Action condition. Project impacts will be assessed based on the difference between the future With-Action projections and the future No-Action projections (at the school sub-district level for elementary and intermediate schools) for enrollment, capacity and utilization in 2020.
- Determine whether the proposed project would result in a significant adverse impact. A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in: (1) a collective utilization rate of the elementary and/or intermediate schools in the sub-district study area that is equal to or greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions.
- If significant adverse impacts are identified, mitigation measures to avoid or reduce potential significant impacts will be identified.

Libraries

- Identify the local public library branch(es) serving the area within approximately three-quarters of a mile from the project site, which is the distance that one might be expected to travel for such services. Show the identified local public library branch(es) within a ¾-mile radius on a map.
- Describe existing libraries within the study area and their information services, and user population. Information regarding services provided by branch(es) within the study area will include ~~circulation,~~ holdings~~, level of utilization,~~ and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries in order to form a baseline for the analysis.
- For No-Action conditions, projections of population change in the area and information on any planned changes in library services or facilities will be described and the effects of these changes on library services will be assessed. Using the information gathered for the existing conditions, holdings per resident in the No-Action condition will be estimated.

- Determine the effects of the addition of the population resulting from the proposed project on the study area libraries' ability to provide information services to their users. Holdings per resident in the With-Action condition will be estimated and compared to the No-Action holdings estimate.
- Determine whether the proposed project would result in a significant adverse impact. According to the *CEQR Technical Manual*, if the proposed project would increase the ¾-mile study area population by five percent or more over No-Action levels, and it is determined, in consultation with the appropriate library agency, that this increase would impair the delivery of library services in the study area, a significant impact may occur, warranting consideration of mitigation.

Child Care Centers

- Identify existing publicly funded child care facilities (including Head Start facilities) within approximately ~~1.5~~two miles of the project site. Describe each facility in terms of its location, number of slots (capacity), and enrollment (utilization). Information will be based on publicly available information and/or consultation with the Administration for Children's Services' Division of Child Care and Headstart (CCHS).
- For No-Action conditions, information will be obtained on any changes planned for child care programs or facilities in the area, including closing or expansion of existing facilities and establishment of new facilities. Any expected increase in the population of children under 6 within the eligibility income limitations will be discussed as potential additional demand; and the potential effect of any population increases on demand for child care services in the study area will be assessed. The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No-Action condition.
- The potential effects of the additional eligible children resulting from the RWCDS for the proposed action will be assessed by comparing the estimated demand over capacity to the demand over capacity estimated in the No-Action condition.
- Determine whether the proposed project would result in a significant adverse impact. According to the *CEQR Technical Manual*, a significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of the following: (a) a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent in the With-Action condition; and (b) an increase of five percent or more in the collective utilization rate of the child care/Head Start centers in the study area between the No-Action and With-Action conditions.
- If significant adverse impacts are identified, mitigation measures to avoid or reduce potential significant impacts will be identified.

TASK 5. OPEN SPACE

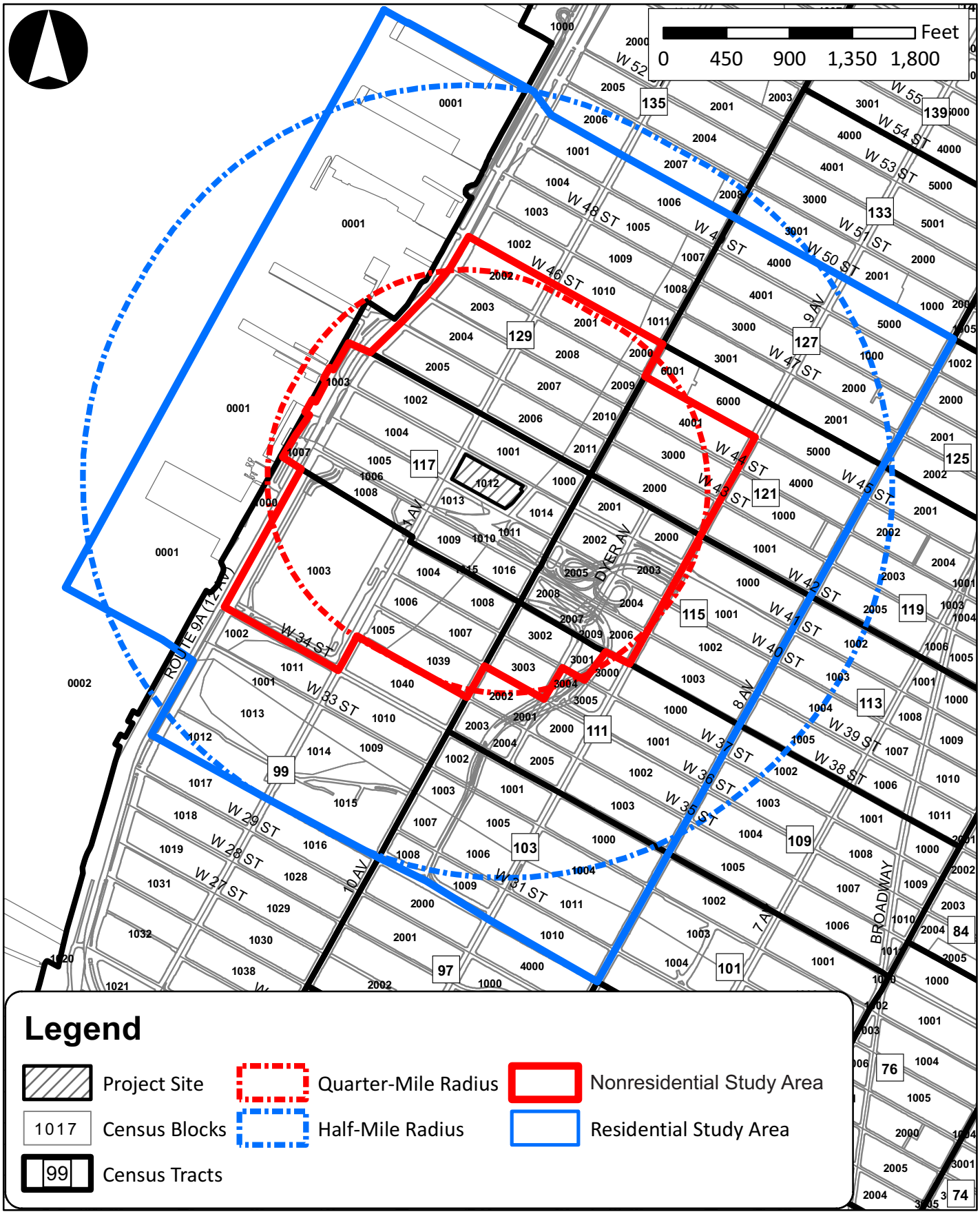
Under the *CEQR Technical Manual*, the threshold for an open space assessment applicable to the proposed action is more than 200 residents and 500 employees because the project site is not located within an underserved or well-served area as defined in the *CEQR Technical Manual*. The proposed project, as disclosed in the EAS, would generate more than 200 residents and 500 employees; therefore, both residential and non-residential open space assessments would be warranted and will be provided in the EIS.

The open space analysis will consider both passive and active open space resources. Passive open space ratios will be assessed within a non-residential (approximating ¼-mile radius) study area and a

residential (approximating ½-mile radius) study area. Active open space ratios will be assessed for the ~~½-mile~~ residential study area only. As recommended in the *CEQR Technical Manual*, to define both study areas one first considered ~~would comprise all~~those census tracts that have 50 percent of their area located within a ¼-mile radius and a ½-mile radius of the project site, respectively. Given the size of the census tracts in the vicinity of the project site, the non-residential study area boundaries were adjusted to include only those census blocks (rather than census tracts) that have 50 percent or more of their area within a ¼-mile of the project site; and the residential study area boundaries were adjusted at the southwestern edge to include those census blocks within census tract 99 that have 50 percent or more of their area located within ½-mile of the project site. The defined open space study areas are shown in Figure 11. The open space analysis in the EIS will include the following sub-tasks.

- Determine characteristics of the two open space user groups: residents and workers/daytime users. To determine the number of residents in the study areas, 2010 census data will be compiled for census tracts/blocks comprising the non-residential and residential open space study areas. Because the study areas include a workforce and daytime population that may also use open spaces, the number of employees and daytime workers in the study areas will also be calculated, based on reverse journey-to-work census data.
- Inventory existing active and passive open spaces within the two open space study areas. The condition and usage of existing facilities will be described based on the inventory and field visits. Acreage of these facilities will be determined and total study area acreage calculated. The percentage of active and passive open space will also be calculated. A map showing the locations of open spaces keyed to the inventory will be provided.
- Based on the inventory of facilities and study area populations, open space ratios will be calculated for the residential and ~~daytime~~ worker populations, and compared to City guidelines to assess adequacy. As per the *CEQR Technical Manual*, open space ratios are expressed as the amount of open space acreage per 1,000 user population, and will be calculated for active and passive open space, as well as for the aggregate open space.
- Assess expected changes in future levels of open space supply and demand in the 2020 analysis year, based on other planned development projects within the open space study areas. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. Open space ratios will be calculated for future No-Action conditions and compared with existing ratios to determine changes in future levels of adequacy.
- Assess the effects on open space supply and demand resulting from increased residential and worker populations added by the proposed project. ~~All new publicly-accessible open spaces that may be planned as part of the proposed project would also be taken into account.~~ Although the proposed project may include an approximately 10,000 sf covered plaza, it will not be included in the quantitative analysis in order to provide a more conservative analysis. The assessment of the proposed project's impacts will be based on a comparison of open space ratios for the future No-Action versus future With-Action conditions. In addition to the quantitative analysis, qualitative analysis will be performed to determine if the changes resulting from the proposed project constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study area is sufficiently served by open spaces, given the type (active vs. passive), capacity, condition, and distribution of open space, and the profile of the study area population. Any accessory open spaces to be provided as part of the proposed project would be included in the qualitative assessment.
- If the results of the impact analysis identify a potential for a significant adverse impact, discuss potential mitigation measures.

Figure 11
Open Space Study Areas



TASK 6. SHADOWS

This chapter will examine the proposed project's potential for significant and adverse shadows impacts pursuant to *CEQR Technical Manual* criteria. Generally, the potential for shadows impacts exists if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. The proposed project would consist of a single building that would have a maximum height of approximately 1,100 feet, and would be located to the west of Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, a building that contains sunlight sensitive features, and in vicinity of other sunlight sensitive resources (e.g., River Place Plaza to the northwest of the project site, and portions of Hudson River Park further to the west). Therefore, a preliminary assessment of shadows is warranted and will be provided in the EIS. The preliminary assessment will include the following tasks:

- Develop a base map illustrating the project site in relation to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- Perform a screening assessment to ascertain which seasons and times of day shadows from the proposed project could reach any sunlight-sensitive resources.

If the possibility of new shadows reaching sunlight-sensitive resources cannot be eliminated in the preliminary assessment, the EIS will include a detailed analysis. This will include the following tasks:

- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop three-dimensional representations of the No-Action shadow conditions in the area as of the Build Year.
- Develop a three-dimensional representation of shadow conditions in the area with the proposed project as of the Build Year.
- Determine the extent and duration of incremental shadows that would be cast on sunlight-sensitive resources as a result of the proposed project on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the proposed project, with incremental shadows highlighted in a contrasting color.
- Include a summary table listing the entry and exit times and total duration of incremental shadows on each applicable representative day for each affected sun-sensitive resource.
- Assess the significance of any shadows impacts on sunlight-sensitive resources (including the Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, any other historic resources, and existing or planned parks). If potential significant adverse impacts are identified, the amount of remaining sunlight on those sensitive resources as well as the types of vegetation and or recreational activities involved will be considered in reaching impact conclusions.
- If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

TASK 7. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. An assessment of architectural and archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures, within historic districts, and for developments that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites.

Archaeological Resources

Although there would be subsurface disturbance on the project site, the New York City Landmarks Preservation Commission (LPC) ~~had previously~~has determined that the project site is not sensitive for archaeological resources[7]. ~~LPC will be consulted to confirm this prior determination. If LPC confirms that the site is not sensitive for archaeological resources, then~~Therefore, no further archaeological analysis is warranted. ~~will be required~~. ~~If LPC determines that all or part of the site may be sensitive for archaeological resources, a Phase 1A Archaeological Documentary Study of the affected areas will be prepared, in accordance with *CEQR Technical Manual* guidelines, and the conclusions of the Phase 1A would be summarized in the DEIS.~~

Architectural Resources

While there are no designated architectural resources on the project site, Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, which was previously determined to be eligible for designation as a NYCL and listing on the S/NR, is located nearby, and it is possible that there may be other potential architectural resources within the study area. Consistent with the *CEQR Technical Manual*, the historic and cultural resources assessment will include the following tasks:

- Select the study area for architectural resources. This scope of work assumes that the study area for architectural resources will be approximately 400 feet beyond the project site boundaries.
- Submit the proposed project to LPC for their review and determination regarding architectural resources, and request a preliminary determination of designated and/or eligible architectural resources within the study area.
- Map and briefly describe designated architectural resources in the study area. Consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources include: New York City Landmarks, Interior Landmarks, Scenic Landmarks, New York City Historic Districts; resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State and/or National Registers of Historic Places, or contained within a district listed on or formally determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks.
- Assess the potential significant adverse impacts of the proposed project on architectural resources, including visual and contextual changes as well as any direct physical impacts, on any designated

[7] LPC letter dated July 7, 2014~~October 24, 2003 issued in association with *No. 7 Subway Extension - Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement* (2004)~~.

and potential architectural resources. Potential effects will be evaluated through a comparison of the No-Action condition and the future with the proposed action.

- If applicable, develop measures to avoid, minimize, or mitigate any significant adverse impacts on historic and cultural resources, in consultation with LPC.
- This scope of work assumes there will be no state or federal actions that require review by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP).

TASK 8. URBAN DESIGN AND VISUAL RESOURCES

The *CEQR Technical Manual* indicates that there is no need to conduct an urban design analysis if a proposed project would be constructed within existing zoning envelopes, and would not result in physical changes beyond the bulk and form permitted "as-of-right." The proposed project would not result in an increase in built floor area beyond what would be allowed "as-of-right," nor would it permit the modification of yard, height, and setback requirements. However, given the scale of the proposed project and the streetscape improvements that would be made to the pedestrian environment in conjunction with the development, an assessment of urban design would be provided in the EIS. As described below, the study area for ~~this~~ the urban design task will be consistent with the study area for the analysis of land use, zoning and public policy.

An area's visual resources are its unique or important public view corridors, vistas, or natural or built features. For CEQR analysis purposes, this includes only views from public and publicly accessible locations and does not include private residences or places of business. Visual resources could include views of the waterfront, public parks, landmark structures and districts, or natural resources. The project site is located across the street from the Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, a building that is eligible for designation as a NYCL and listing on the S/NR, which is considered a visual resource per CEQR guidelines. As stated in the *CEQR Technical Manual*, for visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. While the land use study area may serve as the initial basis for analysis, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of the area. As stated in the EAS, a pedestrian wind assessment is not warranted for the proposed ~~action~~project.

Therefore, an assessment of urban design and visual resources will be presented in the EIS, as described in the following subtasks:

- Based on field visits, describe the project site and the urban design and visual resources of the surrounding area, using text and photographs as appropriate. The study area for the preliminary assessment of urban design ~~and visual resources~~ will be consistent with the study area for the analysis of land use, zoning and public policy, and would comprise the area within a ¼-mile radius of the project site. A description of visual resources in the study area and view corridors, if any, will also be provided. The visual resources assessment will include prominent visual resources (both within and outside of the urban design study area) that are visible from the urban design study area, such as Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, as well as distant views of the Empire State Building, the McGraw Hill Building, and the Hudson River and New Jersey Palisades. The primary viewsheds of these visual resources that could be affected by construction of the proposed project would be the focus of the visual resources analysis.

- In coordination with the land use task, describe the changes expected in the urban design and visual character of the study area due to planned development projects in the future without the proposed project (No-Action condition).
- Describe the potential changes that could occur in the urban design character of the study area as a result of the proposed project (With-Action condition). Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including views of/to resources of visual or historic significance (including the Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church, any other historic resources, and existing or planned parks).

TASK 9. HAZARDOUS MATERIALS

The project site was mapped with an (E) designation (E-137) for hazardous materials as part of the *No. 7 Subway Line Extension and Hudson Yards Rezoning FGEIS*. The FGEIS indicated that the lot was historically occupied by auto sales and service and other commercial developments, and there is potential for petroleum contamination on the site. In addition, the project site has been accepted into the NYSDEC's Brownfield Cleanup Program (BCP), and all cleanup and remedial activities on the site are expected to be completed, with or without the proposed action, as early as 2015 and well before 2020. The BCP contains investigation and cleanup requirements, ensuring that cleanups protect public health and the environment. When NYSDEC certifies that these requirements have been met, the property can be reused or redeveloped for the intended use.

As the project site has a documented history of hazardous materials conditions, the EIS will include an assessment of hazardous materials. This chapter of the EIS will summarize the prior hazardous materials studies conducted for the project site, and consider the potential for significant adverse impacts to occur as a result of the proposed project. Conditions at the project site (resulting from previous and existing uses of the site and the surrounding areas) have been studied extensively in prior studies, including a July 1996 Subsurface Investigation Report, September 2007 Subsurface (Phase II) Investigation Report, March 2011 Phase I Environmental Site Assessment (ESA), ~~and~~ a March 2012 Supplemental Phase II Environmental Site Investigation Report, and an October 2013 Remedial Investigation Report. This chapter of the EIS will also describe the approval process for the existing (E) designation on the site, including a description of what measures would be required before construction begins and what would be required prior to the site being occupied.

~~As the proposed project would require excavation on the project site, the assessment in the EIS will include a detailed description of measures (consistent with the NYSDEC requirements under the BCP) that would be taken to ensure that the potential for any impacts would be avoided. The measures would also be subject to review and approval by the New York City Department of Environmental Protection (NYCDEP) review and approval per the *CEQR Technical Manual*.~~

TASK 10. WATER AND SEWER INFRASTRUCTURE

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. As discussed in detail in the EAS, although the proposed project would not generate exceptionally large demand for water (e.g., more than 1 million gallons per day), the project site is located in a "Regulated Low Pressure Zone," and, therefore, an assessment of water supply is warranted. NYCDEP will be consulted during the preparation of the water supply

assessment to ensure that any concerns or potential impacts are addressed. A preliminary assessment of the proposed project's effects on wastewater and stormwater infrastructure is also warranted because the proposed project would result in the development of more than 1,000 dwelling units and 250,000 sf of commercial uses in Manhattan. Therefore, the EIS will analyze the proposed project's potential effects on wastewater and stormwater infrastructure. NYCDEP will be consulted during the preparation of the preliminary stormwater and wastewater infrastructure assessment.

- Describe the existing water supply system serving the project site, surrounding area, and the City, including a discussion of existing City water mains fronting the project site. The estimated water demand from existing uses on the project site will be calculated based on the consumption rates provided in Table 13-2, "Water Usage and Sewage Generation Rates for Use in Impact Assessment," of the *CEQR Technical Manual*.
- The existing stormwater drainage system and surfaces (pervious or impervious) on the project site will be described, and the amount of stormwater generated on the site will be estimated using NYCDEP's volume calculation worksheet. Drainage areas with direct discharges and overland flow will be presented.
- The existing sewer system serving the project site will be described based on records obtained from NYCDEP. Records obtained will include sewer network maps, drainage plans, and capacity information for sewer infrastructure components, as applicable. The existing flows to the North River wastewater treatment plant (WWTP) that serves the site will be obtained for the latest 12-month period, and the average dry weather monthly flow will be presented. Existing capacity information for pump stations, regulators, etc. downstream of the affected drainage area will be presented.
- Any changes to the site's water consumption under No-Action conditions will be estimated using the same consumption rates applied to the existing uses. Any changes to the site's stormwater drainage system and surface area expected in the future without the proposed action will be described. Any changes to the sewer system that are expected to occur in the future without the proposed action will be described based on information provided by NYCDEP.
- Calculate future With-Action water demand from the project site based on the rates provided in Table 13-2 of the *CEQR Technical Manual*.
- Assess future stormwater generation from the proposed project and assess its potential to create impacts. A stormwater management plan for the project site will be described and assessed in the preliminary infrastructure assessment. The assessment will also discuss any planned sustainability elements and best management practices (BMPs) that are intended to reduce storm water runoff. Any changes to the site's proposed surface area (pervious or impervious) will be described, and runoff coefficients and runoff for each surface type/area will be presented. Volume and peak discharge rates of stormwater will be determined based on the NYCDEP volume calculation worksheet.
- Sanitary sewage generation for the proposed project will be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WWTP.
- Based on the assessment of future stormwater and wastewater generation, the change in flows and volumes to the combined sewer system and/or waterbodies due to the proposed project will be determined.

If warranted, a detailed infrastructure analysis will be prepared following the guidelines of the *CEQR Technical Manual*.

TASK 11. SOLID WASTE AND SANITATION SERVICES

The proposed project includes new development that would require sanitation services. As disclosed in the EAS, the proposed project would generate in excess of 50 tons of solid waste per week, warranting an assessment of solid waste and sanitation services. The EIS will provide an estimate of the additional solid waste expected to be generated by the proposed project and assess its effects on the City's solid waste and sanitation services and its consistency with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. The City's solid waste system includes waste minimization at the point of generation, collection, treatment, recycling, composting, transfer, processing, energy recovery, and disposal. The analysis will include the following tasks:

- Describe existing and future New York City solid waste disposal practices, including the collection system and disposal methods.
- Estimate existing solid waste generation and solid waste generation on the project site in the future without the proposed project.
- Project solid waste generation by the proposed project based on CEQR guidelines.
- Assess the impacts of the proposed project's incremental solid waste generation on the City's collection needs and disposal capacity.

