ENVIRONMENTAL ASSESSMENT STATEMENT

GARMENT CENTER
TEXT AMENDMENT

CEQR No. 17DCP149M

Lead Agency:
NYC Department of City Planning

Applicants:
NYC Department of City Planning
NYC Economic Development Corporation

Prepared by:
Philip Habib & Associates
Louis Berger

8 June 2018

Garment Center Text Amendment

Environmental Assessment Statement

Table of Contents

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME Garment Center Text Amendment

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP149M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
N 180373 ZRM	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			**NYC Dept. of City Planning/ NYC Economic Dev. Corp.**		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin			**Barry Dinerstein / Robert Holbrook**		
ADDRESS **120 Broadway, 31st floor**			ADDRESS **120 Broadway, 31st floor/ 110 William St.**		
CITY **New York**	STATE **NY**	ZIP **10271**	CITY **New York**	STATE **NY**	ZIP **10271/ 10038**
TELEPHONE **212.720.3423**	EMAIL **rdobrus@planning.nyc.gov**		TELEPHONE **212.720.3324/ 212.312.3706**	EMAIL **bdiners@planning.nyc.gov / rholbrook@edc.nyc**	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): **6 NYCRR 617.4(b)(9)**

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

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

4. *Project Description*

The Department of City Planning and the Economic Development Corporation are proposing a zoning text amendment to the New York City Zoning Resolution (ZR), Article XII, Chapter 1, Special Garment Center District (SGCD). These changes would include: (1) remove restrictions on conversion of floor area from manufacturing and warehousing to office use which now exist on sites in SGCD Preservation Areas P1 and P2; (2) in the C6-4M portion of the SGCD prohibit conversion of manufacturing and warehousing space in existing buildings of 70,000 square feet or larger to residential or dormitory community facilities; (3) establish a special permit to allow new hotel uses in the SGCD, i.e, hotel uses would not be allowed as-of-right; (4) change height and setback regulations in the M1-6 portion of the SGCD to create a more contextual envelope for new buildings; (5) subject the M1-6 portion of the SGCD to C6-4 sign regulations and prohibiting flashing signs in the C6-4M district; and (6) prohibit Use Group 18 in the M1-6 portion of the SGCD. Attachment A, Project Description, describes the purpose and need for these proposed text amendments and provides more details on the actions. A reasonable worst-case development scenario (RWCDS) has been identified consisting of projected and potential development sites for the proposed action and the projected development program is summarized on this form. Attachments B through I provide screening assessments, and where warranted detailed analyses of the effects of the RWCDS on the CEQR technical areas. One of the projected development sites is expected to seek the new hotel special permit, which is assessed in Attachment I, Conceptual Analyses.

Project Location

BOROUGH **Manhattan**	COMMUNITY DISTRICT(S) **4, 5**	STREET ADDRESS **See Attachment A**
TAX BLOCK(S) AND LOT(S) **See Attachment A and Figure 2**		ZIP CODE **10018**
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **See Attachment A**		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY **See Figure 3**		ZONING SECTIONAL MAP NUMBER **8d**

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☐ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☐ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☒ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☐ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas) **See Attachment A**
Total directly affected area (sq. ft.): **N/A** Waterbody area (sq. ft.) and type: **N/A**
Roads, buildings, and other paved surfaces (sq. ft.): **N/A** Other, describe (sq. ft.): **N/A**

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): **See Attachment A**
NUMBER OF BUILDINGS: **N/A** GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): **N/A**
HEIGHT OF EACH BUILDING (ft.): **N/A** NUMBER OF STORIES OF EACH BUILDING: **N/A**

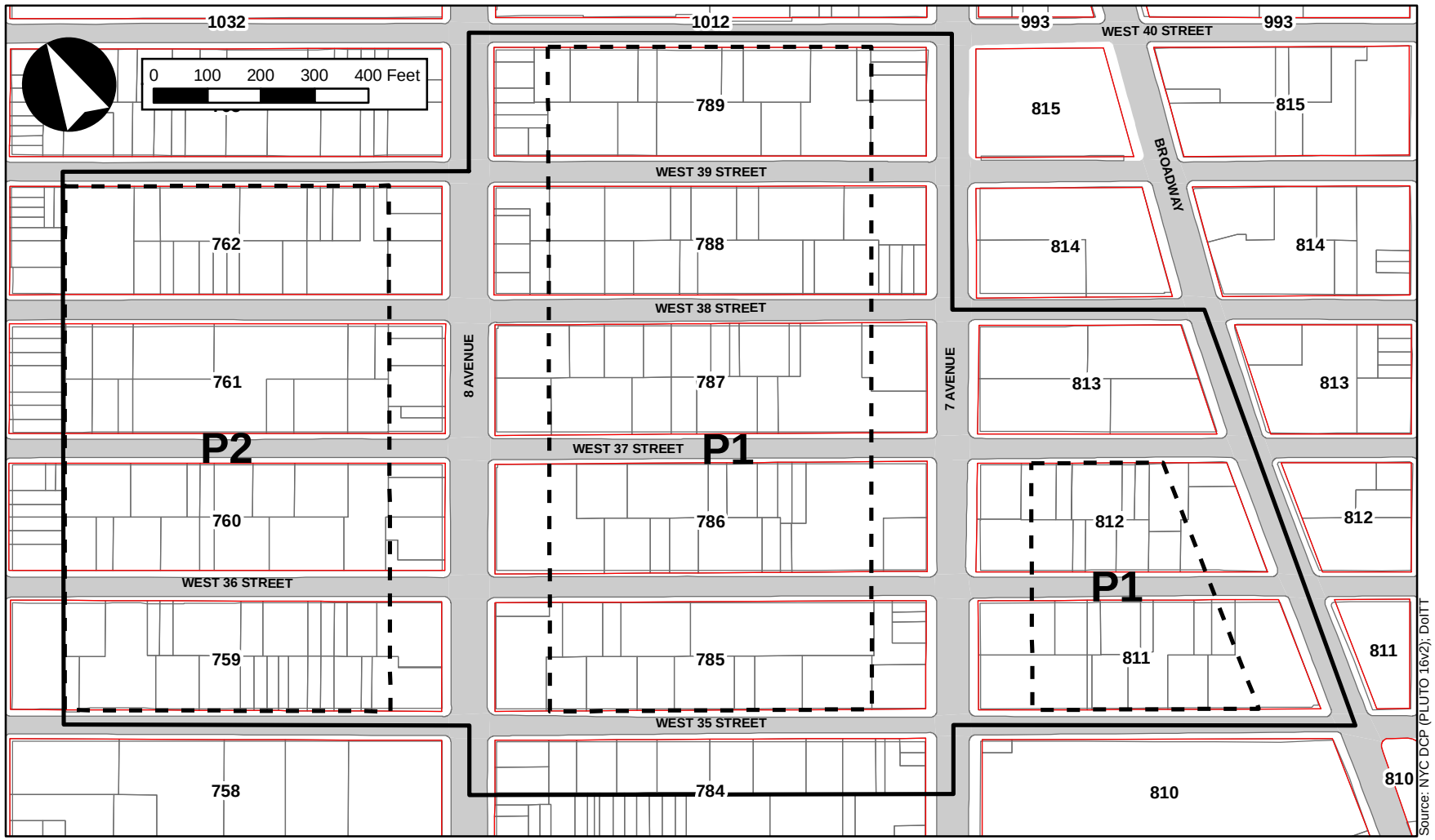
Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant:
The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2
ANTICIPATED BUILD YEAR (date the project would be completed and operational): **2027 (analysis year)**
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: **N/A**
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)
☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Figure 1
Site Location Map



Legend

Special Garment Center District Boundary

Preservation Area Boundary

759 Block Number

NYC Finance

NYC Digital Tax Map

Effective Date : 02-13-2013 14:49:12
End Date : Current

Manhattan Block: 759

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
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- Preservation Area Boundary
- P1 Preservation Area Designation

NYC Finance

NYC Digital Tax Map

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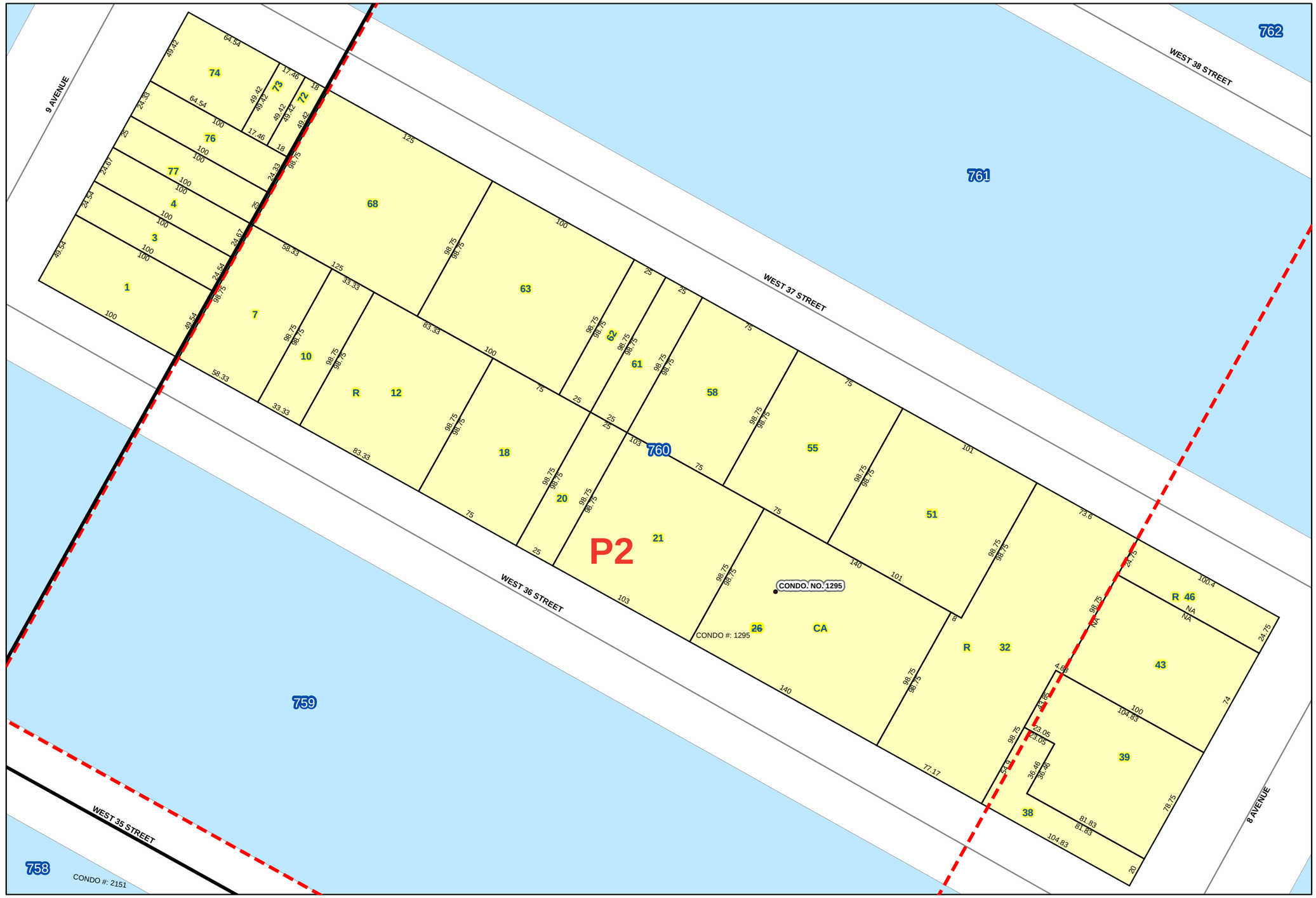
Manhattan Block: 760



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NYC Finance

NYC Digital Tax Map

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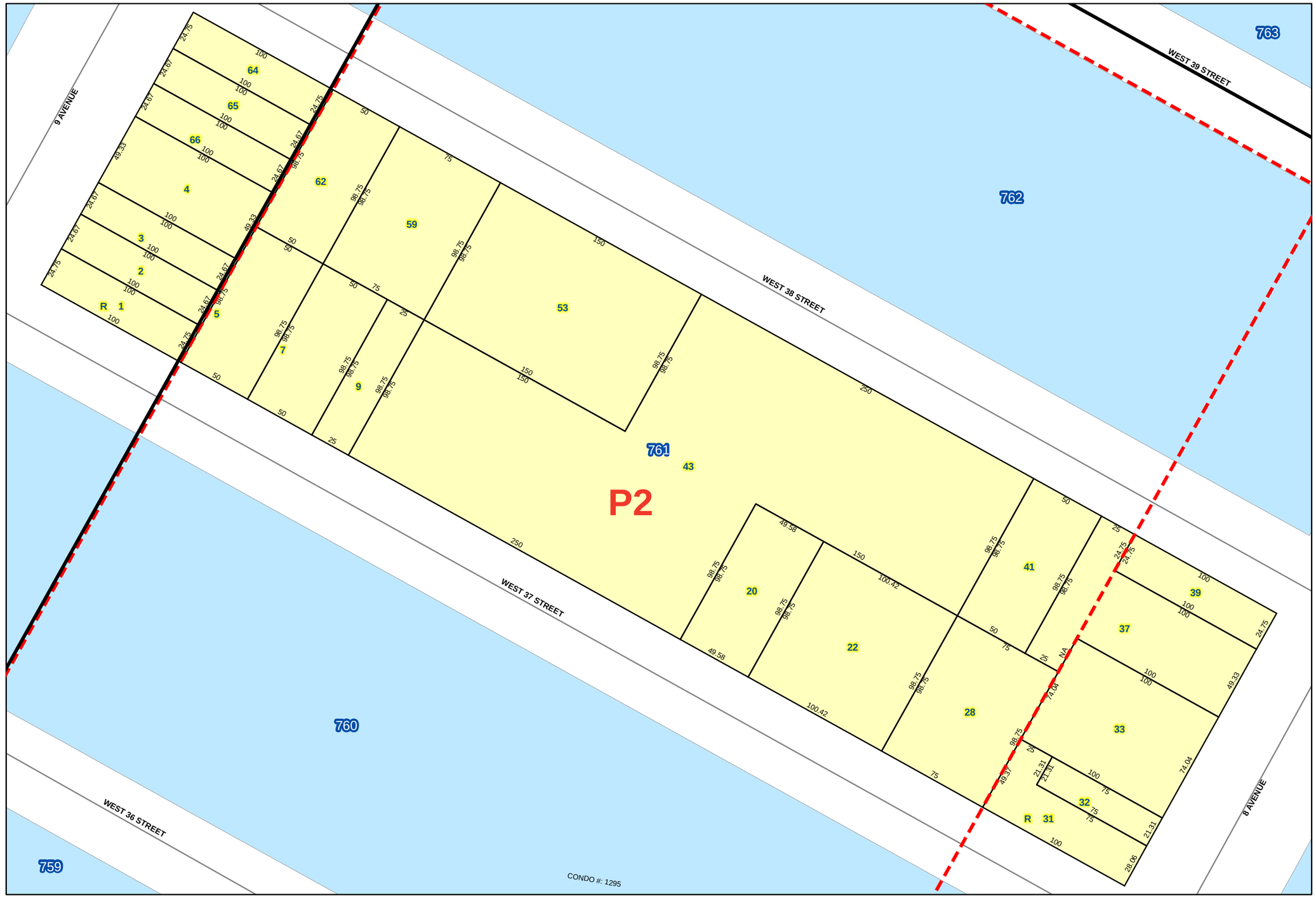
Manhattan Block: 761



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NYC Finance

NYC Digital Tax Map

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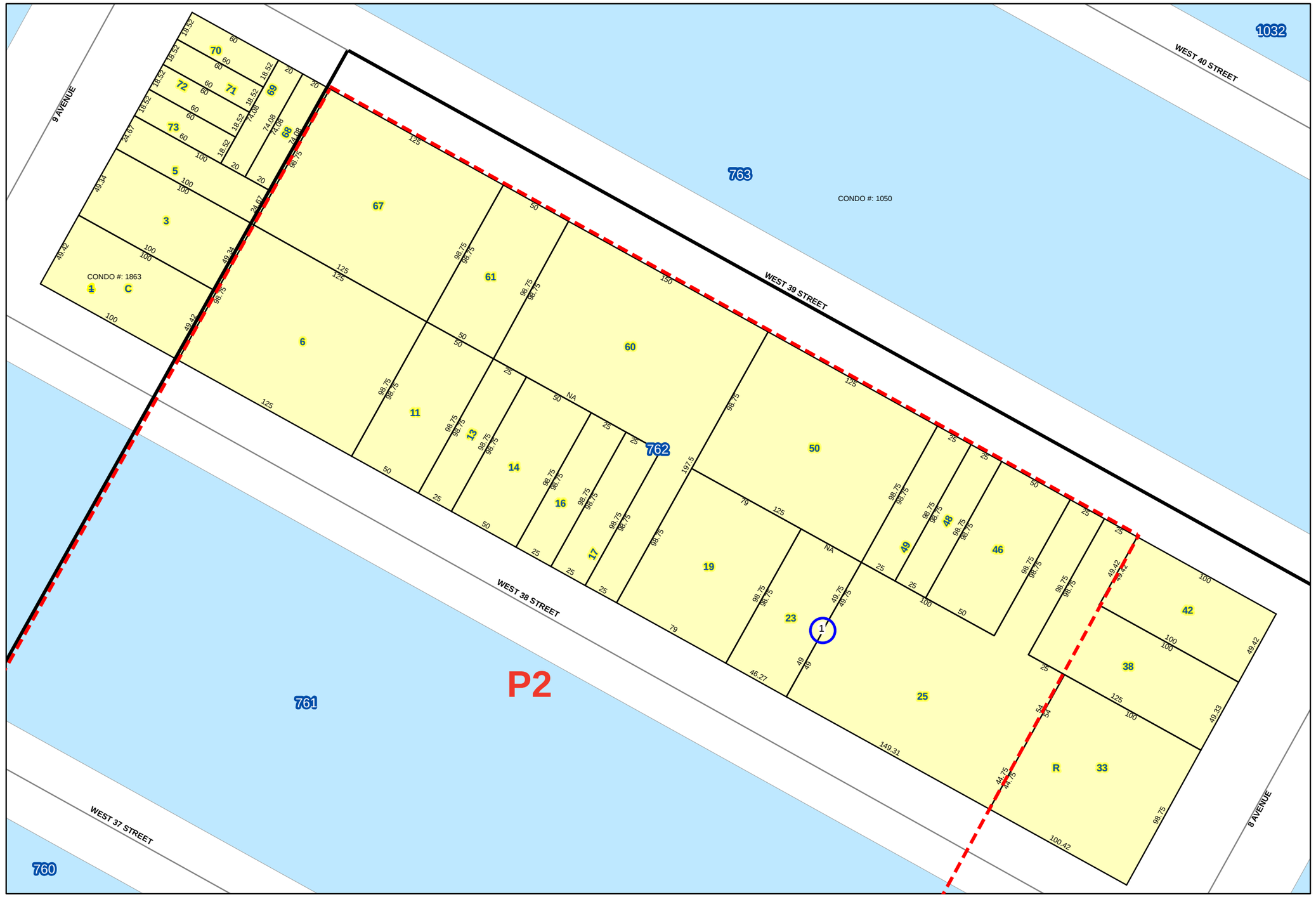
Manhattan Block: 762



Feet
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Legend

- Streets
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NYC Finance

NYC Digital Tax Map

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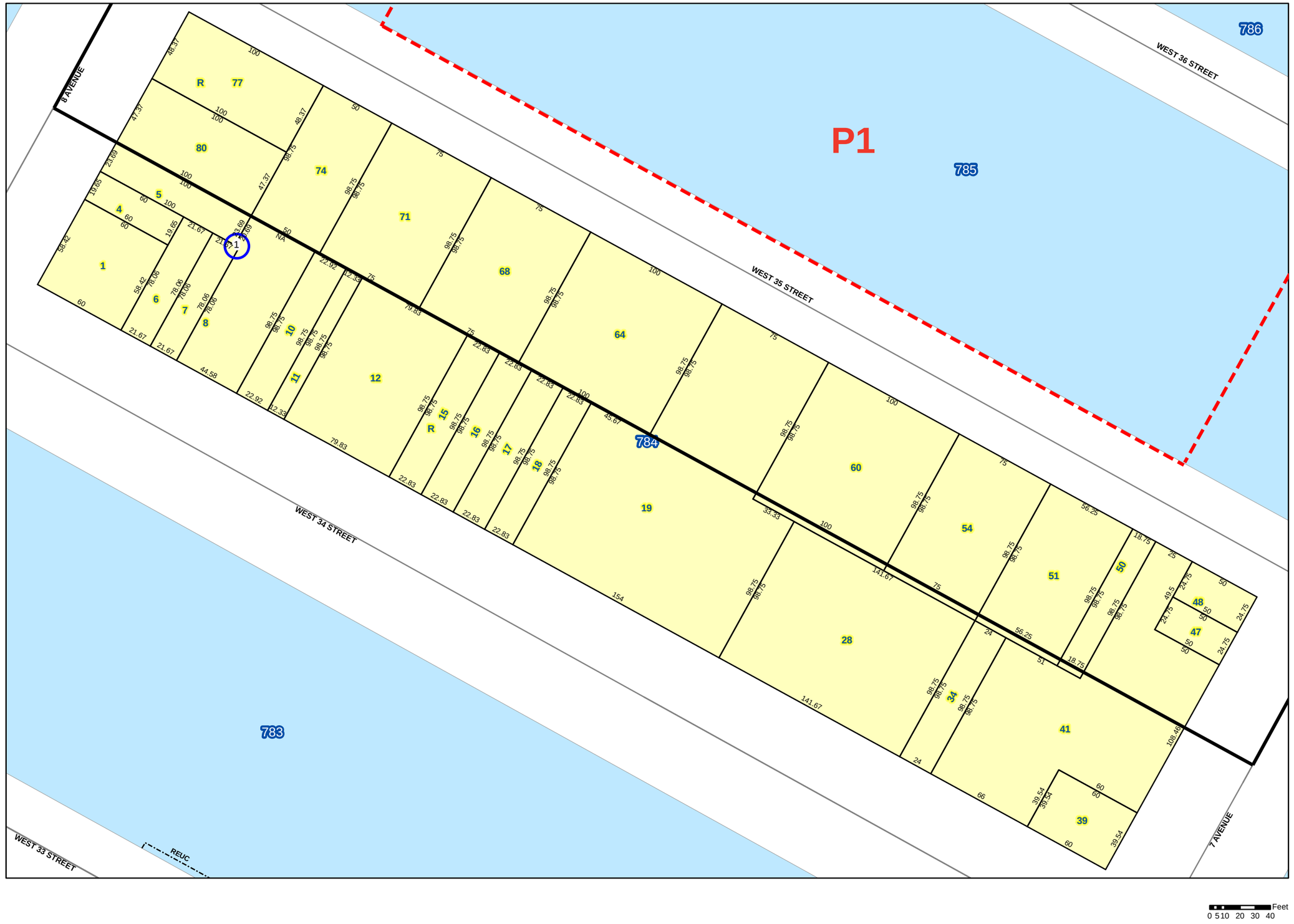

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NYC Finance

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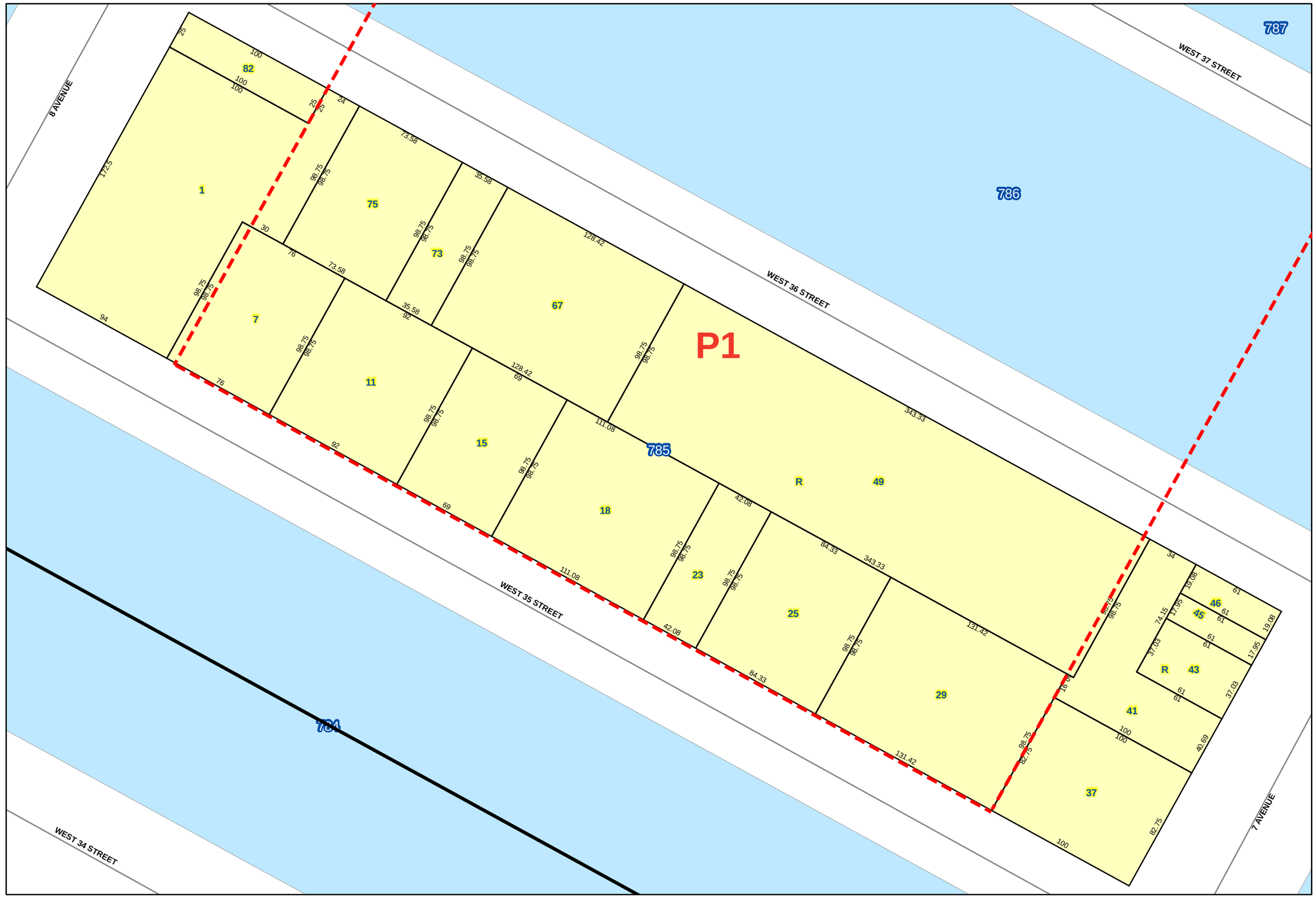

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MARTHA E. STARK
COMMISSIONER

NYC Digital Tax Map

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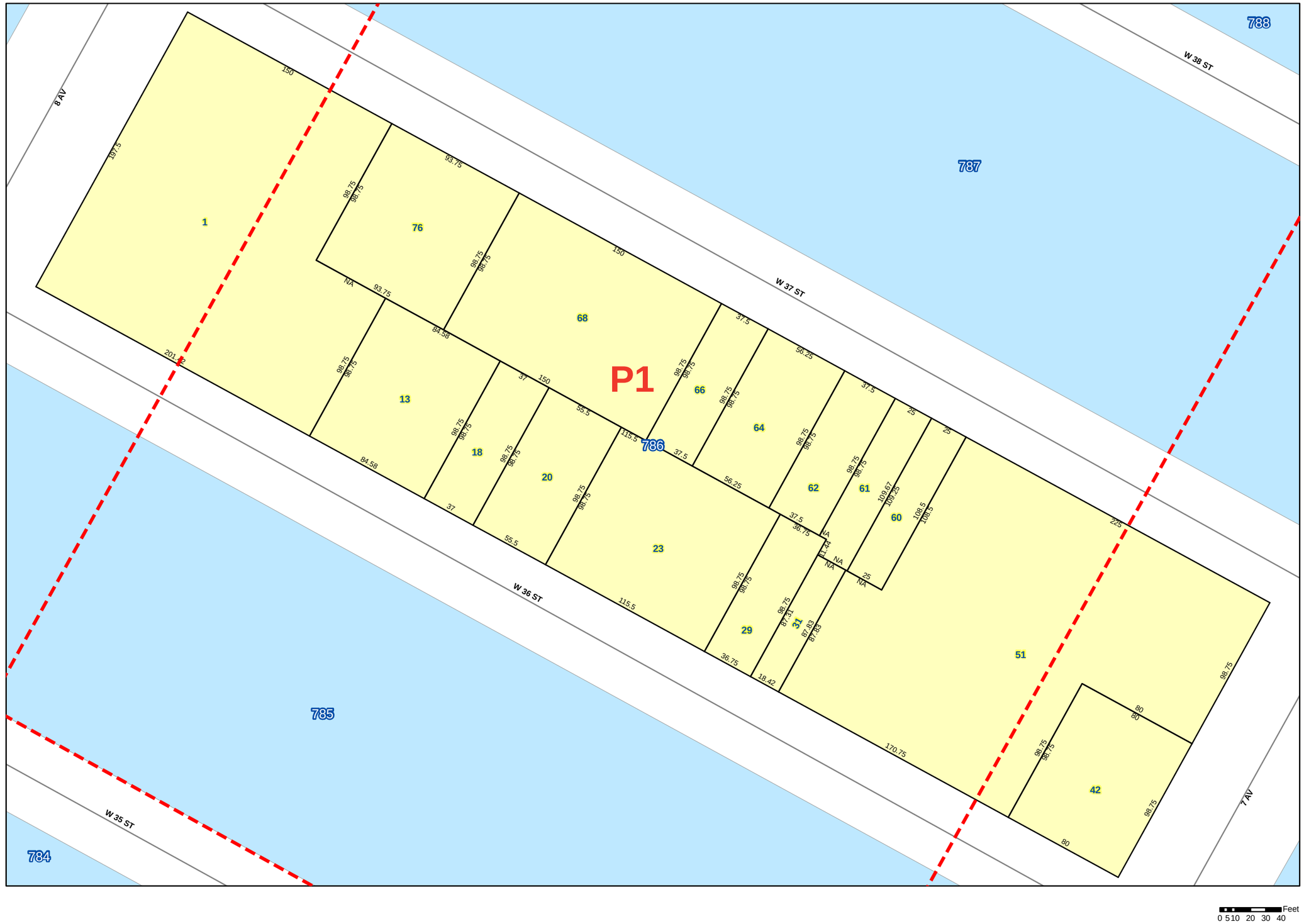
Manhattan Block: 786



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FINANCE NEW • YORK
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COMMISSIONER

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NYC Digital Tax Map

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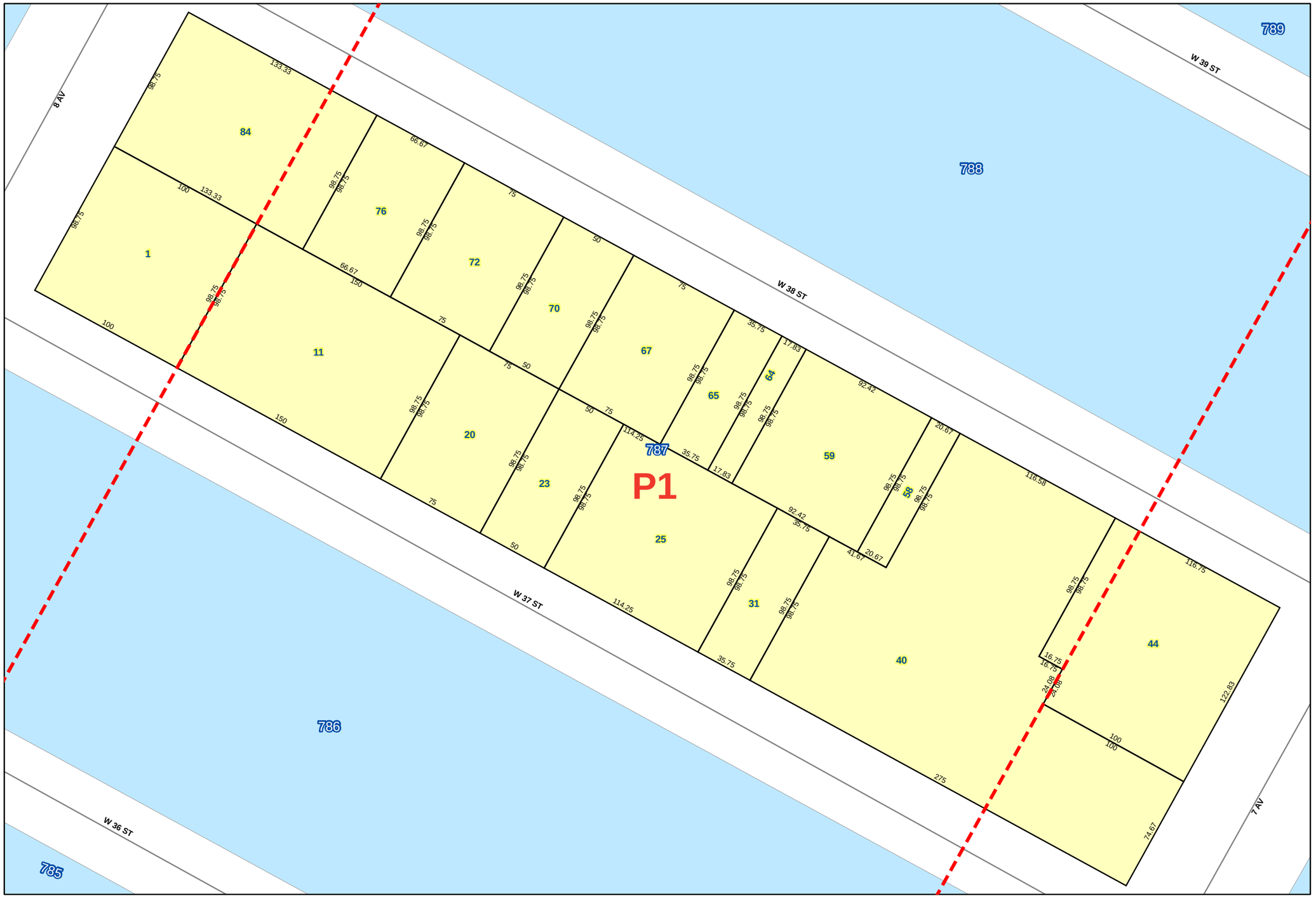

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NYC Finance

N W E S

NYC Digital Tax Map

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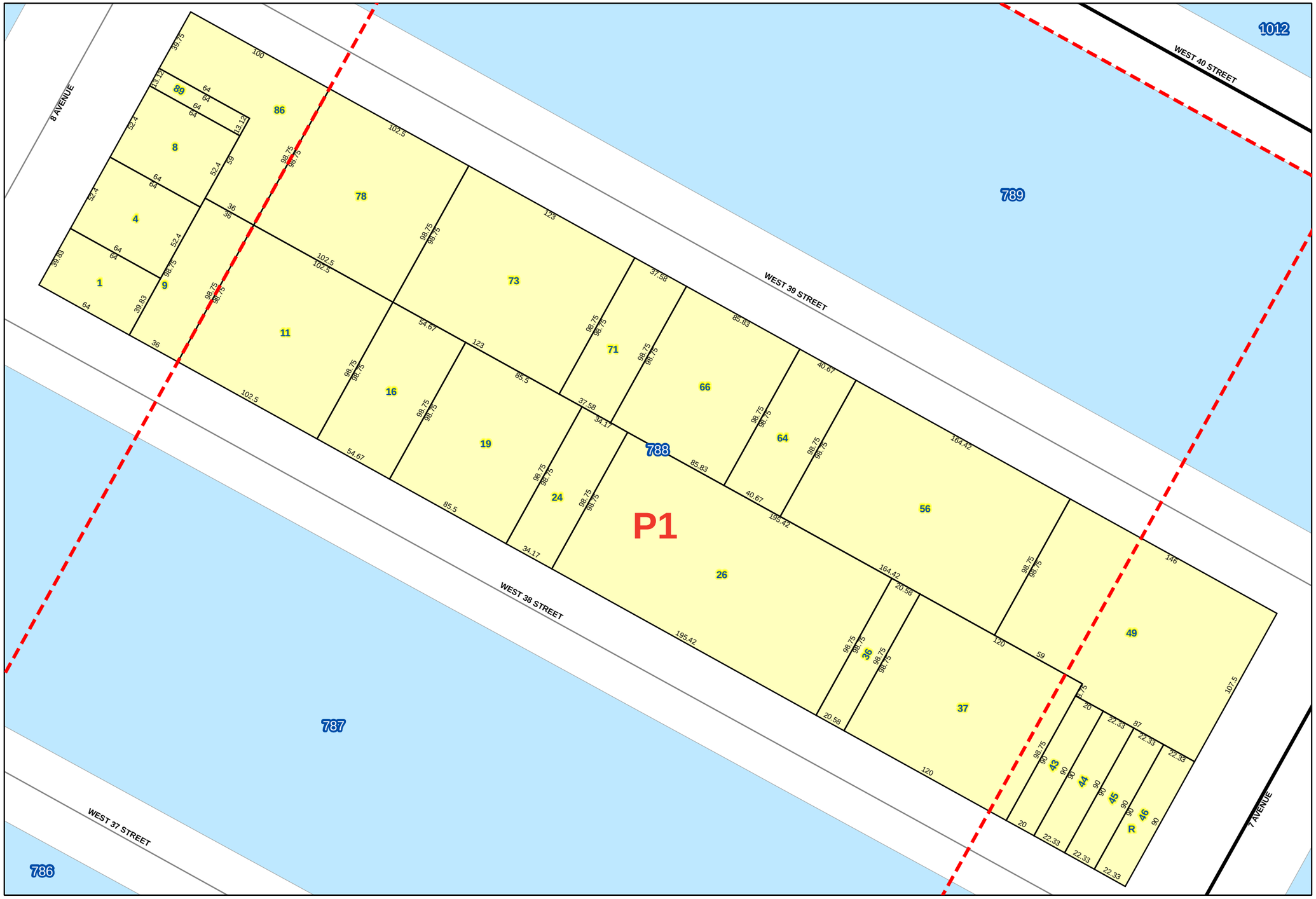
Manhattan Block: 788



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Feet
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NYC Finance

NYC Digital Tax Map

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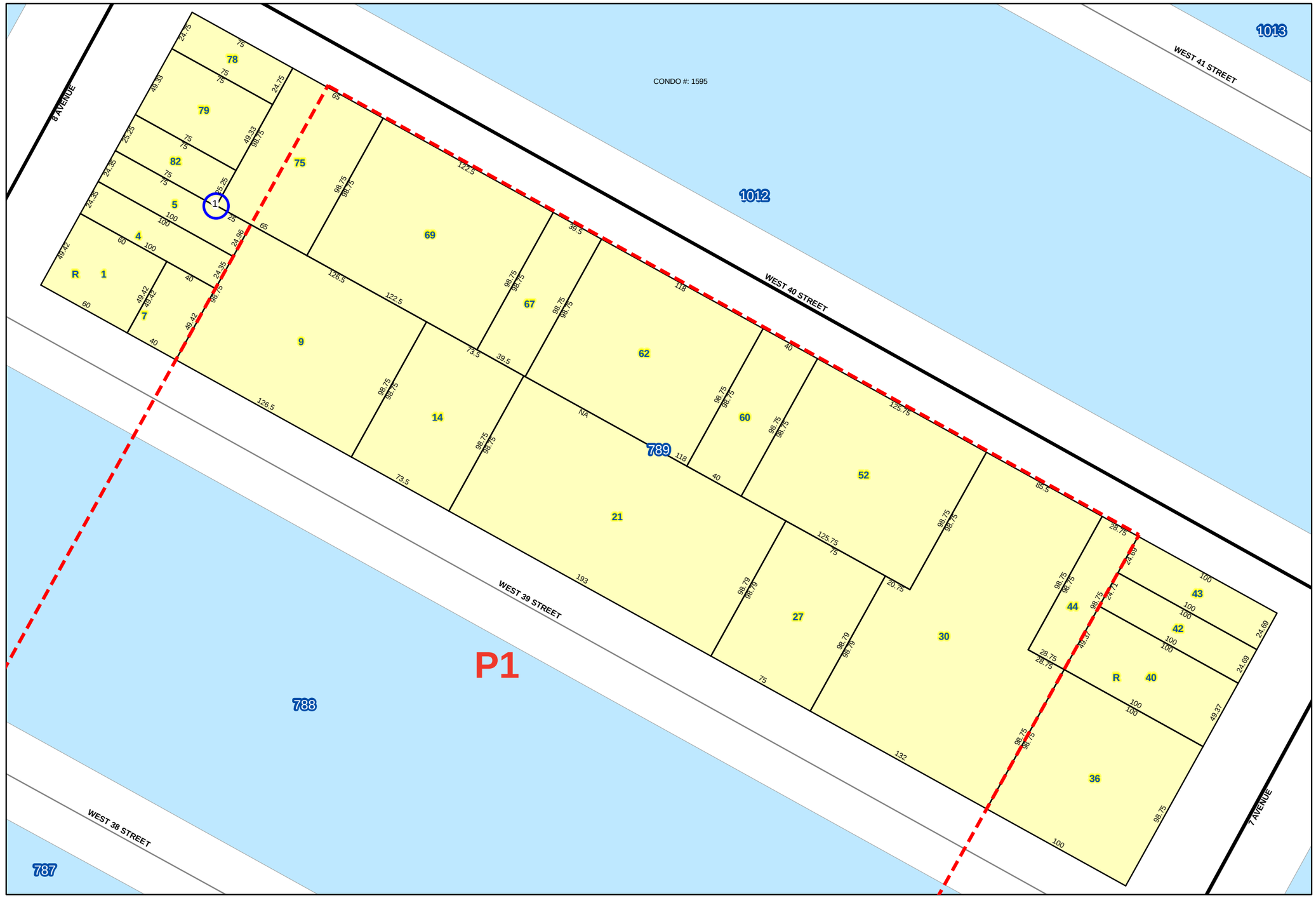
Manhattan Block: 789



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NYC Finance

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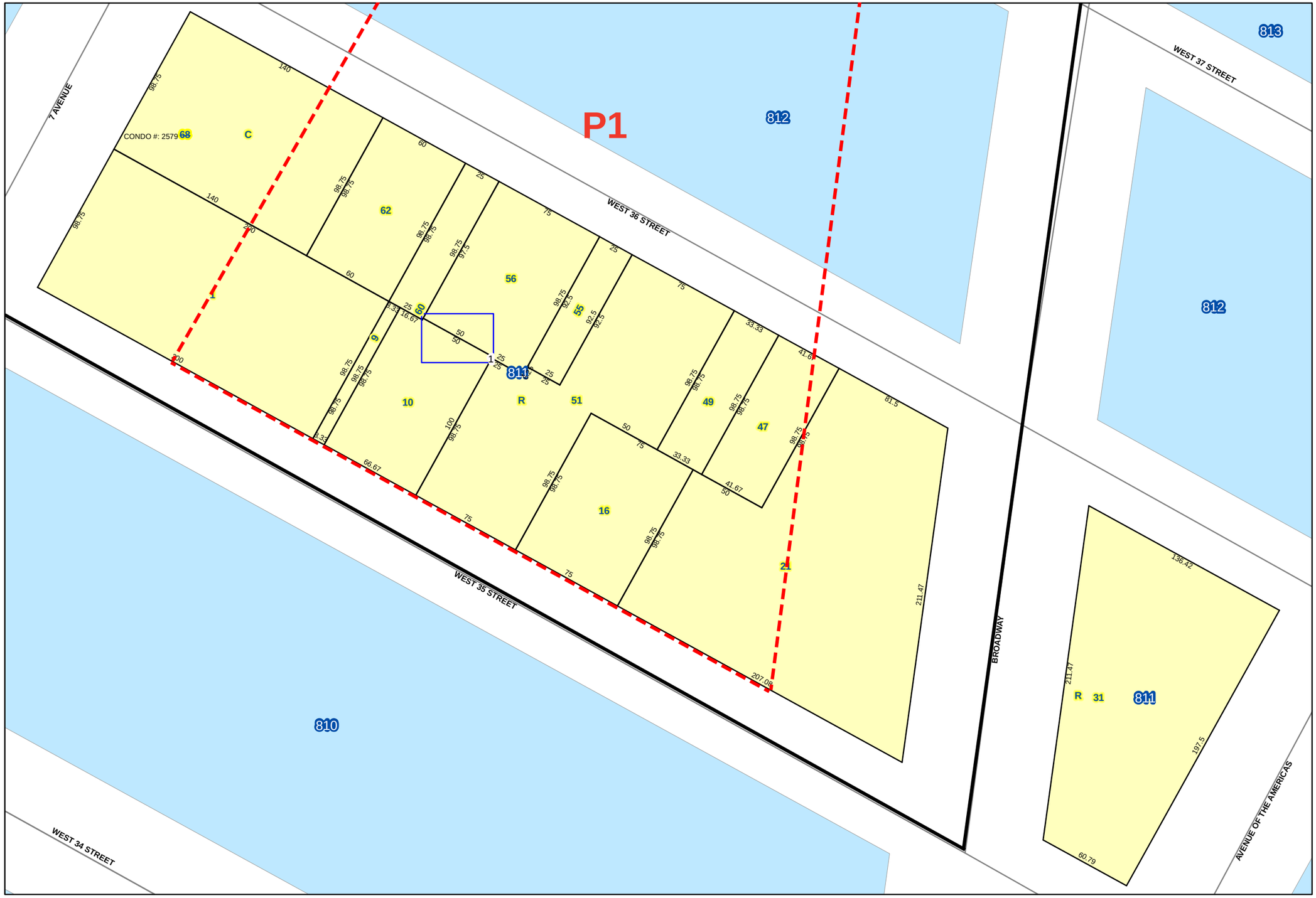

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- P1 — Preservation Area Designation

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NYC Finance

NYC Digital Tax Map

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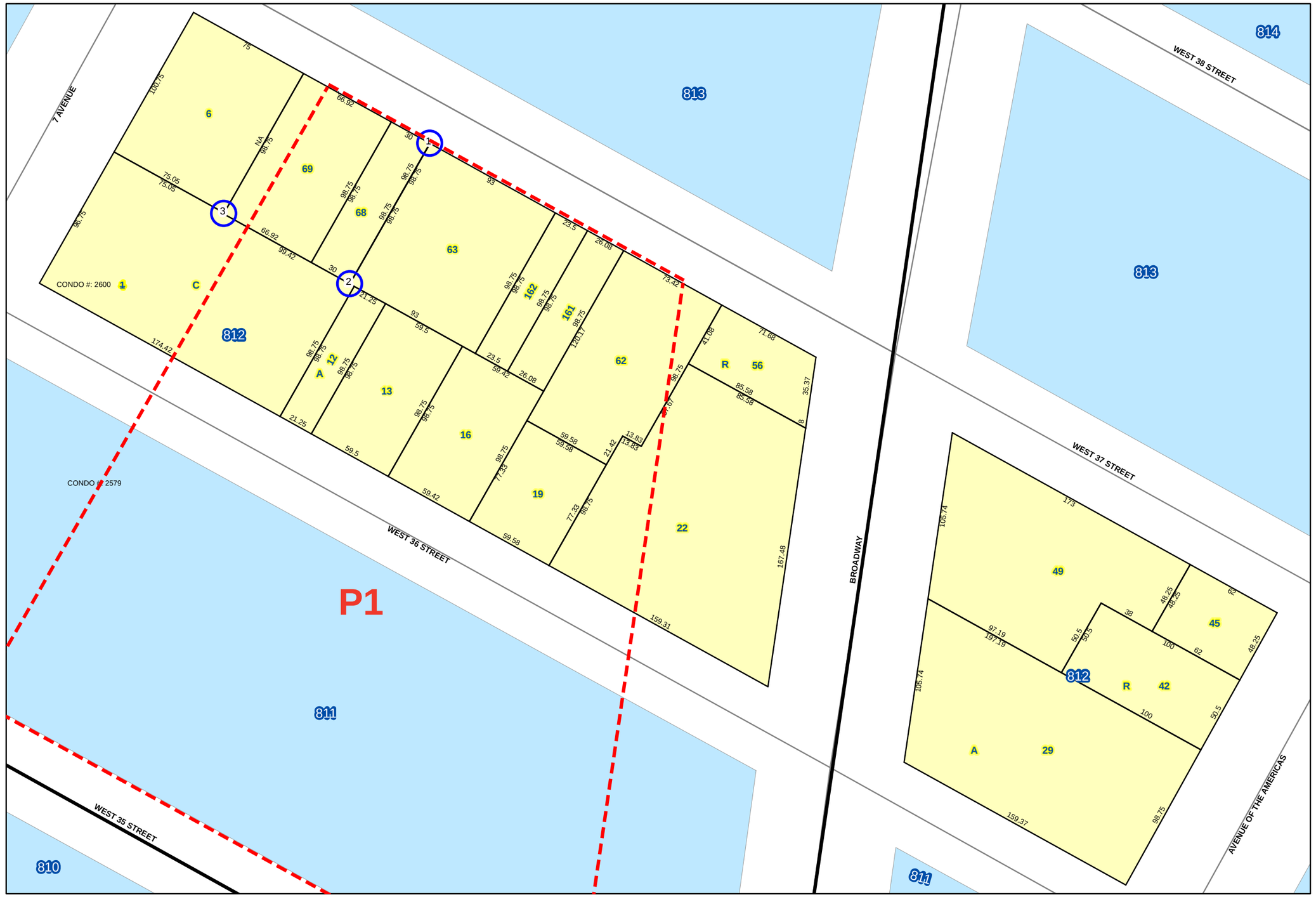
Manhattan Block: 812



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Feet
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NYC Finance

NYC Digital Tax Map

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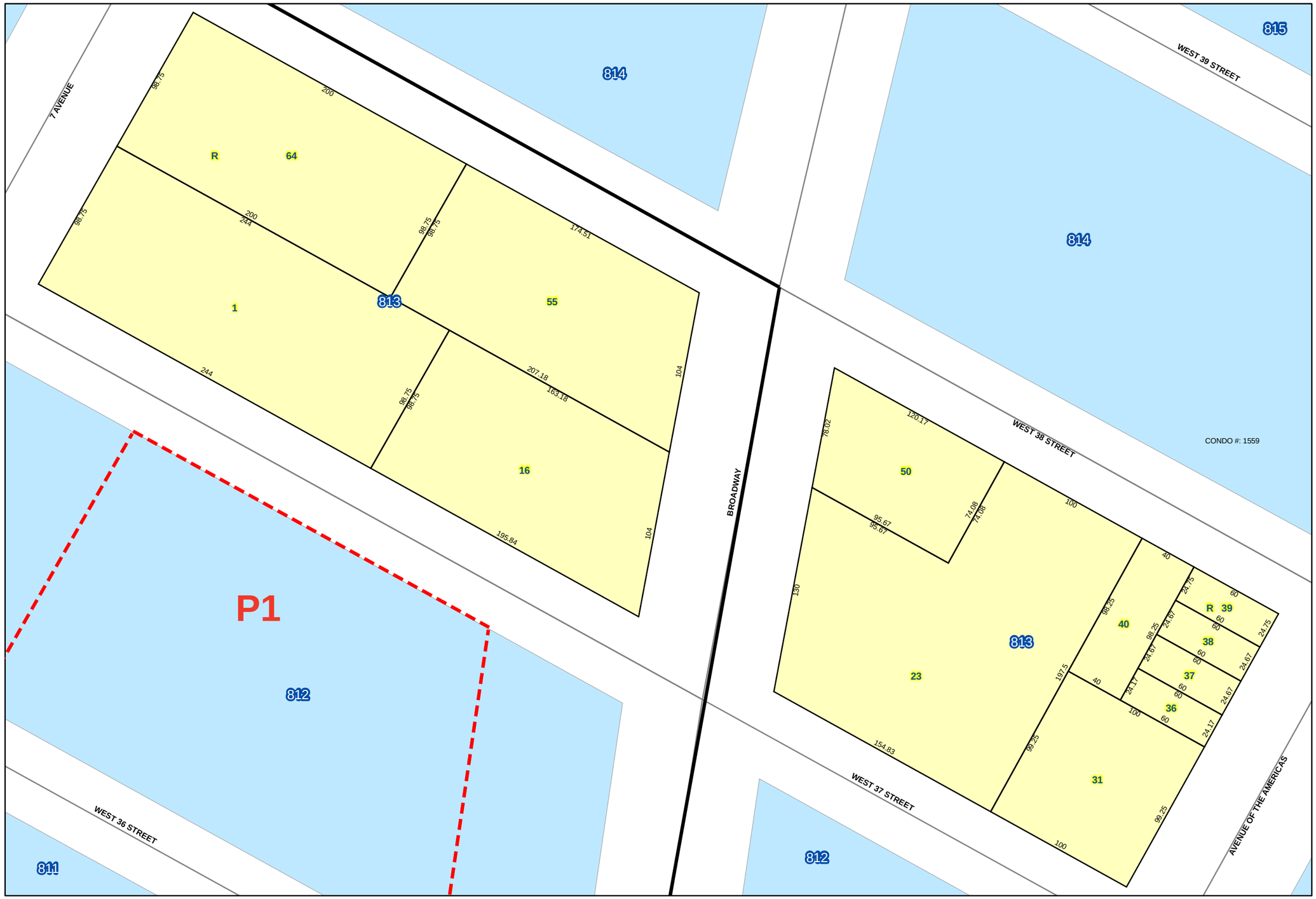
Manhattan Block: 813



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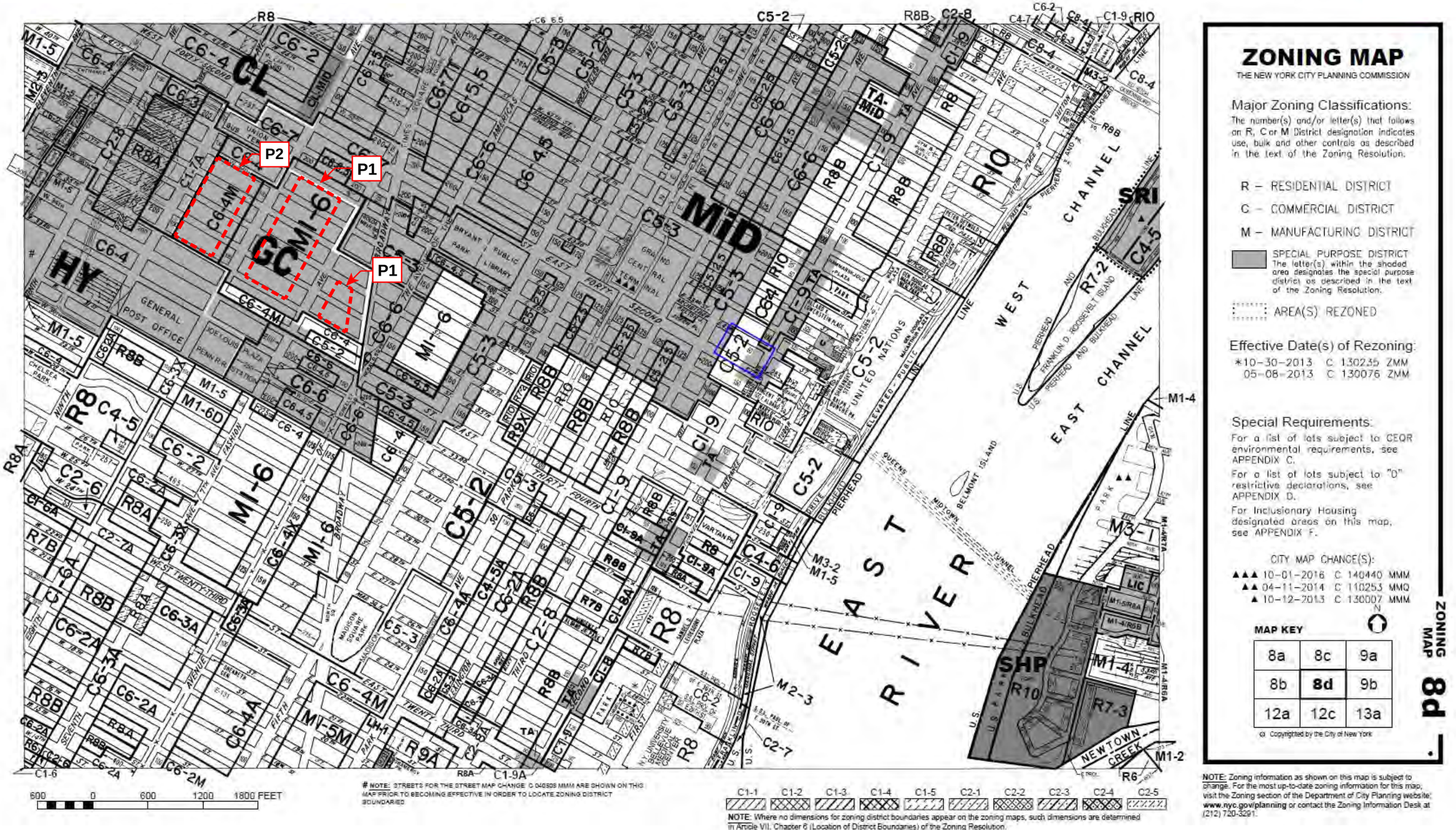
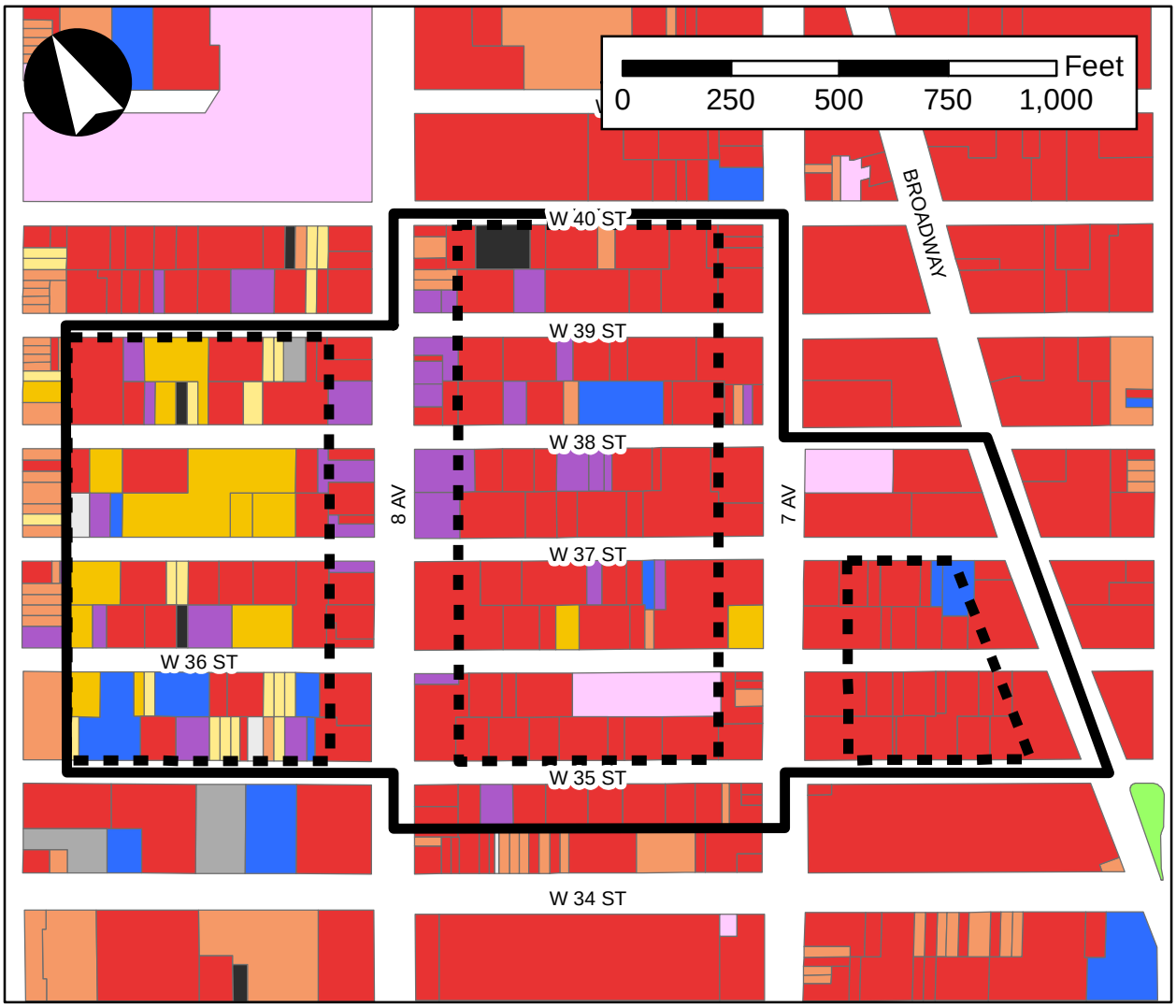


Special Garment Center District
Preservation Area Boundary

Figure 3
Zoning Map



Legend

- Special Garment Center District Boundary
- Preservation Area Boundary

Land Uses

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

Source: New York City Department of City Planning (PLUTO 16v2); DoITT; Identity Development International Limited; field observations

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

Refer to Attachment A; information is provided for RWCDS Projected Development Sites

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures			**Multi-family elevator**	**Multi-family elevator**
No. of dwelling units			**136**	**136**
No. of low- to moderate-income units			**27 (20% of total)**	**27 (20% of total)**
Gross floor area (sq. ft.)			**108,614**	**108,614**
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	**General commercial, retail**	**Hotel**	**Office, retail**	**Add office and retail; reduced hotel**
Gross floor area (sq. ft.)	**56,350**	**527,804 (1,320 rooms)**	**207,374**	**-320,430(-1,320 rooms)**
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type	**Post office**		**Post office**	
Gross floor area (sq. ft.)	**48,023**		**48,023**	
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	**Open lot for vehicle & equipment storage**			
PARKING				
Garages	☒ YES ☐ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces	**450**			
No. of accessory spaces	**0**			
Operating hours	**24 hours/7 days**			
Attended or non-attended	**Attended**			
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," specify number:			**215**	
Briefly explain how the number of residents was calculated:	**1.58 residents per unit (source: 2010 Census for tracts in SGCD – 109, 111, 113, 115)**			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	**3 retail establishments, 1 vending business**	**3 hotels**	**3 or more retail establishments; 1 office building**	**3 or more retail establishments; 1 office building; 3 fewer hotels**
No. and type of workers by business	**Not available**	**3,524**	**806**	**-2,718**
No. and type of non-residents who are not workers	**Retail patrons; number not available**	**Hotel patrons, other hotel visitors; number not available**		**Reduced hotel patrons, other hotel visitors, number not available**
Briefly explain how the number of businesses was calculated:	**Hotel workers: 2.67 per room; office workers: 1 per 250 sf; residential employees: 1 per 22.5 DUs (source: Hudson Yards FGEIS); retail workers: 3 per 1,000 sf (source: Greater East Midtown FEIS)**			
Other (students, visitors, concert-goers, *etc.*)	☒ YES ☐ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If any, specify type and number:	**Patrons of garage and post office; number not available.**		**Patrons of post office; number not available.**	**Increased post office patrons; number not available.**
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	**M1-6 and C6-4 M, SGCD**	**M1-6 and C6-4M, SGCD**	**M1-6 and C64-M SGCD, with zoning text changes**	**M1-6 and C64-M SGCD, with zoning text changes**
Maximum amount of floor area that can be developed	**See "RWCDS" in Attachment A**	**See "RWCDS" in Attachment A**	**See "RWCDS" in Attachment A**	**See "RWCDS" in Attachment A**
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	**See Attachment B**	**See Attachment B**	**See Attachment B**	**See Attachment B**
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☐	☒
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
o If "yes," complete a PlaNYC assessment and attach. **See Attachment B**		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
o If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	☒	☐
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐

	YES	NO
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? **See Attachment C**	☐	☒
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? **See Attachment C**	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐

	YES	NO
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **See Attachment D**		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **See Attachment E**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. **See Attachment B**		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts? **See Attachment B**	☒	☐
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☐	☒
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site? N/A	☐	☒
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? N/A	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): **-126,350**		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): **-5.5 million MBTU**		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☒
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop? **See Attachment F**	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts? **See Attachment G**	☒	☐
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **See Attachment G**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐

	YES	NO
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☐	☒
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts? **See Attachment H**	☒	☐
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **See Attachment H**		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **See Attachment B**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **See Attachment B**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Philip A. Habib, P.E.		6/7/18

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☐	☒
Socioeconomic Conditions	☐	☒
Community Facilities and Services	☐	☒
Open Space	☐	☒
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☐	☒
Natural Resources	☐	☒
Hazardous Materials	☐	☒
Water and Sewer Infrastructure	☐	☒
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☐	☒
Air Quality	☐	☒
Greenhouse Gas Emissions	☐	☒
Noise	☐	☒
Public Health	☐	☒
Neighborhood Character	☐	☒
Construction	☐	☒

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☒ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

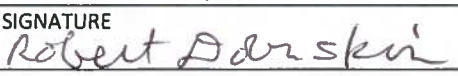
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Robert Dobruskin, AICP	06/08/2018

SIGNATURE



NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this Environmental Assessment Statement (EAS), which finds the proposed action sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Socioeconomic Conditions : The proposed action would alter the existing controls and protective measures established by the Special Garment Center District (SGCD) to preserve the fashion and related apparel/garment manufacturing industry. While the proposed action would remove special zoning preservation requirements, underlying zoning would continue to allow fashion and apparel manufacturing uses as-of-right. The EAS includes a detailed analysis of the effects of the proposed actions on socioeconomic conditions in the SGCD. The EAS includes an analysis of the historical trends of the garment industry, recent land-use and employment trends in the SGCD, and city initiatives to bolster the presence of the garment industry in Manhattan. The EAS concludes that the proposed action would not result in direct or indirect business displacement nor that the proposed actions have the potential for adverse socioeconomic impacts.

Historic and Cultural Resources : The proposed action is classified as a Type I pursuant to SEQRA as the Special Garment Center District contains historic resources listed in the State and National Register. The projected and potential development sites identified in this EAS do not contain historic resources but these sites are substantially contiguous to historic resources. The EAS concludes that development resulting from the proposed action would not significantly alter the setting of contributing buildings in the historic district or surrounding individual landmarks. The Landmarks Preservation Committee has reviewed the analysis of potential contextual, shadows, and construction impacts presented in this EAS and concurs with this conclusion in a letter dated May 10th, 2018.

Hazardous Materials, Air Quality and Noise : An (E) designation for Hazardous Materials, Air Quality and Noise has been incorporated into the proposed action. Refer to "Appendix I: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to Hazardous Materials, Air Quality or Noise.

Conceptual Analysis: The proposed action would establish a special permit for hotel uses in the Special Garment Center District. In the future with the proposed action, hotel uses would not be allowed as of right in the special district. This EAS considers whether future utilization of the hotel special permit has the potential to result in significant adverse impacts. The conceptual analysis included in the this EAS identifies one site in the SGCD as a likely location for development that would require a hotel special permit. A preliminary assessments of development on this site does not identify potential significant adverse impacts related to density. Potential site specific impacts related to air quality, noise and hazardous materials were identified in the conceptual analysis. These impacts could be avoided through an (E) designation placed at the time of any future special permit application.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA)

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Robert Dobruskin, AICP	06/08/2018
SIGNATURE	
Robert Dobruskin	

TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE 06/11/2018
SIGNATURE	

Appendix 1: (E) Designations

To ensure that the proposed action would not result in significant adverse **hazardous material** impacts, an E designation (E-486) will be placed on the following sites:

The E designation requirements related to hazardous materials would apply to:

Projected Development Site 1: **Block 813, Lot 64**
Potential Development Site 4: **Block 785, Lot 49**

Hazardous Material

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER. If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed. A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

To ensure that the proposed action would not result in significant adverse **air quality** impacts, an E designation (E-486) will be placed on the following sites:

Projected Development Site 1: **Block 813, Lot 64**

Any new commercial (office/retail) development on Block 813, Lot 64 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 208 feet above grade and at least 95 feet from the easterly lot line facing Broadway and 23 feet from the northerly lot line facing W. 38th Street.

Projected Development Site 3: **Block 761, Lot 5,7**

Any new residential and/or commercial (retail) development on Block 761, Lots 7 and 5 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 45 feet away from the easterly lot line facing 8th Avenue.

Potential Development Site 4: **Block 785, Lot 49**

Any new commercial (office/retail) development on Block 785, Lot 49 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 289 feet above grade and at least 45 feet away from the northerly lot line facing W. 36th Street.

Potential Development Site 5: **Block 762, Lot 46**

Any new residential and/or commercial (retail) development on Block 762, Lot 46 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 46 feet away from the easterly lot line facing 8th Avenue and at least 34 feet from the southerly lot line facing W. 38th Street.

To ensure that the proposed action would not result in significant adverse **air quality** impacts, an E designation (E-486) will be placed on the following sites:

Projected Development Site 1: **Block 813, Lot 64**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 31 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Projected Development Site 3: **Block 761, Lot 5, 7**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 35 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Potential Development Site 4: **Block 785, Lot 49**

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 33 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building

façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Potential Development Site 5: Block 762, Lot 46

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 28 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

ATTACHMENT A:
PROJECT DESCRIPTION

Garment Center Text Amendment EAS
Attachment A: Project Description

A. INTRODUCTION

The Department of City Planning (DCP) and the New York City Economic Development Corporation (NYCEDC) are proposing a zoning text amendment to the New York City Zoning Resolution (ZR), Article XII, Chapter 1, Special Garment Center District (SGCD, also referred to herein as the special district), which is intended to meet the City's goal of preserving the Garment Center as both a hub for the fashion industry[1] as well as a center for a variety of types of office space for a diversity of businesses across an array of industries. One of these zoning text changes would apply to the entire SGCD and others would only affect a portion of the SGCD.

The SGCD, established in 1987, encompasses eight full blocks and five partial blocks located within the area generally bounded by W. 40th Street, Broadway, W. 35th Street, and a line extending 100 feet east of Ninth Avenue (refer to "C. Project Area" for a detailed description). The underlying zoning in the special district includes C6-4M in the midblock areas west of Eighth Avenue, which was mapped in 2005 in connection with the Hudson Yards Rezoning, and M1-6 in the other portions of the special district. Presently, portions of the SGCD designated as the "Preservation Areas" are subject to rules requiring that before space can be converted to office uses, or converted to hotel or residential uses (where allowed by underlying zoning), an amount of space equal to that being converted must be permanently preserved for manufacturing and warehousing use[2]. The Preservation Areas, which were established with the creation of the SGCD in 1987 and revised when the SGCD was amended in 2005, include most though not all of the midblock areas of the SGCD; refer to "C. Project Area" for a detailed description. In the Preservation Areas with M1-6 underlying zoning, which are designated as "P1," conversion of manufacturing, warehousing, and other non-office use spaces to office triggers the preservation requirement. Conversion to residential and hotel uses are not permitted, though hotel uses are permitted as-of-right on sites that are vacant or do not contain manufacturing or warehousing space. In the Preservation Areas with C6-4M underlying zoning, which are designated as "P2," conversion of manufacturing, warehousing, and other non-office, non-hotel, and non-residential use spaces in buildings of 70,000 square feet or larger to office, residential, or hotel triggers the preservation requirement.[3] Conversion of manufacturing and warehousing in buildings with less than 70,000 square feet to any use allowed by underlying zoning is permitted without the preservation requirement in P2. In P1 and in buildings of 70,000 square feet or larger in P2, conversion of wholesale showroom space or certain other uses also triggers the preservation requirement; however, unlike manufacturing and warehousing uses, wholesale showroom space and certain other uses may not be used to satisfy the preservation requirement.[4] In addition to these special

[1] The **fashion industry** encompasses the design, manufacturing, distribution, marketing, retailing, advertising, and promotion of all types of apparel (men's, women's, and children's). The textile-, garment- and apparel industries are all subsectors of the wider fashion industry. The **textile industry** is primarily concerned with the design and production of yarn, cloth, and fabrics made from raw materials. The **garment- and apparel industries** are often used interchangeably and include two distinct manufacturing processes: (1) cut and sew (i.e., purchasing fabric and cutting and sewing to make a garment), and (2) the manufacture of garments in establishment that first knit fabric and then cut and sew fabric into a garment *(Source: U.S. Department of Labor)*.

[2] Refer to ZR 121-112 for a complete list of uses that are: (a) permitted in the Preservation Areas, (b) which are subject to the preservation requirements, and (c) which may be used to satisfy the preservation requirements.

[3] Refer to ZR 121-113 for details of the floor area preservation requirement.

[4] Refer to ZR 121-111 for a complete list of uses that are: (a) permitted in the Preservation Areas and (b) which are subject to the preservation requirements, but (c) which may not be used to satisfy the preservation requirements.

use-related rules, the regulations affecting bulk and signage are markedly different in the M1-6 portion of the special district as compared to the C6-4M district, where more restrictive rules were adopted in 2005.

Overview of Proposed Text Amendment

Overall, the proposed action would modify the SGCD zoning text in several ways that are intended to reflect existing conditions and simplify rules that in some cases set contradictory standards in different parts of the special district.

In the SGCD's Preservation Areas currently designated P1 and P2, a zoning text amendment change would:

(1) remove restrictions, i.e., preservation requirements, on conversion of floor area from manufacturing and warehousing to office use which now exist on sites in SGCD Preservation Areas P1 and P2 (referred to as the *lifting of preservation requirements text amendment*).

In the area of the special district zoned C6-4M, which is coextensive with area P2, a zoning text amendment would:

(2) limit conversion of manufacturing and warehousing space in existing buildings of 70,000 square feet or larger, which are presently subject to preservation requirements or require an authorization to waive preservation requirements; although, as described above, the preservation requirement would be lifted, these buildings would not be able to convert their space to residential or dormitory community facilities, which are uses allowed under the underlying zoning (referred to as the *C6-4M conversion text amendment*).

The zoning text amendment change that would apply district-wide would:

(3) establish a special permit to allow new hotel uses (referred to as "transient hotels" in the ZR) in the SGCD, i.e., hotel uses in new buildings or in conversions of existing buildings would not be allowed as-of-right[5] except those operated for a public purpose by the City or State of New York, or operated by a non-governmental entity pursuant to an active contract or other written agreement with an agency of the City or State specifying a public purpose, which would continue to be permitted as-of-right (referred to as the *hotel special permit text amendment*).

In the M1-6 portion of the special district, zoning text amendment changes would:

(4) change height and setback regulations in the M1-6 portion of the SGCD to create a more contextual envelope for new buildings (referred to as the *contextual bulk text amendment);*

(5) subject the M1-6 portion of the SGCD to C6-4 sign regulations, giving the special district consistent sign regulations while limiting advertising signs and prohibiting flashing signs in the C6-4M district (referred to as the *sign text amendment*); and

A zoning text amendment that would apply to all of the M1-6 district, but which would only represent a change to the portion of the M1-6 district that is presently outside P1, referred to henceforth as the M1-6 District Residual Area:

[5] Currently, in the SGCD hotels are allowed as-of-right in new buildings in the Preservation Area and in new or converted buildings outside the Preservation Areas. In P2, conversion of manufacturing and warehousing space in buildings of 70,000 sf or larger to hotel are subject to preservation requirements.

(6) prohibit Use Group 18, heavy industrial uses, superseding ZR 42-20, "Performance Standards," (referred to as the *Use Group 18 prohibition text amendment*).

Refer to "E. Proposed Action" for more information on these components of the proposed text amendment.

Reasonable Worst-Case Development Scenario

As detailed below under "F. Analysis Framework," a reasonable worst-case development scenario (RWCDS) has been identified for the proposed action. The hotel special permit text amendment, in tandem with the contextual bulk text amendment, would potentially result in changes to the use and building volumes of development sites in the special district as compared to the future without the proposed action in which it is likely that such sites would continue the recent trend of hotel development.

The other components of the proposed text amendment are not expected to result in any incremental change in use or density. Specifically, the contextual bulk text amendment is not anticipated to directly generate any new development, as it would not change permitted density or use. Instead, it would result in different building volumes under With-Action conditions as compared to No-Action conditions, including streetwall and roof height changes. In addition to requiring building bases that are consistent with the prevailing loft character of the area, this text amendment is also intended to allow floor layouts compatible with office uses. As such it would be supportive of the hotel special permit zoning text amendment, which aims to promote a diverse range of uses, including allowing opportunities for office use, on the limited number of remaining development sites in the special district.

The lifting of preservation requirements text amendment is not expected to result in new development, since no new density or uses would be permitted. Instead, it is anticipated that the current trend of the conversion of former production and warehousing spaces to office uses under No-Action conditions would continue, albeit potentially slightly expedited, in the With-Action condition. Since the creation of the Special Garment Center District in 1987, which was intended to preserve the apparel manufacturing industry in the special district, the apparel manufacturing industry has experienced significant decline in the Garment Center. This downward decline mirrors citywide and national trends to the industry as a result of increased globalization and automation. The manufacturing and warehousing space preservation requirements that are proposed to be lifted as part of this proposed action have proven ineffective in curtailing the decline of the apparel manufacturing industry in the Garment Center. As a result, demand for manufacturing and warehousing spaces in that area is increasingly limited. Few property owners have conformed to the preservation requirements applicable to the conversion of new office space, and it is estimated that there is now over 4 million square feet of non-conforming office use in P1 and P2. The proposed action would bring these uses into conformance and would reflect long-term trends, which are expected to continue with or without the proposed action.

While the proposed action may contribute to potential expedited conversions, the net impact on the long-term land use trends is anticipated to be minimal, given the decades long lack of compliance with the existing preservation requirements. As discussed further in Attachment C, "Socioeconomic Conditions," in the future without the proposed action, conversions to office and showroom space are likely to continue to increase in the area while manufacturing is likely to continue to decline, based upon established trends. However, it is possible that there may be some specific cases where, as a result of the zoning change, some spaces may get converted to office that would not convert absent the proposed action. As the number of these spaces is likely to be small and not significant in light of the historic trends of the special district, particularly over the past 20 years, it is not expected that there would be a significant change in the future as a result of the proposed action.

In determining the RWCDS, a review of the SGCD reveals that there are few remaining soft sites in the special district. There are three projected development sites that likely would be affected by the proposed action. In the future without the proposed action, based on recent trends, it is projected that these sites would be redeveloped as-of-right with hotels. With a hotel special permit required in the future with the proposed action,

it is projected that these sites would be redeveloped with a new office building, a hotel subject to a new special permit, and a new residential development (which would be an assemblage of two sites). There are also two potential development sites that may be affected by the proposed action.

Although the hotel special permit text amendment would establish the requirement for a special permit for new hotel uses in the SGCD, this application does not include any individual applications pursuant to the new text.

B. THE SPECIAL GARMENT CENTER DISTRICT

The Garment Center in Manhattan has been a central part of the apparel production and fashion industry in the United States and internationally for more than a century. However, major global and macroeconomic changes in the apparel industry over the last several decades have led to significant decline of the industry in the Garment Center, citywide, and nationally. Nevertheless, although it has evolved considerably in its size and composition, the area continues to serve as the center of the fashion industry which is characterized by an interrelated network of businesses and firms, popularly referred to as an "ecosystem." These activities include design, manufacturing, showroom, retail, management, and marketing, among other components of the fashion industry.

In 1986, DCP, Office for Economic Development, and the Public Development Corporation compiled the *New York City Garment Center Study* "in response to concerns on the part of the City as well as the International Ladies' Garment Workers' Union (ILGWU) that Manhattan real estate pressures would accelerate manufacturing job loss in the Garment Center." This study concluded that the apparel manufacturing industry was in gradual decline, and it was determined that single location manufacturers and contractors in the Garment District were threatened by office conversions. These trends prompted the City government to intervene, and in 1987 the Zoning Resolution was amended to establish the SGCD.

The original purpose of the SGCD was to maintain the viability of apparel production in the Garment Center and slow the conversion of manufacturing space into office space on side streets by limiting conversion of manufacturing and warehousing space to office use. The SGCD allows the underlying M1-6 zoning regulations to apply on the avenues, while creating Preservation Areas restricting existing buildings on side street blocks to retail, wholesale showroom, warehousing, and industrial uses. Office conversions are permitted on the restricted side streets via a chair certification and restrictive declaration whereby property owners agree to preserve an equal amount of space for manufacturing or warehousing uses in perpetuity. In 2005, the Preservation Area west of Eighth Avenue was modified to permit conversions to residential and hotel uses under the same preservation requirements applicable to office conversions.

Employment and space occupancy data are indicative of the transformation experienced by the SGCD since its creation in 1987. At the time, nearly 5,000 businesses in the apparel industry existed in the Garment Center, employing almost 61,000 people and occupying 20 million square feet of space related to manufacturing, showrooms, suppliers, service firms, and contractors. Manufacturing comprised 41 percent of total employment in this area, with 25,200 employees and 9.2 million square feet of space.[6] In 2016 (the most recent year for which data are available), QCEW data reported that garment manufacturing companies located in the SGCD employed approximately 4,400 workers.[7] In 2018, over 30 years after the establishment of the SGCD, there were 12,000 employees in apparel manufacturing citywide.[8] The occupancy of space for fashion production has also declined substantially. In 1987, there was roughly nine million square feet of fashion

[6] *New York City Garment Center Study: Program and Zoning Recommendations* (1986).
[7] NYSDOL QCEW 3Q 2016.
[8] NYSDOL, "NYC Current Employment Statistics (CES) Latest Month" (March 2018).

production space in the SGCD, as compared to approximately 1.4 million square feet of production space today, based on a door-to-door survey of the SGCD, conducted in Summer 2017.[9]

As for the portion of the Garment District where conversion to office (and residential and hotel in P2) uses are subject to preservation requirements, the most recent employment data show that apparel manufacturing has declined in the side street Preservation Areas to 3,022 employees (2015), an 88 percent decrease over the 30-year span. Likewise, there is approximately 716,000 square feet of apparel manufacturing space (2017),[10] a 92 percent drop over the same time period. These trends for apparel manufacturing are similar to the general trajectory of the City and nation as a whole, which accelerated in the 1990s and early 2000s due to major shifts in the industry as a result of globalization and automation. The impact of globalization led to the majority of US designed apparel being produced abroad with cheaper labor, while the firms that remained in the US have significantly reduced their employment with the adoption of new technology and machinery.

Despite these trends of decline, the Garment Center remains a major center of fashion uses and the heart of the women's fashion industry in the United States. Today, the Garment Center provides services and elements of all aspects of the fashion supply chain, including wholesale button and fabric stores, notion shops, and cut and sew garment producers. Designers, both emerging and established, rely on the Garment Center for these services and products. Showrooms have also concentrated in the area to showcase the wares that are made in the District and abroad to a wide audience of retail buyers. Despite the contraction of some aspects of the industry in the District, such as garment manufacturers and wholesale warehousing, approximately half of all companies in the SGCD are fashion-related. At the same time, growth in other industries and the concomitant increased demand for commercial space in Midtown Manhattan, has resulted in the occupancy of space for offices, that otherwise would likely remain vacant, by a diverse array of commercial firms and non-profit organizations, providing thousands of jobs in place of the SGCD's once vibrant apparel manufacturing sector. The special district's total employment has grown by 55.7 percent over a 15 year period, from approximately 42,000 employees in 2000 to nearly 66,000 in 2015, and its current employment base is now comprised of a broader mix of commercial office, retail, wholesale, hotel, and light industrial uses, both fashion- and non-fashion-related.[11] As detailed further in Attachment C, of all commercial (non-hotel) and manufacturing uses in the SGCD's Preservation Areas surveyed in 2017, approximately 50.8 percent were fashion-related, highlighting the Garment Center's continuing significance as the heart of the fashion industry in New York City.[12]

Since the enactment of the SGCD 30 years ago, unanticipated long-term global and macroeconomic trends have contributed to the significant decline of apparel manufacturing. Those changes were neither local nor cyclical; they were national and global in nature and reflected long-term trends. Likewise, market dynamics for various classes of office space within the SGCD and the City differ significantly today as compared to the 1980s. As evidenced by the scale of non-complying office conversions that have occurred in the Preservation Areas, the preservation requirements, reflective of a different economic era, have proven ineffective and are inappropriate in terms of current conditions and ongoing trends in the special district and City, at large.

As apparel manufacturing declined in the special district, vacant space was converted from manufacturing and warehousing to office uses. The existing zoning does not allow for an as-of-right change of use to office space on the side streets; as such, midblock buildings converted without a preservation certification cannot alter their certificate of occupancy. Since the enactment of the SGCD, around 180,000 of the 8.5 million square feet of commercial space in the Preservation Areas has been formally preserved for manufacturing or warehousing uses in the special district, while there is now estimated to be over 4 million square feet of non-conforming office space. Many of these midblock buildings have become Class B or C office spaces while retaining certificates of occupancy with factory and warehousing uses. Many of the converted buildings are used by

[9] Garment Center Suppliers Alliance (GCSA) survey, (2017).
[10] Garment Center Suppliers Alliance (GCSA) survey, (2017).
[11] NYSDOL QCEW 3Q 2000 and 3Q 2015.
[12] Survey of the SGCD conducted by GDA (2017).

firms in growing sectors of the economy, including not-for-profit, health care, entertainment, Internet services and fashion, which are attracted to the area for smaller floorplates, lower rents, and flexible lease terms. However, since the zoning does not allow for a change of use to office as-of-right, many properties cannot obtain building permits for major capital renovations, which has resulted in disinvestment in building infrastructure and safety systems. At the same time, while the overall amount of space occupied by garment and other manufacturers has decreased substantially throughout the Garment Center since the establishment of the special district in 1987, surveys conducted in 2017 show that apparel manufacturing uses in the Garment Center are still present both inside and outside the Preservation Areas, indicating that location within the Preservation Areas is not decisive in determining the siting of apparel manufacturing uses. These surveys of the Preservation Areas and greater Garment Center area revealed that approximately half of all apparel manufacturers in the Garment Center were located outside of the Preservation Areas. The surveys reported that apparel manufacturers occupied 1.4 million sf of space in the Garment Center, of which 51.2 percent (approximately 716,442 sf) was located in the Preservation Areas.[13]

C. BACKGROUND ON CITY SUPPORT OF FASHION INDUSTRY

The City of New York is committed to supporting the overall fashion industry in New York City. The fashion industry is both a huge economic contributor to the City and a major employer – its over 13,000 fashion establishments and 182,000 workers represent more than five percent of New York City's total workforce. The fashion industry pays out over $11 billion in wages annually, and generates over $2 billion in taxes to the City. New York Fashion Week brings fashion designers from around the world to debut their collections at semi-annual shows held around the City. Together, these shows generate hundreds of millions of dollars in economic activity to the City annually, and reinforce New York City's place in the global fashion industry.[14]

Since 2011, NYCEDC has developed a suite of initiatives and partnerships aimed at supporting NYC's fashion industry and emerging entrepreneurs centered on the three main pillars of design, production, and retail. In 2015, the de Blasio Administration tripled the City's investment in the local fashion economy from $5 million to $15 million overall – primarily through the expansion of the signature 'Made in NY' brand. NYCEDC's fashion programs support the fashion ecosystem through a suite of cross-sectoral initiatives that aim to create and retain quality jobs, catalyze innovation within and across the industry, and support business and entrepreneurship growth through public-private partnerships.

The suite of 'Made in NY' programs is intended to catalyze growth of emerging creative businesses, support fashion manufacturing facilities, and cultivate a robust pipeline of industry talent. These programs include retail partnerships that promote the 'Made in NY' mark generally, competitions, fellowships, and marketing and financing initiatives.

Past and present Made in NY Fashion initiatives include:

- *Made in NY Designer Certification Program*: This program is specifically designed to support businesses that are sourcing local products by requiring that designers are headquartered in New York City, and 75 percent of their manufacturing (defined as cutting, sewing and assembling) must use local manufacturing firms. The program supports local fashion brands with promotion through the 'Made in NY' logo in order to help generate visibility, cachet, and demand for their businesses.
- *Made in New York Campus at Bush Terminal*: Announced in February 2017, the Made in New York Campus in Sunset Park will provide best-in-class industrial facilities for garment manufacturing, film and media production, and supporting industries, such as costume and set shops. The City is investing

[13] Surveys conducted by the GCSA and GDA (2017).
[14] "Fashion in New York City: Industry Snapshot," New York City Economic Development Corporation (2010) & Fashion.NYC.2020," New York City Economic Development Corporation (2012).

$136 million to make major renovations to the existing Bush Terminal campus, including the gut renovation of Building A to create a 200,000-square-foot garment manufacturing hub. When completed in 2020, the campus will provide white-boxed, small-scale spaces (minimum 2,000 square feet in size) to firms along the manufacturing supply chain, such as pattern making, marking and grading, cutting and sewing. Garment manufacturers will be able to secure long-term leases between five and ten years in length and at affordable rents at an anticipated $16 to $25 per square foot. Workers will have access to the free Brooklyn Army Terminal campus shuttle that will pick up and drop off passengers between the two campuses and the D, N, and R train stations. Today, Sunset Park has the second highest concentration of apparel production firms outside of the Garment District, including over 100 firms and approximately 1,700 employees. The MiNY campus will support and expand this existing cluster of fashion production and design firms.

- *Design Entrepreneurs NYC*: This intensive "mini-MBA" program was developed in partnership with the Fashion Institute of Technology to support the growth and development of NYC-based fashion designers who launched their own labels. The program supported over 130 emerging designers in building their businesses through technical and business planning.
- *NYC Fashion Production Fund*: Through a partnership with Capital Business Credit, the NYC Fashion Production Fund provides emerging designers with production financing at below-market rates and flexible terms to cover the costs of purchase orders. Loans are awarded between $50,000 and $300,000 in size, with terms of 30-120 days. To date, the Fund has provided 36 loans, equaling a total of $3 million in financing at below-interest rates to 12 emerging NYC-based designers in order to locally manufacture their collections.
- *Designers & Agents Trade Show*: Made in NY Collective directly supported the participation of local designers at trade events taking place during New York Market Week. A selected group of fashion designers were offered a series of fully subsidized exhibition spaces at the Designers & Agents (D&A) trade show that took place in September 2016. The project provided emerging designers producing apparel locally the opportunity to gain exposure to leading retailers in a dedicated area focused on New York-based, -designed, and -produced apparel and accessories.
- *Fashion Manufacturing Initiative (FMI)*: Launched in 2013 in partnership with the Council of Fashion Designers of America (CFDA), FMI provides grants to local production facilities to upgrade equipment and technology, offer employees skills training, and cover costs of relocating within New York City. FMI also provides new business development opportunities for grant recipients, such as free industry trade show participation, CFDA designer open houses and consumer-focused retail partnerships. To date, FMI has awarded over $2.3 million in grants to 22 of the City's fashion production companies to help businesses become more efficient and cost-effective to ultimately better compete on the global scale. New machinery and technology purchased through this program, include: pattern-making and fabric cutting software to increase yardage yield; body scanning technology to improve made to measure techniques, and equipment that combines two processes in one, such as laser cutting, embroidery, and stitching. This program will be expanded as part of the City's suite of support initiatives for garment manufacturers announced in early June 2018.
- Retail Partnerships:
    - *Not Just A Label x Made in NY*: In December 2015, NYCEDC partnered with Not Just A Label, a global e-commerce platform, and the Waldorf Astoria New York to create a temporary retail space featuring a rotating collection of over 1,000 locally designed and produced apparel, jewelry, and accessory items. More than 100 emerging designers participated in the retail pop-up, which attracted an estimated 1,500 visitors over the 10-day period.
    - *Barneys New York x CFDA: Made in New York Collection*: In September 2015, NYCEDC, in partnership with Barneys New York and the CFDA, unveiled the Made in New York Collection, a curated compilation of limited-edition pieces produced entirely within New York

City and designed by seven prominent New York-based brands, including Thom Browne, Narciso Rodriguez, and The Row. The Collection was retailed in 18 Barneys New York stores nationwide until May 2016 and led to $450,000 in revenue.

These programs also build upon New York City's great educational institutions, including the Fashion Institute of Technology (FIT), Parsons School of Art and Design, and Pratt Institute. In addition to the other projects that are occurring independent of the proposed action, the City of New York is investing $74 million to expand the FIT campus in Manhattan through a new state-of-the-art academic building. This building will be the school's first new academic building in more than 40 years. This investment matches a $74 million commitment by the State of New York in FY09 as part of the SUNY capital plan for community colleges. The $148 million capital project will alleviate overcrowding for 10,000 students through construction of 100,000 square feet of academic and student life spaces, including smart classrooms, studios, laboratories, and display and exhibition spaces. As of June 2017, FIT, in partnership with NYCEDC, began offering continuing education courses at the Brooklyn Army Terminal in Sunset Park and will expand to the Made in New York campus at Bush Terminal in 2020. These courses will provide Brooklyn workers and residents, particularly non-traditional students, more convenient access to educational opportunities and professional skills in the fashion industry.

Garment Center Steering Committee

In May 2017, New York City Deputy Mayor for Housing and Economic Development Alicia Glen, Manhattan Borough President Gale A. Brewer, and Council Member Corey Johnson announced the formation of the Garment Center Steering Committee. With the proposed lifting of the preservation requirements text amendment, the Committee was formed with the purpose of identifying non-zoning strategies to support the continued presence of garment manufacturing in mid-Manhattan that could be implemented by the City. Chaired by Borough President Brewer, the Steering Committee was comprised of representatives from: the fashion and garment industries; organized labor; industrial advocates; real estate and economic development organizations; local Manhattan Community Boards; and local, state, and federal elected officials. DCP and NYCEDC served as technical advisors to the Committee.

The Steering Committee met for three months from May to August 2017 with the following objectives:

- Engage stakeholders in the Garment District and New York's fashion and garment industries;
- Devise a plan to ensure sufficient long-term space in mid-Manhattan remains available for garment manufacturers in the years to come; and
- Expand upon the City's existing investments and plans for boosting the garment manufacturing industry.

Over the course of six meetings, the Steering Committee discussed industry trends and existing City support of the fashion and garment industries, established common terminologies, and explored potential tools, strategies, and opportunities to support the garment manufacturing industry's continued presence in mid-Manhattan. In mid-August 2017, a final report with guiding principles to inform the City's strategy was released by Manhattan Borough President Gale Brewer and the Steering Committee and included thirteen recommendations related to real estate control and stability, business and workforce support, and placemaking in the Garment District to preserve its unique identity as the home of the women's fashion industry in the United States.

The Steering Committee identified achieving real estate stability and predictability for garment manufacturers in the Garment District as the most critical condition to retaining a vibrant garment industry in mid-Manhattan. Of the real estate recommendations, the Steering Committee highlighted the development and implementation of a custom New York City Industrial Development Agency (NYCIDA) program to preserve long-term garment production space in the Garment Center as the primary strategy to support the long-term stability of garment manufacturers in mid-Manhattan. The recommended NYCIDA framework had unanimous support

from the Committee and was the outcome of extensive conversations and study by Steering Committee members, as well as conversations with property owners in the Garment District who expressed interest in participating in such a program.

City Support for Fashion Production in the Garment District

Building on the recommendations of the Garment Center Steering Committee, the City announced a comprehensive package of support for fashion production in the Garment District in early June 2018, including a new tax incentive program to preserve manufacturing space in the Garment Center, a commitment to support a public-private partnership to acquire a building dedicated to garment production, and a suite of support initiatives for garment manufacturers.

Garment Center NYCIDA Program: The Garment Center IDA Program is a tax incentive package through the New York City Industrial Development Agency (NYCIDA), which seeks to support the continued presence of garment manufacturing in the Garment District by encouraging greater real estate stability and predictability for existing firms who wish to operate in mid-Manhattan. Customized to address the needs and conditions of the garment manufacturing industry in the Garment District, the program will abate a portion of property taxes for property owners who commit to offering long-term affordable leases to garment manufacturers in their buildings.

Capital Commitment to Building Acquisition: Additionally, the de Blasio Administration announced a commitment of up to $20 million in City capital to facilitate the acquisition of a building in the Garment District by a nonprofit organization. In support of another priority recommendation of the Garment Center Steering Committee, the commitment will require a public-private partnership with a non-profit organization to operate and manage the building as dedicated production space, which will be publicly procured at a future date and subject to any appropriate review and approval processes at that time.

Future of Fashion Manufacturing Support Initiatives: In addition to the IDA program and capital commitment, the City has worked with the Council of Fashion Designers of America (CFDA) and the Garment District Alliance (GDA) to develop a comprehensive suite of support initiatives for fashion manufacturers in the Garment Center and citywide, which is expected to be over a ten-year period. The package is expected to be supported by a multi-million dollar commitment by the CFDA, GDA, and the City. The program will be available to factories across the five boroughs, and will be comprised of interventions that include investing in technology through the *Fashion Manufacturing Initiative (FMI)* as well as additional services to support fashion manufacturers related to workforce development, business technical assistance, marketing, and real estate stability (e.g. expansion, clustering, and/or relocation). Developed through months of outreach to garment manufacturers, designers, suppliers, and industry leaders including one-on-one interviews, focus groups, and feedback from the Garment Center Steering Committee, the package is a holistic response to the challenges facing the industry and seeks to stabilize and strengthen this historic sector over a ten-year period.

D. PROJECT AREA

As noted above, the geographic scope of the proposed zoning text amendment varies, with one change affecting the entire SGCD and the other five affecting only portions of the special district.

SGCD

The project area for the hotel special permit text amendment is the entire SGCD. This encompasses eight full blocks and five partial blocks. It includes the three full blocks bounded by Broadway, W. 35th Street, Seventh Avenue, and W. 38th Street (Blocks 811-813); the five full blocks bounded by Seventh Avenue. W. 35th Street, Eighth Avenue, and W. 40th Street (Blocks 785-789); the northern half of the block bounded by Seventh Avenue, W. 34th Street, Eighth Avenue, and W. 35th Street, i.e., the area located south of the block's east-west centerline is not located within the special district (Block 784); and the portions of the four blocks

bounded by Eighth Avenue, W. 35th Street, Ninth Avenue, and W. 39th Street that are located more than 100 feet east of Ninth Avenue, i.e., the Ninth Avenue corridor to a depth of 100 feet is not within the special district (Blocks 759-762). The blocks and lots that would be subject to this zoning text amendment are shown in **Figure A-1** and in **Figure 1**, attached to the EAS Form, and listed in **Table A-1a**. The underlying zoning in the SGCD includes M1-6, covering the special district from Broadway on the east, to the west side of Eighth Avenue to a depth of 100 feet, and C6-4M, which is mapped for the midblock areas west of Eighth Avenue.

The "Land Use, Zoning, and Public Policy" section of Attachment B, "Supplemental Screening," provides additional information about the project area's existing conditions, zoning controls, and background information on the history of the SGCD including its establishment in 1987 and subsequent modifications to the special district's zoning text.

Preservation Areas

The project area for the lifting of preservation requirements text amendment includes the portions of the SGCD currently subject to preservation controls, which are identified in the zoning text as Preservation Areas P1 and P2. The Preservation Areas encompass the midblocks, i.e., portions of blocks located more than 100 from north-south avenues, of eleven blocks in Midtown Manhattan. Specifically, this includes: (1) P1: the midblock portions of the two blocks bounded by W. 35th and W. 37th streets, between Broadway and Seventh Avenue (Blocks 811 and 812), and the midblock portions of the five blocks bounded by W. 35th and W. 40th streets between Seventh and Eighth avenues (Block 785-789); and (2) P2: the midblock portions of the four blocks bounded by W. 35th and W. 39th streets between Eighth and Ninth avenues (Blocks 759-762). The blocks and lots that would be subject to this zoning text amendment are shown in **Figure A-1** and **Figure 1**, attached to the EAS Form, and listed in **Table A-1b**. The underlying zoning of P1 is M1-6 and of P2 is C6-4M. With the adoption of the proposed action, the Preservation Areas would be removed from the SGCD Plan map in Appendix A of ZR Article XII, Chapter 1.

C6-4M District

The C6-4M conversion text amendment would apply to the C6-4M district, which is coextensive with P2 defined above. The block and lots subject to this zoning text amendment are shown in **Figure A-1** and **Figure 1**, attached to the EAS Form, and listed in **Table A-1b**.

M1-6 District

The contextual bulk text amendment and sign text amendment would apply to the M1-6 district, which includes all of the SGCD excluding the midblock areas west of Eighth Avenue. The blocks and lots subject to the zoning text amendment are shown in **Figure A-1** and **Figure 1**, attached to the EAS Form, and listed in **Table A-1c**.

M1-6 District Residual Area

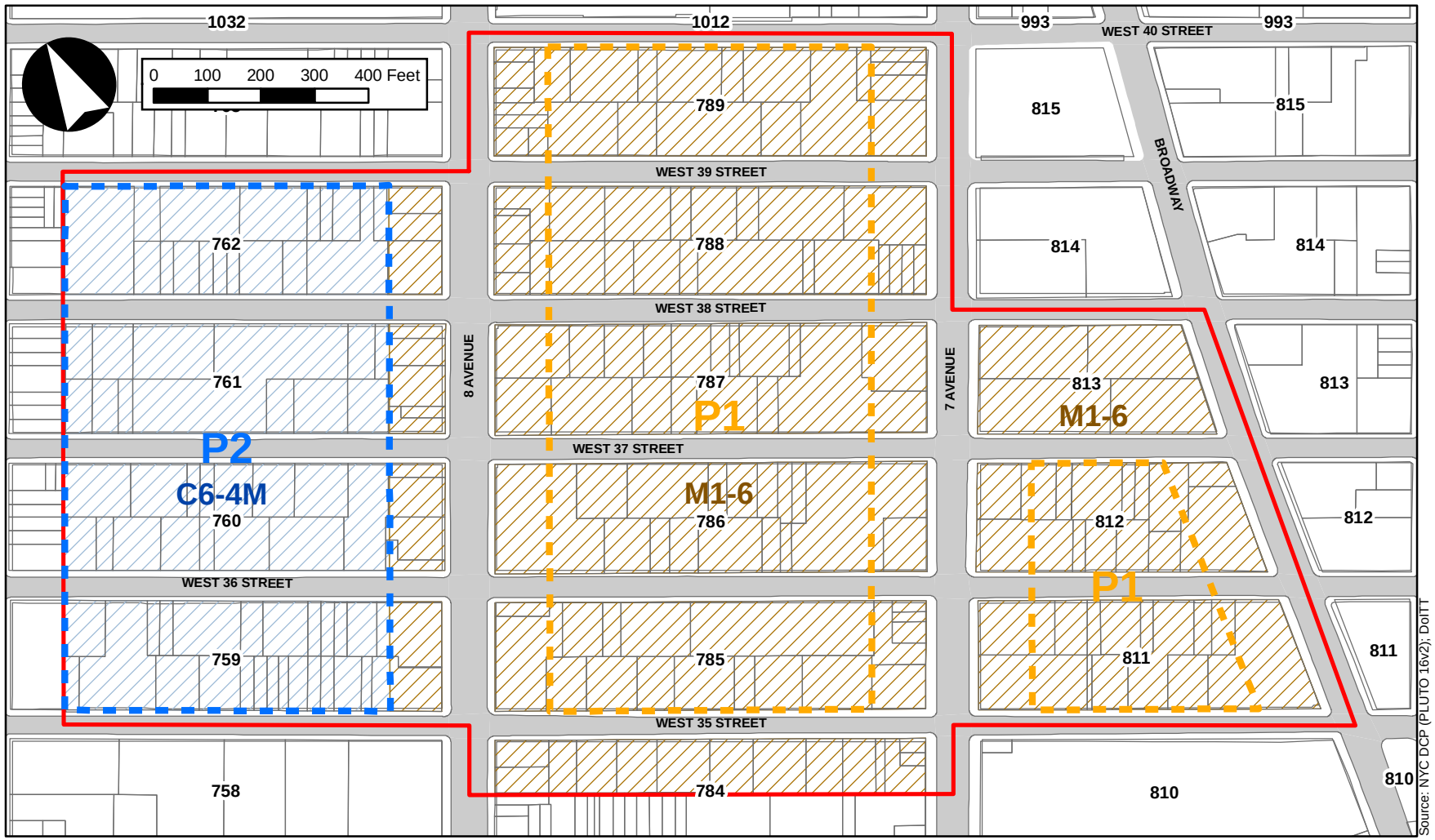
The Use Group 18 prohibition text amendment would apply to all of the M1-6 district, but would only change permitted use conditions for the portion of the M1-6 district that is presently outside P1, specifically, the areas within 100 feet of Broadway, Seventh, and Eighth avenues. This area is also referred to as the residual area.

Overview of Project Area Conditions

The Preservation Areas (P1 and P2) are characterized by a series of loft buildings that were built between 1910 and 1930. These buildings were built as general purpose buildings designed to accommodate manufacturing, warehousing, retail and office uses. These buildings are generally 10 to 12 stories and have high lot coverage with 10-foot rear yards. Many of these buildings have been converted to office use.

Figure A-1

Geographic Scope of Proposed Text Amendments



Legend

- Hotel Special Permit Text Amendment (Special Garment Center District Boundary)
- P1 / P2 — Lifting of Preservation Requirements Text Amendment (Preservation Areas P1 and P2)
- 759 Block Number
- C6-4M Conversion Text Amendment (C6-4M District/Preservation Area P2)
- Contextual Bulk Text Amendment and Sign Text Amendment (M1-6 District)

Table A-1a, Blocks & Lots Subject to Hotel Special Permit Text Amendment (All of SGCD)

Block	Lot
759	7,8,14,18,23,24,25,26,27,29,30,31,32,37,45,49,52,53,54,55,59,61,67,68,72
760	7,10,12,18,20,21,26 aka 7501,32,38,39,43,46,51,55,58,61,62,63,68
761	5,7,9,20,22,28,31,32,33,37,39,41,43,53,59,62
762	6,11,13,14,16,17,19,23,25,33,38,42,46,48,49,50,60,61,67
784	19(part),41(part),47,48,50,51,54,60,64,68,71,74,77,80
785	1,7,11,15,18,23,25,29,37,41,43,45,46,49,67,73,75,82
786	1,13,18,20,23,29,31,42,51,60,61,62,64,66,68,76
787	1,11,20,23,25,31,40,44,58,59,64,65,67,70,72,76,84
788	1,4,8,9,11,16,19,24,26,36,37,43,44,45,46,49,56,64,66,71,73,78,86,89
789	1,4,5,7,9,14,21,27,30,36,40,42,43,44,52,60,62,67,69,75,78,79,82
811	1,9,10,16,21,47,49,51,55,56,60,62,68 aka 7501
812	1 aka 7501,6,12,13,16,19,22,56,62,63,68,69,161,162,167
813	1,16,55,64

Table A-1b, Blocks & Lots Subject to Lifting of Preservation Requirements Text Amendment (Preservation Areas P1 and P2); Blocks and Lots Subject to C6-4M Conversion Text Amendment (C6-4M district)

Block	Lot	Preservation Area/Zoning
759	7,8,14,18,23,24,25,26,27,29,30,31,32,37(part),45(part),49,52,53,54,55,59,61,67,68,72	P2/C6-4M
760	7,10,12,18,20,21,26 aka 7501,32,38(part),39(part),51,55,58,61,62,63,68	P2/C6-4M
761	5,7,9,20,22,28,37(part),41,43,53,59,62	P2/C6-4M
762	6,11,13,14,16,17,19,23,25,38(part),46,48,49,50,60,61,67	P2/C6-4M
785	1(part),7(part),11,15,18,23,25,29,49(part),67,73,75	P1/M1-6
786	1(part),13,18,20,23,29,31,51(part),60,61,62,64,66,68,76	P1/M1-6
787	11,20,23,25,31,40(part),44(part),58,59,64,65,67,70,72,76,84(part)	P1/M1-6
788	11,16,19,24,26,36,37(part),49(part),56,64,66,71,73,78	P1/M1-6
789	9,14,21,27,30,44,52,60,62,67,69,75(part)	P1/M1-6
811	1(part),9,10,16,21(part),47(part),49,51,55,56,60,62,68 aka 7501(part)	P1/M1-6
812	1 aka 7501(part),12,13,16,19,22(part),62(part),63,68,69(part),161,162,167	P1/M1-6

Table A-1c, Blocks & Lots Subject to Contextual Bulk Text Amendment, Use Group 18 Prohibition Text Amendment, and Sign Text Amendment (M1-6 district)

Block	Lot
759	37(part),45(part)
760	38(part),39(part),43,46
761	31,32,33,37(part),39
762	33,38(part),42
784	19(part),41(part),47,48,50,51,54,60,64,68,71,74,77,80
785	1,7,11,15,18,23,25,29,37,41,43,45,46,49,67,73,75,82
786	1,13,18,20,23,29,31,42,51,60,61,62,64,66,68,76
787	1,11,20,23,25,31,40,44,58,59,64,65,67,70,72,76,84
788	1,4,8,9,11,16,19,24,26,36,37,43,44,45,46,49,56,64,66,71,73,78,86,89
789	1,4,5,7,9,14,21,27,30,36,40,42,43,44,52,60,62,67,69,75,78,79,82
811	1,9,10,16,21,47,49,51,55,56,60,62,68 aka 7501
812	1 aka 7501,6,12,13,16,19,22,56,62,63,68,69,161,162,167
813	1,16,55,64

Within P1 there are 14 small buildings that have a footprint of less than 40 feet in width and less than 6 FAR. There are 4 larger footprint buildings with less than 6 FAR. These under-built buildings are a combination of pre-existing residential, commercial buildings, a church, and a utility building. One building is a Post Office.

The avenues, outside the Preservation Areas, have larger buildings that were used for both production and showrooms. More recently avenue buildings that were used for production have become showrooms or general class B office spaces. Some production remains and there are a number of small buildings on small lots.

The midblock area between Eighth and Ninth avenues (P2) was not as heavily developed as the rest of the area. While containing numerous loft buildings, it also had surface parking lots and small buildings and garages. The Hudson Yards rezoning has resulted in redevelopment of many of the underutilized sites. There have been large residential projects and hotels constructed since the 2005 Hudson Yards rezoning.

The side streets (P1 and P2) have a total of about 9.9 million square feet of total space. Based upon a survey of the Garment Center conducted in 2017, it is estimated there was approximately 900,000 square feet of manufacturing space still on special district side streets, with about 715,000 square feet in fashion manufacturing. There was about 560,000 square feet of warehousing in the special district of which 400,000 are fashion related. It was estimated that about 1.6 million square feet of space were in showroom use of which 1.5 million are fashion showroom. Over 4 million square feet of space on side streets were in non-conforming office use. Approximately 7 percent of the space was vacant. The special district continues to have many suppliers (i.e., button and trim), sample makers and short run contractors. These firms supply services to designers and fashion makers.

Surrounding Area

On the east, the SGCD is bordered by high-density commercial districts in the Special Midtown District. Farther to the east, between Fifth and Sixth avenues, from W. 35th to W. 39th streets, is the "Doughnut Hole". This is an M1-6 district mapped in 1981, and proposed by the ILGWU, to protect apparel manufacturing uses. This M1-6 district has no special preservation rules and is not proposed for rezoning as part of this action. In recent years, it has experienced development of a large number of hotels.

On the south, the special district is also bordered by high-density commercial districts, including major retail destinations such as Macy's between Broadway and Seventh Avenue. Just to the south is the Penn Center Subdistrict of the Special Midtown District and Penn Station. On the west, the special district is bounded by C1-7A zoning in Subarea D5 of the Special Hudson Yards District. On the north, the special district is bounded by the Subarea E block and, between Seventh and Eighth avenues, an M1-6 district within the Special Midtown District, which includes the New York Times headquarters building, constructed under an ESDC General Project Plan, and the former Herald Tribune offices and printing plant, now the CUNY Graduate School of Journalism.

E. PROPOSED ACTION: PURPOSE/NEED AND DESCRIPTION

The City of New York is responsible for promoting a diverse and healthy economy, where a variety of industries can thrive. The City's role is integral to stimulating economic growth and opportunity for these varied industries, and to ensure that the City does not impede growth or investment in these industries. Based on analysis of the original goals of the SGCD and the 30-year evolution of the special district, the City has determined that the SGCD's zoning regulations are in need of updating as they have proven both ineffective and antiquated for a variety of reasons. First and foremost, the creation of the SGCD in 1987 was intended to allow for the natural shrinking of the apparel production industry and its concentration in the Preservation Areas. Recent surveys reveal that not only has the industry shrunk more than originally forecasted, but more apparel production companies are now located outside of the zoning protections of the Preservation Areas.

Therefore, the SGCD needs to be updated, because 1) it has been ineffective in preserving the industry in the designated Preservation Areas; 2) it has failed to rationalize land use patterns in the District by concentrating apparel production in the Preservation Areas; 3) it does not reflect existing land use conditions in the District with close to 50 percent of commercial uses in the Preservation Areas non-compliant to zoning.[15] Today, with approximately half of the over 1.4 million square feet of garment production space in the greater Garment Center area, located outside of the Preservation Areas, it is evident that property owners and garment manufacturing companies are not making tenanting or real estate location decisions based on the SGCD's zoning regulations. Instead, it appears that such decisions could be tied back to the strong cluster and ecosystem of fashion related businesses and the divergent business decisions made by property owners in the area to rent to these firms. The irrelevance of the SGCD's preservation requirements can be seen in the properties on the avenues of the District with a majority of their square feet tenanted by garment production companies while a number of properties on the side streets have no garment production tenants and are now converted to other non-protected uses. Additionally, although the Garment Center has continued to serve as the center of the fashion industry in New York City and the United States, garment manufacturers and other components of the industry's ecosystem have steadily left the Garment Center for decades for a variety of reasons, as they seek more affordable rents in other neighborhoods across the City or elsewhere, close shop altogether, or move to other parts of the global work place. As a result, traditional business practices in the industry, long based on close proximity of all components of the industry, have been rapidly evolving in order to accommodate the emergence of smaller industry clusters throughout the City. While these changes have led to much more efficient business operations, and have also made it possible for designers and showrooms to be less dependent on their proximity to other aspects of the industry, such as supply shops, warehouses, and factories, it has led the industry to decentralize into areas of the City other than the Garment Center. In light of current conditions and ongoing trends, the City believes that new approaches to regulate land use in the special district and support the fashion industry are warranted. The proposed action consists of a zoning text amendment intended to update the zoning text to reflect and improve existing conditions, the components of which are summarized in a **Table A-2** and described in more detail below.

Table A-2, Garment Center Proposed Zoning Text Amendment Changes

Change	Geographic Scope	Summary
Lifting of Preservation Requirements Text Amendment	Preservation Areas	Legalize/permit conversion of manufacturing space to office
C6-4M Conversion Text Amendment	C6-4M	Prohibit conversion of manufacturing space in buildings 70,000 sf or larger to residential or dormitories
Hotel Special Permit Text Amendment	Entire SGCD	Hotels no longer as-of-right, allowed only by special permit
Contextual Bulk Text Amendment	M1-6 District	Replace underlying bulk controls with contextual building envelopes
Use Group 18 Prohibition Text Amendment	M1-6 District	Prohibiting UG18 uses even if performance standards are met; presently this prohibition applies to P1 but not the M1-6 residual area
Sign Text Amendment	M1-6 District	Harmonize sign regulations with the more restrictive C6-4M rules

[15] ACS (2011-2015).

Lifting of Preservation Requirements Text Amendment

Purpose and Need

As noted above, in 1986, the DCP, Office for Economic Development, and the Public Development Corporation compiled the New York City Garment Center Study "in response to concerns on the part of the City as well as the International Ladies' Garment Workers' Union (ILGWU) that Manhattan real estate pressures would accelerate manufacturing job loss in the Garment Center." It was determined that single location manufacturers and contractors in the special district were threatened by office conversions and these trends prompted the City government to intervene.

Established in 1987 and modified several times since then, the original purpose of the SGCD was to maintain the viability of apparel production in the Garment Center. Since 1987, the apparel manufacturing industry has lost approximately 83 percent of its employment and approximately 92 percent of its physical presence in the special district. As a result, the SGCD zoning has failed to fulfill its primary goal of preserving the industry in-place in the Garment District. Today, apparel manufacturing in the Garment Center employs approximately 4,400 workers in the industry down from 25,200 in 1987, and occupies approximately 716,000 square feet in the Preservation Areas down from 8.5 million square feet in 1987. While SGCD's zoning was intended to support and maintain this critical subsector of the fashion ecosystem in the Garment Center, it has failed to do so. Furthermore, the regulations have both created competition for real estate between fashion subsectors and not been kept up to date with the evolving needs of the fashion industry: properties in the Preservation Areas have been allowed to convert from manufacturing space — a lower paying use — to showrooms — a higher-paying use — as-of-right for 30 years. Meanwhile, fashion office space is not allowed as-of-right in the Preservation Areas, despite accounting for 28 percent of fashion uses in the Preservation Areas and its growing importance to the fashion sector.

The SGCD has proven ineffective in providing the apparel production industry long-term stability in the Garment Center. Zoning does not control for rent or lease terms; today, apparel manufacturers are subject to a wide variation in lease terms with many businesses on month-to-month or short-term leases while others are able to secure long-term rents. Rents also widely vary but on average apparel production companies are paying rents that are commensurate with office space at more than $35 per square foot. The Preservation Areas, which were intended to retain apparel manufacturers, only contain a portion of the special district's apparel manufacturers. According to surveys of the Preservation Areas and greater Garment Center area completed in 2017 by the Garment Center Suppliers Association (GCSA) and Garment District Alliance (GDA), approximately half of the apparel manufacturers in the Garment Center were located outside of the Preservation Areas, and therefore not protected by zoning.[16]

The process to preserve manufacturing space has proven difficult to administer and enforce, as changes in the apparel industry have made demand for manufacturing spaces increasingly limited. Since the enactment of the SGCD in 1987, around 180,000 of the 8.5 million square feet of commercial space in the Preservation Areas has been formally preserved for manufacturing uses in the special district, while it is estimated that there is now over 4 million square feet of non-conforming office uses. Enforcement of the SGCD zoning regulations is challenging due to outdated Certificates of Occupancy that do not specifically identify individual uses per floor making it difficult to determine whether a protected or non-protected use could be occupying the space. As detailed in a report from the Special Office of Midtown Enforcement in 1991: "[…] many certificates list multiple permitted uses such as "office, showroom and manufacturing" or ambiguous uses such as "loft." According to the Department of Buildings, such occupancy descriptions have traditionally encompassed office use. Thus, for such premises, the legal status of a conversion from factory to office or to a use outside Use Groups A and B depends upon whether the conversion took place before or after the effective date of the zoning amendment, March 26, 1987."

[16] Surveys of the Garment Center conducted by the GCSA and GDA in 2017.

Instead of serving its original purpose of preserving and supporting the apparel manufacturing industry, zoning is now impeding the special district's economic health and growth. The Preservation Areas, totaling approximately 9.9 million square feet of built space, are disproportionately large as compared to the physical presence of the garment manufacturing industry today. At approximately 716,000 square feet of production space in the Preservation Areas today – 8 percent of its original size in 1987 – the special district would have an estimated 40 percent vacancy rate if non-conforming office uses had not moved in to vacated former production spaces. Instead, the Preservation Areas have only a six percent vacancy rate today.

As the existing zoning does not allow for an as-of-right change of use to office space, buildings converted without a preservation certification cannot obtain building permits to do major renovations or alter certificates of occupancy to reflect actual office space use. When a property does not comply with the City's Construction Codes, New York City Zoning Resolution, or other applicable laws and rules, New York City Department of Building (DOB) inspectors may issue DOB violations, which can prevent a property owner from selling or refinancing. DOB will also not issue new or amended Certificates of Occupancy or Letters of Completion when DOB violations remain active. Within the Preservation Areas, approximately 100 buildings have been listed as having over 1,100 active building code infractions, predominantly consisting of failed boiler and elevator inspections as well as construction and zoning violations, dating as far back as 1988 and as recent as October 2017.[17] Buildings with outstanding Construction Code violations are often subject to poor conditions and a general lack of investment in elevators, fire systems, and heating, ventilation, and air conditioning (HVAC) systems, often as a result of a lack of certificates of occupancy that illegal conversions limit.

Specific Zoning Changes

Preservation Area 1

The zoning text amendment to ZR 121-10, "Preservation Area," et seq., would lift the SGCD's preservation requirements by removing restrictions on the conversion of manufacturing and warehousing uses to office uses in the designated Preservation Area known as P1, where the underlying zoning is M1-6. Under the existing zoning, to satisfy the preservation requirement, an equal amount of manufacturing and warehousing space must be preserved elsewhere in the SGCD to allow for the conversion to office use. Conversion to residential and hotel uses are not permitted, though hotel uses are permitted as-of-right in new development. The conversion of wholesale showroom space or certain other uses to office uses also triggers the preservation requirement; however, unlike manufacturing and warehousing uses, wholesale showroom space and certain other uses may not be used to satisfy the preservation requirement.[18] The conversion of manufacturing and warehousing uses to wholesale showroom space or other non-office uses allowed by zoning do not trigger the preservation requirement.

Preservation Area 2

The zoning text amendment to ZR 121-10, "Preservation Area," et seq., would also lift the SGCD's preservation requirements by removing restrictions on the conversion of manufacturing, warehousing, and other non-office, non-hotel, and non-residential use spaces in buildings of 70,000 square feet or larger to office uses in the area designated as P2, where the underlying zoning is C6-4M.[19] (As discussed below, conversion to hotel would be by special permit only.) Under the existing zoning, conversion of manufacturing and warehousing in buildings with less than 70,000 square feet to any use allowed by underlying zoning is permitted without the preservation requirement in P2. In buildings of 70,000 square feet or larger in P2, conversion of wholesale showroom space or certain other uses also triggers the preservation requirement; however, unlike manufacturing and warehousing uses, wholesale showroom space and certain other uses may

[17] NYC DOB.
[18] Refer to ZR 121-111 for a complete list of uses that are: (a) permitted in the Preservation Areas and (b) which are subject to the preservation requirements, but (c) which may not be used to satisfy the preservation requirements.
[19] Refer to ZR 121-113 for details of the floor area preservation requirement.

not be used to satisfy the preservation requirement.[20] The conversion of manufacturing and warehousing uses to wholesale showroom space or other non-office, non-residential uses allowed by zoning do not trigger the preservation requirement. In P2, conversion without preservation is allowed pursuant to a zoning authorization, if a manufacturing, wholesale, or showroom space has been vacant for 3 or more years.

Proposed Action Applied to Preservation Areas 1 and 2

The proposed action would lift the preservation requirement that currently restricts the conversion of manufacturing and warehousing uses in the Preservation Areas to other uses cited above. The proposed action would also permit a number of certain select as-of-right uses that are currently not permitted in existing buildings.[21] As a result, the current process to convert manufacturing and warehousing uses – via certification by the Chair of the City Planning Commission or authorization in P2 (when applicable) – would no longer be required. Manufacturing uses and wholesale showroom spaces would continue to be permitted by the special district. This would allow properties with non-conforming office conversions, presently subject to the existing preservation requirements, to obtain updated Certificates of Occupancy, address outstanding violations, and facilitate future improvements pursuant to a building permit (ZR 121-11).

The proposed action would also remove special district use restrictions and restore the underlying zoning use regulations,[22] except as modified by the C6-4M conversion text amendment and the hotel special permit text amendment described below.

With the lifting of the preservation requirements, the P1 and P2 preservation area designations would be removed from the zoning text and the SGCD Plan contained therein as Appendix A.

Instead of Preservation Areas, two new subdistricts of the SGCD would be established. Subdistrict A-1 would consist of all portions of the SGCD with M1-6 underlying zoning. As such it would encompass the current P1 and the "residual" area, i.e., portion of the SGCD that is not within P1 or P2. Subdistrict A-2 would consist of all portions of the SGCD with C6-4M underlying zoning. As such it would encompass the current P2.

Also, related to the removal of the Preservation Areas designation, the SGCD zoning text would be amended to continue the applicability of Special Hudson Yards District anti-harassment and demolition regulations of ZR 93-90 and ZR 93-91, respectively. As such, this would not represent a change in conditions but an update in language reflecting the change in this area's designation from Preservation Area P2 to Subdistrict A-2.

Similarly, certain Use Group 16 uses which are not permitted by the underlying C6-4M district are currently allowed in P2 under the Preservation Area P2 special district rules. These uses include wholesale establishments, wholesale showrooms, household or office equipment or machinery repair, tool and die or pattern making establishments or similar small machine shops, packing and crating establishments and warehouses. The SGCD zoning text would be amended to maintain these as permitted uses in what will become Subdistrict A-2.

[20] Refer to ZR 121-111 for a complete list of uses that are: (a) permitted in the Preservation Areas and (b) which are subject to the preservation requirements, but (c) which may not be used to satisfy the preservation requirements.

[21] The currently permitted uses in Preservation Areas P1 and P2 are enumerated in ZR 121-111 and 121-112.

[22] The existing special district contains more restrictive use rules that apply in area P1 to existing buildings and in area P2 to existing buildings larger than 70,000 square feet. The more restrictive rules do not apply in new buildings in areas P1 and P2 and do not apply in area P2 to buildings less than 70,000 square feet. The special restrictive zoning rules do not apply in parts of the special district not in P1 and P2. In those cases, the underlying zoning applies. These rules were designed to exclude office uses as well as certain select uses that were not deemed to be compatible with the manufacturing uses that predominated in the special district in 1987. Most retail uses are permitted, which explains the presence of retail establishments found throughout the special district. Certain retail uses that were considered to be office uses, such as loan offices and travel bureaux, are also subject to restrictions. Certain other uses such as artist studios, trade schools, TV studios, entertainment uses and auto repair uses are also excluded from locations covered by the zoning in existing buildings in the special district (ZR 121-111).

Refer to Figure A-2, which shows the existing and proposed SGCD Plan contained in Appendix A of the special district zoning text.

C6-4M Conversion Text Amendment

Purpose and Need

The area of P2, where C6-4M is mapped, was intended to serve as a mixed-use subdistrict within the larger SGCD. Since the area was rezoned in 2005 as part of the Hudson Yards Rezoning, 975 new units of housing and 1,548 new hotel rooms in nine new hotels have been built in the 4 blocks of P2. In addition, 1,726 additional rooms are expected from seven more hotels that are under construction or permitted. Due to existing and future market pressures, it is expected that hotels and residential uses will continue to be the more valuable land use over commercial office or manufacturing uses. The proposed action described below, together with the Hotel Special Permit, is intended to promote the mixed-use nature of the special district by maintaining the manufacturing and office presence in the subdistrict.

Specific Zoning Changes

Under current zoning, properties of more than 70,000 square feet in size can be converted from manufacturing use to residential, hotel, or office uses per a Certification of the Chair of CPC if an equal amount of floor area is permanently preserved for industrial use elsewhere in the special district. As discussed above under "Lifting of Preservation Requirements Text Amendment", there would no longer be a preservation requirement for the conversion of buildings of 70,000 square feet or more of manufacturing, wholesale, or showroom space in area P2 and therefore the P2 designation would be eliminated. Instead, as noted above, this portion of the SGCD would be designated as Subdistrict A-2. In order to maintain the larger buildings as locations for office and manufacturing uses (ZR 121-102), Subdistrict A-2's special regulations would be amended to prohibit the conversion of manufacturing and warehousing space in buildings of 70,000 square feet or larger to residential or dormitory facility use.

Hotel Special Permit Text Amendment

Purpose and Need

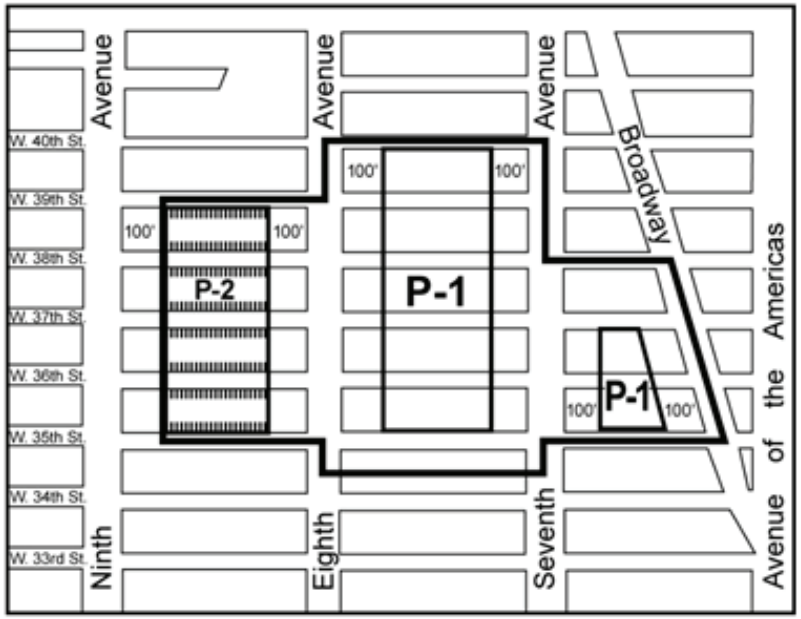
The long term vision for the SGCD is a mix of office, industrial, hotels, and residential uses (in P2) in the heart of Midtown Manhattan. As detailed in Attachment C, "Socioeconomic Conditions," while manufacturing has experienced a steady decline in the SGCD over the last 20 years, hotel uses have grown significantly. In the SGCD, and in particular, in P2, developers have taken advantage of underutilized sites and the underlying zoning districts (M1-6 and C6-4M) which permit hotel uses as-of-right. There are currently 21 hotels open or under construction with over 5,000 rooms in the Garment District. The area already has a large number of transient rooms available or under construction to serve the area. These rooms will provide a reservoir of hotels to meet area demand. Due to existing and future market pressures, it is anticipated that hotels will continue to be more valuable than office or manufacturing uses in the special district. In order to counteract this pressure and maintain the mixed-use nature of the SGCD, the proposed action would require a special permit for new hotels in the special district.

With few remaining soft sites in the SGCD, the City Planning Commission would review the appropriateness of a site for commercial, manufacturing, community facility or, where permitted, residential uses before committing the special district's last remaining potential development sites to hotel use. In the absence of the creation of a special permit, the SGCD likely would continue to experience a trend of conversion and replacement of older buildings and vacant properties to limited-service hotels. This has occurred in the SGCD and other parts of the city where zoning prohibits residential uses but permits hotels as-of-right, such as the Fur District and in certain areas of Brooklyn. Given the SGCD's concentration of public transit infrastructure,

Appendix A

[EXISTING]

Special Garment Center District Plan



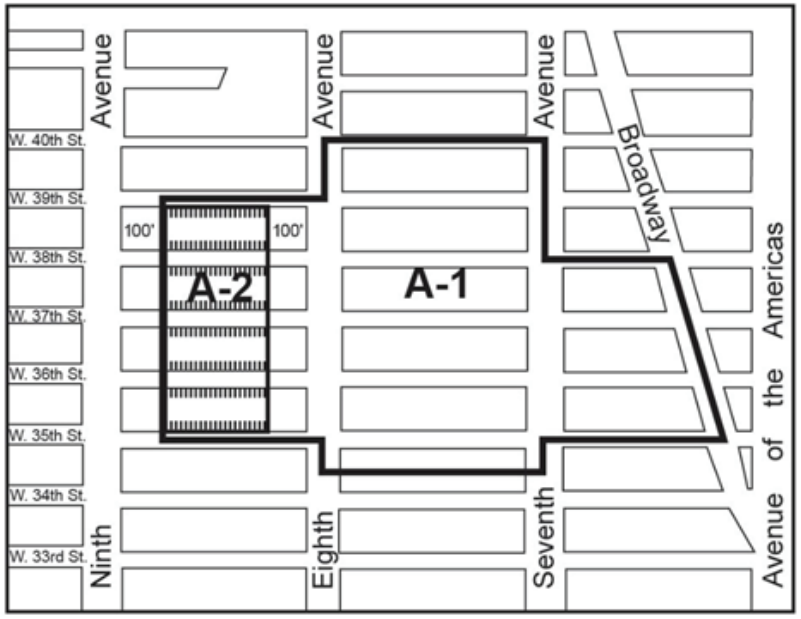
Special Garment Center District

Preservation Area

Street Wall required pursuant to 121-32(a)

[PROPOSED]

Special Garment Center District and Subdistricts



#Special Garment Center District#

A-1 Garment Center Subdistrict A-1

A-2 Garment Center Subdistrict A-2

#Street Wall# required pursuant to 121-42 (a)

Figure A-2

Existing and Proposed SGCD Appendix A

including multiple subway lines and hubs at 34th Street and 42nd Street, the Port Authority Bus Terminal, and Pennsylvania Station, which independent of the proposed action is undergoing major capital improvements, this outcome would not align with the City's long-term economic goals to reinforce the position of the SGCD as a center of the fashion industry and a diverse array of office uses.

Specific Zoning Changes

A provision of the proposed zoning text amendment to the SGCD text would make hotels (Use Group 5) no longer permitted as-of-right, but instead would create a new discretionary mechanism, namely a special permit for Transient Hotels. The special permit would be applicable to the entire special district and would require the City Planning Commission to consider if the proposed sites of new, expanded, and converted hotels would be appropriate. As a condition for granting the special permit, the City Planning Commission also would be required to find that a proposed hotel use would be consistent with the objectives of the SGCD and that the hotel's design would be appropriate to its program and not impair the character of the area. This action is intended to support the broad range of uses that exist in the special district. Consistent with City policy, transient hotels operated by or for the City or State for a public purpose, including facilities that provide temporary housing assistance or shelter to homeless individuals and families and related transient occupancy social services facilities, would continue to be permitted in the special district as-of-right. Existing hotels would be considered conforming uses and as such would be permitted to enlarge or extend, as permitted pursuant to the underlying zoning on as-of-right basis, and therefore would not require a special permit. DCP is separately proposing a citywide M1 hotel special permit zoning text amendment, however that proposal if adopted, would be superseded by the SGCD special permit requirements as is the case in any case of conflicting controls. Additionally, the proposed hotel special permit is not expected to affect Homeless Services, whose services will continue to be permitted within the Garment District in the future with the proposed action. Existing rules regarding the use of transient occupancy hotels by the Department of Homeless Services, or other social services uses will not change as a result of this proposal.

Contextual Bulk Text Amendment

Purpose and Need

Within the area zoned M1-6 in the special district, height and setback regulations would be updated to more accurately reflect the built context of the special district. Height and setback regulations in the C6-4M portion of the SGCD would not change under the proposal. Most recent new construction in the SGCD does not reflect or is in keeping with the historic built character and neighborhood context of the special district. With many of the loft buildings built between the world wars, they are bulkier in form with a consistent street wall built to the street line. Recent new construction is often setback from the street line and rises above the street line without setbacks. The proposed action would modify bulk and massing regulations of the M1-6 portion of the SGCD to more adequately conform to the historical context and built form of the special district.

Specific Zoning Changes

Presently, new buildings in M1-6 districts may choose a number of massing options. One option allows the building street wall to rise up to 85 feet or 6 stories, whichever is less. After 85 feet the building must set back 20 feet on the wide street and 15 feet on the narrow street. The building then must follow a sky exposure plane of 5.6 to 1 on the wide street and 2.7 to 1 on the narrow street. A sky exposure plane is an imaginary inclined plane beginning at the street line at the height of 85 feet rising at a ratio of vertical to horizontal distance.

Alternatively the building may set back 15 feet on the narrow street and 10 feet on the wide street, and after 85 feet, may use a sky exposure plane of 3.7 to 1 on the narrow street and 7.6 to 1 on the wide street.

A third option is a tower option. This allows a building on a lot larger than 20,000 square feet to rise straight up provided that the building occupies no more than 40 percent of the lot and is set back at least 15 feet from the street line on a narrow street and 10 feet on the wide street. Buildings constructed on lots less than 20,000 square feet may also follow this rule if the building occupies between 41 and 50 percent of the lot, depending on its size.

These existing M1-6 regulations would be replaced by new rules similar to height and setback rules found in M1-6D districts. One reason the M1-6D district was established was to create a building more in keeping with the existing context of loft districts in Manhattan. Buildings would be required to have their street wall on the street line. On wide streets buildings would be required to rise from 125 to 155 feet before a setback of 10 feet. However, the maximum base height may be increased above 155 feet to match the streetwall height of an adjacent street wall fronting on the same street line up to a maximum of 205 feet. Additionally, where buildings with adjacent street walls on either side of the building rise to a height above 155 feet before setback, the maximum streetwall height of such building may be increased to the higher of the two adjacent street walls. These wide street base height regulations may be applied along intersecting narrow streets to a depth of either 50 or 100 feet from the wide street. Along any portion of the narrow street which is not subject to wide street regulations, buildings would be required to rise to a height between 85 and 135 feet before a setback of 15 feet. After setback buildings would be permitted to continue to rise as a tower so long as the tower only occupies 40 percent of the lot. On lots of less than 20,000 square feet, towers may occupy between 40 percent and 50 percent of the lot depending on the lot size, per ZR 43-451.

It is proposed that new buildings on eligible sites would be permitted to use an existing bonus for a privately owned public space, also known as a public plaza, pursuant to ZR 43-13. This provision is intended to permit public space in the dense Garment District. However public plazas would not be permitted within 100 feet of a wide street, i.e., Broadway, Seventh, or Eighth avenues. Buildings constructed pursuant to these regulations would be subject to DCP design review and a Certification by the Chair of the City Planning Commission. The existing Floor Area Bonus for arcades is proposed to be removed (ZR 43-13, 43-14).

As noted above, under the proposed action the M1-6 portion of the SGCD would comprise Subdistrict A-1. As such, the changes constituting the contextual bulk text amendment, along with the Use Group 18 prohibition text amendment, and the sign text amendment, would apply to Subdistrict A-1.

Table A-3 provides a comparison of existing and proposed bulk requirements for the M1-6 portion of the SGCD.

Sign Text Amendment

Purpose and Need

The purpose of the sign text amendment is to give the SGCD consistent and standardized sign regulations for the entire special district while limiting advertising signs. In addition, flashing signs would be prohibited in the C6-4M portion of the special district, to address concerns about their incompatibility with residential uses present there.

Table A-3, Existing and Proposed M1-6 (SGCD) Bulk Regulations

	Existing Zoning			Proposed Zoning
	M1-6 with Underlying Regulations			M1-6 with Modification
Lot Coverage Requirement	None			None
Yard Regulations				
(1) Side Yard	None			None
(2) Rear Yard	A depth of not less than 20' except as otherwise provided in ZR 43-27, 43-28, or 43-31			A depth of not less than 20' except as otherwise provided in ZR 43-27, 43-28, or 43-31
Minimum Base Height				
(1) Wide Street	None (streetwall not required)			125' (streetwall required)
(2) Narrow Street	None (streetwall not required)			Within 50' or 100' of wide street: 125' (streetwall required) Beyond 50' or 100' of wide street: 85' (streetwall required)
Maximum Base Height				
(1) Wide Street	85' or 6 stories, whichever is less			155' or height of adjacent building's streetwall if higher than 155', to a max of 205'[1]
(2) Narrow Street	85' or 6 stories, whichever is less			Within 50' or 100' of wide street: 155' Beyond 50' or 100' of wide street: 135'
Initial Setback & Distance	**Option 1 Per ZR 43-43:**	**Option 2 Per ZR 43-44:**	**Option 3 Per ZR 43-45:**	
(1) Wide Street	15'	10'	10'	10'
(2) Narrow Street	20'	15'	15'	15'
Sky Exposure Plane				
(1) Wide Street	5.6 to 1	7.6 to 1	Not applicable	Not applicable
(2) Narrow Street	2.7 to 1	3.7 to 1	Not applicable	Not applicable
Maximum Building Height	Controlled by the sky exposure plane		May penetrate the sky exposure plane	Not applicable
Tower Regulations				
(1) Lots < 20,000 sf	Not applicable	Not applicable	Tower may occupy the % set forth in ZR 43-451	Tower may occupy the % set forth in ZR 43-451 (tower permitted above required base)
(2) Lots ≥ 20,000 sf	Not applicable	Not applicable	Tower can't occupy more than 40% of lot	Tower can't occupy more than 40% of lot (tower permitted above required base)

[1] Buildings would be permitted a maximum streetwall height of 155 feet, but may match the height of streetwalls on the same blockfront that exceed 155 feet up to a maximum of 205 feet; if an abutting building has a streetwall height taller than 205 feet, then a building's streetwall would be permitted to match the abutting building's streetwall even if it exceeds 205 feet.

Specific Zoning Changes

Presently, the SGCD is subject to multiple sign regulations; sign regulations in the M1-6 zoned portion, are more permissive than those in the C6-4M zoned areas. In addition, on wide streets the Garment Center has special regulations. The proposed action is intended to standardize those regulations. M1-6 regulations allow signs to be up to 6 times street frontage but no more than 1,200 square feet per sign. Illuminating signs may be five times the street frontage of the zoning lot, but no more than 500 square feet per sign. Signs with indirect lighting may be 5 times street frontage but no more than 750 square feet per sign.

Advertising signs are permitted and may not exceed a height of more than 40 feet above curb level if illuminated and 75 feet above curb level if non-illuminated. Signs may be on the top of buildings.

Standardizing the sign regulations in accordance with C6-4 districts (except that flashing signs would not be permitted in the C6-4M district) would create the following provisions for signs:

- Both illuminated and non-illuminated signs are allowed to be up to 5 times street frontage, but no more than 500 square feet per sign.
- No sign may be more than 40 feet in height.
- No signs are permitted on roofs except that a vertical sign attached to a wall no more than 28 inches wide may extend no higher than 15 feet above roof level.
- Advertising signs are not permitted.

In addition, existing regulations pertaining to marquees, flags and pennants on wide streets within the special district would be removed under the proposal (ZR 121-20).

Use Group 18 Prohibition Text Amendment

Purpose and Need

Use Group 18 uses are not permitted in standard M1-6 zoning districts, including in the existing residual M1-6 portion of the SGCD, unless such uses meet specified performance standards, per ZR 42-20. However, in P1, although its underlying zoning is M1-6, the existing SGCD text does not permit Use Group 18 even if performance standards are met, as such uses are considered incompatible with high density commercial areas such as the Garment District. Furthermore, in conformance with the underlying zoning, Use Group 18 uses are not permitted in the C6-4M portion of the SGCD.

Given that DCP continues to consider Use Group 18 uses incompatible with high density commercial areas, in order to retain this prohibition in the portions of the SGCD where it is already in effect and apply consistent rules across the SGCD M1-6 district, under the proposed action the SGCD would prohibit Use Group 18 uses throughout the SGCD M1-6 district, which as noted above would be co-extensive with Subdistrict A-1.

Specific Zoning Changes

The SGCD would specifically prohibit Use Group 18 uses in Subdistrict A-1 and as such ZR 42-20 would not be applicable to the SGCD. The underlying C6-4M prohibition of Use Group 18 uses would remain in effect in Subdistrict A-2.

Land Use Review

These approvals are subject to public review with requirements similar to ULURP under Sections 200 and 201 of the City Charter. As a discretionary action requiring approval by the City, the proposed action is also subject

to City Environmental Quality Review (CEQR), pursuant to the State Environmental Quality Review Act (SEQRA).

The City's land use review process begins with a referral by certification by the DCP that the Land Use application is complete, which includes satisfying CEQR requirements (see the discussion below). The application is then forwarded to the applicable community board(s), in this case CB4 and CB5, as well as to the Manhattan Borough President and Borough Board, which each typically have 60 days in which to review and discuss the approval, hold public hearings, and adopt recommendations regarding the application. The CPC then reviews the application, during which time a public hearing is held. The CPC has no set time frame to review the zoning text. CPC may approve, approve with modifications or deny the application. If the application is approved, or approved with modifications, it moves forward to the City Council for review, which is required for certain application types including zoning text amendments. The City Council has 50 days to review the application and during this time will hold a public hearing on the proposed action, through its Land Use Subcommittee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the proposed action, the review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within 10 days.

F. ANALYSIS FRAMEWORK

In order to assess the possible effects of the proposed action, an RWCDS has been prepared to identify sites in the SGCD with the potential for development that could be affected by the requirement for a hotel special permit. This includes development with the current zoning (No-Action) and proposed zoning (With-Action) conditions for a 10-year period (build year 2027). The incremental difference between the No-Action and With-Action conditions will serve as the basis for the impact analyses presented in this EAS. To determine the With-Action and No-Action conditions, standard methodologies have been used following the *CEQR Technical Manual* guidance employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development, as discussed below.

Development Site Criteria

In determining the amount and location of new development generated by the proposed action, several factors have been considered in identifying likely development sites. These include known development proposals, recent and current development trends, and the development site criteria described below. However, unlike rezonings that increase permitted density or result in a change in permitted uses, the proposed action would not affect permitted density or allow uses that are not currently permitted as-of-right. Rather, as it is intended to create a more harmonious mix of uses in a portion of the Midtown CBD, hotels would be allowed only by special permit. In addition, bulk regulations in the M1-6 portion of the special district would be changed to require contextual building designs compatible with the prevailing character of the area as defined by high lot coverage buildings with streetwalls. As such, the proposed action is unlikely to stimulate development of sites that would otherwise remain undeveloped, but instead would result in a change in use of potential development sites that likely would redevelop with hotel uses in the future without the proposed action. Under With-Action conditions, building envelopes would differ from those that would be built under No-Action conditions.

To determine potential development sites, also referred to as "soft sites," an analysis threshold of approximately 5,000 square feet per lot was utilized. Based on existing trends in the project area, it is unlikely that sites smaller than this would be developed and therefore were excluded from the soft site analysis. The selection of possible development sites was further refined by identifying properties that are both substantially underbuilt and which have not experienced significant investment.

Using these criteria, five development sites were identified within the rezoning area. **Table A-4** provides general information on these sites and their locations are shown in **Figure A-3**. More information about existing uses on these sites is provided in the "Land Use, Zoning, and Public Policy" section of Attachment B.

Table A-4, Projected Development Site Information

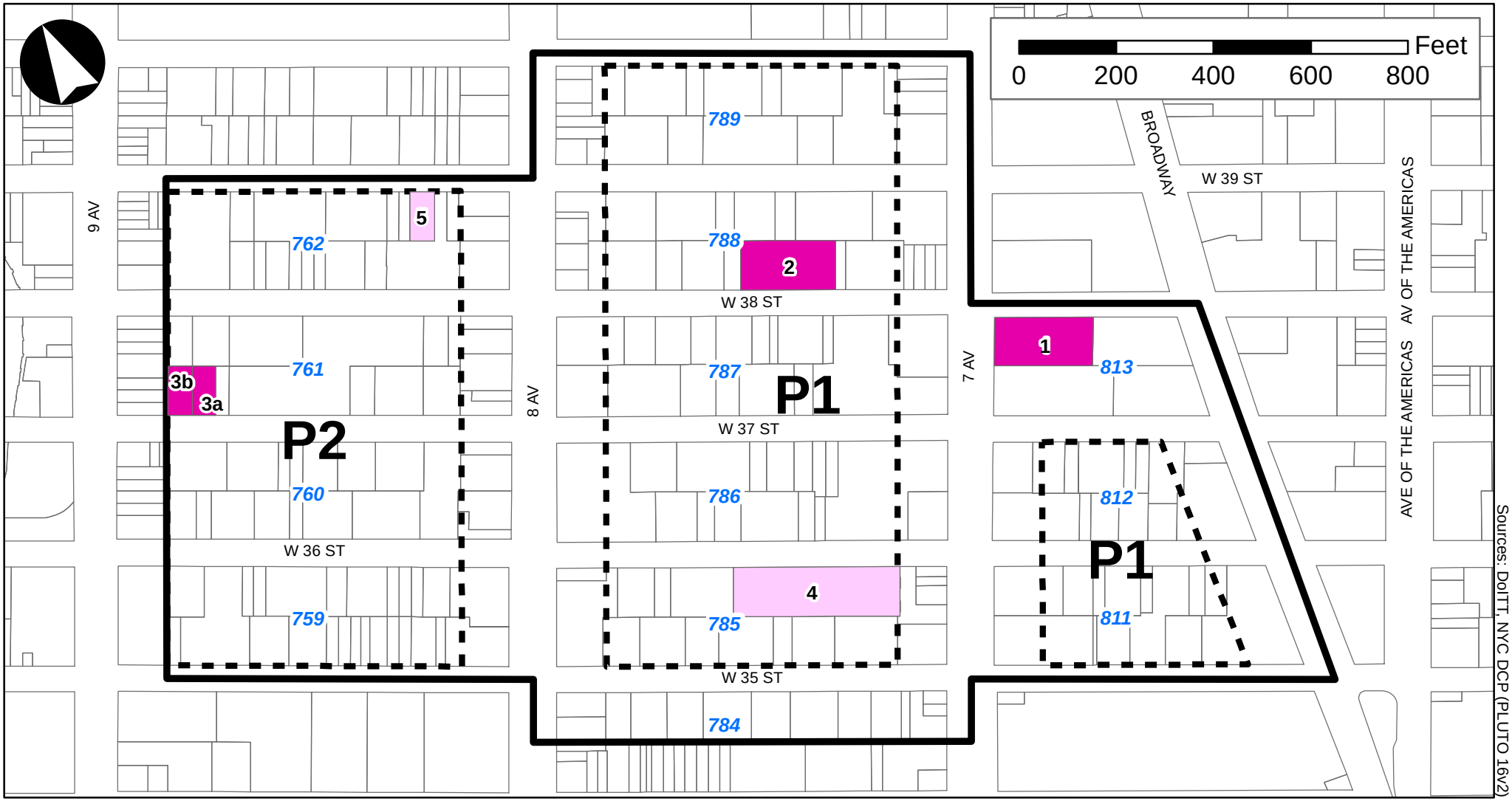
PROJECTED DEVELOPMENT SITES					
ID	**Address**	**Block: Lot(s)**	**Lot Area (sf)**	**Underlying Zoning**	**SGCD Designation**
1	515 7 Av.	813: 64	19,750	M1-6	Residual
2	223 W. 38 St.	788: 26	19,297	M1-6	P1
3a	349-351 W. 37 St.	761: 7	4,937	C6-4M	P2
3b	353-355 W. 37 St.	761: 5	4,937	C6-4M	P2
POTENTIAL DEVELOPMENT SITES					
ID	**Address**	**Block: Lot(s)**	**Lot Area (sf)**	**Underlying Zoning**	**SGCD Designation**
4	206 & 230 W. 36 St.	785: 49	33,904	M1-6	P1 (partial)
5	310 W. 39 St.	762: 46	4,937	C6-4M	P2

Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period. Given the lack of new office development in the rezoning area in decades while other areas such as Hudson Yards and Midtown East are undergoing new office building construction, the market for new office development is considered limited and therefore only one new office building is projected. The soft site considered best suited for an office building is a corner lot with both avenue and side street frontages. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Potential development sites were identified where existing conditions may be an encumbrance to redevelopment due to active use or where an existing building would require higher demolition costs relative to other sites.

Based on these criteria, the RWCDS includes three projected development sites and two potential development sites. These categorizations are also identified in **Table A-4** and **Figure A-3**.

Consistent with the guidance of the *CEQR Technical Manual*, this EAS assesses both density-related and site-specific effects from development on the projected development sites. Density-related effects are dependent on the amount and type of development projected and the potential for impacts on density-sensitive CEQR technical areas. Site-specific effects relate to individual site conditions and are not dependent on the density of projected development. Site-specific technical areas of concerns include shadows, historic and cultural resources, hazardous materials, air quality (stationary source), and noise (stationary source). As development is not anticipated on the potential development sites in the foreseeable future, these sites are not included in the density-related impact assessments. However, these sites are included in the site-related impact assessments in order to ensure a conservative analysis.



Garment Center Text Amendment EAS

Figure A-3

RWCDS Projected and Potential Development Sites

RWCDS Parameters and Assumptions

The number of projected dwelling units (DUs) is determined by dividing the total amount of residential floor area by 800 and rounding to the nearest whole number. The number of hotel rooms, also referred to as keys, is determined by dividing the total amount of hotel floor area by 400 and rounding to the nearest whole number.

The RWCDS assumes that office and hotel uses would be built to a maximum FAR of 10.0 and would not use any floor area bonus (except for Site 2) but residential uses and the hotel use on Site 2 would be built to a maximum FAR of 12.0, utilizing permitted floor area bonuses. As such, it is projected that 20 percent of residential units would be affordable housing provided under the Inclusionary Housing (IH) program which is mapped on the C6-4M district in Area P2 of the SGCD.

Office and residential developments were assumed to have 1.0 FAR of retail on the ground floor and the remainder of the building area occupied by the predominant use. As the projected developments would each have less than 40,000 sf of retail space, it is assumed that all of the area would be occupied by local retail uses.

As discussed in Attachment B, accessory off-street parking in the SGCD is permitted in new developments, but not required. However, recent development trends in the wider area indicate a shift away from providing off-street parking. Therefore, the development sites are assumed not to provide accessory off-street parking.

Building heights and massing under the No-Action condition would comply with existing zoning regulations, including the non-contextual height and setback with sky exposure plane regulations in the M1-6 district and under the With-Action condition would be required to comply with the new contextual bulk regulations in the M1-6 portion of the rezoning area. The current special contextual bulk regulations in the C6-4M portion of the special district would remain in place; as such buildings developed in that portion of the special district would be expected to have the same building envelopes under both No-Action and With-Action conditions.

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

In the RWCDS No-Action condition, the projected development sites would be redeveloped on an as-of-right basis with new hotels. All existing buildings on these sites would be demolished and replaced by new buildings. In total, the three projected developments would have a combined area of 527,804 sf of hotel space with 1,320 hotel rooms. These new buildings would range in height from 240 to 340 feet tall.

DCP has proposed that new hotels in M1 districts be subject to a City Planning Commission Special Permit. If that proposal were to be enacted, it is expected that the two projected sites in the M1-6 district would still be developed as hotels. It would be likely that the locations would utilize the new M1 hotel special permit if needed, and the proposed SGCD changes are not adopted. Both site's property owners have discussed potential for hotel use. The existing height and setback rules in the SGCD limit the likelihood of other permitted uses and encourage hotels. This has led the RWCDS to determine that in the future without the action new hotels on these two sites are anticipated.

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

In the future with the proposed action for the RWCDS, the projected development sites would be redeveloped with 177,750 sf of office space, 579 hotel rooms, 29,624 sf of local retail space, and 136 DUs. Projected Development Site 1 would be developed with a 197,500-square-foot commercial building consisting of 177,750 square feet of office space and 19,750 square feet of local retail space. It would be 188 feet tall. Projected Development Site 2 would be developed with a 231,564-square-foot hotel building with 579 hotel rooms pursuant to a hotel special permit. It would be 310 feet tall. Projected Development Site 3 would be developed with a 118,488-square-foot mixed-use building with 136 DUs and 9,874 square feet of retail space. It would be 240 feet tall. As the residential units would be developed pursuant to an IH bonus, approximately

27 DUs would be affordable housing DUs (20 percent of the total) and approximately 109 would be market rate DUs (80 percent).

As noted above, the projected hotel development on Site 2 would require a hotel special permit, as a new hotel could not be developed in the SGCD on an as-of-right basis under With-Action conditions. Although the special permit requirement would be established as part of this action, the application for a special permit is not part of this application; it would be a discretionary action applied for in the future. A conceptual analysis of this special permit scenario is provided in Attachment I, "Conceptual Analysis," and would be subject to its own environmental review at the time a special permit application is advanced. Under With-Action as-of-right conditions, i.e., without the special permit, it is projected that the site would not be redeveloped and the existing 30-foot tall, 48,023-sf post office would remain.

Net Incremental Development (RWCDS Increment)

The net change in development on the projected development sites that would occur as a result of the proposed action would include increases of 177,750 square feet of office space, 29,624 square feet of local retail space, and 136 DUs and a decrease of 1,320 hotel rooms. The environmental effects of this action-generated development increment are assessed in this EAS in order to make impact determinations.

Table A-5 provides height information for RWCDS and **Table A-6** provides detailed building program information on the RWCDS conditions. Table A-6 shows the hotel special permit scenario for Site 2 to indicate the full range of development that could occur.

Table A-5, RWCDS Building Height Information

Projected Site	Zoning	No-Action Height	With-Action Height	Increment	Conceptual Height (Hotel Special Permit)
1	M1-6	280'	188'	-92'	N/A
2	M1-6	340'	30' (existing building)	-310'	310'
3	C6-4M	240'	240'	0	N/A
Potential Site	**Zoning**	**No-Action Height**	**With-Action Height**	**Increment**	**Conceptual Height (Hotel Special Permit)**
4	M1-6	350'	286'	-64'	N/A
5	C6-4M	240'	240'	0	N/A

Table A-6, RWCDS

PROJECTED DEVELOPMENT SITES																													
		Existing Zoning[1,2]					No-Action Conditions[3]								With-Action Conditions[3,6]										Incremental Change (With Action less No-Action)								
Site ID	Lot Area	Under-lying Zoning	Max Res FAR	Max Comcl FAR	Max. Mfg. FAR	Max CF FAR	Res SF	Res DU's	Office SF	Hotel SF	Hotel Rooms[4]	Local Retail SF	Total SF	Built FAR	Res SF	Res DU's[5]	Office SF	Hotel SF	Hotel Rooms	Local Retail SF[7]	Post Office SF	Total SF	Built FAR	Res SF	Res DU's[5]	Office SF	Hotel SF	Hotel Rooms	Post Office SF	Local Retail SF	Total SF	Built FAR
1	19,750	M1-6	0.0	10.0	10.0	10.0	0	0	0	197,500	494	0	197,500	10.0	0	0	177,750	0	0	19,750	0	197,500	10.0	0	0	177,750	-197,500	-494	0	19,750	0	0.0
2	19,297	M1-6	0.0	12.0	10.0	10.0	0	0	0	231,564	579	0	231,564	12.0	0	0	0	0	0	0	48,023	48,023	2.5	0	0	0	-231,564	-579	48,023	0	-183,541	-9.5
3a	4,937	C6-4M	12.0	10.0	0.0	10.0	0	0	0	98,740	247	0	98,740	10.0	108,614	136	0	0	0	9,874	0	118,488	12.0	108,614	136	0	-98,740	-247	0	9,874	19,748	2.0
3b	4,937	C6-4M	12.0	10.0	0.0	10.0																										
							0	0	0	527,804	1,320	0	527,804		108,614	136	177,750	0	0	29,624	48,023	364,011		108,614	136	177,750	-527,804	-1,320	48,023	29,624	-163,793	

POTENTIAL DEVELOPMENT SITES																													
		Existing Zoning[1,2]					No-Action Conditions[3]								With-Action Conditions[3,6]										Incremental Change (With Action less No-Action)								
Site ID	Lot Area	Under-lying Zoning	Max Res FAR	Max Comcl FAR	Max. Mfg. FAR	Max CF FAR	Res SF	Res DU's	Office SF	Hotel SF	Hotel Rooms[4]	Retail SF	Total SF	Built FAR	Res SF	Res DU's[5]	Office SF	Hotel SF	Hotel Rooms	Local Retail SF[7]	Post Office SF	Total SF	Built FAR	Res SF	Res DU's[5]	Office SF	Hotel SF	Hotel Rooms	Post Office SF	Retail SF	Total SF	Built FAR
4	33,904	M1-6	0.0	10.0	10.0	10.0	0	0	0	339,040	848	0	339,040	10.0	0	0	305,136	0	0	33,904	0	339,040	10.0	0	0	305,136	-339,040	-848	0	33,904	0	0.0
5	4,937	C6-4M	12.0	10.0	0.0	10.0	0	0	0	49,370	123	0	49,370	10.0	54,307	68	0	0	0	4,937	0	59,244	12.0	54,307	68	0	-49,370	-123	0	4,937	9,874	2.0

Refer to Table A-4 for each site's address and Block & Lot.

Notes:

[1] M1-6 Max. FAR: See 43-12, 43-122; 43-13 (to 12 w/ plaza or arcade)

[2] C6-4M Max FAR: See 33-122; 33-123; 23-152 (R10 equivalent); to 12.0 w/ bonus (res 6.5 base)

[3] Although accessory parking allowed a-o-r per Manhattan Core regulations; consistent with Greater East Midtown, assumed no parking provided.

4 Hotel projected at 400 sf/key; assumed no retail or that any retail is ancillary in function

[5] Residential projected at 800 sf/DU

[6] Site 2 projected to seek hotel special permit under With-Action conditions, a discretionary action that would be applied for in the future, assessed in Attachment I, "Conceptual Analysis" and would be subject to its own environmental review at time of special permit application. Under With-Action condition without the special permit, existing use would remain.

[7] Retail in residential or office buildings assumed at 1.0 FAR

.

ATTACHMENT B:
SUPPLEMENTAL SCREENING

Garment Center Text Amendment EAS
Attachment B: Supplemental Screening

A. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidelines and methodologies presented in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the proposed action in all CEQR analysis categories to determine whether detailed analysis of any technical area was appropriate. Part II of the EAS Form identified those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form, including Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Shadows; Historic and Cultural Resources; Urban Design and Visual Resources; Hazardous Materials; Transportation (Pedestrians); Air Quality; Noise; Public Health; and Neighborhood Character, supplemental screening assessments are provided in this attachment. Per the screening assessments provided in this attachment, further analyses of Socioeconomic Conditions, Shadows, Historic and Cultural Resources, Transportation (Pedestrians), Air Quality, and Noise are required and provided in Attachments C, D, E, F, G, and H, respectively. For the other technical areas, based on "No" answers on Part II of the EAS Form, analysis is not warranted since these areas either do not trigger initial CEQR thresholds and/or are unlikely to result in significant adverse impacts. These areas screened out from any further assessment include: Community Facilities and Services; Open Space; Natural Resources; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Energy; Transportation (Traffic, Parking, and Transit); Greenhouse Gas Emissions; and Construction. (**Table B-1** presents a summary of analysis screening information for the proposed action).

As described in Attachment A, "Project Description", the applicants, the Department of City Planning (DCP) and the Economic Development Corporation (EDC), are proposing a zoning text amendment to the New York City Zoning Resolution (ZR), Article XII, Chapter 1, Special Garment Center District (SGCD). The proposed zoning text amendment would: (1) remove restrictions (i.e., preservation requirements) on conversion of floor area from manufacturing and warehousing to office use which now exist on sites in the SGCD's currently designated Preservation Areas P1 and P2 (referred to as the *lifting of preservation requirements text amendment*); (2) in the C6-4M portion of the SGCD (which is coextensive with area P2), prohibit conversion of manufacturing and warehousing space in existing buildings of 70,000 square feet or larger to residential or dormitory community facilities (referred to as the *C6-4M conversion text amendment*); (3) establish a special permit to allow new hotel uses in the SGCD, i.e., hotel uses in new buildings or in conversions of existing buildings would not be allowed as-of-right except for those operated by or for the City or State for a public purpose, which would continue to be permitted as-of-right (referred to as the *hotel special permit text amendment*); (4) change height and setback regulations in the M1-6 portion of the SGCD to create a more contextual envelope for new buildings (referred to as the *contextual bulk text amendment*); and (5) prohibit Use Group 18 in the M1-6 portion of the SGCD, superseding ZR 42-20, Performance Standards (referred to as the *Use Group 18 prohibited text amendment*); and (6) subject the M1-6 portion of the SGCD to C6-4 sign regulations and prohibit flashing signs in the C6-4M district (referred to as the *sign text amendment*). As discussed in Attachment A, the hotel special permit text amendment, in tandem with the contextual bulk text amendment, would potentially result in changes to the use and building volumes of development sites in the special district as compared to the future without the proposed action in which it is likely that such sites would continue the recent trend of hotel development. Applications for hotel special permits pursuant to the zoning text established as part of the proposed action would be subject to their own environmental review as the proposed hotel special permit zoning text amendment would not allow hotel development as-of-right (unlike

under No-Action conditions). There are no applications for such a special permit as part of this application and therefore no as-of-right incremental increase in development would be attributable to the proposed action. However, as discussed in Attachment A, there is one projected development site that for analysis purposes is anticipated to be developed pursuant to a hotel special permit that would be applied for in the future. The environmental effects of this development are assessed in Attachment I, "Conceptual Analysis" and would be subject to its own environmental review at the time an application is advanced as the special permit would be a discretionary action. The other proposed components of the zoning text amendment are not expected to result in any incremental change in use or density.

Table B-1. Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	FURTHER ASSESSMENT REQUIRED
Land Use, Zoning, & Public Policy		X	
Socioeconomic Conditions			X
Community Facilities and Services	X		
Open Space	X		
Shadows			X
Historic & Cultural Resources			X
Urban Design & Visual Resources		X	
Natural Resources	X		
Hazardous Materials		X	
Water & Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		
Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians	 X X 	 	 X
Air Quality - Mobile Sources (Garage) - Mobile Sources (Traffic) - Stationary Sources	 X X 	 	 X
Greenhouse Gas Emissions	X		
Noise			X
Public Health		X	
Neighborhood Character		X	
Construction	X		

The lead agency has determined that the proposed action is a Type I action under CEQR as the project area, i.e., the SGCD, contains historic architectural resources.

B. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES

Land Use, Zoning, & Public Policy

Following *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land uses and zoning, including any future changes in zoning that could cause changes in land use, should be provided for all projects that would affect land use or would change the zoning on a site,

regardless of the project's anticipated effects. In addition, the preliminary assessment should include a basic description of the project facilitated by the proposed actions in order to determine whether a more detailed assessment of land use would be appropriate. This information is essential for conducting the other environmental analyses and provides a baseline for determining whether detailed analysis is appropriate. CEQR requires an assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas. Additionally, an assessment of public policy should accompany the assessment which includes any public policies including formal or published plans in the study area. A preliminary assessment of land use, zoning and public policy is provided for informational purposes and to determine if a more detailed analysis is warranted.

This preliminary assessment of land use, zoning, and public policy focuses on: (1) an overview of conditions in the project area, i.e., the SGCD; (2) a detailed look at the projected and potential development sites identified in the RWCDS; and (3) a detailed review of the 400-foot radius study area.

Existing Conditions

Land Use

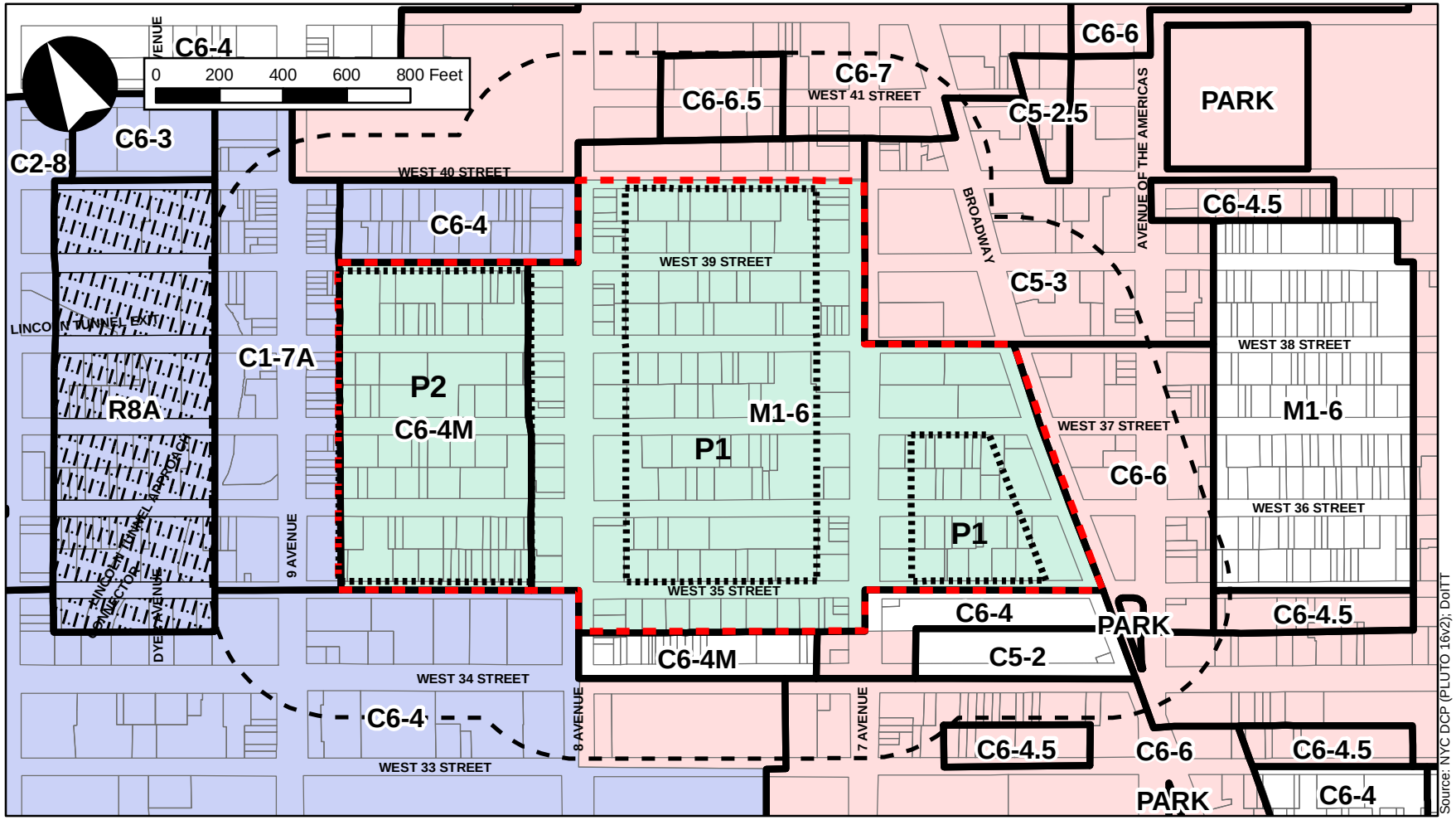
The SGCD forms a distinct part of the larger Midtown Manhattan central business district, notable for its concentration of high rise loft buildings constructed between the two world wars. From Broadway to the east side of Eighth Avenue, the area predominantly consists of non-residential land uses, with storefront retail lining the avenues and some side streets and commercial and light manufacturing above the ground floor (Attachment C provides more details about the specific types of business firms occupying these spaces). There are also various uses including residential, public facility/institutional, and transportation/utility. Most buildings are large footprint, high lot coverage multi-story buildings with continuous streetwalls, generally ranging from 7 to 27 stories. While mid-rise buildings often fill rectangular volumes, taller buildings provide setbacks above the base as required under the *1916 Zoning Resolution*, resulting in a tapered wedding cake massing. Low rise buildings of 1 to 6 stories, usually on smaller lots, are also present but less prevalent. There are also a number of hotels in the area, including both older buildings with building envelopes similar to loft buildings and newer buildings which rise as towers, set back from the street and consequently without the upper floor setbacks of streetwall buildings. Two taller buildings in the area include a 39-story hotel completed in 2015 at 218 W. 35th Street on the southern edge of the SGCD in the residual area, which is defined as the portion of the SGCD that is not within P1 or P2, and a 46-story office building 450 Seventh Avenue completed in 1931, which is partly within the SGCD and partly outside. The western portion of the SGCD, i.e., west of Eighth Avenue, has a more varied mix of uses with a higher share of residential uses and hotels. There are also loft buildings with commercial and light manufacturing uses, but less concentrated than exists east of Eighth Avenue. Building forms west of Eighth Avenue, however, are more similar to the rest of SGCD, with high lot coverage older buildings with streetwalls and setbacks above the base and recent hotels towers built set back from the street. **Figure 4**, Land Use Map, attached to the EAS Form.