TASK 12. TRANSPORTATION

The proposed project would generate new vehicular travel and parking demand, as well as generate additional pedestrian trips and trips by subway and local bus in the study area. These new trips have the potential to affect the area's transportation systems beginning in the proposed project's analysis year of 2020. Based on ~~preliminary~~ estimates provided in the Transportation Planning Factors & Travel Demand Forecast (TPF/TDF) Technical Memorandum included as Appendix 1, the proposed project is expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, and the Saturday midday peak hour. The proposed project is also expected to generate more than 200 subway trips in all peak hours, 50 or more peak hour bus trips in one direction along a bus route, as well as more than 200 project-generated pedestrian trips in all peak hours. Therefore, the transportation studies for the EIS will include the following analyses.

Travel Demand and Screening Assessment

Detailed trip estimates ~~will be~~were prepared using standard sources, including the *CEQR Technical Manual*, U.S. census data, approved studies, and other references. The trip estimates (Level-1 screening assessment) ~~will be~~were summarized by peak hour, mode of travel, as well as person and vehicle trips. The trip estimates ~~will~~ also identif~~y~~ied the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner reservoirs, and crosswalks. The results of these estimates ~~will be~~are summarized in ~~a~~ the ~~Transportation Planning Factors and Travel Demand Forecast~~TPF/TDF Technical ~~m~~Memorandum ~~for review and concurrence by the lead agency~~included in Appendix 1. In addition to trip estimates, preliminary detailed vehicle, pedestrian and transit trip assignments (Level-2 screening assessment) ~~will be~~were prepared to ~~validate~~ identify the intersections and pedestrian/transit elements selected for undertaking quantified analysis. As discussed below, for the assignment of project-generated vehicle trips, it was assumed that the currently existing

4PM – 7PM northbound left turn prohibition at the intersection of Tenth Avenue and West 41st Street would be removed by NYCDOT upon project implementation.

Traffic

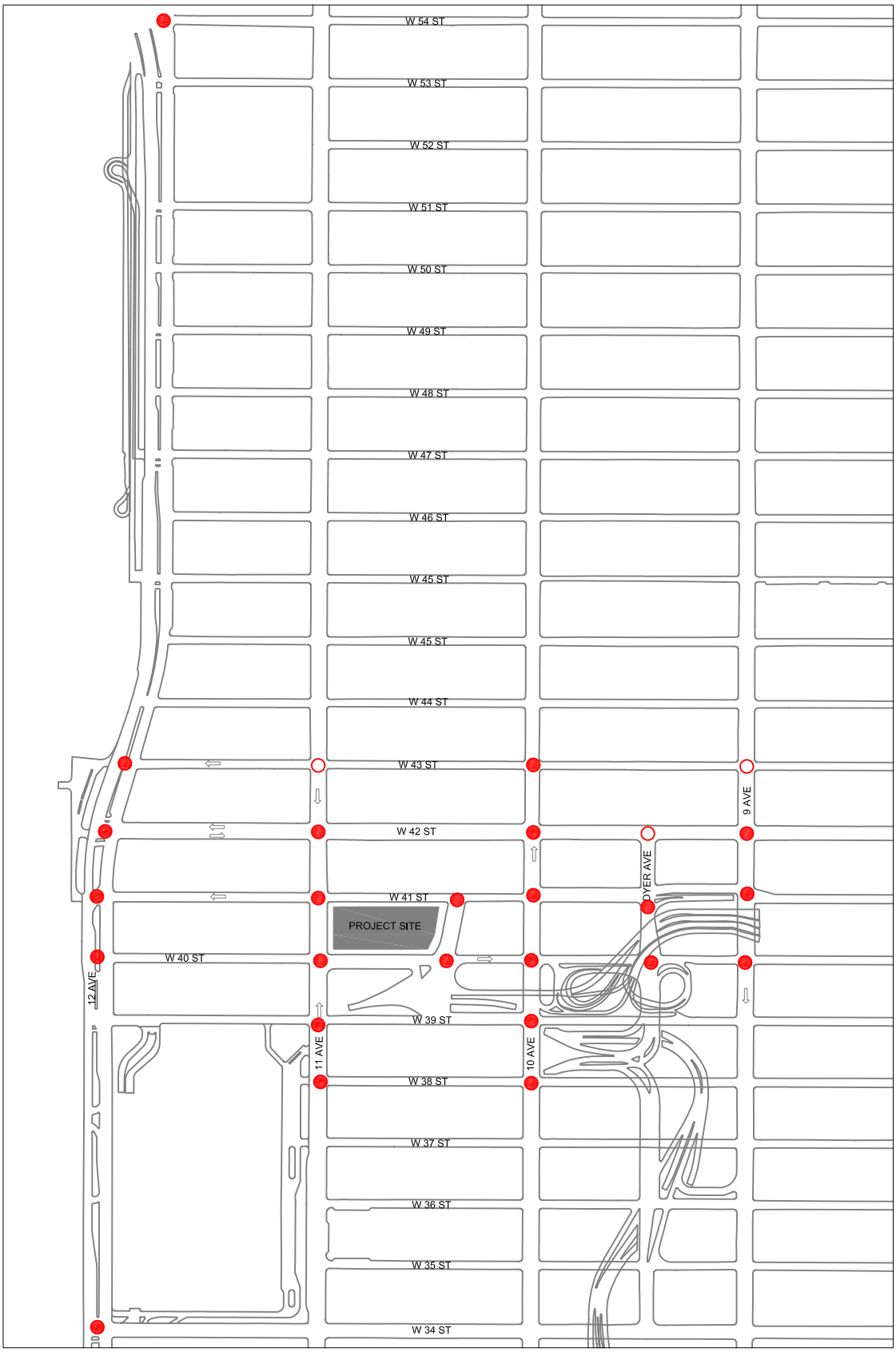
Under *CEQR Technical Manual* criteria, significant adverse impacts are considered unlikely and a detailed traffic assessment is typically not warranted if a proposed project would generate fewer than 50 new vehicle trips in any peak hour. Based on ~~preliminary~~ estimates as provided in the TPF/TDF Technical Memorandum (included as Appendix 1), the proposed project is expected to generate an increase of approximately 289 vehicular trips in the weekday AM, 502 in the midday, and 532 in the PM peak hours, and 624 in the Saturday midday peak hour, compared to No-Action conditions. Because the forecasted levels of new vehicular travel demand generated by the proposed project would exceed the 50-trip *CEQR Technical Manual* analysis threshold, the EIS will provide a detailed traffic analysis focusing on these peak hours.

Based on ~~preliminary~~ estimates, a total of 24 intersections have been selected for the analysis of traffic conditions (see Figure 12). These intersections, listed below, are where traffic generated by the proposed project is expected to be most concentrated based on a preliminary trip assignment.

1. 12th Avenue and West 54th Street
2. 12th Avenue and West 43rd Street
3. 12th Avenue and West 42nd Street
4. 12th Avenue and West 41st Street
5. 12th Avenue and West 40th Street
6. 12th Avenue and West 34th Street
7. 11th Avenue and West 42nd Street
8. 11th Avenue and West 41st Street
9. 11th Avenue and West 40th Street
10. 11th Avenue and West 39th Street
11. 11th Avenue and West 38th Street
12. ~~Cardinal Stepinac Place~~Lincoln Tunnel Approach (Galvin Avenue) and West 41st Street
13. ~~Cardinal Stepinac Place~~Lincoln Tunnel Approach (Galvin Avenue) and West 40th Street
14. 10th Avenue and West 43rd
15. 10th Avenue and West 42nd Street
16. 10th Avenue and West 41st Street
17. 10th Avenue and West 40th Street
18. 10th Avenue and West 39thStreet
19. 10th Avenue and West 38th Street
20. Dyer Avenue and West 41st Street
21. Dyer Avenue and West 40th Street
22. 9th Avenue and West 42nd Street
23. 9th Avenue and West 41st Street
24. 9th Avenue and West 40th Street

It should be noted that travel demand forecast and preliminary trip assignment were also conducted for a no parking alternative, which conservatively assumes that the below-grade parking in the proposed project would be occupied by retail uses (refer to TPF/TDF Technical Memorandum in Appendix 1). In addition to the 24 selected intersections listed above, the traffic analysis for the no parking alternative would also include the following three intersections.

Figure 12
Proposed Traffic Analysis Locations



Traffic Analysis Locations - RWCDS

Additional Traffic Analysis Locations - No Parking Alternative

- 11th Avenue and West 43rd Street
- 9th Avenue and West 43rd Street
- Dyer Avenue and West 42nd Street

The EIS traffic analysis will include the following tasks:

- Define a traffic study area to account for the principal travel corridors to/from the project site. Based on a ~~preliminary~~ travel demand forecast and preliminary vehicle trip assignments, ~~it is anticipated that~~ a total of approximately 24 and 27 intersections[8] were selected for detailed analysis for potential impacts during the weekday AM, midday and PM peak periods and the Saturday midday period for the RWCDS and a no parking alternative, respectively~~.~~ (refer to list of intersections above).
- Conduct traffic counts at traffic analysis locations via a mix of automatic traffic recorder (ATR) machine counts and manual intersection turning movement counts. ATRs will provide continuous 24-hour traffic volumes for a minimum of nine days (including two weekends) along the principal corridors serving the project site. Manual turning movement counts will be conducted during the weekday AM, midday and PM and Saturday midday peak periods. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as the New York City Department of Transportation (NYCDOT) and NYCDCP.
- Conduct travel speed and delay studies and vehicle classification counts along principal corridors in the study area to provide supporting data for air quality and noise analyses. These speed-and-delay studies and vehicle classification counts will be conducted in conjunction with the traffic volume counts.
- Inventory physical and operational data as needed for capacity analysis purposes at each of the analyzed intersections. The data collected will be consistent with current *CEQR Technical Manual* guidelines and will include such information as street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, parking regulations, and signal phasing and timing data. Official signal timings will be obtained from NYCDOT.
- Using *2000 Highway Capacity Manual* methodologies, determine existing traffic conditions at each analyzed intersection including capacities, volume-to-capacity (v/c) ratios, average control delays per vehicle and levels of service (LOS) for each lane group and intersection approach, and for the intersection overall.
- Identify planned projects that would be developed in the area in the future without the proposed project (the No-Action condition) and determine the associated future No-Action travel demand generated by these projects. The future traffic volumes from No-Action projects will be estimated using published environmental assessments or forecasted based on current *CEQR Technical Manual* guidelines, Census data, and/or data from other secondary sources. An annual growth rate of 0.25 percent per year for years one through five, and 0.125 percent per year for subsequent years, will also be applied to existing traffic volumes to account for general background growth through 2020 as per *CEQR Technical Manual* guidelines. Mitigation measures accepted for No-Action projects will also be reflected in the future No-Action traffic network as will any relevant initiatives planned by NYCDOT and other agencies. No-Action traffic volumes will be determined, v/c ratios and levels of service will be calculated, and congested intersections will be identified.

[8] As detailed analysis is conducted for the EIS, a need for additional analysis locations may be identified; the EIS will include any such additional analysis and provide an explanation for the additional analysis locations.

- Based on available sources, U.S. Census data, standard references, and other EIS documents, forecast the travel demand generated by the proposed project's residential, retail, and corporate apartment uses, and the modes of transportation expected to be used for these trips.
- Determine the volume of vehicle traffic expected to be generated by the proposed project, assign that volume of traffic in each analysis period to the approach and departure routes likely to be used, and prepare balanced traffic volume networks for the future condition with the proposed project (the With-Action condition) for each analysis period. It should be noted that, in order to improve vehicular site access, it is proposed to remove a currently existing turn prohibition at the intersection of Tenth Avenue and West 41st Street in coordination with NYCDOT upon project implementation. The prohibition currently bans northbound left turns from 4 PM – 7 PM with the exception of buses.
- Determine the resulting v/c ratios, delays and levels of service for the future With-Action condition, and identify significant traffic impacts in accordance with current *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area in consultation with the lead agency and NYCDOT. Potential traffic mitigation could include both operational and physical measures such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and new traffic signal installations. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Transit

Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest. The subway stations selected for analysis are determined based upon projected subway trip assignment patterns and the *CEQR Technical Manual* analysis threshold of 200 incremental trips per hour at any one station. An analysis of MTA New York City Transit (NYC ~~T~~ransit) bus routes is similarly considered warranted based on *CEQR Technical Manual* analysis thresholds of 200 total local bus trips in any one peak hour, and 50 incremental trips per direction per hour on any one bus route. As noted above, based on ~~preliminary~~ travel demand forecasts as provided in the TPF/TDF Technical Memorandum (included as Appendix 1), the proposed project is expected to generate an increase (compared to No-Action Conditions) of 562, 748, 934, and 890 subway trips during the weekday AM, midday and PM and Saturday midday peak hours, respectively. Based on a preliminary trip assignment, the proposed project is expected to exceed the CEQR screening threshold at the future 34th Street/Javits Convention Center station and the 42nd Street/Port Authority Bus Terminal (PABT) station during the peak weekday AM and PM commuter periods. The future 34th Street / Javits Convention Center station will be analyzed by comparing No-Action projections provided by the MTA with anticipated With-Action pedestrian volumes, while the transit analysis will provide a detailed analysis of Existing, No-Action and With-Action conditions of key stairways and entrance control areas of the 42nd Street / PABT station. ~~However, The future 34th Street/Javits Convention Center station will not be analyzed in detail as the station elements of this new station were designed to accommodate substantial growth on Manhattan's West Side, including the development sites in Hudson Yards, and therefore no impacts to this future station are expected.~~ Based on ~~preliminary~~ travel demand forecasts, the proposed project is expected to result in an increase (compared to the No-Action) of 195, 291, 314, and 683 bus riders in the weekday AM, midday, PM and Saturday midday peak periods, respectively. As the proposed project would potentially add 50 or more trips per direction through the peak load point on one or more bus route, a bus analysis is warranted.

Subway

The EIS analysis of the 42nd Street-PABT subway station and the future 34th Street / Javits Convention Center Station will include the following tasks:

- Conduct field counts during the weekday AM and PM peak hours to document existing usage at the 42nd Street-PABT subway station, focusing on those station elements (street stairs and fare control areas) most likely to be used by project-generated demand. Determine existing peak hour levels of service.
- Assess conditions at analyzed 42nd Street-PABT station elements in the 2020 analysis year in the future without the proposed project (the No-Action condition) based on annual background growth rates specified in the *CEQR Technical Manual* and anticipated demand from known developments in the vicinity of the project site.
- Assess conditions at analyzed 34th Street / Javits Convention Center station elements in the 2020 No-Action condition based on 2020 No-Action projections provided by the NYCT.
- Forecast future subway demand generated by the proposed project, assign trips to individual station elements, and add them to the future No-Action volumes to determine conditions in the future with the proposed project. Identify significant adverse impacts based on *CEQR Technical Manual* criteria.
- A detailed analysis of subway line-haul conditions for the A, C, E and 7 subway lines in the weekday AM and PM peak hour will be conducted if warranted.
- Mitigation needs and potential improvements will be identified, as appropriate, in conjunction with the lead agency and NYC ~~T~~ransit. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Bus

As noted above, the proposed project is expected to exceed the *CEQR Technical Manual* analysis threshold of 50 peak-direction on one or more bus route in the AM and PM peak hours. Therefore a detailed bus-line haul analysis will be performed for the AM and PM peak hours. The analysis will include documenting existing peak hour bus service levels and maximum load point ridership, determining conditions in the future No-Action condition, and assessing the effects of new project-generated peak hour trips. Bus transit mitigation, if warranted, will be identified in consultation with the lead agency and NYC ~~T~~ransit.

Pedestrians

Based on ~~preliminary~~ travel demand forecasts as provided in the TPF/TDF Technical Memorandum (included as Appendix 1), the proposed project is expected to generate a total of approximately 1,811, 3,942, 3,525 and 4,002 pedestrian trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. These trips would include walk-only trips as well as pedestrian trips en route to and from area transit facilities (subway stations and bus stops) and off-site parking facilities. Project-generated pedestrian demand is expected to be most concentrated on sidewalks and crosswalks in the immediate vicinity of the project site. A quantitative analysis of pedestrian conditions will therefore be prepared focusing on those sidewalks, corner areas and crosswalks in the vicinity of the project site expected to be used by 200 or more project-generated pedestrian trips during one or more peak hours. ~~Based on preliminary estimates, p~~Project generated pedestrian trips are expected to be concentrated along the north-south corridors of Eleventh and Tenth Avenues between West 42nd and West 39th Streets, as well as along local east-west streets including West 40th, West 41st, and West 42nd Streets between Eleventh and Eighth Avenues. The pedestrian analysis will therefore focus on sidewalks,

crosswalks, and corners along these corridors (see Figure 13). The analysis will evaluate existing and No-Action conditions during the weekday AM, midday and PM and Saturday midday peak hours, and the potential for incremental demand from the proposed project to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and NYCDOT.

Vehicular and Pedestrian Safety

Examine vehicular and pedestrian safety issues. Accident data for the study area intersections from the most recent three-year period will be obtained from NYCDOT. These data will be analyzed to determine if any of the studied locations may be classified (using CEQR criteria) as high vehicle crash or high pedestrian/bike accident locations and whether trips and changes resulting from the proposed project would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

Parking

Parking demand generated by the proposed project is expected to exceed the 200 spaces that may be provided as part of the proposed project. As the ~~on-site~~ parking supply that may be provided on-site would not accommodate projected demand, the following tasks will be included in the EIS:

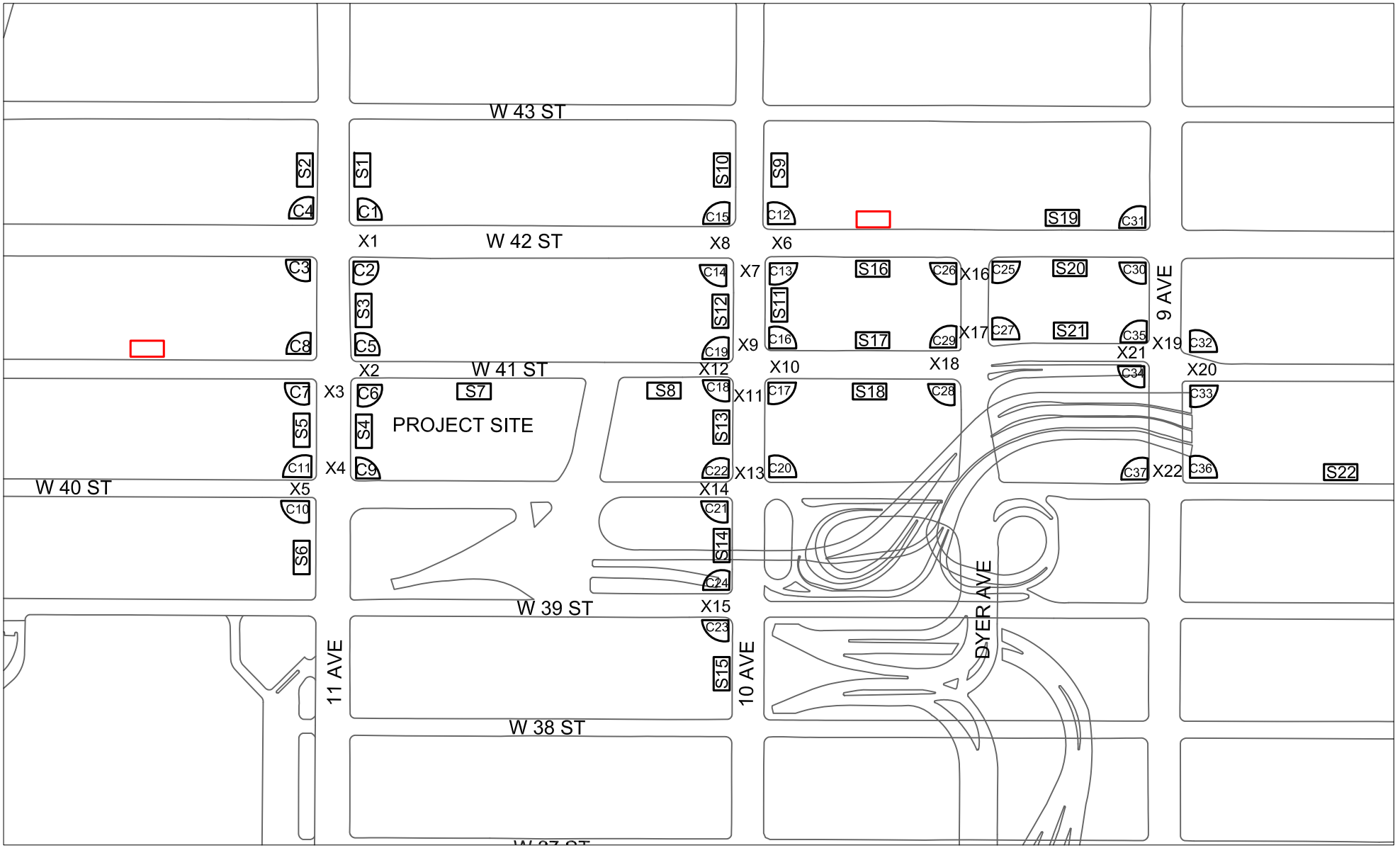
- Conduct an inventory of the public parking lots and garages in the study area, noting their locations, capacities, and peak weekday and Saturday utilization levels.
- Project future parking availability based on anticipated background growth rates and forecasts of demand from new development. Any existing off-street parking facilities expected to be displaced or new facilities expected to be developed in the future will be reflected in this assessment.
- Evaluate the capacity of the off-street parking system to accommodate any overflow parking demand from the project site. Any potential parking shortfall within the study area will be identified.

TASK 13. AIR QUALITY

CEQR Technical Manual criteria require an air quality assessment for actions that can result in significant air quality impacts. There are mobile source impacts that could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. There are mobile source impacts that could be produced by parking facilities, parking lots or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; when they add uses near existing or planned future emissions stacks, and the new uses might be affected by the emissions from the stacks, or when they add structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses.

Mobile Source Analysis

Carbon monoxide (CO) and particulate matter (PM) are the primary pollutants of concern for microscale mobile source air quality analyses, including assessments of roadway intersections and parking garages.



Legend:

C5 Corner to be analyzed

X3 Crosswalk to be analyzed

S13 Sidewalk to be analyzed

Additional sidewalk to be analyzed in No Parking Alternative

NOTE: *As detailed analysis is conducted for the EIS, a need for additional analysis locations may be identified; the EIS will include any such additional analysis and provide an explanation for the additional analysis locations.*

520 West 41st Street

Figure 13
Preliminary Pedestrian Analysis Locations

There is a potential that traffic generated by the proposed project may exceed the *CEQR Technical Manual* carbon monoxide (CO) analysis screening threshold of 140 vehicles at one or more intersections within the study area. In addition, the projected number of heavy-duty trucks or equivalent vehicles may exceed the applicable fine particulate matter ($PM_{2.5}$) screening thresholds in the *CEQR Technical Manual*. As such, emissions generated by the increased traffic at congested intersections have the potential to increase CO and $PM_{2.5}$ concentrations at nearby sensitive land uses. Of primary concern from the mobile sources would be the 8-hour ambient air quality standard for carbon monoxide (CO) and the NYCDEP de minimis criteria near any of these locations. A determination would also be made as to whether the project-generated vehicles would result in an exceedance of the City's $PM_{2.5}$ *de minimis* criteria. Mobile source emissions of nitrogen dioxide (NO_2) will be discussed qualitatively.

The specific work program for the mobile source air quality study will include the following tasks:

Screening Analysis

If the number of project-generated vehicle trips exceeds the *CEQR Technical Manual* screening thresholds, detailed analyses of mobile source emissions of CO and particulate matter (PM) on ambient pollutant levels in the study area will be performed in the EIS. For the proposed project, the threshold for conducting an analysis of CO emissions corresponds to 140 project-generated vehicles at a given intersection in any peak hour. The need for conducting an analysis of PM emissions is based on the number of project-generated peak hour vehicles including heavy-duty diesel vehicles (or its equivalent in vehicular $PM_{2.5}$ emissions) as determined using the worksheet provided in the *CEQR Technical Manual*. $PM_{2.5}$ threshold for potential impacts is 23 heavy duty diesel trucks (HDDV) or its equivalent in light duty vehicles (LDGT1), for principal and minor arterials, or expressways and limited access roads. These are the type of roads affected by the proposed project.

Detailed Analysis

If there are intersections where the *CEQR Technical Manual* volume threshold would be exceeded, a detailed CO and/or $PM_{2.5}$ analysis will be conducted as detailed below. Based on the *CEQR Technical Manual* recommendations, the three worst intersections with projected incremental traffic increases above the *CEQR Technical Manual* threshold will be selected for the CO analysis. The worst intersections would have the highest traffic volume, highest project-generated increments and/or would have the worst level of service (LOS). An additional intersection (or one of the already selected CO intersections) that has project-generated increment that exceeds $PM_{2.5}$ *CEQR Technical Manual* threshold would be selected for the $PM_{2.5}$ analysis. The refined U.S. Environmental Protection Agency (EPA) CAL3QHC/R intersection model will be used to predict the maximum change in CO or $PM_{2.5}$ impacts as appropriate. The most recent available five years of hourly meteorological data from LaGuardia airport will be used with the CAL3QHCR runs. Vehicular cruise and idle emissions for the dispersion modeling will be estimated using EPA's MOVES2010b model for the Existing, With-Action and No-Action (if vehicle characteristics are different) conditions for the appropriate peak periods for CO and for the required four seasons for $PM_{2.5}$. Existing and future predicted total CO concentrations (including background levels) will be compared with the appropriate CO NAAQS and with *CEQR Technical Manual* CO criteria. Incremental $PM_{2.5}$ concentrations will be compared with the *CEQR Technical Manual* thresholds for $PM_{2.5}$. Mitigation measures will be explored, as necessary.

In addition to the intersection analysis, impacts of emissions from the traffic entering the Lincoln Tunnel will be screened to determine whether there is a potential for significant adverse air quality impacts following the procedures outlined in the *CEQR Technical Manual*. The peak hour project-generated traffic volume at the approaches to the Lincoln Tunnel entrance between West 39th and West 40th Streets and the Lincoln Tunnel Approach (Galvin Avenue) and 11th Avenue will be used in the screening.

Estimated results will be compared to City's CO and $PM_{2.5}$ de minimis criteria as well as the 8-hour CO and 24-hour PM_{10} NAAQS.

Garage Analysis

Potential Garage within Proposed Development

The proposed project may include a 200-space accessory below-grade mechanically ventilated parking facility. An air quality analysis will be conducted to estimate potential impacts of the proposed parking garage following the appropriate CEQR guidelines. It is assumed that predominantly gasoline-fueled autos would use this facility and therefore an~~d~~ analysis of CO and PM concentrations is warranted. The maximum total 8-hour CO concentration (i.e., including garage vent impact, street traffic contributions, as applicable, and background concentration) will be estimated using the approach specified in the *CEQR Technical Manual* and compared to the CO NAAQS of 9.0 ppm. The CEQR Spreadsheet for garage CO analysis will be updated using MOVES emission factors. PM impacts would be evaluated in accordance with *CEQR Technical Manual* guidelines.

Quill Bus Depot Garage

The analysis of emissions from the Quill Bus Depot will follow the *CEQR Technical Manual* procedures and the *No. 7 Subway Line Extension and Hudson Yards Rezoning FGEIS* (the "HY FGEIS") Quill Bus Depot analysis. Traffic volumes estimated in the FGEIS will be checked and confirmed with the NYCT and the most current volumes will be used in this analysis. Bus emissions will be updated with the current USEPA MOVES2010b mobile source emissions model in conformance with the NYCDEP procedures/guidance. The analysis will consider CO, PM_{10} and $PM_{2.5}$ as pollutants of concern following the HY FGEIS and *CEQR Technical Manual* guidance for mobile sources. Impacts on nearby elevated and pedestrian-level receptors at near and far sidewalks adjacent to the garage vent will be calculated and compared to NYC's CO and $PM_{2.5}$ de minimis criteria as well as the 24-hour PM_{10} NAAQS. The line source contribution analysis would be included for the far receptor located at the sidewalk opposite the garage entrance. Another analysis using AERSCREEN would estimate impact of the Quill Bus Depot emissions exhausted through the Eleventh Avenue louvers at the side of the Quill Bus Depot building at the Eleventh Avenue property line of the proposed development.

Stationary Source Analysis

HVAC Screening

A screening analysis will be performed to determine whether emissions from any on-site fuel fired heating ventilation and air conditioning systems (HVAC) are significant. The screening analysis will evaluate the effect of nitrogen dioxide (NO_2) and particulate matter ($PM_{2.5}$) emissions from the proposed project's HVAC sources on sensitive uses within the surrounding area. The screening analysis will use the procedures outlined in the *CEQR Technical Manual*. The procedure involves determining the distance (from the exhaust point) within which potential significant impacts may occur, on elevated receptors (such as operable windows) that are of an equal or greater height when compared to the height of the proposed project's HVAC exhaust. The distance within which a significant impact may occur is dependent on a number of factors, including the height of the discharge, type(s) of fuel burned and development size. Current schematic concept plans show two boiler stacks, one on the top of the podium roof of the proposed project ~~in the vicinity of the residential tower~~ and one on the roof of the proposed project's residential tower. As the proposed residential tower will be much taller than the surrounding buildings, its HVAC emissions would not significantly impact existing land uses. Therefore, a

screening analysis will be performed, but it is anticipated that no HVAC modeling analysis of emissions from the residential tower would be warranted. However, emissions from the boiler stack on the podium roof may potentially affect residential uses of the tower and surrounding residential buildings. HVAC screening analysis of the podium stack will be conducted following *CEQR Technical Manual* procedures and, if warranted, more detailed analysis would be conducted using AERMOD.

Impacts from Existing Emission Sources

The *CEQR Technical Manual* requires an assessment of any actions that could result in the location of sensitive uses within 400 feet of emission sources associated with commercial, institutional, or large-scale residential developments where the proposed structure would be of a height similar to or greater than the height of an existing emission stack. There are two existing large residential buildings (the Silver Towers and the Victory) and the Quill Bus Depot within a 400-foot radius from the project site, which may potentially impact the proposed project. As such, screening analysis will be conducted to determine whether existing HVAC stacks have a potential to significantly impact the proposed project. It is assumed that the screening analysis would be sufficient for this project and no refined analysis using AERMOD will be required, but the analysis presented in the DEIS will confirm whether a screening analysis is sufficient.

Lincoln Tunnel Ventilation Building

One of the three Lincoln Tunnel Ventilation Buildings is located on West 39th Street and Eleventh Avenue within 400 feet of the project site. Impact of the Lincoln Tunnel ventilation buildings' exhaust was previously analyzed in the HY FGEIS. That analysis was conservative as it included exhaust of all three ventilation buildings and emissions from traffic through the Lincoln Tunnel generated by all proposed development assumed for the HY FGEIS. The FGEIS analysis results were below the *CEQR Technical Manual* de minimis criteria for CO and $PM_{2.5}$ and below applicable CO and PM_{10} NAAQS. As such, analysis of the 39th Street Lincoln Tunnel Ventilation Building will be quantitative based on the current Lincoln Tunnel traffic and emission rates. Current traffic volumes through the Lincoln Tunnel will be compared to the traffic volumes used in the HY FGEIS to determine whether any significant changes to the results of the FGEIS at the proposed project site could be expected.

Air Toxics Analysis

A field survey will be performed to determine if there are any manufacturing or processing facilities in or within 400 feet of the project site. In addition, a search of federal and state air permits and DEP's Bureau of Environmental Compliance (BEC) files will be performed to determine if there are permits for any sources of toxic air compounds from industrial processes. An industrial source screening analysis as per the *CEQR Technical Manual* guidelines will be conducted for the MTA's Quill Bus Depot and the manufacturing or processing facilities, if any are identified within 400 feet of the proposed development. Short-term and annual concentrations of non-criteria pollutants at the proposed project will be estimated. Predicted worst-case impacts will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts. In the event that exceedances of guidance concentrations are predicted using the screening technique, more refined dispersion modeling (using USEPA's AERMOD dispersion model) will be employed in accordance with the *CEQR Technical Manual*.

~~As diesel buses are a substantial source of $PM_{2.5}$ emissions, any potential for air quality effects on the proposed project resulting from emissions from the nearby MTA Quill Bus Depot will be assessed and described. If the MTA Quill Bus Depot conducts maintenance of buses or other air toxic related~~

~~activities, its air toxic emissions will be assessed using the industrial source screening analysis technique. Information on the operations of the Bus Depot (such as the percentage of diesel buses, total bus population, and departures and arrivals by hour of the day) will be used to determine Bus Depot emissions. CEQR industrial screening technique will be used to determine the potential impact of the MTA Quill Bus Depot emissions on the proposed project. It is assumed that the screening technique will be sufficient to demonstrate compliance with the annual and short term guideline concentrations and no refined analysis will be required. If it is found otherwise, a detailed analysis would be conducted in accordance with the *CEQR Technical Manual*.~~

~~A search would be conducted to find other industrial sources within the 400 foot radius of the proposed project. If such sources are found, further screening analysis of their impacts would be performed. It is assumed that the screening technique will be sufficient to demonstrate compliance with the annual and short term guideline concentrations and no refined analysis will be required.~~

TASK 14. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

As the proposed project would exceed 350,000 sf of development, the analysis of Greenhouse Gas (GHG) emissions will be included as a separate chapter in the EIS. As stated in the EAS, the project site is not susceptible to storm surge and coastal flooding, and an assessment of climate change is not warranted.

- Sources of GHG from the proposed project will be identified. The pollutants for analysis will be discussed, as well as the various city, state, and federal goals, policy, regulations, standards and benchmarks for GHG emissions.
- Fuel consumption will be estimated for the proposed project based on the calculations of anticipated energy use for the proposed project.
- GHG emissions associated with project-related traffic will be estimated for the proposed project using data from the project's "Transportation" analysis. A calculation of Vehicle Miles Traveled (VMT) will be prepared.
- The types of construction materials and equipment proposed will be discussed along with opportunities for alternative approaches that may serve to reduce GHG emissions associated with construction.
- A qualitative discussion of stationary and mobile sources of GHG emissions will be provided in conjunction with a discussion of goals for reducing GHG emissions to determine if the proposed project is consistent with GHG reduction goals, including building efficient buildings, use of clean power, transit-oriented development and sustainable transportation, reduction of construction operations emissions, and use of building materials with low carbon intensity.

TASK 15. NOISE

For the proposed project, there are two major areas of concern regarding noise: (1) the effect the proposed project would have on noise levels in the adjacent community; and (2) the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements.

The proposed project will generate vehicular trips, but given the background conditions and the anticipated project-generated traffic, it is not expected that project-generated traffic would be likely to result in significant noise impacts. However, a screening assessment will be performed to determine

whether there are any locations where there is the potential for the proposed project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project-generated traffic. A detailed analysis of potential noise impacts due to outdoor mechanical equipment is not required because the project's outdoor mechanical equipment would be designed to meet applicable regulations. Based on the analysis presented in the 2005 *No. 7 Subway Line Extension and Hudson Yards Rezoning FGEIS*, an (E) designation requiring 35 dBA of window/wall attenuation was placed on the site. However, the measurements on which that (E) designation was based are now almost ten years old, and there has been development in the area since that time. Consequently, an updated building attenuation analysis based on new site-specific measurements will be performed. The noise analysis will focus on the level of building attenuation necessary to meet CEQR interior noise level requirements. The building attenuation study will be an assessment of noise levels in the surrounding area associated primarily with traffic and nearby uses, including stationary sources such as the Con Edison electrical substation across West 41st Street, and their potential effect on the proposed project as follows:

- Based on the traffic studies, perform a screening assessment to determine whether there are any locations where there is the potential for the proposed project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project-generated traffic. If it is determined that Noise PCEs would double at any sensitive receptor, a detailed analysis would be conducted in accordance with the *CEQR Technical Manual* guidelines.
- Appropriate noise descriptors for building attenuation purposes would be selected. Based on CEQR criteria, the noise analysis would examine the L_{10}, and 1-hour equivalent ($L_{eq(1)}$) noise levels.
- Existing noise levels will be measured at the project site; these measurements will include background noise from existing sources in the study area. Measurements will be made at up to six (6) street level receptor locations adjacent to the project site. At each receptor site, 20-minute measurements will be performed during typical weekday AM, midday, and PM peak periods and during the Saturday midday peak period. L_1, L_{10}, L_{50}, L_{90}, L_{min}, and L_{max} values will be recorded. L_{10} values will be used to determine conformance with CEQR guideline levels. In addition, continuous 24-hour noise level measurements would be conducted at an elevated location in order to evaluate the noise emanating from the Con Edison facility across the street to determine whether it should be separately accounted for in the DEIS.
- The results of the noise measurement program will be analyzed and tabulated. Traffic classification counts during the monitoring period will be tabulated. Monitored noise levels will be adjusted to existing noise levels using existing traffic volumes and the proportionality equation.
- Determine the level of attenuation necessary to satisfy CEQR criteria. The *CEQR Technical Manual* provides recommended levels of building attenuation to achieve acceptable levels of interior noise (which are assumed to be 45 dBA $L_{10(1)}$ for residential uses and 50 dBA $L_{10(1)}$ for office and retail uses). The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels and will be determined. Projected future noise levels will be compared to appropriate standards and guideline levels.
- As necessary, recommendations regarding general noise attenuation measures needed for the proposed project to achieve compliance with standards and guideline levels will be made.

TASK 16. PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing

inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in certain CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas in accordance with *CEQR Technical Manual* guidelines.

TASK 17. NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The proposed project has the potential to alter certain constituent elements of the surrounding area's neighborhood character, including traffic levels, and therefore an analysis will be provided in the EIS. The chapter will summarize changes that can be expected in the character of the neighborhood in the future without the proposed project (No-Action condition) as well as describing the proposed project's impacts on neighborhood character. Subtasks will include:

- Describe the predominant factors that contribute to defining the character of the neighborhood, drawing on relevant EIS chapters.
- Summarize changes in the character of the neighborhood that can be expected in the future No-Action Condition based on planned development projects, public policy initiatives, and planned public improvements, as applicable.
- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition, based on the proposed project, and compare to the future No-Action condition. A qualitative assessment will be presented that will include a description of the potential effects of the proposed project on neighborhood character.

TASK 18. CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect traffic conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials. For the EIS, the construction schedule and logistics for the proposed project will be described, along with a discussion of the likely staging areas, anticipated construction activities and equipment, and estimates of construction workers and truck deliveries. In addition, given the presence of below-grade easements for Amtrak and the No. 7 tunnel, a discussion of potential construction-period effects on these facilities would also be provided. The analysis will be based on the peak construction period of the project. Technical areas to be analyzed include the following:

- ***Transportation Systems.*** The preliminary assessment will consider potential losses in lanes, sidewalks, on-street parking, and effects on other transportation services, if any, during the construction of the proposed project. It will also identify the construction-period increase in vehicle

trips from construction workers and deliveries. A reasonable worst-case peak construction year (or years, if applicable) will be selected for the assessment of potential transportation-related construction impacts and a determination of likely required mitigation measures. Based on the conclusions of the preliminary assessment, including estimates for construction workers and truck deliveries, a detailed construction traffic analysis may be required for weekday construction peak hours to determine the potential for construction-related impacts. If warranted, the number of intersections selected for quantitative analysis will be finalized (or modified) based on a comparison of the construction-related traffic to the traffic assumed in the operational traffic analysis and the *CEQR Technical Manual* for Level 1 and 2 screenings for construction traffic once construction details are finalized. In addition, construction worker parking demand will be estimated and compared to the area's parking resources. For transit and pedestrians, most construction-related trips would be made outside of commuter peak hours during which background levels are considerably lower. If the preliminary assessment concludes that further analysis is warranted, a detailed construction period analysis of transit and/or pedestrian conditions would be prepared following the guidelines of the *CEQR Technical Manual*.

- ***Air Quality.*** Large-scale construction that lasts more than two years has the potential to result in air quality impacts. The project's construction period exceeds the "short-term" duration criterion of 2 years and the construction site would be located near sensitive receptors, sidewalks and residential uses. Therefore, a quantitative construction analysis will be conducted for the proposed project in accordance with *CEQR Technical Manual* ~~CEQR~~ criteria. The refined air quality stationary source and mobile source air quality analyses will be conducted following the *CEQR Technical Manual* procedures. The construction air quality impact section will address both mobile air source emissions from construction equipment and worker and delivery vehicles, and fugitive dust emissions. ~~It will also~~This analysis will ~~address~~ apply measures to reduce impacts consistent with any developer commitments and may include components such as: diesel equipment reduction; clean fuel; best available tailpipe reduction technologies; utilization of equipment that meets specified emission standards; and fugitive dust control measures, among others. The analysis will review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations.
- ***Noise***. The construction noise impact section will address noise from construction activities. For construction equipment, appropriate recommendations will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will review the projected construction-related activities and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive receptors. The assessment will also consider mobile source noise from construction workers' vehicles and delivery trucks. Noise PCEs from mobile sources will be calculated for the construction No-Action and construction With-Action and compared to the PCEs for 2020 With-Action Conditions. If the construction With-Action PCEs exceed 2020 With-Action PCEs, further analysis will be undertaken to determine the potential for a 3 dBA increase during two construction peak periods. If the construction With-Action noise PCEs would be less than the 2020 With-Action PCEs, then no further analysis of construction traffic noise would be warranted. If significant impacts are identified, mitigation measures that could be implemented, that would be practicable, feasible, and effective will be identified.
- ***Historic and Cultural Resources***. As noted under Task 7: Historic and Cultural Resources, Saints Cyril & Methodius and Saint Raphael's Croatian Catholic Church is located in proximity of the project site. In coordination with the work performed for historic resources above, identify the potential for construction-period impacts, and summarize actions to be taken during construction to protect any adjacent historic resources from potential construction impacts.
- ***Hazardous Materials***. In coordination with the work performed for the hazardous materials task above, the EIS will contain a summary of actions to be taken during project construction to limit

exposure of construction workers, residents and nearby workers to potential contaminants, including preparation of a Construction Health and Safety Plan (CHASP) that would be submitted to NYCDEP for approval.

- ***Other technical areas***. As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.