Zoning

M1-6 (SGCD) and C6-4M (SGCD)

As defined in Attachment A, the SGCD encompasses eight full blocks and five partial blocks. It is divided into two underlying zoning districts, M1-6 and C6-4M. The boundary between the two districts is a line extending parallel to and 100 feet west of Eighth Avenue, with M1-6 mapped to the east and C6-4M mapped to the west. There are two designated Preservation Areas, P1 and P2, which cover most of the midblock portions of the SGCD, where special use preservation rules apply. These areas are also defined in Attachment A. The C6-4M district and P2 boundaries are coextensive, while the M1-6 district includes both P1 and the residual area. Refer to **Figure B-1**, Zoning Map.

Figure B-1
Zoning Map



Legend

- M1-6 — Zoning District
- C2-5 Commercial Overlay
- Proposed Rezoning Area
- 400-Foot Radius
- Special Garment Center District
- Special Hudson Yards District
- Special Midtown District
- P1 — Preservation Area

Use Regulations and Preservation Areas

Apart from special sign regulations, the as-of-right underlying M1-6 zoning regulations apply in the residual area without modification by the SGCD. However, in P1 and P2 special use regulations apply. In these areas, uses allowed by the underlying zoning, i.e., Use Groups 4-14, 16, and 17 in M1-6 and Use Groups 1-12 in C6-4M, are allowed as-of-right in new buildings on sites that were vacant or which did not contain manufacturing uses when the SGCD was established. In addition, the SGCD permits certain Use Group 16 uses in the C6-4M district, superseding the underlying zoning. With the exception of uses that pre-date the establishment of the SGCD, the Preservation Areas restrict all existing buildings in P1 and buildings 70,000 sf or larger in P2 to retail, wholesale showroom, and industrial uses. Conversions of existing manufacturing space to office uses (P1) or office, residential, or hotel uses (P2), although allowed as-of-right by the underlying zoning, are only permitted by a CPC Chair certification, memorialized in a restrictive declaration, if property owners preserve an equal amount of space for manufacturing uses in perpetuity. As such, conversion to office use in P1 and office, hotel, or residential in P2 in buildings 70,000 sf or larger are not permitted as-of-right. Alternatively, buildings can be converted without the one-for-one preservation requirement by CPC authorization if the space has been vacant for three years. While these requirements remain in effect formally, as discussed in Attachments A and C, these restrictions have proven difficult to enforce and many conversions to office use have occurred without complying with the preservation requirement.

Density

Maximum floor area ratios (FARs) in the SGCD are governed by the underlying zoning. In the M1-6 district, permitted commercial, manufacturing, and community facility uses have a maximum base FAR of 10.0 and maximum bonus FAR of 12.0 through the provision of a public plaza or arcade. In the C6-4M district, permitted commercial and community facility uses have a maximum base FAR of 10.0 and maximum bonus FAR of 12.0 through contributions to the Hudson Yards District Improvement Fund. In the C6-4M district permitted residential uses have a maximum base FAR of 6.5 and maximum bonus FAR of 12.0 through a combination of contributions to the Hudson Yards District Improvement Fund and the provision of affordable housing under the Inclusionary Housing program.

Bulk

As noted in Attachment A, in the M1-6 district the underlying non-contextual height and setback bulk regulations apply. Refer to the discussion therein for details.

In the C6-4M district, special bulk regulations apply requiring contextual building envelopes. Streetwalls, with minimum-maximum heights of 80 to 90 feet, are required and there must be a 20-foot setback from the streetwall. Above the 90 feet, buildings volumes are limited to a sky exposure plane rising at a ratio of 4-to-1 and the maximum permitted of 250 feet.

Parking

In the M1-6 district the Manhattan Core parking regulations apply. Accessory parking is not required, but may be provided as-of-right in new buildings, with one new space for every 4,000 sf of commercial or community facility floor area. In the C6-4M district special Hudson Yards parking rules apply.

Summary

Table B-2 provides a summary of zoning rules in M1-6 (SGCD) and C6-4M (SGCD).

Table B-2, Comparison of Existing and Proposed Zoning: General Characteristics

	EXISTING		PROPOSED	
	M1-6[1] (SGCD, P1 & Residual)	**C6-4M[1] (SGCD, P2)**	**M1-6[6] (SGCD, P1 & Residual)**	**C6-4M[8] (SGCD, P2)**
Use Groups:	4-14, 16-17	1-12, 16[5], 17	4-14, 16-17[6]	1-12
Floor Area Ratio (FAR):				
- Commercial	10.0 (12.0 bonus)	10.0 (12.0 bonus)	6.0	10.0 (12.0 bonus)
- Community Facility	10.0	10.0	10.0	10.0
- Residential	N/A (not permitted)	6.5 (12.0 bonus)	N/A (not permitted)	6.5 (12.0 bonus)
- Manufacturing	10.0	N/A (not permitted)	10.0	N/A (not permitted)
Bulk Regulations:				
- Streetwall Required/Optional	Optional	Required	Required	Required
- Streetwall Height	85' or 6 stories[2] Max.	80'-90'	85'-125' / 125'-155'-205'[3,7]	80'-90'
- Setback Distance	20' / 15'[3,4]	20'	15' / 10'[3]	20'
- Sky Exposure Plane	2.7:1 / 5.6:1[3,4]	4:1	N/A	4:1
- Maximum Height	N/A; no maximum	250'	N/A	250'
Sign Regulations:	Special regulations on wide streets; M1-6 rules apply on narrow streets	C6-4 rules apply	C6-4 rules apply	C6-4 rules apply; flashing signs prohibited
Permitted Accessory Parking:				
- Non-residential Uses	1 per 4,000 zsf	Special Hudson Yards Rules Apply	1 per 4,000 zsf	Special Hudson Yards Rules Apply
- Residential	N/A		N/A	

Notes:

[1] SGCD Preservation Areas P1 and P2 are subject to preservation requirements. See ZR 121-10 et seq.

[2] Whichever is less.

[3] Narrow street regulation / wide street regulation. Note alternate front setback regulations also apply to M1-6 district under existing conditions; see ZR 43-44.

[4] Note alternate front setback regulations also apply to M1-6 district under existing conditions; see ZR 43-44.

[5] Use Group 16 allowed with restrictions, see ZR 121-112.

[6] Transient hotel (Use Group 5) would be allowed by special permit only. In addition, the preservation requirements would be lifted, so that conversion of manufacturing spaces to office spaces would be permitted as-of-right. In existing buildings with 70,000 sf or larger in the C6-4M district, conversion of space to residential or residential community facilities would not be permitted.

[7] Buildings would be permitted a maximum streetwall height of 155 feet, but may match the height of streetwalls on the same blockfront that exceed 155 feet up to a maximum of 205 feet; if an abutting building has a streetwall height taller than 205 feet, then a building's streetwall would be permitted to match the abutting building's streetwall even if it exceeds 205 feet.

[8] Use Group 17 allowed with restrictions, see ZR 15-021(b).

Public Policy

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

A public policy applicable to the project area is the Garment Center Alliance, formerly known as the Fashion Center Business Improvement District (BID). It is a not-for-profit public-private partnership that was organized by local property owners and established by a local law in 1993. Funded by fees assessed on area property owners, the BID is "dedicated to improving the quality of life and economic vitality of the Garment District." Its catchment area is a 30-block area bounded by W. 41st Street, Fifth Avenue, W. 35th Street, and Ninth Avenue. As such, although the BID serves a larger area, almost all of the SGCD is located within the BID. It operates a variety of programs and initiatives to promote the Garment Center, including sanitation, security, public events, and public arts programs.

Projected and Potential Development Sites

Projected Development Sites

Site 1

This property at 515 Seventh Avenue (Block 813, Lot 64) is a 19,750-sf corner lot at the southeast corner of the intersection of Seventh Avenue and W. 38th Street. It is rectangular-shaped with 200 feet of frontage on W. 38th Street and 98.75 feet of frontage on Seventh Avenue. It is occupied by full-lot coverage building, which was completed in 1951. Most of the 4-story building is a multi-level public parking garage with a licensed capacity of 450 spaces which is accessed via a two-way curb-cut on W. 38th Street. The building also features ground floor retail space facing Seventh Avenue and W. 38th Street near the intersection. The building area is approximately 102,835 sf and the estimated built FAR is 5.2. The site is privately-owned.

Site 1 is zoned M1-6 (SGCD) and it is located within the residual area.

Site 2

This property at 223 W. 38th Street (Block 788, Lot 26) is a 19,297-sf interior lot located between Seventh and Eighth avenues. It is rectangular-shaped with 195.42 feet of frontage on W. 38th Street and a depth of 98.75 feet, to the centerline of the block. It is occupied by a 2-story building with a continuous streetwall and which occupies most of the lot. The building houses the Midtown Station Post Office, operated by the US Postal Service. The building area is approximately 48,023 sf and the estimated built FAR is 2.5. The existing building was constructed for the Post Office by a private developer and completed in 1921. The site is privately-owned.

Site 2 is zoned M1-6 (SGCD) and it is located within Preservation Area P1.

Sites 3a and 3b

Site 3a, located at 349-351 W. 37th Street (Block 761, Lot 7) is a 4,937-sf interior lot located between Eighth and Ninth avenues. It is rectangular-shaped with 50 feet of frontage on W. 37th Street and a depth of 98.75

feet, to the centerline of the block. Adjoining it on the west is Site 3b, described below. It is occupied by a 6-story full-lot coverage building, which was completed in 1920. The building houses offices and storage space of a wholesale food business. The building area is approximately 26,350 sf and the estimated built FAR is 5.3. The site is privately-owned; City records indicate that the owner is the business occupying the building and the adjoining Site 3b.

Site 3b, located at 353-355 W. 37th Street (Block 761, Lot 5) is a 4,937-sf interior lot located between Eighth and Ninth avenues. It is rectangular-shaped with 50 feet of frontage on W. 37th Street and a depth of 98.75 feet, to the centerline of the block. Adjoining it on the east is Site 3a, described above. It is an open lot used by the wholesale food business located in the adjoining building on Site 3a. The site is privately-owned; as noted above City records indicate that the owner is the business occupying the site and the adjoining Site 3a.

Sites 3a and 3b are zoned C6-4M (SGCD) and are located in Preservation Area P2.

As discussed below, it is projected that in the future with or without the proposed action, these two properties would be assembled into one development site.

Potential Development Sites

Site 4

This property at 206 and 230 W. 36th Street (Block 785, Lot 49) is a 33,904-sf interior lot located between Seventh and Eighth avenues. It is rectangular-shaped with 343.33 feet of frontage on W. 36th Street and a depth of 98.75 feet, to the centerline of the block. It is occupied by an approximately 10-story full-lot coverage building constructed by New York Telephone Co. as a telephone exchange and offices. It was constructed in phases, with the first section built at 206-224 W. 36th Street completed about 1917, and the final major addition at 226-240 W. 36th Street, which expanded the building footprint westward, completed about 1922. Information on building floor area is not available for this site. It continues to be owned by Verizon, the successor to New York Telephone Co.

Site 4 is zoned M1-6 (SGCD) and is located within Preservation Area P1.

Site 5

This property at 310 W. 39th Street (Block 762, Lot 46) is a 4,937-sf interior lot located between Eighth and Ninth avenues. It is rectangular-shaped with 50 feet of frontage on W. 39th Street and a depth of 98.75, to the centerline of the block. It is occupied by a 6-story full-lot coverage building which was completed about 1908 and altered for use as a parking garage in 1928. It continues to operate as a public parking facility with a licensed capacity of 171 spaces. The building area is approximately 27,473 sf and the estimated built FAR is 5.6. The site is privately-owned.

Site 5 is zoned C6-4M (SGCD) and is located in Preservation Area P2.

400-foot Radius Secondary Study Area

Land Use

Predominant land uses in the 400-foot radius study area are generally similar to the SGCD, though with certain differences in terms of a prevalence of higher density and taller buildings as compared to the core of the Garment District. To the north, east, and south land uses are predominantly commercial, including office, hotel, and retail. These include notable buildings such as the R.H. Macy & Co. department store occupying most of the block bounded by W. 35th Street, Broadway/Herald Square, W. 34th Street, and Seventh Avenue;

the 57-story, approximately 2.6-million sf One Penn Plaza office building on W. 34th Street between Seventh and Eighth avenues; the 43-story Hotel New Yorker with 1,083 rooms at 481 Eighth Avenue at W. 34th Street; the 42-story, approximately 1-million sf World Apparel Center office building at 1411 Broadway at W. 39th Street; and the Port Authority Bus Terminal lies partly within the secondary study area. To the west of the SGCD, the secondary study area land uses are predominantly mixed-use with mostly low- and mid-rise buildings on smaller lots featuring ground floor retail uses with residential units above.

Zoning

There are several different zoning districts present within the 400-foot radius secondary study area, generally consisting of high density general commercial districts, most of which are overlaid with special districts. These include C6-4 in the Special Hudson Yards District (SHYD), C6-6.5 in the Special Midtown District (SMiD), and C6-7 (SMiD) to the north; C5-3 (SMiD) and C6-6 (SMiD) to the east; C5-2, C6-4, C6-4M, C6-6 (SMiD), and C6-4 (SHYD) to the south; and C1-7A (SHYD), and R8A/C2-5 (SHYD) to the west.

Public Policy

There are no other public policies specifically applicable to the 400-foot radius secondary study area besides the Garment Center Alliance. The portion of this secondary study area located east of the project area lies within the BID's service area.

Future without the Proposed Action

In the future without the proposed action, by 2027, it is projected that the trend of new development on soft sites would continue to be dominated by hotels, as indicated by the RWCDS for No-Action conditions. In addition, as discussed in Attachment C, "Socioeconomic Conditions," although the SGCD preservation requirements would formally remain in effect in Preservation Areas P1 and P2, it is projected that the existing trend of non-complying conversions of garment and other manufacturing space to commercial uses would continue at a rate similar to recent years. As such, it is likely that in buildings containing a mix of office and manufacturing uses there would be a higher proportion of office uses as compared to existing conditions.

SGCD

Land Use

Within the SGCD there are several buildings currently under construction or in development that would be completed by 2027 in the future without the proposed action. Table C-14 in Attachment C lists seven hotel projects under construction or planned in P2. In addition, there are two hotels under construction or in development in the M1-6 portion of the SGCD and which are identified in **Table B-3**. These developments would reflect a continuation of the trend of as-of-right hotel development and contribute to an increased concentration of this use replacing other properties.

Table B-3, Anticipated Developments in Future Without the Proposed Action in the M1-6 Portion of the SGCD

Name/Address	Block; Lot	Program	Building Status	Notes
525 8 Av.	760; 39	261 hotel rooms; 23 stories	Planned	Replacing low-rise retail
252 W. 40 St.	789; 69	290 hotel rooms; 20 stories	Under construction	Replacing parking garage

Note: Anticipated developments in the C6-4M (P2) portion of the SGCD are listed in Table C-14 in Attachment C.

Zoning

There are no other zoning map or text amendment applications pending or expected to be filed that would affect zoning within the SGCD. Any proposed zoning changes by the 2027 analysis year would be discretionary actions subject to public land use review and CEQR environmental review.

Public Policy

In the future without the proposed action, it is expected that the Garment Center Alliance would continue to operate in its mission to improve conditions within the area.

Projected and Potential Development Sites

In the future without the proposed action, by 2027, it is projected that Sites 1, 2, and 3 would be redeveloped as-of-right with hotel uses. Sites 4 and 5 are also identified as potential development sites where new hotels could be developed as-of-right.

Projected Development Sites

Site 1

In the future without the proposed action, it is projected that the existing garage with retail building on Site 1 would be demolished and replaced by a new 280-foot tall, 197,500-sf hotel building with 494 hotel rooms.

Site 2

In the future without the proposed action, it is projected that the existing post office on Site 2 would be demolished and replaced by a new 340-foot tall, 231,564-sf hotel building with 579 hotel rooms.

Site 3a/Site 3b

In the future without the proposed action, it is projected that the existing commercial building on Site 3a would be demolished, the site would be assembled with the adjoining open lot on Site 3b and replaced by a new 240-foot tall, 98,740-sf hotel building with 247 hotel rooms.

Potential Development Sites

Site 4

In the future without the proposed action, there is a potential that the existing telephone building on Site 4 would be demolished and replaced by a 350-foot tall, 339,040-sf hotel building with 848 hotel rooms.

Site 5

In the future without the proposed action, there is a potential that the existing garage building on Site 5 would be demolished and replaced by a 240-foot tall, 49,370-sf hotel building with 123 hotel rooms.

400-foot Radius Secondary Study Area

Land Use

There are several new developments expected to be completed in the 400-foot radius secondary study area by 2027 in the future without the proposed action. As shown in **Table B-4**, these include four hotel projects, one mixed use apartment building, and one retail building. In addition, there are two other possible developments that may be completed by 2027. Although no formal plan has been announced, a developer has created an assemblage of properties at 989-993 Sixth Avenue, which also includes air rights from an adjoining designated NYC Landmark, the former Greenwich Savings Bank. It is possible that a new building could be developed on this site by 2027. Also, the approved capital plan of the Port Authority of New York and New Jersey calls for the reconstruction of the Port Authority Bus Terminal although details on project program and schedule are not yet available.

Table B-4, Anticipated Developments in Future Without the Proposed Action in the 400-foot Radius Secondary Study Area

Name/Address	Block; Lot	Program	Building Status	Notes
310 W. 40 St.	763; 47	287 hotel rooms; 41 stories	Under construction	Replacing a parking lot
355 W. 39 St.	763; 7501	16 DUs, 1,181 sf retail, 282 sf com. fac.; 10 stories	Under construction	Replacing a 4-story mixed-use building
261-263 W. 34 St.	784; 8	27,350 sf retail; 4 stories	Under construction	Replacing low-rise retail
255 W. 34 St.	784; 12	300 hotel rooms; 32 stories	Under construction	Replacing low-rise retail
1420 Broadway	815; 49	80 hotel rooms; 15 stories	Announced (construction beginning in 2020)	To replace low-rise retail
560 7 Av./205 W. 40 St.	1012; 29	167 hotel rooms, 1,228 sf synagogue; 29 stories	Under construction	Replacing institutional building, synagogue occupied part

Zoning

There are no other zoning map or text amendment applications pending or expected to be filed that would affect zoning within the 400-foot radius secondary study area. Any proposed zoning changes by the 2027 analysis year would be discretionary actions subject to public land use review and CEQR environmental review.

Public Policy

In the future without the proposed action, there are no anticipated public policy changes in the 400-foot radius secondary study area.

Future With the Proposed Action

In the future with the proposed action by 2027, the proposed action would be approved and its zoning text changes would modify the regulatory framework for development in the SGCD. As indicated by the RWCDS for With-Action conditions, it is projected that a more varied range of uses would be established in the project area as compared to mostly hotel uses. Also, as discussed in Attachment C, it is projected that with the removal of the SGCD preservation requirements, the trend of declining manufacturing employment and concomitant

occupancy of space by manufacturing firms that has occurred for years and which is expected to continue under No-Action conditions, would continue to occur, albeit potentially slightly expedited under With-Action conditions.

SGCD

Land Use

Apart from the projected and potential development sites discussed below, it is anticipated that land use conditions in the SGCD would be generally the same as described above for the future without the proposed action, with a potentially slightly expedited rate of conversions, but with the same land use trends.

Manufacturing and warehousing would continue to be permitted uses in the future with the proposed action and it is expected that such uses, including apparel production, although in a reduced role, would continue to operate in coordination with other functions of the fashion industry housed in the district such as design, wholesale/showroom, management, and promotion. This would include providing specialized products, prototypes, and time-sensitive orders, as occurs at present (refer to Attachment C for details on the current role of garment manufacturing in the SGCD).

The existing non-conforming office uses in P1 and P2 would become conforming uses and therefore building owners would be able to update their certificates of occupancy to reflect existing conditions and address outstanding violations. It would also remove restrictive declarations on approximately 180,000 sf of space (approximately two percent of all commercial space), which were created to preserve an equal amount of space for manufacturing and warehousing uses. However, as evidenced by the widespread presence of non-conforming uses and the lack of any approved zoning certification applications for manufacturing space preservation or zoning certifications for waivers of preservation requirements in the last several years, the de facto condition is that the preservation requirements are inoperative and no longer function as an impediment to office conversion. Also, given that approximately half of all apparel manufacturers in the Garment Center are located outside of the Preservation Areas, it appears that factors other than zoning are decisive in determining the siting of apparel manufacturing uses.

Zoning

Refer to the "Proposed Action" section of Attachment A for a detailed description of the proposed changes to zoning that would occur in the future with the proposed action. As noted therein, this would include six components of a zoning text amendment: (1) lifting of preservation requirements text amendment; (2) C6-4M conversion text amendment; (3) hotel special permit text amendment; (4) contextual bulk text amendment; (5) Use Group 18 prohibited text amendment; and (6) sign text amendment. **Table B-2** provides a comparison the general characteristics of the existing SGCD zoning regulations and the proposed SGCD zoning regulations that would be adopted with the proposed action.

Public Policy

In the future with the proposed action, it is expected that the Garment Center Alliance business improvement district would serve new uses generated by the proposed action and the properties would provide required fees to the organization.

Projected and Potential Development Sites

In the future with the proposed action by 2027, it is projected that Sites 1, 2, and 3 would be redeveloped as-of-right with a mix of uses, including office, local retail, residential, and, by special permit, hotel. Sites 4 and 5 are also identified as potential development sites that also could be developed as-of-right.

Projected Development Sites

Site 1

In the future with the proposed action, it is projected that the existing garage with retail building on Site 1 would be demolished and replaced by a new 188-foot tall, 197,500-sf commercial building with 177,750-sf of office space and 19,750 sf of retail space.

Site 2

In the future with the proposed action, on Site 2 it is projected that an application for a hotel special permit would be sought to facilitate the demolition of the existing post office and its replacement by a new 310-foot tall, 231,564-sf hotel building with 579 hotel rooms. Although the special permit requirement would be established as part of this action, the application for a special permit is not part of this application; it would be a discretionary action applied for in the future. A conceptual analysis of this special permit scenario is provided in Attachment I and would be subject to its own environmental review at the time a special permit application is advanced. Under With-Action as-of-right conditions, i.e., without the special permit, it is projected that the site would not be redeveloped and the existing 30-foot tall, 48,023-sf post office would remain. The screening analyses presented in this attachment and the detailed analyses presented in Attachments C through H are based on the as-of-right With-Action condition, i.e., no hotel special permit and the continuation of existing use rather than an as-of-right hotel as is projected under No-Action conditions.

Site 3a/3b

In the future with the proposed action, it is projected that the existing commercial building on Site 3a would be demolished, the site would be assembled with the adjoining open lot on Site 3b and replaced by a new 240-foot tall, 118,488-sf mixed-use apartment building with 136 DUs and 9,874 sf of retail space.

Potential Development Sites

Site 4

In the future with the proposed action, there is a potential that the existing telephone building on Site 4 would be demolished and replaced by a 286-foot tall, 339,040-sf commercial building with 305,136 sf of office and 33,904 sf of retail.

Site 5

In the future with the proposed action, there is a potential that the existing garage building on Site 5 would be demolished and replaced by a 240-foot tall, 59,244-sf mixed-use apartment building with 68 DUs and 4,937 sf of retail.

400-foot Radius Secondary Study Area

Given that the secondary study area has well-established land use patterns and trends and that the scale of projected development associated with the proposed action would be relatively modest in comparison, the

proposed action is not expected to have any indirect effects on land use, zoning, or public policy in the secondary study area. Conditions in the secondary study area would be expected to be generally the same in the 2027 analysis year with or without the proposed action.

Assessment

Land Use

The proposed action is intended to maintain and foster a harmonious mix of uses and economic activities in the SGCD, including continuing to serve as a hub for garment industry firms that form an agglomeration economy, also referred to as a fashion industry ecosystem. Reflective of long-term economic trends that transcend zoning policies, not only in the SGCD but more broadly, apparel manufacturing would remain, albeit in a reduced role, in a supportive role to other industry functions. As for the SGCD overall land use, it is projected that the proposed action would result in a more varied mix of uses than would occur in the future without the proposed action. Although permitted as-of-right, subject to the preservation requirements, there has not been any new office construction in the project area for decades. There has been a substantial amount of conversion of manufacturing space to office use and such uses and trends would be expected to continue with or without the proposed action. As for new office construction, it is projected that it would occur on one site under the proposed action, which would not be the case in the future without the proposed action where a hotel use is projected if existing zoning rules remain unchanged.

The proposed action would result in compatible uses in the SGCD and therefore it would not result in any significant, adverse land use impacts.

Zoning

The hotel special permit would require that the appropriateness and compatibility of different types of uses for individual sites and the SGCD as a whole be considered before additional hotels are approved. The applicant is proposing a text amendment lifting the preservation requirements in the SGCD as it is has found that the existing requirements are ineffective in limiting conversions and no longer reflect the land use conditions in the SGCD. Furthermore, the conversion of manufacturing space to office uses in the context of a steady decline in manufacturing has resulted in the growth of other industries in the area. Lifting these requirements provides the benefit of allowing existing non-conforming uses to become conforming, which would provide long-term stability for businesses and property owners. Consistent with these efforts to accommodate office use and the retention of remaining manufacturers seeking to remain in the area, the C6-4M conversion text amendment would prohibit conversions of larger buildings in Preservation Area P2 to residential or dormitory uses. The contextual bulk modification text amendment would result in new building envelopes more similar to those of the prevailing loft buildings as compared to many of the recently completed buildings, particularly hotels, which are set back from the street and thereby interrupt continuous streetwalls that have been a notable feature of the area. The present M1-6 bulk rules, implemented with the adoption of the 1961 Zoning Resolution, either result in a tall, narrow building or a building that must set back from the street wall after 85 feet. This building typology does not facilitate an efficient office building on the infill lots found in the Garment District. Therefore, the applicant believes that the proposed new height and setback rules would allow for more efficient office buildings. The Use Group 18 prohibition text amendment would standardize rules across the SGCD to ensure that heavy industrial uses considered incompatible with high density commercial areas would not be permitted anywhere in the special district. Likewise, the sign text amendment seeks to harmonize the regulations for advertising signs throughout the SGCD while instituting a prohibition on flashing signs in the C6-4M to allow for signage conditions compatible with the residential uses present in that the portion of the special district.

If approved, the proposed action would reflect the City's land use priorities for future land use development and conversion of existing space in the SGCD. These changes would not create any significant adverse zoning impacts.

Public Policy

The proposed action would be consistent with the purpose of the Garment Center Alliance business improvement district in that it would contribute to the economic vitality of the Garment Center by promoting a diverse mix of uses and economic activities while maintaining the role of garment related businesses in its historic base. Accordingly, the proposed action would not result in any significant adverse public policy impacts.

Summary

Based on the preliminary analysis, the proposed action would not result in significant adverse impacts on land use, zoning, and public policy and no further analysis is warranted.

Socioeconomic Conditions

Per CEQR guidance, the socioeconomic character of an area includes its population, housing, and economic activity, and socioeconomic changes may occur when a project directly or indirectly changes any of these elements. The purpose of assessing the socioeconomic conditions of a particular area in relation to a proposed action(s) is to determine whether or not a significant adverse impact may occur if an action would measurably diminish the viability of a specific industry that has substantial economic value to the City's economy. *CEQR Technical Manual* guidance recommend examination of five ways in which a project could alter socioeconomic conditions: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. The proposed action would alter the existing controls and protective measures established by the SGCD and could therefore have a direct potential for adverse effects on the fashion and related apparel/garment manufacturing industry. As such, a more detailed assessment is warranted and is provided in Attachment C, "Socioeconomic Conditions." As detailed therein, the proposed action would not result in any significant adverse socioeconomic conditions impacts.

Shadows

A shadows assessment considers proposed actions that result in new shadows long enough to reach a publicly accessible open space or historic resource (except within an hour and a half of sunrise or sunset). For proposed actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight). According to the 2014 *CEQR Technical Manual*, some open spaces contain facilities that are not sunlight-sensitive, and do not require a shadow analysis including paved areas (such as handball or basketball courts) and areas without vegetation.

As the RWCDS for the proposed action includes new buildings with incremental height increases of more than 50 feet and most of the project area lies within an S/NR-listed historic district, a detailed shadows analysis is warranted and is provided in Attachment D. As discussed in the attachment, the coverage and duration of incremental shadows cast on sunlight-sensitive resources as a result of the proposed action would be relatively minor and would not result in any significant adverse shadows impacts. Refer to the attachment for details.

Historic and Cultural Resources

Historic resources are defined as districts, buildings, structures, sites and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated or are under consideration as New York City Landmarks or Scenic Landmarks or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places (S/NR); and National Historic Landmarks. According to the *CEQR Technical Manual* guidance, a study area defined by a radius of 400 feet from the boundaries of the project site is typically adequate to assess potential impacts on historic/architectural resources. Archaeological resources are assessed only for areas proposed for development, if they would entail in-ground disturbance.

As most of the SGCD lies with the Garment Center Historic District, which is S/NR-listed, and there are several individual historic resources located within and in the immediate vicinity, an assessment of the effects of the proposed action has been prepared and is provided in Attachment E, "Historic and Cultural Resources." As detailed therein, the proposed action would not result in any significant adverse impacts to historic architectural resources. All five RWCDS projected and potential development sites identified in the proposed rezoning area would be demolished and redeveloped in the 2027 future without the proposed action. No additional physical alterations or demolitions to identified historic resources would occur as a result of the proposed action. There are eight individual landmarks located in close proximity to the five identified projected and potential development sites, and four of the sites are located in the S/NR-listed Garment Center Historic District. As compared to No-Action conditions, developments resulting from the proposed action would not significantly alter the setting of contributing buildings in the historic district or surrounding individual landmarks, or cast significant shadows on sunlight-sensitive historic resources for extended periods of time. Additionally, as the five projected and potential development sites are located within or immediately adjacent to the S/NR-listed historic district, they are subject to the protections of the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88, and as such, would not cause any significant adverse construction-related impacts to nearby historic resources. The proposed action would not result in any new in-ground disturbances as compared to No-Action conditions, given that the five projected and potential development sites are expected to be developed on an as-of-right basis in the future without the proposed action by 2027. Therefore, the proposed action would not result in any significant adverse archaeological impacts and an archaeological analysis is not warranted.

Urban Design and Visual Resources

Methodology

Urban design is the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open space, natural features, and wind and sunlight conditions. These elements, as defined in the *2014 CEQR Technical Manual*, include streets, buildings, visual resources, open space, natural features, and wind. Per CEQR guidance, a preliminary assessment of urban design is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. The proposed action would facilitate the development of new buildings in the project area with heights and setbacks not permitted by existing zoning, which would be observable by pedestrians. Therefore, the proposed action meets the threshold for a preliminary assessment of potential impacts to urban design. As detailed below, the preliminary assessment for the proposed action determined that the changes to the pedestrian experience under RWCDS With-Action conditions are minimal and unlikely to disturb the vitality, the walkability, and the visual character of the project area and secondary study area, and as such, a detailed urban design analysis not warranted for the proposed action.

Per criteria in Section 230 of the *CEQR Technical Manual*, a wind condition analysis is not required for the proposed action. The project area is located in Midtown Manhattan, which is not a high wind location immediately along the waterfront, and is not subject to "channelization" or "downwash" effects that could

affect pedestrian safety as a result of buildings or natural features in close proximity to waterfront winds. As such, a pedestrian wind conditions analysis is not provided for the proposed action.

Study Area

As defined in the *2014 CEQR Technical Manual*, the urban design and visual resources study areas consist of the areas where the proposed action may influence land use patterns and the built environment, and are generally consistent with the land use analysis in the preliminary "Land Use, Zoning, & Public Policy" assessment provided above. For visual resources, the view corridors within the study areas from which such resources are publicly viewable should be identified. Pedestrian views of the project area, which is predominately located in the S/NR-listed Garment Center Historic District are limited primarily to surrounding streets. Therefore, for the purpose of this assessment, the urban design study areas consist of the primary study area (i.e. the project area), and a secondary study area, which as shown in **Figure B-2**, encompasses the area within an approximate 400-foot radius of the project area.

Existing Conditions

Urban Design

Buildings

The project area and secondary study area are located within a unique area of Manhattan, largely developed in the two decades following the enactment of the 1916 Zoning Resolution. As a result, the area's character is dominated by generally uniform streetscapes of commercial loft buildings topped with "wedding-cake style" setbacks. As shown in **Figure B-2**, almost all structures in the project area and secondary study area are built out to the lot lines, with minimal front, rear, and side yards, creating continuous streetwalls largely filled with lower-level retail and showroom space. The area is a very densely built-out neighborhood. Buildings on most side streets in the project area have 12-story bases rising straight up from the street line, often topped by shallow setbacks towering up to 22 stories above the narrow east-west streets, typically with FARs above 6.0 (refer to **Figures B-3** and **B-4**). Buildings on the north-south avenues are similar, but are typically taller structures with 15-story bases and building heights of up to 45 stories, often with FARs above 12.0.

As detailed above, there are also a number of hotels in the project area and secondary study area, including recently constructed buildings which are setback from the street line and rise as towers without the continuous streetwalls and upper floor setbacks characteristic of the neighborhood. Conversely, as shown in **Figures B-3** and **B-4**, there are also low-rise buildings on narrow lots in the eastern and southern portions of the project area and secondary study area, with significantly lower FARs than the remainder of the study area, which were largely constructed prior to the Garment Center's development boom of the 1920s-30s (refer to Attachment E, "Historic & Cultural Resources" for further discussion of the Garment District's development history). Additionally, as shown in **Figure B-4**, the western portion of the secondary study area, particularly along Ninth Avenue around the Lincoln Tunnel approach, is much less dense than the project area and remainder of the secondary study area. Nevertheless, the Garment Center remains one of the City's most cohesive areas, with a strong sense of place and a visual character that sets it apart from other commercial districts.

Streets & Streetscape

Thoroughfares in the project area and secondary study area generally adhere to the standard Manhattan street grid, with "north-south" avenues and "east-west" streets creating rectangular blocks. However, as shown in **Figure B-2**, Broadway cuts diagonally through the eastern portion of the neighborhood, creating several irregularly-shaped blocks. All streets in the study area are lined with concrete sidewalks in fair to good condition, most of which contain curb-cuts for loading docks. Additionally, almost all thoroughfares in the area have parallel parking lanes on each side of the street, often utilized by trucks, and there are protected bike

Legend

- Project Area (Special Garment Center District)
- 400-foot Secondary Study Area
- Projected Development Site
- Potential Development Site

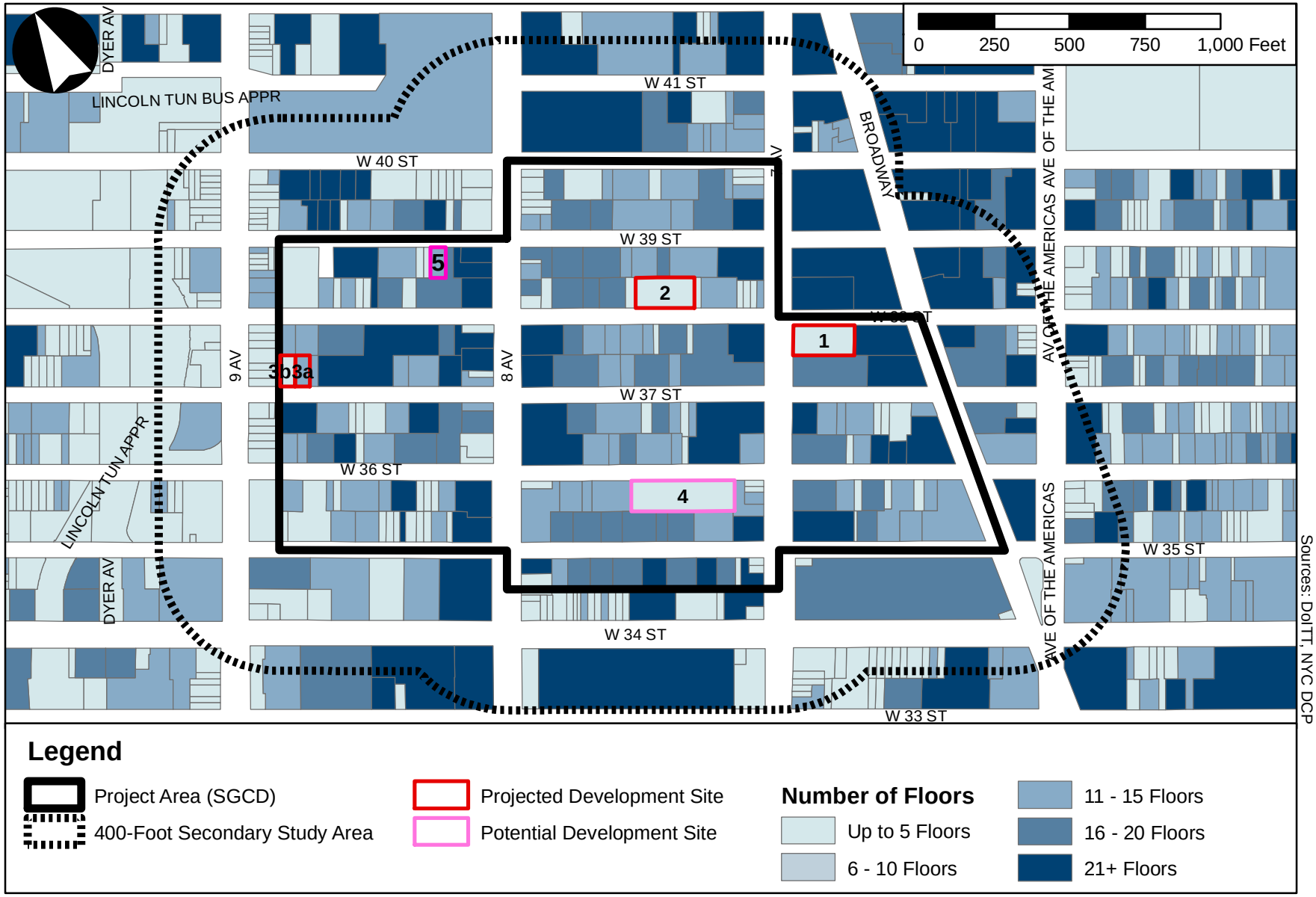
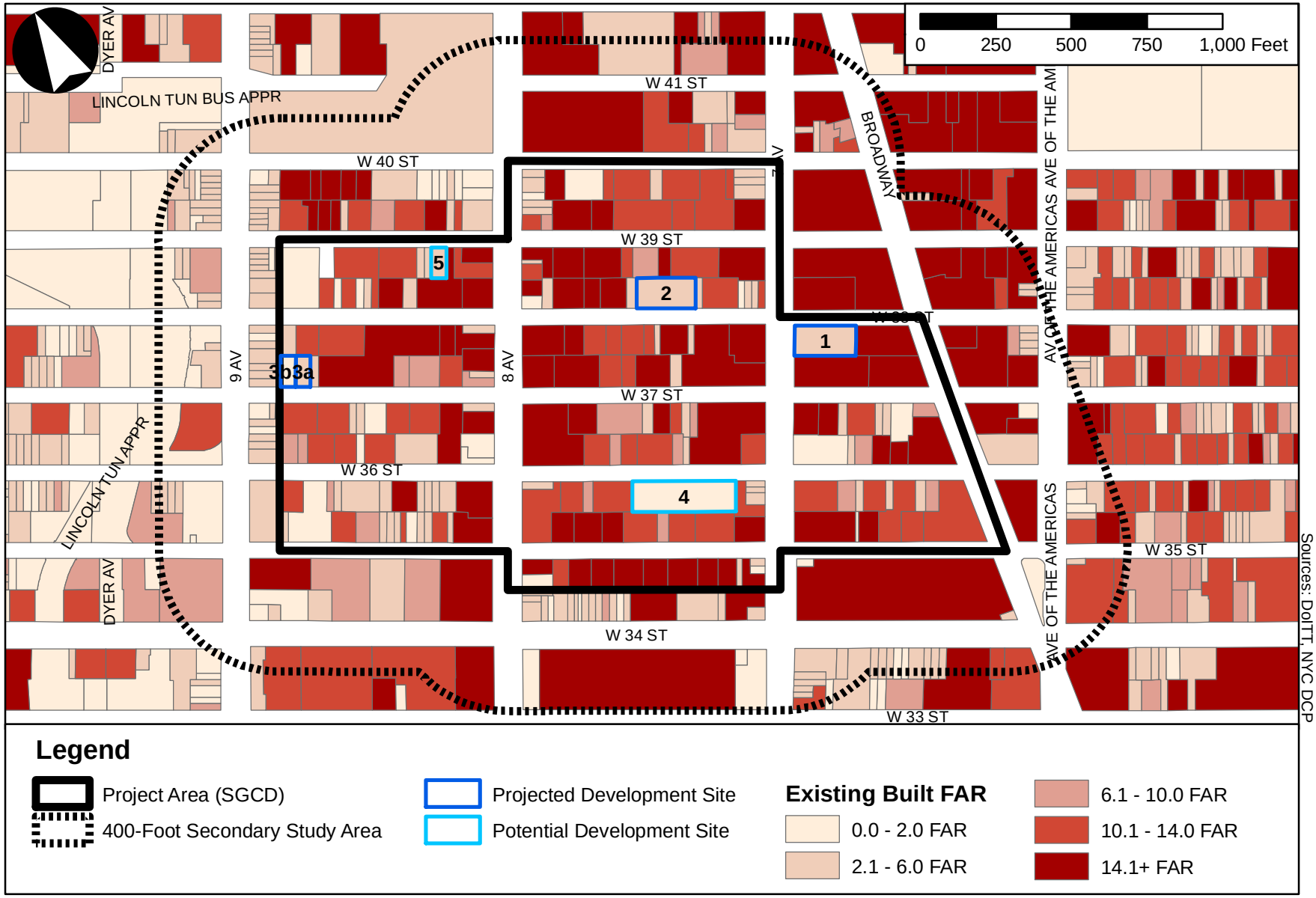


Figure B-3
Existing Building Heights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W 33 ST
AVE OF THE AMERICAS
Legend
Project Area (SGCD)
400-Foot Secondary Study Area
Projected Development Site
Potential Development Site
Existing Built FAR
0.0 - 2.0 FAR
2.1 - 6.0 FAR
6.1 - 10.0 FAR
10.1 - 14.0 FAR
14.1+ FAR
Sources: DoITT, NYC DCP

paths along Eighth Avenue, Ninth Avenue, and Broadway; bike lanes along Sixth Avenue; and bike routes on W. 39th and W. 40th Streets.

W. 34th Street, Broadway, and Sixth, Seventh, Eighth, and Ninth Avenues are all major thoroughfares in the area, accommodating heavy pedestrian and vehicular traffic. Broadway, Seventh Avenue, and Ninth Avenue are all wide street with several lanes of southbound vehicular traffic; Sixth and Eighth Avenues are wide streets with several lanes of northbound vehicular traffic; and W. 34th Street is a wide street with several lanes of both eastbound and westbound vehicular traffic. The remaining streets in the project area and secondary study area are also well traversed, although they mostly accommodate local traffic. W. 35th, W. 37th, and W. 39th Streets are all narrow streets with two lanes of westbound vehicular traffic, and W. 36th, W. 38th, and W. 40th Streets are all narrow streets with two lanes of eastbound vehicular traffic.

There are some street trees and planters in the project area and secondary study area, although the vast majority are located along W. 34th Street and Broadway. All sidewalks in the area accommodate street lights, street signs, utility poles, and fire hydrants. The heavily traversed avenues, W. 34th Street, and Broadway contain a wide variety of street furniture, including benches, bus stops, bike racks, garbage and recycling bins, newsstands, food trucks, mailboxes, planters, and phone booths. Additionally, tables and chairs are located on Broadway's pedestrian plaza and at Herald Square in front of Macy's. There is also a preponderance of scaffolding over sidewalks in the area.

Open Space & Natural Resources

The topography of the project area and secondary study area is generally flat. There are no significant natural resources such as aquatic features, beaches, or wetlands in the neighborhood. As noted above, there are some street trees and planters in the area, particularly along W. 34th Street and Broadway. Herald Square and Broadway's pedestrian plazas are heavily utilized open space resources in the area.

Visual Resources

As detailed in Attachment E, "Historic & Cultural Resources," most of the project area and secondary study area are located in the S/NR-listed Garment Center Historic District, and also encompass several designated and eligible architectural landmarks (refer to **Figure E-1** in Attachment E). As detailed therein, the designated historic district is dominated by uniform streetscapes of commercial loft buildings topped with "wedding-cake style" setbacks, developed to accommodate all aspects of the garment industry, such as offices, showrooms, factories, and other production facilities. Most side street buildings have tripartite compositions, with the first three or four stories usually faced in stone with entrances and storefronts creating continuous streetwalls; mid-sections typically faced in brick with regular fenestration; and setbacks often containing brick or cast-stone ornamental details. These buildings are largely differentiated by varying ornamental details, typically in Classical Revival, Gothic Revival, or Art Deco styles and often with apparel-related embellishment. Additionally, irregular lots along Broadway often have chamfered corners with dramatic towers, attracting attention in an otherwise remarkably uniform district.

Designated individual landmarks in the project area and secondary study area include the Building at 315-325 W. 36th Street, an Art Deco-inspired commercial loft building; Mills Hotel No. 3 at 485 Seventh Avenue, a Neo-Renaissance style residential hotel; R.H. Macy and Company's flagship department store at 151 W. 34th Street; the freestanding Classical Temple of the Greenwich Savings Bank at 1352-62 Broadway; the Times Square–42nd Street Subway Station at W. 42nd Street and Broadway/Seventh Avenue; the Art Nouveau style New Amsterdam Theater at 214 W. 42nd Street; the commercial loft Candler Building at 220 W. 42nd Street; the modern Spring Mills Building office tower at 104 W. 40th Street. Additionally, as further detailed in Attachment E, there are several buildings eligible for landmark designation in the neighborhood which are also all considered important visual resources: the Modernized Greek style Nelson Tower at 450 Seventh Avenue; the Art Deco style New Yorker Hotel at 481 Eighth Avenue; the Byzantine style Pennsylvania Building at 225

W. 34th Street; the Manhattan Center at 311 W. 34th Street; and the Sloane House YMCA at 360 W. 34th Street (see **Figure E-1** in Attachment E).

Additionally, Herald Square, located immediately adjacent to Macy's at the intersection of Seventh Avenue and Broadway, is also an important visual resource in the secondary study area. There are also several important view corridors in the project area and secondary study area, including views of the Empire State Building eastward from points along W. 34th Street and south from Sixth Avenue, and views north of Times Square from points along Seventh Avenue.

Future Without the Proposed Action (No-Action Condition)

Urban Design

Buildings

As discussed in the "Land Use, Zoning, & Public Policy" section above, it is expected that in the future without the proposed action, no changes to zoning would occur in the project area or surrounding secondary study area. It is projected that the trend of new development on soft sites in the area would continue to be dominated by hotels, as detailed below. In addition, as discussed in Attachment C, "Socioeconomic Conditions," although the SGCD preservation requirements would formally remain in effect in Preservation Areas P1 and P2, it is projected that the existing trend of non-complying conversions of apparel and other manufacturing space to commercial uses would continue at a rate similar to recent years. As such, it is likely that in buildings containing a mix of office and manufacturing sues there would be a higher proportion of office uses as compared to existing conditions.

As detailed above in **Tables B-3** and **B-4**, there are two projects in the SGCD and an additional six projects in the secondary study area under construction or planned for completion in the 2027 future without the proposed action. Under No-Action conditions, it is expected that the existing buildings at 525 Eighth Avenue and 252 W. 40th Street, both of which are contributing resources to the S/NR-listed Garment Center Historic District, will be demolished and replaced with hotels. Hotels are also under construction at 310 W. 40th Street, 355 W. 39th Street, 261-263 W. 34th Street, 255 W. 34th Street, and 560 Seventh Avenue, and a hotel is planned to be constructed at 1420 Broadway. None of these properties contain designated individual landmarks or buildings that are considered contributing resources in the S/NR-listed Garment Center Historic District.

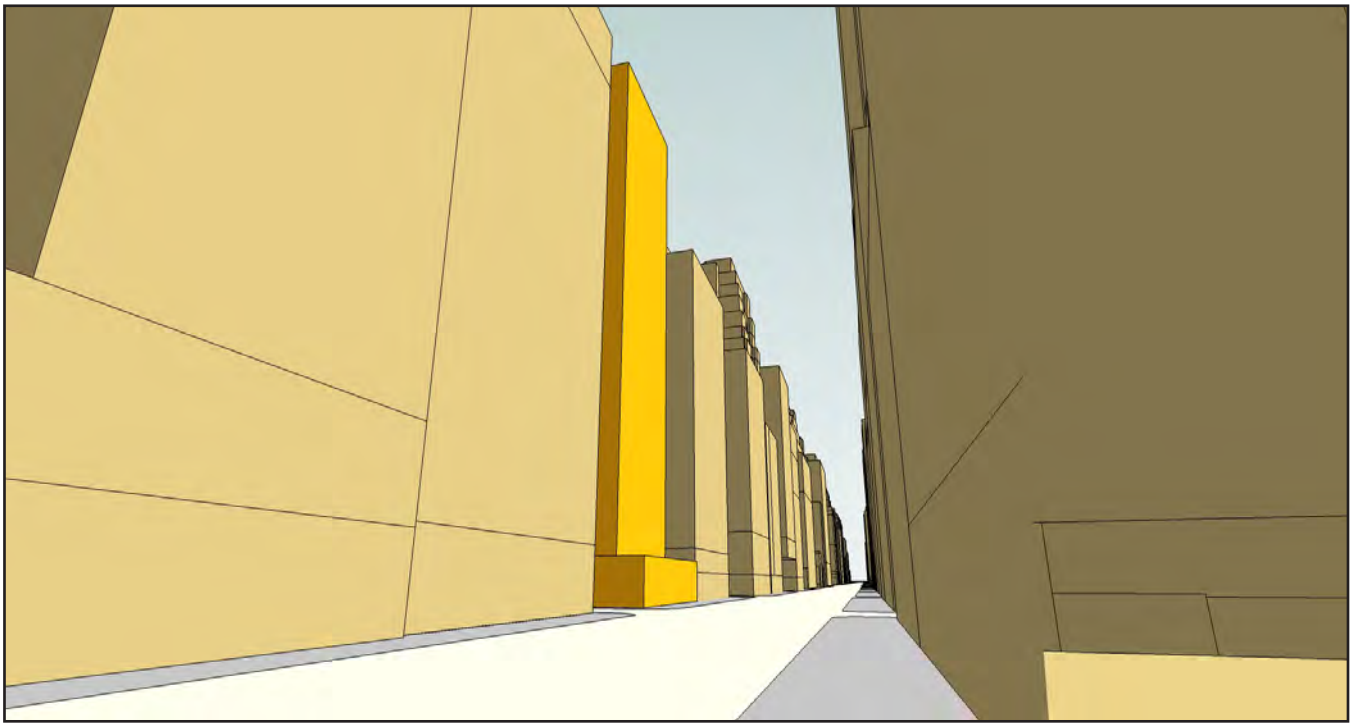
As detailed in Attachment A, in the 2027 future without the proposed action, the proposed zoning text amendment would not occur. The RWCDS for the proposed action identifies three projected development sites in the project area likely to be redeveloped by the 2027 No-Action analysis year (Sites 1, 2, and 3a/3b), and two potential development sites considered possible but less likely to be redeveloped within the analysis time frame (Sites 4 and 5). **Figure B-2** illustrates the No-Action projected and potential development sites identified in the RWCDS, all of which contain and/or are located in close proximity to designated landmarks in the study area (refer to Attachment C for more details). The projected development sites would be demolished and redeveloped with hotels pursuant to existing zoning regulations in the future without the proposed action. Demolition and redevelopment of the potential development sites is also possible on an as-of-right basis.

Projected Development Site 1: 515 Seventh Avenue (Block 813, Lot 64)

Under No-Action conditions, it is expected that the building on Projected Development Site 1 would be demolished and the lot would be redeveloped with a 280-foot tall (approximately 28-story) hotel with an FAR of 10.0. The anticipated No-Action hotel on Site 1 would have a 20-foot tall base (one- to two-stories) which, after a 15-foot setback, would be topped with a 260-foot tower (refer to **Figure B-5a**).

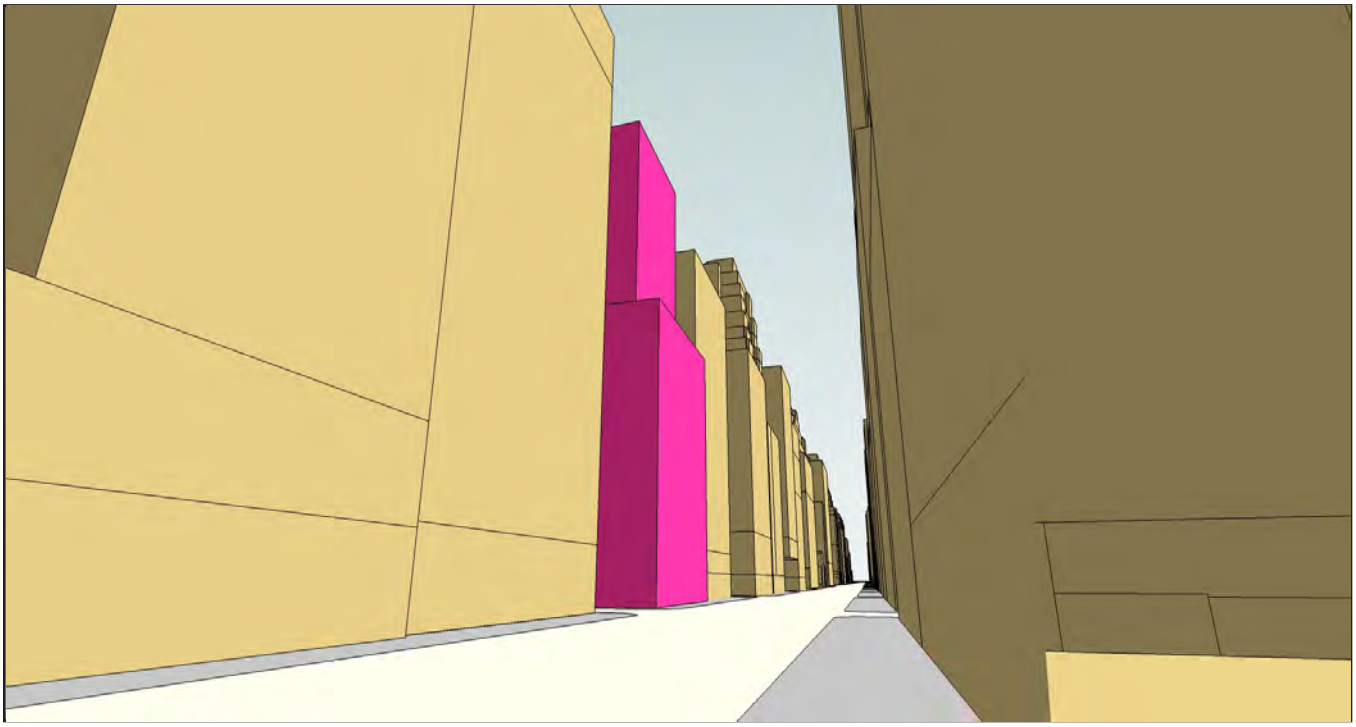
No-Action vs. With-Action Condition: Projected Development Site 1

No-Action



Looking south along Seventh Avenue from West 39th Street

With-Action



No-Action vs. With-Action Condition: Projected Development Site 2

No-Action

Looking west along West 38th Street from Seventh Avenue

With-Action

No-Action vs. With-Action Condition: Projected Development Site 3

No-Action & With-Action

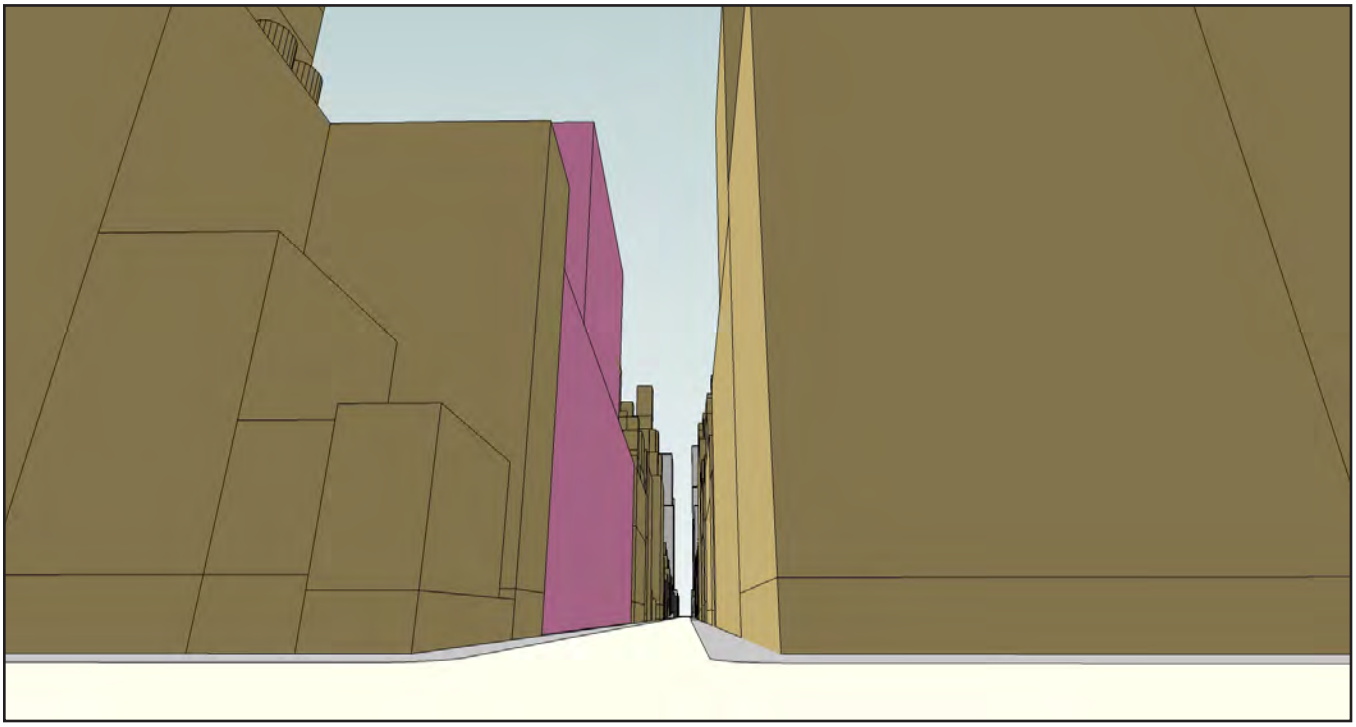
Looking east along West 37th Street from Ninth Avenue

No-Action vs. With-Action Condition: Potential Development Site 4

No-Action

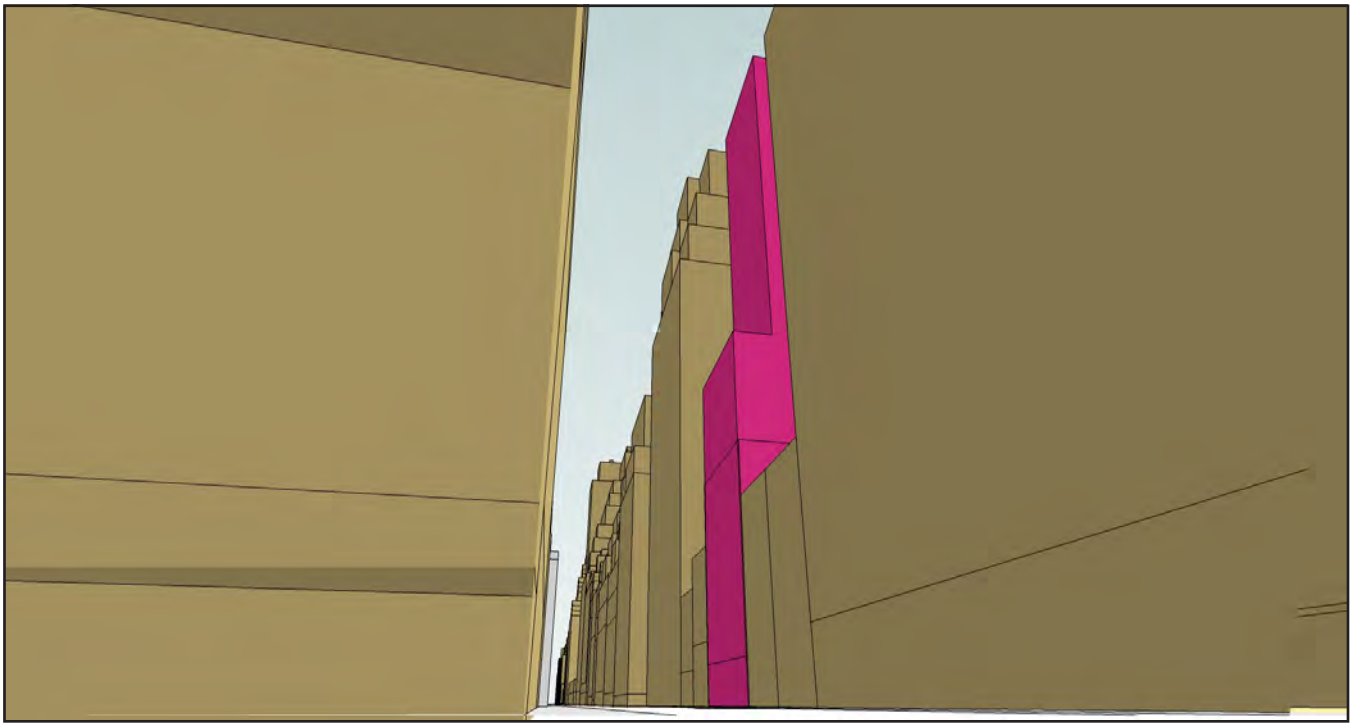
Looking west along West 36th Street from Seventh Avenue

With-Action



No-Action vs. With-Action Condition: Potential Development Site 5

No-Action & With-Action



Looking east along West 39th Street from Ninth Avenue

Projected Development Site 2: 223 W. 38th Street (Block 778, Lot 26)

As detailed in Attachment C, the building at 223 W. 38th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District. Under No-Action conditions, it is expected that the historic building on Projected Development Site 2 would be demolished and the lot would be redeveloped with a 340-foot tall (approximately 34-story) hotel with an FAR of 12.0. The anticipated No-Action hotel on Site 2 would have a 20-foot tall base (one- to two-stories) which, after a 15-foot setback, would be topped with a 320-foot tower (refer to **Figure B-5b**).

Projected Development Site 3: 349-355 W. 37th Street (Block 761, Lots 5 & 7)

Under No-Action conditions, it is expected that the two lots that comprise Projected Development Site 3 would be combined, the existing building would be demolished, and the property would be redeveloped with a 240-foot tall (approximately 24-story) hotel with an FAR of 10.0. The anticipated No-Action hotel on Site 3 would have a 110-foot tall base which, after a 15-foot setback, would be topped with a 130-foot tower (refer to **Figure B-5c**).

Potential Development Site 4: 206 W. 36th Street (Block 785, Lot 49)

As detailed in Attachment C, the building at 206 W. 36th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District. Under No-Action conditions, the historic building on Projected Development Site 4 could potentially be demolished and the lot could potentially be redeveloped with a 350-foot tall (approximately 35-story) hotel with an FAR of 10.0. The potential No-Action hotel on Site 4 would have a 20-foot tall base (one- to two-stories) which, after a 20-foot setback, would be topped with a 330-foot tower (refer to **Figure B-5d**).

Potential Development Site 5: 310 W. 39th Street (Block 762, Lot 46)

As detailed in Attachment C, the building at 310 W. 39th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District. Under No-Action conditions, the historic building on Projected Development Site 5 could potentially be demolished and the lot could potentially be redeveloped with a 240-foot tall (approximately 24-story) hotel with an FAR of 10.0. The anticipated No-Action hotel on Site 5 would have a 110-foot tall base which, after a 15-foot setback, would be topped with a 130-foot tower (refer to **Figure B-5e**).

Streets & Streetscape

There are no known changes to streets or streetscapes in the project area or secondary study area in the future without the proposed action.

Open Space & Natural Resources

Under No-Action conditions, no changes to open space or natural resources are expected in the project area or secondary study area.

Visual Resources

As noted above and detailed in Attachment E, "Historic & Cultural Resources," several sites in the project area and secondary study area are anticipated to be redeveloped into hotels as-of-right in the future without the proposed action; five of these are contributing resources within the S/NR-listed Garment Center Historic District. It is therefore expected that, in the future without the proposed action, these designated historic

resources will be demolished, altering the setting of the surrounding district, a significant visual resource in the area.

Future With the Proposed Action (With-Action Condition)

As detailed in Attachment A, "Project Description," DCP and EDC are proposing a zoning text amendment to the New York City Zoning Resolution, Article XII, Chapter 1, Special Garment Center District (SGCD), which is intended to meet the City's goal of preserving the Garment Center as both a hub for the Fashion Industry as well as a center for office uses. The proposed action includes six components of a zoning text amendment, two of which would alter the urban design of the project area: a contextual bulk text amendment and a sign text amendment, detailed below. The proposed action also involves establishing a special permit to allow new hotel uses in the SGCD[1]; removing restrictions on conversion of floor area from manufacturing and warehousing to office use in the SGCD's Preservation Areas; prohibiting Use Group 18 in the M1-6 portion of the SGCD, superseding ZR 42-20 regarding Performance Standards; and limiting conversion of manufacturing and warehousing space in existing buildings of 70,000 sf or larger in the C6-4M district of P2, all of which are expected to alter land uses in the project area, as detailed in the "Land Use, Zoning, & Public Policy" section above.

Contextual Bulk Text Amendment

In the future with the proposed action, height and setback regulations would be updated in the M1-6 zoning district of the SGCD to more accurately reflect the prevailing built context of the district (height and setback regulations in the SGCD's C6-4M zoning district would not change in the future with the proposed action). Under With-Action conditions, the existing SGCD M1-6 regulations would be replaced by new rules similar to height and setback regulations found in M1-6D districts, which were established to create buildings more in keeping with the existing context of commercial loft districts in Manhattan. In the future with the proposed action, buildings in the M1-6 district would be required to have their streetwall on the street line. On wide streets, buildings would be required to provide a streetwall, ranging in height from a minimum of 125 feet to a maximum of 155 feet, but may match the height of streetwalls on the same blockfront that exceed 155 feet up to a maximum of 205 feet; if an abutting building has a streetwall height taller than 205 feet, then a building's streetwall would be permitted to match the abutting building's streetwall even if it exceeds 205 feet, before a required setback of 10 feet. On narrow streets, buildings would be required to rise from 85 to 135 feet before a required setback of 15 feet. After setback, buildings would be able to rise as a tower so long as the tower only occupies 40 percent of the lot. On lots smaller than 20,000 sf, towers would be able to occupy between 40 and 50 percent of the lot, depending on lot size. It is also proposed that new buildings on eligible sites be permitted to continue to use an existing bonus for a privately owned public space in the future with the proposed action. This provision is intended to permit public space in the dense Garment District. Buildings constructed pursuant to these regulations would be subject to DCP design review and CPC Chair certification. The existing floor area bonus for arcades is proposed to be removed as it is seldom used.

Sign Text Amendment

As detailed in Attachment A, the proposed action also includes a sign text amendment, which would restrict sign regulations in the M1-6 zoning district of the SGCD, helping to preserve the historic character of the neighborhood. In the future with the proposed action, no signs in the SGCD would be permitted to be more than 40 feet in height. Illuminated and non-illuminated signs would be allowed to be up to five times street frontage, but no more than 500 sf. Additionally, advertising signs would not be permitted in the district, and no signs would be permitted on roofs except for vertical signs attached to a wall no more than 28 inches wide

[1] Currently, in the SGCD hotels are allowed as-of-right in new buildings in the Preservation Area and in new or converted buildings outside the Preservation Areas. In P2, conversion of manufacturing and warehousing space in buildings of 70,000 sf or larger to hotel are subject to preservation requirements.

extending no higher than 15 feet above roof level. Additionally, existing regulations pertaining to marquees, flags, and pennants on wide streets within the SGCD would be removed in the future with the proposed action.

Urban Design

Buildings

Projected Development Site 1: 515 Seventh Avenue (Block 813, Lot 64)

Under With-Action conditions, it is expected that the building on Projected Development Site 1 would be demolished and the lot would be redeveloped with a 188-foot tall (approximately 13-story) office building with an FAR of 10.0. The anticipated With-Action office building on Site 1 would have a 188-foot tall base which would contain no remaining FAR for a tower on top of the base and would not include any setbacks (refer to **Figure B-5a**).

Projected Development Site 2: 223 W. 38th Street (Block 778, Lot 26)

In the future with the proposed action, no as-of-right development is expected to occur on Projected Development Site 2. The existing 30-foot building (2.5 FAR) would remain as under existing conditions, and would continue to be used as a post office (refer to **Figure B-5b**). As discussed in Attachment I, "Conceptual Analysis," it is projected that this site would be redeveloped pursuant to a future application for a SGCD hotel special permit; the special permit would be established as part of this proposed action. Attachment I provides a conceptual analysis of this projected future use, which would be subject to its own environmental review.

Projected Development Site 3: 349-355 W. 37th Street (Block 761, Lots 5 & 7)

Under With-Action conditions, it is expected that the two lots that comprise Projected Development Site 3 would be combined and the property would be redeveloped with a 240-foot tall (approximately 24-story) residential building. As under No-Action conditions, the anticipated With-Action building on Site 3 would have a 110-foot tall base which, after a 15-foot setback, would be topped with a 130-foot tower (refer to **Figure B-5c**). The anticipated With-Action development on Site 3 would utilize the Hudson Yards District Improvement Bonus (DIB) permitted in SGCD Preservation Area P2 in order to build at an FAR of 12.0.

Potential Development Site 4: 206 W. 36th Street (Block 785, Lot 49)

In the future with the proposed action, Projected Development Site 4 could potentially be redeveloped with a 286-foot tall (approximately 28-story) office building with an FAR of 10.0. The potential With-Action building on Site 4 would have a 118-foot tall base which, after a 15-foot setback, would be topped with a 168-foot tower (refer to **Figure B-5d**).

Potential Development Site 5: 310 W. 39th Street (Block 762, Lot 46)

Under With-Action conditions, Projected Development Site 5 could potentially be redeveloped with a 240-foot tall (approximately 24-story) residential building. As under No-Action conditions, the potential With-Action building on Site 5 would have a 110-foot tall base which, after a 15-foot setback, would be topped with a 130-foot tower (refer to **Figure B-5e**). The anticipated With-Action development on Site 5 would utilize the Hudson Yards District Improvement Bonus (DIB) permitted in SGCD Preservation Area P2 in order to build at an FAR of 12.0.

Streets & Streetscape

There are no known changes to streets or streetscapes in the project area or secondary study area in the future with the proposed action.

Open Space & Natural Resources

Under With-Action conditions, no changes to open space or natural resources are expected in the project area or secondary study area.

Assessment

As detailed in Attachment A, most recent new construction in the SGCD is not in keeping with the established built character of the neighborhood, often involving towers set back from the streetline rising without interruption. As detailed above, under With-Action conditions, the existing M1-6 zoning regulations in the SGCD would be replaced by new rules similar to height and setback regulations found in M1-6D districts, which were established to create buildings more in keeping with the existing context of commercial loft districts in Manhattan. As such, development facilitated by the proposed action would be in keeping with the established urban design characteristics of the project area and secondary study area.

As shown in **Figures B-3** and **B-4**, the RWCDS projected and potential development sites would be constructed at densities and bulks compatible with existing properties in the area. The continuous streetwall bases with lower-level retail spaces of the projected/potential development sites would complement the established continuous streetwalls of the neighborhood, maintaining active pedestrian sidewalks in the area. Under No-Action conditions, Projected Development Site 1 would have a base of 20 feet and under With-Action conditions would have a base of 188 feet, a difference of 168 feet before setback. Potential Development Site 4 would have a No-Action base of 20 feet and a With-Action base of 118 feet, a difference of 98 feet before setback. (The bases of sites 3 and 5 would not change between No-Action and With-Action conditions. Additionally, Site 2, which would have a 340-foot tall building with a 20-foot tall base under No-Action conditions, would not undergo as-of-right redevelopment under With-Action conditions as the existing 30-foot tall building would remain.

The proposed action would require towers to setback above the building bases, instead of permitting the taller, non-contextual towers allowed under No-Action conditions. These regulations would be in keeping with the high-rise character of the Garment Center while maintaining its defining characteristic of upper-story setbacks. As detailed above, Site 1 would rise 280 feet under No-Action conditions and 188 feet under With-Action conditions; Site 2 would rise 340 feet under No-Action conditions and would remain 30 feet tall under With-Action conditions; and Site 3 would rise 350 feet under No-Action conditions and 286 feet under With-Action conditions, differences of -36 feet, -310 feet, and -64 feet, respectively. (The heights of Sites 3 and 5 would not change between No-Action and With-Action conditions).

Additionally, the proposed action would facilitate development that would maintain the dense built environment of the project area and secondary study area, requiring buildings to be built out to the lot lines and permitting high FARs. As detailed above, Sites 1 and 4 would be constructed at 10.0 FAR in both No-Action and With-Action conditions. Sites 3 and 5 would have No-Action FARs of 12.0 and With-Action FARs of 10.0. Site 2 would be constructed at 12.0 FAR under No-Action conditions, and would retain its existing FAR of 2.5 under With-Action conditions.

As such, the proposed action would not result in any significant adverse impacts to urban design in the Garment District, but rather, is expected to complement the existing built environment with the development of contextual building envelopes, enhancing the pedestrian experience of the neighborhood.

Visual Resources

No changes to visual resources would occur in the future with the proposed action. As detailed in Attachment E, "Historic & Cultural Resources," the proposed action would not result in significant adverse impacts to historic architectural resources in the project area or secondary study area. As detailed above, all five RWCDS projected and potential development sites identified in the project area would be demolished and redeveloped in the 2027 future without the proposed action. Therefore, no physical alterations or demolitions to historic resources would occur as a result of the proposed action. Additionally, no projected or potential developments would obstruct or alter any existing visual resources or view corridors in the project area or secondary study area.

Assessment

The proposed action would not result in significant adverse impacts to visual resources. As detailed above, development facilitated by the proposed action would not result in any changes to visual resources in the project area or secondary study area as compared to No-Action conditions. No projected or potential developments would eliminate or substantially obstruct significant public views of visual resources, as all significant elements of surrounding resources would remain visible in view corridors on public streets. Designated/eligible landmarks and contributing resources in the S/NR-listed Garment Center Historic District can be seen from multiple vantage points in the project area and secondary study area, and as the projected and potential development sites are located on existing blocks, the new buildings would not obstruct views of any historic resources from existing public thoroughfares. Additionally, the With-Action developments would not alter existing views of Herald Square, the Empire State Building, or Times Square from the project area or secondary study area as compared to No-Action conditions. (It should be noted that there are more proximate public views of these three visual resources from outside of the project area, none of which would be affected by development generated by the proposed action.)

Hazardous Materials

As indicated on the EAS Form, there is an institutional control relating to hazardous materials that precludes the potential for significant adverse hazardous materials impacts, which applies to some of the projected and potential development sites. Specifically, as described below, Sites 3a/3b and 5 are subject to an (E) designation for hazardous materials. In addition, given the special district's history as a manufacturing area, the presence of hazardous materials on the projected and potential development sites is a possibility. Therefore, a screening assessment is warranted.

Screening Assessment

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

Existing (E) Designations: Sites 3a/3b and 5

There is an (E) designation for hazardous materials mapped in portions of the project area, which is listed in Appendix C of the Zoning Resolution, specifically (E) 137, dated January 19, 2005, established as part of the

Hudson Yards Rezoning (CEQR No. 03DCP031M), and which states that the purpose of the (E) designation is:

> to ensure that no significant adverse impacts related to hazardous materials would occur as a result of redevelopment on sites where the rezoning would generate new development. For hazardous materials, the (E) designation requires as a condition of site development: hazardous materials investigation, testing, and as appropriate remediation. These requirements must be complied with to the satisfaction of New York City Office of Environmental Remediation (OER).

Some of the projected and potential developments are subject to this (E), specifically Projected Development Site 3a, 349-351 W. 37 Street (Block 761, Lot 7), Projected Development Site 3b, 353-355 W. 37th Street (Block 761, Lot 5); and Potential Development Site 5, 310 W. 39th Street (Block 762, Lot 46). Accordingly, for those sites, development would occur subject to the (E) designation requirements and no further assessment is warranted.

Proposed (E) Designations: Sites 1 and 4

Due to the potential hazardous materials exposure risks associated with the proposed action, an institutional control in the form of an (E) designation would be assigned to Sites 1 and 4, which are not currently subject to (E) designations. Assigning an (E) designation to these sites precludes the potential for significant adverse hazardous materials impacts.

The hazardous materials (E) designation is an institutional control that can be placed on a site as a result of the CEQR review of a zoning map or zoning text amendment or action pursuant to the Zoning Resolution. It provides a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials, if necessary, are completed prior to, or as part of, future development of an affected site, thereby eliminating the potential for hazardous materials impacts. OER would provide the regulatory oversight of the environmental investigation and remediation during any development process. Building permits would not be issued for the development by the New York City Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution of the City of New York (Environmental Requirements). The DOB will typically issue the foundation permits when OER approves the remedial action work plan – the actual remediation is usually done concurrently with the construction. Engineering controls may also be incorporated into the development to eliminate exposure risks for future occupants.

These requirements related to hazardous materials would apply to:

> **Projected Development Site 1:**
> **Block 813, Lot 64**
>
> **Potential Development Site 4:**
> **Block 785, Lot 49**

The (E) designation text related to hazardous materials is as follows:

> **Task 1-Sampling Protocol**
>
> **The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map**

with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With the requirements of the (E) designation to be assigned to these sites there would be no impact from the potential presence of contaminated materials. The implementation of the preventative and remedial measures outlined in the (E) designation would preclude the potential for significant adverse hazardous materials impacts from proposed action. Therefore, no further analysis is required at this time.

Transportation

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking or goods movement.

The *CEQR Technical Manual* identifies minimum development densities that potentially require a transportation analysis. Development at less than the development densities shown in Table 16-1 of the CEQR Technical Manual generally result in fewer than 50 peak-hour vehicle trips, 200 peak-hour subway/rail or bus transit riders, and 200 peak-hour pedestrian trips, where significant adverse impacts are considered unlikely. In Zone 1 (which includes the project area) the development thresholds applicable to the proposed action are 240 DUs, 115,000 gsf of office space, and 15,000 gsf of local retail. The proposed action would exceed the development density screening thresholds for office and local retail space.

According to the *CEQR Technical Manual*, if an action would result in development greater than one of the minimum development density thresholds in table 16-1, a Level 1 (Project Trip Generation) Screening Assessment should be prepared. In most areas of the city, including the project area, if the proposed actions are projected to result in fewer than 50 peak-hour vehicle trips, 200 peak-hour subway/rail or bus transit riders, or 200 peak-hour pedestrian trips, it is unlikely that further analysis would be necessary. If these trip-

generation screening thresholds are exceeded, a Level 2 (Project-generated Trip Assignment) Screening Assessment should be prepared to determine if the proposed action would generate or divert 50 peak-hour vehicle trips through any intersection, 200 peak-hour subway trips through a single station, 50 peak-hour bus trips on a single bus route in the peak direction, or 200 peak-hour pedestrian trips through a single pedestrian element. If any of these Level 2 screening thresholds are met or exceeded, detailed analysis for the respective mode is required.

As discussed in Attachment A and shown in Table A-3, the incremental development associated with the RWCDS for the proposed action consists of the following program across the three projected development sites: +136 DUs, +177,750 sf of office space, 29,624 sf of local retail space, and -1,320 hotel rooms.

A travel demand forecast was prepared for this net incremental development program for the three projected development sites collectively and individually, to determine if the proposed project would result in 50 or more action-generated vehicle trips, 200 or more action-generated transit trips, or 200 or more pedestrian action-generated trips. The travel demand forecast assumptions are presented in **Table B-5**.

Tables **B-6a, B-6b, and B-6c** present the transportation planning calculations for the overall RWCDS and for Projected Development Sites 1 and 3a/3b, respectively. As there would be a net decrease in projected development on Projected Development Site 2 compared to the No-Action condition, a forecast is not necessary for this site. (Attachment I provides a conceptual analysis of the transportation effects of the With-Action condition with a future hotel special permit facilitating a new hotel on Site 2.) These travel demand forecasts are used to make screening assessment for traffic and parking, transit, and pedestrians.

Traffic and Parking. As shown in **Table B-6a**, the projected development sites collectively would generate less than 50 vehicle trips in the weekday AM, midday, PM, and Saturday midday peak hours. As shown in **Tables B-6b and B-6c**, individually Projected Development Sites 1 and 3a/3b would generate less than 50 vehicle trips in the weekday AM, midday, PM, and Saturday midday peak hours. As the proposed action would generate incremental vehicle trips below the Level 1 screening threshold, both collectively and on an individual site basis, significant adverse traffic and parking impacts would not occur and no further assessment is warranted.

Transit. As shown in **Table B-6a**, the projected development sites collectively would generate less than 200 subway trips and less than 200 bus trips in the weekday AM, midday, PM, and Saturday midday peak hours. As shown in **Tables B6-b and B6-c**, individually Projected Development Sites 1 and 3a/3b would generate less than 200 subway and less than 200 bus trips in the weekday AM, midday, PM, and Saturday midday peak hours. As the proposed action would generate incremental subway and bus trips below the Level 1 screening threshold, both collectively and on an individual site basis, significant adverse transit impacts would not occur and no further assessment is warranted.