TASK 19. MITIGATION

Where significant adverse project impacts have been identified in any of the above tasks, measures to mitigate those impacts will be described. These measures will be developed and coordinated with the responsible City/State agencies as necessary, including NYCDOT, NYCDEP, NYC School~~s~~ Construction Authority, NYC Department of Parks & Recreation, and the Landmarks Preservation Commission. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TASK 20. ALTERNATIVES

The purpose of an alternatives analysis in an EIS is to examine reasonable and practical options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed project. The alternatives are usually defined once the full extent of the proposed project's impacts has been identified, however, they must include the No-Action Alternative, as required by SEQRA, and may include an alternative(s) that reduces any identified significant adverse impacts. The EIS would also include an alternative that considers the proposed project without the proposed accessory parking, as well as a no unmitigated impacts alternative. In addition, the EIS is expected to include an As-of-Right Alternative that evaluates a 6.0 FAR residential development on the project site that reserves at least 50,000 sf of the site for future commercial development, in accordance with current zoning requirements. The alternatives analysis is primarily qualitative, except where significant adverse impacts of the proposed project have been identified. The level of analysis depends on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

TASK 21. SUMMARY EIS CHAPTERS

In accordance with CEQR guidelines, the EIS will include the following three summary chapters, where appropriate to the proposed project:

- **Unavoidable Adverse Impacts** - which summarizes any significant adverse impacts that are unavoidable if the proposed project is implemented regardless of the mitigation employed (or if mitigation is not feasible).
- **Growth-Inducing Aspects** of the proposed project - which generally refer to "secondary" impacts of a proposed project that trigger further development.
- **Irreversible and Irretrievable Commitments of Resources** - which summarizes the proposed project and its impacts in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK 22. EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the proposed project, the necessary approvals, study areas, environmental impacts predicted to occur, measures to mitigate those impacts, unmitigated and unavoidable impacts (if any), and alternatives to the proposed project. The executive summary will be written in sufficient detail to facilitate drafting of a Notice of Completion for the EIS by the lead agency.

APPENDIX 1

Transportation Planning Factors and Travel Demand Forecast Technical Memorandum

Philip Habib & Associates

Engineers and Planners • 102 Madison Avenue • New York, NY 10016 • 212 929 5656 • 212 929 5605 (fax)

TO: **NYCDCP**

FROM: **Philip Habib & Associates**

DATE: **November 10th, 2014**

PROJECT: **520 West 41st Street Development EIS**

RE: **Transportation Planning Factors & Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the analyses of traffic, parking, transit, and pedestrian conditions for the EIS for the proposed mixed-use, primarily residential development (the "proposed development") at 520 West 41st Street on the west side of Manhattan. Estimates of the proposed development's peak travel demand are provided, along with a discussion of trip assignment methodologies and study area definitions.

THE PROPOSED ACTION

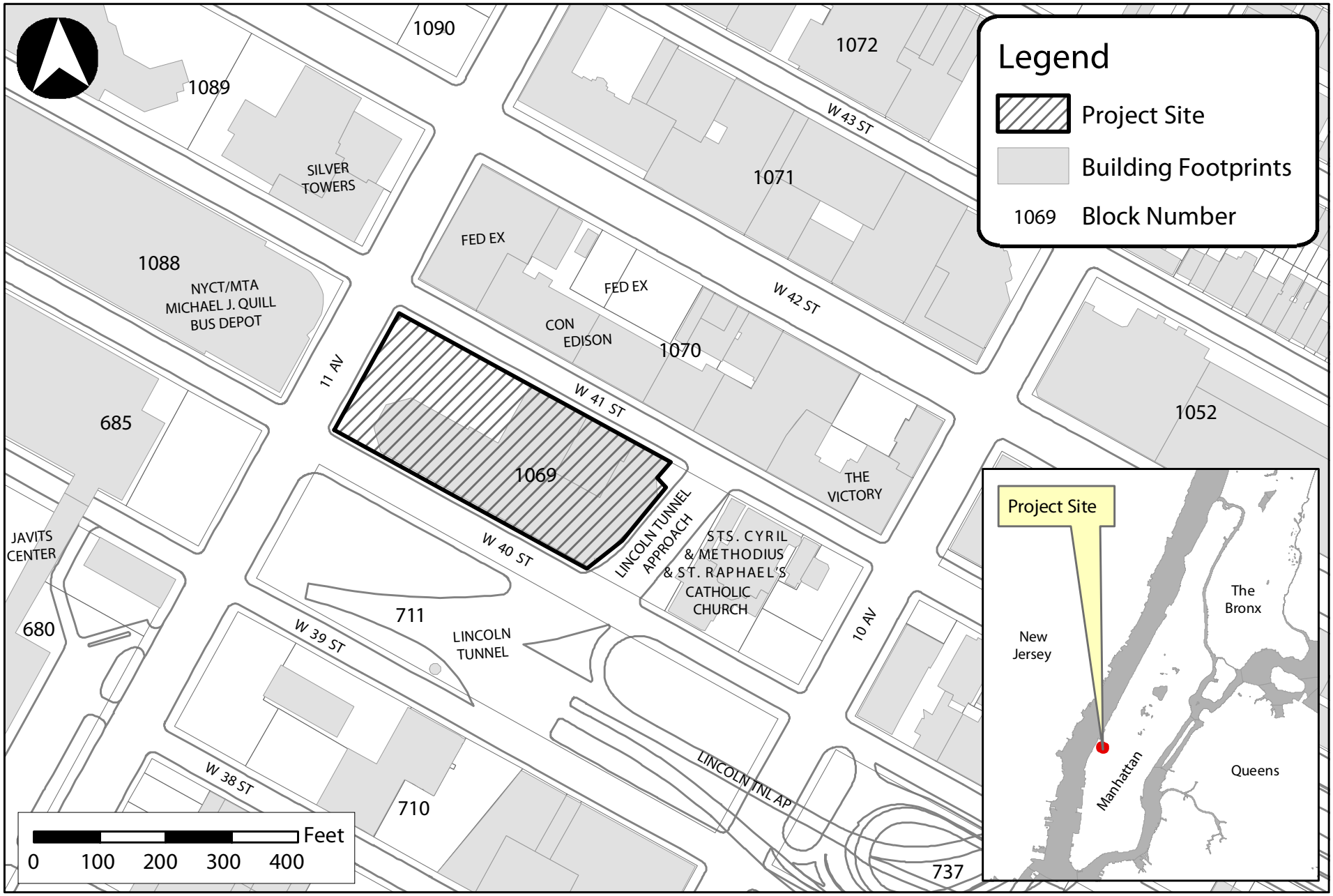
The applicant, Silverstein Development Corp. ("the applicant"), is requesting a zoning text amendment to facilitate a new mixed-use, predominantly residential development in Manhattan Community District 4 (refer to site location map in Figure 1).

The development site consists of Block 1069, Lot 1 (see Figure 1). The applicant is proposing to redevelop this site with up to 1,400 residential units, approximately 300,000 gross square feet (gsf) of local and destination retail, and approximately 175,000 gsf of commercial space that would be occupied by 175 corporate suites (i.e. Hotel Use), for a total of approximately 1.7 million gsf of development). The proposed project may also include a 200-space accessory parking garage located below grade. It should be noted that the EIS will analyze a no parking alternative in the "Alternatives" chapter, as discussed in more detail below.

It should also be noted that the exact split between destination and local retail has not yet been determined. However, it is anticipated that the retail component would predominantly consist of destination retail uses. For transportation planning purposes, it is assumed that 225,000 gsf would be destination retail, while 75,000 gsf would be local retail, as shown below in Table 3.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the potential effects of the Proposed Project, a reasonable worst-case development scenario (RWCDS) for both "future without the Proposed Project" (No-Action) and "future with the Proposed Project" (With-Action) conditions will be analyzed for an analysis year, or Build year, of 2020.



520 West 41st Street

Figure 1
Project Site Location

The With-Action scenario identifies the amount, type and location of development that is expected to occur by the end of 2020 as a result of the Proposed Project. The No-Action scenario identifies similar development projections for 2020 absent the Proposed Project. The effect of the Proposed Project would be the incremental change in conditions between the No-Action and With-Action scenarios.

The Future Without the Proposed Project (No-Action Condition)

The project site is currently occupied by a vacant building that was formerly used as an auto dealership. It is anticipated that in the future without the Proposed Project a new one-story auto dealership would be developed on the site after it is cleared in order to complete the required remediation of the site per the New York State Department of Environmental Conservation's (NYSDEC) Brownfield Cleanup Program (BCP). Such a use is allowed as-of-right pursuant to current zoning, and would entail minimal investment in infrastructure and construction.

Therefore, the development site would accommodate a single-story, approximately 83,000 gsf auto showroom building under the No-Action Scenario. The building would be built-out to West 41st Street, 11th Avenue, and West 40th Street, with a main entrance mid-block on West 41st Street. Existing curb cuts on West 41st Street would provide vehicular access to the site.

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

The development program and building design for the applicant's proposed development, as described below, would represent the reasonable worst case development scenario for environmental analysis purposes.

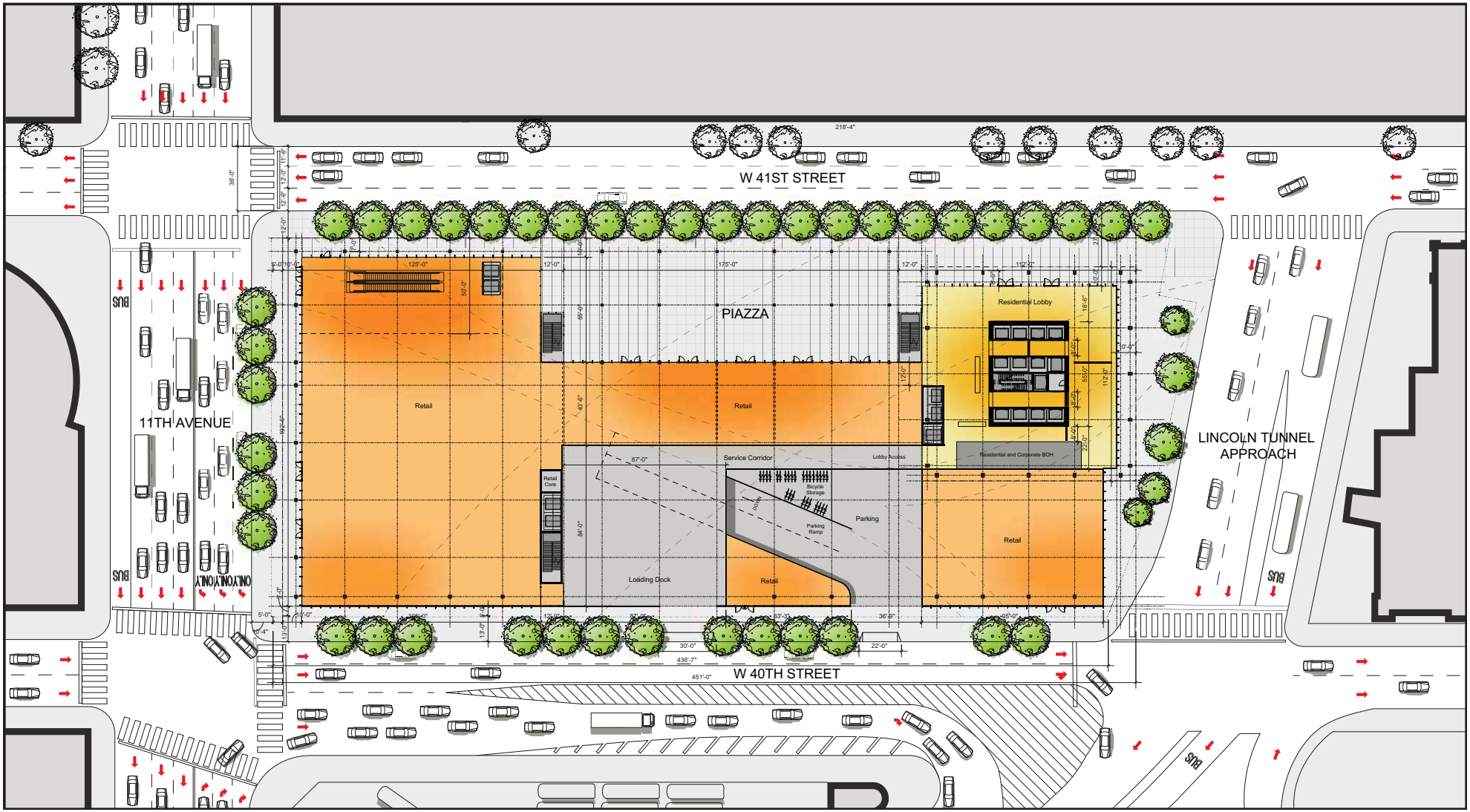
Description of the Proposed Development

The proposed development facilitated by the Proposed Action would consist of an approximately 1,100-foot tall building and would include the following components:

- Up to approximately 1,140,000 gross square feet (gsf) of residential floor area, comprised of a total of up to 1,400 dwelling units.
- Approximately 300,000 gsf of retail space.
- Approximately 175 corporate suites (to be considered a hotel use for transportation analysis purposes), which would occupy approximately 175,000 gsf of commercial space.
- Approximately 200 accessory parking spaces.

The proposed development's illustrative site plan is provided in Figure 2. The proposed development is expected to be completed by 2020.

As summarized in Table 1, compared to future conditions without the Proposed Project, the RWCDS anticipates that the Proposed Action would result in a net increase of 1,400 dwelling units (approximately 1,140,000 gsf), 392,000 gsf of commercial space, and 200 accessory parking spaces. This net increment would represent the basis for environmental analyses in the EIS.



Courtesy of Silverstein Properties

FOR ILLUSTRATIVE PURPOSES ONLY

520 West 41st Street

Figure 2

Proposed Project - Illustrative Site Plan

Proposed Changes to the Study Area Street Network

It should be noted that there is currently a northbound left turn prohibition at the intersection of 10th Avenue and West 41st Street from 4 PM – 7 PM, with the exception of buses. In order to improve vehicular site access, it is proposed to remove this turn prohibition in coordination with NYCDOT upon project implementation.

Table 1: Net Change in Land Uses as a Result of the Proposed Development

Use	**No-Action**	**With-Action**	**Net Increment**
Residential	0 gsf 0 DU	1,140,000 gsf 1,400 DU	1,140,000 gsf 1,400 DU
Commercial	83,000 gsf	475,000 gsf	392,000 gsf
Parking Spaces - Accessory	0	200	200

No Parking Alternative

As noted above, the EIS will conservatively analyze a no parking alternative, in which the total building gsf would remain the same, and the 38,000 gsf occupied by below-grade parking in the proposed project are assumed to be occupied by retail uses instead (see Table 2).

Table 2: Net Change in Land Uses as a Result of the Proposed Development – No Parking Alternative

Use	**No-Action**	**With-Action**	**Net Increment**
Residential	0 gsf 0 DU	1,140,000 gsf 1,400 DU	1,140,000 gsf 1,400 DU
Commercial	83,000 gsf	513,000 gsf	430,000 gsf
Parking Spaces - Accessory	0	0	0

PRELIMINARY TRANSPORTATION PLANNING ASSUMPTIONS

Table 3 shows the preliminary transportation planning assumptions to be used in the forecast for the RWCDS. Table 3 provides the daily trip generation rates, temporal and directional distributions, mode choice factors, vehicle occupancies and truck trip factors for each of the land uses discussed above. The transportation planning assumptions presented in Table 3 are discussed in more detail below.

Destination Retail

The trip generation rates and the temporal distributions for the destination retail component of the proposed development were based on the *2014 CEQR Technical Manual*. The modal and directional in/out splits were based on the *606 West 57th Street FEIS (2014*). The vehicle occupancy rates were based on *Gateway Estates II FEIS* as per guidance by NYCDOT. Trip generation rates and temporal distribution for trucks were based on the *2014 CEQR Technical Manual.*

Table 3: Transportation Planning Assumptions - RWCDS

	No-Action Land Use	With-Action Land Use									
Land Use:	**Auto Showroom**	**Destination Retail**		**Local Retail**		**Residential**		**Corporate Suites**	
Size/Units:	83,000 gsf	225,000 gsf		75,000 gsf		1,400 DU		175 rooms	
Trip Generation:	(4)	(1)		(1)		(1)		(1)	
Weekday	2.63	78.2		205.0		8.075		9.4	
Saturday	1.66	92.5		240.0		9.600		9.4	
	per 1,000 sf	per 1,000 sf		per 1,000 sf		per DU		per room	
Temporal Distribution:	(5)	(1)		(1)		(1)		(1)	
AM	6.0%	3.0%		3.0%		10.0%		8.0%	
MD	14.0%	9.0%		19.0%		5.0%		14.0%	
PM	9.0%	9.0%		10.0%		11.0%		13.0%	
SatMD	12.0%	11.0%		10.0%		8.0%		9.0%	
	(5)	(7)		(7)		(2)		(3)	
Modal Splits:	AM/MD/PM/SAT	AM/MD/PM	SAT	AM/MD/PM/SAT		AM/MD/PM/SAT		AM/PM/SAT	MD
Auto	85.0%	10.0%	12.0%	2.0%		5.0%		9.0%	8.0%
Taxi	10.0%	15.0%	15.0%	3.0%		5.5%		18.0%	15.0%
Subway	2.0%	25.0%	18.0%	6.0%		33.5%		24.0%	13.0%
Bus	1.0%	5.0%	20.0%	6.0%		12.8%		3.0%	3.0%
Railroad	0.0%	0.0%	0.0%	0.0%		2.2%		0.0%	0.0%
Walk/Ferry/Other	2.0%	45.0%	35.0%	83.0%		41.0%		46.0%	61.0%
	100.0%	100.0%	100.0%	100.0%		100.0%		100.0%	100.0%
	(5)	(7)		(7)		(3)		(3)	
In/Out Splits:	In Out	In	Out	In	Out	In	Out	In	Out
AM	95% 5%	61%	39%	50%	50%	15.0%	85.0%	39.0%	61.0%
MD	50% 50%	55%	45%	50%	50%	50.0%	50.0%	54.0%	46.0%
PM	30% 70%	47%	53%	50%	50%	70.0%	30.0%	65.0%	35.0%
Sat MD	51% 49%	55%	45%	50%	50%	50.0%	50.0%	56.0%	44.0%
Vehicle Occupancy:	(5)	(8)		(8)		(2)		(3)	
	AM/MD/PM/SAT	AM/MD/PM	SAT	AM/MD/PM	SAT	AM/MD/PM/SAT			
Auto	1.20	1.40	1.72	1.40	1.72	1.14		1.4	
Taxi	1.20	1.65	1.75	1.65	1.75	1.4		1.8	
Truck Trip Generation:	(4)	(1)		(1)		(1)		(3)	
Weekday	0.15	0.35		0.35		0.06		0.06	
Saturday	0.15	0.04		0.04		0.02		0.01	
	per 1,000 sf	per 1,000 sf		per 1,000 sf		per DU		per room	
	(6)	(1)		(1)		(1)		(3)	
AM	9.6%	8.0%		8.0%		12.0%		12.2%	
MD	11.0%	11.0%		11.0%		9.0%		8.7%	
PM	1.0%	2.0%		2.0%		2.0%		1.0%	
Sat MD	0.0%	11.0%		11.0%		9.0%		9.0%	
	In Out	In	Out	In	Out	In	Out	In	Out
AM/MD/PM	50.0% 50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%

Notes :

(1) *2014 City Environmental Quality Review (CEQR) Technical Manual.*
(2) *American Community Survey 2011 Journey to work data for Manhattan Tract 117*
(3) *Western Rail Yard FEIS (2009)*
(4) *West 57th Street Rezoning*
(5) *NYCDOT Study*
(6) *Curbside Pickup & Delivery Operations & Arterial Traffic Imapcts, FHWA*
(7) *606 West 57th Street FEIS (2014)*
(8) *Gateway Estates II FEIS*

Local Retail

The trip generation rates and the temporal distributions for the local retail component of the proposed development were based on the *2014 CEQR Technical Manual*. The modal and directional in/out splits were based on the *606 West 57th Street FEIS (2014*). The vehicle occupancy rates were based on *Gateway Estates II FEIS* as per guidance by NYCDOT. Trip generation rates and temporal distribution for trucks were based on the *2014 CEQR Technical Manual.*

Residential

The trip generation rates and the temporal distributions for the residential component of the proposed development were also based on the *2014 CEQR Technical Manual*. The modal splits and vehicle occupancies were based on the 2007-2011 *American Community Survey* Journey to Work data for Manhattan census tract 117. The directional in/out splits were based on the *Western Rail Yard FEIS (2009*). The truck trip generation rates and temporal distributions were based on the *2014 CEQR Technical Manual*.

Hotel (Corporate Suites)

As noted above, the 175 corporate suites included in the proposed development are analyzed as a hotel land use. The trip generation rates and temporal distributions were based on the *2014 CEQR Technical Manual*, while the modal splits, directional splits, vehicle occupancy rates and truck trip generation rates and temporal distribution were based on the *Western Rail Yard FEIS (2009*). The truck trip generation rates and temporal distributions were also based on the *Western Rail Yard FEIS (2009*).

No Parking Alternative

The transportation planning assumptions described above were also used to develop a travel demand forecast for the no parking alternative. As noted above and as shown in Table 4, the no parking alternative assumes an additional 38,000 gsf of retail space compared to the RWCDS. Using the same split between destination and local retail, the no parking alternative is expected to include approximately 253,000 gsf and 84,500 gsf of destination and local retail, respectively.

TRIP GENERATION

Table 5 shows an estimate of the peak hour person trips that would occur in 2020 with implementation of the Proposed Action using the assumptions made for the RWCDS. As discussed above, the transportation analyses in the EIS will be based on the transportation planning assumptions (Table 3) made for the RWCDS. The estimated person, vehicle, transit, and pedestrian trips generated by the proposed development are discussed below.