Table B-5, Transportation Planning Assumptions

Land Use:	**Local Retail/**		**Hotel**		**Office**		**Residential**	
Trip Generation:	(1)		(1)		(1)		(1)	
Weekday	205		9.4		18.0		8.075	
Saturday	240		9.4		3.9		9.600	
	per 1,000 sf		per room		per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(1)		(1)		(1)	
AM	3.0%		8.0%		12.0%		10.0%	
MD	19.0%		14.0%		15.0%		5.0%	
PM	10.0%		13.0%		14.0%		11.0%	
SatMD	10.0%		9.0%		17.0%		8.0%	
	(2)		(3)		(4, 3)		(5)	
Modal Splits:	AM/PM/SAT		AM/PM	MD/SAT	AM/PM/SAT	MD	AM/MD/PM	
Auto	2.0%		9.1%	8.1%	10.0%	2.0%	3.0%	
Taxi	3.0%		17.5%	14.9%	1.0%	3.0%	3.0%	
Subway	6.0%		24.2%	12.8%	69.0%	6.0%	48.0%	
Bus	6.0%		3.1%	3.2%	14.0%	6.0%	5.0%	
Walk/Ferry/Other	83.0%		46.1%	61.0%	6.0%	83.0%	41.0%	
	100.0%		100.0%	100%	100.0%	100%	100.0%	
	(2)		(3)		(2,3)		(2)	
In/Out Splits:	In	Out	In	Out	In	Out	In	Out
AM	50%	50%	39%	61%	96.0%	4.0%	20.0%	80.0%
MD	50%	50%	54%	46%	48.0%	52.0%	60.0%	40.0%
PM	50%	50%	65%	35%	5.0%	95.0%	56.0%	44.0%
Sat MD	50%	50%	54%	46%	60.0%	40.0%	54.0%	46.0%
Vehicle Occupancy:	(2)		(3)		(4)		(5)	
Auto	2.00		1.4		1.05		1.01	
Taxi	2.00		1.8		1.05		1.4	
Truck Trip Generation:	(1)		(3)		(1)		(1)	
AM/MD/PM	0.35		0.06		0.32		0.06	
Sat MD	0.04		0.02		0.01		0.02	
	per 1,000 sf		per room		per 1,000 sf		per DU	
	(1)		(3)		(1)		(1)	
AM	8.0%		12.2%		10.0%		12.0%	
MD	11.0%		8.7%		11.0%		9.0%	
PM	2.0%		0.0%		2.0%		2.0%	
Sat MD	11.0%		0.0%		11.0%		9.0%	
	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%

Notes :

(1) *2014 City Environmental Quality Review (CEQR) Technical Manual.*

(2) *North Tribeca Rezoning EAS, September 2010.*

(3) *Chelsea Market Expansion EAS, March 2012.*

(4) 2006-2010 ACS Reverse Journey-to-Work census data for NY (Manhattan) County census tracts 109, 111, 113, and 115.

(5) 2010-2015 ACS Journey-to-Work census data for NY (Manhattan) County census tracts 109, 111, 113, and 115.

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Table B-6a, Transportation Planning Calculations for RWCDS

RWCDS: All Proj. Dev. Sites		No-Action						Wth-Action												
Land Use:		**Local Retail/**		**Hotel**		**Total**		**Local Retail/**		**Office**		**Residential**		**Hotel**		**Total**		**Net Increment**		
Size/Units:		0 gsf		1,222 rooms				29,624 gsf		177,750 gsf		136 du		482 rooms						
Peak Hour Trips:																				
	AM	0		919		919		156		385		111		362		1,014		95		
	MD	0		1,609		1,609		982		480		56		636		2,154		545		
	PM	0		1,493		1,493		516		448		122		589		1,675		182		
	Sat MD	0		1,034		1,034		604		119		104		409		1,236		202		
Person Trips:																				
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto**	0	0	33	51	33	51	2	2	37	2	1	3	13	20	53	27	20	-24	-4
	Taxi	0	0	63	98	63	98	2	2	4	0	1	3	25	39	32	44	-31	-54	-85
	Subway	0	0	87	136	87	136	5	5	254	11	11	42	34	53	304	111	217	-25	192
	Bus	0	0	11	17	11	17	5	5	52	2	1	4	4	7	62	18	51	1	52
	Walk/Ferry/Other	0	0	165	258	165	258	64	64	22	1	9	36	65	102	160	203	-5	-55	-60
	Total	0	0	359	560	359	560	78	78	369	16	23	88	141	221	611	403	252	-157	95
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto**	0	0	79	67	79	67	10	10	5	5	1	1	31	27	47	43	-32	-24	-56
	Taxi	0	0	152	130	152	130	15	15	7	7	1	1	60	51	83	74	-69	-56	-125
	Subway	0	0	210	179	210	179	29	29	14	15	15	11	83	71	141	126	-69	-53	-122
	Bus	0	0	27	23	27	23	29	29	14	15	2	1	11	9	56	54	29	31	60
	Walk/Ferry/Other	0	0	401	341	401	341	408	408	191	207	14	9	158	135	771	759	370	418	788
	Total	0	0	869	740	869	740	491	491	231	249	33	23	343	293	1,098	1,056	229	316	545
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto**	0	0	88	48	88	48	5	5	2	43	2	2	35	19	44	69	-44	21	-23
	Taxi	0	0	170	91	170	91	8	8	0	4	2	2	67	36	77	50	-93	-41	-134
	Subway	0	0	235	126	235	126	15	15	15	294	32	26	93	50	155	385	-80	259	179
	Bus	0	0	30	16	30	16	15	15	3	60	3	3	12	6	33	84	3	68	71
	Walk/Ferry/Other	0	0	448	241	448	241	215	215	1	26	28	22	176	95	420	358	-28	117	89
	Total	0	0	971	522	971	522	258	258	21	427	67	55	383	206	729	946	-242	424	182
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto**	0	0	51	43	51	43	6	6	7	5	2	1	20	17	35	29	-16	-14	-30
	Taxi	0	0	98	83	98	83	9	9	1	0	2	1	39	33	51	43	-47	-40	-87
	Subway	0	0	135	115	135	115	18	18	49	33	27	23	53	46	147	120	12	5	17
	Bus	0	0	17	15	17	15	18	18	10	7	3	2	7	6	38	33	21	18	39
	Walk/Ferry/Other	0	0	258	219	258	219	251	251	4	3	23	20	101	87	379	361	121	142	263
	Total	0	0	559	475	559	475	302	302	71	48	57	47	220	189	650	586	91	111	202
Vehicle Trips :																				
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto (Total)**	0	0	24	36	24	36	2	2	35	2	1	3	9	14	47	21	23	-15	
	Taxi	0	0	35	54	35	54	2	2	4	0	1	2	14	22	21	26	-14	-28	
	Taxi Balanced	0	0	72	72	72	72	3	3	4	4	3	3	29	29	37	37	-14	-14	
	Truck	0	0	4	4	4	4	0	0	3	3	0	0	2	2	5	5	1	1	
	Total	0	0	100	112	100	112	5	5	42	9	4	6	40	45	89	63	10	-28	-18
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto (Total)**	0	0	56	48	56	48	10	10	5	5	1	1	22	19	38	35	-18	-13	
	Taxi	0	0	84	72	84	72	14	14	7	7	1	1	33	28	55	50	-29	-22	
	Taxi Balanced	0	0	114	114	114	114	21	21	11	11	2	2	45	45	78	78	-29	-29	
	Truck	0	0	3	3	3	3	1	1	3	3	0	0	1	1	5	5	2	2	
	Total	0	0	173	165	173	165	32	32	19	19	3	3	68	65	121	118	-45	-40	-85
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto (Total)**	0	0	63	34	63	34	5	5	2	41	2	2	25	14	34	62	-29	28	
	Taxi	0	0	94	51	94	51	8	8	0	4	1	1	37	20	46	33	-48	-18	
	Taxi Balanced	0	0	98	98	98	98	12	12	4	4	2	2	39	39	56	56	-42	-42	
	Truck	0	0	0	0	0	0	0	0	1	1	0	0	0	0	1	1	1	1	
	Total	0	0	161	132	161	132	17	17	7	46	4	4	64	53	91	119	-70	-13	-83
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto (Total)**	0	0	36	31	36	31	6	6	7	5	2	1	14	12	29	24	-7	-7	
	Taxi	0	0	54	46	54	46	9	9	1	0	1	1	22	18	33	28	-21	-18	
	Taxi Balanced	0	0	73	73	73	73	14	14	1	1	2	2	29	29	45	45	-21	-21	
	Truck	0	0	0	0	0	0	0	0	9	9	0	0	0	0	9	9	9	9	
	Total	0	0	109	104	109	104	20	20	17	15	4	3	43	41	83	78	-19	-19	-38

Notes: 15% link-trip credit applied to local retail

Table B-6b, Transportation Planning Calculations for Projected Development Site 1, 515 7th Ave.

SITE 1, 515 7 AV.		No-Action						Wth-Action										
Land Use:		**Local Retail/**		**Hotel**		**Total**		**Local Retail/**		**Office**		**Residential**		**Total**		**Net Increment**		
Size/Units:		0 gsf		494 rooms				19,750 gsf		177,750 gsf		0 du						
Peak Hour Trips:																		
	AM	0		371		371		104		384		0		488		117		
	MD	0		650		650		656		480		0		1,136		486		
	PM	0		604		604		344		448		0		792		188		
	Sat MD	0		418		418		404		118		0		522		104		
Person Trips:																		
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto**	0	0	13	21	13	21	1	1	37	2	0	0	38	3	25	-18	7
	Taxi	0	0	25	40	25	40	2	2	4	0	0	0	6	2	-19	-38	-57
	Subway	0	0	35	55	35	55	3	3	253	11	0	0	256	14	221	-41	180
	Bus	0	0	4	7	4	7	3	3	52	2	0	0	55	5	51	-2	49
	Walk/Ferry/Other	0	0	67	104	67	104	43	43	22	1	0	0	65	44	-2	-60	-62
	Total	0	0	144	227	144	227	52	52	368	16	0	0	420	68	276	-159	117
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto**	0	0	32	27	32	27	7	7	5	5	0	0	12	12	-20	-15	-35
	Taxi	0	0	61	52	61	52	10	10	7	7	0	0	17	17	-44	-35	-79
	Subway	0	0	85	72	85	72	20	20	14	15	0	0	34	35	-51	-37	-88
	Bus	0	0	11	9	11	9	20	20	14	15	0	0	34	35	23	26	49
	Walk/Ferry/Other	0	0	163	138	163	138	271	271	191	207	0	0	462	478	299	340	639
	Total	0	0	352	298	352	298	328	328	231	249	0	0	559	577	207	279	486
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto**	0	0	36	19	36	19	3	3	2	43	0	0	5	46	-31	27	-4
	Taxi	0	0	69	37	69	37	5	5	0	4	0	0	5	9	-64	-28	-92
	Subway	0	0	95	51	95	51	10	10	15	294	0	0	25	304	-70	253	183
	Bus	0	0	12	7	12	7	10	10	3	60	0	0	13	70	1	63	64
	Walk/Ferry/Other	0	0	181	97	181	97	144	144	1	26	0	0	145	170	-36	73	37
	Total	0	0	393	211	393	211	172	172	21	427	0	0	193	599	-200	388	188
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto**	0	0	21	17	21	17	4	4	7	5	0	0	11	9	-10	-8	-18
	Taxi	0	0	40	34	40	34	6	6	1	0	0	0	7	6	-33	-28	-61
	Subway	0	0	55	47	55	47	12	12	48	33	0	0	60	45	5	-2	3
	Bus	0	0	7	6	7	6	12	12	10	7	0	0	22	19	15	13	28
	Walk/Ferry/Other	0	0	103	88	103	88	168	168	4	3	0	0	172	171	69	83	152
	Total	0	0	226	192	226	192	202	202	70	48	0	0	272	250	46	58	104
Vehicle Trips :																		
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto (Total)**	0	0	9	15	9	15	1	1	35	2	0	0	36	3	27	-12	
	Taxi	0	0	14	22	14	22	2	2	4	0	0	0	6	2	-8	-20	
	Taxi Balanced	0	0	29	29	29	29	3	3	4	4	0	0	6	6	-8	-8	
	Truck	0	0	2	2	2	2	0	0	3	3	0	0	3	3	1	1	
	Total	0	0	40	46	40	46	4	4	42	9	0	0	45	12	20	-19	1
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto (Total)**	0	0	23	19	23	19	7	7	5	5	0	0	12	12	-11	-7	
	Taxi	0	0	34	29	34	29	10	10	7	7	0	0	17	17	-17	-12	
	Taxi Balanced	0	0	46	46	46	46	15	15	11	11	0	0	26	26	-17	-17	
	Truck	0	0	1	1	1	1	0	0	3	3	0	0	3	3	2	2	
	Total	0	0	70	66	70	66	22	22	19	19	0	0	41	41	-26	-22	-48
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto (Total)**	0	0	26	14	26	14	3	3	2	41	0	0	5	44	-21	30	
	Taxi	0	0	38	21	38	21	5	5	0	4	0	0	5	9	-33	-12	
	Taxi Balanced	0	0	40	40	40	40	8	8	4	4	0	0	12	12	-29	-29	
	Truck	0	0	0	0	0	0	0	0	1	1	0	0	1	1	1	1	
	Total	0	0	66	54	66	54	11	11	7	46	0	0	18	57	-49	2	-47
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto (Total)**	0	0	15	12	15	12	4	4	7	5	0	0	11	9	-4	-3	
	Taxi	0	0	22	19	22	19	6	6	1	0	0	0	7	6	-15	-13	
	Taxi Balanced	0	0	30	30	30	30	9	9	1	1	0	0	10	10	-15	-15	
	Truck	0	0	0	0	0	0	0	0	9	9	0	0	9	9	9	9	
	Total	0	0	45	42	45	42	13	13	17	15	0	0	30	28	-10	-9	-19

Notes: 15% link-trip credit applied to local retail

Table B-6c, Transportation Planning Calculations for Projected Development Site 3a/3b, 349-355 W. 37th St.

SITE 3a/3b: 349-355 W 37 ST		No-Action						Wth-Action										
Land Use:		**Local Retail/**		**Hotel**		**Total**		**Local Retail/**		**Office**		**Residential**		**Total**		**Net Increment**		
Size/Units:		0 gsf		246 rooms				9,874 gsf		0 gsf		136 du						
Peak Hour Trips:																		
	AM	0		185		185		52		0		110		162		-23		
	MD	0		325		325		328		0		55		383		58		
	PM	0		301		301		172		0		121		293		-8		
	Sat MD	0		208		208		202		0		104		306		98		
Person Trips:																		
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto**	0	0	7	10	7	10	1	1	0	0	1	3	2	4	-5	-6	-11
	Taxi	0	0	13	20	13	20	1	1	0	0	1	3	2	4	-11	-16	-27
	Subway	0	0	17	27	17	27	2	2	0	0	11	41	13	43	-4	16	12
	Bus	0	0	2	3	2	3	2	2	0	0	1	4	3	6	1	3	4
	Walk/Ferry/Other	0	0	33	53	33	53	20	20	0	0	9	36	29	56	-4	3	-1
	Total	0	0	72	113	72	113	26	26	0	0	23	87	49	113	-23	0	-23
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto**	0	0	16	14	16	14	3	3	0	0	1	1	4	4	-12	-10	-22
	Taxi	0	0	31	26	31	26	5	5	0	0	1	1	6	6	-25	-20	-45
	Subway	0	0	42	36	42	36	10	10	0	0	15	11	25	21	-17	-15	-32
	Bus	0	0	5	5	5	5	10	10	0	0	2	1	12	11	7	6	13
	Walk/Ferry/Other	0	0	81	69	81	69	136	136	0	0	13	9	149	145	68	76	144
	Total	0	0	175	150	175	150	164	164	0	0	32	23	196	187	21	37	58
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto**	0	0	18	10	18	10	2	2	0	0	2	2	4	4	-14	-6	-20
	Taxi	0	0	34	18	34	18	3	3	0	0	2	2	5	5	-29	-13	-42
	Subway	0	0	47	25	47	25	5	5	0	0	32	26	37	31	-10	6	-4
	Bus	0	0	6	3	6	3	5	5	0	0	3	3	8	8	2	5	7
	Walk/Ferry/Other	0	0	91	49	91	49	71	71	0	0	27	22	98	93	7	44	51
	Total	0	0	196	105	196	105	86	86	0	0	66	55	152	141	-44	36	-8
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto**	0	0	10	9	10	9	2	2	0	0	2	1	4	3	-6	-6	-12
	Taxi	0	0	20	17	20	17	3	3	0	0	2	1	5	4	-15	-13	-28
	Subway	0	0	27	23	27	23	6	6	0	0	27	23	33	29	6	6	12
	Bus	0	0	3	3	3	3	6	6	0	0	3	2	9	8	6	5	11
	Walk/Ferry/Other	0	0	52	44	52	44	84	84	0	0	23	20	107	104	55	60	115
	Total	0	0	112	96	112	96	101	101	0	0	57	47	158	148	46	52	98
Vehicle Trips :																		
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM	**Auto (Total)**	0	0	5	7	5	7	1	1	0	0	1	3	2	4	-3	-3	
	Taxi	0	0	7	11	7	11	1	1	0	0	1	2	2	3	-5	-8	
	Taxi Balanced	0	0	15	15	15	15	2	2	0	0	3	3	4	4	-5	-5	
	Truck	0	0	1	1	1	1	0	0	0	0	0	0	0	0	-1	-1	
	Total	0	0	21	23	21	23	3	3	0	0	4	6	6	8	-9	-9	-18
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
MD	**Auto (Total)**	0	0	11	10	11	10	3	3	0	0	1	1	4	4	-7	-6	
	Taxi	0	0	17	14	17	14	5	5	0	0	1	1	6	6	-11	-8	
	Taxi Balanced	0	0	23	23	23	23	8	8	0	0	2	2	9	9	-11	-11	
	Truck	0	0	1	1	1	1	0	0	0	0	0	0	0	0	-1	-1	
	Total	0	0	35	34	35	34	11	11	0	0	3	3	13	13	-19	-18	-37
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
PM	**Auto (Total)**	0	0	13	7	13	7	2	2	0	0	2	2	4	4	-9	-3	
	Taxi	0	0	19	10	19	10	3	3	0	0	1	1	4	4	-15	-6	
	Taxi Balanced	0	0	20	20	20	20	5	5	0	0	2	2	6	6	-14	-14	
	Truck	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
	Total	0	0	33	27	33	27	7	7	0	0	4	4	10	10	-23	-17	-40
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
Sat MD	**Auto (Total)**	0	0	7	6	7	6	2	2	0	0	2	1	4	3	-3	-3	
	Taxi	0	0	11	9	11	9	3	3	0	0	1	1	4	4	-7	-5	
	Taxi Balanced	0	0	15	15	15	15	5	5	0	0	2	2	6	6	-7	-7	
	Truck	0	0	0	0	0	0	0	0	9	9	0	0	9	9	9	9	
	Total	0	0	22	21	22	21	7	7	9	9	4	3	19	18	-1	-1	-2

Notes: 15% link-trip credit applied to local retail

Pedestrians. For the projected development sites, pedestrian trips include not only walking trips, but also trips by public transit modes that include a walk segment of travel between the site and transit facilities such as subway station entries/exits and bus stops. As shown in **Table B-6a**, the projected development sites collectively would generate 184, 726, 339, and 319 peak-hour pedestrian trips in the weekday AM, midday, PM, and Saturday midday peak hours, respectively. However, given that Projected Development Sites 1 and 3a/3b are separated by two avenues and one street block, the concentration of action-generated incremental pedestrian trips should be examined for each site individually. For example, relatively few pedestrian trips generated by Site 1, located at the southeast corner of Seventh Avenue and W. 38th Street, would be expected to pass Site 3, which is located on W. 37th Street between Eighth and Ninth avenues. Therefore, for pedestrian analysis, the analysis should focus on the two sites separately. As shown in **Table B-6b**, Site 1 would generate more than 200 peak pedestrian trips in the weekday midday and PM peak hours, specifically it would generate 600 pedestrian trips in the weekday midday and 284 pedestrian trips in the weekday PM. As Site 1 would exceed the Level 1 screening threshold in those two peak hours, an assignment of action-generated incremental pedestrian trips was prepared. The assignment indicates that certain pedestrian facilities adjacent to the site would process 200 or more action-generated pedestrian trips in the weekday midday and PM peak hours. Accordingly, detailed analysis of pedestrian conditions at those locations is warranted and is provided in Attachment F. As indicated therein, the proposed action would not result in any significant adverse pedestrian impacts. As shown in **Table B-6c**, Site 3a/3b would not generate 200 or more pedestrian trips in any peak hour and therefore it would not exceed the Level 1 screening threshold and therefore significant adverse pedestrian impacts would not occur and no further assessment is warranted for that location. (As discussed in Attachment F, a small number of pedestrian trips generated by Site 3a/3b would pass by Site 1 and are accounted for in the analysis of Site 1 pedestrian elements.)

Air Quality: Stationary Sources

According to the guidance provided in the *CEQR Technical Manual*, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources." As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant adverse mobile source or stationary source air quality impacts. Per the EAS Form, further analyses of air quality mobile sources from action-generated and/or action-diverted vehicle trips and of emissions from industrial sources has been screened out in accordance with *CEQR Technical Manual* assessment screening thresholds. However, the proposed action would result in commercial uses that would both generate stationary source emissions, from HVAC systems, and are sensitive to emissions from stationary sources.

As indicated in Attachment G, "Air Quality," detailed stationary source analyses of the proposed action was conducted. As detailed therein, the proposed action would not result in any significant adverse air quality impacts. In order to preclude the potential for significant adverse stationary source air quality impacts, (E) designations would be recorded for the tax lots comprising development sites 1, 3, 4, and 5, specifying boiler fuel type and stack location restrictions for future developments on those sites. Refer to Attachment G for details.

Noise

The principal types of noise sources affecting the New York City environment are mobile sources (primarily motor vehicles), stationary sources (typically machinery or mechanical equipment associated with manufacturing operations or building heating, ventilating and air conditioning systems) and construction noise. The *CEQR Technical Manual* states that the initial impact screening for noise considers whether the project would: (1) generate any mobile or stationary sources of noise; and/or (2) be located in an area with existing high ambient noise levels. As discussed below, the proposed action would generate or divert vehicular traffic, but this would not represent a substantial new mobile source of noise. However, the proposed action would

facilitate the development of residential, hotel, and office under With-Action conditions, uses that are sensitive to ambient noise. As such, a more detailed assessment is warranted and is provided in Attachment H, "Noise." As detailed therein, the proposed action would not result in any significant adverse noise impacts.

Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources.

According to *CEQR Technical Manual* guidance, a public health assessment may be warranted if a project results in a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant adverse impacts to sensitive receptors from noise and odors; e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; or f) exceedances of accepted federal, state, or local standards.

As discussed herein, the proposed action requires detailed analysis of air quality due to the potential effects of emissions from stationary sources and detailed analysis of noise due to the introduction of noise sensitive uses in an area of existing ambient noise, resp. As described in their respective EAS attachments, the proposed action would not result in significant adverse air quality or noise impacts. Therefore, the proposed action does not have the potential to result in significant adverse public health impacts and further assessment is not warranted.

Neighborhood Character

Neighborhood character is an amalgam of various elements that give neighborhoods their distinct "personality." According to the *CEQR Technical Manual*, a preliminary assessment may be appropriate if a project has the potential to result in any significant adverse impacts on any of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise. As the EAS is providing assessments of socioeconomic conditions (Attachment C) and historic and cultural resources (Attachment E), a preliminary screening analysis is necessary to determine if a detailed neighborhood character analysis is warranted.

The *CEQR Technical Manual* also states that for projects not resulting in significant adverse impacts to any technical areas related to neighborhood character, additional analyses may be required to determine if the proposed project would result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. However, the *CEQR Technical Manual* indicates that neighborhood character impacts are rare and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects in the neighborhood would result in any significant adverse impact to neighborhood character.

Preliminary Assessment

Per the *CEQR Technical Manual*, a preliminary assessment determines whether changes expected in other technical areas may affect a contributing element of neighborhood character. The assessment should answer the following two questions: (1) What are the defining features of the neighborhood?; and (2) Does the project have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas?

In the case of the SGCD, the defining features would be considered the built environment of prevailing mid and high rise streetwall buildings, predominantly large footprint lofts and hotels built in the 1920s and '30s, with a smaller number of similarly massed post-war buildings. Generally, these feature high bases with the taller buildings providing setbacks at the upper floors, creating a particularly cohesive streetscape for a Midtown Manhattan neighborhood. Although predominating, there are newer buildings that in many cases are set back from the front lot line at the street and rise without setbacks. In addition to the distinctive buildings dating from the area's emergence as the Garment District, thematically this identity is reinforced by totems of the industry, such as the co-naming of Seventh Avenue as Fashion Avenue, the Fashion Walk of Fame (sidewalk plaques) also on Seventh-Fashion Avenue, and public art (the "Garment Worker" statue and "Needle Threading a Button" sculpture in front of 555 Seventh Avenue). As discussed in Attachments C and E, historically a related socioeconomic feature that defined the area was the concentration of firms and workers performing a variety of roles in the garment industry. However, the garment industry, and even the broader fashion industry, now forms only a portion of the employment in the area. Today, the Garment District comprises a diverse mix including offices of technology firms, non-profits, and other fields, as well as arts spaces and an increasing number of hotels. As such, although retaining a presence in the area the garment industry, though part of the mix of business activity in the area, no longer forms a defining socioeconomic feature as the term is used in CEQR neighborhood character analyses.

Per the shadows; historic and cultural resources; and urban design and visual resources analyses provided in this EAS, the proposed action would not have a significant adverse impact or moderate effects on the area's defining features. The proposed contextual bulk modification text amendment would require new buildings to have envelopes more similar to the prevailing loft building typology. As compared to the No-Action scenario, in which the recent trend of buildings set back at the ground level from the street could continue, the proposed action would result in buildings with volumes more compatible with the area's defining streetwalls with setbacks above a high base, harmonious with the generally cohesive built environment that characterizes the neighborhood. Accordingly, there would be no action-generated significant adverse neighborhood character impacts.

Summary

The proposed action would not be considered to have any significant effects on any of the technical areas relating to neighborhood character. Furthermore, significant adverse impacts to neighborhood character would not occur due to combination of moderate effects as the proposed action would not result in any effects considered to be reasonably close to a significant adverse impact threshold for any technical areas related to neighborhood character. Accordingly, a detailed neighborhood character assessment can be screened out, and no significant adverse neighborhood character impacts would occur.

ATTACHMENT C:
SOCIOECONOIMC CONDITIONS

Garment Center Text Amendment EAS
Attachment C: Socioeconomic Conditions

A. INTRODUCTION

This attachment describes the socioeconomic changes that could result from the proposed action, and assesses whether such changes could result in significant adverse impacts. As described in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, 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. Even when socioeconomic changes would 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. In some cases, these changes may be substantial but not adverse. In other cases, these changes may be good for some groups but bad for others. The objective of the CEQR analysis is to disclose whether any changes created by a proposed action would have a significant impact compared to what would happen in the future without the proposed action.

CEQR Technical Manual guidance recommend examination of five ways in which a project could alter socioeconomic conditions: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. As described in Attachment A, "Project Description," DCP and EDC are proposing a text amendment to the New York City Zoning Resolution (ZR), Article XII, Chapter 1, Special Garment Center District (SGCD). The proposed action includes: (1) establishing a special permit to allow hotel uses in the SGCD, i.e. hotel uses would not be allowed as-of-right[1] (the "hotel special permit text amendment"); (2) removing restrictions on conversion of floor area from manufacturing and warehousing to office, residential, and/or hotel use which now exist on sites in SGCD Preservation Areas P1 and P2 (the "lifting of preservation requirements text amendment"); (3) changing height and setback bulk regulations in the portion of the SGCD zoned M1-6 to require contextual building designs (the "contextual bulk text amendment"); (4) subjecting the M1-6 portion of the SGCD to C6-4 sign regulations ("sign text amendment"); and (5) limit conversion of manufacturing and warehousing space in existing buildings of 70,000 square feet (sf) or larger in Preservation Area P2 (the "C6-4M conversion text amendment"). The proposed action is intended to support continued job growth in the SGCD, including the need for flexible, small-scale office space, and curb hotel development in the Garment Center in order to maintain a stabilized garment manufacturing industry and create a dynamic Midtown district. As a result of the proposed action, the Garment Center will continue to serve as the City's center for the fashion industry by continuing to allow apparel manufacturing uses as-of-right while meeting the growing demand for fashion-based office uses.

The reasonable worst-case development scenario (RWCDS) for the proposed action detailed in Attachment A identifies three projected development sites in the SGCD that would be redeveloped in both the No-Action and With-Action conditions.[2] In the 2027 future with the proposed action, the hotel special permit text amendment would potentially result in changes to the future program of new

[1] Currently, in the SGCD hotels are allowed as-of-right in new buildings in the preservation area and in new or converted buildings outside the preservation area. In P2, conversion of buildings of 70,000 sf or more from manufacturing to other uses including hotel are subject to preservation requirements.

[2] Per *CEQR Technical Manual* guidance, only projected development sites are assessed in a socioeconomic conditions analysis, as they are more likely to be redeveloped than potential development sites.

development sites in the special district as compared to the future without the proposed action in which it is likely that such sites would continue the recent trend of hotel development. As detailed in Attachment A, under No-Action conditions, all three projected development sites would be redeveloped with hotel uses. In the future with the proposed action, Projected Development Site 1 would be redeveloped with an office building with lower-level retail space; Projected Development Site 2 would be redeveloped as a hotel pursuant to a hotel special permit; and Projected Development Site 3 would be redeveloped with a residential building with lower-level retail space (refer to Attachment A for more details).

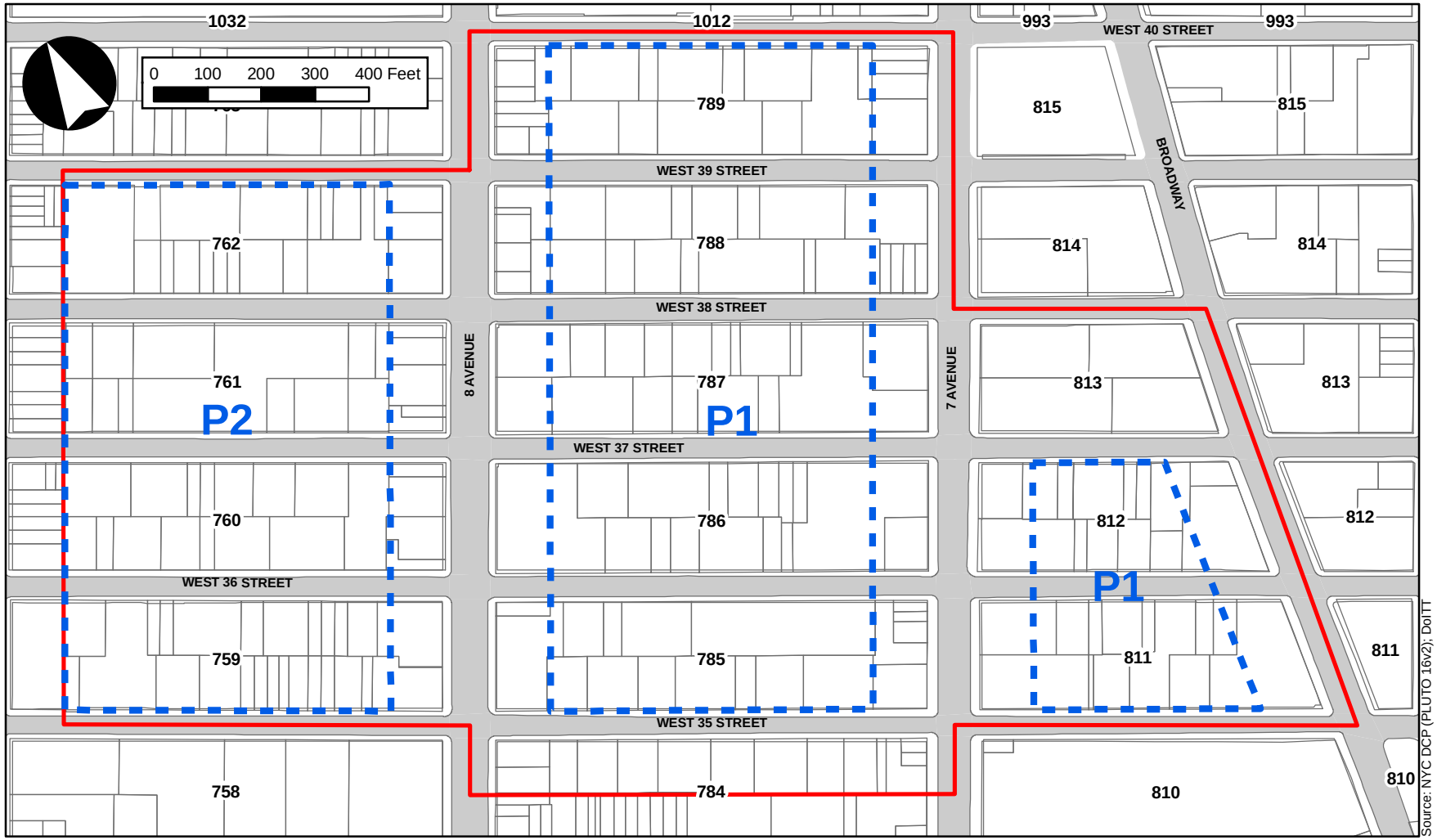
The other proposed components of the text amendment are not expected to result in any incremental change in use or density. Additionally, the contextual bulk text amendment is not anticipated to directly generate any new development, but would result in different buildings volumes under With-Action conditions as compared to No-Action conditions, including streetwall and roof height changes. In addition to requiring building bases that are consistent with the prevailing loft character of the area, this text amendment is also intended to allow floor layouts compatible with office uses. As such, the contextual bulk text amendment would be supportive of the hotel special permit zoning text amendment, which aims to promote a diverse range of uses, including allowing opportunities for office use, on the limited number of remaining development sites in the special district. The proposed action would result in changes in uses on the three identified projected development sites between future No-Action and With-Action conditions, with a net increase of approximately 136 residential dwelling units (DUs), approximately 177,750 sf of commercial office space, and approximately 29,624 sf of retail space (as well as a net decrease of 1,320 hotel rooms).

As such, the proposed action would not result in any direct residential or business displacement, or exceed *CEQR Technical Manual* thresholds for analysis of potential indirect residential or indirect business displacement (i.e. the development of over 200 DUs and/or 200,000 sf of commercial office space). However, as the SGCD was created to maintain the viability of apparel manufacturing in the Garment Center through the creation of mid-block Preservation Areas (refer to **Figure C-1**), the proposed action could affect conditions within a specific industry- the fashion industry and related apparel/garment manufacturing. Therefore, an analysis of the proposed action's effect on this industry is warranted and is provided in this attachment.

B. PRINCIPAL CONCLUSIONS

Based on the analysis of the three identified RWCDS projected development sites, there would be no direct or indirect displacement of the fashion industry or related apparel/garment manufacturing as a result of the proposed action. While the proposed action would remove special zoning preservation requirements, underlying zoning would continue to allow fashion and apparel manufacturing uses as-of-right. Long-term trends in the area and the garment industry have demonstrated the ineffectiveness of zoning as a public tool in stabilizing the industry, much less retaining garment industry businesses in the Garment Center area. For example, as detailed below, recent 2017 surveys of the Preservation Areas and greater Garment Center area revealed that approximately half of all apparel manufacturers in the Garment Center were located outside of the Preservation Areas. The survey reported that apparel manufacturers occupied 1.4 million sf of space in the Garment Center, of which 51.2 percent (approximately 716,442 sf) was located in the Preservation Areas.[3] It is anticipated that the land use trend of garment industry businesses moving from the Garment Center area would occur regardless of the proposed action, and therefore, the proposed action would not significantly impair the fashion and

[3] Surveys of the Garment Center conducted by the GCSA and GDA in 2017.



Legend

Special Garment Center District Boundary

Preservation Area Boundary

759 Block Number

Figure C-1
Socioeconomic Study Area

garment industries from continuing to operate in the Garment Center, and would not impair the economic health of the fashion industry throughout the City.

As also discussed in more detail below, the City's comprehensive package of support for fashion production in the Garment District, including the Garment Center Industrial Development Agency (IDA) Program, the capital commitment to facilitate a building acquisition, and a suite of support initiatives for fashion manufacturers, follows recommendations made by the Garment Center Steering Committee[4] based on the use of non-zoning strategies to support the continued presence of garment manufacturing in the Garment Center area that could be implemented. The plan is independent of the proposed action and would not be expected to exacerbate any socioeconomic conditions such that there would be any significant impacts in combination with the proposed action. Rather, implementation of the components of the support package would be expected to slow the long-term trend of garment industry businesses leaving the Garment Center.

As detailed in Attachment A, "Project Description," all three projected development sites are expected to be redeveloped regardless of the proposed action. Additionally, as detailed above, based on documented long-term and recent trends, the presence of apparel manufacturing is expected to continue to decline in the SGCD in the 2027 futures without and with the proposed action. Under the No-Action condition, it is projected that apparel manufacturing employment in the SGCD will decrease from 4,426 jobs in 2016 to approximately 2,856 in 2027, and will make up 4.3 percent of total employment within the SGCD in 2027, as compared to 7.9 percent in 2016.[5] The proposed action is not anticipated to significantly alter these employment projections. Various factors, including globalization and trade policy, advancements in technology and automation, changes in production, shifts in land value, and the geographic evolution of the industry, will continue to act as the driving determinants of the apparel industry's decline in the futures without and with the proposed action. Therefore, the proposed action is not expected to have a significant adverse effect on the apparel manufacturing industry and the broader fashion industry in New York City, but rather, is expected to help bring existing nonconforming office spaces in the SGCD Preservation Areas into compliance with the New York City Zoning Resolution.

While the proposed action may contribute to potential expedited conversions, the net impact on the long-term land use trends is anticipated to be minimal, given the historic lack of compliance with the existing preservation requirements. In the future without the proposed action, conversions to office and showroom space are likely to continue to increase in the area while manufacturing is likely to continue to decline, based upon established trends. However, it is possible that there may be some specific cases where, as a result of the zoning change, some spaces may get converted to office that would not convert absent the proposed action. As the number of these spaces is likely to be small and not significant in light of the historic trends of the district, particularly over the past 20 years, it is not expected that there would be a significant change in the future as a result of the proposed action.

The proposed action is not expected to affect the hotel or tourist industry in the future condition. There are currently 21 hotels open or under construction with over 5,000 rooms in the Garment District. The area already has a large number of transient rooms available or under construction to serve the area. These rooms will provide a reservoir of hotels to meet area demand. Adjacent areas to the Garment

[4] As discussed Attachment A, "Project Description," the Garment Center Steering Committee was formed in May 2017 with the purpose of identifying non-zoning strategies to support the continued presence of garment manufacturing in mid-Manhattan that could be implemented by the City.

[5] As detailed in **Table C-16** below, apparel manufacturing is an aggregation of 12 NAICS codes, listed in the Appendix following this attachment. Apparel manufacturing employment projections are based on the 2000-2016 annual average rate of change of -3.6 percent in the Preservation Areas and -4.3 percent outside of the Preservation Areas, as provided by the NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2016 and NYC DCP HEIP Division (April 2018).

District in Midtown Manhattan will continue to permit new hotels in the future condition. These areas already have thousands of hotel rooms with more under construction and in planning. Within the Garment District, there are relatively few underdeveloped sites that would remain available for redevelopment as hotels. This makes creation of substantial additional hotels unlikely in both the futures without and with the proposed action (the latter requiring a Special Permit as discussed above). It should be noted that DCP has proposed additional restrictions on hotels in M1 zoning districts on a citywide basis. That citywide analysis will project future demand for hotels and examine the needs of the tourist industry.

Additionally, the proposed hotel special permit is not expected to affect Homeless Services. Those services will continue to be permitted within the Garment District in the future with the proposed action. Existing rules regarding the use of transient occupancy hotels for hotels by the Department of Homeless Services, or other social service uses, will not change as a result of this proposal.

C. METHODOLOGY

The objective of a CEQR analysis is to disclose whether any changes created by the proposed action (the "With-Action" condition) would have a significant impact compared to what would happen in the future without the proposed action (the "No-Action" condition). Specific industries or institutions within these broader groups can typify an area, such as the SGCD in Midtown Manhattan, the government and courts center in the Foley Square area of Lower Manhattan or Downtown Brooklyn, or the concentration of hospitals and health care facilities in the East 60s in Manhattan.

Even where a proposed action does not directly or indirectly displace businesses, it can affect the operation of a major industry or commercial operation in the City. In these cases, the CEQR review assesses the economic impacts of the action on the industry in question. Under CEQR, socioeconomic assessments should be conducted if an action is reasonably expected to create substantial socioeconomic changes within the area affected by the action that would not be expected to occur absent the action.

This attachment is based on the preliminary and detailed assessment methodologies established in the *CEQR Technical Manual* for an assessment of the proposed action's effect on a specific industry. According to CEQR, the purpose of a preliminary assessment is to learn enough about the effects of the proposed action to either rule out the possibility of significant adverse impacts, or to determine that a more detailed analysis is required to resolve the issue. A detailed analysis, when required, is framed in the context of existing conditions, and evaluations of the future without the proposed action and the future with the proposed action by the analysis year (2027). Specific development projects that are expected to occur in the future without the proposed action are identified, as well as the possible changes in socioeconomic conditions that would result in the No-Action condition, such as potential increases in population, changes in rents, new commercial or industrial uses, or changes in employment. Those conditions are then compared to the future with the proposed action to determine the potential for significant adverse impacts.

Terminology

In regards to terminology, there are considerable overlaps between the terms fashion industry, apparel industry, garment industry, and textile industry, all of which are referenced in the socioeconomic analysis below.

- *Textile:* The textile industry is primarily concerned with the design and production of yarn, cloth, and fabrics made from raw materials;

- *Garment/Apparel:* The garment- and apparel industries are often used interchangeably and include two distinct manufacturing processes: (1) cut and sew (i.e., purchasing fabric and cutting and sewing to make a garment), and (2) the manufacture of garments in an establishment that first knit fabric and then cut and sew fabric into a garment. (As discussed below, the garment- and apparel industries are key components of the fashion industry.); and

- *Fashion:* The fashion industry encompasses the design, manufacturing, distribution, marketing, retailing, advertising, and promotion of all types of apparel (men's, women's, and children's), and as such, the textile-, garment- and apparel industries are all subsectors of the wider fashion industry.[6]

For the purposes of consistency and clarity, this attachment examines the potential for the proposed action to significantly affect business conditions in the apparel manufacturing industry and the broader fashion industry. To undertake the analysis, the apparel industry is summarized in terms of its overall economic profiles and current and historic employment trends in the Garment District, as well as in the greater City and nationally. This is followed by an assessment of how the proposed action could alter future conditions for this industry.

It should be noted that, as discussed in the analysis below, these definitions are further refined by the North American Industry Classification System (NAICS), which categorizes business establishments for the purposes of collecting, analyzing, and publishing statistical data related to the U.S. economy. The Appendix at the end of this attachment summarizes the NAICS codes utilized in the following socioeconomic assessment.

Sources

Employment data were obtained from New York State Department of Labor (NYSDOL), Quarterly Census of Employment and Wages (QCEW), U.S. Census's County Business Patterns, U.S. Economic Census, and the U.S. Bureau of Labor Statistics (BLS). Various peer-reviewed journals and reports were also utilized, including pieces from the *Monthly Labor Review* and the *Journal of Economic Perspectives*. Rent data was compiled from CoStar as well as Cushman & Wakefield's Manhattan Office MarketBeat Reports. The analysis also utilizes information and employment data as researched by New York City's Department of City Planning (DCP), including the Housing, Economics, and Infrastructure Planning (HEIP) Division as well as DCP's Primary Land Use Tax Lot Output (PLUTO) data and Land Use and CEQR Application Tracking System (LUCATS). Additional sources include the New York City Economic Development Corporation (NYCEDC), the Garment District Alliance (GDA), the Garment Center Suppliers Alliance (GCSA), the New York City Department of Buildings (DOB), and the New York City Board of Standards and Appeals (BSA).

[6] U.S Department of Labor, Bureau of Labor Statistics, *Industries at a Glance: Apparel Manufacturing: NAICS 315&* U.S. Department of Labor, *Report to Congress: The Past, Present and Future of Employment in the Textile and Apparel Industries: An Overview* (May 2004) 35-36.

D. PRELIMINARY ASSESSMENT OF THE PROPOSED ACTION'S SOCIOECONOMIC IMPACTS

According to the *CEQR Technical Manual,* a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes within the area affected by the project that would not be expected to occur without the project. As the proposed action may affect conditions within the City's garment and apparel industry and could adversely affect its economic and operational conditions within the Garment District, further assessment is warranted.

According to the *CEQR Technical Manual,* a significant adverse impact may occur if an action would measurably diminish the viability of a specific industry that has substantial economic value to the City's economy. An example cited in the *CEQR Technical Manual* would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries and would affect the operation and viability of these specific industries. The *CEQR Technical Manual* indicates that a more detailed examination is appropriate if the following considerations cannot be answered with a clear "no":

- ***Would the proposed action significantly affect business conditions in any industry or any category of businesses within or outside the study area?***

  The apparel manufacturing industry, with its long history in the SGCD, could be directly affected by the proposed action, as the special zoning designation was established in 1987 to help protect apparel manufacturing jobs in the City by creating Preservation Areas in selected mid-blocks and to limit increased conversion of industrial lofts to office use. The proposed action would alter the existing controls and protective measures of the SGCD, and therefore, there is potential for adverse effects on this specific industry. As such, a detailed assessment of the proposed action's potential effect on the apparel manufacturing industry and the broader fashion industry is warranted.

- ***Would the proposed action indirectly substantially reduce employment or impact the economic viability in the industry or category of businesses?***

  As noted above, the proposed action could potentially have some indirect impact on the apparel manufacturing industry and broader fashion industry that could potentially reduce employment within these industries. Therefore, a more detailed assessment is warranted.

As the two questions listed above cannot be answered with a clear "no," according to the *CEQR Technical Manual,* a more detailed examination is required. As such, a detailed assessment is provided in Section E.

E. DETAILED ASSESSMENT OF THE PROPOSED ACTION'S POTENTIAL EFFECTS ON THE FASHION INDUSTRY AND RELATED APPAREL/ GARMENT MANUFACTURING

Per CEQR guidance, if it has been determined that a socioeconomic impact may be likely or cannot be ruled out based on the preliminary assessment, a detailed analysis is suggested. The detailed analysis aims to describe existing and anticipated future conditions to a level necessary to understand the relationship of the proposed action to such conditions, and assesses the change that the proposed action would have on these conditions, identifying any changes that would be significant and potentially adverse. The proposed action would modify the existing controls and protective measures of the SGCD, which had been established to help protect apparel manufacturing jobs in the City. Therefore, this section

assesses the effects of the proposed text amendment on the apparel manufacturing industry and the broader fashion industry.

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Study Areas

As discussed in detail below, historically the fashion industry was concentrated in the Garment Center of Manhattan, which is defined as the area roughly bounded by Fifth Avenue to the east, Ninth Avenue to the west, 42nd Street to the north, and 34th Street to the south. The City sought to protect and enhance the garment industry's employment base in apparel manufacturing as well as wholesaling, design, showrooms, retail and related businesses that support the industry through the creation of the SGCD in 1987. It aimed to retain adequate wage- and job-producing industries within the Garment Center; preserve apparel production; and limit the conversion of manufacturing and warehousing space to office use on the District's mid-blocks.

In accordance with the guidance of the *CEQR Technical Manual*, there is no specific study area associated with the assessment of adverse effects on a specific industry, as the analysis is based on an industry-wide context rather than a physical geographic area. However, the proposed action consists of a text amendment which would directly affect and amend existing land use regulations within the Preservation Areas of the SGCD, eliminating restrictions on conversion of floor area from manufacturing and warehousing space to office, residential, and/or hotel use. As such, the assessment of the proposed action's potential adverse effects on the apparel industry focuses on the employment and business characteristics of the two Preservation Areas, local real estate market trends in Midtown Manhattan, and the business conditions of the two Preservation Areas compared to Manhattan and New York City. **Figure C-1** shows the SGCD boundary (the "Study Area") and the two Preservation Areas of the SCGD ("P1" and "P2"), which encompass the mid-blocks, i.e., portions of blocks located more than 100 feet from north-south avenues. The study area is generally bounded by W. 40th Street to the north, Broadway to the east, W. 35th Street to the south, and Ninth Avenue to the west.

When defining an appropriate study area, it was determined that the inclusion of a 400 foot, 0.25 mile, or 0.5-mile buffer was not necessary since the zoning regulations found in the districts surrounding the SGCD are more permissive than the regulations within the SGCD under both the future No-Action and With-Action conditions. Additionally, as the proposed action would not generating any new development, it was determined that the surrounding area was not relevant to this socioeconomic analysis.

Introduction

The fashion industry has evolved significantly over the last several decades. Apparel manufacturing, which converts fabrics produced by the textile industry into clothing and other finished goods to be sold on the retail market, is only one component of the fashion industry today. In addition to be being cut, sewn, and assembled, clothing and apparel garments and other products may be designed, spread, pressed, dyed, washed, transported, and marketed to consumers – functions related to a variety of occupations within the industry.

Fashion is a highly diverse creative industry that encompasses a wide range of occupations or industry sectors including but not limited to retail, wholesale, warehousing, design, and manufacturing. According to a report prepared by the U.S. Congress's Joint Economic Committee Democratic staff, fashion is a $1.2 trillion global industry. Consumers in the U.S. spend more than $250 billion annually on fashion, and approximately 1.9 million people are employed in fashion and apparel industries in the U.S. The two largest centers of fashion in the U.S. are New York City and Los Angeles, which are home to more than two-thirds of fashion designers in the country.[7]

The fashion industry is a very significant industry within the City, employing nearly 182,200 people as of 2015. Over 80 percent of New York City fashion jobs were in retail and wholesale, 59 percent and 23 percent respectively, with design, manufacturing, and management making up the remainder of the industry. In total, the fashion industry accounted for slightly more than five percent of total private employment in the City in 2015. New York City has approximately 13,300 firms based in the fashion industry.[8]

[7] U.S. Congress Joint Economic Committee Democratic Staff, *The Economic Impact of the Fashion Industry* (Feb. 6, 2016).
[8] NYSDOL, QCEW (2015).

Background and Historic Trends of the Garment Industry

Emergence of the Garment Industry in the United States

Until the mid-19th century, most clothing was sewn at home or by local tailors and dressmakers. However, two events in the 1840s had a massive impact on the garment industry, resulting in the emergence of mass-produced, ready-to-wear clothing: the invention of the sewing machine and the founding of large department stores. The technological innovation of the sewing machine resulted in the ability for large-scale production of ready-made clothing, and the development of department stores provided an outlet for the sale of these garments to the wider public.

Large-scale manufacturing of ready-to-wear clothing subsequently emerged in several major eastern American cities, including Boston, New York, and Philadelphia. However, New York City's prominence as the country's major port, dry-goods distribution center, largest textile manufacturing center, and hub of culture and media (including fashion magazine publications), in addition to the construction of several department stores in Manhattan, resulted in the City's rise as the center of the American garment industry by the 1880s. Additionally, the significant number of immigrants settling in New York City during the late-19th and early-20th centuries provided inexpensive labor for the rapidly expanding industry.

It is estimated that by 1890, approximately 44 percent of all ready-to-wear clothing sold in the U.S. was made in New York City. By 1899, 65 percent of the total value of American-made women's wear came from New York City, while 53 percent of all workers in the American ladies' garments industry worked in New York City, rising to 65 percent only five years later. By 1909, men's and women's clothing manufacturing were the largest two industries in New York City, and by 1910, the garment industry employed approximately 46 percent of the City's industrial labor force.[9]

Formation of the Garment Center in Southern Midtown Manhattan

The location of New York City's Garment Center occurred as a result of powerful economic and political forces in the early-20th century. During the late-19th and early-20th centuries, fashionable residential districts continued to move north along Fifth Avenue in Manhattan in an effort by the City's wealthiest citizens to distance themselves from the increasingly congested conditions of Lower Manhattan, which was absorbing hundreds of thousands of immigrants and in turn developing rapidly. Department stores followed this movement uptown in order to be close to well-to-do shoppers, trailed by the garment factories and showrooms that produced the clothing for these stores. It is estimated that between 1900 and 1910, the number of garment workers employed in the vicinity of Fifth Avenue nearly doubled. However, the wealthy residents of Fifth Avenue did not like the influx of immigrant garment workers in their neighborhoods during commuting and lunch hours, and organized an effort to move the garment industry. The 1916 Zoning Resolution created specific areas of the City where new garment-related buildings could be constructed, establishing what is now known as the Garment Center (refer to Attachment E, "Historic & Cultural Resources" for further discussion).[10]

During the 1920s and 1930s, the garment industry was the largest industry in New York City and the fourth largest industry in the U.S. In 1920, for example, the women's garment industry alone employed approximately 165,000 people in New York City. By 1925, approximately 78 percent of the total value of American-made women's wear was produced in the City. By the end of the 1930s, approximately 75

[9] *Garment Center Historic District State & National Register Nomination Report*, Sections 7 & 8 (2008) & Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).
[10] Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).

percent of ready-made coats and dresses and 80 percent of fur garments worn by American women were produced in New York City.

A development boom occurred in the newly established Garment District as a response to an increasing demand for space in the 1920s and 1930s. The district proved ideal for the industry as it had access to a number of transit lines, shipping centers, and newly constructed department stores. Additionally, the Garment Center was located in close proximity to Penn Station, which when constructed in 1910 spurred the development of large hotels catering to out-of-town visitors, including potential garment industry buyers. As such, the area's new loft buildings were designed to house all aspects of the garment industry, with office space and showrooms as well as manufacturing and production facilities.[11]

Evolution of the Fashion Industry During the 20th Century

Although the Garment Center retained its importance as the center of the American garment industry during the mid- to late-20th century, the economics of the industry began to change after the Second World War. Rents and garment workers' wages in New York City were rising, as a result of demand for new development and unionization of the industry. With improvements in transportation and communication, manufacturers were able to move standardized production activities to cheaper facilities outside of New York City – first to New Jersey and Pennsylvania, then to southern states, and eventually internationally. From 1947 to 1956, it is estimated that the dress, coat, suit, and skirt industries in the Garment District lost a combined 22,000 jobs.[12]

High-end manufacturers who could afford increased rents and wages remained in the Garment Center, utilizing the resources of new institutions in the area such as the Fashion Institute of Technology (FIT) established in 1944, and new fashion programs at Pratt Institute and the Parsons School of Design. These manufacturers were also able to take advantage of New York City's prestige as a worldwide cultural center and junction for the wealthy, with potential clients visiting frequently. During this time, New York City emerged as a world capital of high-end fashion, with designers creating their own labels and beginning to market their apparel at local events and in magazine interviews. Over the course of the late-20th century, the City was an incubator for the latest fashion innovations, which became the root of the Garment Center's continued success.[13]

Concurrently, the garment industry was rapidly evolving in order to keep up with major lifestyle changes in the 1950s and 1960s. During this time, significant amounts of people were moving to the suburbs, leading to more casual lifestyles requiring more casual clothing. Referred to as "sportswear" or "separates," these new clothes could be freely mixed and matched by consumers. As standardized sportswear required more section work on the part of the garment manufacturer, more space was needed for production. The densely developed Garment Center did not have the capacity to handle this increased need, and as such, designers began to look elsewhere for manufacturing centers that could produce the required volumes of standardized clothing.[14] Between 1958 and 1977, the number of garment manufacturing firms in Manhattan reduced by half, from 10,329 to 5,096.[15]

Growing competition outside the U.S. had significant impacts on apparel manufacturing in both New York City and the U.S. By 1980, imports accounted for half of all clothing in the U.S., highlighting the shift in the global market share as apparel production became more prominent in cities such as Hong

[11] *Garment Center Historic District State & National Register Nomination Report*, Sections 7 & 8 (2008).
[12] Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).
[13] *Garment Center Historic District State & National Register Nomination Report*, Sections 7 & 8 (2008) & *42nd Street Development Project FEIS* (1994).
[14] Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).
[15] Zukin, Sharon. *Loft Living: Culture and Capital in Urban Change* New Brunswick: Rutgers University Press (1989), p. 27.

Kong, Seoul, and Dhaka.[16] Although the apparel industry remained New York City's largest manufacturing sector during the second half of the 20th century, by the 1980s the rate of New York City's apparel industry decline greatly outpaced the national industry averages. From 1967 to 1982, national apparel manufacturing employment fell by 18 percent, while Manhattan's apparel manufacturing employment fell by 45 percent. Additionally, Manhattan's share of national apparel wholesale sales dropped from over 60 percent of the national total in 1967 to 45 percent of the national total in 1982.

National Decline in Apparel Manufacturing Employment

Employment levels within the textile and apparel manufacturing industries in the U.S. have declined throughout the last several decades. Employment in the textile and apparel industries totaled approximately 2.1 million in 1939, which represented roughly 20 percent of all manufacturing employment in the U.S. Approximately one in every 20 non-farm workers in the U.S. economy by the end of the 1930s was employed in the textile and apparel industries. While employment in textiles industries declined within the 1950s and 1960s, employment within the apparel industry increased by more than 500,000 workers from slightly more than 900,000 workers in 1939 to more than 1.4 million workers at the end of the 1960s, peaking in 1973 with more than 1.4 million workers.[17]

Since 1973, the textile and apparel industries have experienced a continuous decline in employment levels, as a result of globalization, technological advances, and resulting changes in production. By 1996, employment in the apparel manufacturing had declined to 864,000 workers, a 38 percent decrease from 1.4 million workers in 1973. Over the same time period, total U.S. manufacturing declined eight percent and employment among all American workers rose 56 percent.[18] Most of the lost manufacturing jobs during this time can be attributed to import penetration and the push by domestic manufacturers toward offshore production, as detailed below.[19]

In the first decades of the 21st century, the sharpest employment declines in the textile and apparel industries occurred in the apparel manufacturing sector. By 2003, employment levels in apparel manufacturing were roughly one third of levels in 1990. Much of this loss occurred within the cut and sew apparel industries, which lost roughly a half a million jobs between January 1990 and September 2003.[20] From 1996 to 2011, the U.S. apparel manufacturing industry averaged 323 mass layoff events per year. In 1996, apparel manufacturing layoffs peaked with a total of 706, which may be attributed to the passing of the North American Free Trade Agreement (NAFTA)[21] and the extension of China's most-favored-nation trade status, which both occurred in 1994.[22]

[16] Waldinger, *Eye of the Needle*, p. 117.
[17] U.S. Department of Labor, *Report to Congress: The Past, Present and Future of Employment in the Textile and Apparel Industries: An Overview* (May 2004) p. 35-36.
[18] Mittelhauser, Mark. "Employment Trends in Textiles and Apparel, 1973-2005," *Monthly Labor Review* (Aug. 1997) 24-35
[19] *New York City Garment Center Study: Program and Zoning Recommendations* (1986).
[20] U.S. Department of Labor, *Report to Congress: The Past, Present and Future of Employment in the Textile and Apparel Industries: An Overview* (May 2004) 44.
[21] The North American Free Trade Agreement is an agreement signed by Canada, Mexico, and the U.S., creating a trilateral trade bloc in North America. Implemented in January 1994, the goal of NAFTA was to eliminate barriers to trade and investment between the three nations.
[22] U.S. Bureau of Labor Statistics, *Fashion: Spotlight on Statistics* (June 2012). A mass layoff event occurs when 50 or more initial claims for unemployment insurance benefits are filed against an employer during a five-week period, regardless of the duration of the layoff.

TABLE C-2: U.S. Employment in Apparel Manufacturing, 1990 to 2015

Year	Apparel Manufacturing[1]	Percent Change[2]
1990	902,800	-
1995	791,100	-12.4%
2000	483,500	-38.9%
2005	250,500	-48.2%
2010	156,600	-37.5%
2015	136,300	-13.0%

Source: U.S. Bureau of Labor Statistics (BLS), Current Employment Statistics (CES).
Notes: [1] Apparel manufacturing includes cut and sew apparel contractors; men's and boy's cut and sew apparel; women's and all other cut and sew apparel; and all other apparel manufacturing.
[2] Calculations represent percent change in U.S. apparel manufacturing employment from prior year.

Table C-2 provides employment estimates for the apparel manufacturing sector at the national level using data from the U.S. Bureau of Labor Statistics (BLS) Current Employment Statistics (CES) from 1990 to 2015. The data table clearly indicates a steady decline in apparel manufacturing workers within the last 25 years with the most significant declines occurring within the early 2000s.

Macroeconomic Industry Trends: Effects of Globalization and Technological Advances

A significant trend in the late-20th century was the growing interconnectedness of the international economy, and the opening of new markets in developing countries. Although most job losses in the U.S. apparel industry during the late-20th and early-21st centuries occurred as a result of jobs moving offshore and increased competition from international markets, a significant part of the decline occurred as a result of production changes implemented by companies in order to stay competitive. During this time, many apparel firms attempted to reinvent themselves in the face of the new challenges by investing in new technologies, merging to reduce costs, industrial restructuring, and outsourcing certain operations abroad. These changes resulted in significant domestic job losses in apparel manufacturing. [23]

Effects of Globalization

During the late-20th century, the economics of the apparel industry began to change as a result of multiple domestic and international trends. After World War II, many garment workers in the U.S. became unionized and their wages began rising, leading to increased production costs in manufacturing. Concurrently, improvements in transportation and communication technology allowed companies to outsource standardized production activities to cheaper facilities internationally, leading to massive job losses in apparel manufacturing in the U.S., and rapid growth in apparel production in developing countries.[24]Additionally, as a result of trade agreements in the 1990s such as NAFTA, apparel imports to the U.S. increased significantly during the late-20th century, competing with the formerly dominant domestic firms.[25] The U.S. trade deficit in apparel and other textile products grew throughout the last decade of the 20th century; in 1995, for the first time ever, the majority of apparel purchased in the U.S. was imported.[26] After the passage of NAFTA, U.S. apparel employment continued to decline, suggesting that many of these jobs were lost to Mexico where the cost of labor and production was cheaper. Growth in Mexico's textile and apparel industries since the establishment of NAFTA have created greater competition for U.S.-based industries, making outsourcing a more attractive strategy in order to maintain a competitive edge. However NAFTA, with its strong rules of origin – specifically requiring textile and

[23] Mittelhauser, Mark. "Employment Trends in Textiles and Apparel, 1973-2005," *Monthly Labor Review* (Aug. 1997) 24-35
[24] *Garment Center Historic District State & National Register Nomination Report,* Sections 7 & 8 (2008) & Mittelhauser, Mark. "Employment Trends in Textiles and Apparel, 1973-2005," *Monthly Labor Review* (Aug. 1997) 24-35.
[25] Burfisher, M. E., Robinson, S., & Thierfelder, K. "The Impact of NAFTA on the United States," *Journal of Economic Perspectives* (2001) Vol.15 (1) 125-144.
[26] Mittelhauser, Mark. "Employment Trends in Textiles and Apparel, 1973-2005," *Monthly Labor Review* (Aug. 1997) 24-35

apparel goods to be produced from yarn made in a NAFTA country to receive NAFTA preferences – actually may have helped preserve U.S. jobs in the textile and apparel industries. In 1996, two-thirds of the value of U.S. textiles and apparel imported from Mexico was comprised of originally U.S. content. According to U.S. International Trade Commission data, since the creation of NAFTA, U.S. imports of apparel from Mexico have increased while those from Asia have declined. For example, the percentage of imports from Asia to the U.S. declined from 70.7 percent in 1993 to 55.4 percent in 1999, while imports from Mexico to the U.S. rose from 4 percent in 1993 to 13.5 percent in 1999.[27] However, while textile and apparel trade between the U.S. and Mexico became more integrated, NAFTA still could not counter the overall driving forces that led to the continuous decline in U.S. employment within the apparel industry, largely due to other factors such as advancements in automation and changes in production.

Effects of Technological Advances

Technological advances in the apparel industry contributed extensively to domestic employment loss. Improvements to automation made it possible to maintain production levels while reducing employment consistently since the 1970s. Examples of technologies that were developed in the 1970s and 1980s include programmable sewing machines that allow operators to work more than one machine at a time; Computer Aided Design (CAD) that reduces lead time; and computer controlled cutting of material. As a result, labor productivity in the apparel industry increased by 26 percent between 1969 and 1979.

However, when compared to the textile industry, apparel firms tend to be smaller and without as much access to capital, making it more difficult to invest in new technologies in automation and basic research and development. In the 1980's, for example, the textile industry was able to invest far more capital into production than the apparel industry, spending $23 billion, or four percent of the industry's value of shipments, while the apparel industry spent only $8 billion, or 1.5 percent of that industry's value of shipments. Only half of those expenditures were directed towards new equipment in the apparel industry.[28] In addition, automating apparel production has proved difficult due to the soft and varied nature of fabrics, the complexity of the assembly process, and the modifications required by rapidly changing fashions. This difficulty has been especially apparent in the assembly of pieces into finished apparel which still typically demands manual labor, whereas other areas of apparel production, such as designing, spreading, cutting, and pressing, have been automated to a greater extent through advancements in computer technology. Many larger apparel producers have implemented these technologies; for many smaller firms, however, the technology remains too expensive to invest in.

Nevertheless, certain aspects of apparel production, such as designing, spreading, folding, cutting, pressing, and coordinating, will continue to become more automated in the apparel industry. As the cost of these technologies drops and their importance to the survival of the U.S. apparel industry increases, a larger share of apparel producers is likely to implement this labor-saving equipment, further reducing the need for workers in the industry. As a result, it is anticipated that the modernization of the apparel industry will require greater education, placing a premium on workers who understand how to work with new computer-controlled machines.[29]

National Apparel Industry Employment and Output Projections

In the coming years, overall employment in the manufacturing sector is expected to fall slightly. The sector's role in the U.S. economy has changed over time, placing greater focus in innovation,

[27] Burfisher, M. E., Robinson, S., & Thierfelder, K. "The Impact of NAFTA on the United States," *Journal of Economic Perspectives* (2001) Vol.15 (1) 125-144.
[28] Murray, Lauren A. "Unraveling Employment Trends in Textiles and Apparel," *Monthly Labor Review* (Aug. 1995) 65-67.
[29] Mittelhauser, Mark. "Employment Trends in Textiles and Apparel, 1973-2005," *Monthly Labor Review* (Aug. 1997) 24-35

productivity, and international trade, and less in job creation. Over the last few projection cycles, apparel manufacturing has consistently been among the industries with the largest declines in employment and output. These large declines, as discussed earlier, can be attributed to import competition, consolidation of firms within these industries, and the labor-intensive nature of the industries. According to the U.S. Department of Labor, the apparel manufacturing industry is projected to experience one of the fastest annual declines in employment over the projection period – declines of roughly 8.3 percent annually between 2012 and 2022. Assuming these rates of decline, by 2022 the U.S. apparel manufacturing industry is expected to shed roughly 85,800 jobs (or 50 percent of all jobs in the industry), reaching a level of roughly 62,300 jobs. The U.S.'s real output declines in the apparel industry are projected to be among the largest and fastest over the projection period, with an output decrease of roughly $1.1 billion, an annual rate of decline of 0.6 percent, to reach roughly $17.2 billion in 2022.[30]

Recent Land Use Trends in Manhattan's Garment Center

The Creation of the Special Garment Center District

By the 1980s, demand for commercial office space in Manhattan's Garment District had expanded significantly, due to the area's close proximity to numerous public transit lines, regional transit hubs, and other office markets, as well as its increasing vacancy rates due to the departure of apparel manufacturing firms. Between 1977 and 1984, Garment Center employment in services, finance/insurance/real estate (FIRE), and transportation/communications/utilities increased by more than 21,000 jobs, a combined rate of increase of over 150 percent. In 1984, non-apparel establishments occupied approximately 31 percent of square footage in the Garment Center, employing approximately 33 percent of workers in the area. By 1986, apparel establishments in the Garment District employed approximately 61,000 people in approximately 20 million sf of space. Of the 20 million sf of space, approximately 9.2 million sf was occupied by apparel manufacturing which employed approximately 25,200 people.[31]

In 1986, the New York City DCP, Office for Economic Development, and the Public Development Corporation compiled the *New York City Garment Center Study* "in response to concerns on the part of the City as well as the International Ladies Garment Workers' Union (ILGWU) that Manhattan real estate pressures in nearby Times Square would accelerate manufacturing job loss in the Garment Center."[32] It was determined that single location manufacturers and contractors in the district were threatened by office conversions and these trends prompted the City government to intervene; in 1987, the Zoning Resolution was amended to establish the SGCD.[33] The primary purpose of the amendment was to slow the conversion of manufacturing space into office space on side streets in the district, thereby enhancing its viability as a center for the apparel manufacturing industry. As detailed in Attachment A, "Project Description," conversion from manufacturing and warehouse to office use in the special district's "Preservation Areas" was prohibited unless an equivalent amount of floor area was set aside for designated protected uses – primarily manufacturing establishments and related enterprises such as warehouses and small machine shops.

The fashion industry continued to be one of the most significant economic drivers in New York City throughout the late-20th and early-21st centuries.[34] However, during this time there was a dramatic shift from apparel manufacturing to apparel wholesale trade in Manhattan. Apparel wholesale employment

[30] Real output: the real goods and services produced by a country in a given time frame, adjusted for inflation. U.S. Department of Labor, Bureau of Labor Statistics, *Industry Employment and Output Projections to 2022* (Dec. 2013).
[31] New York City Office for Economic Development *New York City Garment Center Study* (1986) p. 13.
[30] New York City Office for Economic Development *New York City Garment Center Study* (1986) p. i.
[31] New York City Department of City Planning (2017).
[32] *New York City Garment Center Study: Program and Zoning Recommendations* (1986).

decreased between 1960 and 2002, but at a much slower rate (a decline of approximately 37 percent) than apparel manufacturing employment (a decline of approximately 87 percent) during the same period. By 2000, apparel wholesale trade – with its emphasis on showrooms and connecting wholesale buyers with the latest products – had surpassed apparel manufacturing as the largest component of Manhattan's fashion industry, principally due to increasing rates of internationally-manufactured goods. These employment trends reflected a fundamental shift occurring in the structure of New York City's fashion industry during the late-20th and early-21st centuries, with apparel manufacturing moving overseas and the remainder of the fashion industry focusing on design, wholesale, showroom, and retail functions in the Garment Center. Apparel manufacturing in New York City became critical to the niche markets for small order manufacturing, such as sample production, specialty products, quick-turn products, and limited or higher-end products.[35] This change in employment in the Garment District was reflected in space utilization; companies now needed larger offices in order to accommodate a more integrated business model with room for designers and pattern-makers as well as marketing and accounting functions.[36]

In 1993 the Fashion Center Business Improvement District (BID) was created to promote the local fashion industry and improve the quality of life and economic vitality of the Garment Center. The BID is managed by the nonprofit Fashion Center District Management Association, Inc. (d/b/a GDA). The Fashion Center BID encompasses an area larger than that of the SGCD, as it is roughly bounded by W. 41st Street to the north, Fifth Avenue to the east, W. 35th Street to the south, and Ninth Avenue to the west. The revitalization of nearby Times Square and Penn Plaza in the 1980s and 1990s combined with the wave of mid-1990s new media tech companies locating around Madison Square Park in the Flatiron district to the south of the Garment Center, pushed rents up in the areas surrounding the Garment District, spurring the need for new office markets in Midtown Manhattan.[37] Additionally, enhanced security measures, lighting, and sanitation services instituted by the Fashion Center BID in the 1990s increased general interest in the area. The high demand for office space in Times Square to the north and Penn Plaza and the Flatiron district to the south made the Garment District, which had large blocks of relatively inexpensive vacant office space in comparison to other midtown commercial districts, more attractive. Real estate developers and brokers began marketing the area as "Times Square South" and "Penn Plaza North" to entice companies to move, and by 1998, the area was considered one of the hottest office submarkets in Midtown Manhattan. During this time, corporations began moving their back office operations into buildings along the avenues, pushing many designers and showrooms into the less expensive sidestreet spaces, which in turn displaced apparel manufacturing.[38]

It is estimated that apparel manufacturing jobs in the Fashion Center BID fell from approximately 31,720 in the early 1980s to approximately 22,590 in 1993.[39] By 1996, New York City only had 72,000 workers in the apparel industry, nearly half of the 1958 workforce.[40] Concurrently, the number of jobs in service sectors located within the Garment Center grew, particularly in finance and real estate, communications, recreational service firms, health service providers, and social service agencies, underscoring the area's growing appeal to a wide variety of industries. A 2002 survey conducted by the GDA identified over 6,500 tenants in the area, of which 65 percent were in fashion-related industries and 35 percent were firms unrelated to fashion.[41]

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[33] *No. 7 Subway Line Extension – Hudson Yards Rezoning FGEIS* (2005) – Data originally from the NYSDOL.
[36] Kennedy, Shawn G. "Commercial Property; The Garment District, Dressing Up Those Dowager Buildings," *New York Times* (Dec. 3, 1989).
[37] Gallagher, Fergal. "The Mysterious Origins of the Term Silicon Alley Revealed," *Built In NYC* (Nov. 4, 2015).
[38] Holusha, John. "Commercial Property; The Garment District Tries On Some New Togs," *New York Times* (Aug. 1, 1999).
[39] It should be noted that the BID's boundary is larger than the boundary of the SGCD, roughly being bounded by 5th Avenue to the east, 41st Street to the north, 9th Avenue to the west, and 35th Street to the south.
[40] Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).
[41] Appleseed, *Remodeling the Fashion District* (2003).

The Garment Center continues to remain a vital center of New York City's fashion industry. However, the district has significantly changed over the past decades, as its traditional base in apparel manufacturing employment has declined, where the current employment base is now a broader mix of commercial office, retail, wholesale, hotel, and light industrial uses. Nevertheless, the area has continued to serve as the center of the fashion industry, characterized by an interrelated network of businesses and firms, popularly referred to as an "ecosystem." These activities include design, manufacturing, showroom, retail, management, and marketing, among other components of the fashion industry.

An Increasingly Decentralized Industry

The highly complex and interrelated commercial ecosystem of the fashion industry detailed above remained the core business model for almost all apparel-related firms in the Garment Center throughout the 20th century. However, there have been massive changes in the nature of the fashion industry over the past 20 years. Whereas the Garment District once contained a dense concentration of designers, showrooms, supply stores, warehouses, and factories, many of these functions have moved elsewhere in the City. As a result, traditional business practices in the industry, long based on close proximity of all components of the industry, have been rapidly evolving in order to accommodate the emergence of smaller industry clusters throughout the City. These changes have led to much more efficient business operations, and have also made it possible for designers and showrooms to be less dependent on their proximity to other aspects of the industry, such as supply shops, warehouses, and factories.

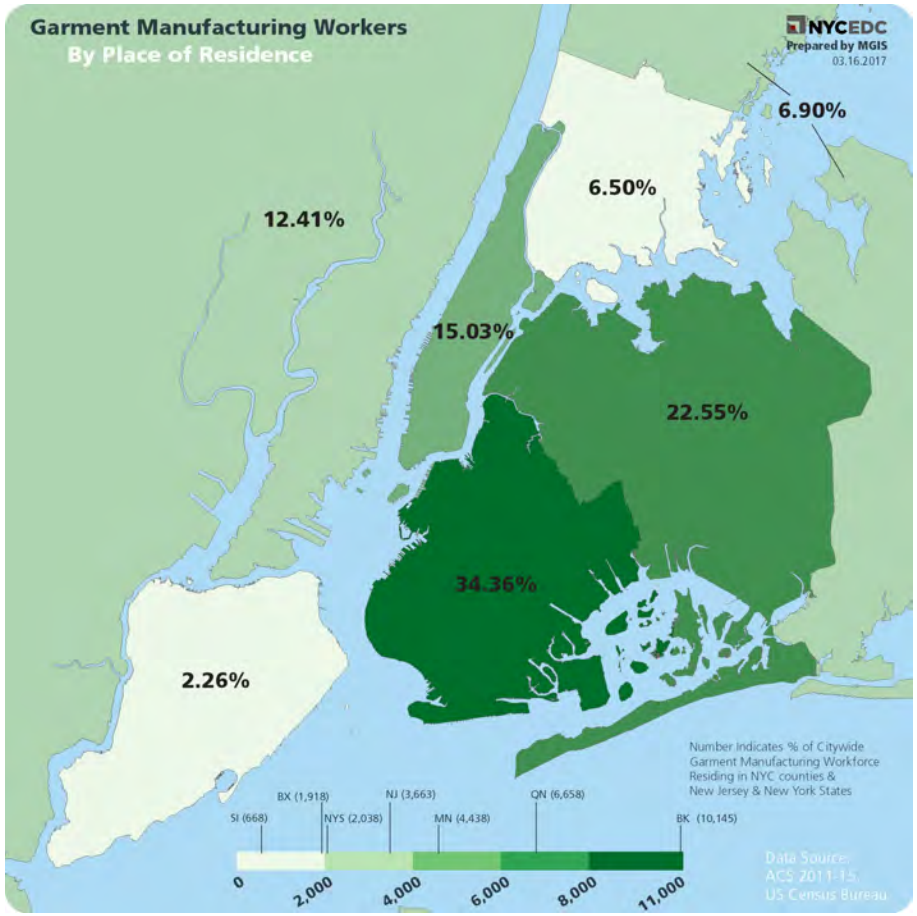
Though the Garment District remains a fashion hub, home to over a quarter of the City's 1,568 apparel manufacturing firms, apparel manufacturing has become an increasingly de-clustered industry citywide. The Garment District's apparel manufacturing businesses represent fewer than 40 percent of apparel manufacturing jobs citywide. In 2015 (the most recent year for which data are available), apparel manufacturing companies located in the SGCD employed approximately 5,100 workers; in 2017 (the most recent year for which data are available) there were 12,900 employees in apparel manufacturing citywide.[42] Over the past few decades, the industry has decentralized and found locations across the city in which to grow and thrive. Designers, in particular, have built small clusters in SoHo, Tribeca, and the Meatpacking District. Manufacturers, on the other hand, have congregated in growing and established clusters such as Sunset Park, Long Island City, Chinatown, the Brooklyn Navy Yard, and East Williamsburg/Bushwick/Maspeth/Ridgewood.

Historically and to this day, the apparel production industry seeks out affordable industrial work space nearby their workforce in which to grow and thrive. Analysis of the industry citywide shows a diffuse industry located across the outer boroughs, with the exception of Staten Island. Historic and growing clusters in addition to the Garment Center include Sunset Park, Chinatown, and Long Island City. The industry's workforce is similarly dispersed throughout the City, with over 50 percent of apparel production workers residing in Brooklyn and Queens, as can be seen in **Figure C-2**.[43]

Existing Conditions in the Special Garment Center District

In 2002, fashion-related businesses with manufacturing, warehouse, showroom, and design space occupied approximately 61 percent of occupied space in the Fashion Center BID (approximately 17.5 million sf). By 2015, that number had dropped to approximately 49 percent of occupied space (approximately 13.8 million sf), revealing that while the fashion industry continued to be the primary industry in the area by a substantive margin and make the Garment Center the home of NYC fashion, it no longer occupied the majority of space in the BID. During this time, the area has begun to

[42] NYSDOL, QCEW 3Q 2015 and "NYC Current Employment Statistics (CES) Latest Month" (June 2017).
[43] American Community Survey (ACS), 2011-2015.

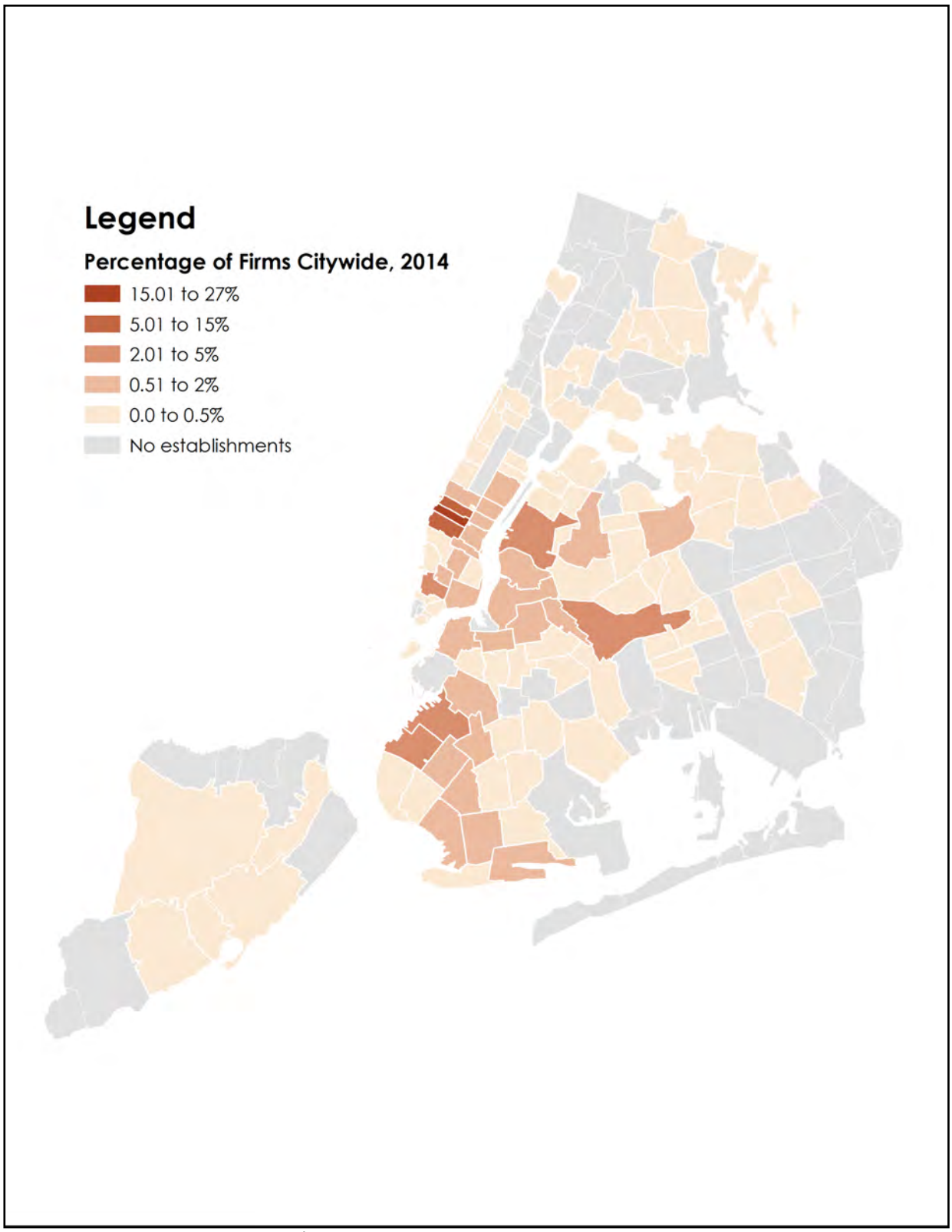


Garment Center Text Amendment EAS

Figure C-2a

Garment Maunfacturing Workers by Place of Residence

Percentage of Fashion Manufacturing Firms Citywide, 2014



Source: U.S. Cenus Bureau, County Business Patterns, 2014

accommodate office space for a variety of industries including tech, media, e-commerce, architecture, engineering, advertising, and marketing firms.[44] Since the enactment of the SGCD regulations in 1987, only two percent of space has been officially preserved for manufacturing uses in the district (approximately 180,000 sf of 8.5 million sf of commercial space), as the process has proved cumbersome. Concurrently, there is now over four million sf of non-conforming office use in the district, and virtually all new construction in the SGCD have been hotels and, in the P2 area, residential buildings.[45]

As detailed in Attachment A, "Project Description," the SGCD was created to further supplement the area's underlying zoning and maintain opportunities for apparel manufacturing and warehousing as well as wholesale and showroom uses in existing buildings. It includes two Preservation Areas, P1 and P2, which limit the conversion of manufacturing and warehousing space to office, hotel, and/or residential uses on selected mid-blocks between W. 35th and 40th Streets west of Broadway and east of Ninth Avenue (refer to **Figure C-1**). However, as detailed above, the demand for apparel manufacturing and warehousing in the Garment Center has continued to decline since the implementation of the SGCD, and as a result, its presence has greatly diminished in the Preservation Areas. Furthermore, in 2017, GCSA and GDA completed surveys of the Preservation Areas and greater Garment Center area which revealed that approximately half of all apparel manufacturers in the Garment Center were located outside of the Preservation Areas. The surveys reported that apparel manufacturers occupied 1.4 million sf of space in the Garment Center, of which 51.2 percent (approximately 716,442 sf) was located in the Preservation Areas.[46]

Existing Conditions in Preservation Area P1

P1 comprises the mid-block areas of approximately seven blocks (Block 785 to 789, and Blocks 811 and 812), and is roughly bounded by W. 40th Street to the north and W. 35th Street to the south between Broadway and Eighth Avenues (see **Figure C-1**). The area is zoned M1-6, which does not allow residential use. As described in Attachment A, the provisions of the SGCD also permit new office conversion in P1 only by Certification of the Chairperson of the CPC, when an equal amount of comparable floor area has been preserved for a specific manufacturing use.

P1 includes approximately 83 lots in their entirety. Nearly all of these properties are developed, and contain a total of 87 buildings, which include more than 6.7 million sf, according to 2016 PLUTO data. The majority of this space is considered commercial, including office, retail, and storage, as well as light industrial uses. Approximately 30 percent of buildings in P1 are classified as lofts or warehouses, and about 48 percent are classified as office buildings.