As shown in Table 5, the Proposed Project would generate approximately 2,124 net person trips in the weekday AM peak hour, 4,542 in the midday, and 4,176 in the PM peak hour, as well as 4,848 net person trips during the Saturday midday peak hour.

Table 4: Transportation Planning Assumptions - No Parking Alternative

	No-Action Land Use	With-Action Land Use									
Land Use:	**Auto Showroom**	**Destination Retail**		**Local Retail**		**Residential**		**Corporate Suites**	
Size/Units:	83,000 gsf	253,500 gsf		84,500 gsf		1,400 DU		175 rooms	
Trip Generation:	(4)	(1)		(1)		(1)		(1)	
Weekday	2.63	78.2		205.0		8.075		9.4	
Saturday	1.66	92.5		240.0		9.600		9.4	
	per 1,000 sf	per 1,000 sf		per 1,000 sf		per DU		per room	
Temporal Distribution:	(5)	(1)		(1)		(1)		(1)	
AM	6.0%	3.0%		3.0%		10.0%		8.0%	
MD	14.0%	9.0%		19.0%		5.0%		14.0%	
PM	9.0%	9.0%		10.0%		11.0%		13.0%	
SatMD	12.0%	11.0%		10.0%		8.0%		9.0%	
Modal Splits:	(5) AM/MD/PM/SAT	(7) AM/MD/PM	SAT	(7) AM/MD/PM/SAT		(2) AM/MD/PM/SAT		(3) AM/PM/SAT	MD
Auto	85.0%	10.0%	12.0%	2.0%		5.0%		9.0%	8.0%
Taxi	10.0%	15.0%	15.0%	3.0%		5.5%		18.0%	15.0%
Subway	2.0%	25.0%	18.0%	6.0%		33.5%		24.0%	13.0%
Bus	1.0%	5.0%	20.0%	6.0%		12.8%		3.0%	3.0%
Railroad	0.0%	0.0%	0.0%	0.0%		2.2%		0.0%	0.0%
Walk/Ferry/Other	2.0%	45.0%	35.0%	83.0%		41.0%		46.0%	61.0%
	100.0%	100.0%	100.0%	100.0%		100.0%		100.0%	100.0%
In/Out Splits:	(5) In	Out	(7) In	Out	(7) In	Out	(3) In	Out	(3) In	Out
AM	95%	5%	61%	39%	50%	50%	15.0%	85.0%	39.0%	61.0%
MD	50%	50%	55%	45%	50%	50%	50.0%	50.0%	54.0%	46.0%
PM	30%	70%	47%	53%	50%	50%	70.0%	30.0%	65.0%	35.0%
Sat MD	51%	49%	55%	45%	50%	50%	50.0%	50.0%	56.0%	44.0%
Vehicle Occupancy:	(5) AM/MD/PM/SAT		(8) AM/MD/PM	SAT	(8) AM/MD/PM	SAT	(2) AM/MD/PM/SAT		(3)	
Auto	1.20		1.40	1.72	1.40	1.72	1.14		1.4	
Taxi	1.20		1.65	1.75	1.65	1.75	1.4		1.8	
Truck Trip Generation:	(4)		(1)		(1)		(1)		(3)	
wkday	0.15		0.35		0.35		0.06		0.06	
Saturday	0.15		0.04		0.04		0.02		0.01	
	per 1,000 sf		per 1,000 sf		per 1,000 sf		per DU		per room	
	(6)		(1)		(1)		(1)		(4)	
AM	9.6%		8.0%		8.0%		12.0%		12.2%	
MD	11.0%		11.0%		11.0%		9.0%		8.7%	
PM	1.0%		2.0%		2.0%		2.0%		1.0%	
Sat MD	0.0%		11.0%		11.0%		9.0%		9.0%	
	In	Out	In	Out	In	Out	In	Out	In	Out
AM/MD/PM	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%

Notes :

(1) *2012 City Environmental Quality Review (CEQR) Technical Manual.*
(2) *American Community Survey 2011 Journey to work data for Manhattan Tract 117*
(3) *Western Rail Yard FEIS (2009)*
(4) *West 57th Street Rezoning*
(5) *NYCDOT Study*
(6) *Curbside Pickup & Delivery Operations & Arterial Traffic Imapcts, FHWA*
(7) *606 West 57th Street FEIS (2014)*
(8) *Gateway Estates II FEIS*

Table 5: Travel Demand Forecast - RWCDS

		No-Action Land Use		With-Action Land Use										*With-Action - No-Action Increment*	
Land Use:		**Auto Showroom**		**Destination Retail**		**Local Retail***		**Residential**		**Corporate Suites**		**Total**			
Size/Units:		83,000 gsf		225,000 gsf		75,000 gsf		1,400 DU		175 rooms					
Peak Hour Trips:															
	AM	14		528		346		1,132		132		2,138		2,124	
	MD	32		1,584		2,192		566		232		4,574		4,542	
	PM	20		1,584		1,154		1,244		214		4,196		4,176	
	Sat MD	18		2,290		1,350		1,076		150		4,866		4,848	
Person Trips:															
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto**	11	1	32	21	3	3	9	48	5	7	49	79	38	78
	Taxi	1	0	48	31	5	5	9	53	9	14	71	103	70	103
	Subway	0	0	81	51	10	10	57	322	12	19	160	402	160	402
	Bus	0	0	16	10	10	10	22	123	2	2	50	145	50	145
	Railroad	0	0	0	0	0	0	4	21	0	0	4	21	4	21
	Walk/Ferry/Other	0	0	145	93	145	145	70	394	24	38	384	670	384	670
	Total	12	1	322	206	173	173	171	961	52	80	718	1,420	706	1,419
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto**	14	14	87	71	22	22	14	14	10	9	133	116	119	102
	Taxi	2	2	131	107	33	33	16	16	19	16	199	172	197	170
	Subway	0	0	218	178	66	66	95	95	16	14	395	353	395	353
	Bus	0	0	44	36	66	66	36	36	4	3	150	141	150	141
	Railroad	0	0	0	0	0	0	6	6	0	0	6	6	6	6
	Walk/Ferry/Other	0	0	391	321	909	909	116	116	76	65	1,492	1,411	1,492	1,411
	Total	16	16	871	713	1096	1096	283	283	125	107	2,375	2,199	2,359	2,183
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto**	5	13	74	84	12	12	44	19	13	7	143	122	138	109
	Taxi	1	1	112	126	17	17	48	21	25	13	202	177	201	176
	Subway	0	0	186	210	35	35	292	125	33	18	546	388	546	388
	Bus	0	0	37	42	35	35	111	48	4	2	187	127	187	127
	Railroad	0	0	0	0	0	0	19	8	0	0	19	8	19	8
	Walk/Ferry/Other	0	0	335	378	478	478	356	153	64	35	1,233	1,044	1,233	1,044
	Total	6	14	744	840	577	577	870	374	139	75	2,330	1,866	2,324	1,852
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Sat MD	**Auto**	8	8	151	124	14	14	27	27	8	6	200	171	192	163
	Taxi	1	1	189	155	19	19	30	30	15	12	253	216	252	215
	Subway	0	0	227	185	41	41	180	180	20	16	468	422	468	422
	Bus	0	0	252	206	41	41	69	69	3	2	365	318	365	318
	Railroad	0	0	0	0	0	0	12	12	0	0	12	12	12	12
	Walk/Ferry/Other	0	0	440	361	560	560	220	220	38	30	1,258	1,171	1,258	1,171
	Total	9	9	1259	1031	675	675	538	538	84	66	2,556	2,310	2,547	2,301
Vehicle Trips :															
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto (Total)**	9	1	23	15	2	2	8	42	4	5	37	64	28	63
	Taxi	1	0	29	19	3	3	6	38	5	8	43	68	42	68
	Taxi Balanced	1	1	34	34	5	5	41	41	11	11	91	91	90	90
	Truck	1	1	3	3	1	1	5	5	1	1	10	10	9	9
	Total	11	3	60	52	8	8	54	88	16	17	138	165	127	162
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto (Total)**	12	12	62	51	16	16	12	12	7	6	97	85	85	73
	Taxi	2	2	79	65	20	20	11	11	11	9	121	105	119	103
	Taxi Balanced	3	3	105	105	30	30	17	17	15	15	167	167	164	164
	Truck	1	1	4	4	1	1	4	4	0	0	9	9	8	8
	Total	16	16	171	160	47	47	33	33	22	21	273	261	257	245
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto (Total)**	4	11	53	60	9	9	39	17	9	5	110	91	106	80
	Taxi	1	1	68	76	10	10	34	15	14	7	126	108	125	107
	Taxi Balanced	2	2	110	110	15	15	34	34	14	14	173	173	171	171
	Truck	0	0	1	1	0	0	1	1	0	0	2	2	2	2
	Total	6	13	164	171	24	24	74	52	23	19	285	266	279	253
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Sat MD	**Auto (Total)**	7	7	88	72	8	8	24	24	6	4	126	108	119	101
	Taxi	1	1	108	89	11	11	21	21	8	7	148	128	147	127
	Taxi Balanced	2	2	143	143	17	17	32	32	11	11	203	203	201	201
	Truck	0	0	0	0	0	0	1	1	0	0	1	1	1	1
	Total	9	9	231	215	25	25	57	57	17	15	330	312	321	303

	No-Action Vehicle Increment			With-Action Vehicle Increment			Net Vehicle Increment		
	Total Vehicle Trips	In	Out	In	Out	Total	In	Out	Total
	AM	11	3	138	165	303	127	162	289
	MD	16	16	273	261	534	257	245	502
	PM	6	13	285	266	551	279	253	532
	Sat MD	9	9	330	312	642	321	303	624

***assumes 25% linked trip credit**

Table 6 shows an estimate of the peak hour person trips that would be generated by the no parking alternative. As shown in Table 6, the no parking alternative would result in approximately 2,236 net person trips in the weekday AM peak hour, 5,022 in the midday, and 4,524 in the PM peak hour, as well as 5,310 net person trips during the Saturday midday peak hour.

Table 7 provides a summary comparison of the forecasted project generated trips by mode for the RWCDS and the no parking alternative. As shown in Table 7, the Proposed Project would generate an increase of approximately 289, 502, 532, and 624 vehicle trips (in and out combined) in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. (Vehicle trips include auto and truck trips, and trips by taxi, which have been balanced to reflect that some taxis arrive or depart empty.) As shown in Table 7, it is expected that the no parking alternative would generate 18, 54, 49, and 64 more trips than the RWCDS in the weekday AM, midday, PM, and Saturday midday peak hours, respectively.

As also shown in Table 7, the Proposed Project would generate a total of 562, 748, 934, and 890 subway trips during the weekday AM, midday and PM peak hours, respectively. Bus trips would increase by 195, 291, 314, and 683 riders in the weekday AM, midday, PM and Saturday midday peak hours, respectively. Walk-only trips would increase by 1,054, 2,903, 2,277 and 2,429 trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. As shown in Table 7, walk-only trips are expected to increase by 67, 321, 213, and 245 trips in the no parking alternative compared to the RWCDS during the four analysis periods. The following section further discusses the modal distribution and assignment patterns for both the RWCDS and the no parking alternative.

PARKING

Parking demand from commercial (non-restaurant) uses typically peaks in the midday period and declines during the afternoon and evening. By contrast, residential demand typically peaks in the overnight period. Parking demand generated by the residential component of the proposed development was forecast based on the average vehicles per household data from the 2007-2011 American Community Survey Data for Manhattan Census tract 117. Parking demand from retail and other commercial uses was derived from the forecasts of daily auto trips from these uses. The forecast of new parking supply assumes a total of 200 accessory parking spaces on the project site, consistent with the RWCDS.

Tables 8 and 9 show the preliminary parking demand forecast for the RWCDS for a weekday and Saturday, respectively. As can be seen in Tables 8 and 9, it is expected that the demand would exceed the 200 proposed accessory spaces during both the overnight hours and during the day on both weekdays and Saturdays. As such, overnight off-street parking (utilization) within a ¼-mile of the project site will be analyzed. If the off-street parking available within ¼-mile of the project site is insufficient to accommodate the peak parking demand, the study area will be extended to ½-mile. A parking demand forecast for the no parking alternative is provided in Tables 10 and 11.

Table 6: Travel Demand Forecast - No Parking Alternative

		No-Action Land Use		With-Action Land Use										With-Action - No-Action Increment	
Land Use:		**Auto Showroom**		**Destination Retail**		**Local Retail***		**Residential**		**Corporate Suites**		**Total**			
Size/Units:		83,000 gsf		253,500 gsf		84,500 gsf		1,400 DU		175 rooms					
Peak Hour Trips:															
	AM	14		596		390		1,132		132		2,250		2,236	
	MD	32		1,786		2,470		566		232		5,054		5,022	
	PM	20		1,786		1,300		1,244		214		4,544		4,524	
	Sat MD	18		2,580		1,522		1,076		150		5,328		5,310	
Person Trips:															
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto**	11	1	36	23	4	4	9	48	5	7	54	82	43	81
	Taxi	1	0	55	35	6	6	9	53	9	14	79	108	78	108
	Subway	0	0	91	58	12	12	57	322	12	19	172	411	172	411
	Bus	0	0	18	12	12	12	22	123	2	2	54	149	54	149
	Railroad	0	0	0	0	0	0	4	21	0	0	4	21	4	21
	Walk/Ferry/Other	0	0	164	105	163	163	70	394	24	38	421	700	421	700
	Total	12	1	364	233	197	197	171	961	52	80	784	1,471	772	1,470
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto**	14	14	98	80	25	25	14	14	10	9	147	128	133	114
	Taxi	2	2	147	121	37	37	16	16	19	16	219	190	217	188
	Subway	0	0	246	201	74	74	95	95	16	14	431	384	431	384
	Bus	0	0	49	40	74	74	36	36	4	3	163	153	163	153
	Railroad	0	0	0	0	0	0	6	6	0	0	6	6	6	6
	Walk/Ferry/Other	0	0	441	362	1,024	1,024	116	116	76	65	1,657	1,567	1,657	1,567
	Total	16	16	981	804	1234	1234	283	283	125	107	2,623	2,428	2,607	2,412
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto**	5	13	84	95	13	13	44	19	13	7	154	134	149	121
	Taxi	1	1	126	142	20	20	48	21	25	13	219	196	218	195
	Subway	0	0	210	237	39	39	292	125	33	18	574	419	574	419
	Bus	0	0	42	47	39	39	111	48	4	2	196	136	196	136
	Railroad	0	0	0	0	0	0	19	8	0	0	19	8	19	8
	Walk/Ferry/Other	0	0	378	426	539	539	356	153	64	35	1,337	1,153	1,337	1,153
	Total	6	14	840	947	650	650	870	374	139	75	2,499	2,046	2,493	2,032
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Sat MD	**Auto**	8	8	170	139	15	15	27	27	8	6	220	187	212	179
	Taxi	1	1	213	174	22	22	30	30	15	12	280	238	279	237
	Subway	0	0	255	209	46	46	180	180	20	16	501	451	501	451
	Bus	0	0	284	232	46	46	69	69	3	2	402	349	402	349
	Railroad	0	0	0	0	0	0	12	12	0	0	12	12	12	12
	Walk/Ferry/Other	0	0	496	406	632	632	220	220	38	30	1,386	1,288	1,386	1,288
	Total	9	9	1418	1160	761	761	538	538	84	66	2,801	2,525	2,792	2,516
Vehicle Trips :															
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
AM	**Auto (Total)**	9	1	26	16	3	3	8	42	4	5	41	66	32	65
	Taxi	1	0	33	21	4	4	6	38	5	8	48	71	47	71
	Taxi Balanced	1	1	38	38	6	6	41	41	11	11	96	96	95	95
	Truck	1	1	4	4	1	1	5	5	1	1	11	11	10	10
	Total	11	3	68	58	10	10	54	88	16	17	148	173	137	170
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
MD	**Auto (Total)**	12	12	70	57	18	18	12	12	7	6	107	93	95	81
	Taxi	2	2	89	73	22	22	11	11	11	9	133	115	131	113
	Taxi Balanced	3	3	118	118	33	33	17	17	15	15	183	183	180	180
	Truck	1	1	5	5	2	2	4	4	0	0	11	11	10	10
	Total	16	16	193	180	53	53	33	33	22	21	301	287	285	271
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
PM	**Auto (Total)**	4	11	60	68	9	9	39	17	9	5	117	99	113	88
	Taxi	1	1	76	86	12	12	34	15	14	7	136	120	135	119
	Taxi Balanced	2	2	124	124	18	18	34	34	14	14	190	190	188	188
	Truck	0	0	1	1	0	0	1	1	0	0	2	2	2	2
	Total	6	13	185	193	27	27	74	52	23	19	309	291	303	278
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Sat MD	**Auto (Total)**	7	7	99	81	9	9	24	24	6	4	138	118	131	111
	Taxi	1	1	122	99	13	13	21	21	8	7	164	140	163	139
	Taxi Balanced	2	2	160	160	20	20	32	32	11	11	223	223	221	221
	Truck	0	0	1	1	0	0	1	1	0	0	2	2	2	2
	Total	9	9	260	242	29	29	57	57	17	15	363	343	354	334

	No-Action Vehicle Increment			With-Action Vehicle Increment			Net Vehicle Increment		
	Total Vehicle Trips	In	Out	In	Out	Total	In	Out	Total
	AM	11	3	148	173	321	137	170	307
	MD	16	16	301	287	588	285	271	556
	PM	6	13	309	291	600	303	278	581
	Sat MD	9	9	363	343	706	354	334	688

***assumes 25% linked trip credit**

Table 7: Travel Demand Forecast Summary Comparison

Analysis Period	Project Increment - RWCDS			Project Increment - No Parking Alternative			Net Difference
	Vehicle Trips						
	In	Out	Total	In	Out	Total	Total
AM	127	162	289	137	170	307	18
MD	257	245	502	285	271	556	54
PM	279	253	532	303	278	581	49
SAT MD	321	303	624	354	334	688	64
	Subway Trips						
	In	Out	Total	In	Out	Total	Total
AM	160	402	562	172	411	583	21
MD	395	353	748	431	384	815	67
PM	546	388	934	574	419	993	59
SAT MD	468	422	890	501	451	952	62
	Bus Trips						
	In	Out	Total	In	Out	Total	Total
AM	50	145	195	54	149	203	8
MD	150	141	291	163	153	316	25
PM	187	127	314	196	136	332	18
SAT MD	365	318	683	402	349	751	68
	Pedestrian Trips (Walk-only + Transit)						
	In	Out	Total	In	Out	Total	Total
AM	594	1217	1811	647	1260	1907	96
MD	2037	1905	3942	2251	2104	4355	413
PM	1966	1559	3525	2107	1708	3815	290
SAT MD	2091	1911	4002	2289	2088	4377	375
Walk Only Trips							
	In	Out	Total	In	Out	Total	Total
AM	384	670	1054	421	700	1121	67
MD	1492	1411	2903	1657	1567	3224	321
PM	1233	1044	2277	1337	1153	2490	213
SAT MD	1258	1171	2429	1386	1288	2674	245

Table 8: RWCDS Weekday Parking Accumulation

	Destination Retail		Local Retail		Residential		Hotel		Total
	In	Out	In	Out	In	Out	In	Out	273
12-1 AM	0	0	0	0	1	1	0	0	273
1-2	0	0	0	0	1	1	0	0	273
2-3	0	0	0	0	1	1	0	0	273
3-4	0	0	0	0	1	1	0	0	273
4-5	0	0	0	0	1	1	0	0	273
5-6	0	0	0	0	2	5	0	0	270
6-7	3	1	0	0	4	15	0	2	259
7-8	7	4	0	0	5	16	1	3	249
8-9	23	15	2	2	8	42	4	5	222
9-10	38	8	3	2	9	14	3	4	247
10-11	47	23	4	3	9	16	2	3	264
11-12	53	38	6	6	10	13	3	3	276
12-1 PM	62	51	16	16	12	12	7	6	288
1-2	55	52	16	15	13	13	2	3	291
2-3	50	55	8	10	13	13	2	3	283
3-4	48	56	6	5	20	12	2	2	284
4-5	52	57	6	4	32	19	4	4	294
5-6	53	60	9	9	39	17	9	5	313
6-7	49	48	4	6	25	13	4	3	325
7-8	46	44	2	3	23	9	6	4	342
8-9	30	48	0	1	14	7	3	2	331
9-10	10	47	0	0	4	5	1	1	293
10-11	2	15	0	0	3	4	0	0	279
11-12	0	6	0	0	3	3	0	0	273
								Overnight Demand:	273

Table 9: RWCDS Saturday Parking Accumulation

	Destination Retail		Local Retail		Residential		Hotel		Total
	In	Out	In	Out	In	Out	In	Out	273
12-1 AM	0	0	0	0	1	1	0	0	273
1-2	0	0	0	0	1	1	0	0	273
2-3	0	0	0	0	1	1	0	0	273
3-4	0	0	0	0	1	1	0	0	273
4-5	0	0	0	0	1	1	0	0	273
5-6	0	0	0	0	2	6	0	0	269
6-7	4	1	1	0	5	18	0	2	258
7-8	5	5	1	1	6	27	1	3	235
8-9	27	11	4	1	7	34	3	5	225
9-10	39	15	5	2	9	24	3	4	236
10-11	60	31	8	4	9	24	2	3	253
11-12	79	50	11	7	10	21	3	3	275
12-1 PM	86	65	11	9	12	36	4	4	274
1-2	88	72	8	8	24	24	6	4	292
2-3	90	83	12	11	27	24	2	3	302
3-4	81	87	11	12	23	8	2	2	310
4-5	67	101	9	13	21	21	4	4	272
5-6	38	87	5	12	44	7	9	5	257
6-7	21	58	3	8	31	8	4	3	239
7-8	14	15	1	1	30	5	6	4	265
8-9	10	18	2	2	20	5	3	3	272
9-10	7	9	1	1	8	1	1	1	277
10-11	6	11	1	1	4	1	0	0	275
11-12	4	7	0	1	3	1	0	0	273
								Overnight Demand:	273

Additionally, the parking demand forecast presented in Tables 8 and 9 was used to determine the assignment of project generated vehicle trips. All trips generated by the hotel and local retail components were assigned to the project site, as well as approximately 70 percent of trips generated by the residential component. 30 percent of the residential demand was assigned to area garages, reflecting that the overnight demand would exceed the 200 accessory parking spaces on-site. The trips generated by the destination retail component were assigned to the project's on-site garage whenever spaces are expected to be available after accommodating the hotel, local retail, and residential parking demand, and to garages in the area at other times. For the no parking alternative, all private auto trips were assigned to area garages, while taxi and truck assignment patterns are anticipated to be the same as for the RWCDS. It should be noted that the assignments to area garages were based on surveyed parking utilization rates under Existing conditions. These assignments will be updated based on projected future utilization rates once the No-Action traffic network has been established. The

updated assignments may result in the need to analyze additional intersections as per CEQR guidelines.