According to 2016 PLUTO data, more than 4.1 million sf is considered commercial office space, slightly less than 530,000 sf is retail space, approximately 360,000 sf is hotel, approximately 600,000 sf is manufacturing space, and warehouse space accounts for roughly 350,000 sf.[47] Only two properties contain residential use, including a 16-story cooperative apartment building at 241 W. 36th Street (26 DUs), and a small, low-rise, four-story mixed-use commercial and residential building at 221 W. 38th Street (three DUs). P1 also includes the Church of the Holy Innocents at 126 W. 37th Street, the Midtown Station U.S. Postal Office at 223 W. 38th Street, and Fire Department of New York's (FDNY's) Engine 26 at 220 W. 37th Street. There are only two vacant properties in P1, which include a small City-owned parcel (occupying less than 100 sf), and a former public parking lot that is under construction and

[44] Garment Center Alliance. "Neighborhood Information." (2016).
[45] Surveys of the SGCD conducted for EDC in 2009 and 2014 and GDA in 2017.
[46] Surveys of the Garment Center conducted by the GCSA and GDA in 2017.
[47] Where appropriate, PLUTO Data was adjusted to reflect more updated and accurate 2017 survey data conducted by GDA.

anticipated to be developed with a new commercial building containing a hotel and eating and drinking establishments.

Since the establishment of the SGCD in 1987, there have been very few conversion applications and little specific preservation of manufacturing, wholesaling, and showroom spaces. Only five properties within P1 have sought Certification from the CPC to convert space to Use Group 6B (office) and preserve an equal amount of space for a specific manufacturing and warehousing use. These five properties are identified in **Table C-3**, and are located on the north sides of W. 36th and W. 35th Streets, and the south sides of W. 40th and W. 37th Streets between Seventh and Eighth Avenues (refer to **Figure C-3**). Most of these applications were filed and approved soon after the establishment of the SGCD in the late 1980s and 1990s. The majority of applications only requested the conversion of one or two floors to office with the preservation of an equivalent amount of manufacturing/warehousing space.

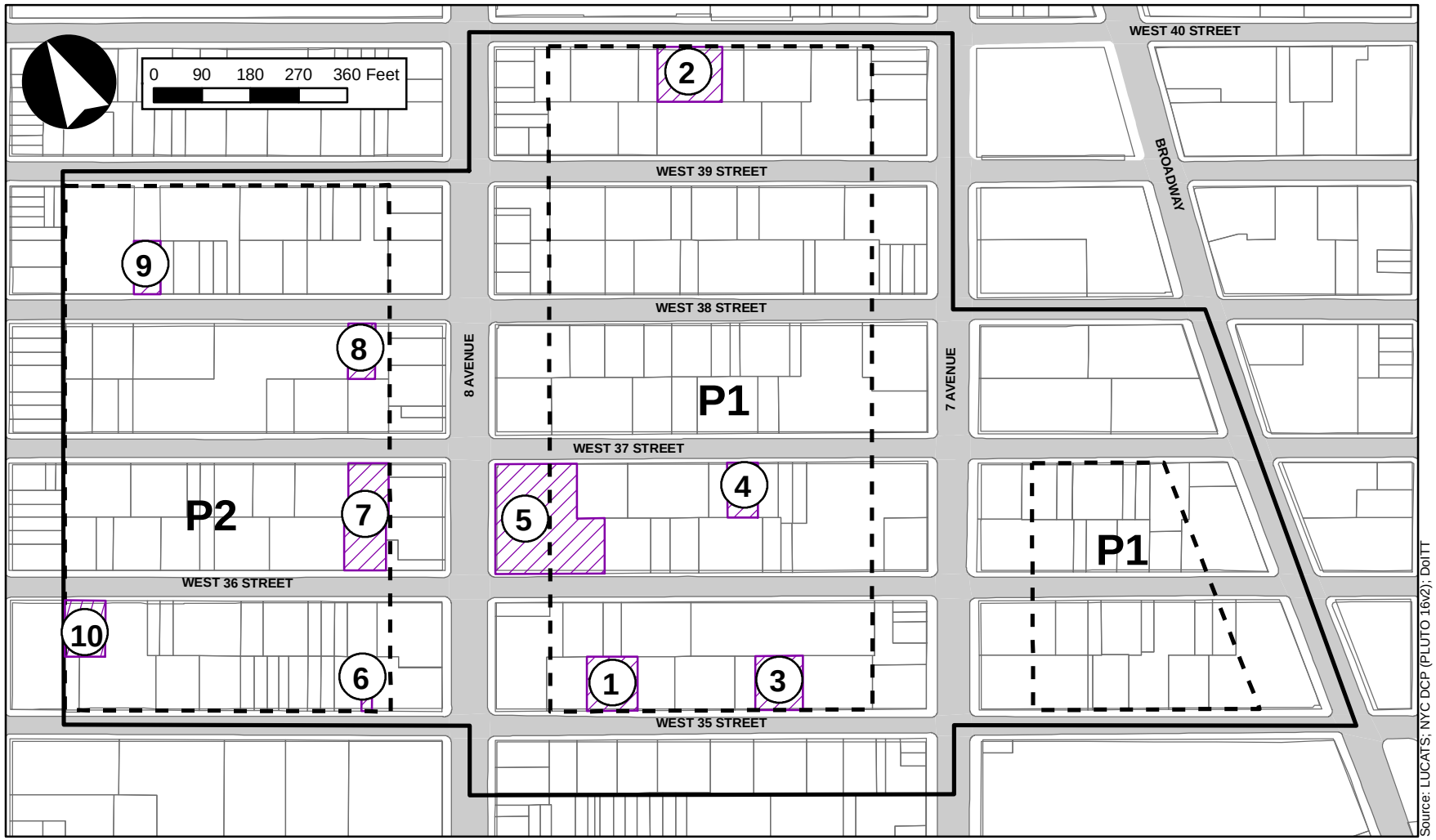
TABLE C-3: Properties that have Sought CPC Certification from the Chair to Preserve Industrial Space in P1 Preservation Area

No.[1]	Block; Lot	Address	Preserved Area	Conversion Space
1	785, 11	253 W. 35th Street	8,085 sf	Conversion of 5th floor to office (UG 6B) (N 980059 ZCM - approval 1998)
2	789; 62	240 W. 40th Street	10,165 sf	Conversion of 3rd floor to office (UG 6B) (N 960278 ZCM - approval 1996)
3	785; 25	225 W. 35th Street	22,500 sf	Conversion of 5th and part of 10th floor to office (UG 6B) (N 940375 ZCM - approval 1994)
4	786; 64	226-228 W. 37th Street	34,680 sf	Conversion of 7 floors to office (GC 6B) (N 900313 ZCM - approval 1990)
5	786, 1	261 W. 36th Street	9,231 sf	Conversion of 9th and part of 10th floor to office (UG 6B) (N 890720 ZCM - approval 1989)
		TOTAL:	**84,661 sf**	

Source: 2016 PLUTO, LUCATS.
Note: [1]Site numbers correlate to **Figure C-3**.

There has been minimal recent development within P1. The building stock of P1 consists primarily of older, high-bulk lofts constructed to the street line. With the exception of one building, all of the existing buildings in P1 were constructed prior to 1993, and nearly 75 percent of these buildings were constructed in the 1920s. Only one existing building has been constructed since 1935; the Wingate Wyndham Hotel, a 17-story, 41,584 sf building with 92 hotel rooms was constructed at 235 W. 35th Street in 2005. In addition, a new 20-story, 120,566 sf hotel with 290 hotel rooms is currently under construction at 252 W. 40th Street.

As described in Attachment A, there are very few remaining underdeveloped soft sites. The majority of buildings in P1 are quite large and contain 10 or more stories, and more than 60 percent of buildings include 12 or more stories. Nearly 60 percent of buildings in P1 include more than 50,000 sf, and more than 35 percent of buildings contain more than 100,000 sf. The three largest buildings in P1 are commercial offices with ground-floor retail than contain more than 200,000 sf, and are located between Seventh and Eighth Avenues at 247 W. 37th Street, 231 W. 39th Street, and 205 W. 39th Street. Two properties, located at 141 W. 36th Street and 135 W. 36th Street, which contain 22-story office buildings, are overbuilt, and have FARs that exceed 20.0. More than two-thirds of the lots in P1 have FARs exceeding the underlying zoning district's maximum FAR allowance of 10, and nearly half of the lots in P1 have FARs between 12 and 18.



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Special Garment Center District

P1 Preservation Area

9 Properties with Preserved Industrial Space

*Referenced to Tables C-3 and C-4

Figure C-3

Properties that have Sought CPC Certification from the Chair to Preserve Industrial Space in P1 and P2

Existing Conditions in Preservation Area P2

The P2 area of the SGCD is smaller than P1, and comprises the mid-block areas of only four blocks (Blocks 759 to 762) roughly bounded by W. 39th Street to the north and W. 35th Street to the south between Eighth and Ninth Avenues (refer to **Figure C-1**). The underlying zoning of this area was changed as part of the Hudson Yards Rezoning to C6-4M in 2005. The SGCD's "Preservation Areas" were analyzed as part of the Hudson Yards Rezoning in response to very few conversion applications and minimal preservation of manufacturing space in the area. The assessment concluded that P2 was of diminishing significance to the fashion industry in terms of a base for manufacturing employment.[48] As such, as part of the comprehensive Hudson Yards Rezoning in 2005, P2 was rezoned from an M1-5 manufacturing district to a C6-4M commercial district, in order to permit new construction of residential, commercial, and community facility uses in the area, as well as residential, commercial, and community facility conversions in buildings with less than 70,000 sf of floor area. The conversion of existing buildings larger than 70,000 sf in P2 was also permitted, provided the one-for-one preservation requirement of the original SGCD regulations were met. As per Zoning Resolution Section 121-112, Use Groups[49] 6A and 6C (retail) could also be used to satisfy the preservation requirement. Alternatively, buildings could change their use to office, hotel, or residential by CPC Authorization if the space had been vacant for three years.

In general, the properties within P2 are smaller in size than those within P1. P2 includes roughly 64 lots in their entirety. Most of these properties are developed, and contain a total of 62 buildings, which unlike P1 accommodate a wide range of land uses from residential, commercial, institutional, and light industrial. Approximately 40 percent of buildings in P2 are classified as elevator and walkup apartment buildings, 23 percent are lofts, factories, or warehouses, 13 percent are hotels, and only six percent are offices.

According to 2016 PLUTO data, the building stock of P2 includes roughly 4.5 million sf, which consisted of more than 1.5 million sf of residential, approximately 1.1 million sf of commercial office, nearly 60,000 sf of retail, approximately 121,000 sf of warehouse space, and roughly 456,000 sf of manufacturing space.[50] Twenty-seven properties (42 percent) contain residential use, for a total of nearly 1,400 DUs within recently constructed luxury residential buildings, old tenements, cooperative apartment buildings, condominiums, and mixed-use residential and commercial buildings. Since 2005, 975 residential units have been constructed in P2. The largest residential building (Emerald Green) at 320 W. 38th Street, which was completed in 2009, contains 569 DUs, including 120 affordable DUs. P2 also contains two supportive housing developments, including Barbour Hotel at 330 W. 36th Street and Fountain House at 347 W. 37th Street. There are also seven recent hotel developments, including Courtyard Marriott Times Square West (206 rooms), Homewood Suites (292 rooms), Even Hotel (150 rooms), TRYP by Wyndham (173 rooms), DoubleTree by Hilton (224 rooms), Moxy by Marriott (503 rooms), Crowne Plaza Times Square South (251 rooms), and the Hilton Garden Inn (252 rooms).

Similar to P1, very few conversion applications have been sought from the CPC chairperson. Only five properties within P2 have sought CPC Certification from the Chair to convert space to Use Group 6B (office) and preserve an equal amount of floor area for a specific manufacturing/warehousing use. Similar to P1, most applications were filed and approved more than a decade ago. These five properties

[48] *No. 7 Subway Line Extension – Hudson Yards Rezoning FGEIS* (2005).

[49] Uses that have similar functional characteristics and/or nuisance impacts and are generally compatible with each other are listed in one or more of 18 groups that are broadly categorized as residential, community facility, retail and service, regional commercial centers/amusement, waterfront/recreation, heavy automotive, and industrial. Refer to Zoning Resolution Chapter 2, Articles II, III, & IV for more details.

[50] Where appropriate, PLUTO Data was adjusted to reflect more updated and accurate 2017 survey data conducted by GDA.

are identified in **Table C-4** and are located on the north and south sides of W. 36th and W. 38th Streets (refer to **Figure C-3**).

Similar to P1, the majority of existing buildings in P2 were constructed prior to 1940.[51] However, this area has experienced a significant amount of new construction, as a result of the 2005 Hudson Yards rezoning. Ten new buildings have been constructed since 2007, including seven hotels, and three residential buildings, which have added nearly 1.5 million square feet in new construction, including 975 DUs and 1,548 hotel rooms. In addition, there are seven planned hotels, a residential building with ground floor retail, and a mixed-use commercial and residential building, which are anticipated to be introduced to the area.

TABLE C-4: Properties that have Sought CPC Certification from the Chair to Preserve Industrial Space in P2 Preservation Area

No.[1]	Block; Lot	Address	Preserved Area	Conversion Space
6	759; 49	311 W. 35th Street	5,172 sf	Conversion of Floors 1 to 3 to office (UG 6B) (N 940402 ZCM - approval 1994
7	760; 32	307-313 W. 36th Street	45,000 sf	Conversion of 10th to12th & 15th floors to office (UG 6B) (N 030106 ZCM - approval 2003)
8	761; 41	306-308 W. 38th Street	16,114 sf	Conversion of part of 11 floors to office (UG 6B) (N 910551 ZCM – approval 1991)
9	762; 11	341 W. 38th Street	22,000 sf	Conversion of 7th to 12th floors to office (UG 6B) (N 000174 ZCM - approval 2000)
10	759; 72	360 W. 36th Street	7,418 sf	Conversion of one floor to office (UG 6B) (N 100163ZCM – approval 2011)
		TOTAL:	**95,704 sf**	

Sources: 2016 PLUTO, LUCATS.
Note: [1]Site numbers correlate to **Figure C-3**.

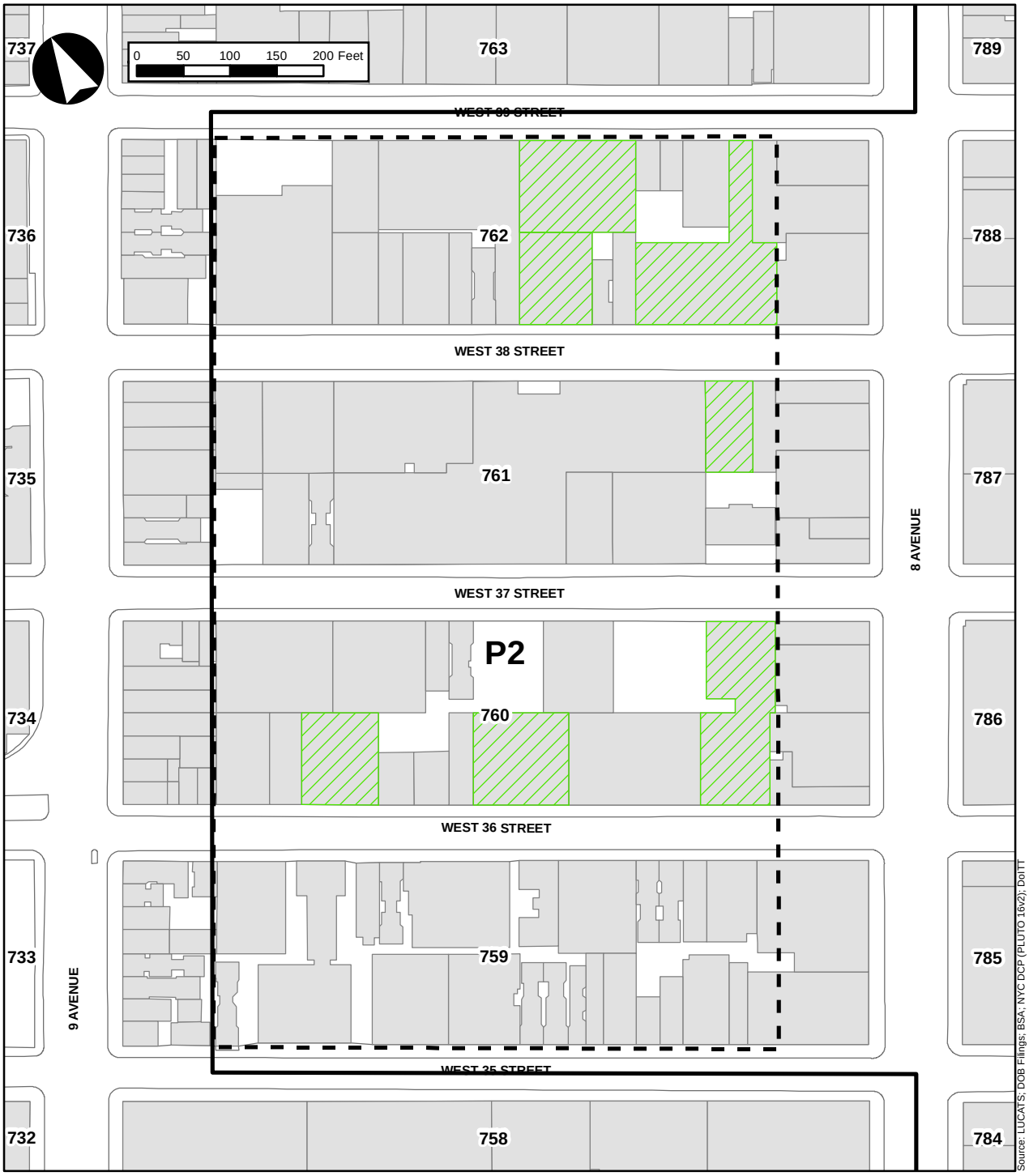
The building stock of P2 is also more varied than P1, and generally the buildings are built to a smaller scale than P1. Only about half of the buildings in P2 contain 12 or more stories, and about 37 percent of buildings include between five and nine stories. Nearly half of the buildings in P2 include more than 50,000 sf, and approximately 35 percent of buildings contain more than 100,000 sf. The largest building in P2 is the approximately 718,500 sf Emerald Green, a rental apartment building at 320 W. 38th Street, which has ground floor retail on W. 38th Street (constructed in 2009). The next two largest buildings are lofts constructed in the late 1920s, which contain approximately 232,500 sf and 274,200 sf of commercial space. Three properties, located at 306 W. 38th Street, 307 W. 36th Street, and 307 W. 38th Street, which include between 16- and 20-stories have FARs that exceed 15.0. Approximately 40 percent of lots in P2 have FARs that exceed the underlying zoning district's maximum FAR allowance of 10. About 53 percent of lots in P2 have FARs of less than 10.

Of the 22 properties in P2 that have 70,000 sf or more of floor area, the preservation requirements only apply to seven sites due to prior uses being grandfathered in at the time of the creation of the SGCD or the 2005 Hudson Yards Rezoning (see **Table C-5** and **Figure C-4**).

Similar to P1, there is little vacant or undeveloped property within P2. There are only three remaining vacant properties in P2; two of which comprise less than 2,500 square feet and are planned to be redeveloped with new hotels, whereas the third lot occupies less than 5,000 sf.

[51] Per PLUTO, approximately 99 percent of buildings in P1 and approximately 83 percent of buildings in P2 were constructed before 1940.

Buildings Containing 70,000 sf or More in P2 Preservation Area that are Applicable to Preservation Requirements



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- Special Garment Center District
- P2 Preservation Area
- Preservation Requirements Applicable
- Existing Buildings
- 759 Block Number

TABLE C-5: Buildings Containing 70,000 sf or More in P2 Preservation Area

Block; Lot	Address	Building Area	Year Built	Description of Existing/ Planned Building	Obtained Approved CPC Authorization
760; 12	347 W. 36th St.	98,454 sf	1928	Loft with 8-stories or more	**YES**
760; 21	329 W. 36th St.	115,763 sf	1924	Loft with 8-stories or more	**YES**
760; 32	307 W. 36th St.	232,459 sf	1926	Loft with 8-stories or more	**YES**
761; 41	306 W. 38th St.	73,698 sf	1927	Light Manufacturing Building	**YES**
762; 19	325 W. 38th St.	110,188 sf	1929	Loft with 8-stories or more	**YES**
762; 25	307 W. 38th St.	274,209 sf	1927	Loft with 8-stories or more	**YES**
762; 50	318 W. 39th St.	156,508 sf	1915	Loft with 8-stories or more	**YES**

Sources: 2016 PLUTO, DOB Filings, LUCATS, BSA.

Department of Buildings Violations in the Preservation Areas of the Special Garment Center District

As of October 2017, the majority of buildings located in the SGCD had a substantial number of active, unresolved building violations issued by DOB. The New York City Construction codes require property owners to build and maintain their properties in safe condition. Building inspectors issue DOB violations when a property doesn't comply with the City's Construction Codes, New York City Zoning Resolution, or other applicable laws and rules. Open violations can prevent a property owner from selling or refinancing. DOB will also not issue new or amended Certificates of Occupancy or Letters of Completion when DOB violations remain active.

The list of active, unresolved building violations concerns roughly 100 of the 149 buildings in the Preservation Areas within the SGCD and total more than 1,100 infractions that range from zoning and construction violations to failed boiler and elevator inspections. Of these various infractions, there are 24 zoning violations that involve 10 buildings, mostly issued between 1989 and 1993, during which time the Office of Special Midtown Enforcement routinely inspected the Garment Center.[52] Such violations are likely the result of illegal conversions, which may include illegal residential conversions and/or illegal office conversions that violate SGCD regulations which require that an equal amount of manufacturing space is preserved elsewhere in the district in the event of an office or residential conversion. The majority of DOB violations found within the SGCD relate to failed boiler and elevator inspections tests. These active violations have been issued as far back as 1988 and as recently as September 2017, though most were issued in the last 10 years. Based on these DOB violations, it is common for the same property to have accumulated multiple infractions year after year concerning various violations.

Building Occupancy and Tenancy Trends in the Preservation Areas of the Special Garment Center District

Building surveys conducted in 2009 and 2014 on behalf of NYCEDC, and in 2017 on behalf of GDA, collected data from buildings located in both P1 and P2 of the SGCD. The 2017 survey includes approximately 11,152,546 sf of built floor area, comparable to 2016 PLUTO data for the area which totals approximately 11,109,712 sf of built floor area for the SGCD's Preservation Areas. Between 2009 and 2017, eight buildings in P2 containing a total of approximately 303,833 sf were demolished or converted to hotel use (345 W. 35th Street, TRYP by Wyndham; 321 W. 35th Street; 337 W. 36th Street; 311 W. 37th Street, Courtyard Marriot; and 333 W. 38th Street) or residential use (335 W. 35th Street; 313 W. 37th Street; and 334 W. 39th Street). Additionally, one commercial building in P1, 256 W. 36th

[52] The Office of Special Midtown Enforcement was discontinued in 2006 and replaced with the Mayor's Office of Special Enforcement, which expanded its investigative and enforcement efforts to all five boroughs of the City.

Street, was gut rehabbed in 2012 and topped with six more stories, adding approximately 16,875 sf of predominately commercial office space with some factory uses to the district.

In regards to the distribution of uses found within the Preservation Areas, office uses, when compared to other uses, were the predominant use in all three years, as indicated in **Table C-6**. The distribution of manufacturing and warehouse uses, as well as vacancies, fell during the same period. As detailed in **Table C-6**, fashion-related office and fashion-related retail spaces also declined significantly between 2009 and 2017. During this time period, non-fashion office, non-fashion retail, and showroom (both fashion-related and non-fashion) space increased in the Preservation Areas of the SGCD.

The Preservation Areas of the SGCD experienced considerable losses in floor area in both manufacturing and warehouse uses from 2009 to 2017; approximately 432,594 sf of manufacturing and approximately 218,172 sf of warehouse uses left the district between 2009 and 2017, particularly in Preservation Area 2, as illustrated in **Figure C-5**. Conversely, office, retail, and showroom uses experienced increases during the same period, gaining a net of approximately 156,226 sf, approximately 55,242 sf, and approximately 767,338 sf, respectively, as detailed in **Table C-6**. In terms of distribution, manufacturing uses in the Preservation Areas fell from 13.5 percent to 8.6 percent between 2009 and 2017, while showrooms increased from 8.6 percent to 15.3 percent during the same period (refer to **Table C-6**).

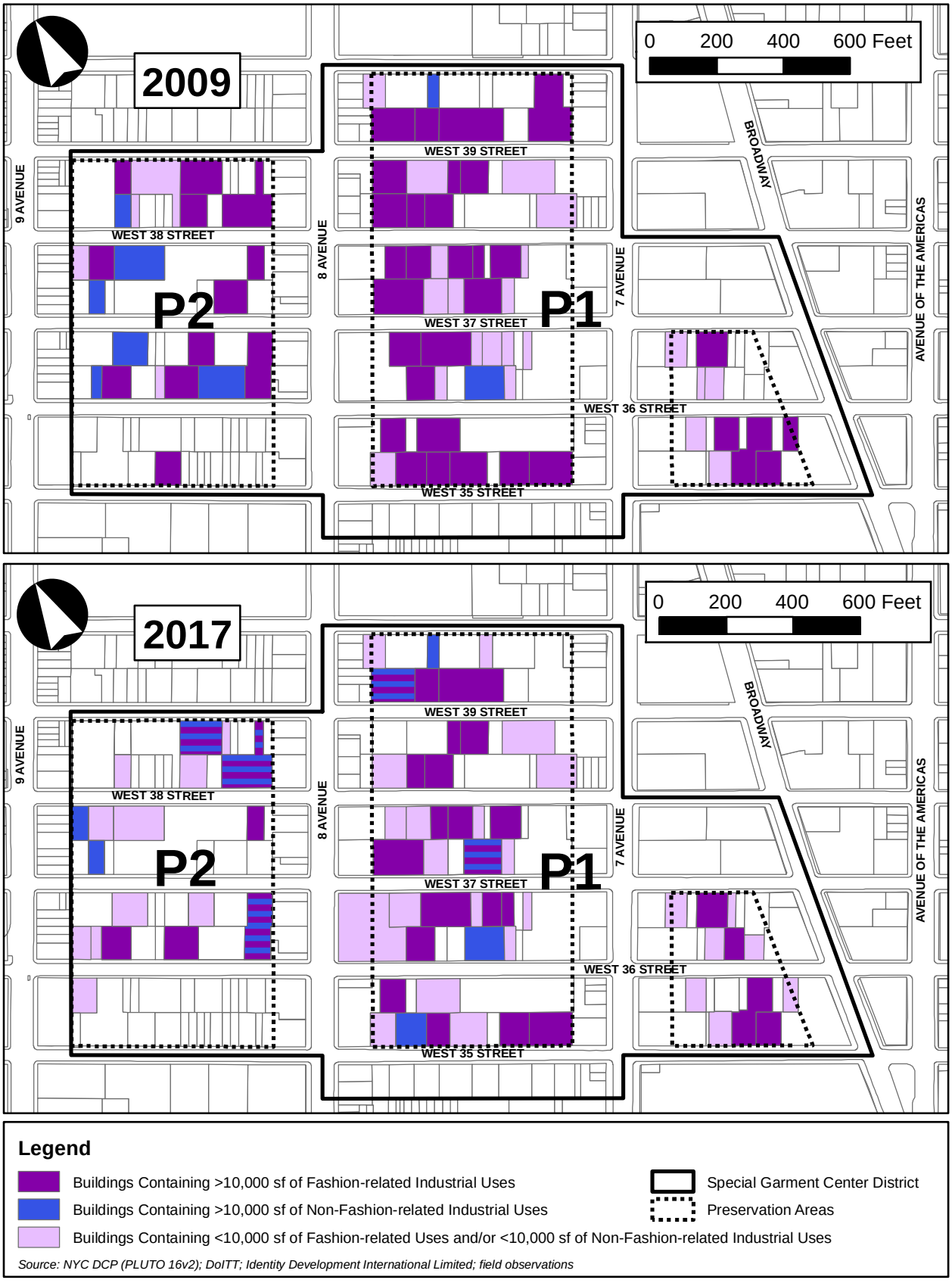
Fashion-Related Land Use Trends

In addition to the decline in manufacturing and warehouse uses between 2009 and 2017, the Preservation Areas of the SGCD also experienced losses in some types of fashion-related uses (i.e. tenants who were determined as conducting business that was seen as directly relating to the fashion industry). Between 2009 and 2017, the Preservation Areas in SGCD experienced a net loss of nearly 662,360 sf of fashion-related uses, while experiencing a net gain of approximately 990,400 sf in non-fashion-related uses. As a result, the Preservation Areas of the SGCD are now roughly split between fashion and non-fashion related uses. In 2017, fashion-related industries occupied around 51 percent of leased commercial (non-hotel) and manufacturing building area in the two Preservation Areas, as compared to 62 percent in 2009 (refer to **Table C-6**). **Figure C-5** highlights the comparison of buildings in the SGCD's Preservation Areas containing fashion-related and non-fashion-related industrial uses in 2009 and 2017. As shown, both fashion-related and non-fashion-related industrial uses decreased during this time, particularly in Preservation Area 2 during this time. Additionally, as illustrated, the number of buildings with over 10,000 sf of fashion-related industrial uses Preservation Area 1 declined from 33 in 2009 to 25 in 2017, whereas buildings with over 10,000 sf of non-fashion-related industrial uses increased from two in 2009 to five in 2017.

As shown in **Table C-6**, nearly one-third of the remaining fashion-related manufacturing and warehouse space in P1 and P2 was lost between 2009 and 2017, as these uses declined by a combined approximately 509,377 sf. Fashion-related office uses declined by approximately 762,433 sf and fashion-related retail declined by approximately 69,903 sf during the same time period. The only fashion-related sector that experienced substantial increases in sf between 2009 and 2017 in the SGCD's Preservation Areas was fashion showroom space, which increased by approximately 679,353 sf during this time. Additionally, it should be noted that although manufacturing in the Preservation Areas declined from 2009 to 2017, the share of fashion-related manufacturing remained between 78 and 79 percent of total manufacturing in these areas during this period.

Figure C-5

Buildings Containing Fashion- and Non-Fashion-related Industrial Uses: 2009 to 2017



Source: NYC DCP (PLUTO 16v2); DoITT; Identity Development International Limited; field observations

TABLE C-6: Residential, Commercial, and Manufacturing Square Footages in the Preservation Areas of the SGCD: 2009, 2014, & 2017

Type	2009			2014			2017			Change 2009 to 2017	
	Floor Area (sf)	% of Use Total	% of Total	Floor Area (sf)	% of Use Total	% of Total	Floor Area (sf)	% of Use Total	% of Total	Difference in Floor Area (sf)	Percent Change (%)
Fashion Manufacturing	1,047,538	78.1%	10.5%	830,053	78.9%	7.9%	716,442	78.8%	6.8%	-331,096	-31.6%
Non-Fashion Manufacturing	293,805	21.9%	3.0%	222,499	21.1%	2.1%	192,307	21.2%	1.8%	-101,498	-34.5%
Total Manufacturing Uses	**1,341,343**	**100%**	**13.5%**	**1,052,552**	**100%**	**10.1%**	**908,749**	**100%**	**8.6%**	**-432,594**	**-32.3%**
Fashion Office	1,875,104	46.6%	18.9%	2,199,064	42.7%	21.0%	1,112,671	26.6%	10.5%	-762,433	-40.7%
Non-Fashion Office	2,147,416	53.4%	21.6%	2,946,425	57.3%	28.2%	3,066,075	73.4%	28.9%	+918,659	+42.8%
Total Office Uses	**4,022,520**	**100%**	**40.4%**	**5,145,489**	**100%**	**49.3%**	**4,178,746**	**100%**	**39.4%**	**+156,226**	**+3.9%**
Fashion Retail	228,104	60.9%	2.3%	222,987	49.1%	2.1%	158,201	36.8%	1.5%	-69,903	-30.6%
Non-Fashion Retail	146,290	39.1%	1.5%	231,482	50.9%	2.2%	271,435	63.2%	2.6%	+125,145	+85.5%
Total Retail Uses	**374,394**	**100%**	**3.8%**	**454,469**	**100%**	**4.3%**	**429,636**	**100%**	**4.1%**	**+55,242**	**+14.8%**
Fashion Showroom	837,241	98.4%	8.4%	755,165	93.1%	7.2%	1,516,594	93.7%	14.3%	+679,353	+81.1%
Non-Fashion Showroom	13,577	1.6%	0.2%	56,268	6.9%	0.5%	101,562	6.3%	1.0%	+87,985	+648.0%
Total Showroom Uses	**850,818**	**100%**	**8.6%**	**811,433**	**100%**	**7.8%**	**1,618,156**	**100%**	**15.3%**	**+767,338**	**+90.2%**
Fashion Warehouse	582,583	74.5%	5.9%	363,375	77.2%	3.5%	404,302	71.8%	3.8%	-178,281	-30.6%
Non-Fashion Warehouse	199,042	25.5%	2.0%	107,172	22.8%	1.0%	159,151	28.2%	1.5%	-39,891	-20.0%
Total Warehouse Uses	**781,625**	**100%**	**7.9%**	**470,547**	**100%**	**4.5%**	**563,453**	**100%**	**5.3%**	**-218,172**	**-27.9%**
SUBTOTAL Fashion-related Commercial (non-hotel) & Manufacturing Uses	*4,570,570*	*62.0%*	*45.9%*	*4,370,644*	*55.1%*	*41.8%*	*3,908,210*	*50.8%*	*36.9%*	*-662,360*	*-14.5%*
SUBTOTAL Non-Fashion-related Commercial (non-hotel) & Manufacturing Uses	*2,800,130*	*38.0%*	*28.1%*	*3,563,846*	*44.9%*	*34.1%*	*3,790,530*	*49.2%*	*35.7%*	*+990,400*	*+35.4%*
TOTAL Commercial (non-hotel) & Manufacturing Uses	***7,370,700***	***100%***	***74.1%***	***7,934,490***	***100%***	***75.9%***	***7,698,740***	***100%***	***72.6%***	***+328,040***	***+4.5%***
Hotel Uses	135,739	100%	1.4%	543,016	100%	5.2%	679,580	100%	6.4%	+543,841	+400.7%
Residential Uses	1,125,085	100%	11.3%	1,440,671	100%	13.8%	1,510,201	100%	14.2%	+385,116	+34.2%
Vacant	1,315,883	100%	13.2%	529,403	100%	5.1%	714,738	100%	6.7%	-601,145	-45.7%
TOTAL	**9,947,407**	**100%**	**100%**	**10,447,580**	**100%**	**100%**	**10,603,259**	**100%**	**100%**	**+655,852**	**+6.6%**

Sources: Surveys of the SGCD conducted by NYCEDC (2009 and 2014) and GDA (2017); NYC DCP (PLUTO 2009, 2014, & 2016).

In contrast, non-fashion-related office, retail, and showroom space experienced considerable gains of approximately 918,659 sf, 125,146 sf, and 87,985 sf, respectively, in the SGCD's Preservation Areas between 2009 and 2017 (refer to **Table C-6**). In regards to the total floor area of occupied space, non-fashion-related commercial (non-hotel) and manufacturing uses grew from roughly 38 percent in 2009 to approximately 49 percent in 2017. As shown in **Table C-6**, the data highlights the established trend of fashion-related industry in the Preservation Areas of the SGCD being replaced by non-fashion-related office, non-fashion-related retail, and non-fashion-related showroom uses.

It is clear that similar to global and national trends, the fashion industry itself is evolving in the SGCD, where fashion-based manufacturing jobs (i.e. apparel manufacturing) are moving out. Despite the preservation measures implemented by the SGCD, the survey data suggests that fashion-related industrial uses will continue to decline in the coming years as the fashion industry's presence continues to shift toward more showroom space in the district.

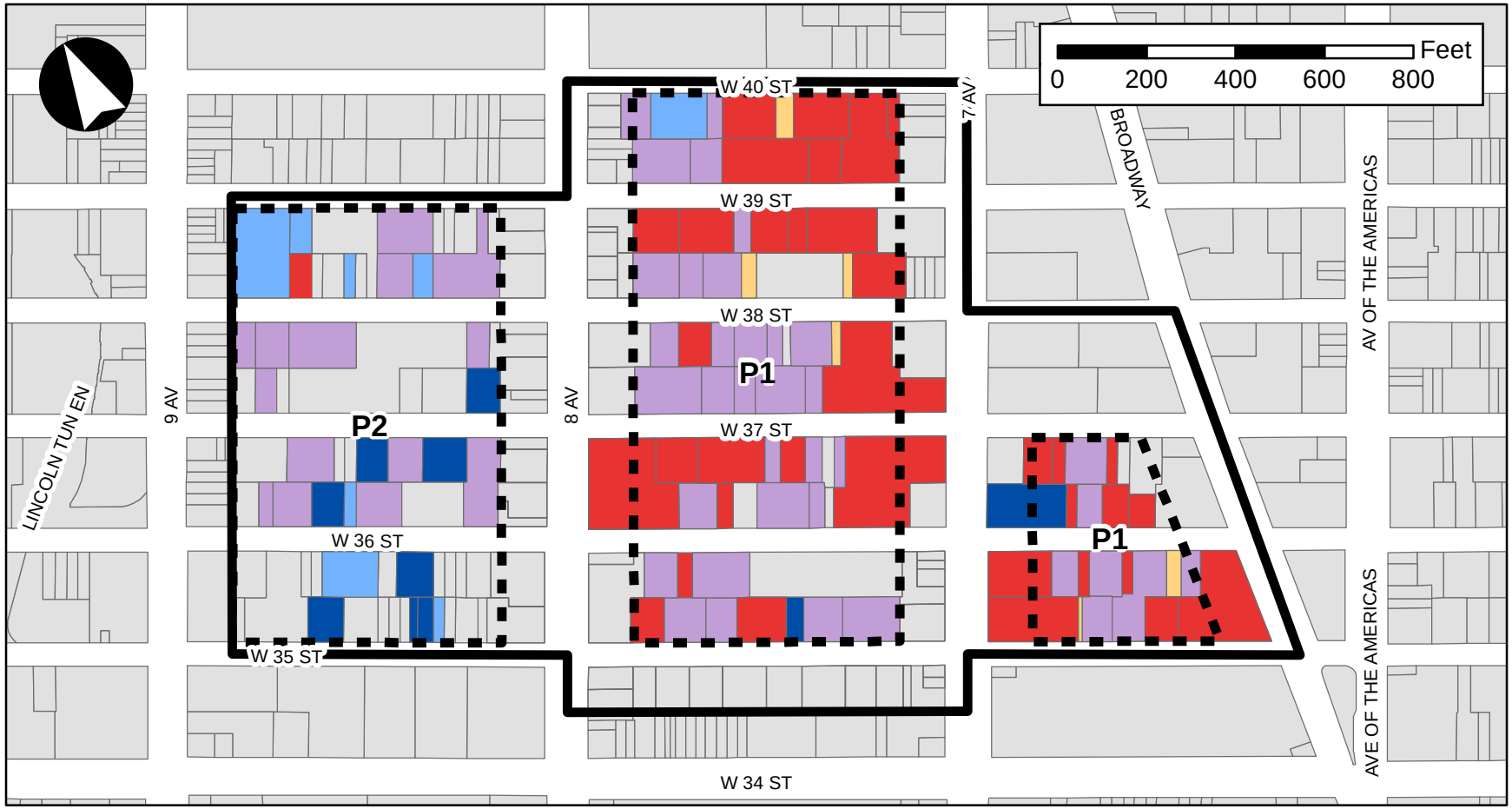
With fashion-related manufacturing in decline in P1 and P2, the fashion industry has evolved toward increasingly hybrid spaces, including in-house showrooms with office, warehousing, and manufacturing spaces. This can be largely attributed to the evolution of the Fashion Industry in the Garment Center toward direct-to-consumer sales. Additionally, non-fashion-related office uses are growing at a faster rate than fashion-related uses. Despite the controls established by the SGCD, it appears that the preservation of manufacturing and warehousing uses have proven ineffective within P1 and P2. Non-manufacturing uses have replaced much of the manufacturing and warehousing uses that occupied a significant portion of P1 and P2 30 years ago when the SGCD was put into place. The decline in apparel manufacturing within the SGCD mirrors the aforementioned local and national rates of decline regarding apparel manufacturing.

Hotel Development in the Special Garment Center District

While manufacturing has experienced a steady decline in the SGCD, hotel uses have grown significantly, particularly in the last 20 years. In the SGCD, and in particular, in P2, developers have taken advantage of underutilized sites and the underlying zoning districts (M1-6 and C6-4M) that permit hotel uses as-of-right. This trend is not unique to the Garment Center, and in fact, is quite common in areas where zoning prohibits residential uses but permits hotel uses. Since 1999, 21 hotels with a combined floor area of approximately 1,928,834 sf and 5,100 hotel rooms have either been built or are currently in development within the SGCD. As the SGCD's P2 preservation area permits the development of new hotel buildings for sites with less than 70,000 sf of existing floor area without applying any preservation requirements, and the area had a large amount of underutilized sites, hotel development within P2 has risen sharply. Two-thirds of the hotels listed in the SGCD (15 of 21) are located in P2, making up approximately 1,178,768 sf and 3,274 hotel rooms. P1, which was more built up than P2 with fewer underdeveloped sites, contains significantly fewer hotels. P1 accommodates two hotels with a total of approximately 238,148 sf and 710 hotel rooms.[53] In the SGCD's Non-Preservation Areas, hotel uses make up approximately 587,916 sf with 1,541 rooms and are spread across five sites (see **Figures C-4** and **C-6**).

A majority of hotels found within the SGCD are new construction, though there are three notable hotel sites that underwent conversions while preserving the original/existing building: the Manhattan Broadway Hotel, TRYP by Windham, and the Moxy by Marriott.[54] The Manhattan Broadway Hotel was the first building to convert to a hotel use within the SGCD and is located outside the Preservation Areas. The building that TRYP currently occupies – formerly known as the 'Rose Building' – was built in

[53] New York City Zoning Resolution 121-10: "Special Garment Center District, Preservation Area"
[54] DOB's Building Information Systems; it should be noted that though the Moxy by Marriott preserved a majority of the existing building, it also added two stories of new development.



Garment Center Text Amendment EAS

Figure C-6

Detailed Land Use Map: Commercial and Manufacturing Uses

1925, originally served as office space, and is currently located in the P2 preservation area. The Moxy, built in 1907 and originally known as the Mills Hotel No. 3, was once a male-exclusive, single-room occupancy residential hotel. In 1991, the building's floor area was converted to office space, and recently in 2014, the site was designated by the NYC Landmarks Preservation Commission as an individual landmark (refer to Attachment E, "Historic & Cultural Resources" for more details). The landmarked building was recently converted back to a hotel featuring 618 hotel rooms.

Commercial Office Rents in the Garment Center

With the decline of apparel manufacturing in the SGCD and subsequent vacant floor area, the Garment Center has become a lower-cost alternative to office markets elsewhere in Midtown Manhattan. As such, rents in the area continue to rise. In 2013, the *New York Times* interviewed experts in commercial office real estate, who attributed these changes to an exodus of media, advertising, entertainment, and technology firms from nearby areas where rents have skyrocketed, such as Park Avenue South, Midtown, and Midtown South. Additionally, new urban revitalization projects such as the 2009 creation of "Broadway Boulevard" with pedestrian plazas, tables, and chairs on Broadway from Times Square to Greeley Square have improved the area. According to the GDA, of the 750 new tenants which moved to the Garment District in 2013, less than 40 percent were related to the fashion industry.[55]

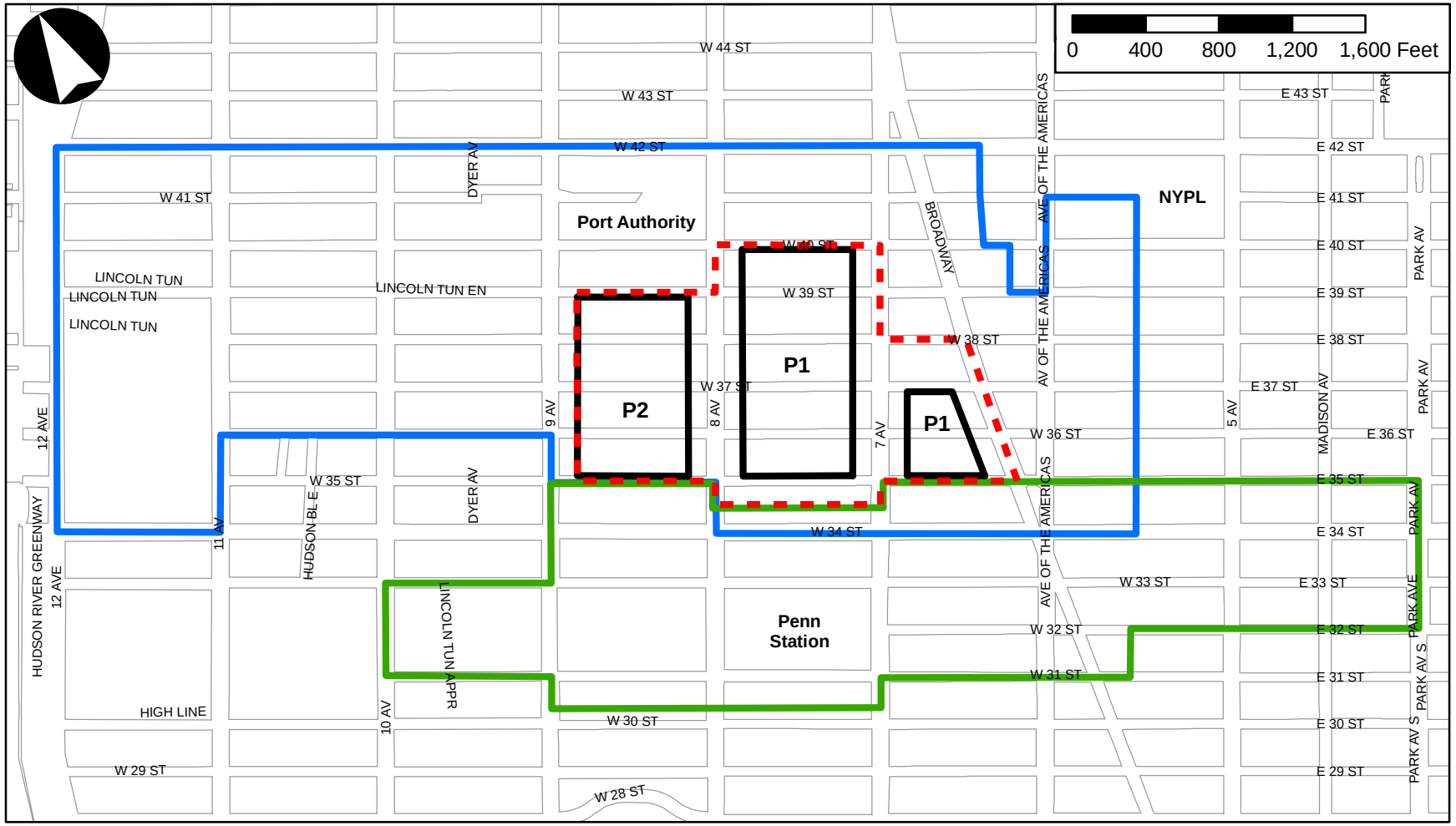
TABLE C-7: Office Market in Manhattan, Midtown, and Times Square South, 2011 & 2017

	Vacancy Rate (%)			Average Office Rent per SF (All Classes)			Average Office Rent per SF (Class A only)		
	2011	**2017**	**Change**	**2011**	**2017**	**% Change**	**2011**	**2017**	**% Change**
Times Square South	10.2	9.6	-0.6	$54.19	$59.88	+10.5 %	$71.46	$76.03	+6.4 %
Midtown Manhattan	9.6	9.5	-0.1	$65.42	$76.94	+17.6 %	$73.57	$83.57	+13.6%
Manhattan	9.1	8.9	-0.2	$57.23	$72.25	+26.2 %	$67.66	$79.05	+16.8 %

Sources: EDC, Cushman & Wakefield, "Market Beat: Manhattan: Office" (Q4 2011 & Q4 2017).
Note: Times Square South is defined as the area south of 42nd Street and north of W. 34th/36th Streets between the Hudson River to the west and mid-block between Fifth & Sixth Avenues to the east, encompassing the Garment District (refer to **Figure C-7**).

As shown in **Table C-7**, Times Square South (the area encompassing the Garment District) experienced a 0.6 percent decline in vacancy from 2011 to 2017, while Midtown Manhattan's vacancy rate decreased 0.1 percent and Manhattan's vacancy rate decreased 0.2 percent. This highlights massive demand for offices in the area. However, **Table C-7** also shows how rents in Times Square South have not increased at the same levels as those of Midtown Manhattan and the entire borough; from 2011 to 2017, the average office rent per sf of all office classes in the area increased 10.5 percent as compared to increases of 17.6 percent in Midtown Manhattan and 26.2 percent in all of Manhattan during that time.

[55] Levere, Jane L. "Garment District Isn't Just for Fashion Anymore," *New York Times* (Oct. 3, 2013)



Legend

- Special Garment Center District (SGCD)
- P1 SGCD Preservation Areas
- Times Square South (per Cushman & Wakefield, refer to Table C-7)
- South Midtown (per CoStar, refer to Table C-9)

Figure C-7
Additional Socioeconomic Study Areas

TABLE C-8: Building Vacancy Rates and Leasing Activity in the SGCD, 1995 to 2015

YEAR (Q1)	P1 & P2 Only		Non-Preservation Areas		Entire SGCD	
	Vacancy Rate (%)	*Average Asking Rent per SF*	*Vacancy Rate (%)*	*Average Asking Rent per SF*	*Vacancy Rate (%)*	*Average Asking Rent per SF*
1995	11.0	$14.40	12.6	$17.02	11.9	$15.30
2000	5.2	$30.93	7.4	$33.54	6.4	$31.79
2005	8.4	$25.68	8.1	$30.75	8.1	$28.17
2010	8.1	$30.98	8.4	$28.26	8.1	$29.90
2015	5.5	$44.73	3.6	$52.26	4.7	$46.95

Source: EDC; CoStar (2017).

Table C-8 details building vacancy rates and leasing activity in the SGCD from 1995 to 2015. As detailed in the table, vacancy rates in the district have diminished significantly in both the P1 & P2 Areas, as well as the Non-Preservation Areas, while average asking rents have increased significantly.

TABLE C-9: Lease Comps for Apparel Manufacturing & Office Space, 2007 to 2017

APPAREL MANUFACTURING[1] SPACE		OFFICE SPACE	
Preservation Areas (P1 & P2)			
Average Asking Rent per SF:	$32.33	*Average Gross Asking Rent per SF:*	$36.29
Average Effective Rent per SF:	$38.44	*Average Gross Effective Rent per SF:*	$35.33
Average Time on Market:	12 months	*Average Time on Market:*	6 months
Non-Preservation Areas (SGCD Avenues)			
Average Asking Rent per SF:	$46.20	*Average Gross Asking Rent per SF:*	$42.23
Average Effective Rent per SF:	$37.88	*Average Gross Effective Rent per SF:*	$41.41
Average Time on Market:	18 months	*Average Time on Market:*	11 months
Entire SGCD			
Average Asking Rent per SF:	$39.28	*Average Gross Asking Rent per SF:*	$38.16
Average Effective Rent per SF:	$37.72	*Average Gross Effective Rent per SF:*	$38.49
Average Time on Market:	14 months	*Average Time on Market:*	7 months
Midtown South[2]			
Average Asking Rent per SF:	$88.88	*Average Gross Asking Rent per SF:*	$48.89
Average Effective Rent per SF:	$45.97	*Average Gross Effective Rent per SF:*	$42.25
Average Time on Market:	16 months	*Average Time on Market:*	11 months

Source: CoStar "Lease Comps" (2007-2017).

Notes:

[1] Apparel manufacturing is an aggregation of 11 NAICS codes, detailed in the Appendix following this attachment.

[2] Midtown South is roughly bounded by W. 35th Street to the north, Park Avenue to the east, W. 30th Street to the south, and 10th Avenue to the west (refer to **Figure C-7**).

As shown in **Table C-9**, in both the SGCD and Midtown South, office space is typically on the market for a shorter period of time than apparel manufacturing space, suggesting that it is in higher demand. Rents for both apparel manufacturing and office space are higher in the Non-Preservation Areas of the SGCD, highlighting the stronger demand along the avenues as opposed to the mid-blocks of the Preservation Areas. Additionally, as shown in **Table C-9**, the Midtown South market commands much higher office and apparel manufacturing rents than the SGCD. In addition to a significant amount of office space in Times Square to the north of the SGCD and Penn Plaza to the south, it is also anticipated that more office space, Class A in particular, will be available after the completion of Hudson Yards to the west and the East Midtown Rezoning to the east of the SGCD. It is expected that this increased supply in new and higher-end office space in proximity to the SGCD will strengthen the Midtown office

district. Due to the smaller floorplates and older building stock in the Garment Center, the area will continue to attract small-scale firms. As detailed in **Table C-6**, non-fashion office space in the Preservation Areas of the SGCD increased by approximately 918,659 sf between 2009 and 2017, highlighting this trend.

Recent Fashion Industry Employment Trends in New York City

Employment Trends in New York City and Manhattan

Within the last decade, private sector employment has been growing within both the borough of Manhattan and in the greater City. While total employment had increased in both Manhattan and the City as a whole, the manufacturing sector has experienced significant declines in employment throughout the last decade. As shown in **Table C-10**, the manufacturing sector experienced the greatest percentage loss of workers in Manhattan, declining by nearly 62 percent between 2000 and 2016 with a loss of more than 43,300 jobs. Employment levels within textile mills and apparel manufacturing subsectors of manufacturing in Manhattan decreased even more sharply, and experienced losses of upwards to approximately 82 and 74 percent, respectively. As shown in **Table C-10**, employment in apparel manufacturing in New York City declined from 57,178 jobs in 2000 to 13,519 jobs in 2016. Per the NYSDOL's "Latest Month" employment statistics, as of March 2018, apparel manufacturing employment in New York City had dropped further, to 12,000 jobs,[56] a decrease of over 79 percent since 2000.

TABLE C-10: Manhattan and New York City Employment, 2000 and 2016

	Manhattan		Change		New York City		Change	
Industry	**2000**	**2016**	**Numeric**	**Percentage**	**2000**	**2016**	**Numeric**	**Percentage**
Agriculture, Forestry, Fishing, & Hunting	104	149	45	43.3%	195	299	104	53.3%
Mining	52	26	-26	-50.0%	105	26	-79	-75.2%
Utilities	0	0	0	NA	14,490	5,166	-9,324	-64.3%
Construction	35,490	40,834	5,344	15.1%	117,189	142,386	25,197	21.5%
Manufacturing	70,022	26,644	-43,378	-61.9%	172,266	75,325	-96,941	-56.3%
Textile Mills	4,476	793	-3,683	-82.3%	6,742	1,052	-5,690	-84.4%
Textile Product Mills	665	330	-335	-50.4%	2,774	972	-1,802	-65.0%
Apparel Manufacturing	32,618	8,473	-24,145	-74.0%	57,178	13,519	-43,659	-76.4%
Wholesale Trade	90,764	74,910	-15,854	-17.5%	150,948	134,873	-16,075	-10.6%
Retail Trade	133,361	158,557	25,196	18.9%	274,300	345,239	70,939	25.9%
Transportation & Warehousing	27,805	16,701	-11,104	-39.9%	114,292	116,144	1,852	1.6%
Information	162,336	156,326	-6,010	-3.7%	189,181	177,674	-11,507	-6.1%
Finance & Insurance	328,844	288,696	-40,148	-12.2%	360,365	327,588	-32,777	-9.1%
Real Estate & Rental & Leasing	75,493	83,432	7,939	10.5%	115,833	127,803	11,970	10.3%
Professional & Technical Services	284,138	348,279	64,141	22.6%	312,272	393,373	81,101	26.0%
Management Companies & Enterprises	46,728	59,456	12,728	27.2%	51,293	66,453	15,160	29.6%
Admin. & Waste Services	155,661	148,061	-7,600	-4.9%	207,649	224,121	16,472	7.9%
Educational Services	64,941	113,321	48,380	74.5%	106,253	178,394	72,141	67.9%
Health Care & Social Services	180,052	226,083	46,031	25.6%	477,569	670,959	193,390	40.5%
Arts, Entertainment, & Recreation	43,689	64,128	20,439	46.8%	54,864	84,633	29,769	54.3%
Accommodation & Food Services	137,184	229,756	92,572	67.5%	195,251	349,648	154,397	79.1%
Other Services (Ex. Public Admin.)	82,754	102,025	19,271	23.3%	135,047	172,230	37,183	27.5%
Government	453,842	263,659	-190,183	-41.9%	549,120	538,780	-10,340	-1.9%
Unclassified	3,437	89,19	5,482	159.5%	7,497	23,822	16,325	217.8%
Total (All Industries)	2,382,168	2,415,727	33,559	1.4%	3,605,980	4,165,195	559,215	15.5%
Total (All Private)	1,928,326	2,152,068	223,742	11.6%	3,056,860	3,626,415	569,555	18.6%

Source: NYSDOL, QCEW, 2000 and 2016.

As a result of the significant decline in the number of apparel manufacturing workers, which historically has represented the largest share of employment in the manufacturing sector in the borough, the apparel industry's overall share in manufacturing employment citywide has declined considerably. As shown in **Table C-10**, employment within apparel manufacturing in Manhattan had represented roughly 47

[56] NYSDOL, "NYC Current Employment Statistics (CES) Latest Month" (March 2018).

percent of employment within the manufacturing sector in 2000, but by 2016, apparel manufacturing represented less than 32 percent of all manufacturing employment. This decline of employment in manufacturing is reflective of a broader, citywide and national decrease in textile and apparel manufacturing employment over the past several decades.[57] For example, between 2000 and 2016, apparel manufacturing employment in Brooklyn and Queens declined approximately 81 percent and 77 percent, respectively,[58] while the U.S. experienced a 72 percent decrease in apparel manufacturing employment.[59]

During the same time period, the number of apparel manufacturing firms in New York City also fell dramatically. Between 2000 and 2016, New York City lost approximately 2,262 apparel manufacturing firms. The most dramatic losses occurred in Manhattan, where the number of apparel manufacturing firms dropped from 1,868 firms in 2000 to just 623 firms in 2016.[60]

It is estimated that apparel manufacturing in the SGCD declined approximately 82 percent from 1985 to 2016 (from approximately 25,200 employees in 1985 to 4,426 employees in 2016). Between 2000 and 2016, apparel manufacturing in the SGCD also experienced a decrease in average employees per firm, from approximately 14.6 employees per company to approximately 11.5. Nevertheless, as of 2016, apparel manufacturing employment still represented 20 percent of all manufacturing jobs in New York City and 36 percent of all manufacturing jobs in Manhattan.[61]

As New York City remains a predominant global fashion capital, the fashion industry continues to be one of the City's largest and most prominent industries. As of 2016, New York City was home to over 13,000 fashion establishments, and the fashion industry employed approximately 176,200 workers (roughly five percent of New York City's total workforce).[62] The fashion industry pays out over $11 billion in annual wages, and generates over $3 billion in taxes to the City. New York City remains the country's largest fashion retail market and a wholesale buying leader (accounting for over 27 percent of the overall U.S. wholesale market in 2010), holding 75 major fashion trade shows and market weeks annually as well as the semi-annual Men's and Women's Fashion Weeks, which reinforce New York City's place in the global fashion industry. Additionally, the City's distinguished fashion schools have fostered an innovative fashion start-up scene, and the country's biggest fashion publications and fashion marketing and media firms located in close proximity to the Garment District help promote the industry's preeminence.[63]

Employment Trends in the Special Garment Center District

As detailed above, apparel manufacturing employment had been steadily declining in the SGCD during the second half of the 20th century. As shown in **Table C-11**, this trend has continued over the last 16 years, with the share of manufacturing employees decreasing from 34.1 percent of total employment in the SGCD in 2000 to 7.9 percent in 2016, a decrease of 26.2 percent. It is important to note that this

[57] *2014 County Business Patterns* & *2014, 2005 Economic Census*, U.S. Census Bureau.
[58] NYSDOL, QCEW, 2000 and 2016.
[59] USDOL, BLS Employment Statistics, 2000 and 2016.
[60] NYSDOL, QCEW, 2000 and 2016.
[61] New York City Office for Economic Development *New York City Garment Center Study* (1986) & NYSDOL QCEW 2016, NYC DCP HEIP Division (April 2018).
[62] NYSDOL, QCEW, 2016.
[63] "Fashion in New York City: Industry Snapshot," New York City Economic Development Corporation (2010) & "Fashion.NYC.2020," New York City Economic Development Corporation (2012).

decline in the share of manufacturing employment occurred as total employment numbers in the SGCD increased 55.5 percent between 2000 and 2016, reflecting a massive change in the area.

As shown in **Table C-11**, the P1 and P2 Preservation Areas, which were established in order to maintain manufacturing in the SGCD in 1987, experienced the largest decrease of manufacturing between 2000 and 2016, while accommodating the largest increase of overall employment. Manufacturing fell from 40.0 percent of total employment in the Preservation Areas in 2000 to 9.2 percent in 2015, a decrease of 30.8 percent, while the total number of jobs in the Preservation Areas increased 81.7 percent. These trends highlight the ineffectiveness of the 1987 zoning restrictions in retaining apparel manufacturing jobs in the SGCD's Preservation Areas in the face of the other major trends experienced by the industry, including globalization and automation.

TABLE C-11: Employment Trends in the SGCD, 2000-2016

Total Employees[1]					
	2000	**2009**	**2016**	**% Change, 2000-2016**	**% Change, 2009-2016**
P1 & P2 Only	18,410	22,342	33,450	+81.7%	+49.7%
Non-Preservation Areas	23,781	22,260	32,164	+35.3%	+44.5%
Entire SGCD	42,191	44,602	65,614	+55.5%	+47.1%
Percent of Employees in Manufacturing *(refer to Table C-12 below for details)*					
	2000	**2009**	**2016**	**Change, 2000-2016**	**Change, 2009-2016**
P1 & P2 Only	40.0%	19.7%	9.2%	-30.8%	-10.5%
Non-Preservation Areas	29.6%	11.6%	6.4%	-23.2%	-5.2%
Entire SGCD	34.1%	15.7%	7.9%	-26.2%	-7.8%

Sources: NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2016, NYC DCP HEIP Division (April 2018).
Note: [1]Employees only in the private sector; includes all industry sectors.

Table C-12 shows manufacturing employment trends in the SGCD, divided into apparel manufacturing and non-apparel manufacturing in the Preservation Areas (P1 & P2) and outside of the Preservation Areas. As shown, the number of apparel manufacturing jobs in the SGCD decreased 67.5 percent between 2000 and 2016, while the total number of manufacturing jobs decreased 64.2 percent in the SGCD during this time.

However, as shown in **Table C-12**, non-apparel manufacturing actually increased during this time in the areas of the SGCD outside of P1 and P2. In 2000, there were 228 jobs in this area, dropping to 151 jobs in 2009, before increasing to 245 jobs in 2016. This 7.5 percent increase over the course of 16 years (and 62.3 percent increase from 2009 to 2016) reflects the larger trend of non-fashion-related industries moving into the Garment Center. As detailed above, many of the avenues in the SGCD not encumbered by the preservation restrictions of the Preservation Areas have been converted to back office space for larger firms as well as main office space for firms in the "innovation economy" (refer to NAICS codes list in Appendix below) which have been getting priced out of more expensive office markets of Times Square to the north and Penn Plaza to the south. Although many of these firms do not have traditional manufacturing jobs, several firms in the innovation economy were classified as "Advanced Manufacturing Firms," which explains the increase in non-apparel manufacturing in **Table C-12** (refer to the Appendix below for a comprehensive list of these advanced manufacturing firms).

TABLE C-12: Manufacturing Employment Trends in the SGCD, 2000-2016

	2000	2009	2016	% Change, 2000-2016	% Change, 2009-2016
Apparel Manufacturing Employees[1]					
P1 & P2 Only	6,793	3,761	2,602	-61.7%	-30.8%
Non-Preservation Areas	6,814	2,421	1,824	-73.2%	-24.7%
Entire SGCD	13,607	6,182	4,426	-67.5%	-28.4%
Non-Apparel Manufacturing Employees					
P1 & P2 Only	565	648	486	-14.0%	-25.0%
Non-Preservation Areas	228	151	245	+7.5%	+62.3%
Entire SGCD	793	799	731	-7.8%	-8.5%
All Manufacturing Employees					
P1 & P2 Only	7,358	4,409	3,088	-58.0%	-30.0%
Non-Preservation Areas	7,042	2,572	2,069	-70.1%	-19.6%
Entire SGCD	14,400	6,981	5,157	-64.2%	-26.1%

Sources: NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2016, NYC DCP HEIP Division (April 2018).
Note: [1]Apparel manufacturing is an aggregation of 12 NAICS codes, detailed in the Appendix following this attachment.

As shown in **Table C-13**, the innovation economy appears to be the primary source of overall employment increases in the SGCD during the last 15 years. It should be noted that, in spite of zoning regulations intended to preserve garment-related uses in these areas, these firms appear to have moved into the Preservation Areas as well as the avenues of the SGCD, as P1 and P2 have experienced a 193.4 percent increase in innovation economy jobs from 2000 to 2015, compared to a 107.9 percent increase in the larger SGCD. It should be noted that, from 2014 to 2015, the number of innovation economy jobs in the Preservation Areas increased almost 20 percent, from 16,994 workers to 20,147 workers (as detailed above and shown in **Table C-6**, non-fashion office space in the Preservation Areas of the SGCD increased by approximately 42.8 percent between 2009 and 2017). This trend highlights the nonconformance of many buildings in the SGCD's Preservation Areas.

TABLE C-13: Innovation Economy[1] Employment Trends in the SGCD, 2000-2015

	2000	2009	2015	% Change, 2000-2015	% Change, 2009-2015
P1 & P2 Only	6,866	11,569	20,147	+193.4%	+74.1%
Non-Preservation Areas	11,789	12,497	18,646	+58.2%	+49.2%
Entire SGCD	18,655	24,066	38,793	+107.9%	+61.2%

Sources: NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2015, NYC DCP HEIP Division (January 2017).
Note: [1]The innovation economy is an aggregation of 75 NAICS codes, detailed in the Appendix following this attachment.

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

Based on decades of trends in the garment industry, it is anticipated that global market forces would continue to shape and redefine the industry. In the future without the proposed action, it is likely that apparel manufacturing would continue to decline in terms of the number of establishments and in total employment in the SGCD, and apparel manufacturing firms would continue to either scale back operations, relocate to more affordable areas in the City or elsewhere, or close entirely. As rents in the SGCD continue to increase in response to office space demand overflowing from other nearby office markets such as Times Square and Penn Plaza, apparel manufacturing firms are expected to continue to

seek real estate with affordable rents elsewhere in Manhattan and in the outer-boroughs. Additionally, it is anticipated that the influx of Class A office space in nearby Hudson Yards and East Midtown in the future without the proposed action could help stabilize rents of the SGCD's Class B and C office spaces.

In the future without the proposed action, as apparel manufacturing continues to decline in the SGCD, firms in the innovation economy are expected to continue to grow in the SGCD, particularly in the Non-Preservation Areas of the SGCD where office space is permitted as-of-right. The Garment Center is likely to continue to maintain its role as the center of the women's fashion industry in the U.S., however with more fashion-related office with showroom and marketing functions rather than apparel manufacturing spaces. As a result of these long-term trends in the SGCD, empty ground-floor spaces once accommodating supply shops for the fashion industry are expected to become increasingly attractive for ground-floor restaurants and retail spaces, catering to the influx of office tenants and hotels in the area.

As detailed in Attachment A, "Project Description," in the future without the proposed action, no changes would be made to existing zoning regulations in the SGCD. The existing preservation requirements for manufacturing space would continue to apply to the Preservation Areas of the SGCD, and existing apparel manufacturing spaces located both inside and outside the Preservation Areas in the SGCD will continue to be permitted as-of-right per the underlying zoning. Additionally, hotels would continue to be permitted as-of-right in the SGCD[64] and no changes to bulk regulations would occur in the underlying M1-6 zoning district of the SGCD. The RWCDS identifies three projected and two potential development sites anticipated to be redeveloped in the 2027 future without the proposed action. As detailed in Attachment A, all five projected and potential development sites would be redeveloped with hotels in the future without the proposed action, introducing approximately 1,222 new hotel rooms to the SGCD.

Additionally, over 1,600 hotel rooms are either currently under construction or planned to be constructed within the P2 area of the SGCD across nine new hotels and a mixed-use commercial and residential building (refer to **Table C-14**). These sites are expected to be completed by the 2027 analysis year. It should be noted that, as detailed in Attachment A, "Project Description," DCP has proposed a citywide hotel special permit zoning text amendment in existing M1 districts, which would require new hotels to be subject to a City Planning Commission Special Permit. This proposal could be implemented in the future without the proposed action. However, for conservative analysis purposes, it is expected that the list of planned hotels in **Table C-14** would be approved prior to the creation of the potential new zoning text amendment.

[64] Currently, in the SGCD hotels are allowed as-of-right in new buildings in the preservation area and in new or converted buildings outside the preservation area. In P2, conversion of buildings of 70,000 sf or more from manufacturing to other uses including hotel are subject to preservation requirements.

TABLE C-14: New Hotels Under Construction or Planned in P2 Preservation Area

Name/Address	Block; Lot	Number of Rooms	Floor Area (sf)	Building Status
Fairfield Inn & Suites- 334 W. 36th Street	759; 61	570	168,113 sf	Under construction
333 W. 38th Street	762; 16	81	29,188 sf	Under construction
337 W. 36th Street	760; 20	89	29,544 sf	Under construction
The Pestana CR7 New York Hotel- 338 W. 38th Street	762;61	177	59,244 sf	Under construction
319 W. 35th Street	759; 29	170	58,754 sf	Planned
350 W. 39th Street	762; 6	422	122,178 sf	Under construction
319 W. 38th Street	762; 23	121	44,243 sf	Planned
	Totals:	**1,630 rooms**	**511,264 sf**	

Source: DOB Filings.

In the future without the proposed action, the long-term trends of apparel manufacturing decline in the SGCD are expected to continue, as overall employment in the area continues to rise. **Table C-15** provides estimates of future employment in the SGCD through 2027, based on the documented trends detailed above. As shown in **Table C-15**, from 2000 to 2016 there was an annual average rate of change of +4.8 percent in the Preservation Areas and +2.1 percent in the SGCD areas outside of P1 and P2. As discussed above, most vacant and underutilized sites in the SGCD's Preservation Areas have been redeveloped in recent years, likely contributing to the higher annual rate of increase in the Preservation Areas than in the remainder of the SGCD. As there are few vacant and underdeveloped lots left in the Preservation Areas, it is assumed that employment in the area will continue to rise in the future in a manner similar to the Non-Preservation Areas of the SGCD. Therefore, as shown in **Table C-15**, assuming an annual average rate of change of +2.1 percent, it is anticipated that employment in the SGCD would rise from approximately 65,614 jobs in 2016 to approximately 72,753 jobs in 2021 and approximately 82,352 jobs in 2027. It is expected that many of these new jobs would be in the innovation economy, which has seen rapid growth in the City and the area over the past 16 years, as discussed above.

TABLE C-15: Employment Projections in the SGCD through 2027

Total Employees[1]					
	2000	**2009**	**2016**	***2021***	***2027***
P1 & P2 Only	18,410	22,342	33,450	*37,113*	*42,042*
Non-Preservation Areas	23,781	22,260	32,164	*35,640*	*41,310*
Entire SGCD	42,191	44,602	65,614	*72,753*	*82,352*
Percent of Employees[2] in Manufacturing *(refer to Table C-16 below for details)*					
	2000	**2009**	**2016**	***2021***	***2027***
P1 & P2 Only	40.0%	19.7%	9.2%	7.1%	5.2%
Non-Preservation Areas	29.6%	11.6%	6.4%	4.8%	3.4%
Entire SGCD	34.1%	15.7%	7.9%	6.0%	4.3%

Sources: NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2016, NYC DCP HEIP Division (April 2018).
Note: [1] Employees only in the private sector; includes all industry sectors. SGCD total employment projections are based on the 2000-2016 annual average rate of change of +2.1 percent of the Non-Preservation Areas.

As shown in **Table C-15** above and detailed in **Table C-16** below, in the future without the proposed action, it is expected that apparel manufacturing employment in the SGCD would continue to decline.

Based on apparel manufacturing's annual average rate of change of -3.6 percent in the Preservation Areas and -4.3 percent in the areas outside of P1 and P2 from 2000 to 2016, it is anticipated that total apparel manufacturing in the SGCD will decrease from 4,426 jobs in 2016 to 2,856 jobs in 2027. Concurrently, based on similar trends in the area, it is expected that non-apparel manufacturing employment in the SGCD would remain stable in the future without the proposed action (as detailed above, this stability is likely due to "Advanced Manufacturing Firms" in the innovation economy that have begun occupying space in the SGCD during the last 16 years). Under 2027 No-Action conditions, it is expected that overall manufacturing will decrease from 7.9 percent in 2016 to approximately 4.3 percent of all employment in the SGCD.

TABLE C-16: Apparel Manufacturing Employment Projections in the SGCD through 2027

Apparel Manufacturing Employees [1]					
	2000	**2009**	**2016**	***2021***	***2027***
P1 & P2 Only	6,739	3,761	2,602	*2,163*	*1,733*
Non-Preservation Areas	6,814	2,421	1,824	*1,464*	*1,124*
Entire SGCD	13,607	6,182	4,426	*3,626*	*2,856*

Sources: NYSDOL QCEW 3Q 2000, 3Q 2009, & 3Q 2016, NYC DCP HEIP Division (April 2018).
Note: [1] Apparel manufacturing is an aggregation of 12 NAICS codes, detailed in the Appendix following this attachment. Apparel manufacturing employment projections are based on the 2000-2016 annual average rate of change of -3.6 percent in the Preservation Areas and -4.3 percent outside of the Preservation Areas.

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

As detailed in Attachment A, "Project Description," DCP and EDC are proposing a zoning text amendment to the New York City Zoning Resolution, modifying the SGCD zoning text in several ways that are intended to reflect existing conditions and simplify rules that in some cases set contradictory standards in different parts of the special district. The zoning text amendment change that would apply district-wide would establish a special permit to allow new hotel uses (referred to as "transient hotels" in the ZR) in the SGCD, i.e., hotel uses in new buildings or in conversions of existing buildings would not be allowed as-of-right,[65] except for those operated by or for the City or State for a public purpose, which would continue to be permitted as-of-right (referred to as the "hotel special permit text amendment"). In the SGCD's Preservation Areas, a zoning text amendment change would remove restrictions, i.e., preservation requirements on conversion of floor area from manufacturing and warehousing to residential, office, and/or hotel uses which now exist on sites in SGCD Preservation Areas (referred to as the "lifting of preservation requirements text amendment"). In the M1-6 portion of the district, zoning text amendment changes would change height and setback regulations in the M1-6 portion of the SGCD to create a more contextual envelope for new buildings (referred to as the "contextual bulk text amendment"*);* and subject the M1-6 portion of the SGCD to C6-4 sign regulations, giving the district consistent sign regulations while limiting advertising signs (referred to as the "sign text amendment"). In the area of the district zoned C6-4M, which is coextensive with area P2, a zoning text amendment would limit conversion of manufacturing and warehousing space in existing buildings of 70,000 sf or larger, which are presently subject to preservation requirements or require an authorization to waive preservation requirements; although, as described above, the preservation requirement would be lifted, these buildings would not be able to convert their space to residential or

[65] Currently, in the SGCD hotels are allowed as-of-right in new buildings in the Preservation Areas and in new or converted buildings outside the Preservation Areas. In P2, conversion of manufacturing and warehousing space in buildings of 70,000 sf or larger to hotel are subject to preservation requirements.

dormitory community facilities, which are uses allowed under the underlying zoning (referred to as the "C6-4M conversion text amendment").

As discussed above, the SGCD was created to maintain the viability of the apparel manufacturing industry by enacting zoning restrictions limiting conversion to office uses on side streets in the district. In establishing the special district, the CPC did not anticipate the national and global industry changes that would impact the apparel and manufacturing industries; these changes go well beyond the ability of New York City and its zoning to affect the outcomes of the market place. As these industry uses declined, new businesses and industries moved in, creating thousands of new jobs in the SGCD. However, due to the preservation requirements of the SGCD's zoning restrictions, such new businesses are not allowed as-of-right and have led to approximately four million square feet of nonconforming office space in the Preservation Areas of the SGCD.

Although these provisions were designed to retain apparel manufacturing uses in the Preservation Areas, they have proven ineffective in curtailing the decline of the apparel manufacturing industry in the Garment Center. Furthermore, recent surveys of the greater Garment Center area reveal that there is nearly just as much apparel production space in the areas outside of the Preservation Areas as within them, which demonstrates that the fashion ecosystem and cluster of fashion-related firms have concentrated in the area without the protection of zoning. As the fashion industry has continued to evolve, demand for manufacturing space in the Garment Center has declined. From the time the SGCD zoning was enacted in 1987, only approximately 180,000 sf of the 8.5 million sf of commercial space subject to preservation requirements have been officially preserved for manufacturing/warehousing uses in the district, while it is estimated that over four million sf of space is now occupied by nonconforming office use. The proposed preservation area text amendment would remove these ineffective restrictions in the P1 and P2 Preservation Areas (refer to **Figure C-1**) that require the preservation of manufacturing and warehousing space when new office space is created. The proposed action would allow buildings to update their Certificates of Occupancy to reflect existing conditions, address outstanding violations, and bring buildings into compliance, retaining the Garment Center as a hub for the fashion industry while supporting the district's increasing amount of office usage. Manufacturing and warehousing uses would continue to be permitted as-of-right in the SGCD in the future with the proposed action. As detailed above, nearly half of existing apparel manufacturing space in the SGCD is located outside of the Preservation Areas. It is expected that this trend of apparel manufacturing outside the Preservation Areas would continue in the future with the proposed action, as the underlying zoning would not change.

In the future with the proposed action, the SGCD is expected to continue to be the center of the American fashion industry. As discussed above and in Attachment A, "Project Description," since the enactment of the preservation requirements in 1987, the needs of the fashion industry have evolved substantially. Properties in the Preservation Areas of the SGCD have been allowed to convert from manufacturing and warehousing space – lower paying uses – to showrooms – a higher-paying use – as-of-right. Meanwhile, fashion office space, which is not allowed as-of-right in the SGCD Preservation Areas despite its growing importance to the fashion sector, has experienced continuous growth in the Garment Center due to the area's prominent location in Manhattan with close proximity to transit hubs and flagship retail stores. Fashion office uses, which today are nonconforming under zoning in the Preservation Areas, are expected to continue to grow in the district. Based on documented trends detailed above, it is anticipated that office and showroom space would continue to fill unoccupied space in the area.

The proposed action also includes a hotel special permit zoning text amendment, which would establish a requirement for a special permit for new hotel uses in the SGCD, as well as a bulk zoning text amendment, which would change the height and setback regulations of the underlying M1-6 zoning district in the SGCD to require contextual building designs intended to be compatible with the prevailing character of the area as defined by high lot coverage buildings with streetwalls. As detailed in

Attachment A, in the 2027 RWCDS for the proposed action, the three projected development sites in the SGCD would be redeveloped with hotel, residential, and office uses with a net increment of approximately 136 DUs, approximately 17,750 sf of commercial office space, and approximately 29,624 sf of retail space over RWCDS No-Action conditions, in addition to a net decrease of approximately 1,320 hotel rooms in the SGCD.

City Support of Fashion Industry

As described in more detail in Attachment A, "Project Description, Section C, Background of City Support for Fashion Industry," the City announced a comprehensive package of support for fashion production in the Garment District in early June 2018. The plan follows recommendations from the Garment Center Steering Committee and includes a new tax incentive program to preserve manufacturing space in the Garment Center, a commitment to support a public-private partnership to acquire a building dedicated to garment production in the Garment Center area, and a suite of support initiatives for garment manufacturers.

Garment Center NYCIDA Program: The Garment Center IDA Program is a tax incentive package through the New York City Industrial Development Agency (NYCIDA), which seeks to support the continued presence of garment manufacturing in the Garment District by encouraging greater real estate stability and predictability for existing firms who wish to operate in mid-Manhattan. Customized to address the needs and conditions of the garment manufacturing industry in the Garment District, the program will abate a portion of property taxes for property owners who commit to offering long-term affordable leases to garment manufacturers in their buildings.

Capital Commitment to Building Acquisition: Additionally, the de Blasio Administration announced a commitment of up to $20 million in City capital to facilitate the acquisition of a building in the Garment District by a nonprofit organization. In support of another priority recommendation of the Garment Center Steering Committee, the commitment will require a public-private partnership with a nonprofit organization to operate and manage the building as dedicated production space, which will be publicly procured at a future date and subject to any appropriate review and approval processes at that time.

Future of Fashion Manufacturing Support Initiatives: In addition to the IDA program and capital commitment, the City has worked with the Council of Fashion Designers of America (CFDA) and the Garment District Alliance (GDA) to develop a comprehensive suite of support initiatives for fashion manufacturers in the Garment Center and citywide, which is expected to be over a ten-year period. The package is expected to be supported by a multi-million dollar commitment by the CFDA, GDA, and the City. The program will be available across the five boroughs and is anticipated to include investments in technology through the *Fashion Manufacturing Initiatives (FMI)* as well as additional services to support fashion manufacturers related to workforce development, business technical assistance, marketing, and real estate stability (e.g. expansion, clustering, and/or relocation). Developed through months of outreach to garment manufacturers, designers, suppliers, and industry leaders, including one-on-one interviews, focus groups, and feedback from the Garment Center Steering Committee, the package is a holistic response to the challenges facing the industry and seeks to stabilize and strengthen this historic sector over a ten-year period.

The GDA intends to pursue a change to the Fashion Center BID District Plan to enable the organization to undertake economic development activities in support of the suite of support initiatives for garment manufacturers. The proposed amendment to the BID District Plan will require review and approval by the New York City Council in adherence with Section 25-410 of the New York City Administrative Code.

The components of the City's support package for fashion production are independent of the proposed action and these investments are not anticipated to have an adverse impact on the garment and fashion

industries. Instead, they could slow the long-term trend of decline of the industry in the Garment Center by establishing new programs and mechanisms intended to support existing garment businesses in the area. Through long-term affordable leases and dedicated production space, the Garment Center IDA Program and capital commitment to building acquisition will more effectively provide real estate stability and predictability to garment manufacturers than the existing zoning preservation requirements. It is expected that these programs would boost and strengthen the fashion manufacturing industry by providing workforce training and improving business operations and cost effectiveness for firms operating citywide and in the Garment Center, and, as a result, the established, long-term trend of apparel manufacturers vacating mid-Manhattan for more affordable working space in the outer-boroughs or outside of New York City may stabilize or lessen. As such, it is not anticipated that this suite of fashion manufacturing support initiatives will exacerbate the decline of garment manufacturing in the Garment Center.

Assessment

Section 430 of Chapter 5: "Socioeconomic Conditions" in the *CEQR Technical Manual* suggests that there is a significant impact on a specific industry where it "would substantially impair the ability of a specific industry or category of business… from operating… in the City." Section 333 outlines the potential range of effects that could occur to a specific industry as a result of an action:

- *Changes in operations that may be of little overall consequence to the individual businesses;*

- *Changes that may add costs but would not cause displacement or relocation; or*

- *Changes that would result in displacement or relocation.*

The proposed action may result in changes in operations that are likely to be of little overall consequence to most individual apparel manufacturing-related businesses. Nevertheless, based on the analysis of the existing trends in the SGCD as well as the three identified RWCDS projected development sites provided above, the proposed action would not result in changes that would lead to direct or indirect displacement or relocation of the fashion industry or related apparel/garment manufacturing.

While the proposed action will not continue to protect manufacturing and warehousing uses in the Garment Center, it also will not inhibit the industry from operating in the Garment Center, as there will continue to be a significant cluster of fashion-related businesses in the Garment District. While the proposed action would remove special zoning preservation requirements, underlying zoning will continue to allow fashion and apparel manufacturing and warehousing uses as-of-right. Long-term trends in the area and major macroeconomic shifts affecting the garment industry have demonstrated the ineffectiveness of zoning as a public tool in stabilizing the industry, much less retaining garment industry businesses in the Garment Center area. As detailed above, recent 2017 surveys of the Preservation Areas and greater Garment Center area revealed that approximately half of the over 1.4 million square feet of garment production space in the greater Garment Center area was located outside of the Preservation Areas. It is evident that property owners and garment manufacturing companies are not making tenanting or real estate location decisions based on the SGCD's zoning regulations; instead, it appears that such decisions could be tied back to the strong cluster and ecosystem of fashion related businesses and the divergent business decisions made by property owners in the area to rent to these firms. The irrelevance of the SGCD's preservation requirements can be seen in the properties on the avenues of the District with a majority of their square feet tenanted by garment production companies while a number of properties on the side streets have no garment production tenants and are now converted to other non-protected uses.

Additionally, as discussed above, although the Garment Center has continued to serve as the center of the fashion industry in New York City and the United States, garment manufacturers and other components of the industry's "ecosystem" have steadily left the Garment Center for decades for a variety of reasons, as they seek more affordable rents in other neighborhoods across the City or elsewhere, close shop altogether, or move to other parts of the global work place. As a result, traditional business practices in the industry, long based on close proximity of all components of the industry, have been rapidly evolving in order to accommodate the emergence of smaller industry clusters throughout the City. While these changes have led to much more efficient business operations, and have also made it possible for designers and showrooms to be less dependent on their proximity to other aspects of the industry, such as supply shops, warehouses, and factories, it has led the industry to decentralize into areas of the City other than the Garment Center. It is anticipated that the land use trend of garment industry businesses moving from the Garment Center area would occur regardless of the proposed action, and therefore, the proposed action would not significantly impair the fashion and garment industries from continuing to operate in the Garment Center, or impair the economic health of the fashion industry throughout the City.

As detailed above, the City's comprehensive package of support for fashion production in the Garment District, which follows recommendations from the Garment Center Steering Committee, are based on the use of non-zoning strategies, including tax incentives via a NYCIDA program and a capital commitment to facilitate the acquisition of a building in the Garment District, to support the continued presence of garment manufacturing in mid-Manhattan. The components of the support package would have no effect on land use or real estate trends in the SGCD and would not exacerbate any socioeconomic conditions such that there would be any significant impacts. Rather, as discussed above, implementation of the City's support package would be expected to slow the long-term trend of garment industry businesses leaving the Garment Center.

As detailed in Attachment A, "Project Description," all three projected development sites are expected to be redeveloped regardless of the proposed action. Additionally, as detailed above, based on documented long-term and recent trends, the presence of the fashion industry, and in particular apparel manufacturing, is expected to continue to decline in the SGCD in the 2027 futures without and with the proposed action. It is projected that apparel manufacturing employment in the SGCD will decrease from 4,426 jobs in 2016 to approximately 2,856 in 2027, and will make up 4.3 percent of total employment within the SGCD in 2027, as compared to 7.9 percent in 2016. The proposed action is not anticipated to significantly alter these employment projections. Various factors, including globalization and trade policy, advancements in technology and automation, changes in production, shifts in land value, and the geographic evolution of the industry, will continue to act as the driving determinants of the apparel industry's decline in the futures without and with the proposed action. Therefore, the proposed action is not expected to have a significant adverse effect on the fashion industry and related apparel manufacturing in New York City, but rather, is expected to help bring existing nonconforming office spaces in the SGCD Preservation Areas into compliance with the New York City Zoning Resolution.

While the proposed action may contribute to potential expedited conversions, the net impact on the long-term land use trends is anticipated to be minimal, given the historic lack of compliance with the existing preservation requirements. As discussed above, since the enactment of the SGCD regulations in 1987, only two percent of space has been officially preserved for manufacturing uses in the district (approximately 180,000 sf of 8.5 million sf of commercial space), as the process has proved cumbersome. Concurrently, there is now over four million sf of non-conforming office use in the district, and virtually all new construction in the SGCD have been hotels and, in the P2 area, residential buildings. In the future without the proposed action, conversions to office and showroom space are likely to continue to increase in the area while manufacturing is likely to continue to decline, based upon established trends. However, it is possible that there may be some specific cases where, as a result of

the zoning change, some spaces may get converted to office that would not convert absent the proposed action. As the number of these spaces is likely to be small and not significant in light of the historic trends of the district, particularly over the past 20 years, it is not expected that there would be a significant change in the future as a result of the proposed action.

The proposed action is not expected to affect the hotel or tourist industry in the future condition. As discussed above, while manufacturing has experienced a steady decline in the SGCD over the last 20 years, hotel uses have grown significantly. In the SGCD, and in particular, in P2, developers have taken advantage of underutilized sites and the underlying zoning districts (M1-6 and C6-4M) which permit hotel uses as-of-right. There are currently 21 hotels open or under construction with over 5,000 rooms in the Garment District. The area already has a large number of transient rooms available or under construction to serve the area. These rooms will provide a reservoir of hotels to meet area demand. Adjacent areas to the Garment District in Midtown Manhattan will continue to permit new hotels in the future condition. These areas already have thousands of hotel rooms with more under construction and in planning. Within the Garment District, there are relatively few underdeveloped sites that would remain available for redevelopment as hotels. This makes creation of substantial additional hotels unlikely in both the futures without and with the proposed action (the latter requiring a Special Permit as discussed above). It should be noted that DCP is studying additional restrictions on hotels in M1 districts citywide by creating a new City Planning Commission Special Permit. A DEIS analysis concluded that even with the proposed special permit, large areas of the City would be available for as-of-right development of hotels. That citywide analysis concluded that there is enough zoned capacity to meet future demand for hotels and examine the needs of the tourist industry.

Additionally, the proposed hotel special permit is not expected to affect Homeless Services. Those services will continue to be permitted within the Garment District in the future with the proposed action. Existing rules regarding the use of transient occupancy for hotels or other socials services will not change as a result of this proposal.

SOCIOECONOMIC CONDITIONS APPENDIX: NAICS CODES

Code	Industry	*Notes*
APPAREL MANUFACTURING – EMPLOYMENT DATA		
3131	Fiber, Yarn, and Thread Mills	
3132	Fabric Mills	
3133	Textile and Fabric Finishing and Fabric Coating Mills	
3151	Apparel Knitting Mills	
3152	Cut and Sew Apparel Manufacturing	
3159	Apparel Accessories and Other Apparel Manufacturing	
3161	Leather and Hide Tanning and Finishing	
3162	Footwear Manufacturing	
3169	Other Leather and Allied Product Manufacturing	
339914	Costume Jewelry and Novelty Manufacturing	*2000 & 2009*
339910	Jewelry and Silverware Manufacturing	*2015 only*
339993	Fastener, Button, Needle, and Pin Manufacturing	
INNOVATION ECONOMY – EMPLOYMENT DATA		
3332	Industrial Machinery Manufacturing	*Advanced Manufacturing*
3333	Commercial and Service Industry Machinery Manufacturing	*Advanced Manufacturing*
3341	Computer and Peripheral Equipment Manufacturing	*Advanced Manufacturing*
3342	Communications Equipment Manufacturing	*Advanced Manufacturing*
3343	Audio and Video Equipment Manufacturing	*Advanced Manufacturing*
3344	Semiconductor and Other Electronic Component Manufacturing	*Advanced Manufacturing*
3345	Navigational, Measuring, Electromedical, & Control Instrument Manufacturing	*Advanced Manufacturing*
3346	Manufacturing and Reproducing Magnetic and Optical Media	*Advanced Manufacturing*
3359	Other Electrical Equipment and Component Manufacturing	*Advanced Manufacturing*
3364	Aerospace Product and Parts Manufacturing	*Advanced Manufacturing*
3254	Pharmaceutical and Medicine Manufacturing	*Advanced Manufacturing*
5111	Newspaper, Periodical, Book, and Directory Publishers	*Information*
5112	Software Publishers	*Information*
5121	Motion Picture and Video Industries	*Information*
5122	Sound Recording Industries	*Information*
5151	Radio and Television Broadcasting	*Information*
5152	Cable and Other Subscription Programming	*Information*
5171	Wired Telecommunications Carriers	*Information*
5172	Wireless Telecommunications Carriers (except Satellite)	*Information*
5174	Satellite Telecommunications	*Information*
5179	Other Telecommunications	*Information*
5182	Data Processing, Hosting, and Related Services	*Information*
5191	Other Information Services	*Information*
4541	Electronic Shopping and Mail-Order Houses	*Information*
5221	Depository Credit Intermediation	*Finance and Insurance*
5222	Nondepository Credit Intermediation	*Finance and Insurance*
5223	Activities Related to Credit Intermediation	*Finance and Insurance*
5231	Securities and Commodity Contracts Intermediation and Brokerage	*Finance and Insurance*
5232	Securities and Commodity Exchanges	*Finance and Insurance*
5239	Other Financial Investment Activities	*Finance and Insurance*
5241	Insurance Carriers	*Finance and Insurance*

INNOVATION ECONOMY – EMPLOYMENT DATA *(continued)*		
5242	Agencies, Brokerages, and Other Insurance Related Activities	*Finance and Insurance*
5251	Insurance and Employee Benefit Funds	*Finance and Insurance*
5259	Other Investment Pools and Funds	*Finance and Insurance*
5411	Legal Services	*Professional, Scientific, and Technical Services*
5412	Accounting, Tax Preparation, Bookkeeping, and Payroll Services	*Professional, Scientific, and Technical Services*
5413	Architectural, Engineering, and Related Services	*Professional, Scientific, and Technical Services*
5414	Specialized Design Services	*Professional, Scientific, and Technical Services*
5415	Computer Systems Design and Related Services	*Professional, Scientific, and Technical Services*
5416	Management, Scientific, and Technical Consulting Services	*Professional, Scientific, and Technical Services*
5417	Scientific Research and Development Services	*Professional, Scientific, and Technical Services*
5418	Advertising, Public Relations, and Related Services	*Professional, Scientific, and Technical Services*
5419	Other Professional, Scientific, and Technical Services	*Professional, Scientific, and Technical Services*
5511	Management of Companies and Enterprises	*Professional, Scientific, and Technical Services*
5611	Office Administrative Services	*Professional, Scientific, and Technical Services*
5331	Lessors of Nonfinancial Intangible Assets (except Copyrighted Works)	*Professional, Scientific, and Technical Services*
6111	Elementary and Secondary Schools	*Educational Services*
6112	Junior Colleges	*Educational Services*
6113	Colleges, Universities, and Professional Schools	*Educational Services*
6114	Business Schools and Computer and Management Training	*Educational Services*
6115	Technical and Trade Schools	*Educational Services*
6116	Other Schools and Instruction	*Educational Services*
6117	Educational Support Services	*Educational Services*
6213	Offices of Other Health Practitioners	*Medical and Health Care*
6214	Outpatient Care Centers	*Medical and Health Care*
6215	Medical and Diagnostic Laboratories	*Medical and Health Care*
6221	General Medical and Surgical Hospitals	*Medical and Health Care*
6222	Psychiatric and Substance Abuse Hospitals	*Medical and Health Care*
6223	Specialty (except Psychiatric and Substance Abuse) Hospitals	*Medical and Health Care*
6239	Other Residential Care Facilities	*Medical and Health Care*
6241	Individual and Family Services	*Medical and Health Care*
6242	Community Food and Housing, Emergency, and Other Relief Services	*Medical and Health Care*
6243	Vocational Rehabilitation Services	*Medical and Health Care*
6244	Child Day Care Services	*Medical and Health Care*
4461	Health and Personal Care Stores	*Medical and Health Care*
7111	Performing Arts Companies	*Arts, Culture, and Fashion*
7113	Promoters of Performing Arts, Sports, and Similar Events	*Arts, Culture, and Fashion*
7114	Agents and Managers for Artists, Athletes, Entertainers, and Other Public Figures	*Arts, Culture, and Fashion*

INNOVATION ECONOMY – EMPLOYMENT DATA *(continued)*		
7115	Independent Artists, Writers, and Performers	*Arts, Culture, and Fashion*
7121	Museums, Historical Sites, and Similar Institutions	*Arts, Culture, and Fashion*
4243	Apparel, Piece Goods, and Notions Merchant Wholesalers	*Arts, Culture, and Fashion*
4531	Florists	*Arts, Culture, and Fashion*
8131	Religious Organizations	*Professional Organizations*
8132	Grantmaking and Giving Services	*Professional Organizations*
8133	Social Advocacy Organizations	*Professional Organizations*
8139	Business, Professional, Labor, Political, and Similar Organizations	*Professional Organizations*
APPAREL MANUFACTURING – LEASE COMP DATA		
313	Textile Mills	
314910	Textile Bag and Canvas Mills	
314911	Textile Bag Mills	
314912	Canvas and Related Product Mills	
315	Apparel Manufacturing	
316	Leather and Allied Product Manufacturing	
339910	Jewelry and Silverware Manufacturing	
339911	Jewelry (except Costume) Manufacturing	
339913	Jewelers' Material and Lapidary Work Manufacturing	
339914	Costume Jewelry and Novelty Manufacturing	
339993	Fastener, Button, Needle, and Pin Manufacturing	

ATTACHMENT D:
SHADOWS

Garment Center Text Amendment EAS
Attachment D: Shadows

A. INTRODUCTION

This attachment assesses the potential for the proposed action to result in incremental shadows long enough to reach any nearby publicly accessible open spaces or other sunlight-sensitive resources. According to the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, a shadows assessment is required if a proposed action would result in structures (or additions to existing structures) of 50 feet in height or greater, or those that would be located adjacent to, or across the street from, a sunlight sensitive resource. As discussed in Chapter 1, "Project Description," the proposed action would allow for a new building greater than 50 feet in height over the No-Action conditions. In addition, Projected Development Site 1 is located across the street from a potentially sunlight-sensitive historic resource (525 7th Avenue) located within the Garment Center Historic District designated by the New York City Landmarks Preservation Commission (LPC). As such, a detailed shadows analysis was warranted and prepared to determine the potential for the proposed action to result in significant adverse impacts on any nearby sunlight-sensitive resources in the surrounding area.

B. PRINCIPAL CONCLUSIONS

The proposed project would result in incremental shadow coverage on three historic resources: Mills House No. 3, 525 7th Avenue, and 135 W. 36th Street. The proposed action would result in an increase in the duration of shadows on these resources, ranging in duration from two minutes to six hours and 9 minutes. However, based on the duration and size of the incremental shadows, project-generated shadows would not affect the utilization, enjoyment, or historic character of these sunlight-sensitive resources. Therefore, the proposed action is not expected to result in significant adverse shadows impacts at any sunlight-sensitive resources.

C. METHODOLOGY

According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. For projects or actions resulting in structures less than 50 feet tall, a shadow assessment is generally not necessary, unless the site is adjacent to a park, historic resource, or important natural feature (if the feature that makes the structure significant depends on sunlight).

First, a preliminary screening assessment must be conducted to ascertain whether shadows resulting from a project could reach any sunlight-sensitive resource at any time of year. The *CEQR Technical Manual* defines sunlight-sensitive resources as those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. The following are considered to be sunlight-sensitive resources:

- *Public open space* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather dependent features, like wading pools and sandboxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Where lawns are actively used, the turf requires extensive sunlight. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots in community gardens. Generally, four to six hours a day of sunlight, particularly in the growing season, is a minimum requirement.

- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public*. Only the sunlight-sensitive features are considered, as opposed to the entire architectural resource. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.

- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius around the proposed buildings representing the longest shadow that could be cast. If there are sunlight-sensitive resources within the radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project-generated shadows by accounting for a specific range of angles that can never receive shade in New York City due to the path of the sun in the northern hemisphere. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by new shadows by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day. If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project.

In accordance with the *CEQR Technical Manual*, shadows on sunlight-sensitive resources of concern are modeled for four representative days of the year. For the New York City area, the months of interest for an open space resource encompass the growing season (i.e., March through October) and one month between November and February representing a cold-weather month (usually December). Representative days for the growing season are generally the March 21st vernal equinox (or the September 21st autumnal equinox, which is approximately the same), the June 21st summer solstice, and a spring or summer day halfway between the summer solstice and equinoxes, such as May 6th or August 6th (which are approximately the same). For the cold- weather months, the December 21st winter solstice is included to demonstrate conditions when open space users rely most heavily on available

sunlight warmth. As these months and days are representative of the full range of possible shadows, they are also used for assessing shadows on sunlight-sensitive historic and natural resources.

The *CEQR Technical Manual* defines the temporal limits of a shadow analysis period to fall from an hour and a half after sunrise to an hour and a half before sunset.

The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The result of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text. As described in the *CEQR Technical Manual*, an incremental shadow is generally not considered significant when its duration is no longer than ten minutes at any time of year and the resource continues to receive substantial direct sunlight. A significant shadow impact generally occurs when an incremental shadow of ten minutes or longer falls on a sunlight-sensitive resource and results in one of the following:

- *Vegetation:* a substantial reduction in sunlight available to sunlight-sensitive features of the resource to less than the minimum time necessary for its survival (when there would be sufficient sunlight in the future without the project) or a reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than the minimum time necessary for its survival).

- *Historic and cultural resources:* a substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight-sensitive features of an historic or cultural resource.

- *Open space utilization:* a substantial reduction in the usability of open space as a result of increased shadow, including information regarding anticipated new users and the open space's utilization rates throughout the affected time periods.

- *For any sunlight-sensitive feature of a resource:* complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

In general, a significant adverse shadow impact occurs when the incremental shadow added by a proposed action falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight exposure, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources.

D. PRELIMINARY SCREENING

Tier 1 Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius for each of the 2 development sites (Projected Development Site 1 and Potential Development Site 4) warranting a preliminary shadow analysis was determined using each site's maximum zoning

envelope.[1] The maximum shadow radius for each development site was merged to form the longest shadow study area (Tier 1 Assessment).

Within the longest shadow study area, there are a number of potentially sunlight-sensitive open spaces and historic resources. Therefore, further screening was warranted in order to determine whether any resources could be affected by project-generated shadows.

Tier 2 Screening Assessment

Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 screening is to determine whether the sunlight-sensitive resources identified in the Tier 1 screening are located within portions of the longest shadow study area that can receive shade from the projected and potential development sites.

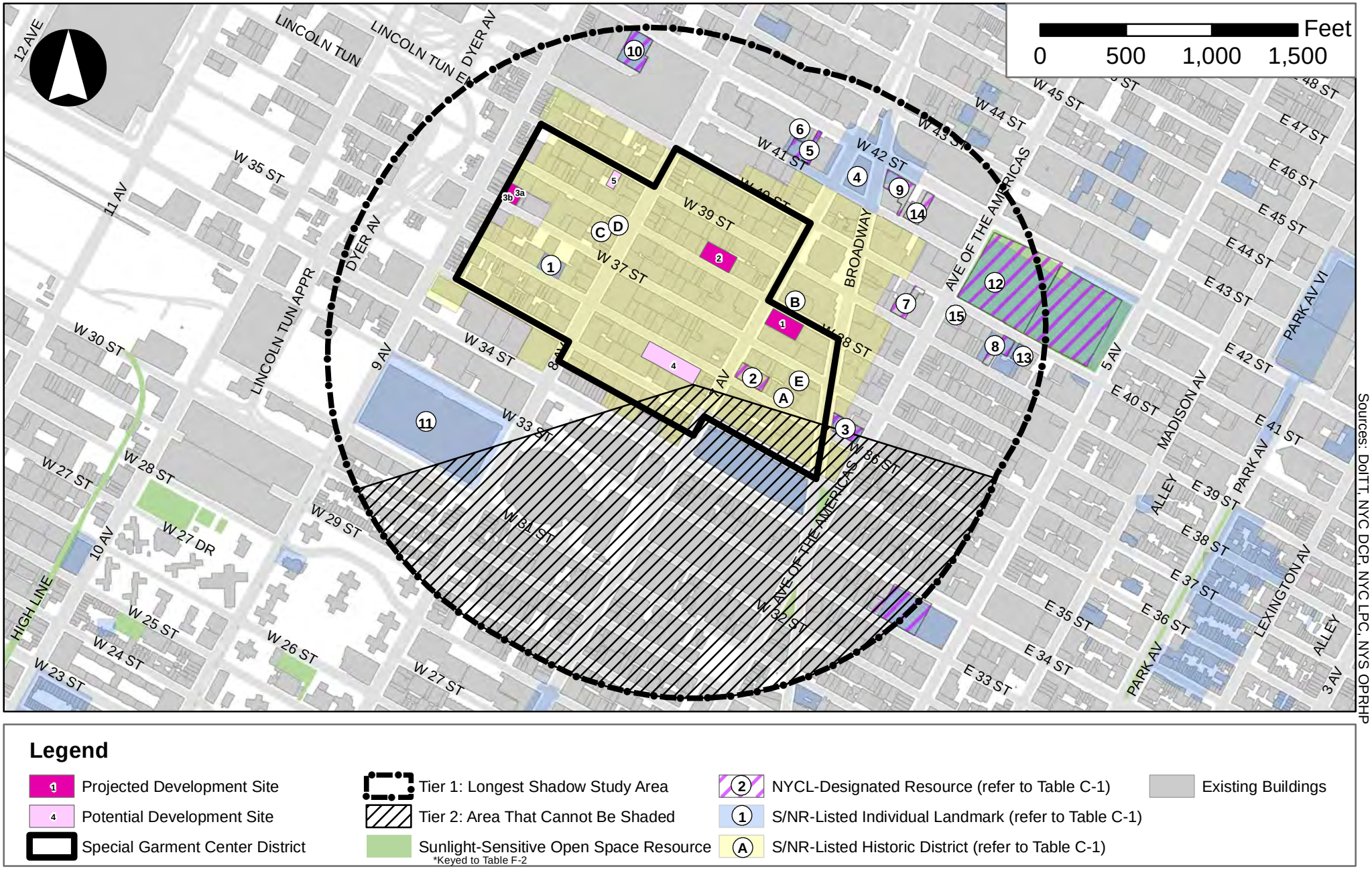
Figure D-1 provides a base map illustrating the results of the Tier 1 and Tier 2 screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from the true north and +108 degrees from true north as measured from southernmost portions of the development sites). A total of 19 historic resources and 1 open space resource were identified as sunlight-sensitive resources that warranted further assessment. A list of these resources is provided below in **Table D-1**.

Table D-1
Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 1 and 2 Screening

No.[1]	Sunlight-Sensitive Resources
1	315-325 W. 36th Street
2	Mills Hotel No. 3
3	Greenwich Savings Bank
4	Times Square/42nd Street Subway Station
5	New Amsterdam Theater
6	Candler Building
7	Springs Mills Building
8	American Radiator Building
9	Knickerbocker Hotel
10	McGraw-Hill Building
11	U.S. General Post Office
12	Bryant Park
13	Engineering Societies' Building and Engineers' Club
14	Bush Tower
15	Bryant Park Studios
	Potentially Sunlight-Sensitive Historic Resources within the Garment Center Historic District
A	135 W. 36th Street
B	525 7th Avenue
C	555 8th Avenue
D	557 8th Avenue
E	Holy Innocents R.C. Church

[1] Numbers keyed to **Figure D-1**

[1] During the preliminary screening, Projected Development Sites 3a and 3b and Potential Site 5 were screened out due to the fact that the proposed action would not alter the bulk height and setback regulations of the existing C6-4M district they are located in. Though the bulk height and setback regulations of Projected Development Site 2 would be altered in the With-Action condition, it is anticipated that this site would be developed as a hotel use, and as such, under the With-Action conditions, would be required to apply for a special permit and undergo its own environmental review process. A detailed shadow analysis associated with Projected Development Site 2 is included in Attachment I, "Conceptual Analysis."



Legend

- Projected Development Site
- Potential Development Site
- Special Garment Center District
- Tier 1: Longest Shadow Study Area
- Tier 2: Area That Cannot Be Shaded
- Sunlight-Sensitive Open Space Resource *Keyed to Table F-2
- NYCL-Designated Resource (refer to Table C-1)
- S/NR-Listed Individual Landmark (refer to Table C-1)
- S/NR-Listed Historic District (refer to Table C-1)
- Existing Buildings

Sources: DoITT, NYC DCP, NYC LPC, NYS OPRHP

Garment Center Text Amendment EAS

Figure D-1

Tier 1 and Tier 2 Shadows Assessment

Tier 3 Screening Assessment

According to the *CEQR Technical Manual*, a Tier 3 screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 screening assessment is used to determine if shadows resulting from a proposed action can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

As project-generated shadows could reach a number of sunlight-sensitive resources, a Tier 3 assessment was performed using three dimensional (3D) computer mapping software. The 3D model was used to calculate and display project-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the proposed project. At this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether project-generated shadows would reach any sunlight sensitive resources.

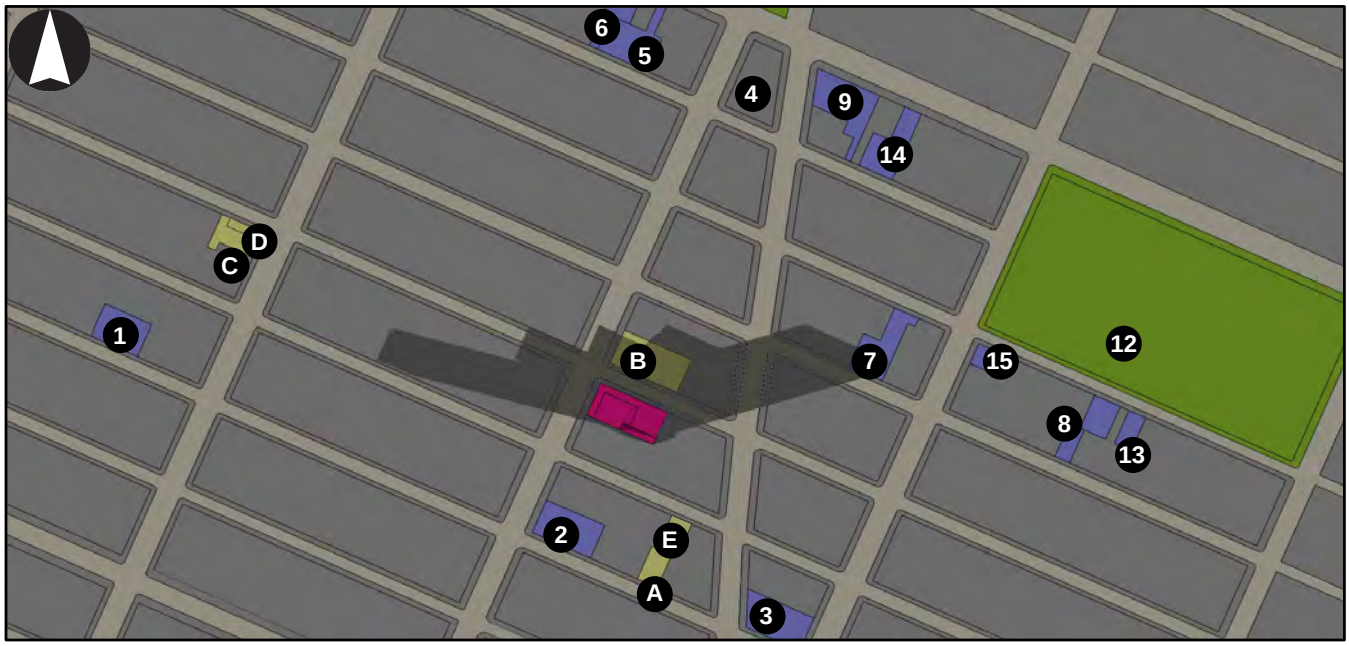
As shown in **Figures D-2** and **D-3**, thirteen sunlight-sensitive resources would not receive project-generated shadows on any of the four analysis days, and these resources therefore did not require any further analysis. **Table D-2** presents a summary of the Tier 3 assessment, showing the seven historic resources that could, in the absence of intervening buildings, receive project-generated shadows, and on which analysis days the new shadows would occur.

Table D-2
Tier 3 Assessment Results

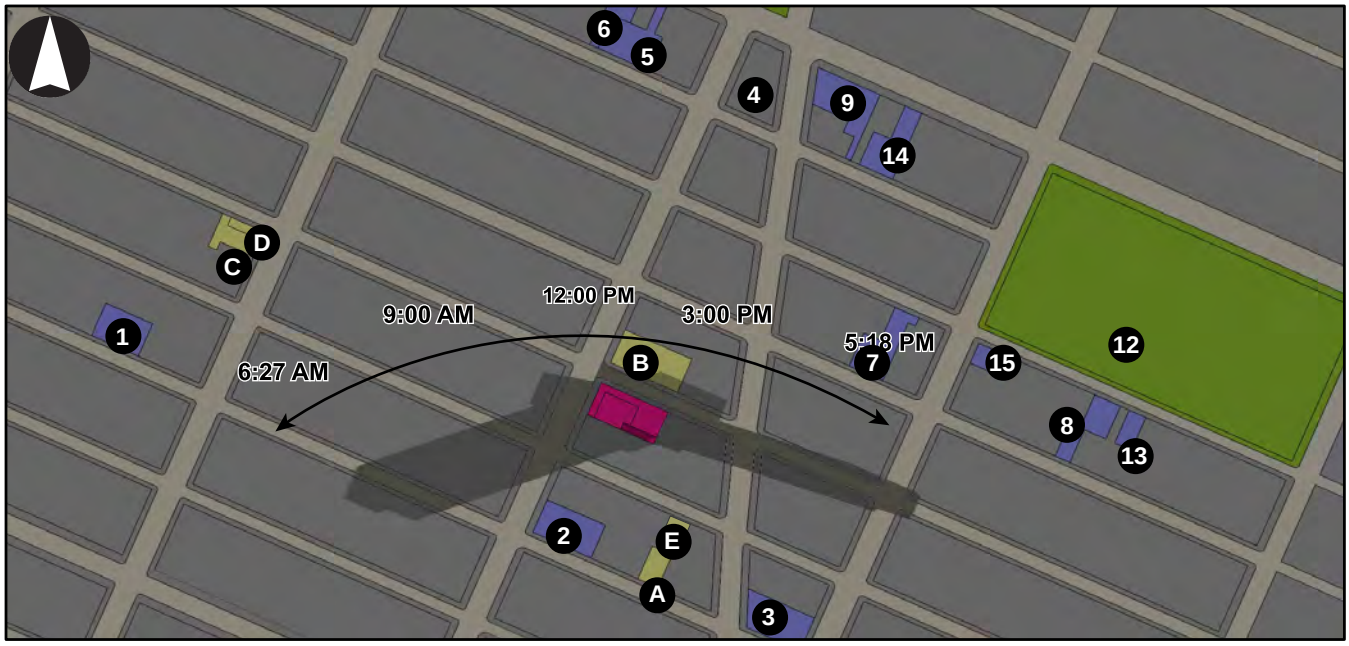
No.[1]	Name	March 21/Sept. 21 7:36 AM - 4:29 PM	May 6/August 6 6:27 AM - 5:18 PM	June 21 5:57 AM - 6:01 PM	December 21 8:51 AM - 2:53 PM	Number of Analysis Days
1	315-325 W. 36th Street	No	No	No	No	0
2	Mills Hotel No. 3	**Yes**	**Yes**	**Yes**	No	**3**
3	Greenwich Savings Bank	No	No	**Yes**	No	**1**
4	Times Square/42nd Street Subway Station	No	No	No	No	0
5	New Amsterdam Theater	No	No	No	No	0
6	Candler Building	No	No	No	No	0
7	Springs Mills Building	**Yes**	No	No	No	**1**
8	American Radiator Building	No	No	No	No	0
9	Knickerbocker Hotel	No	No	No	**No**	0
10	McGraw-Hill Building	No	No	No	No	0
11	U.S. General Post Office	No	No	No	No	0
12	Bryant Park	No	No	No	No	0
13	Engineering Societies' Building and Engineers' Club	No	No	No	No	0
14	Bush Tower	No	No	No	**No**	0
15	Bryant Park Studios	No	No	No	No	0
A	135 W. 36th Street	No	**Yes**	**Yes**	No	**2**
B	525 7th Avenue	**Yes**	**Yes**	**Yes**	**Yes**	**4**
C	555 8th Avenue	No	No	No	**Yes**	**1**
D	557 8th Avenue	No	No	No	No	0
E	Holy Innocents R.C. Church	No	**Yes**	No	No	1

[1] Numbers keyed to **Figure D-1**

Figure D-2a
Tier 3 Screening
Projected Development Site 1



MARCH 21/SEPTEMBER 21



MAY 6/AUGUST 6

Projected Development

12 **Open Space Resource**

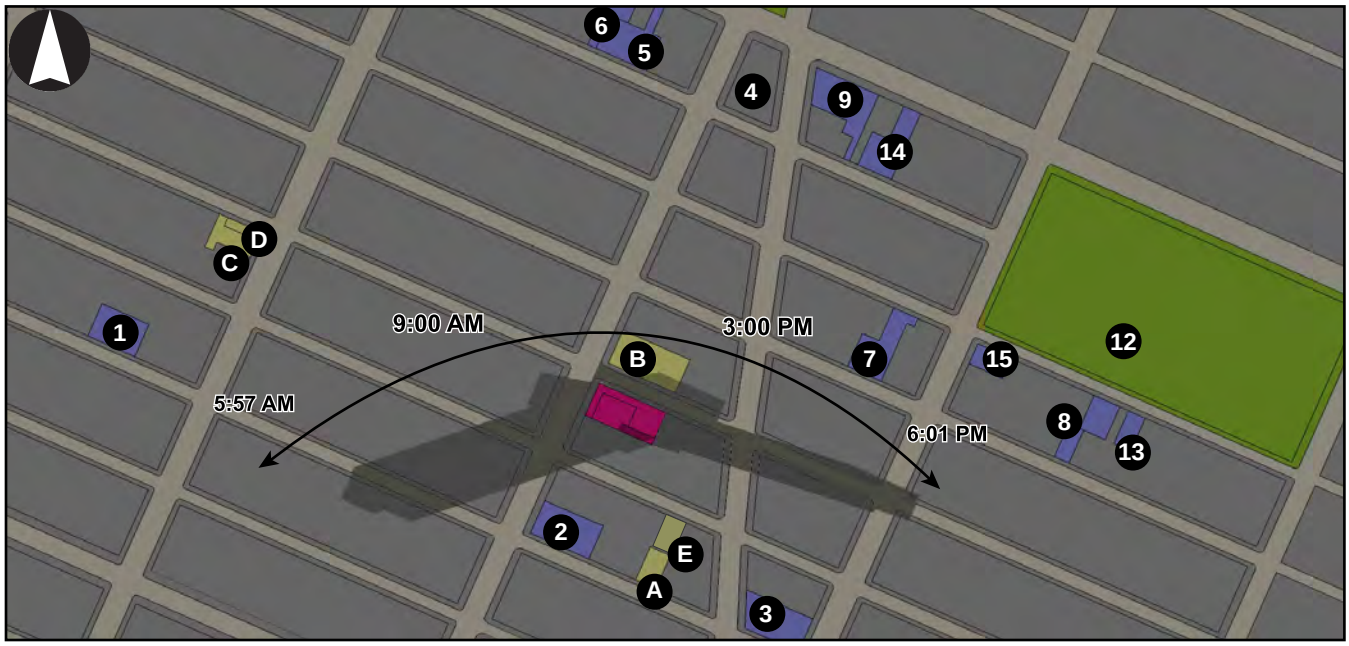
Note: Resources keyed to Table D-1

1 **Sunlight Sensitive Historic Resource**

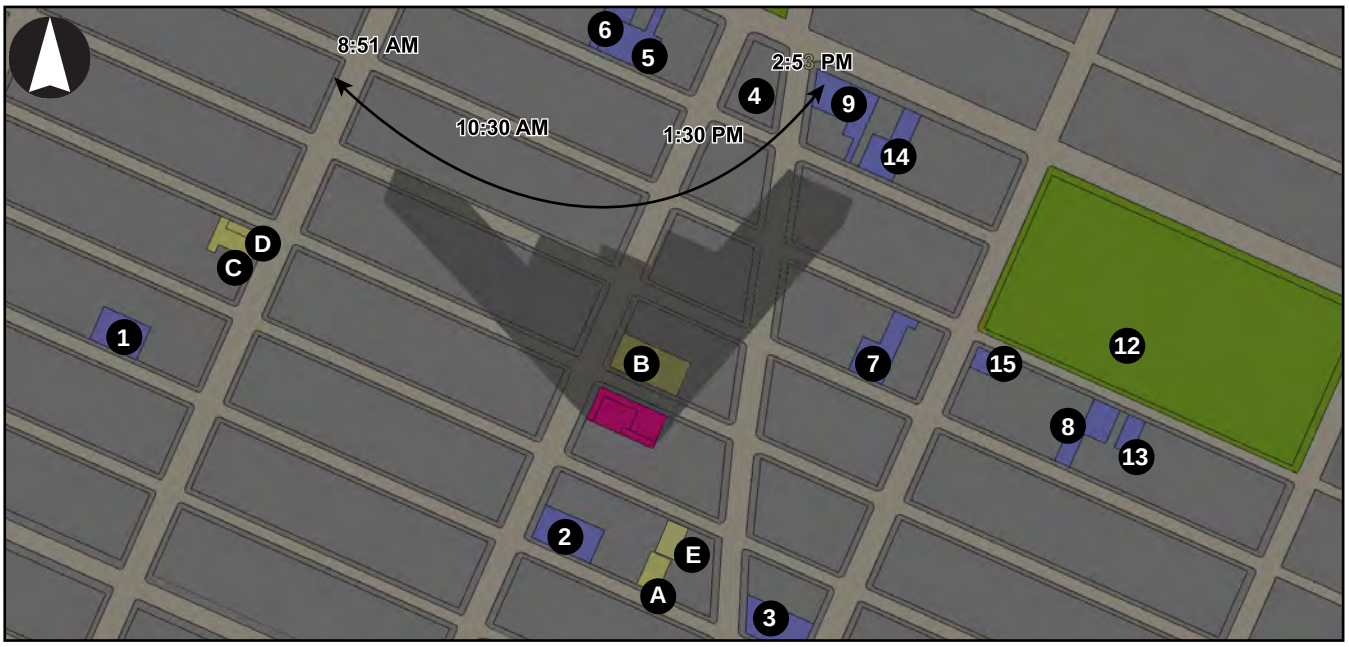
A **Potential Sunlight Sensitive Historic Resource**

Incremental Shadow

Figure D-2b
Tier 3 Screening
Projected Development Site 1



JUNE 21



DECEMBER 21

Projected Development

12 **Open Space Resource**

Note: Resources keyed to Table D-1

1 **Sunlight Sensitive Historic Resource**

A **Potential Sunlight Sensitive Historic Resource**

Incremental Shadow

Figure D-3a
Tier 3 Screening
Potential Development Site 4

MARCH 21/SEPTEMBER 21

MAY 6/AUGUST 6

Projected Development

12 **Open Space Resource**

Note: Resources keyed to Table D-1

1 **Sunlight Sensitive Historic Resource**

A **Potential Sunlight Sensitive Historic Resource**

Incremental Shadow

Figure D-3b
Tier 3 Screening
Potential Development Site 4

JUNE 21

DECEMBER 21

Projected Development

12 **Open Space Resource**

Note: Resources keyed to Table D-1

1 **Sunlight Sensitive Historic Resource**

A **Potential Sunlight Sensitive Historic Resource**

Incremental Shadow

E. DETAILED ASSESSMENT

Resources of Concern

Mills Hotel No. 3

The Mills Hotel No. 3, built in 1906-07, originally served as a modestly priced hotel within the Garment Center. The 16-story building has its main entrance on W. 36th Street, and is faced in brick, with cast-stone trim. Though the first and second stories have been refaced, with new storefronts entirely on the 7th Avenue frontage and partially on the W. 36th Street frontage, the rusticated stone 3-story base is still visible in part. Rising above it is a plain brick shaft with small, simple rectangular windows with simple stone lintels. Principal ornamentation, classically inspired, is found in the upper stories, including stone cartouches at the top story and a projecting cornice. The entrance on W. 36th Street is flanked by rusticated stone piers each bearing the letter "M."

Greenwich Savings Bank

The former Greenwich Savings Bank Building, at 1352-1362 Broadway, in Manhattan, is an early 20th century bank built in the Classical Revival style. The building's exterior is clad with Indiana limestone above a polished pink granite base. The treatment of the façade in the classically inspired arrangement of podium, major order, and attic, conceals the fact that between the elliptical banking room and the exterior walls the building contains six stories and a basement. The building contains three exterior facades facing Broadway, W. 36th Street, and Sixth Avenue. Each façade generally contains features including podiums, rusticated ashlar, and columned porticos in the monumental Roman Corinthian style. The Broadway and 6th Avenue facades include pink granite steps leading to heavy bronze double doors cast in classical, alternating low relief motifs, with each respective address ("1356 BROADWAY" and "985 SIXTH AVENUE") inscribed on the eared tablet flanked by griffins above the doors.

Springs Mills Building

The 21-story Springs Mills Building, completed in 1959, is located on W. 39th and W. 40th Streets, between Sixth Avenue and Broadway in Manhattan. The uniquely shaped building consists of green-tinted glass and dark grey and silver aluminum mullions. The silver mullions emphasize the appearance of continuous vertical ascent, while the dark grey mullions frame the transparent windows. The Spring Mills Building was the first building on Fifth Avenue to have fully glazed elevations, uniquely layering translucent glass in front of painted metal panels to create depths and diminish the appearance of horizontal banding. The ground floor is recessed behind an arcade of free-standing stainless steel-clad pillars that resemble the hexagonal tower.

135 W. 36th Street

Built in 1925, 135 W. 36th Street is one of the more ornate buildings within the Garment Center. The 20-story building includes features such as elaborate stone (terra-cotta) reliefs of peacocks over the freight entrance on the east end of the W. 36th Street frontage, ornamental stone panels below the wide central show window at the second story, and a central stone band below the third story with reliefs of winged angels holding a curtain inscribed "FASHION TOWER." The stone-faced fourth story is organized as a group of ten narrow round-arched windows with spiral surrounds and other ornament. The fifth- and sixth-story windows consist of ornamental spandrels set in double-height bays defined by double-height stone piers, and topped by segmental arches with a pair of single square-headed windows with ornamental spandrels.

525 7th Avenue

525 7th Avenue is a 22-story building that rises to several shallow setbacks and a corner tower. On its 7th Avenue façade, the 2-story base features an elaborate round-arched, heavy ornamental stone entrance with Romanesque-inspired detail including colonnettes, moldings, and a wrought-iron screen across the arch. Ornament on the third story includes octagonal colonnettes topped by sculpted grotesques. The plain brick-faced shaft above the base rises, at the corner, to an unusual set of paired ornamental piers leaning out beyond the property line and supporting an ornamental band course. The stories above have modest corbelling.

555 8th Avenue

Built in 1926, this 23-story building has a 3-story base fronting Eighth Avenue – the first story of which is stone-faced with striations suggesting rustication, and a pointed-arched entrance with a relief of floral patterns. The second and third stories are brick faced; double-height cast-stone fluted pilasters divide these stories into three bays. The window spandrels in this section have geometric patterned brick ornament. The double-height pilasters support a cast-stone entablature with frieze of female heads and floral patterns. The fourth story is divided into three bays; the brick shaft rising above continues that bay pattern, organized with narrow and wide uninterrupted brick piers. Simple ornament includes geometric patterned brick in the window spandrels. The top two stories just below the first setback are organized by double-height flat stone-faced piers. The set of shallow setbacks above includes geometric patterned brick ornament. A narrow wing fronting W. 38th Street has just three window bays, and the design is similar to that of the Eighth Avenue façade. Above the entrances of each façade is an inscription reading "SHAMPAN-EIGHT AVENUE BUILDING."

Holy Innocents R.C. Church

The Holy Innocents Roman Catholic Church is a Gothic Revival church built in 1868-70 designed by architect Patrick C. Keely. The church façade is divided by tall projecting piers into three sections, reflecting the internal division of a tall, wide nave and shorter, narrower side aisles. At the first story, the central section has a grand pointed-arch entrance approached by a flight of steps, flanked by lancets with polychrome leaded glass windows, also known as stained glass. Above the central entrance are four small pointed-arch windows; at either side, above each side entrance, there is a wider pointed-arch window with ornamental stone tracery. A much larger pointed-arch window, with stone tracery, rises above the central four windows above the central entrance; above the window, three arches hold three statues of religious figures.

Shadows Analysis

Per *CEQR Technical Manual* guidance, shadow analyses were performed for the seven sunlight-sensitive resources identified above on four representative days of the year: March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. *CEQR* guidance defines the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow impact between the No-Action and With-Action conditions (see **Table D-3**).

As shown in **Table D-3**, incremental project-generated shadows would reach three sunlight-sensitive historic resources identified in the Tier 3 assessment: Mills Hotel No. 3, 135 W. 36th Street, and 525 7th

Avenue. Increases in shadow coverage would occur at Mills Hotel No. 3 on the May 6/August 6 and June 21 representative analysis days; increases in shadow coverage would occur at 135 W. 36th Street on the June 21 representative analysis day; and increases in shadow coverage would occur at 525 7th Avenue on each of the March 21/September 21, May 6/August 6, June 21, and December 21 representative analysis days. **Figures D-4 through D-7**, provided at the end of this attachment, show representative shadow views for the three sunlight-sensitive resources of concern on each of the four representative analysis days.

It should be noted that, per the *CEQR Technical Manual*, all times reported herein are Eastern Standard Time and do not reflect adjustments for daylight savings time that is in effect from mid-March to early November. As such, the times reported in this chapter for March 21/September 21, May 6/August 6, and June 21 need to have one hour added to reflect the Eastern Daylight Saving Time

Table D-3
Duration of Shadows on Sunlight Sensitive Resources (Increment Compared to No-Action)

Resource	Analysis Day	March 21/Sept. 21	May 6/August 6	June 21	December 21
		7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM – 2:53 PM
Mills Hotel No. 3	Shadow enter-exit time	-	3:53 – 5:18PM	4:03 – 4:53PM	-
	Incremental shadow duration	-	1 hour 25 minutes	50 minutes	-
Greenwich Savings Bank	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
Springs Mills Building	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
Knickerbocker Hotel	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
Bush Tower	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
135 W. 36th Street	Shadow enter-exit time	-	-	5:59 – 6:01PM	-
	Incremental shadow duration	-	-	2 minutes	-
525 7th Avenue	Shadow enter-exit time	10:20AM – 4:29PM	11:10AM – 3:18PM	12:21 – 2:46PM	11:07AM – 2:20PM
	Incremental shadow duration	6 hours 9 minutes	4 hours 8 minutes	2 hours 25 minutes	3 hours 13 minutes
555 8th Avenue	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
Holy Innocents R.C. Church	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-

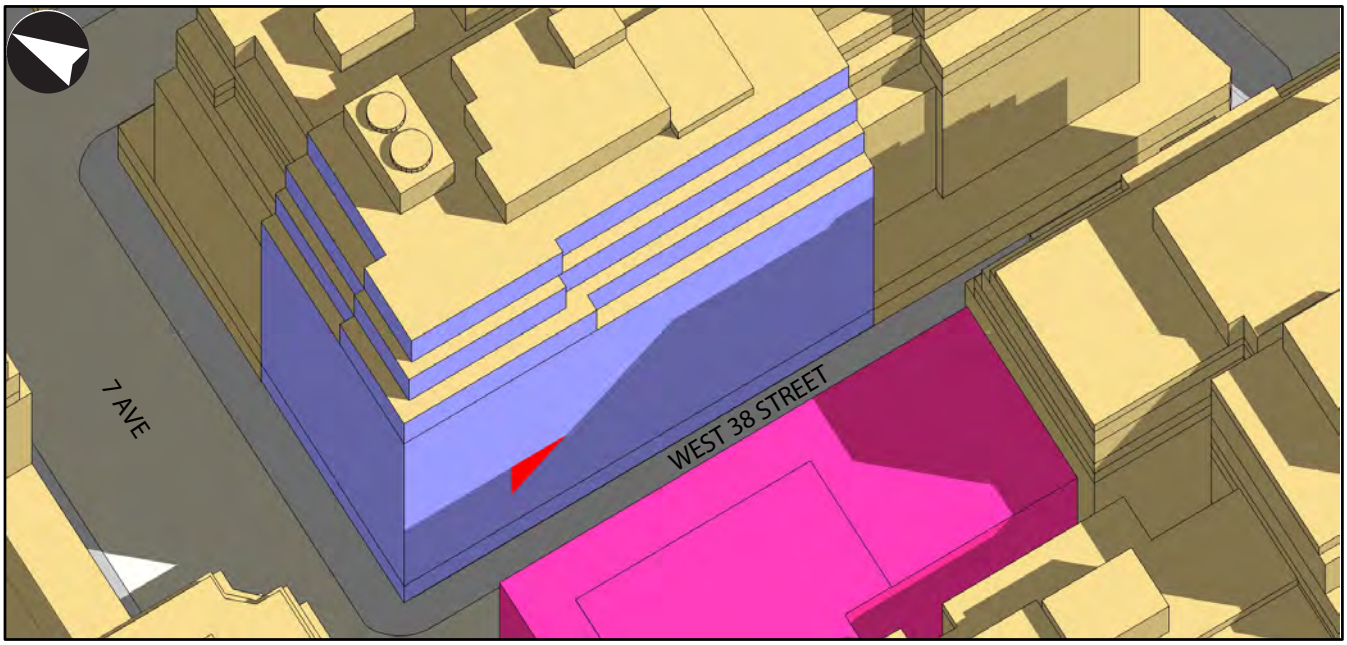
Note: All times are Eastern Standard Time; Daylight Savings Time was not accounted for per *CEQR Technical Manual* guidance.
Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

March 21/September 21

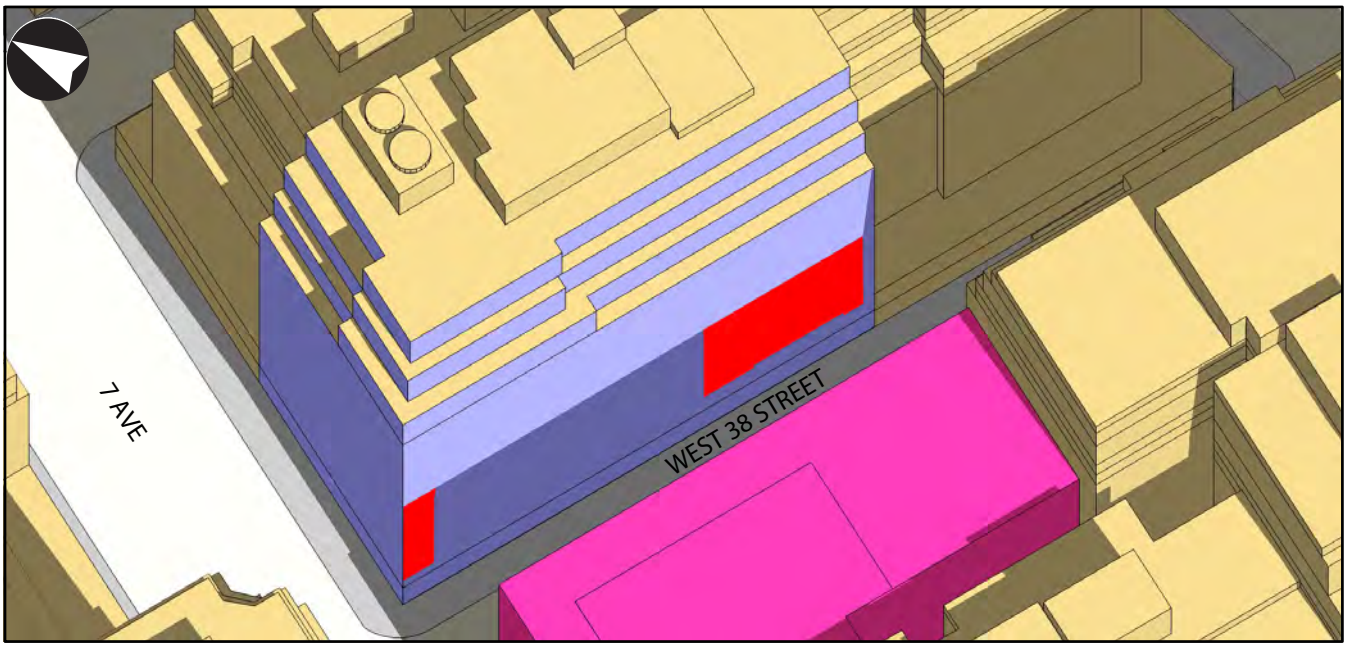
On March 21/September 21 the time period for shadows analysis begins at 7:36 AM and continues until 4:29 PM. March is considered the beginning of the growing season in New York City, and September 21, which has the same shadow patterns as March 21, is also within the growing season. On the March 21/September 21 analysis day, incremental shadows from Projected Development Site 1 would reach the southern façade of 525 7th Avenue.

Projected Development Site 1 would cast incremental shadows on 525 7th Avenue beginning at 10:20 AM and continuing until 4:29 PM, for a duration of approximately 6 hours and 9 minutes, representing the longest duration of incremental shadows created by a projected/potential development site. The southern façade of 525 7th Avenue would not experience any incremental shadow coverage as a result of the proposed project before 10:20 AM. As indicated in **Figures D-4a** and **D-4b,** incremental shadows would enter a portion of the southern façade from the west before moving in an easterly direction across the

Figure D-4a
525 7th Avenue
Incremental Shadows on March 21/September 21



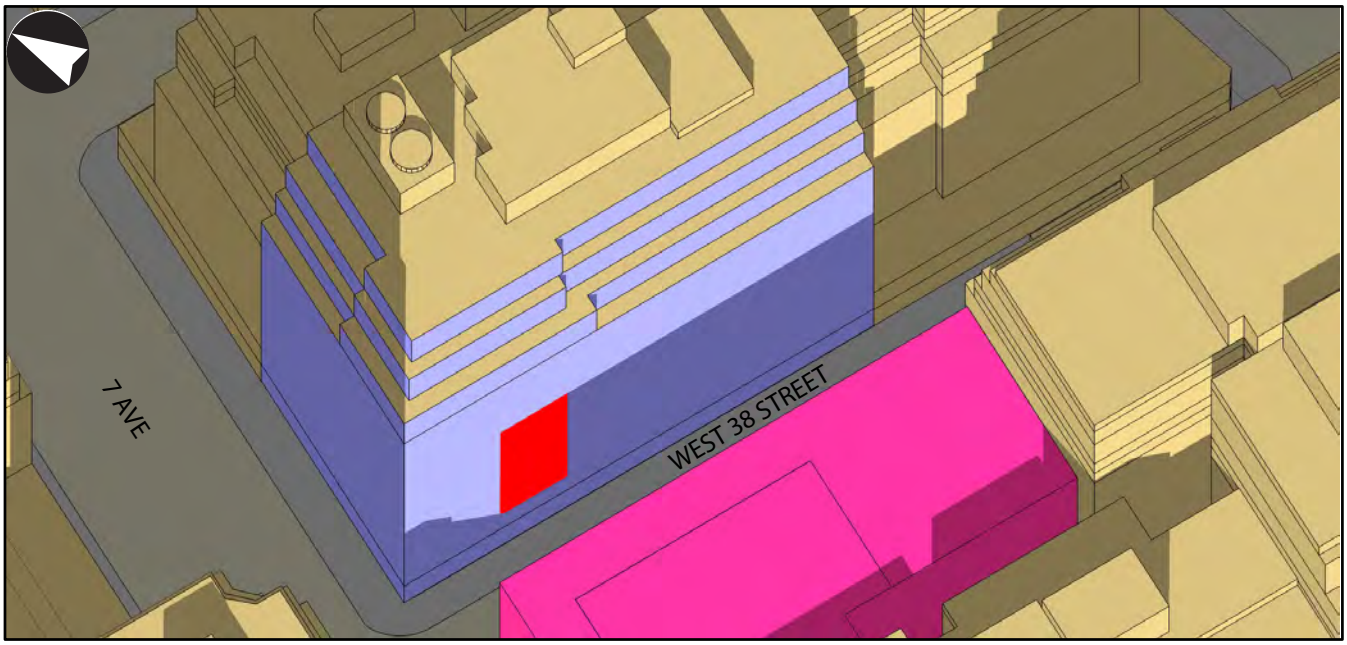
11:00 AM



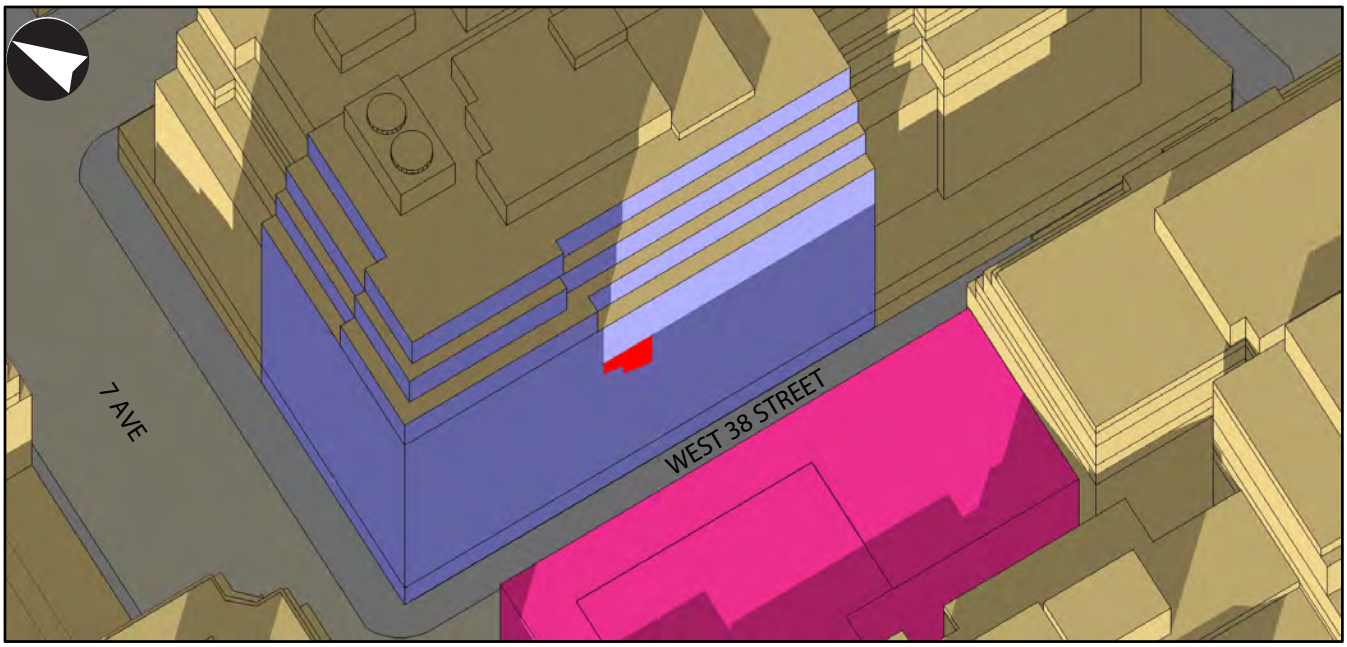
1:00 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-4b
525 7th Avenue
Incremental Shadows on March 21/September 21



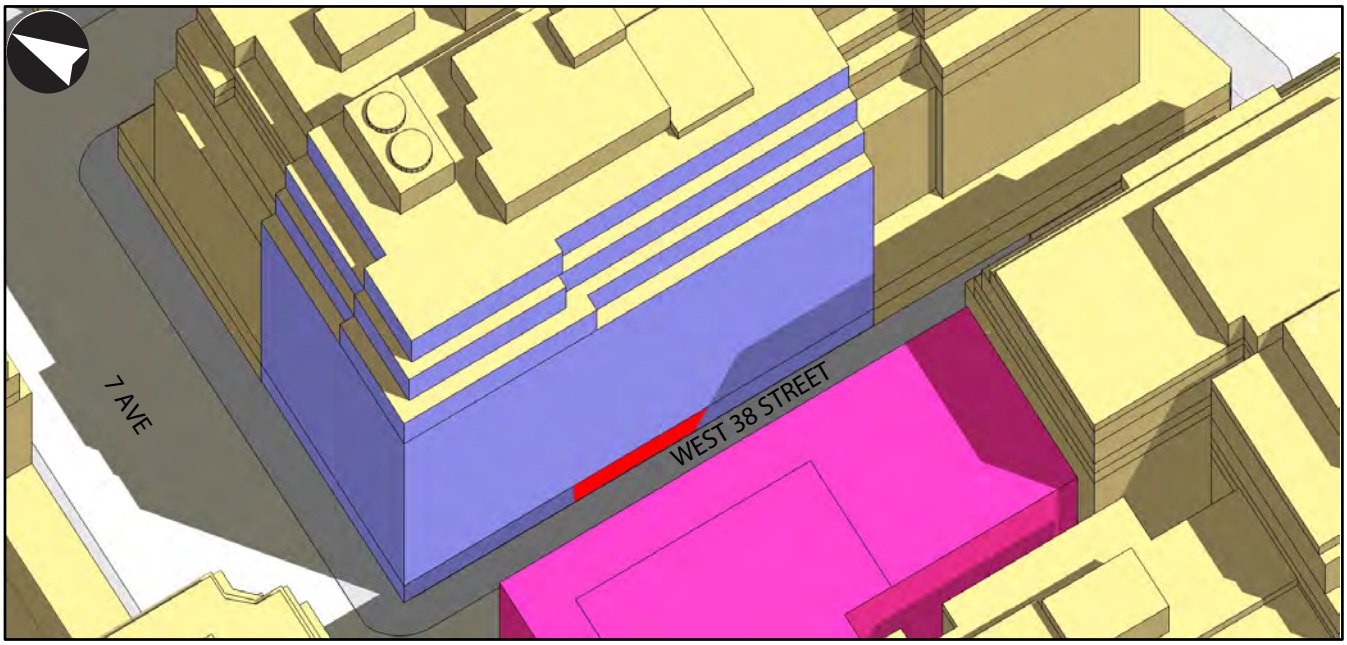
3:00 PM



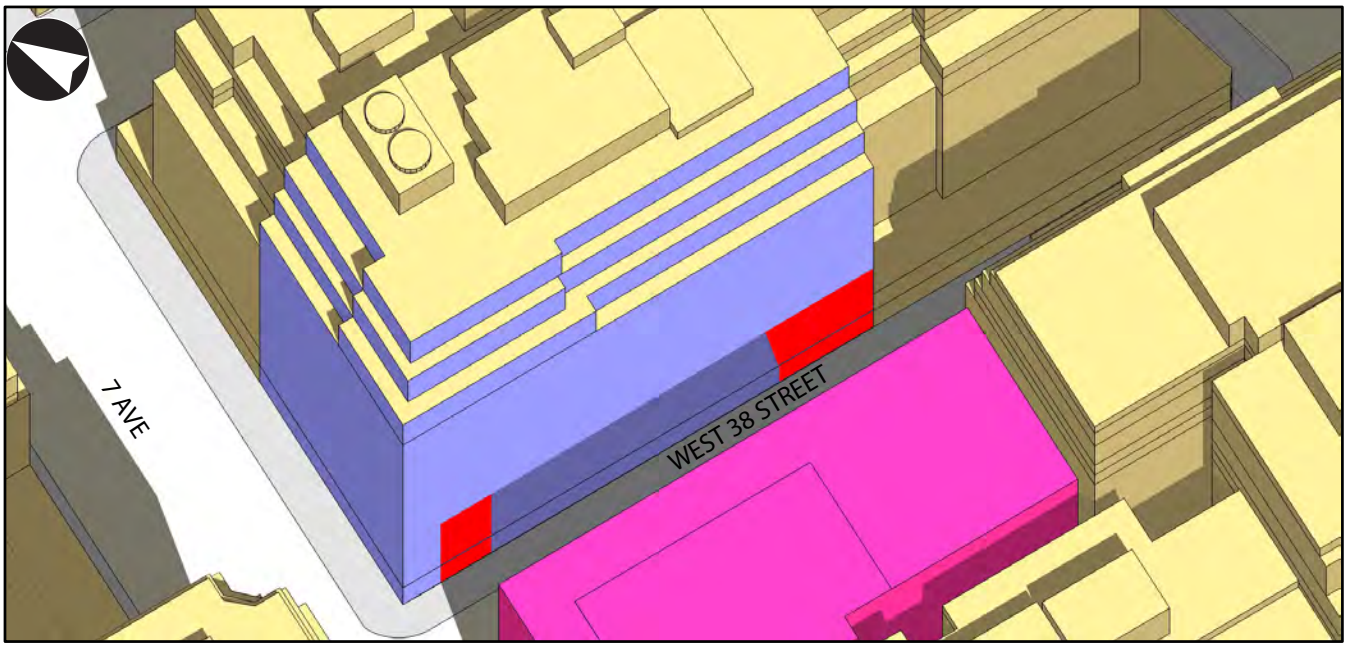
4:15 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-5a
525 7th Avenue
Incremental Shadows on May 6/August 6



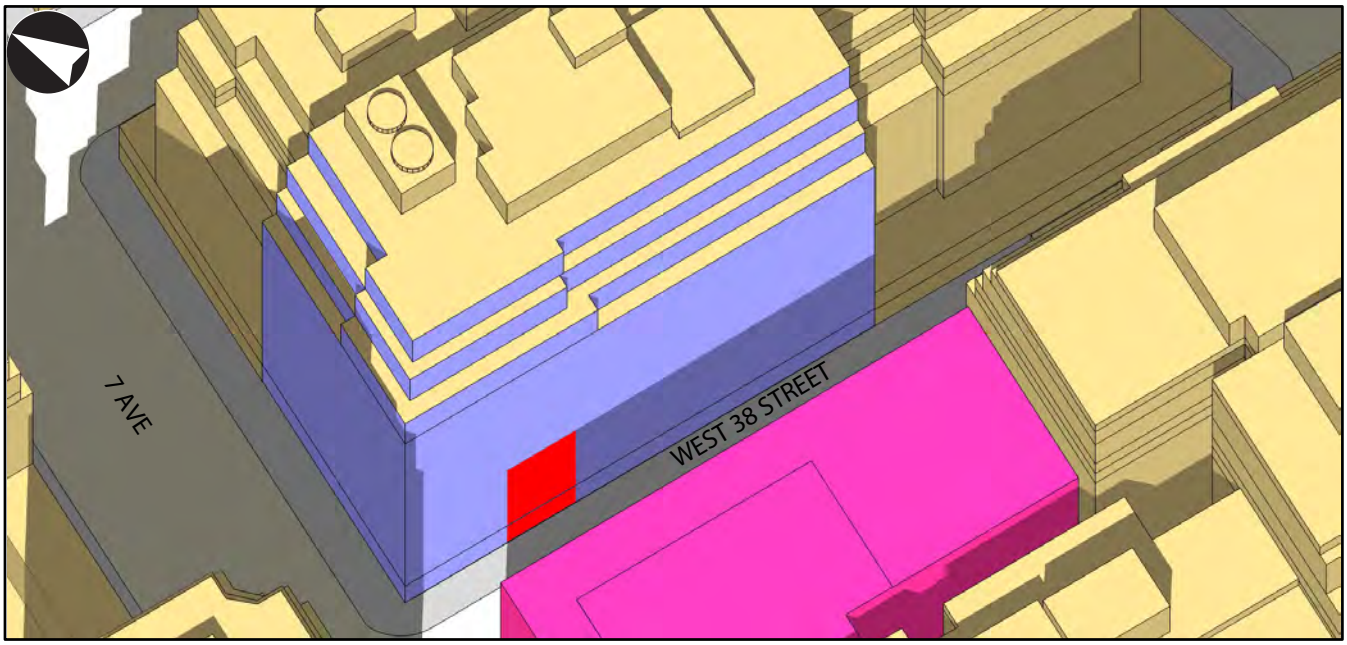
11:30 AM



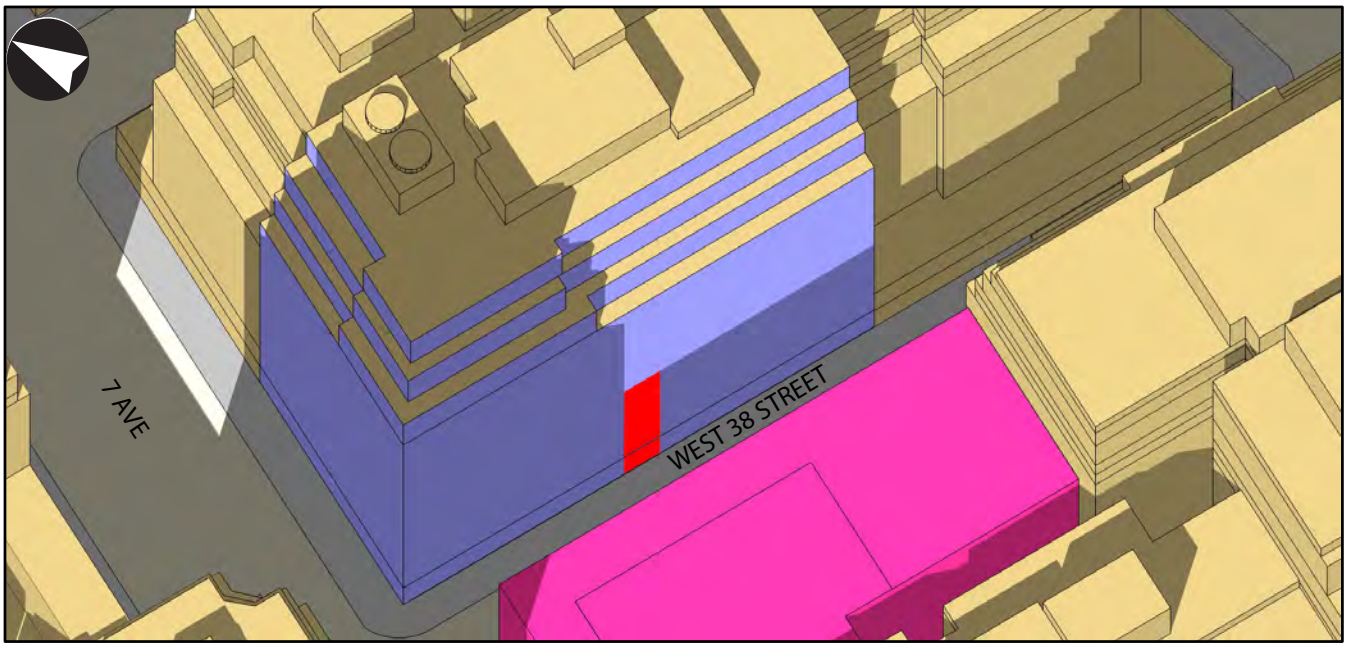
1:00 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-5b
525 7th Avenue
Incremental Shadows on May 6/August 6



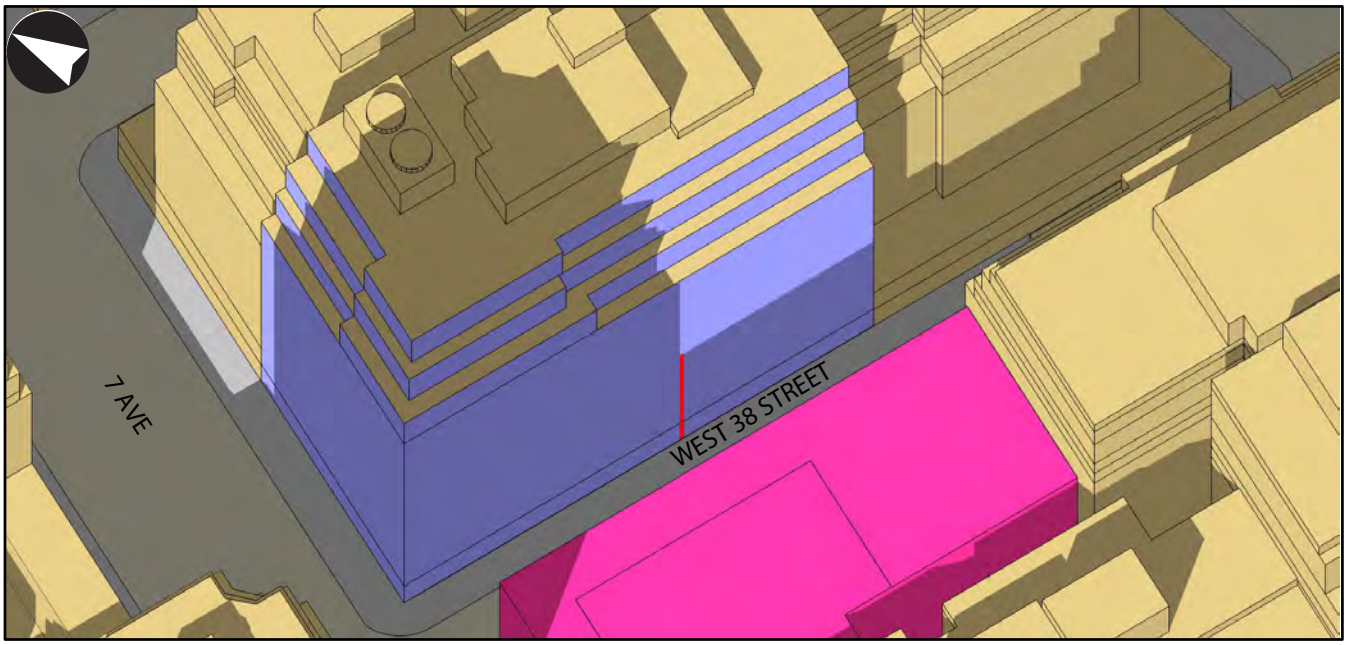
2:00 PM



3:00 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

525 7th Avenue
Incremental Shadows on May 6/August 6



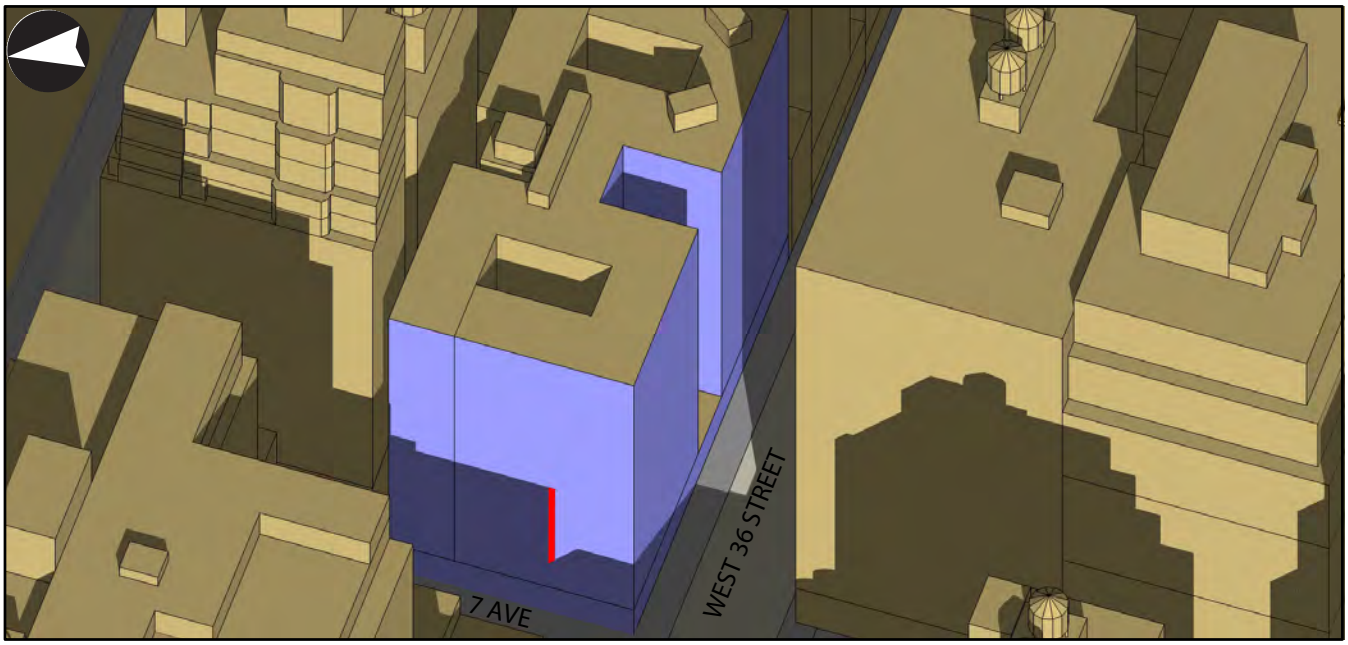
3:15 PM

Projected Development

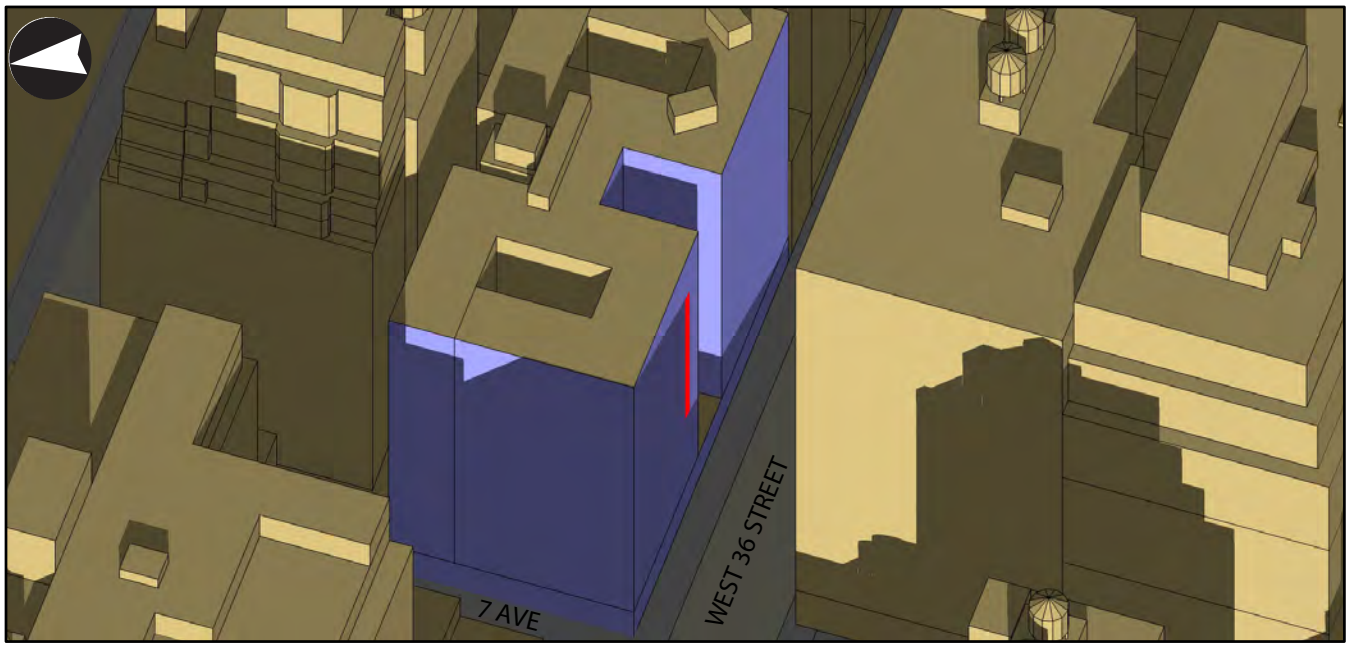
Sunlight Sensitive Historic Resource

Incremental Shadow

Figure D-5d
Mills Hotel No. 3
Incremental Shadows on May 6/August 6



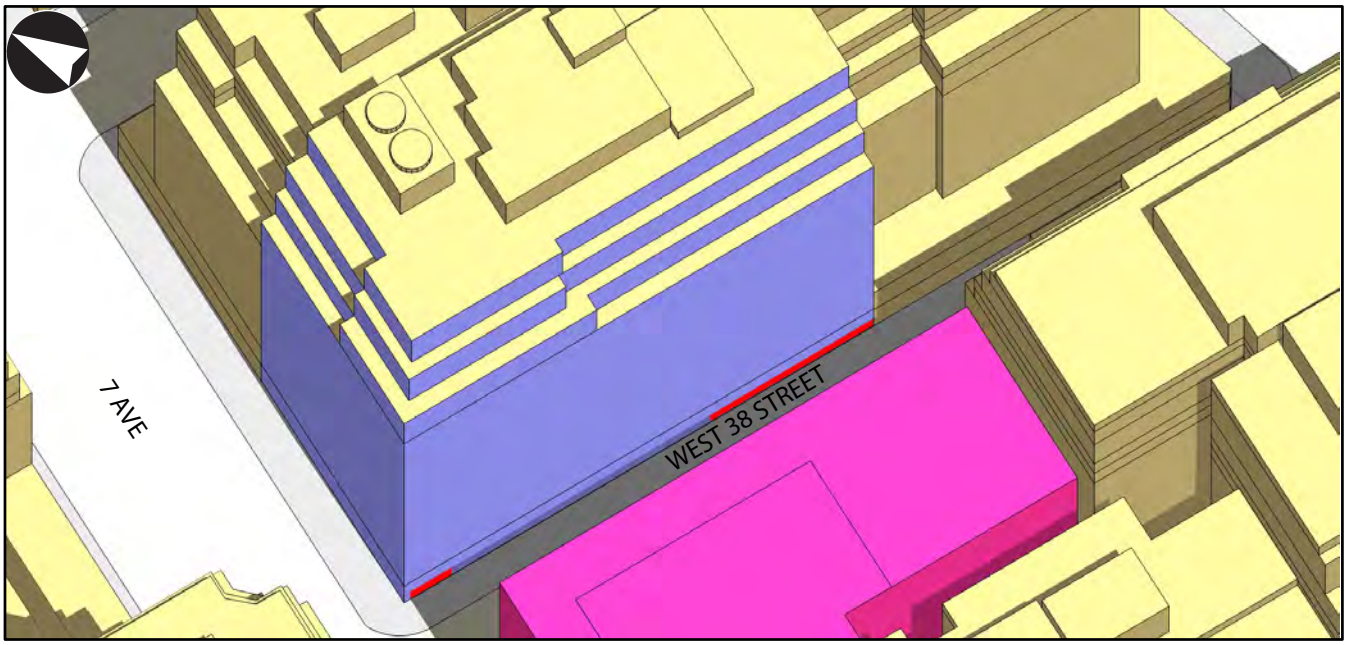
4:15 PM



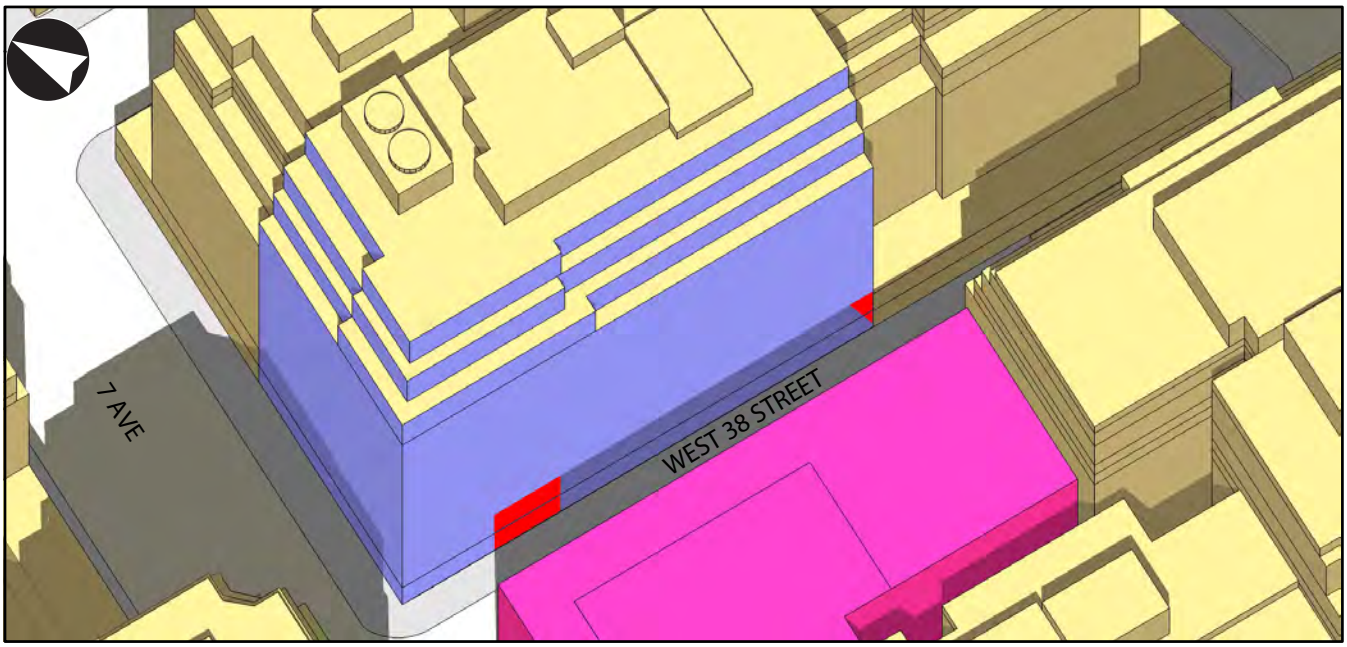
5:00 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-6a
525 7th Avenue
Incremental Shadows on June 21