Table 10: No Parking Alternative Weekday Parking Accumulation

	Destination Retail		Local Retail		Residential		Hotel		Total
	In	Out	In	Out	In	Out	In	Out	273
12-1 AM	0	0	0	0	1	1	0	0	273
1-2	0	0	0	0	1	1	0	0	273
2-3	0	0	0	0	1	1	0	0	273
3-4	0	0	0	0	1	1	0	0	273
4-5	0	0	0	0	1	1	0	0	273
5-6	0	0	0	0	2	5	0	0	270
6-7	4	1	0	0	4	15	0	2	260
7-8	8	5	0	0	5	16	1	3	250
8-9	26	16	3	3	8	42	4	5	225
9-10	42	8	3	3	9	14	3	4	253
10-11	53	26	5	3	9	16	2	3	274
11-12	60	42	7	6	10	13	3	3	290
12-1 PM	70	57	18	18	12	12	7	6	304
1-2	62	58	18	17	13	13	2	3	308
2-3	55	62	9	11	13	13	2	3	298
3-4	55	63	7	6	20	12	2	2	299
4-5	58	64	7	5	32	19	4	4	308
5-6	60	68	9	9	39	17	9	5	326
6-7	55	55	5	8	25	13	4	3	336
7-8	52	50	3	3	23	9	6	4	354
8-9	33	54	0	2	14	7	3	2	339
9-10	11	54	0	0	4	5	1	1	295
10-11	3	17	0	0	3	4	0	0	280
11-12	0	7	0	0	3	3	0	0	273
								Overnight Demand:	273

Table 11: No Parking Alternative Saturday Parking Accumulation

	Destination Retail		Local Retail		Residential		Hotel		Total
	In	Out	In	Out	In	Out	In	Out	273
12-1 AM	0	0	0	0	1	1	0	0	273
1-2	0	0	0	0	1	1	0	0	273
2-3	0	0	0	0	1	1	0	0	273
3-4	0	0	0	0	1	1	0	0	273
4-5	0	0	0	0	1	1	0	0	273
5-6	0	0	0	0	2	6	0	0	269
6-7	4	1	1	0	5	18	0	2	258
7-8	6	6	1	1	6	27	1	3	235
8-9	30	12	4	2	7	34	3	5	226
9-10	44	16	6	2	9	24	3	4	242
10-11	68	35	9	5	9	24	2	3	263
11-12	89	56	12	7	10	21	3	3	290
12-1 PM	97	73	13	10	12	36	4	4	293
1-2	99	81	9	9	24	24	6	4	313
2-3	101	94	13	12	27	24	2	3	323
3-4	91	98	12	13	23	8	2	2	330
4-5	74	114	10	15	21	21	4	4	285
5-6	43	98	6	13	44	7	9	5	264
6-7	24	65	3	9	31	8	4	3	241
7-8	16	17	2	2	30	5	6	4	267
8-9	11	20	2	3	20	5	3	3	272
9-10	8	10	2	1	8	1	1	1	278
10-11	7	12	1	2	4	1	0	0	275
11-12	4	8	1	1	3	1	0	0	273
								Overnight Demand:	273

SELECTION OF PEAK HOURS FOR ANALYSIS

As discussed above, the Proposed Project would result in an increase of 289, 502, 532, and 624 vehicle trips in the weekday AM, midday, PM, and Saturday midday peak periods, respectively. Under *CEQR Technical Manual* criteria, if a Proposed Action in any area of the City would generate greater than 50 peak hour vehicle trip ends, there is likely a need for further analysis. The EIS traffic analyses will therefore quantitatively examine conditions in these four peak hours.

Transit (subway and bus) analyses generally examine conditions during the weekday 8-9 AM and 5-6 PM peak commuter periods, as it is during these times that overall transit demand (and the potential for significant adverse impacts) is typically greatest. The analyses of transit conditions will therefore focus on these two periods.

Pedestrian analyses will examine conditions when future pedestrian volumes are expected to be greatest, during the weekday AM, midday, PM, and Saturday midday peak hours. The total increase in pedestrian trips resulting from the Proposed Project would exceed the *CEQR Technical Manual* criteria of 200 or more peak hour pedestrian trips, during all peak hours.

VEHICLE TRIP ASSIGNMENT

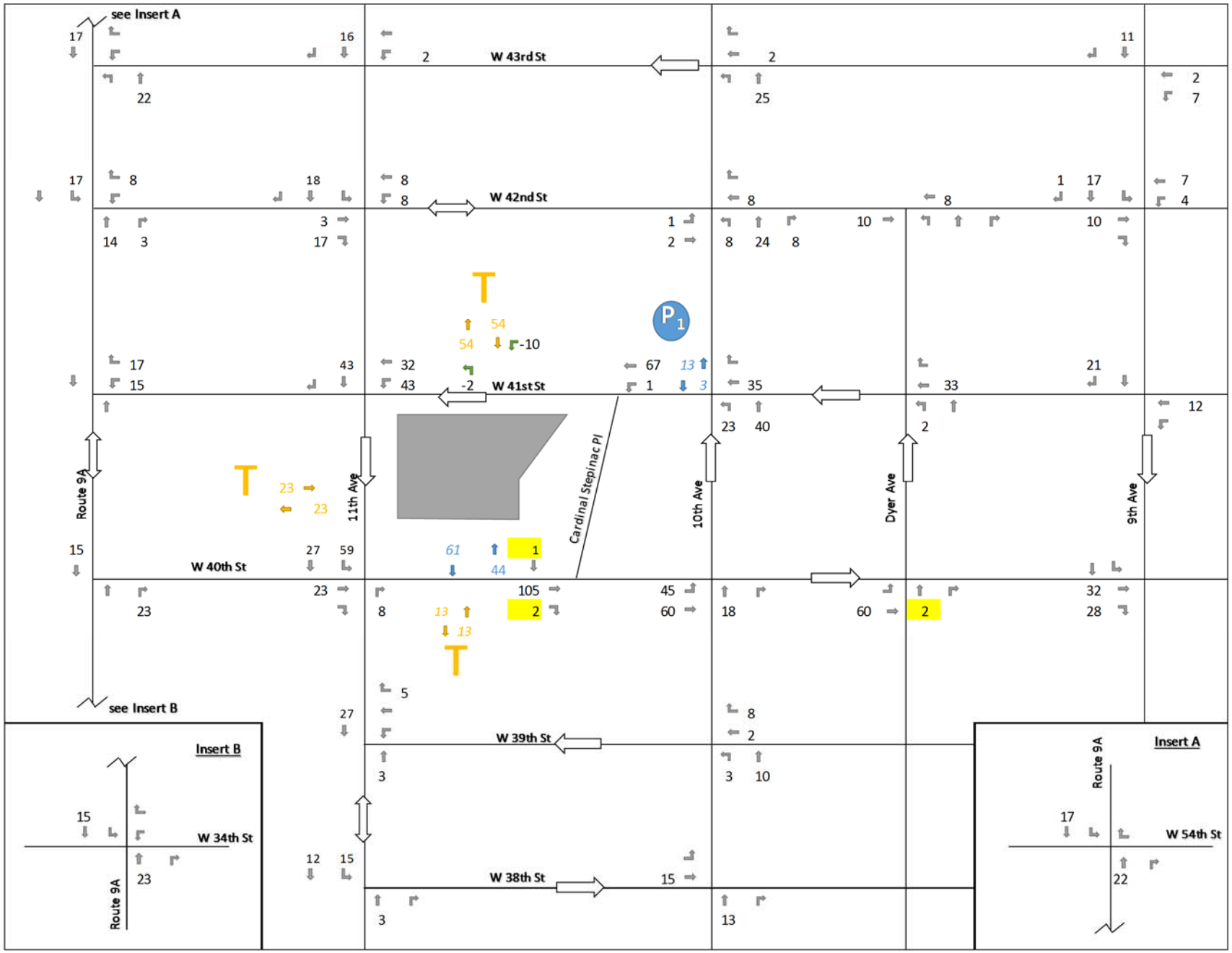
The study area street network is a grid system of north-south avenues and east-west streets. There is a mix of one-way and two-way streets in the vicinity of the project site. Principal two-way arterials include 12th Avenue (Route 9A) west of the project site, which runs north-south, and West 42nd Street north of the project site, which runs east-west. 11th Avenue, which is the north-south arterial running along the western frontage of the project site, operates two-way between West 34th and West 40th Streets but operates southbound one-way north of the project site and south of West 34th Street.

The one-way streets located east of the project site are northbound 10th Avenue and southbound 9th Avenue. Along with the local and arterial streets of Manhattan, Route 9A will most likely experience a significant portion of vehicle trips to and from the proposed development based on its close proximity to the project site. As noted above, project generated auto trips were assigned to the proposed on-site garage, with its entrance on West 40th Street between 11th Avenue and Cardinal Stepinac Place, as well as to area garages. The majority of taxi trips were assigned to the project site's primary frontage along West 41st Street between 11th Avenue and Cardinal Stepinac Place, while a smaller portion of taxi trips were assigned to the 11th Avenue and West 40th Street frontages.

Figures 3 through 6 show the preliminary vehicle trip assignments for the weekday AM, midday, PM, and Saturday midday peak hours, while Figure 7 shows the traffic analysis locations that are expected to exceed the 50 vehicle per hour *CEQR Technical Manual* increment threshold during one or more of the weekday AM, midday, PM and Saturday peak hours. As shown in Figure 7, the following 24 intersections[1] would exceed the CEQR threshold and are therefore proposed to be included in the detailed analyses in the EIS:

1. 12th Avenue and West 54th Street
2. 12th Avenue and West 43rd Street
3. 12th Avenue and West 42nd Street
4. 12th Avenue and West 41st Street
5. 12th Avenue and West 40th Street
6. 12th Avenue and West 34th Street
7. 11th Avenue and West 42nd Street
8. 11th Avenue and West 41st Street
9. 11th Avenue and West 40th Street

[1] As detailed analysis is conducted, a need for additional analysis locations may be identified; the DEIS will include any such additional analysis and provide an explanation for the additional analysis locations.



520 West 41st Street **Figure 3**

RWCDS - AM Peak Hour Vehicle Trip Assignment

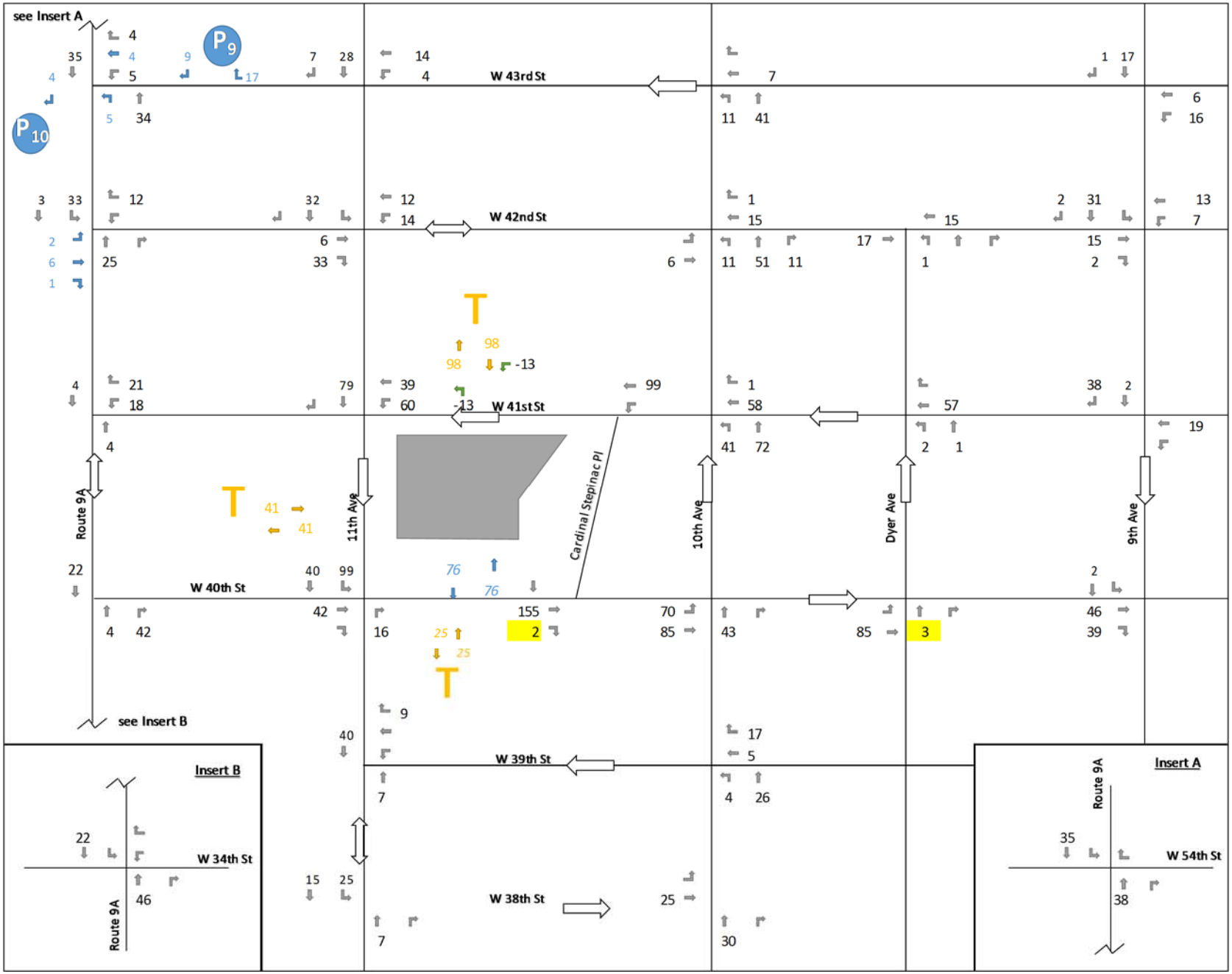
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 4**

RWCDS - Midday Peak Hour Vehicle Trip Assignment

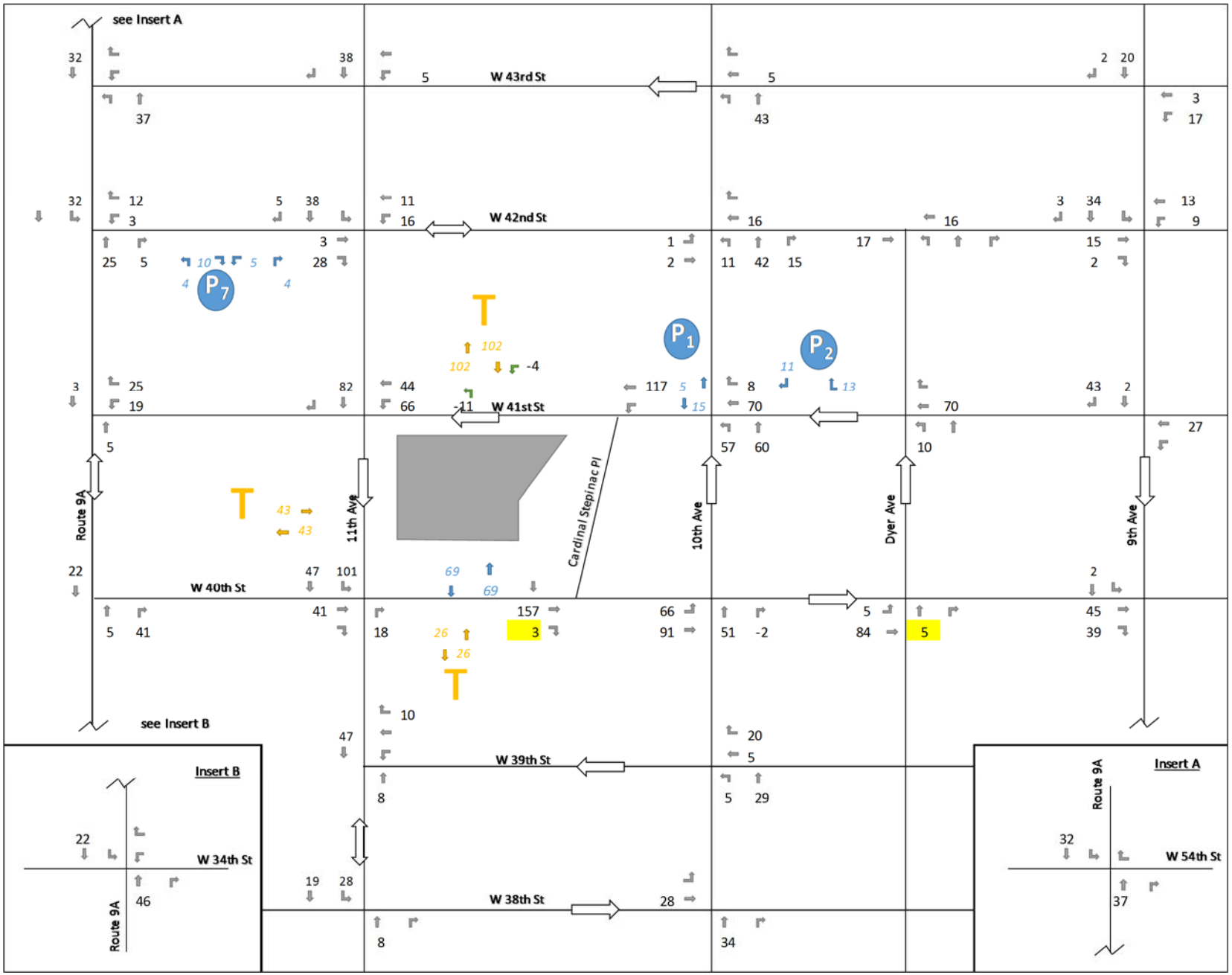
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 5**

RWCDS - PM Peak Hour Vehicle Trip Assignment

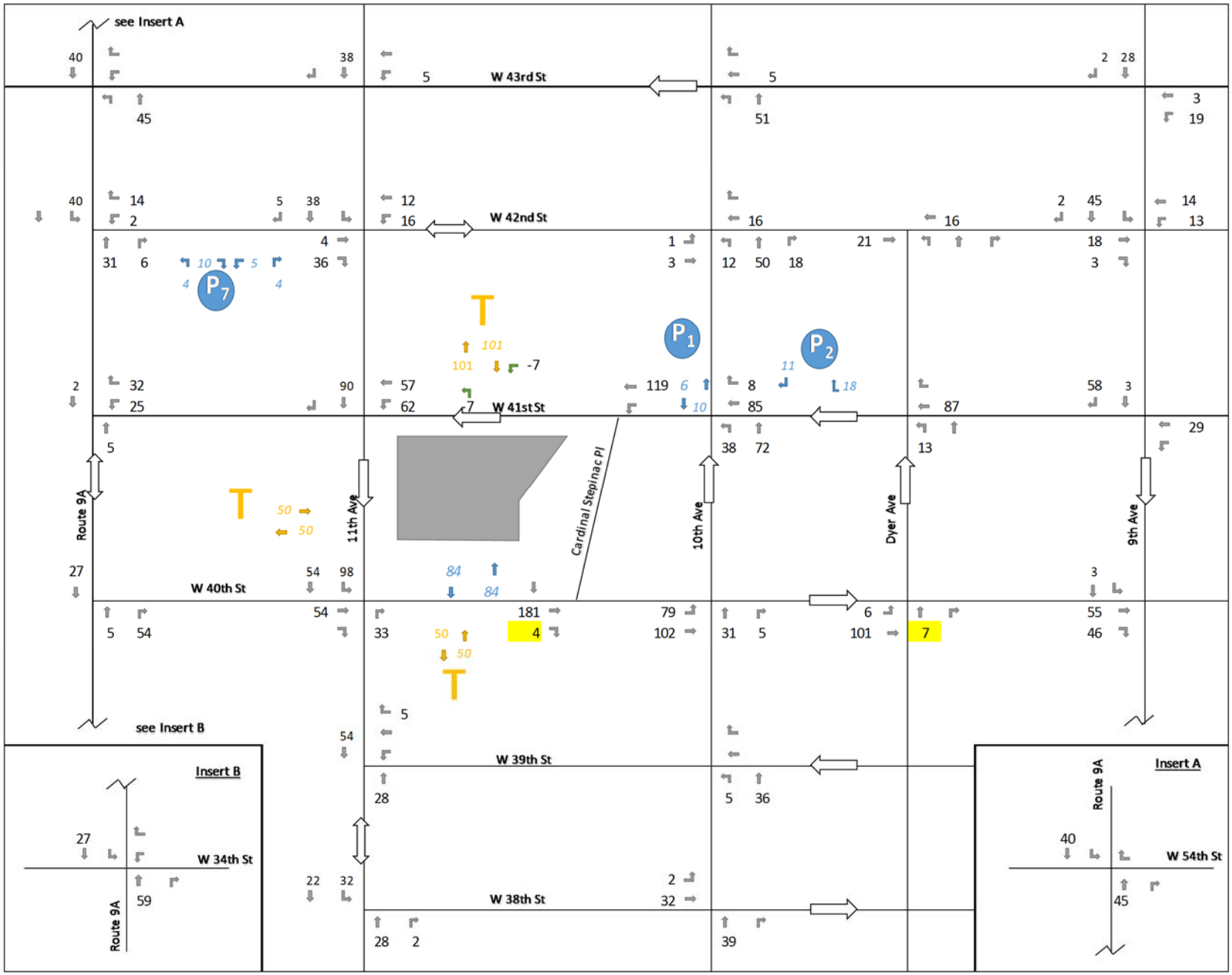
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 6**