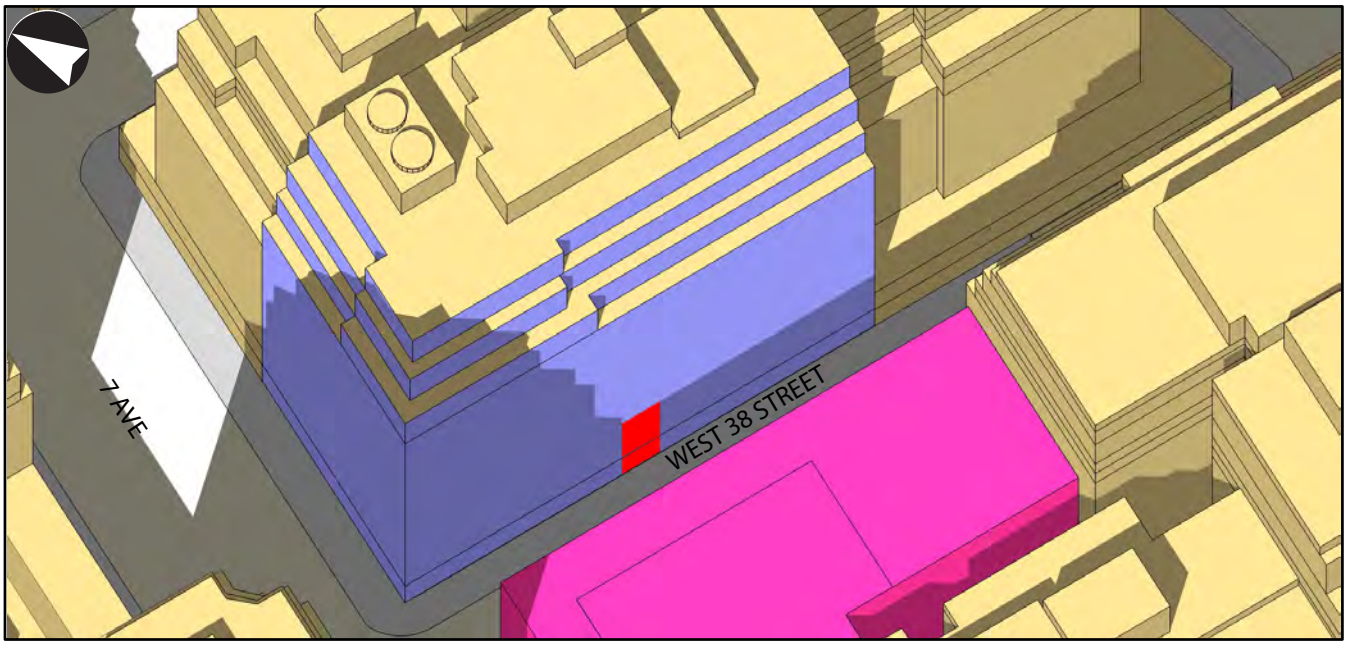
12:30 PM



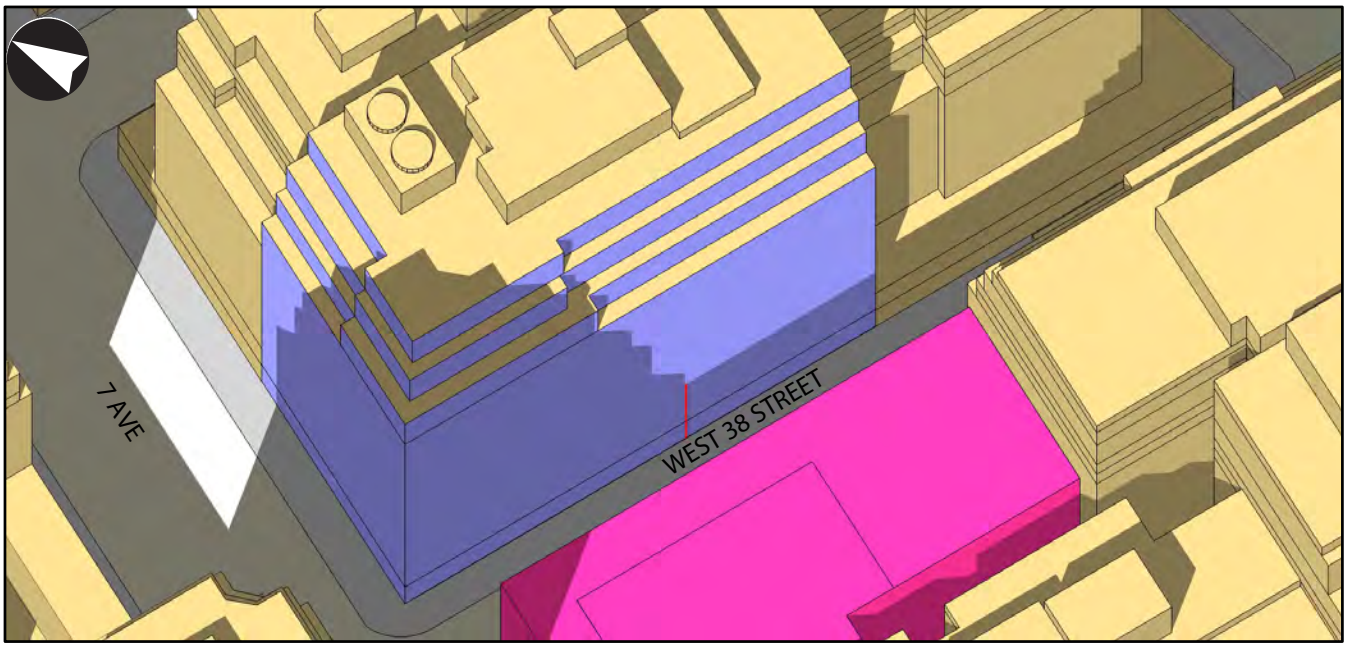
1:30 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-6b
525 7th Avenue
Incremental Shadows on June 21



2:30 PM



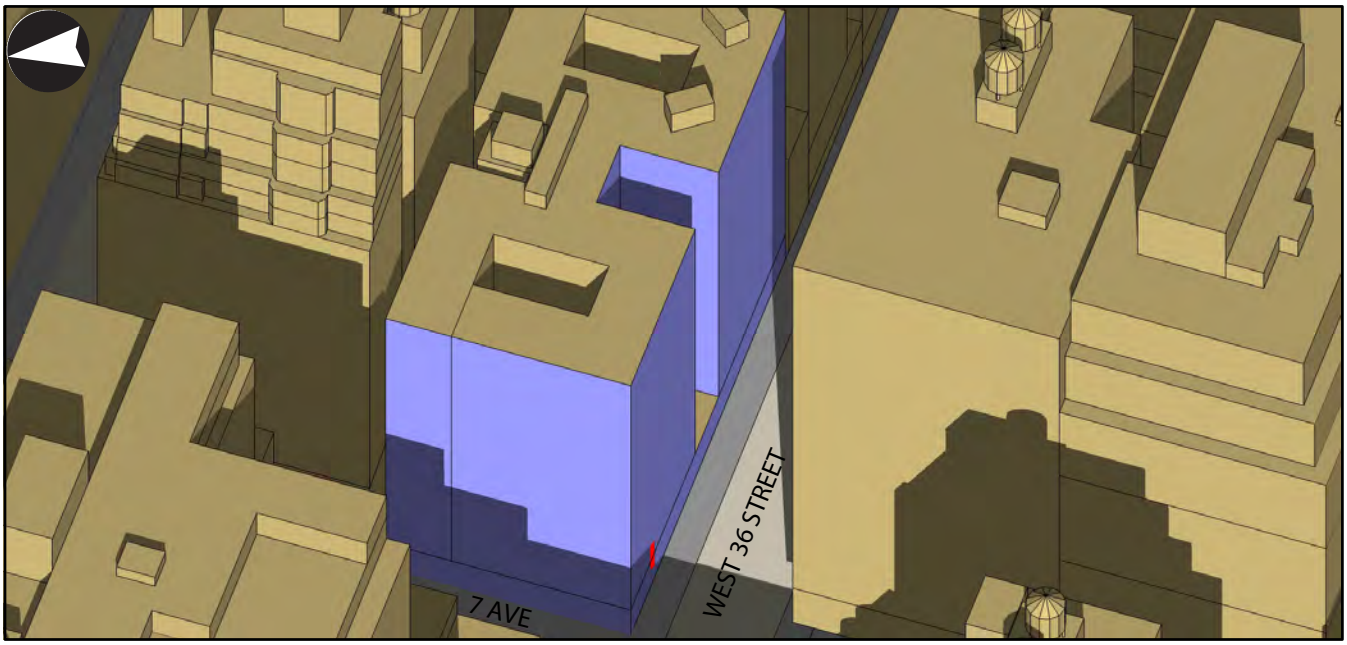
2:45 PM

Projected Development

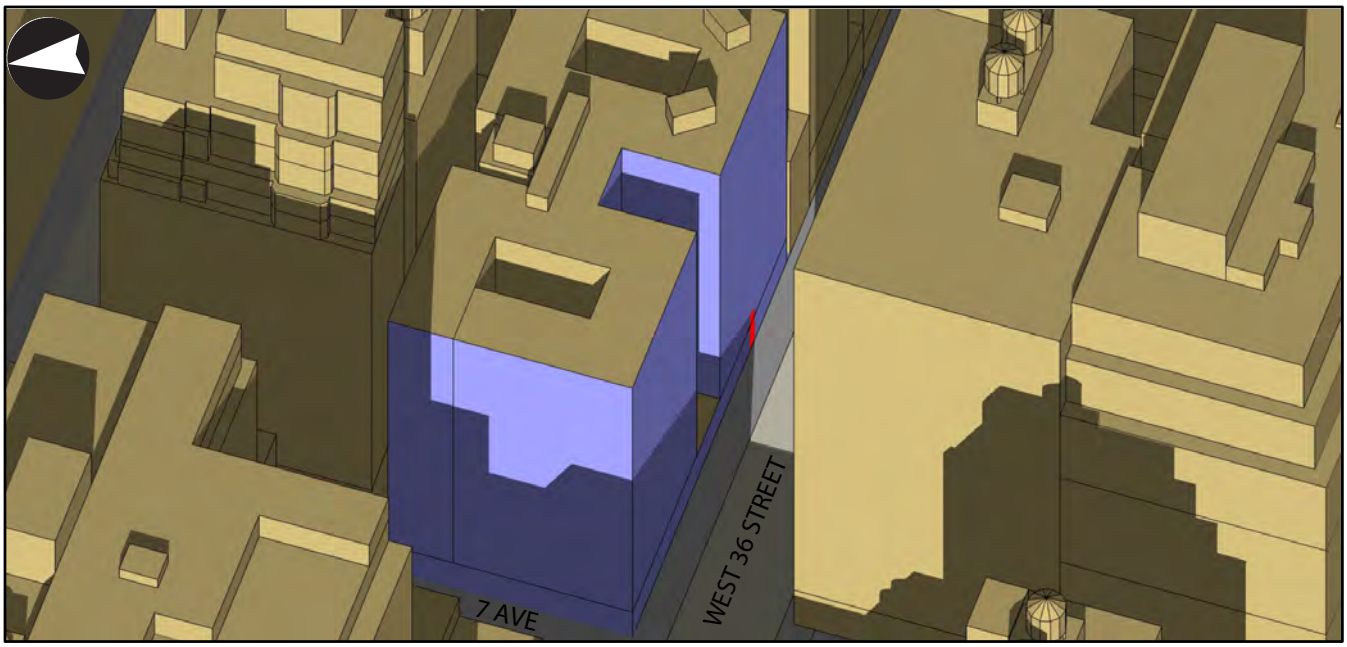
Sunlight Sensitive Historic Resource

Incremental Shadow

Figure D-6c
Mills Hotel No. 3
Incremental Shadows on June 21



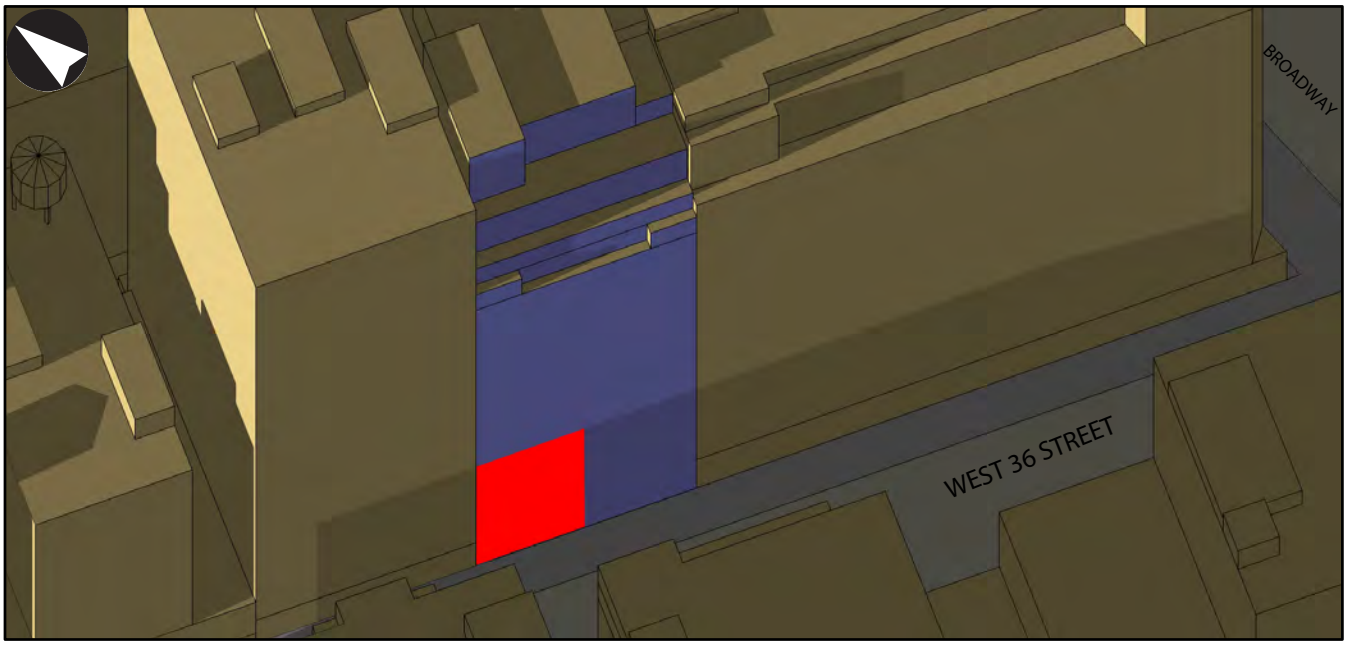
4:15 PM



4:45 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

135 West 36th Street
Incremental Shadows on June 21



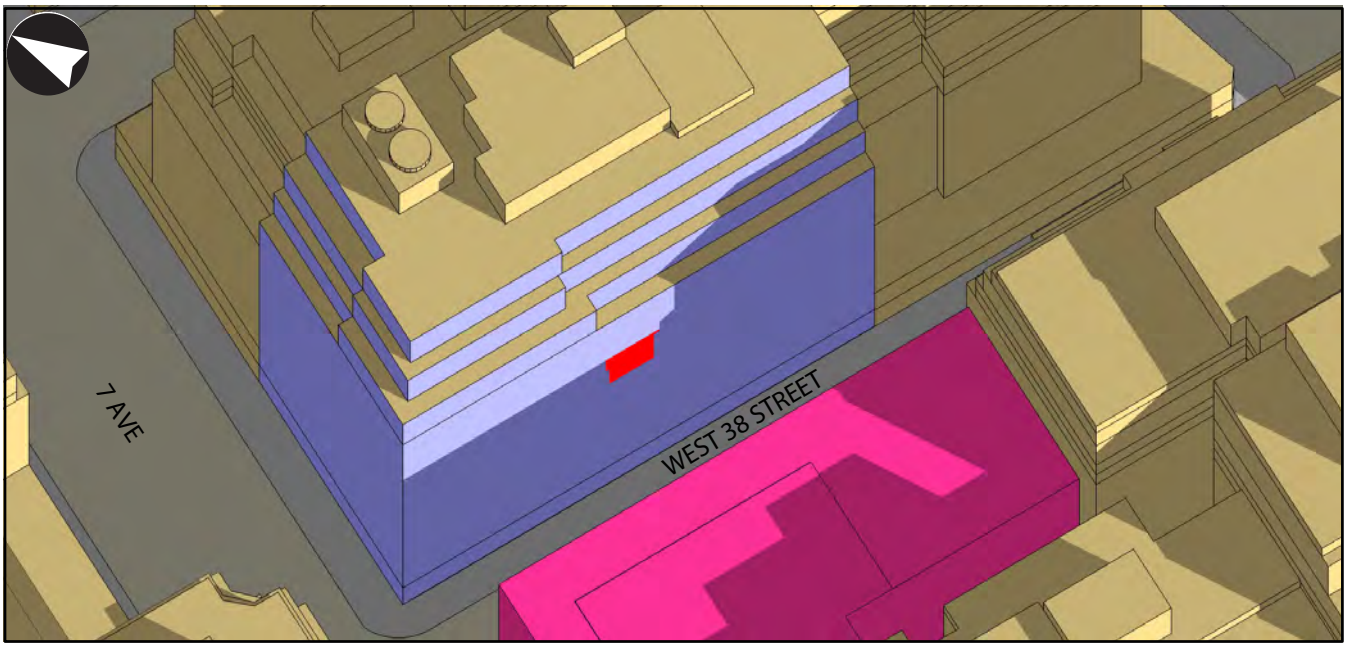
6:00 PM

Projected Development

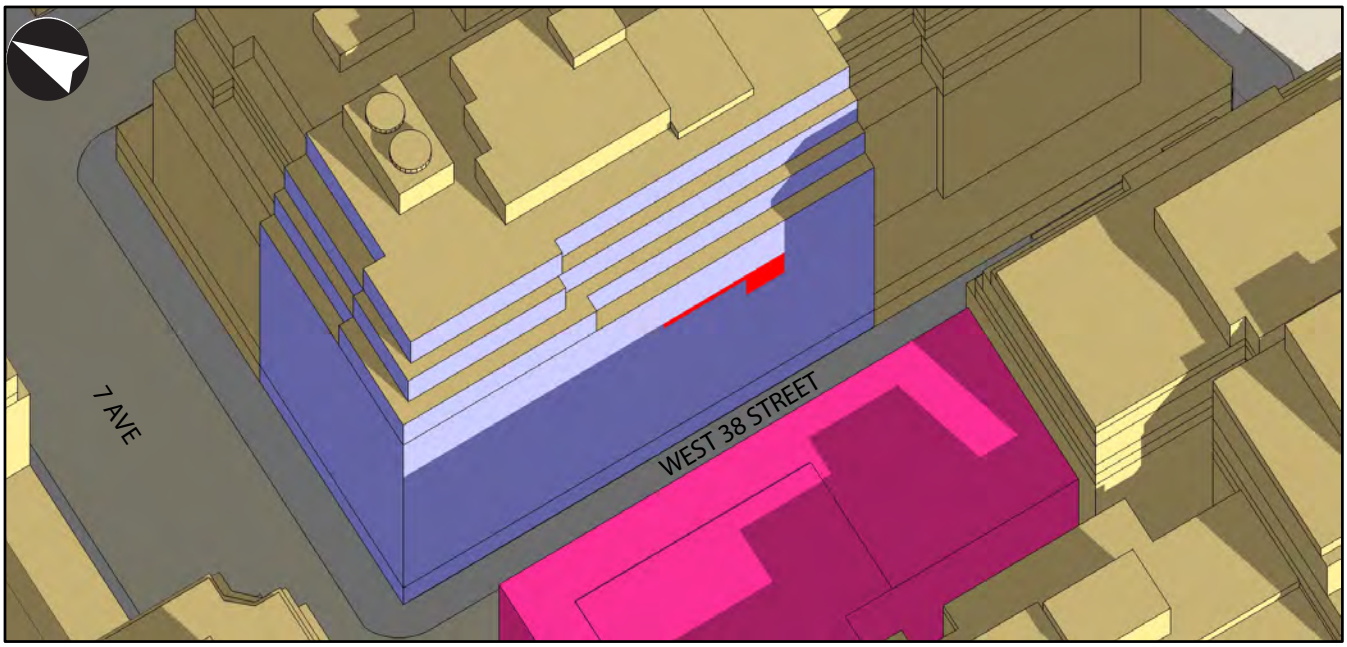
Sunlight Sensitive Historic Resource

Incremental Shadow

Figure D-7a
525 7th Avenue
Incremental Shadows on December 21



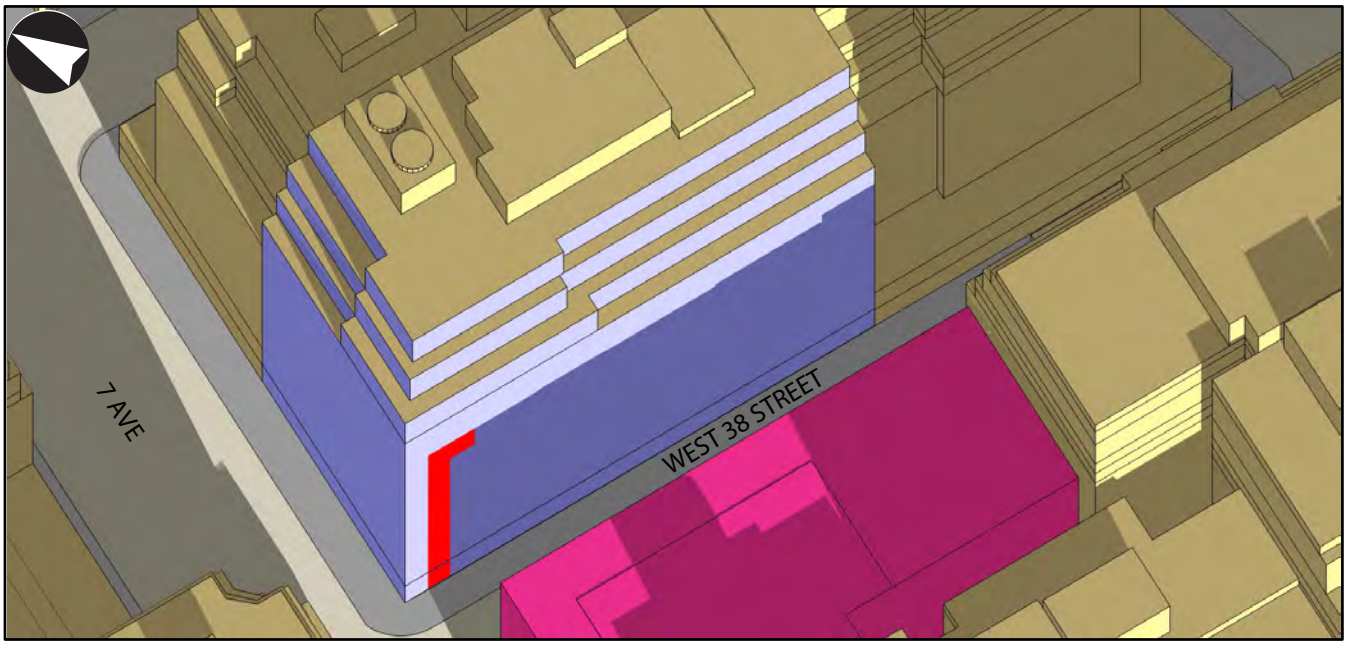
11:30 AM



12:30 PM

Projected Development
Sunlight Sensitive Historic Resource
Incremental Shadow

Figure D-7b
525 7th Avenue
Incremental Shadows on December 21



2:00 PM

Projected Development

Sunlight Sensitive Historic Resource

Incremental Shadow

building's frontage. As the incremental shadow moves eastward and exits the historic resource, a second incremental shadow will simultaneously enter a portion of the building's southern façade, again from the west. The extent of incremental shadow coverage would increase but many areas of the building's façade would continue to receive direct sunlight. By 4:15 PM, incremental shadows would continue to move slightly eastward and coverage would decrease until the end of the representative analysis period. The areas experiencing shadow coverage feature Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling.

May 6/August 6

On May 6/August 6 the time period for shadows analysis begins at 6:27 AM and continues until 5:18 PM. On the midpoint between the equinoxes and the solstices, incremental shadows from Projected Development Site 1 and Potential Development Site 4 would reach both 525 7th Avenue and the Mills Hotel No. 3, respectively.

Projected Development Site 1 would cast incremental shadows on 525 7th Avenue's southern façade beginning at 11:10 AM and continuing until 3:18 PM for a duration of approximately 4 hours and 8 minutes. Prior to 11:10 PM and following 3:18 PM, the building would not experience any incremental shadow coverage on any of its facades as a result of the projected development. As indicated in **Figures D-5a** through **D-5c**, by 11:30 AM incremental shadows would enter a portion of the building's southern façade comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling. By 1:00 PM incremental shadow coverage would increase, shifting upward and from west to east along the building's southern façade. By 3:00 PM incremental shadows would continue to move slightly eastward and coverage would decrease until exiting the historic resource's southern façade at 3:18 PM.

Additionally, Potential Development Site 4 would cast incremental shadows on Mills Hotel No. 3's western façade beginning at 3:53 PM and continuing until 5:18 PM eventually reaching the building's southern façade, for a duration of approximately 1 hour and 25 minutes. Prior to 3:53 PM the building's western and southern façades would not experience any incremental shadow coverage as a result of the potential development. As indicated in **Figure D-5d**, by 4:15 PM incremental shadows would enter a portion of the building's western façade comprised of cast-stone trim, rusticated stone, stone lintels, and ornamentation including stone cartouches, projecting cornices, and rusticated stone piers bearing the letter "M." By 5:00 PM incremental shadow coverage would remain consistent in size, shifting from west to east along the building's southern façade.

June 21

On June 21 the time period for shadows analysis begins at 5:57 AM and continues until 6:01 PM. On the summer solstice, which is the day of the year with the longest period of daylight, the sun is most directly overhead and generally shadows are shortest and move across the widest angular range from west to east. On this date Proposed Development Site 1 would cast incremental shadows on 525 7th Avenue, and Potential Development Site 4 would cast incremental shadows on the Mills Hotel No. 3 and 135 W. 36th Street.

Projected Development Site 1 would cast incremental shadows on 525 7th Avenue's southern façade beginning at 12:21 PM and continuing until 2:46 PM, for a duration of approximately 2 hours and 25 minutes. Prior to 12:21 PM and following 2:46 PM the building would not experience any incremental shadow coverage as a result of the projected development. As indicated in **Figures D-6a** and **6b**, by 12:30 PM minimal incremental shadows would enter a portion of the building's southern façade comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling. By 2:30 PM incremental

shadow coverage would increase, shifting eastward along the building's southern façade, which is also comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling. By 2:45 PM, incremental shadows coverage would continue to move in an easterly direction until exiting the historic resource at 2:46 PM.

Potential Development Site 4 would cast incremental shadows on Mills Hotel No. 3's southern façade beginning at 4:03 PM and continuing until 4:53 PM, for a duration of approximately 50 minutes. Prior to 4:03 PM and following 4:53 PM the building's façade would not experience any incremental shadow coverage as a result of the potential development. As indicated in **Figure D-6c**, by 4:15 PM incremental shadows would enter a portion of the building's southern façade comprised of cast-stone trim, rusticated stone, stone lintels, and ornamentation including stone cartouches, projecting cornices, and rusticated stone piers bearing the letter "M." By 4:45 PM incremental shadow coverage would remain consistent in size, shifting eastward along the building's southern façade, which is also comprised of cast-stone trim, rusticated stone, stone lintels, and ornamentation including stone cartouches, projecting cornices, and rusticated stone piers bearing the letter "M."

Potential Development Site 4 would also cast incremental shadows on 135 W. 36th Street's southern façade beginning at 5:59 PM and continuing until 6:01 PM for a duration of approximately 2 minutes. Prior to 5:59 PM the building's southern façade would not experience any incremental shadow coverage as a result of the potential development. As indicated in **Figure D-6d**, by 6:00 PM incremental shadows would enter a portion of the building's southern façade comprised of stone reliefs of ornate terra-cotta peacocks, ornamental stone panels, stone reliefs of winged angels holding a curtain inscribed "FASHION BUILDING," ornamental round-arched windows with spiral surrounds, ornamental spandrels, and stone piers.

December 21

On the winter solstice, December 21, the day of the year with the shortest period of daylight, the sun is low in the sky and shadows are at their longest but move rapidly. On this date Projected Development Site 1 would cast incremental shadows on 525 7th Avenue.

Projected Development Site 1 would cast incremental shadows on 525 7th Avenue's southern façade from 11:07 AM to 2:20 PM, for a total duration of approximately 3 hours and 13 minutes. The building would not experience any incremental shadow coverage prior to 11:07 PM as a result of the projected development. As indicated in **Figures D-57a** and **D-7b,** by 11:30 AM incremental shadows would enter a portion of the building's southern façade fronting W. 38th Street. By 12:30 PM, incremental shadows would remain consistent and shift eastward. By 2:00 PM, an incremental shadow would enter a portion of the building's southern façade towards the west and would continue to move slightly eastward and coverage would decrease until exiting the historic resource at 2:20 PM. The portions of the building's southern façade experiencing incremental shadow coverage are comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling.

Assessment

A shadow impact occurs when the incremental shadow from a projected development falls on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs.

Historic Resources

Mills Hotel No. 3

The projected developments would cast incremental shadows on Mills Hotel No. 3 on two of the four representative analysis days: May 6/August 6 and June 21. Incremental shadow duration would last 1 hour and 25 minutes on May 6/August 6 and 50 minutes on June 21, and would generally be limited to the late afternoon hours after 4:00 PM. As shadow coverage would be confined to portions of the building's southern and western facades (see **Figure D-5d** and **D-6c**), incremental shadows are not expected to have a significant effect on the building's sunlight sensitive resources. Therefore, the incremental shadows as a result of the proposed action would not adversely affect the building's functions or character, nor hamper public enjoyment of its key architectural features.

135 W. 36th Street

The shadows analysis determined that the duration and coverage of incremental shadows on 135 W. 36th Street would be limited and would not adversely affect portions of the building with sunlight sensitive resources. The proposed action would result in new incremental shadows on this resource on one representative analysis day (December 21), with a duration of only two minutes at the end of the representative analysis period in the late afternoon hours (see **Figure D-6d**). While this resource includes various ornate stone reliefs and spandrels, incremental shadows would only have brief coverage of the building's sunlight-sensitive features and would receive adequate sunlight throughout the day. Therefore, the proposed action would not result in significant adverse shadow impacts on 135 W. 36th Street.

525 7th Avenue

The shadows analysis determined that the duration and coverage of project-generated incremental shadows on 525 7th Avenue would not result in any significant adverse impacts. The proposed action would result in new incremental shadows on this resource on all four representative analysis days, ranging in duration from 2 hours and 25 minutes to 6 hours and 9 minutes of new incremental shadows (see **Figures D-4a**, **4b**, **5a**, **5b**, **5c**, **6a**, **6b**, **7a** and **7b**). While this resource features Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling, incremental shadows would only affect the building's southern façade and would generally enter and exit during the afternoon hours. While new incremental shadows may have long duration periods on certain representative analysis days (March 21/September 21), incremental shadow coverage would generally be minimal and would not be significant (see **Figure D-4a** and **D-4b**). Additionally, at no point during any of the representative analysis days would the historic resource's sunlight sensitive features be completely cast in shadows. Therefore, the incremental shadows as a result of the proposed action would not adversely affect 525 7th Avenue's function or character, nor hamper public enjoyment of its key architectural features.

ATTACHMENT E:
HISTORIC AND CULTURAL RESOURCES

Garment Center Text Amendment EAS
Attachment E: Historic & Cultural Resources

A. INTRODUCTION

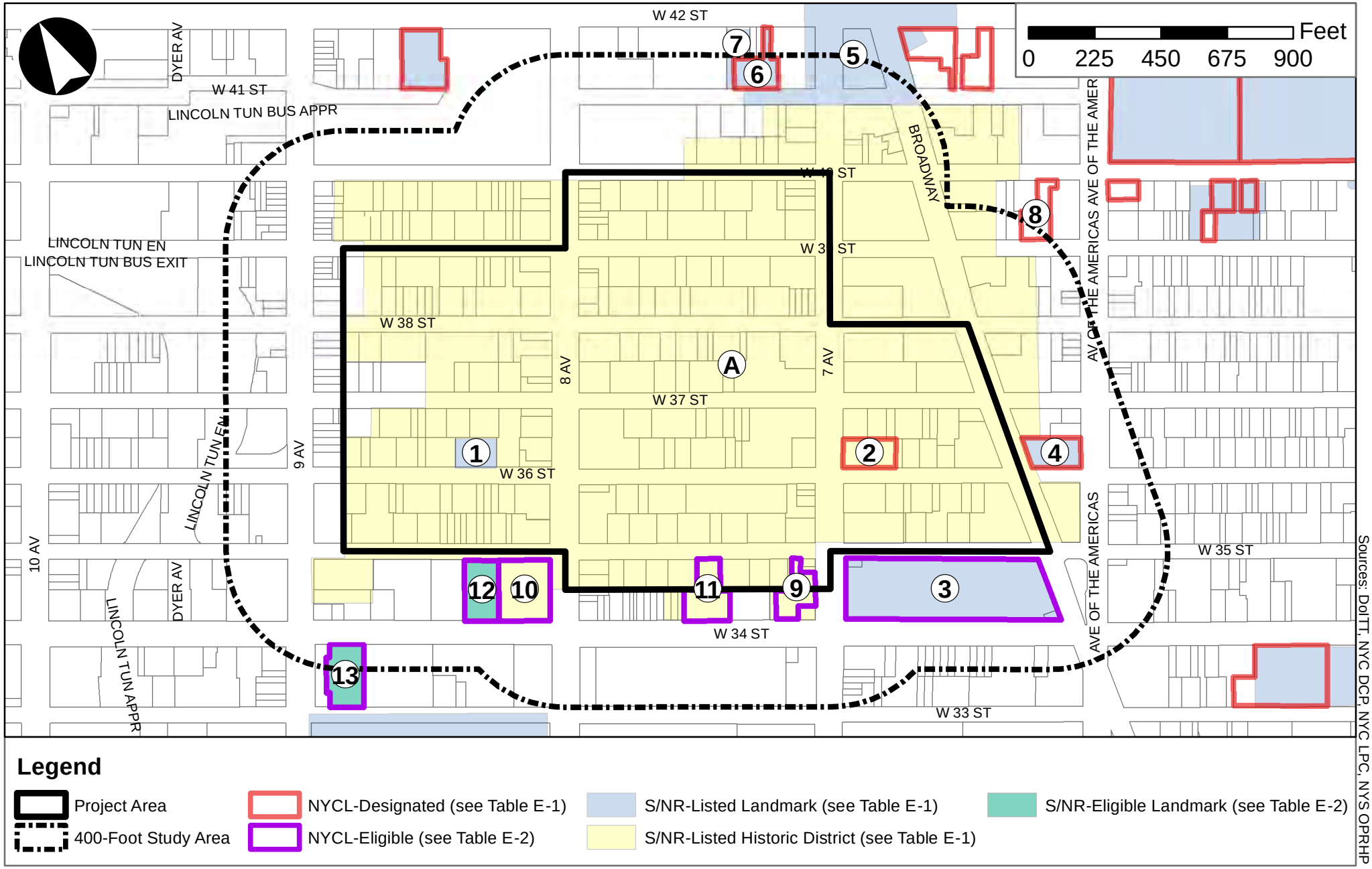
The *2014 City Environmental Quality Review* (CEQR) *Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed in the State/National Registers of Historic Places (S/NR) or contained within a district listed in or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHLs); and properties not identified by one of the programs listed above, but that meet their eligibility requirements. An assessment of historic/archaeological resources is usually needed for projects that are located adjacent to historic or landmark structures or within historic districts, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

As discussed in this attachment and shown in **Figure E-1**, almost all of the project area is located within the S/NR-listed Garment Center Historic District and, in addition, the project area and its immediate vicinity encompass several S/NR-listed and LPC-designated individual landmarks. Therefore, it is necessary to assess the potential impacts of the proposed action on historic architectural resources. According to *CEQR Technical Manual* guidance, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding the project area. The historic resources study area is therefore defined as the project area plus an approximate 400-foot radius around the project area (refer to **Figure E-1**), which is typically adequate for the assessment of historic resources, in terms of physical, visual, and historical relationships.

Archaeological resources are considered only in those areas where new excavation is likely and would result in new in-ground disturbances as compared to No-Action conditions; these are limited to sites that may be developed in the project area, and include projected as well as potential development sites. As detailed in Attachment A, "Project Description," the proposed action would not result in any new in-ground disturbances as compared to No-Action conditions. Additionally, as determined by the LPC in a letter dated April 20, 2017 (refer to Appendix A), none of the projected or potential development sites identified in the reasonable worst-case development scenario (RWCDS) associated with the proposed action have archaeological significance. Therefore, the proposed action would not result in any significant adverse archaeological impacts and an archaeological analysis is not warranted. As such, this attachment focuses exclusively on historic architectural resources.

B. PRINCIPAL CONCLUSIONS

As detailed below, the proposed action would not result in any significant adverse impacts to historic architectural resources. All five projected and potential development sites identified in the project area would be demolished and redeveloped in the 2027 future without the proposed action. No additional physical alterations or demolitions to identified historic resources would occur as a result of the proposed action. As detailed below, there are eight designated and five eligible individual landmarks located in close proximity to the five identified RWCDS projected and potential development sites, and seven of the sites are located in the S/NR-listed Garment Center Historic District. As compared to No-Action conditions, developments resulting from the proposed action would not significantly alter the setting of contributing buildings in the historic



Garment Center Text Amendment EAS

Figure E-1
Historic Resources Map

district or surrounding designated or eligible individual landmarks, or cast significant shadows on sunlight-sensitive historic resources for extended periods of time. Additionally, as the five projected and potential development sites are located within or immediately adjacent to the S/NR-listed historic district, they are subject to the protections of the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88, and as such, would not cause any significant adverse construction-related impacts to nearby historic resources.

C. DEVELOPMENT BACKGROUND[1]

As detailed in Attachment C, "Socioeconomic Conditions," New York City's rise as the center of the American garment industry in the late-19th century occurred as a result of several factors, including the City's prominence as the country's major port, dry-goods distribution center, largest textile manufacturing center, and hub of culture and media (including fashion magazine publications). Manhattan was also in the forefront of department store development; A.T. Stewart opened the country's first department store at Broadway and Reade Street in 1846. Additionally, a significant number of immigrants settled in New York City during the late-19th and early-20th centuries, providing inexpensive labor for the rapidly expanding garment industry. The location of New York City's Garment Center in midtown Manhattan ultimately emerged as a result of powerful economic and political forces in the early-20th century.

The project area was used as farmland until the mid-19th century, when the lots laid out in the Commissioner's Plan of 1811 were largely developed with brownstone-fronted rowhouses, and later, tenements. In the last decades of the 19th century, the eastern blocks of the district were part of a significantly larger area known as the "Tenderloin," which was roughly bounded by Fifth and Seventh Avenues between 23rd and 42nd Streets. The Tenderloin was famous for its saloons, gambling, and prostitution, a hub of vice and crime as well as the moneyed "high life." Examples of surviving buildings from this period in the project area include the Engine Company 26 firehouse at 220 W. 37th Street, constructed in 1857-58, an Italianate-style brownstone built c. 1870 at 221 W. 38th Street, and the Gothic Revival-style Church of the Holy Innocents, constructed in 1868-70 at 126 W. 37th Street.

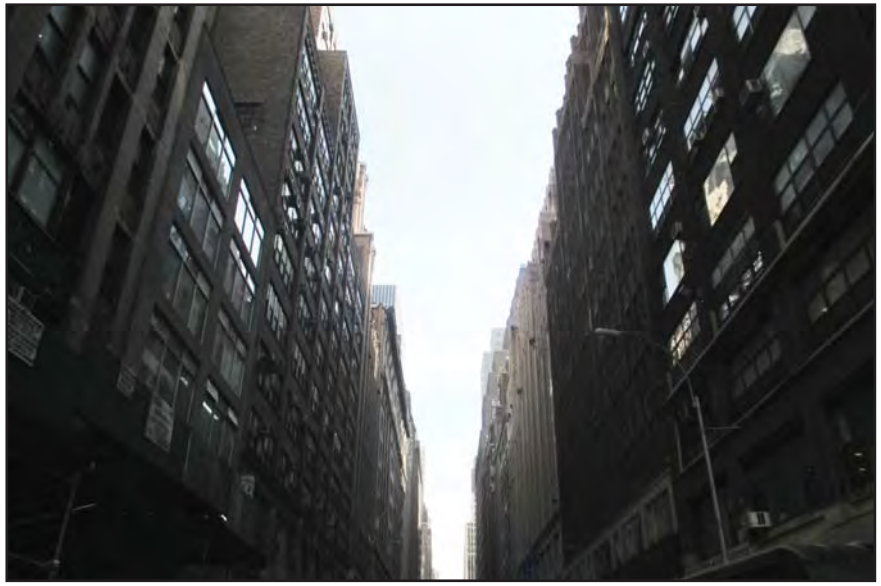
Around the turn of the 20th century, the blocks surrounding Broadway from 14th Street to 42nd Street were redeveloped for New York City's flourishing theater district. The New Amsterdam Theater at 214 W. 42nd Street, constructed in 1902-03, is a surviving example of a Broadway theater in the secondary study area (Resource #6 in **Figure E-2f**). In 1905, the *New York Times* moved into the new Times Tower at Times Square, spurring the development of a publishing and printing district between Seventh and Eighth avenues south of W. 42nd Street. The opening of the subway in 1904 and the construction of Penn Station in 1910 resulted in continued investment in the area. For example, Darius Ogden Mills chose the corner of W. 36th Street and Seventh Avenue for the largest of his three low-cost hotels for single working men in 1906-07 (now known as Mills Hotel No. 3), citing the property's close proximity to public transit and the burgeoning Midtown district as an ideal location for the development (Resource #2 in **Figure E-2c**).

Concurrently, during the late-19th and early-20th centuries, fashionable residential districts continued to move north along Fifth Avenue in Manhattan in an effort by the City's wealthiest citizens to distance themselves from the increasingly congested conditions of Lower Manhattan, which was absorbing hundreds of thousands of immigrants. Department stores followed this movement uptown in order to be close to well-to-do shoppers, trailed by the garment factories and showrooms that produced the clothing for these stores. It is estimated that between 1900 and 1910, the number of garment workers employed in the vicinity of Fifth Avenue nearly doubled. However, the wealthy residents of Fifth Avenue did not like the influx of immigrant garment workers

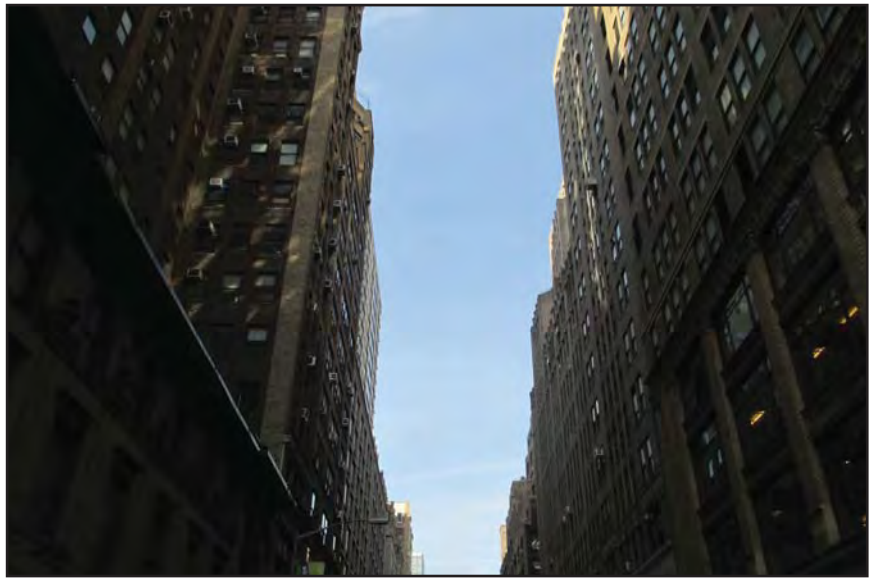
[1] *Garment Center Historic District State & National Register Nomination Report*, Sections 7 & 8 (2008); *New York City Garment Center Study: Program and Zoning Recommendations* (1986); New York City Department of City Planning (2017); & Montero, Gabriel. "A Stitch in Time: A History of New York's Fashion District." Fashion Center BID (2008).

Resource A) View south along 7th Avenue from West 39th Street

Resource A) View south along 8th Avenue from West 39th Street



Resource A) View east along West 39th Street from 8th Avenue



Resource A) View west along West 38th Street from 8th Avenue

Resource A) View south along 7th Avenue from West 37th Street

Resoucre A) View south along 8th Avenue from West 37th Street

Resource A) View east along West 37th Street from 7th Avenue

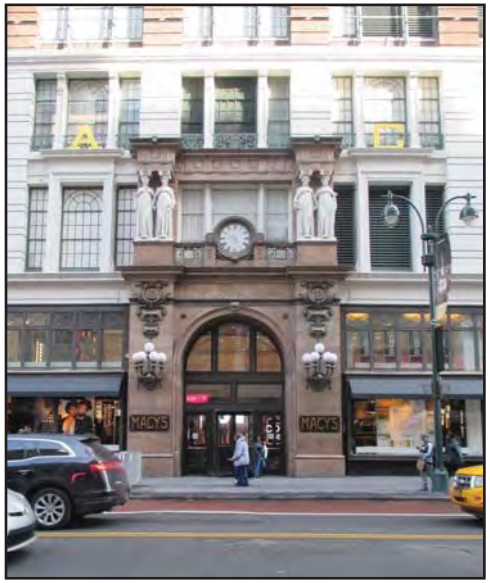
Resource A) View west along West 36th Street from 7th Avenue

Resource 1) Base of building at 315-325 West 36th Street

Courtesy of The Skyscraper Center

Resource 1) Façade of bulding at 315-325 West 36th Street

Resource 2) Mills Hotel No.3 from southwest corner of 36th Street and 7th Avenue



Recource 3) Macy's entrance on 34th Street

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Figure E-2c

Designated Individual Landmarks (refer to Table E-1)

Resource 3) Macy's from southeast corner of Broadway, 6th Avenue, and 34th Street intersection

Resource 3) Macy's entrance on Broadway

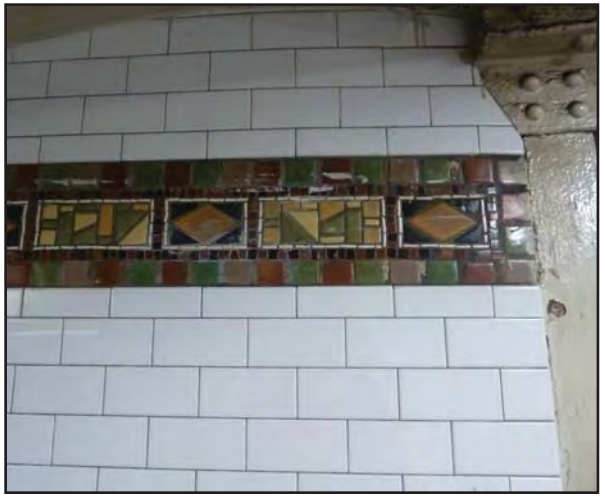
Resource 4) Greenwich Savings Bank building along 6th Avenue

Courtesy of The Gotham Hall

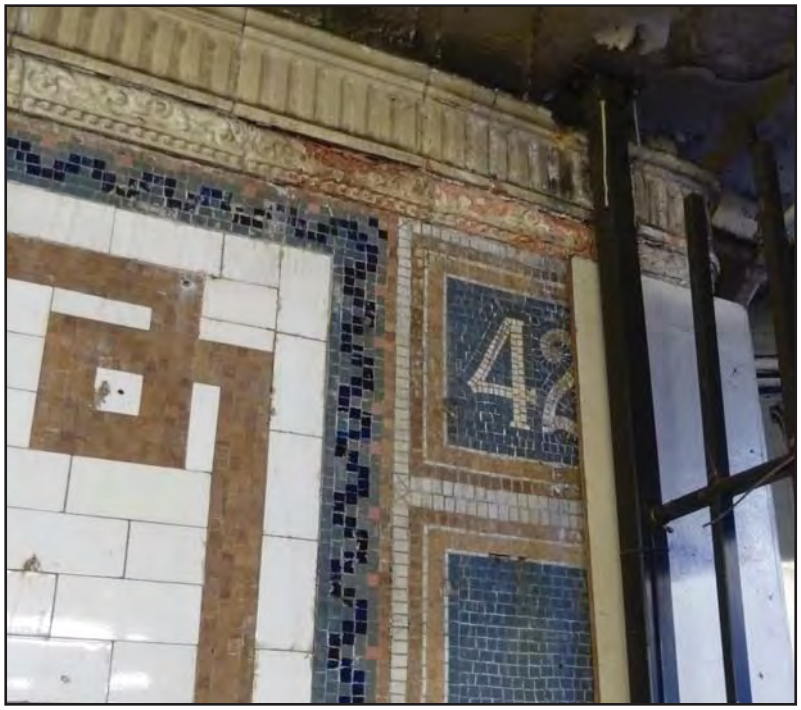
Resource 4) Interior of Greenwich Savings Bank building

Resource 5) Steel trusses in the Times Square - 42nd Street subway station

Resource 5) Ornamated plaster on the ceiling of Times Square - 42nd Street subway station



Resource 5) Decorative and white creamic tiles in the Times Square - 42nd Street subway station



Resource 5) Square faience with number 42 atop a mosaic pilaster in the Times Square - 42nd Street subway station

Resource 5) Faience with letter T for Times Square and original white tiles in the Times Square - 42nd Street subway station

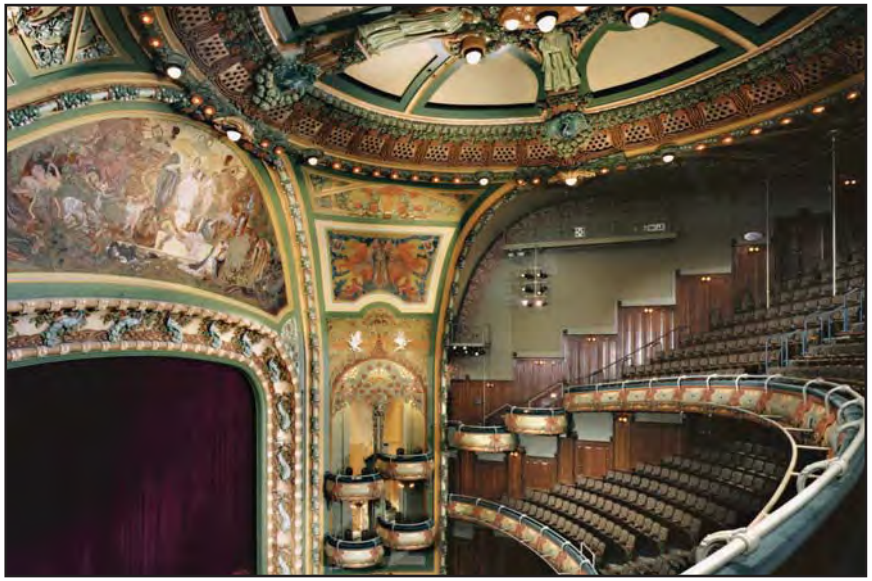
Garment Center Text Amendment EAS **Figure E-2e**

Designated Individual Landmarks (refer to Table E-1)

Resource 6) West 42nd Street façade of the New Amsterdam Theater

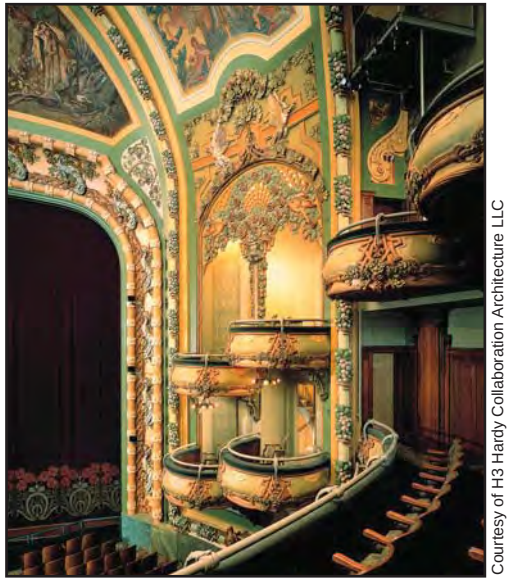
Courtesy of H3 Hardy Collaboration Architecture LLC

Resource 6) Groin-vaulted ceiling with intricate floral mouldings



Courtesy of H3 Hardy Collaboration Architecture LLC

Resource 6) Auditorium with Blum's allegorical mural above the proscenium



Courtesy of H3 Hardy Collaboration Architecture LLC

Resource 6) Wenzell's painted panel sorrounded by ornate floral motifs

Resource 7) Base of Candler Building from 42nd Street

Resource 7) Façade of Candler Bulding on 42nd Street

Resource 8) Façade of Spring Mills Building on 40th Street

Resource 8) Façade of Spring Mills Building on 39th Street

in their neighborhoods during commuting and lunch hours, and organized an effort called the "Save New York Committee" to move the garment factories away, prompting the establishment of the Garment District in the 1916 Zoning Resolution, which zoned Fifth Avenue as a retail district prohibiting factories and other manufacturing uses.

The creation of the Garment District was also heavily influenced by building regulations in the City. During the late-19th and early-20th centuries, New York City and State became national models for garment industry reforms. The 1892 New York State Factory Act required a minimum of 250 cubic feet of air per employee, and the 1901 Tenement House Act pushed garment production out of the cramped tenements where many immigrant workers had done "home work" in the Lower East Side. The 1911 fire in the Triangle Shirtwaist Factory instigated further regulation of fire escapes, fireproof partitions, fire alarms, fire drills, ventilation, lighting, and sanitation in New York City's garment factories. Resultant factory design tended towards commercial loft buildings with high ceilings and large windows, providing more light and air for garment workers.

However, by 1916 there was not much existing building stock in older manufacturing districts in the City that conformed to these regulations. As a result, city planners determined that a new area would have to be identified where new garment-related factory buildings could be constructed. The northern portion of the Tenderloin was determined to be an ideal place for development, as it contained old tenement buildings ripe for redevelopment, surrounded by large hotels catering to out-of-town buyers in close proximity to the regional transportation hub of Penn Station, as well as numerous public transit lines. Major department stores had been developed around Herald Square, such as Gimbel's, Saks, and Macy's flagship store, constructed in the secondary study area in 1902 (Resource #3 in **Figures E-2c/d**), which required the garment industry nearby. The 1916 zoning resolution zoned the Garment Center area "unrestricted," which permitted all land uses, including manufacturing.

In 1921, two high-rise loft buildings with showroom and factory space for the garment industry were constructed on the west side of Seventh Avenue between W. 36th and W. 38th Streets. The Garment Centre Capitol buildings, as they came to be known, were the first specifically designed for the garment industry in the new Garment Center, and included modern amenities such as electricity. Following their construction, the Garment District went through a massive, decade-long building boom, and by 1926 was largely considered the fastest growing area in the City. Development in the Garment Center peaked in 1924-25, when 47 new commercial loft buildings were constructed in the area. These commercial loft buildings were designed to house all aspects of the garment industry, with office space and showrooms as well as manufacturing and production facilities.

The 1916 Zoning Resolution had also included regulations regarding the permitted heights and bulks of new buildings, and a "zoning envelope" was introduced, requiring setbacks at various heights above building bases. The Garment District's new zoning permitted maximum building heights of 120 feet on side streets and 200 feet on avenues, before setback. The zoning regulations and the established street grid resulted in a very limited scope of work for architects hired to design commercial loft buildings in the area. Most new construction contained 12-story bases rising straight up from the lot line topped by shallow setbacks, producing "wedding-cake style" buildings. These new structures created remarkably uniform streetscapes in the district, with continuous streetwalls and towers of up to 22 stories above the narrow east-west side streets of the area. The commercial loft building at 315-325 W. 36th Street, constructed in 1926, is a surviving example of a wedding-cake style building in the project area (Resource #1 in **Figure E-2c**).

As a result of this limited scope of work, architects had to embellish façades with interesting ornament in order to differentiate the buildings. Many of the buildings in the Garment District still have these unique ornamental features, often with apparel-related motifs. Surviving examples in the area include 135 W. 36th Street, which retains its polychromatic murals and terra cotta; 250 Seventh Avenue with its elaborately carved heads and

sculptures; and 463 Seventh Avenue, which also retains its polychromatic brickwork and terra cotta, as well as its intricately carved sculptures (refer to **Figure E-2**).

Although the Garment Center retained its importance as the center of the American garment industry during the mid- to late-20th century, the economics of the industry began to change after the Second World War, as detailed in Attachment C, "Socioeconomic Conditions." During this time, many manufacturers moved standardized production activities to cheaper facilities outside of New York City. High-end manufacturers who could afford increased rents and wages remained in the Garment Center, and the City emerged as a world capital of high fashion. Concurrently, the demand for office space in the Garment District expanded significantly, due to the area's close proximity to numerous public transit lines, regional transit hubs, and other midtown office markets.

These trends prompted the City government to intervene; in 1987, the Zoning Resolution was amended to establish the Special Garment Center District (SGCD). The primary purpose of the amendment was to slow the conversion of manufacturing space into commercial office space in the district, thereby enhancing its viability as a center for the fashion industry. Although the implementation of the SGCD requirements delayed office conversions in the Garment Center, by the turn of the 21st century it was becoming clear that the decline of manufacturing and conversion to office space in the district was a long-term trend, as well as the conversion or redevelopment of sites into hotels. However, despite the recent new construction, the majority of the buildings constructed in the Garment Center in during the 1920s-1930s building boom are remarkably intact today, and the built form of the area remains extraordinarily cohesive for Midtown Manhattan.

D. ARCHITECTURAL RESOURCES

Existing Conditions

As shown in **Figure E-1** and listed in **Table E-1** below, the S/NR-listed Garment Center Historic District encompasses the majority of the project area and portions of the secondary study area. There are also two designated individual landmarks located within the project area and six designated individual landmarks in the secondary study area. The following provides a brief description of each of the designated historic resources in the project area and secondary study area.

Designated Historic Resources

Historic Districts

A. Garment Center Historic District (S/NR-Listed): *Generally between W. 35th and W. 41st Streets & Sixth and Ninth Avenues*

The Garment Center Historic District is a unique area of Manhattan, shaped less by architects than by general urban forces such as national markets, transportation routes, reform movements, and zoning regulations. The S/NR-listed historic district includes 215 contributing resources located on 25 blocks in Midtown Manhattan (refer to **Figure E-1**). It is significant in its key roles in industrial and commercial history, social and immigrant history, and architectural history. As noted above, the Garment Center was identified by city planners in the 1910s as an ideal location for garment factories and showrooms, and the area was largely redeveloped in the two decades following the enactment of the 1916 Zoning Resolution. As a result, the district's character is dominated by uniform streetscapes of commercial loft buildings topped with "wedding-cake style" setbacks, most of which are still intact today. Although several buildings in the district predate the development of the Garment Center, the district is one of the City's most cohesive areas, with a strong sense of place and a visual character that sets it apart from other commercial districts.

As detailed above, the Garment Center's loft buildings were developed to accommodate all aspects of the garment industry, such as offices, showrooms, factories, and other production facilities. Most side street buildings have tripartite compositions, with 12-story bases rising straight up from the lot line topped by shallow setbacks towering up to 22 stories above the narrow east-west side streets. The first three or four stories of these buildings are usually faced in stone with entrances and storefronts creating continuous streetwalls, and the mid-sections are typically faced in brick with regular fenestration. The setbacks at the top of these buildings often contain brick or cast-stone ornamental details. Buildings are largely differentiated by varying ornamental details, typically in Classical Revival, Gothic Revival, or Art Deco styles and often with apparel-related embellishment (refer to **Figure E-2a/b**).

Buildings on the avenues in the Garment Center Historic District are similar to those on the side streets, but typically taller with stone-faced bases of five stories, mid-sections of 15 stories, and building heights of up to 30 stories. These buildings usually have more showroom space and ornamental detail, as a result of their prominent locations along the avenues. Additionally, irregular lots along Broadway often have chamfered corners with dramatic towers, attracting attention in an otherwise remarkably uniform district (refer to **Figure E-2a/b**).[2]

TABLE E-1: Designated Historic Resources in the Project Area & 400-Foot Study Area

Map No.[1]	Name	Address	Block / Lot	NHL	S/NR-Listed	NYCL-Designated	Location
A	Garment Center Historic District	Generally between West 35th and West 41st Streets & Sixth and Ninth Avenues	Multiple		x		Project & Study Areas
1	Building at 315-325 West 36th Street	315-325 West 36th Street	760 / 7501		x		Project Area
2	Mills Hotel No. 3	485 Seventh Avenue	812 / 1		(3)	x	Project Area
3	R.H. Macy and Company Store	151 West 34th Street / 1317 Broadway	810 / 1	x	x	(4)	Study Area
4	Greenwich Savings Bank	1352-1362 Broadway	812 / 29		x	x[2]	Study Area
5	Times Square - 42nd Street Subway Station	Intersection of West 42nd Street & Broadway/Seventh Avenue	-		x		Study Area
6	New Amsterdam Theater	214 West 42nd Street	1013 / 39		x	x[2]	Study Area
7	Candler Building	220 West 42nd Street/ 221 West 41st Street	1013 / 42		x		Study Area
8	Springs Mills Building	104 West 40th Street / 109 West 39th Street	815 / 21			x	Study Area

Notes:
(1) Refer to Figure E-1.
(2) Designated as both an exterior NYCL and an interior NYCL.
(3) Located in the S/NR-listed Garment Center Historic District.
(4) Also eligible for NYCL-Designation (refer to Table E-2).

Individual Landmarks

1. Building at 315-325 W. 36th Street (S/NR-Listed): *315-325 W. 36th Street (Block 760, Lot 7501)*

The building at 315-325 W. 36th Street is an Art Deco-inspired, 16-story commercial loft building in the heart of the Garment Center on the north side of W. 36th Street between Eighth and Ninth avenues (refer to **Figure E-1**). Designed by the architectural firm of George and Edward Blum in 1926, the building is

[2] *Garment Center Historic District State & National Register Nomination Report*, Sections 7 & 8 (2008).

one of the most architecturally distinctive buildings in the Garment District, distinguished by the unusual decorative detail for which its architects became known. The building's bulk occupies most of the site, typical for commercial buildings of this period, rising seven-stories from the lot line before varying setbacks. The lower three stories of the building are faced in stone, and the central pedestrian entrance is located within a triple arch. The outer bays of the lower levels contain metal storefronts and showrooms with decorative metal spandrels. The building's upper levels are faced in brick with vertical window bays, and the outer three window bays on either side of the building have setbacks at different levels than the center, creating the effect of a pavilion plan. The upper floors have cast-stone trim, and at various places on the upper stories, cast-stone panels with decorative patterns are set in the brick (refer to **Figure E-2c**). The building is also considered a contributing resource to the S/NR-listed Garment Center Historic District, detailed above.[3]

2. Mills Hotel No. 3 (NYCL-Designated): ***485 Seventh Avenue (Block 812, Lot 1)***

Constructed in 1906-07, the 16-story Mills Hotel No. 3 was the third and largest of the three model residential hotels for single working men with limited means developed by Darius Ogden Mills. The minimally-ornamented, Neo-Renaissance style building at the corner of W. 36th Street and Seventh Avenue was designed by the architectural firm of Copeland & Dole (refer to **Figure E-1**). The building had a three-story rusticated limestone base (the first two stories were subsequently altered) with a nine-story, brick-clad mid-section and a four-story, terra-cotta top crowned with a richly embellished Renaissance cooper cornice (refer to **Figure E-2c**). The hotel originally had 1,885 small single bedrooms, two light-courts, and a central elevator hall. The majority of guests were blue collar workers, salesmen, and hotel and service industry employees, and the hotel's proximity to the burgeoning theater district at the turn of the 20th century made it popular with actors and entertainers. Mills Hotel No. 3 remained a low-cost hotel until the early 1980s, when it was remodeled as the Fashion Avenue Atrium for fashion-related offices and showrooms. The building was recently converted back into a hotel, branded the Moxy, and its exterior facades were rehabilitated per LPC approvals. It is considered a contributing resource to the S/NR-listed Garment Center Historic District, detailed above, and serves as an important reminder of the Housing Reform Movement of the early-20th century.[4]

3. R.H. Macy and Company Store (NHL, S/NR-Listed, NYCL-eligible): ***151 W. 34th Street (Block 810, Lot 1)***

Macy's nine-story, flagship department store at Herald Square was designed by the firm of De Lemos & Cordes, and constructed by George A. Fuller Company in 1902, with a single-story addition added in 1910 and a 20-story addition built in 1922-24. As shown in **Figure E-1**, the approximately 2.2 million square foot (sf) store comprises the majority of the block fronting W. 34th and W. 35th Streets between Seventh Avenue and Broadway (at Herald Square). The designs of the original structure and additions are slightly different, but compatible in appearance; the majority of the store's first four stories are clad in concrete and gray stone, except for the northern façade is which entirely brick. The building's main entrance on W. 34th Street is within a Palladian façade, and the secondary entrances on Broadway are flanked by ground-level show windows and polished red marble ashlar. The upper levels of the building's eastern, western, and southern façades are clad in red and gray-painted brick interspersed by stone. The façades of the original building rise uniformly, while the floors of the 1922-24 addition rise uniformly for 13 floors and then setback irregularly for seven floors (refer to **Figures E-2c/d**). Pedestrian entrances on the eastern, western, and southern façades include glass-and-bronze revolving doors sheltered by large metal awnings, and the northern façade contains freight and service entrances. The size and operating methods of Macy's flagship store at Herald Square have made it the epitome of the traditional department store, and the architecturally-distinct building remains remarkably unaltered.[5]

[3] *Building at 315-325 West 36th Street State & National Register Nomination Report* (2004).
[4] *Mills Hotel No. 3 LPC Designation Report* (2014).
[5] *R.H. Macy and Company Store State & National Register Nomination Report* (1978).

4. Greenwich Savings Bank (S/NR-Listed, NYCL-Designated): *1352-62 Broadway (Block 812, Lot 29)*

The Greenwich Savings Bank (now known as the Haier Building) was constructed in 1922-24 as an imposing new headquarters representing the institution's advancement from its modest Greenwich Village origins to a prominent midtown location with entrances along Broadway and Sixth Avenues (refer to **Figure E-1**). Designed by the architectural firm of York & Sawyer, the freestanding Classical Temple is one of the finest and purest examples of the academic classical architectural tradition in the U.S. The bank's three façades are each articulated with a rusticated podium with cornice, monumental Corinthian colonnades, and a continuous entablature, and the façades contain only a few secondary architectural elements, such as the Greek key fret and paneled frieze. The exterior of the bank is clad is limestone above a polished pink granite base, and the classically-inspired arrangement of the façades conceals the building's steel-frame construction as well as the fact that between the elliptical banking room and exterior walls, there are six stories with a basement. The distinguished Greenwich Savings Bank was one of the most refined examples from the firm York & Sawyer, and retains almost all of its original architectural detail (refer to **Figure E-2d**).

The interior of the Greenwich Savings Bank is also considered an outstanding example of the academic classical architectural tradition in the U.S. and Beaux-Arts planning. Entrances lead to the bank's great elliptical banking room, characteristic of ancient amphitheaters, with tellers' cages, a high podium, Corinthian order, and rusticated wall surfaces reflecting the components of the exterior. The banking room contains mosaic floors and decorative ironwork, and is topped with a bi-colored amber glass light-diffuser and a cove ceiling of molded plaster with historic motifs. As with the bank's exterior, these interior spaces retain a high degree of architectural integrity (refer to **Figure E-2d**).[6]

5. Times Square – 42nd Street Subway Station (S/NR-Listed): *Intersection of W. 42nd Street and Broadway/Seventh Avenue*

The Times Square – 42nd Street Subway Station is a massive complex at the intersection of W. 42nd Street and Broadway/Seventh Avenue which contains five stations located on several underground levels (refer to **Figure E-1**). Four of these stations are included in the S/NR-listing: the Broadway BMT Line, the Seventh Avenue/West Side IRT, the Flushing Line IRT, and the Times Square Shuttle. The station was designed by the engineer William Barclay Parsons and the architectural firm of Heins & LaFarge, and was constructed in several phases between 1904 and 1927. Its architecture and high-quality craftsmanship reflect the City Beautiful movement and the station, along with the remainder of the early New York City subway system, is considered one of the greatest public works projects of all time.

There are 18 stairways at Times Square – 42nd Street that connect various mezzanines and platforms of the four historically significant stations. Each station has a concrete foundation with basic structural frame consisting of built-up "I" section columns of varying heights spaced five feet apart along the outer walls and between tracks. The outer walls have concrete infill between the columns, and along each platform, the roof girder is supported by cast-iron Tuscan columns or steel "H" sections. Floors throughout the Times Square – 42nd Street Station are concrete and covered in a variety of ceramic tile finishes, and most of the walls along the length of the platforms retain their original white ceramic tile and decorative mosaic bands. Identical square faience with the number 42 set atop mosaic pilasters are located throughout the station (refer to **Figure E-2e**). Despite massive expansions and renovations, particularly to the Times Square Shuttle area, the Times Square – 42nd Street Subway Station retains a significant amount of original architectural detail.[7]

[6] *Greenwich Savings Bank State & National Register Nomination Report* (2005); *Greenwich Savings Bank LPC Exterior Designation Report* (1989); & *Greenwich Savings Bank LPC Interior Designation Report* (1992).
[7] *Times Square – 42nd Street Subway Station State & National Register Nomination Report* (2004).

6. New Amsterdam Theater (S/NR-Listed, NYCL-Designated): *214 W. 42nd Street (Block 1013, Lot 39)*

Constructed in 1902-03 for the theatrical producers Klaw & Erlanger, the New Amsterdam Theater was for many years one of the most prestigious Times Square theaters renowned for its technical innovations, theater productions, and unique architecture. The 10-story tower, designed by the noted theater architects Herts & Tallant, is a rare example of Art Nouveau architecture in the U.S., and as such, was a major artistic statement. The form of the building highlights the dual functions of office tower and theater, and the Art Nouveau-inspired ornament expresses the spirit of drama, with various carved heads and sculpted figures. The three-bay wide 42nd Street façade is faced in limestone and topped by a sloping red tile roof. Projecting from the roof is a central dormer with stylized pediment with a garlanded, carved mask at the peak. Freestanding figures representing music and drama originally flanked this dormer. The roof level is separated from the lower floors by a projecting cornice with carved heads and floral ornament. In the mid-section of the tower, arches above windows contain terra-cotta panels with sculpted trios of cupids representing dance, opera, and song. The first three stories originally had a substantial amount of ornament and sculpture, but the entrance was drastically altered in 1937 in order to accommodate the conversion of the interior space into a movie theater (it was later converted back to live theater). Virtually all original detail on the first three stories was removed and replaced by a new marquee and vertical electric sign displaying Art Deco style streamlined motifs. The first three levels were modified again in 1955, and the original enclosed vestibule is now open to the sidewalk. Despite these changes, the New Amsterdam Theater still retains a significant amount of original detailing (refer to **Figures E-1** and **E-2f**).

The original design and ornament in the interior of the New Amsterdam Theater are mostly intact, including numerous murals and sculptures representing the dual themes of theater and New Amsterdam. There are 16 murals representing the principal events in the development of New York City in the smoking room, and numerous terra-cotta panels with sculpted scenes of Greek dramas, Faust, Shakespeare, and Wagner's Ring Cycle operas in the foyer. The marble staircases are lined by green terra-cotta balustrades with panels depicting flowers and vines with figures from the tales of LaFontaine, Alsop, and Hans Christian Anderson and newel posts adorned with the heads of Shakespearean characters. The elliptical auditorium was designed to seat about 1,800 people on three levels, surrounded by curved walls rising to a domed ceiling. Intricate plaster and carved oak moldings outline the ring of the dome and the arches framing the walls and the proscenium. The arch above the proscenium contains an allegorical mural representing drama (refer to **Figure E-2f**). The stage was very technically advanced for the early-20th century, and continues to be used for Broadway productions.[8]

7. Candler Building (S/NR-Listed): *220 W. 42nd Street/221 W. 41st Street (Block 1013, Lot 42)*

The Candler Building is an office and loft building commissioned by Asa Griggs Candler (the founder of Coca-Cola) and designed by the architectural firm of Willauer, Shape & Bready. When constructed in 1912-14, the freestanding, 24-story tower was one of the tallest buildings on the west side of Midtown Manhattan. Faced in white terra-cotta, the Candler Building fronts W. 41st and W. 42nd Streets (refer to **Figure E-1**), and contains a variety of Late Gothic and Early Renaissance ornament on all four sides of its tower. The five-bay wide 42nd Street façade rises 24 stories from the lot line with a three-story base, 13-story mid-section, and six-story crown topped with a cross-hipped roof. In the base, windows are separated from the three central bays by masonry pilaster strips, which extend up to the 16th floor. Central, round-arched windows are separated by attached columns and small roundels. Above these bays runs a simple cornice with a frieze inscribed "Candler." The mid-section of the building is topped with a cornice supported by decorative friezes and sculpted cherubs. A balustrade of paired dragons alternates with pointed balusters concealing the windows on the 24th floor of the building. The three-bay wide, brick-faced 41st Street façade rises 17 stories from the lot line, and contains protruding limestone cornices at the third, 14th, and 15th stories, and center keystone round-arched windows at the 17th floor. The brick-faced

[8] *The New Amsterdam Theater State & National Register Nomination Report* (1980); *New Amsterdam Theater LPC Exterior Designation Report* (1979); & *New Amsterdam Theater LPC Interior Designation Report* (1979).

side façades incorporate the same general design scheme, with decorative terra-cotta string courses and fewer ornamental flourishes. Except for modern new storefronts on the ground-floors, the Candler Buildings retains most of its original architectural integrity (refer to **Figure E-2g**). The building is significant for its terra-cotta cladding, reflecting an early concern with urban air pollution and the darkening of the City by tall building shadows; its fire tower and automatic sprinkler system which were very advanced for the 1910s; and its status as one of the last skyscrapers built before the enactment of the 1916 Zoning Resolution.[9]

8. Springs Mills Building (NYCL): *104 W. 40th Street/109 W. 39th Street (Block 815, Lot 21)*

The 21-story Springs Mills Building was designed by Harrison & Abramovitz and constructed in 1961-63 for Springs Cotton Mills, a leading American textile manufacturer at the time. The modern hexagonal office tower is a well-preserved example of mid-20th century glass curtain wall skyscrapers, located midblock between Sixth Avenue and Broadway with frontages on W. 39th and W. 40th Streets (refer to **Figure E-1**). On W. 39th Street, the building is built out to the lot line with two horizontal setbacks, and on W. 40th Street the façade rises up from a shallow landscaped plaza, creating an appearance of a free-standing tower. It is speculated that the contrasting character of the north and south façades was shaped by the impeding changes to the Zoning Resolution (implemented several months after the building permit was issued for the Springs Mills Building), with the south façade conforming to the existing building code and the north façade reflecting the upcoming changes to the zoning of the site. The office tower is clad in a grid of deep green-tinted glass panels and dark grey and silver aluminum mullions, emphasizing the verticality of the building (refer to **Figure E-2g**).[10]

Potential/Eligible Historic Resources

The project area and secondary study area were also assessed to identify any other potentially significant architectural resources that are not designated landmarks. According to the *CEQR Technical Manual*, potential historic resources can be considered significant if they meet the criteria for listing on the S/NR, established by the U.S. Secretary of the Interior, or criteria for local designation set forth in the New York City Landmarks Law. The S/NR criteria address both historic and architectural significance: a property may be associated with significant events or persons, or may be a notable representation of a particular architectural style or the work of an important architect or builder. Similarly, the criteria of the New York City Landmarks Law include historic, architectural, aesthetic, and cultural value.

As shown in **Figure E-1** and listed in **Table E-2**, there are six individual resources eligible for LPC-designation and/or S/NR-listed within the study area. Each of these eligible historic resources is discussed in more detail below. As previously noted, the R.H. Macy and Company Store (Resource #3) is a NHL, S/NR-listed, and NYCL-eligible individual landmark, and is therefore discussed in the "Designated Historic Resources" section above.

[9] *Candler Building State & National Register Nomination Report* (1982).
[10] *Spring Mills Building LPC Designation Report* (2010).

TABLE E-2: Eligible Historic Resources in the Project Area & 400-Foot Study Area

Map No.[1]	Name	Address	Block / Lot	S/NR-Eligible	NYCL-Eligible	Location
3	R.H. Macy and Company Store	151 West 34th Street / 1317 Broadway	810 / 1	*(2)*	x	Study Area
9	Nelson Tower	450 Seventh Avenue	784 / 41	*(3)*	x	Project Area
10	New Yorker Hotel	481 Eighth Avenue	758 / 37	*(3)*	x	Study Area
11	Pennsylvania Building	225 West 34th Street	784 / 19	*(3)*	x	Study Area
12	Manhattan Center	311 West 34th Street	758 / 28	x	x	Study Area
13	Sloane House YMCA	360 West 34th Street	757 / 66	x	x	Study Area

Notes:

(1) Refer to Figure E-1.

(2) Also listed on the S/NR (refer to Table E-1).

(3) Located in the S/NR-listed Garment Center Historic District.

9. Nelson Tower (NYCL-eligible): ***450 Seventh Avenue (Block 784, Lot 41)***

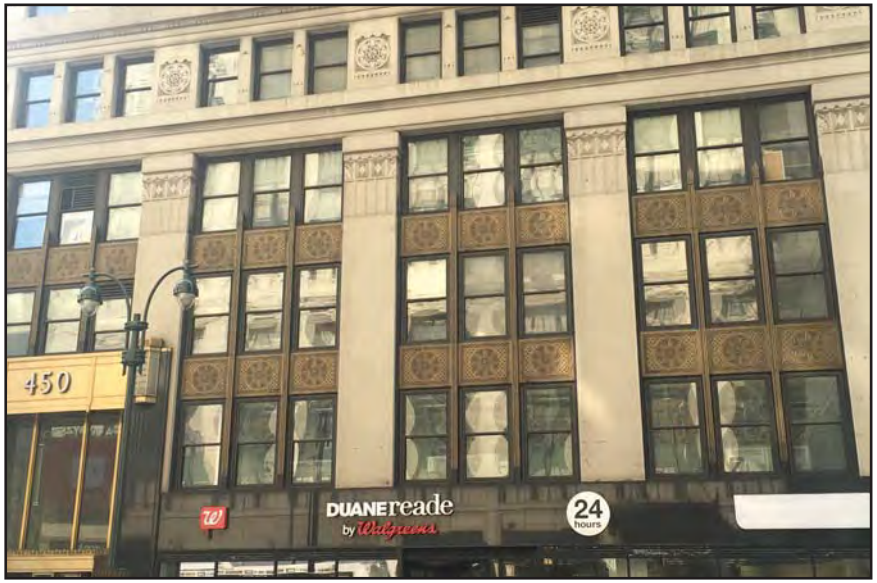
The Nelson Tower on Seventh Avenue (refer to **Figure E-1**) was constructed in 1929-31 for the developer, builder, and dress manufacturer Julius Nelson. Architect H. Craig Severance designed the 45-story "Modernized Greek-style" skyscraper in order to allow for future conversions from garment industry workrooms, showrooms, and offices to general office space, based on Nelson's personal opinions regarding the future of the area. The structure is built out to its irregular lot lines, rising 15 stories before a series of setbacks to the 29th floor, topped with a 15-story tower. The building contains a four-story limestone base with ground-floor storefronts on W. 34th Street, Seventh Avenue, and W. 35th Street, and a main entrance on Seventh Avenue. The second, third, and fourth-story window bays are flanked by Modern Greek piers and contain ornamental spandrels. The brick shaft rising above the base has vertical window bays separated by uninterrupted brick piers and contain geometric patterned-brick spandrels. The setbacks of the upper floors are clad in limestone ornament with geometric patterns (refer to **Figure E-3a**). The Nelson Tower is an eligible NYCL, and is also considered a contributing resource to the S/NR-listed Garment Center Historic District, detailed above.[11]

10. New Yorker Hotel (NYCL-eligible): ***481 Eighth Avenue (Block 758, Lot 37)***

The New Yorker Hotel was designed by the architectural firm Sugarman & Berger for the prominent Garment Center developer Mack Kanner. When opened in 1930, the Art Deco-style hotel was the largest in the City, occupying almost the entire block front of Eighth Avenue between W. 34th and W. 35th Streets (refer to **Figure E-1**). The 43-story building rises 20 stories before a series of tapered setbacks marked by cast-stone abstract geometric patterns. The brick structure contains a four-story stone base with predominately altered ground-floor storefronts. Several of the hotel's original entrances survive, including the polished metal entrance with abstract geometric ornament on W. 34th Street, and the four-paneled "Manufacturers Trust Company" door on Eighth Avenue, which also contains abstract geometric ornament as well as female figurines (refer to **Figure E-3a**). The New Yorker Hotel is an eligible NYCL, and is also considered a contributing resources to the S/NR-listed Garment Center Historic District, detailed above.[12]

[11] *Garment Center Historic District State & National Register Nomination Report*, Section 7 (2008).

[12] *Garment Center Historic District State & National Register Nomination Report*, Section 7 (2008) & "Historic New Yorker" New Yorker Hotel Online (accessed April 2017)



Resource 9) Base of Nelson Tower from 7th Avenue

Courtesy of Wikipedia

Resource 9) Façade of Nelson Tower from the southest corner of 7th Avenue and 34th Street

Courtesy of Wikipedia

Resource 10) Façade of New Yorker Hotel from northwest

Courtesy of Ctrip

Resource 10) Base of New Yorker Hotel from 8th Avenue

Garment Center Text Amendment EAS

Figure E-3a

Eligible Individual Landmarks (refer to Table E-2)

Resource 11) Base of Pennsylvania Building from West 34th Street

Courtesy of CommercialCafé

Resoucre 11) Façade of Pennsylvania Building on West 34th Street

Resource 12) Base of Manhattan Center from West 34th Street

Resource 12) Façade of Manhattan Center on West 34th Street

Resource 13) Façade of Sloane House YMCA from West 34th Street

Courtesy of Wally Gobetz via flickr.com

Resource 13) Base of Sloane House YMCA along West 34th Street

11. Pennsylvania Building (NYCL-eligible): *225 W. 34th Street (Block 784, Lot 19)*

The Pennsylvania Building was designed by the architectural firm Schwartz & Gross and built in 1924-25. The 22-story structure is built out to the lot lines, rising 15 stories on W. 34th Street and nine stories on W. 35th Street, before a series of setbacks (refer to **Figure E-1**). Both façades have a three-story stone base with large second- and third-story showroom windows, topped with a plain brick shaft. The W. 34th Street elevation is the more elaborate of the two, with intricately carved stone panels in the base window spandrels, and a recessed, two-story, round-arched entrance. The W. 34th Street shaft contains deeply recessed vertical window bays separated by uninterrupted brick piers, and Byzantine-inspired stone details on the setbacks, including Spanish tiles, brick ornament, and double-height columns supporting cast-stone round-arches (refer to **Figure E-3b**). The Pennsylvania Building is an eligible NYCL, and is also considered a contributing resources to the S/NR-listed Garment Center Historic District, detailed above.[13]

12. Manhattan Center (S/NR-eligible, NYCL-eligible): *311 W. 34th Street (Block 758, Lot 28)*

The Manhattan Center was constructed as the Manhattan Opera House in 1906 by Oscar Hammerstein, as a comparable, but cheaper option to the dominant Metropolitan Opera. The interior of the building was designed so that the audience was closer to the stage than usual, and the acoustics were notably good, helping to make it a formidable competitor. The Met bought the building in 1910, extracting from Hammerstein a promise not to produce opera in New York City for a decade. After conversions to vaudeville and then a movie house, the building was acquired and substantially rebuilt for the Ancient and Accepted Scottish Rite of Freemasonry. In 1938, the hall was again renovated, renamed the Manhattan Center, and used as a meeting place for unions and political groups. By the 1970s, the building was primarily used for storage, until being largely renovated in the 1990s - including the renowned Hammerstein Ballroom, which opened in 1997 as a venue for concerts and events. As shown in **Figure E-3b**, the nine-story building contains a two-story stone base on W. 34th Street, with altered entrances and a modern marquee, second-story terra-cotta figureheads and plaques, and a cornice inscribed "Ancient Accepted Scottish Rite." The upper floors are faced in brown brick, with five bays of windows in the center of the structure. The third-story windows are surrounded by cast-stone round-arched lintels, and the sixth-story windows contain pairs of round-arched windows surrounded by cast-stone arched lintels and ornate projecting sills. Terra-cotta plaques are located on the upper levels. The Manhattan Center is considered eligible for listing on the S/NR and designation as a NYCL.[14]

13. Sloane House YMCA (S/NR-eligible, NYCL-eligible): *360 W. 34th Street (Block 757, Lot 66)*

The Sloane House YMCA, named for William Sloane (1873-1922; Chair of the Army and Navy International Committee throughout WWI), was the largest residential YMCA building in the U.S. at the time of its construction in 1930. Designed by the architectural firm Cross & Cross, the Sloane House was a popular place for male members of the armed services to reside upon first arriving in New York City, containing 1,595 inexpensive rooms (rooms were opened to women in 1945). However, during the late-20th century, demand for transient housing for military servicemen and women had drastically declined, and by the 1980s, only 20 percent of Sloane House's rooms were occupied. In 1991, the Sloane House YMCA was closed, renovated, and converted to condos. The 14-story red-brick building retains much of its original architectural character, including two main entrances on W. 34th Street with large stone surrounds topped with broken pediments holding cast-stone eagles. The second story contains double-height round-arched windows, and a simple stone belt course above the third story is inscribed "Young

[13] *Garment Center Historic District State & National Register Nomination Report*, Section 7 (2008).
[14] "A New Opera House Worth of Support," *New York Times* (December 30, 1906) & Dunlap, David W. "A Hammerstein Theater, No Phantom, Is Reborn," *New York Times* (January 22, 1997)

Men's Christian Association" (refer to **Figure E-3c).** The Sloane House YMCA is considered eligible for listing on the S/NR and designation as a NYCL.[15]

Future without the Proposed Action (No-Action Condition)

Under No-Action conditions, the status of historic resources could change. S/NR-eligible resources could be listed on the Registers, and properties found eligible for consideration for designation as NYCLs could be calendared and/or designated. It is also possible, given the proposed action's analysis year of 2027, that additional sites could be identified as architectural resources in this timeframe. Changes to the historic resources identified above or to their settings could also occur irrespective of the proposed action. It is also possible that some architectural resources in the project area and secondary study area could deteriorate, while others could be restored. In addition, future projects could accidentally damage architectural resources through adjacent construction.