RWCDS - Saturday Peak Hour Vehicle Trip Assignment

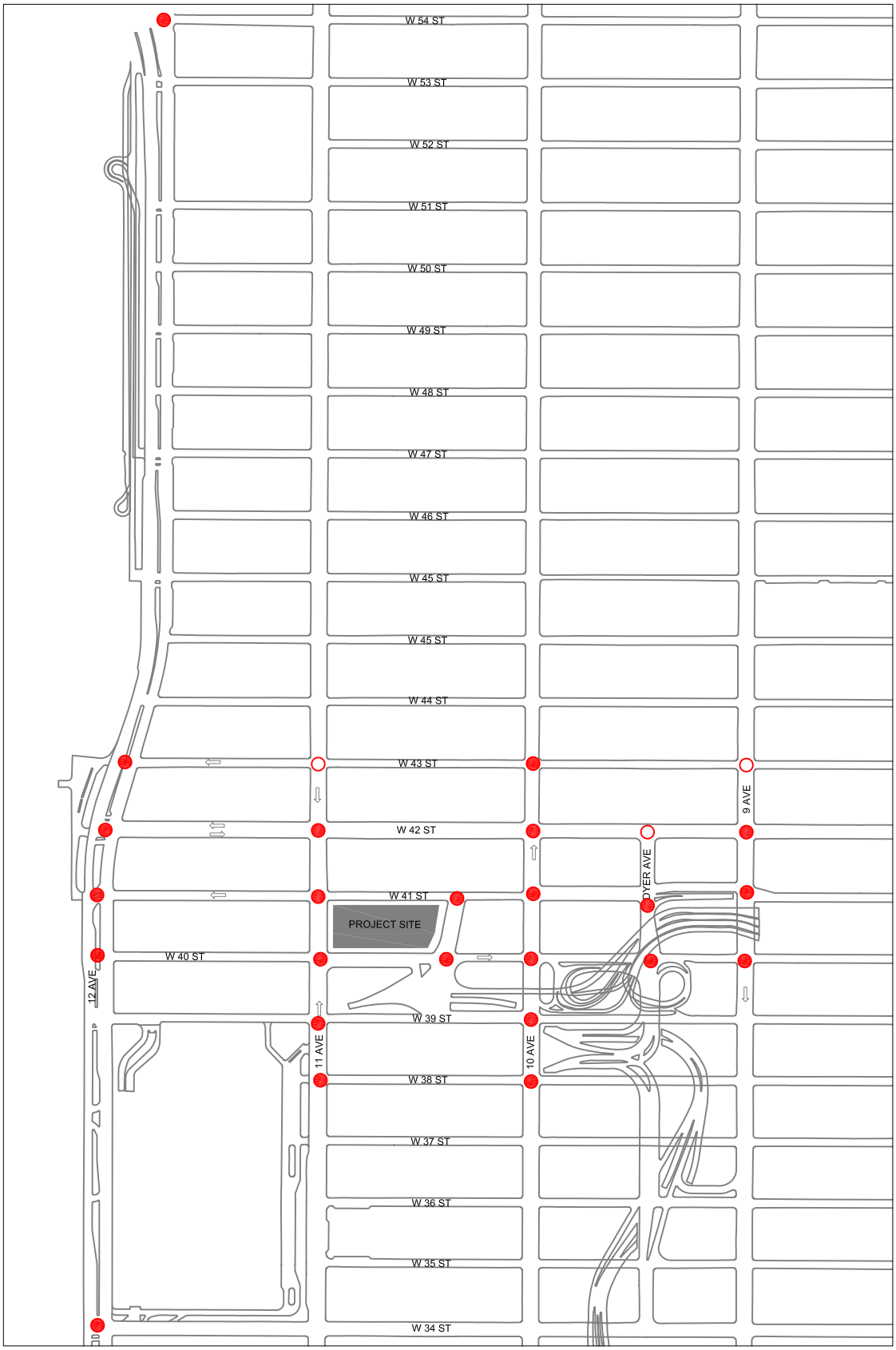
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



Traffic Analysis Locations - RWCDS

Additional Traffic Analysis Locations - No Parking Alternative

520 West 41st Street

Figure 7

Proposed Traffic Analysis Locations

10. 11th Avenue and West 39th Street
11. 11th Avenue and West 38th Street
12. Cardinal Stepinac Place and West 41st Street
13. Cardinal Stepinac Place and West 40th Street
14. 10th Avenue and West 43rd Street
15. 10th Avenue and West 42nd Street
16. 10th Avenue and West 41st Street
17. 10th Avenue and West 40th Street
18. 10th Avenue and West 39th Street
19. 10th Avenue and West 38th Street
20. Dyer Avenue and West 41st Street
21. Dyer Avenue and West 40th Street
22. 9th Avenue and West 42nd Street
23. 9th Avenue and West 41st Street
24. 9th Avenue and West 40th Street

No Parking Alternative

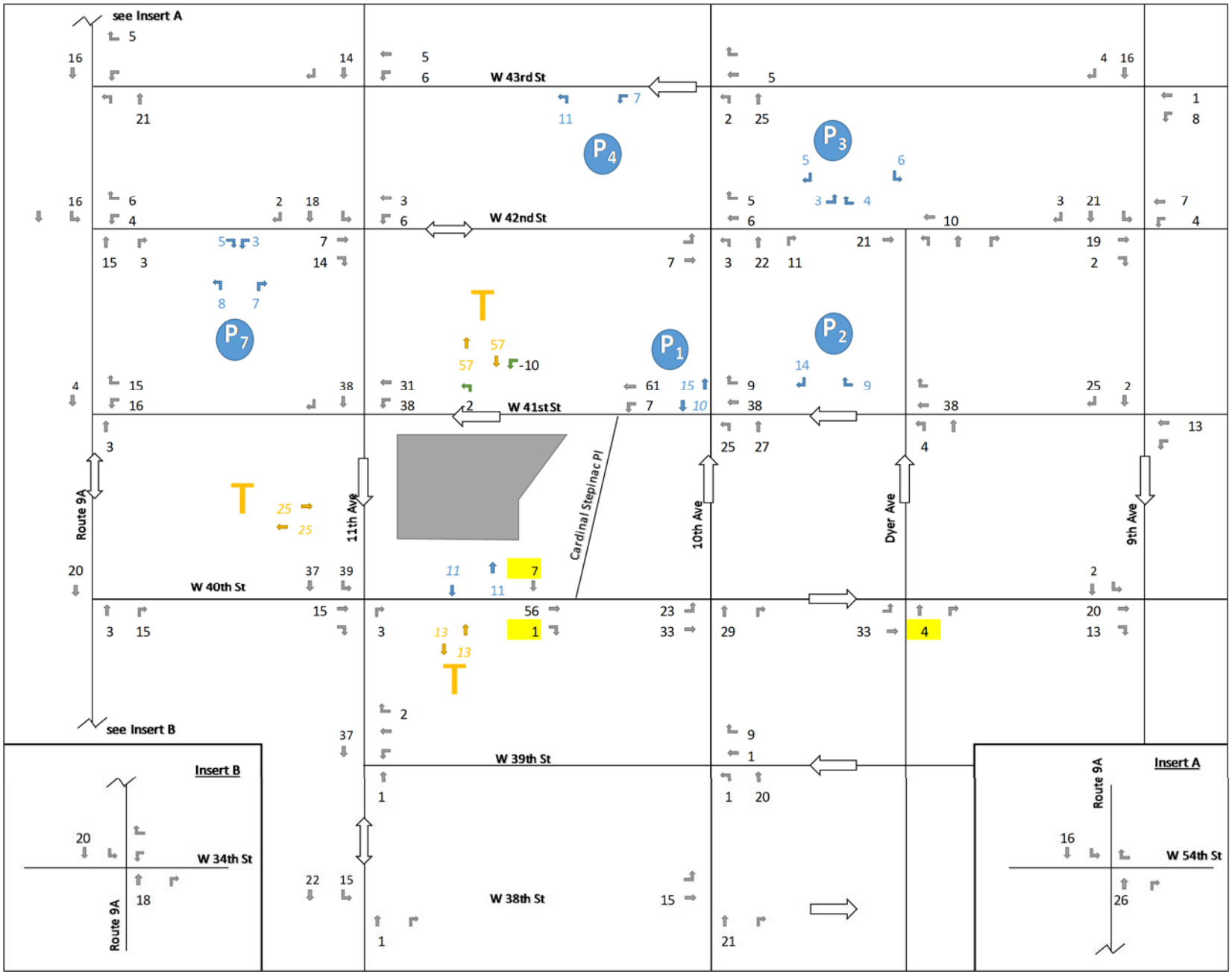
Figures 8 through 11 show the preliminary vehicle trip assignments for the weekday AM, midday, PM, and Saturday midday peak hours for the no parking alternative. As noted above, all private auto trips were assigned to area parking garages based on existing utilization rates, while truck trips were assigned to the project site's loading dock on West 40th Street between 10th Avenue and Cardinal Stepinac Place. As shown in Figure 7, the following three additional intersections were selected for detailed traffic analyses as per CEQR guidelines:

- 11th Avenue and West 43rd Street
- 9th Avenue and West 43rd Street
- Dyer Avenue and West 42nd Street

TRANSIT

Subway

As discussed above, the Proposed Project would generate a total of 562, 748, 934, and 890 new subway trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. These trips were assigned to the three nearest stations, namely the 42nd Street / Port Authority Bus Terminal (PABT) station at 8th Avenue serving the A, C, and E lines; the 34th Street / Javits Convention Center station that will be completed as part of the MTA's 7 line extension; and the Times Square 42nd Street station at 7th Avenue, serving the 1, 2, 3, 7, N, Q, R, and S lines. The 34th Street / Javits Convention Center station on the 7 line would be the closest facility to the project site with an entrance at 11th Avenue and West 36th Street, and would therefore be the assumed destination for a



520 West 41st Street **Figure 8**

No Parking Alternative – AM Peak Hour Vehicle Trip Assignment

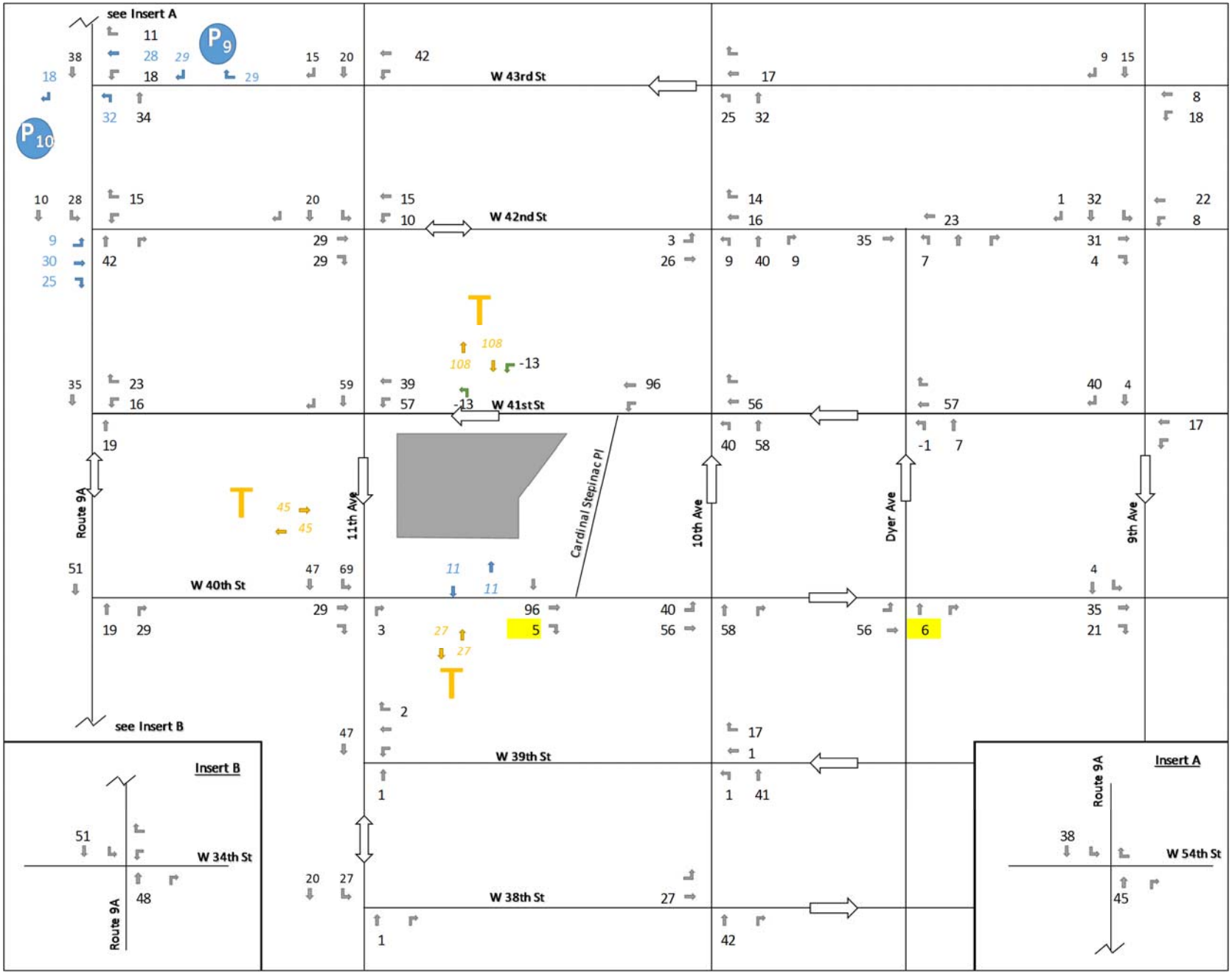
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 9**

No Parking Alternative – Midday Peak Hour Vehicle Trip Assignment

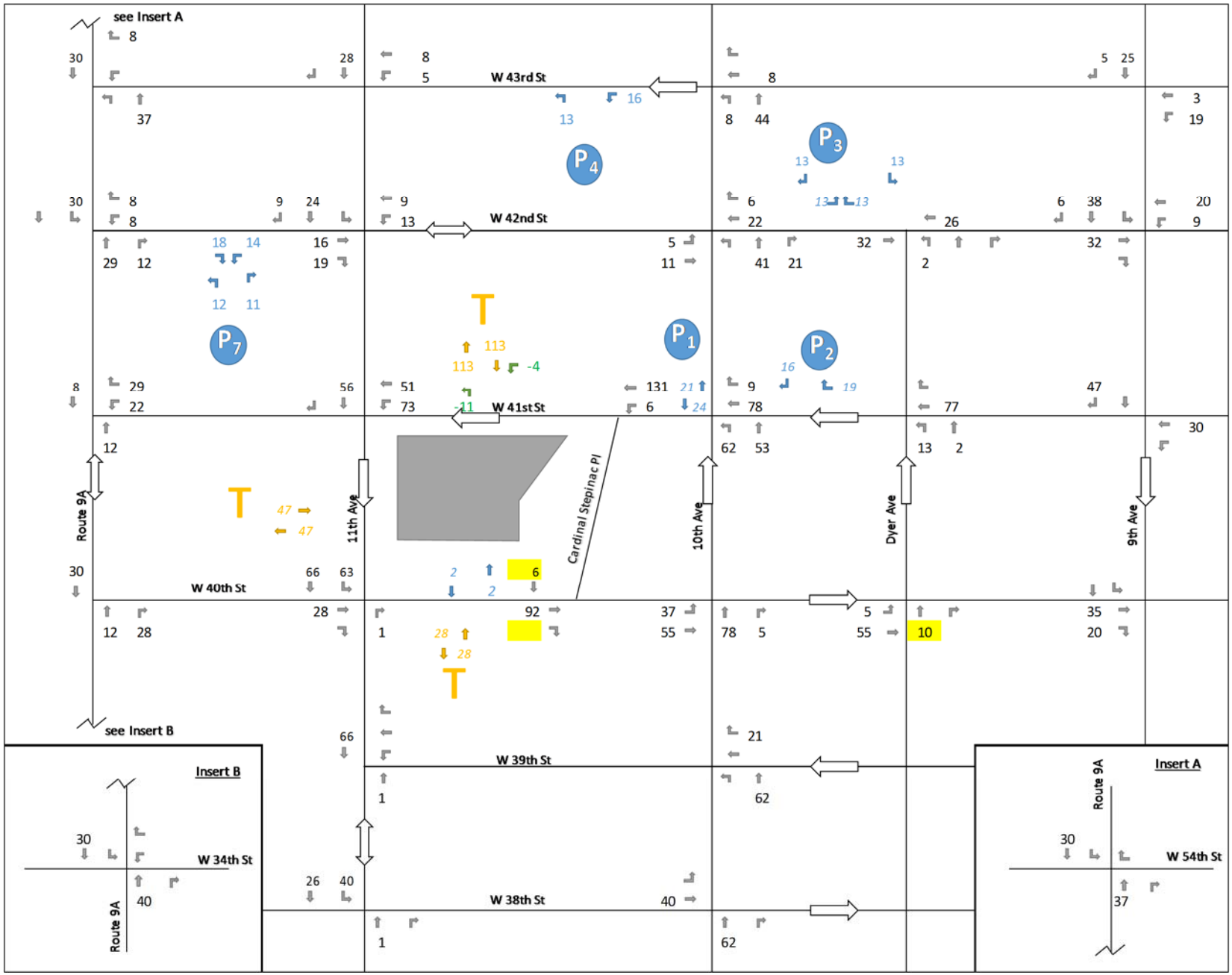
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 10**

No Parking Alternative – PM Peak Hour Vehicle Trip Assignment

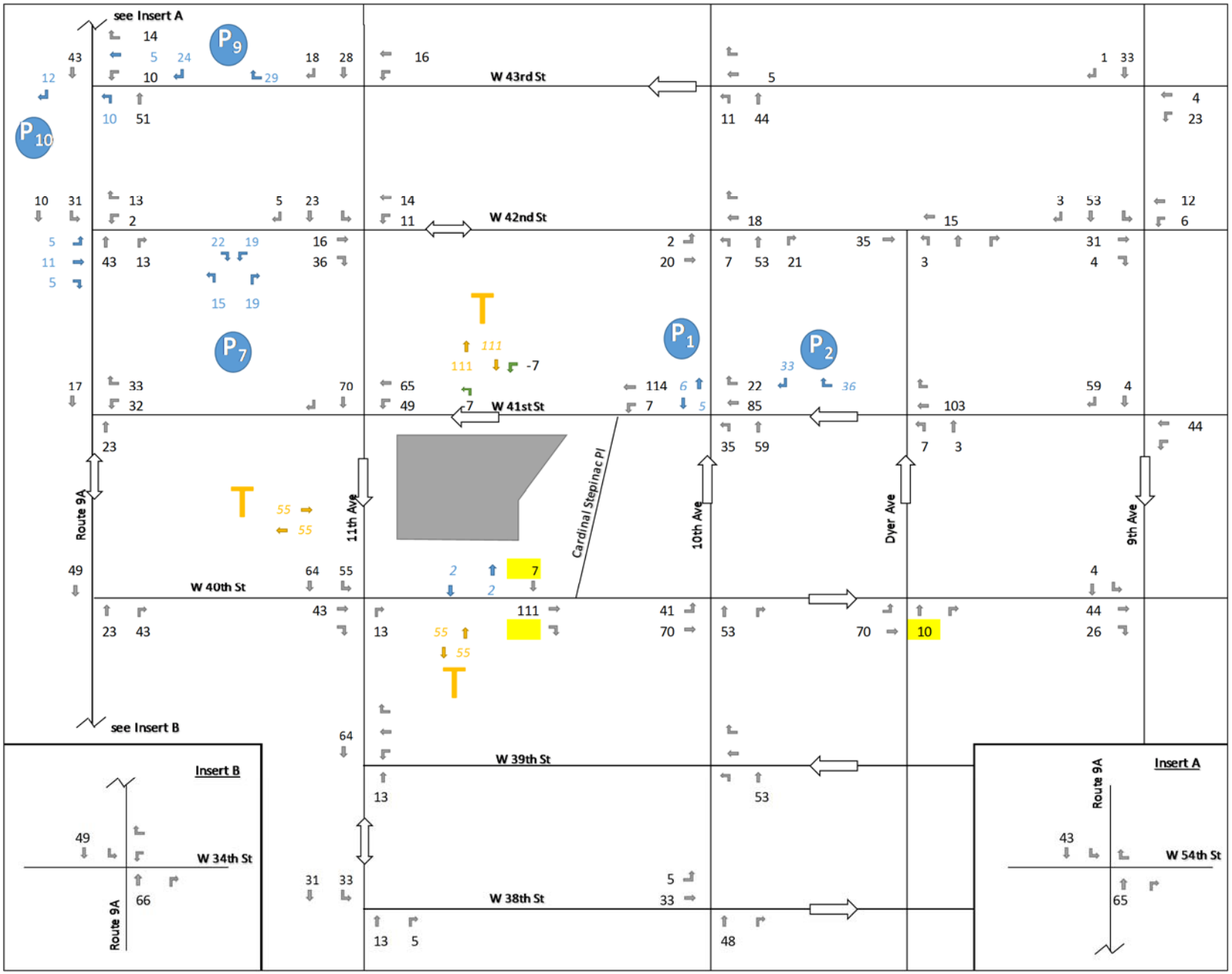
Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel



520 West 41st Street **Figure 11**

No Parking Alternative – Saturday Peak Hour Vehicle Trip Assignment

Legend:

xx Taxi ins/outs

xx Parking garages/loading dock ins/outs

No-Action ins/outs

To/from Lincoln Tunnel

large portion of the subway trips. Although located at greater distance from the project site than the 34th Street / Javits Convention Center station, the 42nd Street / PABT station on the A, C, and E line is also anticipated to experience a considerable portion of the demand, due to its lines' direct service to the north and south, as compared to the 7 line, which only directly services the east. With a walking distance that exceeds half a mile, only a small portion of project generated subway riders are expected to use the Times Square 42nd Street station. The assigned percentages and resulting increase in ridership per station are shown in Table 12. As shown below in Table 12, both the 34th Street / Javits Convention Center station and the 42nd Street / PABT station are expected to experience an increase of approximately 253 and 420 new subway riders as a result of the Proposed Project in the weekday AM and PM peak hours, respectively, while the Times Square 42nd Street station is expected to experience approximately 56 new subway riders in the AM peak hour and 94 in the PM peak hour.

Table 12: Project Generated Subway Trips per Station

Subway Station	Assigned Percentage	AM Peak Hour Trips	PM Peak Hour Trips
34th Street / Javits Convention Center (7)	45%	253	420
42nd Street / Port Authority Bus Terminal (A,C,E)	45%	253	420
Times Square 42nd Street (1,2,3,7,N,Q,R,S)	10%	56	94
Total	**100%**	**562**	**934**

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) specified in the *CEQR Technical Manual*, detailed transit analyses are required if the Proposed Action is projected to result in more than 200 new peak hour rail transit riders. The Proposed Project would therefore exceed the CEQR threshold only at the future 34th Street / Javits Convention Center station and the 42nd Street / PABT station during the peak weekday AM and PM commuter periods. Although the Proposed Project is projected to result in more than 200 new peak hour subway trips in the weekday and Saturday midday peak periods, these trips would be off-peak when the subway system typically has ample capacity. As such, it is proposed that these off-peak periods will not be analyzed in the EIS, as no impacts are expected. The future 34th Street / Javits Convention Center station will be analyzed by comparing No-Action projections provided by the MTA with anticipated With-Action pedestrian volumes, while the transit analysis will provide a detailed analysis of Existing, No-Action and With-Action conditions of key stairways and entrance control areas of the 42nd Street / PABT station.

It should be noted that in the no parking alternative, only approximately 21 and 59 more AM and PM peak hour subway trips are expected to occur than in the RWCDS, as shown earlier in Table 7. Therefore, the same subway station elements will be analyzed for both the RWCDS and the no parking alternative.

Bus

The project site is also served by five local NYCT bus routes, namely the M42 crosstown service, the M34 Select Bus Service (SBS) between the Javits Convention Center and the Eastside Ferry Terminal, the M34A SBS between the Port Authority Bus Terminal and Waterside Plaza, the M11 between Greenwich Village and Harlem/Riverbank State Park, and the new M12 between the West Village and Columbus Circle, which started service on August 31st, 2014.

According to general thresholds used by the MTA and specified in the *2014 CEQR Technical Manual*, a detailed bus-line haul analysis is generally not required if the project generated increase in passengers assigned to a single bus line (in one direction) is fewer than 50 passengers.

As shown below in Table 13, it is anticipated that based on the proximity of the routes to the project site, the majority of project generated bus trips would be on the crosstown service M42 and the north-south routes M11 and M12, while the M34 SBS and M34A SBS are expected to experience only a small increase in ridership as they are located at a considerable distance from the project site.

Table 13: Project Generated Bus Trips per Route

Bus Route	Direction	Assigned Percentage		AM Peak Hour Trips			PM Peak Hour Trips		
		In	Out	In	Out	Total	In	Out	Total
M42	EB	0%	30%	0	43	43	0	38	38
	WB	30%	0%	16	0	16	56	0	56
M34 SBS	EB	0%	5%	0	6	6	0	6	6
	WB	5%	0%	3	0	3	9	0	9
M34A SBS	EB	0%	15%	0	22	22	0	19	19
	WB	15%	0%	7	0	7	28	0	28
M11	NB	15%	10%	7	15	22	28	13	41
	SB	10%	15%	5	22	27	19	19	38
M12	NB	15%	10%	7	15	22	28	13	41
	SB	10%	15%	5	22	27	19	19	38
Total		**100%**	**100%**	**50**	**145**	**195**	**187**	**127**	**314**

As discussed above, the project would generate an increase in bus trips of 195, 291, 314, and 683 trips during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. As shown in Table 13, the proposed development would generate more than the 50-trip *CEQR Technical Manual* analysis threshold on one local bus route, the M42 in the PM peak hour. As the proposed development would potentially add 50 or more trips per direction through the peak load point on the M42 bus route in the PM peak hour, a detailed analysis of PM peak hour conditions on this route will be provided in

the EIS. As it is also expected that project generated subway riders going to/from the Times Square 42nd Street station would transfer to the M42, up to 56 and 94 additional new riders would use this bus line during the AM and PM peak hours, respectively. A detailed analysis of AM peak hour conditions on the M42 route will therefore also be provided. Although the Proposed Project is projected to result in a significant amount of bus trips during the weekday and Saturday midday peak periods, these trips would be off-peak when the bus system typically has ample capacity. As such, these off-peak periods are not analyzed, as no impacts are expected.

As shown earlier in Table 7, the no parking alternative would result in an increase of approximately 8 and 18 AM and PM peak hour bus trips, respectively, compared to the RWCDS. Due to this small difference, it is anticipated that the same bus route will be analyzed for both the RWCDS and the no parking alternative.

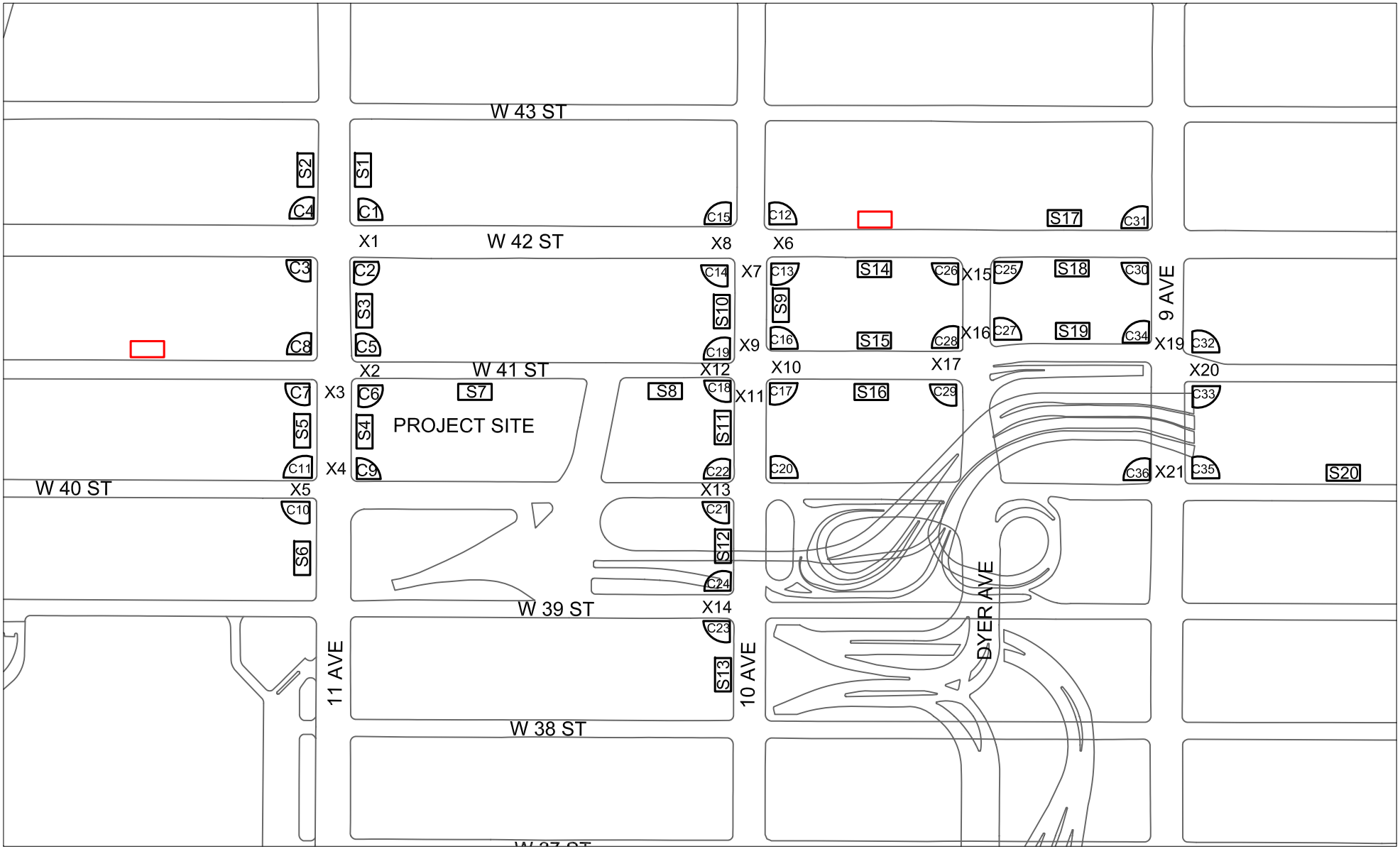
PEDESTRIANS

According to the *2014 CEQR Technical Manual*, projected pedestrian volume increases of less than 200 pedestrians per hour at any pedestrian element analyzed would not require further analysis since that level of increase would not generally be noticeable nor would it typically cause a significant impact. Based on the travel demand forecast provided earlier in Tables 3 and 5, there would likely be substantial pedestrian trips in the vicinity of the project site as well as along corridors to/from transit stations.

Project generated pedestrian trips are expected to be concentrated along the north-south corridors of 11th and 10th Avenues between West 42nd and West 39th Streets , as well as along the local east-west streets West 40th, West 41st, and West 42nd Street between 11th and 8th Avenues. The pedestrian analysis will therefore focus on sidewalks, crosswalks, and corners along these corridors. Analysis locations, where project generated pedestrian trips exceed the 200 peak hour trips *CEQR Technical Manual* threshold will be determined based on detailed pedestrian assignments for the weekday AM, midday, PM, and Saturday midday peak hours.

Figure 12 shows the preliminary pedestrian analysis locations where project generated pedestrian trips are expected to be most concentrated. As shown in Figure 12, the pedestrian elements selected for a detailed analysis include 20 sidewalks, 36 corners and 21 crosswalks.[2] As also shown in Figure 12, two additional sidewalks were selected for analysis in the no parking alternative.

[2] As detailed analysis is conducted, a need for additional analysis locations may be identified; the DEIS will include any such additional analysis and provide an explanation for the additional analysis locations.



Legend:

C5 Corner to be analyzed

X3 Crosswalk to be analyzed

S13 Sidewalk to be analyzed

Additional sidewalk to be analyzed in No Parking Alternative

520 West 41st Street

Figure 12

Preliminary Pedestrian Analysis Locations

APPENDIX 2

Response to Comments on the
Draft Scope of Work

Responses to Comments on the Draft Scope of Work for the Draft Environmental Impact Statement for

520 West 41st Street

A. INTRODUCTION

This document summarizes and responds to comments on the Draft Scope of Work, issued on June 27, 2014, for 520 West 41st Street (the proposed project). Oral and written comments were received during the public meeting held by the New York City Department of City Planning on July 31, 2014. Written comments were accepted through the close of the public comment period, which ended at 5:00 PM on Monday, August 11, 2014. Appendix 3 contains the written comments received on the Draft Scope of Work. A Final Scope of Work was issued on November 10, 2014, incorporating comments received on the Draft Scope of Work where relevant and appropriate as well as other background and project updates that were made subsequent to publication of the Draft Scope of Work.

Section B lists the organizations and individuals that provided relevant comments on the Draft Scope of Work; no elected officials provided comments. Section C contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS THAT COMMENTED ON THE DRAFT SCOPE OF WORK

1. Christine Berthet, Chair, Manhattan Community Board 4, and Jean-Daniel Noland, Chair, Clinton/Hell's Kitchen Land Use Committee, Manhattan Community Board 4 (written comments submitted August 12, 2014).

2. Stephen Dabah, resident (oral statement at public hearing).

C. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

General/Project Description Comments

Comment 1.1: The Mercedes Benz dealership has been an eye-sore for a long time. I don't care how tall the new building is going to be, but would like to see some shops and stores incorporated into the project to activate the site. (2)

Response: Comment noted. As discussed in the Draft Scope of Work, the proposed project to be analyzed in the EIS includes approximately 300,000 sf of retail space, which is expected to consist of a mix of local service retail and destination retail space. As noted in the Draft Scope of Work, the DEIS will examine the potential urban design, socioeconomic

and neighborhood character impacts of the proposed project including its anticipated retail uses.

Comment 1.2: Manhattan Community Board 4 supports the request to increase the residential FAR as it aligns with the board's long held position on increasing housing in Subdistrict A of the Special Hudson Yards District (HY District). (1)

Response: Comment noted.

Comment 1.3: The proposed text amendment must include Inclusionary Housing text provisions requiring that 20% of the entire FAR be used for affordable housing. (1)

Response: As noted in the Draft Scope of Work, the residential portion of the proposed project may include affordable housing. The Draft Scope of Work states that the Reasonable Worst Case Development Scenario (RWCDS) used for analysis purposes in the DEIS will assume that 20% of the project's total residential floor area will be comprised of affordable housing units.

Comment 1.4: Any Inclusionary Housing apartments must be evenly distributed in location and type throughout the building and contain an equal level of apartment finish and equal and affordable access to all building amenities.

Response: Comment noted.

Comment 1.5: The proposal includes 200 accessory parking spaces in violation of The Hudson Yards Parking Text Amendment which resulted from the settlement of a Clean Air Act lawsuit. The underlying purpose of the amendment is to limit and monitor parking spaces within the HY District to ensure that the area is in compliance with the Clean Air Act. As per the settlement, the decision to allow additional parking spaces in the HY District must be made with regards to the existing reservoir surplus which as of January 17, 2014 is 3,264 spaces. MCB4 requires all proposed HY text amendments to meet the requirements of this settlement. (1)

Response: The proposed action, as described in the Draft Scope of Work does not include any modifications to the existing Special Hudson Yards District (SHYD) parking regulations. The applicant intends to incorporate 200 accessory parking spaces into the proposed project through the application of the existing parking regulations applicable to the SHYD. Therefore, as described in the Draft Scope of Work, the proposed development may include a 200-space underground accessory parking garage (approximately 38,000 gsf) if and when those spaces become available for development on the project site under the SHYD parking regulations. However, if the proposed parking spaces for the project are not available under the SHYD parking regulations in the future, the applicant would utilize the 38,000 gsf that would have been occupied by below-grade parking for commercial retail use instead. As described in the Draft Scope of Work, this no parking garage scenario would be analyzed as an alternative in the DEIS (see Task 20: Alternatives).

Urban Design and Visual Resources

Comment 8.1: The proposed site plan included in the Pre-Application Statement (Oct 2013) currently includes plazas, driveways, a two story streetwall and other mechanisms which result in a smaller building footprint. The smaller footprint and lack of strong streetwall therefore produces a substantially taller building. The proposed height at 1100 feet would be out of context even for the 400 and 500 foot towers currently built along the adjacent 42nd Street Perimeter Area of the Clinton Special District. MCB4 requests that the development have full lot coverage and a strong streetwall, therefore reducing the proposed height to be in context with surrounding buildings. (1)

Response: As described in the Draft Scope of Work, the DEIS will include an assessment of the potential for adverse impacts due to the proposed project to urban design, visual resources and neighborhood character. These assessments will consider the potential environmental impacts of the height, bulk and street wall elements of the proposed project. It should also be noted that the proposed development would comply with existing bulk regulations applicable to the project site and no bulk waivers are being sought. There are a variety of building forms that would comply with the applicable bulk regulations. The proposed building that would be assessed in the DEIS would have a base of five floors covering most of the lot, and an approximately 100-story tower located in the easternmost third of the lot.

APPENDIX 3

Written Comments Received on the Draft Scope of Work

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

CHRISTINE BERTHET
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

August 12, 2014

Carl Weisbrod
Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Re: 520 West 41st Street - Scope Comments

Dear Chair Weisbrod,

Manhattan Community Board 4 (MCB4) responded to the Pre-Application Statement (PAS) Form for 520 West 41st Street in a letter to you on May 28, 2014 (see attached). That letter may serve as MCB4's comments to the scope.

Sincerely,

Christine Berthet
Chair

Jean-Daniel Noland
Chair, Clinton / Hell's Kitchen Land Use Committee

Cc: Manhattan Borough President Gale Brewer
NYC Councilmember Corey Johnson

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

May 28, 2014

Carl Weisbrod
Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Re: 520 West 41st Street
Pre-Application Statement to the Department of City Planning

Dear Chair Weisbrod,

Manhattan Community Board 4 (MCB4) reviewed the Pre-Application Statement (PAS) Form for 520 West 41st Street which was submitted to the Department of City Planning on October 23, 2013. The PAS Form states Silverstein Development Corporation's request to amend the Zoning text to

> "create a new subarea within the Special Hudson Yards District that would allow more of the overall permitted floor area on the subject site (20 FAR) to be allocated to residential use (from 6 FAR as currently permitted by the text to 12 FAR). The special district text would also be amended to allow up to 200 accessory parking spaces on the site without regards to the existing Hudson Yards parking supply."

While MCB4 supports the inclusion of additional housing on the 520 West 41st Street site it cannot support the currently proposed site plan and massing which results in an 1100' tower. The proposal also includes 200 accessory parking spaces in violation of The Hudson Yards Parking Text Amendment which resulted from the settlement of a Clean Air Act lawsuit.

Support for Housing

The PAS submitted on October 23, 2013 requests an increase in residential FAR from 6 to 12 effectively decreasing the potential commercial FAR from 14 to 8. MCB4 supports the request to increase the residential FAR as it aligns with the boards long held position on increasing housing in Subdistrict A of the Special Hudson Yards District (HY District). During the 2004 Hudson Yards rezoning, MCB4 supported additional FAR for residential uses and a decrease in commercial FAR in the then proposed Hudson Yards Special District, Subdistrict A (11th Avenue, with an irregular eastern boundary toward 10th Avenue) ("Hudson Yards Plan and

related Land Use (ULURP) Applications Comments and Recommendations," MCB4, resolution—p.27, August 23, 2004.).

Decrease in height
The proposed site plan included in the PAS currently includes plazas, driveways, a two story streetwall and other mechanisms which result in a smaller building footprint. The smaller footprint and lack of strong streetwall therefore produces a substantially taller building. The proposed height at 1100 feet would be out of context even for the 400 and 500 foot towers currently built along the adjacent 42nd Street Perimeter Area of the Clinton Special District. MCB4 requests that the development have full lot coverage and a strong streetwall, therefore reducing the proposed height to be in context with surrounding buildings.

Inclusionary Housing Program
The proposed text amendment must include Inclusionary Housing text provisions requiring that 20% of the entire FAR be used for affordable housing. Further, that any Inclusionary Housing apartments must be evenly distributed in location and type throughout the building and contain an equal level of apartment finish and equal and affordable access to all building amenities.

On Site Parking
The Hudson Yards Parking Text Amendment, adopted April 14, 2010, resulted from a Stipulation and Order of Settlement in the case *Hell's Kitchen Neighborhood Association v. Bloomberg* filed on May 5, 2009. The underlying purpose of the amendment is to limit and monitor parking spaces within the HY District to ensure that the area is in compliance with the Clean Air Act. As per the settlement, the decision to allow additional parking spaces in the HY District must be made with regards to the existing reservoir surplus which as of January 17, 2014 is 3,264 spaces, MCB4 requires all proposed HY text amendments to meet the requirements of this settlement.

MCB4 looks forward to working with the Commission, the Department and the applicant as this proposal moves through the public approval process.

Sincerely,

Christine Berthet
Chair

Jean-Daniel Noland
Chair, Clinton / Hell's Kitchen Land Use Committee

Cc: Manhattan Borough President Gale Brewer
NYC Councilmember Corey Johnson