Properties that are designated NYCLs are protected under the New York City Landmarks Law, which requires LPC review and approval before any alteration or demolition of those resources can occur. All properties within LPC-designated historic districts also require LPC permit and approval prior to new construction, addition, enlargement, or demolition. The owners of a property may work with LPC to modify their plans to make them appropriate. Properties that have been calendared for consideration for designation as NYCLs are also afforded a measure of protection insofar as, due to their calendared status, permits may not be issued by the DOB for any structural alteration to the buildings for any work requiring a building permit, without at least 40 days' prior notice being given to LPC. During the 40-day period, LPC has the opportunity to consider the case and, if it so chooses, schedule a hearing and move forward with designation. It should be noted that no RWCDS projected or potential development sites in the project area encompass LPC-designated or calendared historic resources (refer to **Table E-3** below).

The New York City Building Code provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. Additional protective measures apply to designated NYCLs and S/NR-listed historic buildings located within 90 linear feet of a proposed construction site. For these structures, the DOB's TPPN #10/88 applies. TPPN #10/88 supplements the standard building protections afforded by the Building Code by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent NYCL-designated or S/NR-listed historic resources (within 90 feet) and to detect at an early stage the beginnings of damage so that construction procedures can be changed. The procedures and protections of the DOB's TPPN #10/88 would apply to any alteration, enlargement, or demolition taking place, if there were any S/NR-listed or NYCL-designated structures on projected or potential development sites in the No-Action scenario. All five RWCDS projected and potential development sites are located within 90 feet of the S/NR-listed Garment Center Historic District, and are therefore all subject to DOB's TPPN #10/88, as discussed in more detail below.

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

[15] "William Sloane House YMCA Records," University of Minnesota Libraries Online (accessed April 2017) & Oser, Alan S. "Perspectives: A Y.M.C.A., Rebuilt as Rental, Still Attracts the 'Y,'" *New York Times* (May 12, 1996)

potential development sites are located within the S/NR-listed Garment Center Historic District, as discussed in more detail below.

Anticipated Developments in the No-Action Condition

As detailed in **Tables B-3** and **B-4** of Attachment B, "Supplemental Screening," eight buildings are under construction or planned to be built in the 2027 future without the proposed action. Under No-Action conditions, it is expected that hotels will be constructed at 525 Eighth Avenue and 252 W. 40th Street. Both of these sites are contributing resources within the S/NR-listed Garment Center Historic District. However, as detailed above, owners are free to alter or demolish historic buildings in S/NR-listed historic districts without review, so long as only private funds are being utilized. It is therefore expected that, in the future without the proposed action, these two designated historic resources will be demolished, altering the setting of the surrounding historic district. Hotels are also under construction at 310 W. 40th Street, 355 W. 39th Street, 261-263 W. 34th Street, 255 W. 34th Street, and 560 Seventh Avenue, and a hotel is planned to be constructed at 1420 Broadway. None of these properties contain designated individual landmarks or buildings that are considered contributing resources to the S/NR-listed Garment Center Historic District.

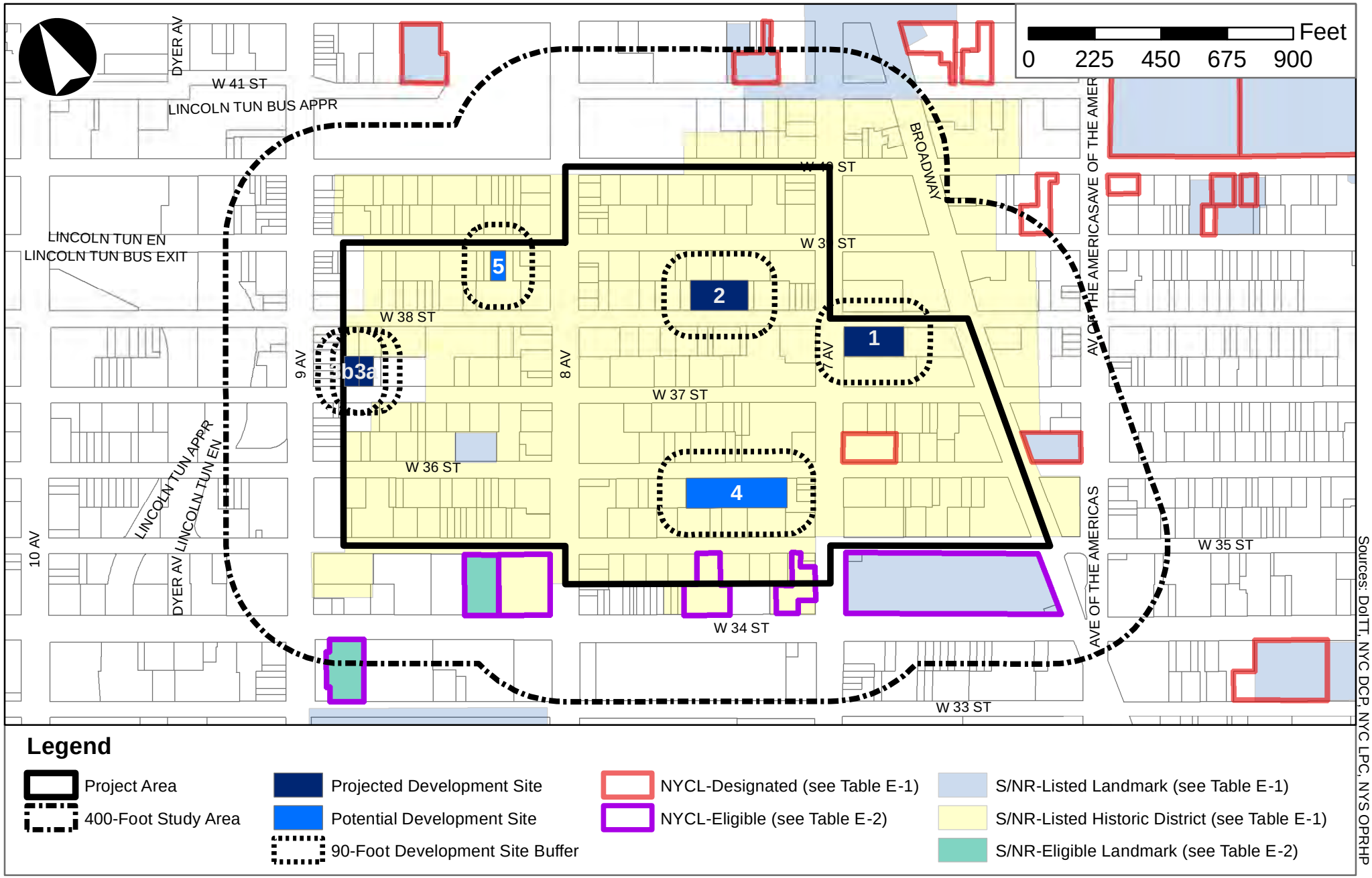
As detailed in Attachment A, "Project Description," in the 2027 future without the proposed action, the proposed zoning text amendment would not occur. The RWCDS for the proposed action identifies three projected development sites in the project area likely to be redeveloped by the 2027 No-Action analysis year (Sites 1, 2, and 3a/3b), and two potential development sites considered possible but less likely to be redeveloped within the analysis timeframe (Sites 4 and 5). **Figure E-4** illustrates the No-Action projected and potential development sites identified in the RWCDS, all of which contain and/or are located in close proximity to designated historic resources in the study area (refer to **Table E-3**). As detailed below, the projected development sites would be demolished and redeveloped with hotels pursuant to existing zoning regulations in the future without the proposed action. Demolition and redevelopment of the potential development sites is also possible on an as-of-right basis.

RWCDS No-Action Development Sites Containing Designated Historic Resources

2. 223 W. 38th Street (Block 788, Lot 26) – *Garment Center Historic District: Contributing Resource*

The building at 233 W. 38th Street was designed by John T. Dunn and constructed in 1920-22. It was originally intentioned as a headquarters for A.E. Lefcourt's cloak and suit manufacturing firm. However, at some point before the building's completion, the U.S. Post Office, which desperately needed more space in the rapidly developing area, signed a long-term lease for the building. The final design for the structure was changed to accommodate the post office, and Lefcourt's firm never moved in. As shown in **Figure E-5a**, the existing two-story structure is clad in terra-cotta with approximately 195-feet of frontage on W. 38th Street, and remains a post office to this day. 223 W. 38th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District.

Under No-Action conditions, it is expected that the building at 233 W. 38th Street would be demolished and the lot would be redeveloped with a hotel. The anticipated No-Action hotel would have a 20-foot tall base, and after a 25-foot setback a tower would rise to a height of 340 feet. As the site is located immediately adjacent to several other contributing resources in the S/NR-listed Garment Center Historic District, its redevelopment would be subject to DOB's TPPN #10/88 (refer to **Figure E-4**).



Garment Center Text Amendment EAS

Figure E-4
Projected/Potential Development Sites

Site 2) Façade of building at 233 West 38th Street

Site 2) Façade of bulding at 233 West 38th Street

Site 4) Entrance of building at 206 West 36th Street

Site 4) Façade of bulding at 206 West 36th Street

Garment Center Text Amendment EAS **Figure E-5a**

RWCDS Development Sites Containing Designated Historic Resources (refer to Table E-3)

Site 5) Base of building at 310 West 39th Street

Site 5) Façade of bulding at 310 West 39th Street

TABLE E-3: No-Action Projected & Potential Development Sites

Map No.[1]	Block / Lot	Address	Anticipated No-Action Development	Contains Designated or Eligible Historic Resource?[1]	Adjacent to or Within 90 Feet of a Designated Historic Resource?[1]	Adjacent to or Within 90 Feet of an Eligible (only) Historic Resource?[1]
1	813 / 64	515 Seventh Avenue	Projected New Construction	**No:** Non-contributing resource in S/NR-listed GCHD	**Yes:** S/NR-listed GCHD	**No**
2	788 / 26	223 West 38th Street	Projected New Construction	**Yes:** Contributing resource in S/NR-listed GCHD	**Yes:** S/NR-listed GCHD	**No**
3a	761 / 7	349-351 West 37th Street	Projected New Construction	**No**	**Yes:** S/NR-listed GCHD	**No**
3b	761 / 5	353-355 West 37th Street				
4	785 / 49	206 West 36th Street	*Potential New Construction*	**Yes:** Contributing resource in S/NR-listed GCHD	**Yes:** S/NR-listed GCHD	**No**
5	762 / 46	310 West 39th Street	*Potential New Construction*	**Yes:** Contributing resource in S/NR-listed GCHD	**Yes:** S/NR-listed GCHD	**No**

Notes:
(1) Refer to Figure E-4.

4. 206 W. 36th Street (Block 785, Lot 49) – *Garment Center Historic District: Contributing Resource*

The building at 206 W. 36th Street was constructed for the New York Telephone Company, in several stages, culminating in a vast 1922-25 addition designed by McKenzie, Voorhees & Gmelin. As shown in **Figure E-5a**, the 10-story building has approximately 343-feet of frontage on W. 36th Street faced in brick with cast-stone trim, and contains two major stone-faced entrances modeled on Roman triumphal arches. 206 W. 36th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District.

Under No-Action conditions, it is anticipated that the building at 206 W. 36th Street potentially would be demolished and the lot could potentially be redeveloped with a hotel. The potential No-Action hotel would have a 20-foot tall base, and after a 20-foot setback a tower would rise to a height of 350 feet. As the site is located immediately adjacent to several other contributing resources in the S/NR-listed Garment Center Historic District, its redevelopment would be subject to DOB's TPPN #10/88 (refer to **Figure E-4**).

5. 310 W. 39th Street (Block 762, Lot 46) – *Garment Center Historic District: Contributing Resource*

310 W. 39th Street is a six-story, eight-bay-wide loft building designed by Joseph Wolf and constructed in 1908-09. The red-brick structure is now used as a parking garage and, as shown in **Figure E-5b**, the heavily-altered first story contains several vehicular entrances on the south side of W. 39th Street. 310 W. 39th Street is considered a contributing resource in the S/NR-listed Garment Center Historic District.

Under No-Action conditions, it is expected that the building at 310 W. 39th Street potentially would be demolished and the lot would potentially be redeveloped with a hotel. The potential No-Action hotel would have a 110-foot base, and after a 20-foot setback a tower would rise to a height of 240 feet. As the site is located immediately adjacent to several other contributing resources in the S/NR-listed Garment Center Historic District, its redevelopment would be subject to DOB's TPPN #10/88 (refer to **Figure E-4**).

Other RWCDS No-Action Development Sites

The RWCDS for the proposed action also anticipates new construction to occur on two other sites in the project area in the future without the proposed action: Sites 1 and 3a/3b. As detailed in **Table E-3**, Site 1 is considered a non-contributing resource in the S/NR-listed Garment Center Historic District and Site 3a/3b is located outside of the historic district boundaries. In the future without the proposed action, it is anticipated that Sites

1 and (potentially) Site 3a/3b would be redeveloped with hotels. Under No-Action conditions, the hotel on Site 1 would have a 20-foot base, and after a 16-foot setback, a tower would rise 280 feet. The potential hotel on Site 3a/3b would have a 110-foot base, and after a 15-foot setback, would rise 240 feet. As both of these development sites are located immediately adjacent to contributing resources in the S/NR-listed Garment Center Historic District, their redevelopments would be subject to DOB's TPPN #10/88, affording the adjacent historic resources a measure of protection against construction-related damage in the future without the proposed action (refer to **Figure E-4**).

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

According to the *CEQR Technical Manual*, generally, if a project would affect those characteristics that make a resource eligible for NYCL designation or S/NR listing, this could be a significant adverse impact. As described above, the designated historic resources in the project area and secondary study area are significant for their architectural quality and for their local and national historical value as part of the development of the garment industry. This section assesses the proposed action's potential to result in significant adverse impacts on identified architectural resources in the study area, including effects resulting from construction of projected or potential developments, project-generated shadows, or other indirect effects on existing historic resources in the study area.

The proposed action was assessed in accordance with guidance established in the *CEQR Technical Manual* (Chapter 9, Part 420), to determine (a) whether there would be a physical change to any designated property as a result of the proposed action; (b) whether there would be a physical change to the setting of any designated resources, such as context or visual prominence, as a result of the proposed action; and (c) if so, whether the change is likely to diminish the qualities of the resource that make it important. Whereas this attachment focuses specifically on the proposed action's effects on the visual context of historic resources, an assessment of the proposed action's effect on the urban design and visual character of the study area in general is provided separately in Attachment B, "Supplemental Screening."

As detailed in Attachment A, "Project Description," DCP and EDC are proposing a zoning text amendment to the New York City Zoning Resolution, Article XII, Chapter 1, Special Garment Center District (SGCD), which is intended to meet the City's goal of preserving the Garment Center as both a hub for the Fashion Industry as well as a center for office uses. As detailed therein, the proposed action includes a hotel special permit text amendment, a lifting of preservation requirements text amendment, a contextual bulk text amendment, a sign text amendment, and a C6-4M conversion text amendment. The RWCDS detailed in Attachment A identifies three projected development sites, considered likely to be redeveloped by the 2027 analysis year (Sites 1, 2, and 3a/3b), and two potential development sites, which are considered possible but less likely to be redeveloped within the analysis timeframe (Sites 4 and 5). **Figure E-4** illustrates the projected and potential development sites identified in the RWCDS, all of which contain and/or are located in close proximity to designated or eligible historic resources in the study area. As detailed above, all of these sites would also be demolished and redeveloped under No-Action conditions. In the future with the proposed action, Sites 1 and 3a/3b are projected to be redeveloped, and Sites 4 and 5 have the potential to be redeveloped. It is expected that Site 2 would not be redeveloped under RWCDS With-Action conditions, and would therefore remain a post office as under existing conditions. As discussed in Attachment A, for analysis purposes, it is expected that Site 2 would be redeveloped pursuant to the hotel special permit that would be applied for in the future. The environmental effects of this development are assessed in Attachment I, "Conceptual Analysis" and would be subject to its own environmental review at the time an application is advanced as the special permit would be a discretionary action. An assessment of the potential effects of the proposed action on all historic architectural resources identified within the project area and secondary study area is provided below.

Direct (Physical) Impacts

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

The proposed action would not result in direct impacts to any designated or eligible historic architectural resources. As detailed above, all five RWCDS projected and potential development sites identified in the project area would be demolished and redeveloped in the 2027 future without the proposed action. Therefore, no physical alterations or demolitions to identified historic resources would occur as a result of the proposed action.

Indirect (Contextual) Impacts

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

The proposed action would not result in significant adverse indirect impacts on existing historic resources in the project area or secondary study area as compared to No-Action conditions. As detailed above, the RWCDS for the proposed action identifies five projected and potential development sites in the project area that would be redeveloped in the 2027 No-Action condition. Under With-Action conditions, Sites 1 and 3a/3b are projected to be redeveloped, and Sites 4 and 5 could potentially be redeveloped. Although the anticipated developments could alter the setting or visual context of nearby historic resources including contributing resources in the S/NR-listed Garment Center Historic District, none of the changes would be significant or adverse as compared to No-Action conditions. The proposed action would not alter the relationship of any identified historic resources to the streetscape, since all streets in the study area would remain open and each resource's relationship with the street would remain unchanged in the future with the proposed action. No projected or potential developments would eliminate or substantially obstruct significant public views of architectural resources, as all significant elements of these historic resources would remain visible in view corridors on public streets. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed action to any historic resource's setting under RWCDS With-Action conditions.

As detailed in Attachment A, the proposed action includes a contextual bulk amendment to update height and setback regulations in the M1-6 zoning district of the SGCD in order to more accurately reflect the prevailing built context of the area. As a result of this text amendment, the projected and potential development sites would be redeveloped with contextual buildings with streetwalls more appropriately in line with the existing character of the area. As detailed above, the S/NR-listed Garment Center Historic District's unique character is dominated by uniform streetscapes of commercial loft buildings, with typical streetwall heights of 12-stories on side streets and 15-stories on avenues before setbacks. As detailed in **Table E-4**, under No-Action conditions, Sites 1, 2, and 4 would be redeveloped with buildings containing 20-foot bases (one- to two-floors) topped with setback towers. In the future with the proposed action, the new building constructed on Site 1 would rise to a height of 188 feet without setback and the new building on Site 4 would have a 118-foot base (approximately 12 stories), before setting back to a tower. These With-Action buildings would retain and reinforce the existing cohesive streetwalls along Seventh Avenue, W. 38th Street, and W. 36th Street that help to define the S/NR-listed historic district (As detailed above, in the future with the proposed action, Site 2

would not be redeveloped). As shown in **Table E-4** below, the proposed action would not result in changes to the building heights or bulks on Sites 3a/3b and 5 from No-Action conditions.

TABLE E-4: Comparison of RWCDS Projected & Potential Development Sites in 2027 No-Action and With-Action Conditions

Map No.[1]	Block / Lot	Address	Projected or Potential Development Site?	RWCDS No-Action Development	RWCDS With-Action Development	RWCDS No-Action Height	RWCDS With-Action Height
1	813 / 64	515 Seventh Avenue	Projected	New Construction: Hotel	New Construction: Office	20-foot base, 280 feet total	188-foot base/total (no tower)
2	788 / 26	223 West 38th Street	Projected	New Construction: Hotel	*None*	20-foot base, 340 feet total	30 feet total *(existing building)*
3a/3b	761 / 5 & 7	349-355 West 37th Street	Projected	New Construction: Hotel	New Construction: Residential	110-foot base, 240 feet total	110-foot base, 240 feet total
4	785 / 49	206 West 36th Street	*Potential*	New Construction: Hotel	New Construction: Office	20-foot base, 350 feet total	118-foot base, 286 feet total
5	762 / 46	310 West 39th Street	*Potential*	New Construction: Hotel	New Construction: Residential	110-foot base, 240 feet total	110-foot base, 240 feet total

Notes:
(1) Refer to Figure E-4.

As detailed in Attachment A, the proposed action also includes a sign text amendment, which would restrict sign regulations in the M1-6 zoning district of the SGCD, helping to preserve the historic character of the neighborhood. In the future with the proposed action, no signs in the SGCD would be permitted to be more than 40 feet in height. Illuminated and non-illuminated signs would be allowed to be up to five times street frontage, but no more than 500 sf. Additionally, advertising signs would not be permitted in the district, and no signs would be permitted on roofs except for vertical signs attached to a wall no more than 28 inches wide extending no higher than 15 feet above roof level.

The proposed action would not diminish the qualities of the S/NR-listed Garment Center Historic District that make it historically and architecturally important, and as such, would not result in any significant adverse indirect or contextual impacts to historic architectural resources.

Construction-Related Impacts

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

Adjacent historic resources, as defined in the procedure notice, only include designated NYCLs and S/NR-listed properties that are within 90 feet of a lot under development or alteration. They do not include S/NR-

eligible, NYCL-eligible, potential, or unidentified architectural resources. Construction period impacts on any designated historic resources would be minimized, and the historic structures would be protected, by ensuring that adjacent development projected as a result of the proposed action adheres to all applicable construction guidelines and follows the requirements laid out in TPPN #10/88. As shown in **Figure E-4** and detailed in **Table E-3**, this would apply to construction activities on all of the RWCDS projected and potential development sites, which are all located within and/or are adjacent to the S/NR-listed Garment Center Historic District, and are therefore subject to TPPN #10/88 requirements. As such, no construction-related impacts to historic architectural resources would occur as a result of the proposed action.

Shadows Impacts

As detailed above, the proposed action would introduce new height and bulk regulations in the project area, resulting in developments better suited to the existing built character of the area. As detailed in the shadows analysis in Attachment D, "Shadows," the proposed action and associated RWCDS would result in incremental shadow coverage on three historic resources, all of which are contributing resources in the S/NR-listed Garment Center Historic District: Mills Hotel No. 3 (Resource #2, also a NYCL as detailed above), 525 Seventh Avenue, and 135 W. 36th Street. As summarized below and detailed in Attachment D, project-generated shadows would not result in significant adverse impacts to any sunlight-sensitive features of these three historic resources.

- **Mills Hotel No. 3:** The projected developments would cast incremental shadows on Mills Hotel No. 3 for one hour and 25 minutes in the late afternoon of May 6/August 6 and 50 minutes in the late afternoon of June 21. Project-generated shadow coverage on the historic building would be confined to small portions of the building's southern and western façades, and would not have significant adverse impacts on the building's sunlight-sensitive features.

- **525 Seventh Avenue:** The proposed action would result in incremental shadows on 525 Seventh Avenue on all four analysis days. These project-generated shadows would only reach the building's southern façade, and would generally enter and exit during the late afternoon hours. Although these incremental shadows could have long duration periods on certain days, shadows coverage would generally be minimal and not result in significant adverse impacts to the historic building's sunlight-sensitive features.

- **136 W. 36th Street:** The projected development would cast incremental shadows on 135 W. 36th Street for two minutes in the late afternoon of December 21. Project-generated shadow coverage of the historic building would not reach the building's sunlight-sensitive features, and as such, would not result in significant adverse impacts.

ATTACHMENT F:
TRANSPORTATION: PEDESTRIANS

Garment Center Text Amendment EAS
Attachment F: Transportation: Pedestrians

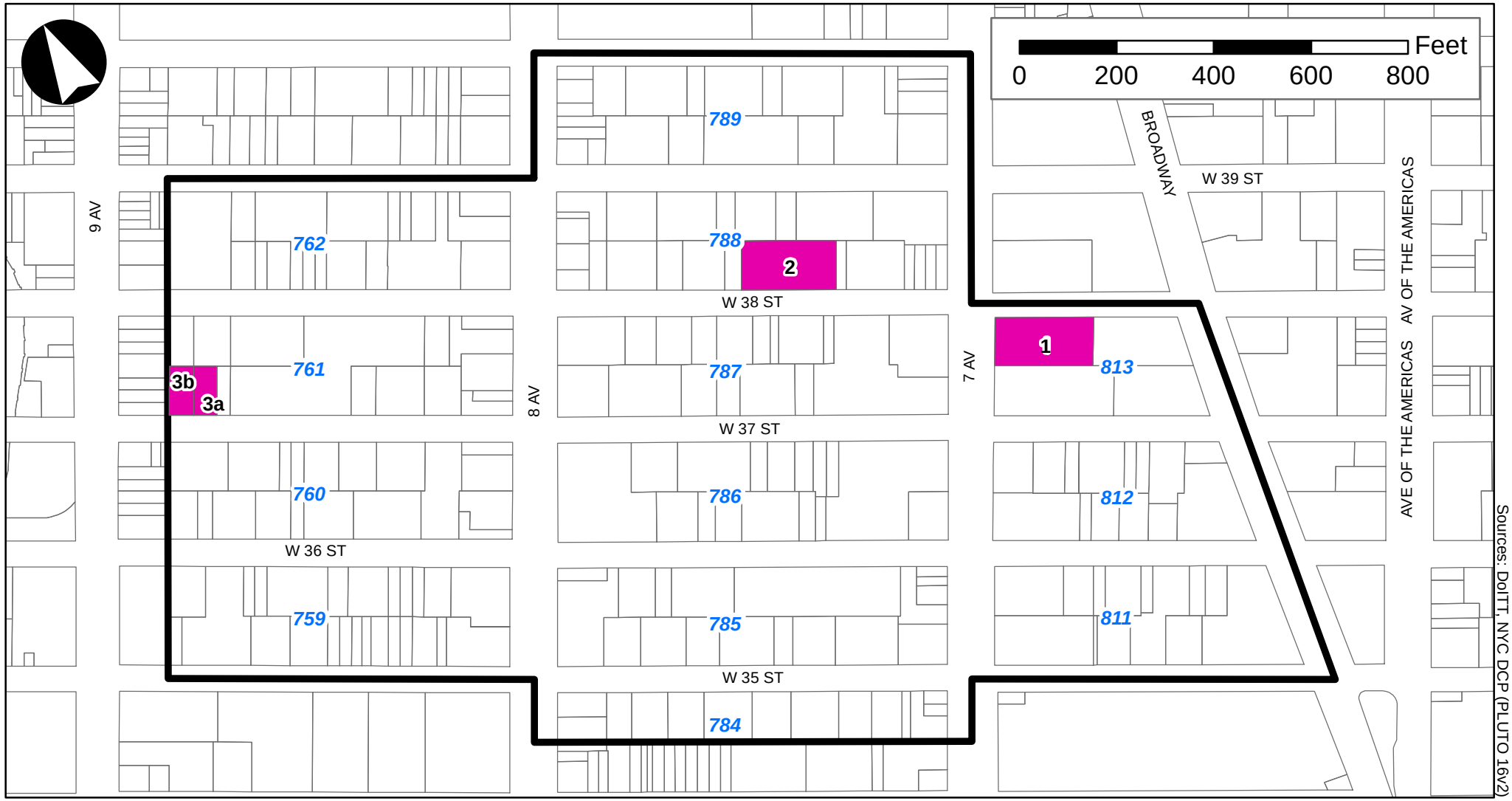
A. INTRODUCTION

This attachment examines the potential for impacts on transportation associated with the proposed action, specifically on pedestrian conditions. As discussed in Attachment B, "Supplemental Screening," per screening guidance provided in the 2014 *CEQR Technical Manual* detailed analysis of traffic, parking, and transit (subway and bus) is not warranted and the proposed action would not result in significant adverse impacts in those areas. The proposed action would, however, exceed the Level 2 (project-generated trip assignment) screening threshold for pedestrian analysis, i.e., generating 200 or more pedestrian trips through a pedestrian facility, at two locations in the weekday midday and PM peak hours. Accordingly, a detailed pedestrian analysis is required for these locations and is provided in this attachment.

As discussed in Attachment A, "Project Description," the net incremental change in projected development associated with the proposed action would include net increases of 177,750 sf of office space, 29,624 gsf of local retail space, and 136 DUs, of which 29 would be affordable housing units, and a net decrease of 740 hotel rooms, as compared to the future without the proposed action. As discussed in Attachment B, the projected development sites collectively would generate more than 200 peak-hour pedestrian trips in the weekday midday, PM, and Saturday midday peak hours. The locations of the projected development sites are shown in **Figure F-1**. However, given that Projected Development Sites 1 and 3a/3b are separated by two avenues and one street block and that Projected Development Site 2 would not generate any incremental change in travel demand, the concentration of action-generated incremental pedestrian trips should be examined for each site discretely. Projected Development Site 1 would generate more than 200 peak-hour pedestrian trips in the weekday midday and PM peak hours (it would generate less than 200 peak-hour pedestrian trips in the weekday AM and Saturday midday peak hours). Specifically, Site 1 would generate 600 pedestrian trips in the weekday midday peak hour and 284 pedestrian trips in the PM peak hour. On the other hand, Projected Development Site 3a/3b would generate less than 200 peak-hour pedestrian trips in all peak hours. As such, the proposed action would exceed the Level 1 (Trip Generation) screening threshold in the weekday midday and PM peak hours at Site 1. An assignment of action-generated pedestrian trips (provided in this attachment) indicates that two pedestrian facilities, the southeast street corner at the intersection of Seventh Avenue and W. 38th Street and the east sidewalk of Seventh Avenue south of W. 38th Street would process more than 200 action-generated trips in the midday and PM peak hours. No other pedestrian facilities would process 200 or more action-generated trips in any peak hour. Accordingly, the proposed action would exceed the Level 2 screening threshold and a detailed pedestrian analysis is required for these locations in the peak hours indicated. The locations requiring detailed analysis are identified in **Figure F-2**.

B. PRINCIPAL CONCLUSIONS

The proposed action would not result in any significant adverse impacts to pedestrian facilities. Pedestrian trips generated by the proposed action are expected to be dispersed among the two sidewalk frontages adjoining Projected Development Site 1 and trips to and from the site would be distributed across the Midtown street grid. This EAS provides detailed analyses of facilities that would exceed the 200-trip Level 2 screening threshold specified in the *CEQR Technical Manual*. The results of the analysis of future conditions with the



Garment Center Text Amendment EAS

Figure F-1
Projected Development Sites

Garment Center Text Amendment EAS

Figure F-2

Pedestrian Analysis Locations

proposed action indicate that the analyzed locations would continue to operate at acceptable levels of service during the analyzed peak hours in the future with the proposed action in 2027.

C. PEDESTRIAN CAPACITY ANALYSIS METHODOLOGY

Analysis Methodology

Data on peak period pedestrian flow volumes were collected along analyzed sidewalks, corner areas, and crosswalks in the vicinity of Projected Development Site 1 in March 2017. Peak hours were determined by comparing rolling hourly averages, and the highest 15-minute volumes within the selected peak hours were used for analysis. Based on existing peak pedestrian volumes along major corridors in the study area, the peak hours selected for analysis include the weekday 12:30-1:30 PM (midday peak hour), and 5-6 PM (peak hour).

Peak 15-minute pedestrian flow conditions during the weekday midday and PM peak hours are analyzed using the *2010 Highway Capacity Manual* methodology and procedures outlined in the *CEQR Technical Manual*. Using this methodology, the congestion level of pedestrian facilities is determined by considering pedestrian volume, measuring the sidewalk or crosswalk width, determining the available pedestrian capacity, and developing a ratio of volume flows to capacity conditions. The resulting ratio is then compared with level of service (LOS) standards for pedestrian flow, which define a qualitative relationship at a certain pedestrian traffic concentration level. The evaluation of street crosswalks and corners is more complicated, as these spaces cannot be treated as corridors due to the time incurred waiting for traffic signals. To effectively evaluate these facilities, a "time-space" analysis methodology is employed, which takes into consideration the traffic signal phasing at intersections.

LOS standards are based on the average area available per pedestrian during the analysis period, typically expressed as a 15-minute peak period. LOS grades from A to F are assigned, with LOS A representative of free flow conditions without pedestrian conflicts and LOS F depicting significant capacity limitations and inconvenience. **Table F-1** defines the LOS criteria for pedestrian crosswalk/corner area and sidewalk conditions, as based on the *Highway Capacity Manual* methodology.

Table F-1, Pedestrian Crosswalk/Corner Area and Sidewalk Levels of Service Descriptions

LOS	Crosswalk/Corner	Crosswalk/Corner Area Criteria (sf/ped)	Non-Platoon Sidewalk Criteria (sf/ped)	Platoon Sidewalk Criteria (sf/ped)
A	(Unrestricted)	> 60	> 60	> 530
B	(Slightly Restricted)	> 40 to 60	> 40 to 60	> 90 to 530
C	(Restricted but fluid)	> 24 to 40	> 24 to 40	> 40 to 90
D	(Restricted, necessary to continuously alter walking stride and direction)	> 15 to 24	> 15 to 24	> 23 to 40
E	(Severely restricted)	> 8 to 15	> 8 to 15	> 11 to 23
F	(Forward progress only by shuffling; no reverse movement possible)	$\leq$ 8	$\leq$ 8	$\leq$ 11

Notes: Based on average conditions for 15 minutes sf/ped – square feet of area per pedestrian
Source: *CEQR Technical Manual*

Significant Impact Criteria

SIDEWALKS

The *CEQR Technical Manual* impact criteria for a central business district (CBD) location were used to identify significant adverse impacts due to the proposed action. These criteria define a significant adverse sidewalk impact to have occurred under platoon conditions if the average pedestrian space under the No-Action condition is greater than 39.2 square feet per pedestrian (sf/ped), and the average pedestrian space under the With-Action condition is 31.5 sf/ped or less (LOS D or worse). If the average pedestrian space under the With-Action condition is greater than 40.0 sf/ped (LOS C or better), the impact should not be considered significant. If the No-Action pedestrian space is between 6.4 and 39.2 sf/ped, a reduction in pedestrian space under the With-Action condition should be considered significant based on **Table F-2**, which shows a sliding-scale that identifies what decrease in pedestrian space is considered a significant impact for a given pedestrian space value in the No-Action condition. If the reduction in pedestrian space is less than the value in **Table F-2**, the impact is not considered significant. If the average pedestrian space under the No-Action condition is less than 6.4 sf/ped, then a reduction in pedestrian space greater than or equal to 0.3 sf/ped, under the With-Action condition, should be considered significant.

Table F-2, Significant Impact Criteria for Sidewalks with Platooned Flow in a CBD Location

No-Action Condition Pedestrian Flow (sf/ped)			With-Action Condition Pedestrian Flow Increment to be Considered a Significant Impact (sf/ped)
>39.2			With-Action Condition ≤ 31.5
38.7	to	39.6	Reduction ≥ 3.8
37.8	to	38.6	Reduction ≥ 3.7
36.8	to	37.7	Reduction ≥ 3.6
35.9	to	36.7	Reduction ≥ 3.5
34.9	to	35.8	Reduction ≥ 3.4
34.0	to	34.8	Reduction ≥ 3.3
33.0	to	33.9	Reduction ≥ 3.2
32.1	to	32.9	Reduction ≥ 3.1
31.1	to	32.0	Reduction ≥ 3.0
30.2	to	31.0	Reduction ≥ 2.9
29.2	to	30.1	Reduction ≥ 2.8
28.3	to	29.1	Reduction ≥ 2.7
27.3	to	28.2	Reduction ≥ 2.6
26.4	to	27.2	Reduction ≥ 2.5
25.4	to	26.3	Reduction ≥ 2.4
24.5	to	25.3	Reduction ≥ 2.3
23.5	to	24.4	Reduction ≥ 2.2
22.6	to	23.4	Reduction ≥ 2.1
21.6	to	22.5	Reduction ≥ 2.0
20.7	to	21.5	Reduction ≥ 1.9
19.7	to	20.6	Reduction ≥ 1.8
18.8	to	19.6	Reduction ≥ 1.7
17.8	to	18.7	Reduction ≥ 1.6
16.9	to	17.7	Reduction ≥ 1.5
15.9	to	16.8	Reduction ≥ 1.4
15.0	to	15.8	Reduction ≥ 1.3
14.0	to	14.9	Reduction ≥ 1.2
13.1	to	13.9	Reduction ≥ 1.1
12.1	to	13.0	Reduction ≥ 1.0
11.2	to	12.0	Reduction ≥ 0.9
10.2	to	11.1	Reduction ≥ 0.8
9.3	to	10.1	Reduction ≥ 0.7
8.3	to	9.2	Reduction ≥ 0.6
7.4	to	8.2	Reduction ≥ 0.5
6.4	to	7.3	Reduction ≥ 0.4
<6.4			Reduction ≥ 0.3

Source: *CEQR Technical Manual*

CORNER AREAS AND CROSSWALKS

For CBD areas, the *CEQR Technical Manual* defines a significant adverse corner area or crosswalk impact to have occurred if the average pedestrian space under the No-Action condition is greater than 21.5 sf/ped, and, under the With-Action condition, the average pedestrian space decreases to 19.5 sf/ped or less (LOS D or worse). If the pedestrian space under the With-Action condition is greater than 24 sf/ped (LOS C or better), the impact should not be considered significant. If the average pedestrian space under the No-Action condition is between 5.1 and 21.5 sf/ped, a decrease in pedestrian space under the With-Action condition should be considered significant based on **Table F-3**, which shows a sliding-scale that identifies what decrease in pedestrian space is considered a significant impact for a given amount of pedestrian space in the No-Action condition. If the decrease in pedestrian space is less than the value in **Table F-3**, the impact is not considered significant. If the average pedestrian space under the No-Action condition is less than 5.1 sf/ped, then a decrease in pedestrian space greater than or equal to 0.2 sf/ped should be considered significant.

Table F-3, Significant Impact Criteria for Corners and Crosswalks in a CBD Location

No-Action Condition Pedestrian Space (sf/ped)	**With-Action Condition Pedestrian Space Reduction to be Considered a Significant Impact (sf/ped)**
> 21.5	With Action Condition ≤ 19.5
21.3 to 2.15	Reduction ≥ 2.1
20.4 to 21.2	Reduction ≥ 2.0
19.5 to 20.3	Reduction ≥ 1.9
18.6 to 19.4	Reduction ≥ 1.8
17.7 to 18.5	Reduction ≥ 1.7
16.8 to 17.6	Reduction ≥ 1.6
15.9 to 16.7	Reduction ≥ 1.5
15.0 to 15.8	Reduction ≥ 1.4
14.1 to 14.9	Reduction ≥ 1.3
13.2 to 14.0	Reduction ≥ 1.2
12.3 to 13.1	Reduction ≥ 1.1
11.4 to 12.2	Reduction ≥ 1.0
10.5 to 11.3	Reduction ≥ 0.9
9.6 to 10.4	Reduction ≥ 0.8
8.7 to 9.5	Reduction ≥ 0.7
7.8 to 8.6	Reduction ≥ 0.6
6.9 to 7.7	Reduction ≥ 0.5
6.0 to 6.8	Reduction ≥ 0.4
5.1 to 5.9	Reduction ≥ 0.3
< 5.1	Reduction ≥ 0.2

Source: *CEQR Technical Manual*

D. EXISTING CONDITIONS

Pedestrian data collection was conducted at the analyzed locations on March 21, 2017. **Tables F-4 and F-5** show the results of the analysis of existing street corner and sidewalk conditions, respectively, for the weekday midday and PM peak hours. As shown in the tables, the analyzed locations operate at LOS C to D in the midday and PM peak hours. These are reflective of moderate to heavy pedestrian volumes typical of this area of Midtown.

Table F-4, Existing Street Corner Conditions

Street Corner Location (Location A in Figure F-2)	Curb Radii (feet)	Average Pedestrian Space (ft^2/p)		Level of Service	
		MD	PM	MD	PM
7 Av & W 38 St, SE	12	32.5	22.7	C	D

Table F-5, Existing Sidewalk Conditions

Location	Sidewalk	Total Width (feet)	Effective Width (feet)	Peak Hour Volumes		Pedestrian Space (SFP)		Platoon-Adjusted LOS	
				MD	PM	MD	PM	MD	PM
7 Av. south of W. 38 St.	East	20.0	15.3	2,580	3,657	82.0	62.8	C	C

E. FUTURE WITHOUT THE PROPOSED ACTION

Under 2027 Future Without the Proposed Action ("No-Action") conditions, pedestrian volumes at the analyzed location would increase due to general growth trends, as calculated using background growth rates assumed for this area of the City in the *CEQR Technical Manual*. It should be noted that none of the No-Action developments identified in the "Land Use, Zoning, and Public Policy" section of Attachment B are expected to generate significant pedestrian trips at these locations given their distance and the characteristics of the projects and the local area. No changes are expected to the physical dimensions of the analyzed facilities. As shown in **Tables F-6 and F-7**, under 2027 No-Action conditions, the average pedestrian space would decrease slightly but the analyzed locations would continue to operate at LOS C to D in the analyzed peak hours.

Table F-6, 2027 No-Action Street Corner Conditions

Street Corner Location (Location A in Figure F-2)	Curb Radii (feet)	Average Pedestrian Space (ft^2/p)		Level of Service	
		MD	PM	MD	PM
7 Av & W 38 St, SE	12	31.7	22.1	C	D

Table F-7, 2027 No-Action Sidewalk Conditions

Location	Sidewalk	Total Width (feet)	Effective Width (feet)	Peak Hour Volumes		Pedestrian Space (SFP)		Platoon-Adjusted LOS	
				MD	PM	MD	PM	MD	PM
7 Av. south of W. 38 St.	East	20.0	15.3	2,628	3,726	80.5	61.6	C	C

E. FUTURE WITH THE PROPOSED ACTION

The proposed action would result in projected developments on three sites. On Projected Development Site 2 located at 223 W. 38th Street, the only incremental change from No-Action to With-Action conditions would be in the building envelope as there would be no incremental change in the development program. On Projected Development Site 3a/3b located at 349-355 W. 37th Street, there would be an incremental change from a 246-room hotel under No-Action conditions to an apartment building with 136 DU and 9,874 sf of local retail space. As shown in Table B-6c in Attachment B, this site would generate less than 200 pedestrian trips in all peak hours. On Projected Development Site 1 located 515 Seventh Avenue, there would be an incremental change from a 494-room hotel under No-Action conditions to a commercial building with 177,750 sf of office space and 19,750 sf of retail space. This building would generate more than 200 pedestrian trips in the weekday midday and weekday PM peak hours. Specifically, in the weekday midday, Site 1 would generate a net increment of 600 pedestrian trips, consisting of a decrease of 88 subway trips, an increase of 49

bus trips, and an increase of 639 walk-only and other modes trips. In the weekday PM peak hour, Site 1 would generate a net increment of 284 pedestrian trips, consisting of an increase of 183 subway trips, an increase of 64 bus trips, and an increase of 37 walk-only and other modes trips. Site 1 would generate less than 200 pedestrian trips in the weekday AM and Saturday midday peak hours.

Based on typical conditions in Midtown, for analysis purposes it is assumed that under No-Action conditions the hotel lobby would be located on W. 38th Street and that under With-Action conditions the office lobby would be located on W. 38th Street and the retail entrances would be located on Seventh Avenue. Given the site's location in the Midtown street grid, for the purposes of assigning action-generated pedestrian trips, it is assumed that walk-only trips would be evenly distributed in all four compass directions traveling to and from the site. Walk trips to and from the subway were assumed to be made to and from subway station entrances located north of the site at the southeast corner of Seventh Avenue and W. 41st Street (access to the 1, 2, 3, 7, A, C, E, and S lines) and at the southwest corner of Broadway and W. 40th Street (access to N, R, Q, and W lines). Walk trips to and from bus routes were assumed to be made to and from a bus stops on the west side of Seventh Avenue between W. 36th and W. 37th streets or the east side of Eighth Avenue between W. 36th and W. 37th streets.

As noted in the introduction, the projected residential development on Site 3 was screened out from detailed analysis as it would generate a net increment of less than 200 pedestrian trips in all peak hours. However, given its location on W. 36th Street between Eighth and Ninth avenues, two and a half blocks west of Site 1 and the concentration of likely trip origin and destination points east of Eighth Avenue, it is projected that a small portion of Site 3 generated pedestrian trips would traverse the two analyzed locations identified for Site 1. These trips, including 13 in the weekday midday peak hour and 5 in the weekday PM peak hour, are also accounted for in the analysis.[1]

Based on the assignment of action-generated trips, shown in **Figure F-3**, the 2027 With-Action conditions analysis is presented in **Tables F-8 and F-9**. As shown in the tables, the analyzed locations would continue to operate acceptably at LOS D or better and no impact thresholds would be exceeded. At the corner analysis location, the average pedestrian space would decrease from 22.1 sf/p to 20.2 sf/ped a reduction of 1.9 sf/ped, which does not exceed the impact criteria specified in **Table F-3**.

Table F-8, 2027 With-Action Street Corner Conditions

Street Corner Location (Location A in Figure F-2)	Curb Radii (feet)	Average Pedestrian Space (ft^2/p)		Level of Service	
		MD	PM	MD	PM
7 Av & W 38 St, SE	12	26.8	20.2	C	D

Table F-9, 2027 With-Action Sidewalk Conditions

Location	Sidewalk	Total Width (feet)	Effective Width (feet)	Peak Hour Volumes		Pedestrian Space (SFP)		Platoon-Adjusted LOS	
				MD	PM	MD	PM	MD	PM
7 Av. south of W. 38 St.	East	20.0	15.3	3,108	3,973	67.9	57.6	C	C

Accordingly, the proposed action would not result in any significant adverse pedestrian impacts.

[1] Although some Site 3 trips would be expected to traverse the pedestrian elements adjacent to Site 1, the opposite is not expected to occur. Given Site 3's location west of Eighth Avenue, which is not located in the vicinity of subway entrances, bus stops, or significant origin or destination points for walk-only travel, few if any pedestrian trips to and from the office and retail uses on Site 1 would be expected to traverse the sidewalk adjoining Site 3.

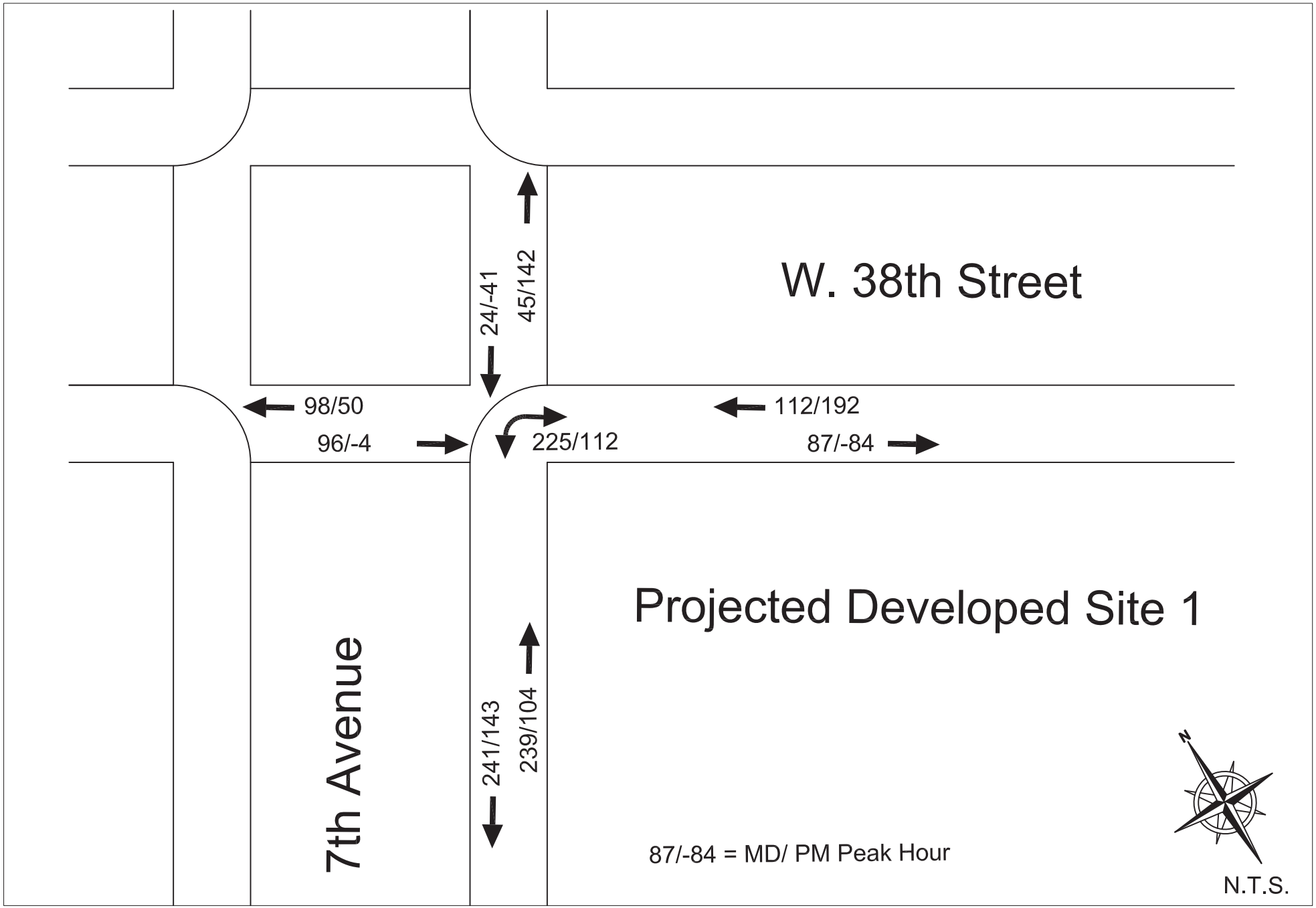


Figure F-3
Pedestrian Increment Volumes

ATTACHMENT G:
AIR QUALITY

Garment Center Text Amendment EAS
Attachment G: Air Quality

A. INTRODUCTION

Ambient air quality, or the quality of the surrounding air, may be affected by air pollutants produced by motor vehicles, referred to as “mobile sources”; by fixed facilities, usually referenced as “stationary sources”; or by a combination of both. Under CEQR, an air quality assessment is to be carried out for actions that can result in significant adverse air quality impacts. In accordance with the procedures and methodology outlined in the *CEQR Technical Manual, Chapter 17 Air Quality*, an air quality assessment for the proposed text amendments to the New York City Zoning Resolution Special Garment Center District has been performed to determine both the proposed project's effects on ambient air quality as well as the effects of ambient air quality on the project. This analysis estimates the potential impacts of emissions from the heating, ventilation, and air condition (HVAC) systems of buildings under the reasonable worst-case development scenario (RWCDS) for the Proposed Action. The HVAC emissions of each building could impact one of the other proposed buildings (project on project) and/or nearby existing buildings (project on existing) that are taller than or as tall as the proposed buildings. This analysis also considers the potential impacts of exposure to existing industrial sources and large combustion emission sources on the RWCDS buildings. However, this analysis does not include potential mobile source impacts of the Proposed Action, because the number of new trips generated would not exceed CEQR screening thresholds.

B. PRINCIPAL CONCLUSIONS

The analyses conclude that the Proposed Actions would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and the Proposed Actions would not be adversely affected by existing sources of air emissions in the rezoning area. A summary of the general findings is presented below.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems at the projected and potential development sites. At all four sites (1, 3, 4 and 5), an (E) designation would be mapped as part of the zoning proposal to ensure the developments would not result in any significant air quality impacts from fossil fuel-fired heat and hot water systems emissions.

An analysis of the cumulative impacts of industrial sources on projected and potential development sites was performed. Maximum concentration levels at projected and potential development sites were below the NYSDEC air toxic guideline levels and health risk criteria.

Large and major emissions sources within 1,000 feet of a projected or potential development site were also analyzed. The results show the NAAQS and CEQR de minimis criteria would not be exceeded.

C. AIR QUALITY REGULATIONS, STANDARDS, AND BENCHMARKS

National and State Air Quality Standards

The Clean Air Act requires EPA to set National Ambient Air Quality Standards (NAAQS) for pollutants considered harmful to public health and the environment. The NAAQS establish primary and secondary maximum allowable concentrations of six "criteria" pollutants in outdoor air. The six pollutants are carbon

monoxide (CO), lead, ground-level ozone (O_3), nitrogen dioxide (NO_2), respirable particulate matter (PM), and sulfur dioxide (SO_2). The standards are set at a level that protects public health with an adequate margin of safety. The primary standards represent levels that are required to protect the public health, allowing an adequate margin of safety. The secondary standards are intended to protect the nation's welfare, and account for air pollutant effects on soil, water, visibility, materials, vegetation, and other aspects of the environment. The primary standards are generally either the same as the secondary standards or more restrictive. The NAAQS are presented in **Table G-1**. NAAQS have been adopted as the ambient air quality standards for the State of New York. New York State also has standards for total suspended PM, settleable particles, non-methane hydrocarbons, 24-hour and annual SO_2, and ozone, which correspond to federal standards that have since been revoked or replaced, and for the noncriteria pollutants beryllium, fluoride, and hydrogen sulfide.

TABLE G-1: National and New York State Ambient Air Quality Standards

Pollutant	Primary		Secondary		New York State	
	ppm	µg/m^3	ppm	µg/m^3	ppm	µg/m^3
Carbon Monoxide (CO)						
8-Hour Average[1]	9	10,000	None		9	10,000
1-Hour Average[1]	35	40,000			35	40,000
Lead (Pb)						
Rolling 3-Month Average[2]	NA	0.15	NA	0.15	None	
Nitrogen Dioxide (NO_2)						
Maximum 1-Hour Concentration[3]	0.100	188	None		None	
Annual Average	0.053	100	0.053	100	0.04	100
Ozone (O_3)						
8-Hour Average[4,5]	0.070	N/A	0.070	N/A	None	
Respirable Particulate Matter (PM_{10})						
24-Hour Average[1]	NA	150	NA	150	None	
Fine Respirable Particulate Matter ($PM_{2.5}$)						
Annual Mean[6]	NA	12	NA	15	None	
24-Hour Average[7]	NA	35	NA	35		
Sulfur Dioxide (SO_2)[8]						
Maximum 1-Hour Concentration[9]	0.075	196	NA	NA	None	
Maximum 3-Hour Concentration[1]	NA	NA	0.50	1,300	0.50	1,300

Notes:

ppm – parts per million (unit of measure for gases only)

µg/m^3 – micrograms per cubic meter (unit of measure for gases and particles, including lead)

NA – not applicable

All annual periods refer to calendar year.

Standards are defined in ppm. Approximately equivalent concentrations in µg/m^3 are presented.

[1] Not to be exceeded more than once a year.

[2] EPA has lowered the NAAQS down from 1.5 µg/m^3, effective January 12, 2009.

[3] The 0.100 ppm standard is effective 1/22/2010. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average within an area must not exceed 0.100 ppm.

[4] 3-year average of the annual fourth highest daily maximum 8-hr average concentration.

[5] EPA has lowered the primary standard from 0.075 ppm to 0.070 ppm, effective December 28, 2015. The previous (2008) O_3 standards additionally remain in effect in some areas.

[6] 3-year average of annual mean. EPA has lowered the primary standard from 15 µg/m^3, effective March 2013.

[7] Not to be exceeded by the annual 98th percentile when averaged over 3 years.

[8] EPA revoked the 24-hour and annual primary standards, replacing them with a 1-hour average standard. Effective August 23, 2010.

[9] Final rule signed June 2, 2010. To attain this standard, the 3-year average of the 99th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 75 ppb.

Sources: 40 CFR Part 50: National Primary and Secondary Ambient Air Quality Standards. https://www.epa.gov/criteria-air-pollutants/naaqs-table; *CEQR Technical Manual*, Chapter 17 Air Quality. http://www.nyc.gov/html/oec/downloads/pdf/2014_ceqr_tm/17_Air_Quality_2014.pdf

Criteria Pollutants for Analysis

A detailed analysis of stationary source HVAC emissions at the affected sites was performed for four criteria pollutants ($PM_{2.5}$, PM_{10}, NO_2 and SO_2).

Respirable Particulate Matter: PM_{10} and $PM_{2.5}$

PM is a broad class of air pollutants that includes discrete particles of a wide range of sizes and chemical compositions that can be either liquid droplets (aerosols) or solids suspended in the atmosphere. The constituents of PM are both numerous and varied, and they are emitted from a wide variety of sources (both natural and anthropogenic). Natural sources include the condensed and reacted forms of naturally occurring VOCs; salt particles resulting from the evaporation of sea spray; wind-borne pollen, fungi, molds, algae, yeasts, rusts, bacteria, and material from live and decaying plant and animal life; particles eroded from beaches, soil, and rock; and particles emitted from volcanic and geothermal eruptions and from forest fires. Naturally occurring PM is generally greater than 2.5 micrometers in diameter. Major anthropogenic sources include the combustion of fossil fuels (e.g., vehicular exhaust, power generation, boilers, engines, and home heating), chemical and manufacturing processes, all types of construction, and agricultural activities, as well as wood-burning stoves and fireplaces. PM also acts as a substrate for the adsorption (accumulation of gases, liquids, or solutes on the surface of a solid or liquid) of other pollutants, often toxic, and some likely carcinogenic compounds.

As described below, PM is regulated in two size categories: particles with an aerodynamic diameter of less than or equal to 2.5 micrometers ($PM_{2.5}$), and particles with an aerodynamic diameter of less than or equal to ten micrometers (PM_{10}, which includes $PM_{2.5}$). $PM_{2.5}$ has the ability to reach the lower regions of the respiratory tract, delivering with it other compounds that adsorb to the surfaces of the particles, and is also extremely persistent in the atmosphere. $PM_{2.5}$ is mainly derived from combustion material that has volatilized and then condensed to form primary PM (often soon after the release from a source exhaust) or from precursor gases reacting in the atmosphere to form secondary PM.

The EPA revised the NAAQS for PM, effective as of December 18, 2006. The revision included lowering the level of the 24-hour $PM_{2.5}$ standard from 65 micrograms per cubic meter ($\mu g/m^3$) to 35 $\mu g/m^3$ and retaining the level of the annual standard at 15 $\mu g/m^3$. The PM_{10} 24-hour average standard was retained, and the annual average PM_{10} standard was revoked. The EPA also lowered the primary annual $PM_{2.5}$ average standard from 15 $\mu g/m^3$ to 12 $\mu g/m^3$, effective as of March 2013.

Sulfur Dioxide

SO_2 emissions are primarily associated with the combustion of sulfur-containing fuels (oil and coal). SO_2 is also of concern as a precursor to $PM_{2.5}$ and is regulated as a $PM_{2.5}$ precursor under the New Source Review permitting program for large sources. SO_2 was considered as part of the stationary source screening analysis because SO_2 is emitted by the combustion of No. 2 Fuel Oil, and the fuel type of the HVAC system that may be used on the project site is not known.

The EPA established a one-hour average SO_2 standard of 0.075 ppm, replacing the 24-hour and annual primary standards, effective as of August 23, 2010. The statistical form is the three-year average of the 99th percentile of the annual distribution of daily maximum one-hour concentrations (the four highest daily maximum corresponds approximately to the 99th percentile for a year).

Nitrogen Oxides

Nitrogen oxides are of principal concern because of their role, together with VOCs, as precursors in the formation of ozone. Ozone is formed through a series of reactions that take place in the atmosphere in the

presence of sunlight. Because the reactions are slow and occur as the pollutants are adverted downwind, elevated ozone levels are often found many miles from sources of the precursor pollutants. The effects of NO_x and VOC emissions from all sources are, therefore, generally examined on a regional basis. The contribution of any project to regional emissions of these pollutants would include any added stationary or mobile source emissions. For this project, NO_2 was considered as part of the stationary source screening analysis because NO_x is emitted from the combustion of natural gas.

In addition to being a precursor to the formation of ozone, NO_2 (one component of NO_x) is also a regulated pollutant. Since NO_2 is primarily formed from the transformation of Nitric Oxide in the atmosphere, it has mostly been of concern further downwind from large stationary point sources and not a local concern from mobile sources. The EPA established a one-hour average NO_2 standard of 0.100 ppm, effective as of April 12, 2010, in addition to the annual standard. The statistical form is the three-year average of the 98th percentile daily maximum one-hour average concentration in a year.

Determining the Significance of Air Quality Impacts

The State Environmental Quality Review Act (SEQRA) regulations and *CEQR Technical Manual* indicate that the significance of a predicted consequence of a project (i.e., whether it is material, substantial, large, or important) should be assessed in connection with its setting (e.g., urban or rural), its probability of occurrence, its duration, its irreversibility, its geographic scope, its magnitude, and the number of people affected.[1] In terms of the magnitude of air quality impacts, any project predicted to increase the concentration of a criteria air pollutant to a level that would exceed the concentrations defined by the NAAQS would be deemed to have a potential significant adverse impact. In addition, threshold levels have been defined for certain pollutants to ensure that concentrations will not be significantly increased and/or to maintain concentrations lower than the NAAQS. Any project predicted to increase the concentrations of these pollutants above the thresholds would be deemed to have a potential significant adverse impact, even in cases where violations of the NAAQS are not predicted.

$PM_{2.5}$ de Minimis Criteria

The New York State Department of Environmental Conservation (NYSDEC) has published a policy to provide interim direction for evaluating $PM_{2.5}$ impacts.[2] This policy applies only to facilities applying for permits or major permit modifications under SEQRA that emit 15 tons of PM_{10} or more annually. The policy states that such a project will be deemed to have a potentially significant adverse impact if the project's maximum impacts are predicted to increase $PM_{2.5}$ concentrations by more than 0.3 $\mu g/m^3$ averaged annually or by more than five $\mu g/m^3$ on a 24-hour basis. Projects that exceed either the annual or 24-hour threshold must assess the severity of the impacts, evaluate alternatives, and employ reasonable and necessary mitigation measures to minimize the $PM_{2.5}$ impacts of the source to the maximum extent practicable.

In addition, New York City uses *de minimis* criteria to determine the potential for significant adverse $PM_{2.5}$ impacts under CEQR are as follows:

- Predicted increase of more than half the difference between the background concentration and the 24-hour standard;
- Annual average $PM_{2.5}$ concentration increments that are predicted to be greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (i.e., the annual increase in concentration representing the average over an area of approximately one square kilometer, centered on the location where the

[1] *CEQR Technical Manual*, Chapter 1, section 222, March 2014; and State Environmental Quality Review Regulations, 6 NYCRR § 617.7

[2] CP33/Assessing and Mitigating Impacts of Fine Particulate Emissions, NYSDEC 12/29/2003.

maximum ground-level impact is predicted for stationary sources; or at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or

- Annual average $PM_{2.5}$ concentration increments that are predicted to be greater than 0.3 $\mu g/m^3$ at a discrete receptor location (elevated or ground level).

Actions under CEQR predicted to increase $PM_{2.5}$ concentrations by more than the above *de minimis* criteria are considered to have a potential significant adverse impact. The *de minimis* criteria have been used to evaluate the significance of predicted impacts of the Proposed Project on $PM_{2.5}$ concentrations.

D. EXISTING POLLUTANT LEVELS

Background concentrations at the nearest NYSDEC air quality monitoring stations for all criteria pollutants included in the detailed HVAC analysis are presented in **Table G-2**. This data was obtained from 2013-2015 reported in NYSDEC's 2016 Ambient Air Quality Report. All data statistical forms and averaging periods are consistent with the definitions of the NAAQS. The data demonstrates that there were no monitored violations of NAAQS at these monitoring sites.

In order to perform the Tier 3 1-hour NO_2 analysis, hourly ozone background concentrations were developed from available monitoring data collected by the New York State Department of Environmental Conservation (NYSDEC) at the City College of New York monitoring station for three consecutive years (2013 – 2015) and compiled into AERMOD's required hourly ozone concentration data format.

TABLE G-2: Representative Monitored Ambient Air Quality Data (2013-2015)

Pollutant	Site Name	Site Address	Units	Averaging Period	Concentration
SO_2	IS 52	School IS 52, 681 Kelly Street	ppb	1-hour	10.73 (28.1 µg/m3)
PM_{10}	IS 52	School IS 52, 681 Kelly Street	$\mu g/m^3$	24-hour	37
$PM_{2.5}$	PS 19	School PS 19, 185 1St Avenue	$\mu g/m^3$	Annual	11
				24-hour	25.6
NO_2	IS 52	School IS 52, 681 Kelly Street	ppb	Annual	21 (39.5 $\mu g/m^3$)
				1-hour	64.3 (121.0 $\mu g/m^3$)

Sources: http://www.dec.ny.gov/docs/air_pdf/2016airqualreport.pdf

E. STATIONARY SOURCE ANALYSIS

HVAC Screening

Methodology

The analysis of the HVAC systems of the RWCDS buildings under the Proposed Action used screening procedures outlined in the *CEQR Technical Manual* to predict whether the potential impacts of the HVAC emissions of each building would have the potential to be significant and therefore require a detailed analysis. The nearest existing building and/or projected development of a similar or greater height was analyzed as the

potential receptor. It was assumed that exhaust stacks of the projected and potential development sites would be located three feet above roof height (as per the *CEQR Technical Manual*), and that No. 2 fuel oil or natural gas may be utilized.

Sites 1, 3, and 5 are located less than 33 feet from the nearest building of similar or greater height, and therefore require more detailed analysis. To perform the HVAC screening for site 4, the total square footage of the RWCDS building, and its distance to the nearest building of a similar or greater height were plotted on figure 17-6 and 17-8 of the CEQR Air Quality Appendix (SO_2 Boiler Screen, Commercial and Other Non-Residential Development – Fuel Oil #2; and NO_2 Boiler Screen, Commercial and Other Non-Residential Development-Natural Gas, respectively). These figures predict the threshold of development size below which a project would not likely have a significant impact based on the type of fuel, use of the proposed building(s), and distance to nearest building of a height similar to or greater than the stack height of the proposed building(s). As required by CEQR screening procedures, the 165-foot curve for buildings on site 4 was applied, as this curve height is closest to but not higher than the proposed stack heights. As shown in **Figures G-1 and G-2**, the plotted point for site 4 is on or above the applicable curve, indicating there is the potential for a significant air quality impact from the building's boiler(s), and detailed analyses need to be conducted. **Table G-3** summarizes the parameters and results of the HVAC screening analysis.

TABLE G-3: CEQR Technical Manual HVAC Screening Analysis

Site ID	Site Block and Lot	RWCDS With-Action Land Use	Building Floor Area (gsf)	Building Height (feet)	Stack Height (feet)	Nearest Building of Similar or Higher Height		Screen Results (Pass/Fail)	
						Block/Lot	Distance (feet)	#2 Oil	Natural Gas
1	813; 64	Office and Retail	197,500	188	191	block 813, lot 55	0	Fail	Fail
3	761; 5, 7	Residential	118,488	240	243	Block 761, lot 43	28	Fail	Fail
4	785; 49	Office and Retail	339,040	286	289	Block 786, lot 51	58	Fail	Fail
5	762; 46	Residential	59,244	240	243	Block 762, lot 25	3	Fail	Fail

Figure G-1:
SO_2 Boiler Screen, Commercial and Other Non-Residential Development – Fuel Oil #2; Site 4

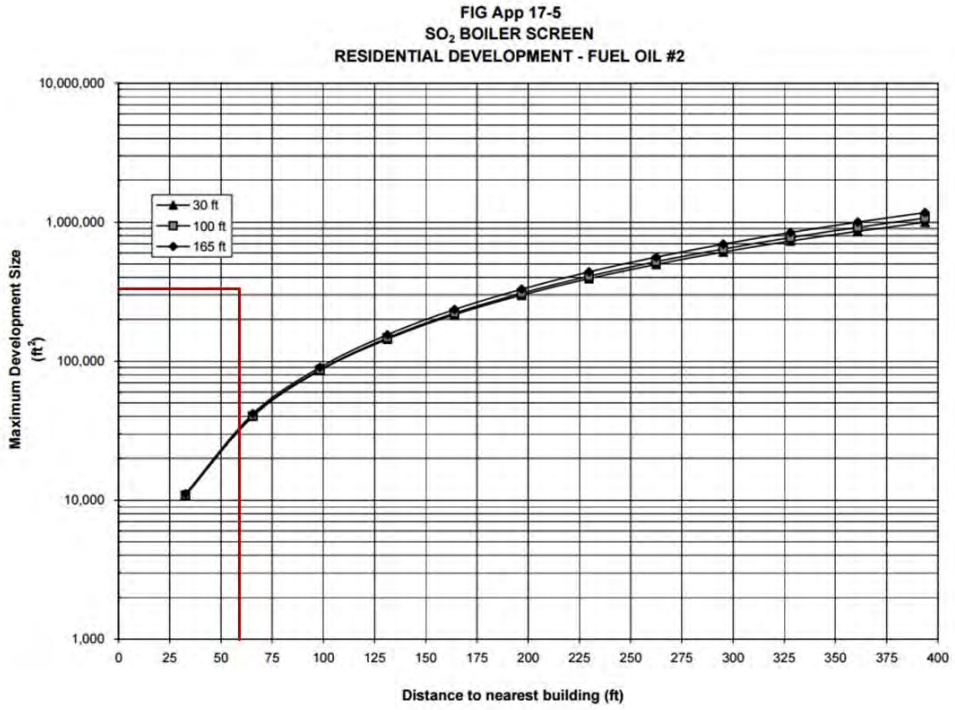
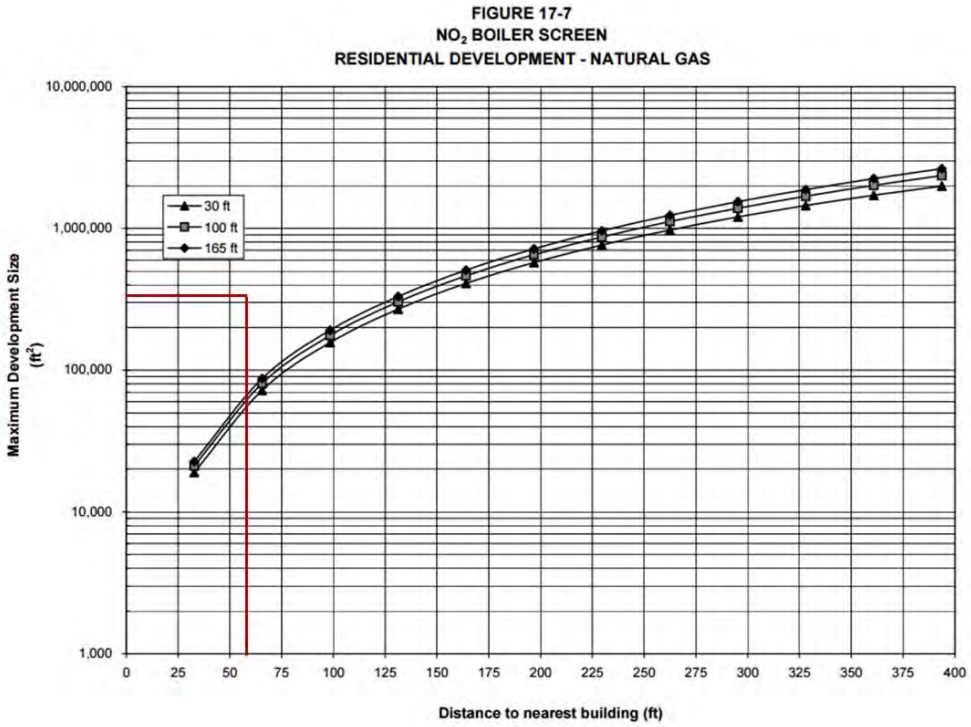


Figure G-2:
NO_2 Boiler Screen, Commercial and Other Non-Residential Development – Natural Gas Site 4



HVAC Detailed Analysis

Based on the results of the screening analysis, a detailed analysis was conducted for all four sites. A dispersion modeling analysis was conducted to estimate impacts from the HVAC emissions of the RWCDS buildings at each development site using the latest version of AERMOD (version 16216r). In order to conservatively estimate impacts, the maximum predicted increments for sulfur dioxide and particulate matter were modeled using inputs based the use of no. 2 fuel oil, while maximum predicted increments of nitrogen dioxide were modeled using inputs based on the use of natural gas. In accordance with CEQR guidance, the detailed HVAC analysis was performed assuming stack tip downwash, urban dispersion parameters, and use of routines for elimination of calm winds and handling of missing meteorological data. AERMODS's Ozone Limiting Method (OLM) module was utilized for the 1-hour NO_2 analysis.

Emissions

Emissions rates were estimated based on each development site's RWCDS building floor area, the applicable energy intensities and fuel consumptions rates found in the *CEQR Technical Manual Air Quality Appendix*, and emissions factors published by EPA in their *Compilation of Air Pollutant Emission Factors (AP-42).* First, the annual energy consumption for each development site was calculated by multiplying the gross building floor area by the natural gas energy intensity per square foot (for NO_2) and fuel oil consumption per square foot (for all other pollutants) found in the CEQR Air Quality technical appendix[3]. Next, appropriate emissions factors for each pollutant were selected from the EPA's *Compilation of Air Pollutant Emission Factors (AP-42)* and converted to grams/MMBTU (NO_2) and grams/gallon (fuel oil). Conservative short term emission rates were derived from the annual rates based on assuming all annual fuel consumption occurs over 100 heating days. **Table G-4** provides pollutant emission rates that were used in the dispersion analysis.

Stack diameter, temperature and exit velocity were estimated based on values obtained from NYCDEP "CA Permit" database, using the RWCDS floor area and energy intensity per square foot assumptions for each pollutant to estimate the corresponding boiler sizes.

TABLE G-4 Estimates Pollutant Emission Rates (grams/sec)

Site ID	Site Block and Lot	RWCDS With-Action Land Use	NO_2		$PM_{2.5}$		PM_{10} 24-hour	SO_2 1-hour
			1-hour	Annual	24-hour	Annual		
1	813; 64	Office and Retail	0.04595	0.01259	0.00096	0.00026	0.00384	0.00082
3	761; 5, 7	Residential	0.03677	0.01008	0.00059	0.00016	0.00236	0.00050
4	785; 49	Office and Retail	0.07888	0.02161	0.00165	0.00045	0.00659	0.00140
5	762; 46	Residential	0.01839	0.00504	0.00030	0.00008	0.00118	0.00025

Notes: All emission rates expressed as grams per second

Meteorological Data

All analyses were conducted using the latest five consecutive years of meteorological data (2011-2015). Surface data was obtained from La Guardia Airport National Weather Service station and upper air data was

[3] Natural gas energy intensity and fuel oil consumption per square foot is dependent on land use under the With-Action RWCDS. Calculations for development sites 1 – 4 are based on commercial consumption/energy intensity rates, while the calculations for development site 5 are based on residential consumption/energy intensity rates.

obtained from Brookhaven station, New York. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period.

Stack Locations

One exhaust stack for each RWCDS building was placed within 10 feet of the development site boundary nearest the closest existing building of similar or greater height. While the modeled locations of the exhaust stacks at each development site may not comply with the Building Code of the City of New York, their location allows a conservative estimate of impacts to nearby receptors.

Receptor Locations

Receptors were located where people are likely to have continuous access and where the maximum total pollutant concentrations or incremental pollutant concentrations resulting from the project are likely to occur. Receptors were placed at pedestrian-height (1.8 meters) along sidewalks and public right-of-ways adjacent to each development site, as well as at pedestrian height in nearby locations with exterior uses, such as parks and playgrounds. In addition, receptors were placed at multiple locations and elevations along the facades of adjacent buildings, from pedestrian height up to the maximum height of the building, with particular focus on receptor locations at or above the stack height of each projected/potential site.

Results

The results of the stationary source air quality assessment are summarized in **Table G-5**. The results show that none of the RWCDSs assessed in this stationary source air quality analysis exceed the significant impact criteria (NAAQS and/or de minimis criteria, if applicable), and would therefore not significantly impact nearby receptors with the incorporation of E-designations restricting stack locations and/or requiring low-NO_x burners.

Table G-5: Heating and Hot Water System Detailed Analysis Results

	SO_2 1-hr Total Concentration ($\mu g/m^3$) NAAQS= 197	PM_{10} 24-hr Total Concentration ($\mu g/m^3$) NAAQS= 150	$PM_{2.5}$ Annual Average Concentration Increment ($\mu g/m^3$) De minimis= 0.3	$PM_{2.5}$ 24-hr Concentration Increment ($\mu g/m^3$) De minimis= 4.7	NO_2 Annual Average Total Concentration $\mu g/m^3$ NAAQS= 100	NO_2 1-hr Average Total Concentration ($\mu g/m^3$) NAAQS= 188	Requires E-designation
Site 1	30.6	38.7	0.02	0.37	82.9	183.2	Yes
Site 3	34.9	43.9	0.04	1.3	82.5	180.2	Yes
Site 4	33.9	46.6	0.05	2.1	43.8	182.5	Yes
Site 5	33.8	41.5	0.05	1.2	46.5	181.9	Yes

The following E-designations are included in the Proposed Action to avoid the potential for significant adverse air quality impacts:

Site 1

Any new commercial (office/retail) development on Block 813, Lot 64 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 208 feet above grade and at least 95 feet from the easterly lot line facing Broadway and 23 feet from the northerly lot line facing W. 38th Street.

Site 3

Any new residential and/or commercial (retail) development on Block 761, Lots 7 and 5 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 45 feet away from the easterly lot line facing 8th Avenue.

Site 4

Any new commercial (office/retail) development on Block 785, Lot 49 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 289 feet above grade and at least 45 feet away from the northerly lot line facing W. 36th Street.

Site 5

Any new residential and/or commercial (retail) development on Block 762, Lot 46 must ensure that the heating system boilers be fitted with low NO_x (30 ppm) burners and fire only natural gas, and that the stack(s) are located at the highest tier or at least 243 feet above grade and at least 46 feet away from the easterly lot line facing 8th Avenue and at least 34 feet from the southerly lot line facing W. 38th Street.

Industrial Sources

Industrial Sources Screening

Pollutants emitted from the exhaust vents of existing permitted industrial facilities were examined to identify potential adverse impacts on future occupants of the projected and potential development sites. All industrial air pollutant emission sources within 400 feet of a projected and potential development site boundary were considered for inclusion in the air quality impact analyses.

Land use databases were used to identify buildings containing potential industrial or manufacturing sources. New York City Department of Environmental Protection's (DEP) CATS database was used to query permit records and identify a list of industrial source permits from which to obtain full DEP file records. Finally, request was made to DEP's Bureau of Environmental Compliance (BEC) and NYSDEC for information regarding the release of air pollutants from these potential sources within the study area. The DEP air permit data provided was compiled into a database of source locations, air emission rates, and other data pertinent to determining source impacts.

During the DEP air permit review, permits pertaining to emergency generators, boilers, and cancelled permits were removed from further consideration. These sources do not have the potential to result in industrial process emission impacts.

A field survey was conducted on April 27, 2016 to review the operational status and identify additional industrial sources that have potential for emitting air pollutants. However, given the mixed-use nature of many buildings in the study area, it was not possible to conclusively confirm from a pedestrian survey whether an industrial source at an upper floor was still operating. Therefore, the analysis conservatively assumes all current and expired permitted sources are still in operation.

In total, 31 industrial source permits were identified for further screening analysis. The types of industrial sources in the study area include jewelry manufacturing/cleaning, printing, and dyeing fabrics (see **Table G-6**). The permit source locations in relation to the potential and projected sites are shown in **Figure G-3**.

Sources: NYCDCP, ESRI

Figure G-3

Permitted Industrial Sources within 400 feet of Site 1, 3, 4 and 5

For sources that perform printing or paint spraying, in some cases the VOC emissions were not listed in the DEP permits as individual air toxic compounds. To estimate the individual air toxic emissions in these cases, literature research or representative sources were used to estimate maximum percentage by weight for individual air toxics commonly associated with each type of VOC emissions. The VOC emission rate from the source permit was multiplied by the weight percentage for each air toxic to estimate the maximum emission rate for the air toxics, by source.

The worst-case hourly and annual pollutant emissions were calculated from the DEP permit application data in grams per second. Using these results and the distance from each industrial source to the applicable projected and potential sites, a screening analysis was performed in accordance with *CEQR Technical Manual* methodology. The predicted concentration of each pollutant at the projected and potential sites was compared to the short-term guideline concentrations (SGCs) and annual guideline concentrations (AGCs) recommended in NYSDEC's DAR-1 AGC/SGC Tables. These guidelines present the airborne concentrations that are applied as a screening threshold to determine if the future residents of the projected and potential development sites could be significantly impacted by nearby sources of air pollution. To assess the effects of multiple sources emitting the same pollutants, cumulative source impacts were determined. Concentrations of the same pollutant from industrial sources that were within 400 feet of an individual development site were combined and compared to the guideline concentrations discussed above.

Site 1 Industrial Source Screening Results

The one potential industrial source within 400 feet of Site 1 does not exceed the relevant SGC/AGC criteria. Therefore, further detailed analysis is not required for Site 1.

Site 3 Industrial Source Screening Results

Seven potential industrial source within 400 feet of Site 3 do not exceed the relevant SGC/AGC criteria. Therefore, further detailed analysis is not required for Site 3.

Site 4 Industrial Source Screening Results

For Site 4, five of the industrial sources (ID# 2, 3, 4, 19 and 20) are directly adjacent to the site. For screening purposes, it was assumed the stack location on these sites is 30 feet from a sensitive receptor on projected or potential sites. Site 4 also fails the cumulative industrial source screening for one pollutant:

- Lead/Lead Oxide- Emitted by sources #4, 19 and 20

The remaining industrial sources within 400 feet of Site 4 do not exceed the relevant SGC/AGC criteria.

Site 5 Industrial Source Screening Results

The three potential industrial source within 400 feet of Site 5 do not exceed the relevant SGC/AGC criteria. Therefore, further detailed analysis is not required for Site 5.

Table G-6: Summary of Industrial Source Permits for Screening Analysis within 400 feet of sites 1, 3, 4 and 5

Map ID	Permit No.	Block	Lot	Facility Name	Street Address	Permit Status	Expiration Date	Source Description	Used Hrs/Day	Used Days/Yr	Pollutant Name	CAS No	Hourly Emissions (Lbs/Hr)	Annual Emissions (Lbs/Yr)
1	**PA-0025-93X**	785	15	Big Apple Sign Corp	274 W. 35th Street	Expired	5/13/2017	Silk Screening	8	250	Varsol (STODDARD SOLVENT)	08052-41-3	0.27	216.0
2	**PA-0037-92N**	785	29	Jewelry Fashions, Inc	213 W. 35th Street	Expired	2/6/1992	Jewelry Manufacturing	8	250	Ethanolamine	00141-43-5	0.001	2.0
											Disodium Phosphate	07558-79-4	0.001	2.0
3	**PA-0039-92H**	785	29	Jewelry Fashions, Inc	213 W. 35th Street	Expired	2/7/2001	Jewelry Manufacturing	8	250	Lint (PARTICULATE MATTER)	NY-075-00-0	0.001	2.0
4	**PA-0040-92R**	785	29	Jewelry Fashions, Inc	213 W. 35th Street	Expired	3/18/2004	Jewelry Manufacturing	8	250	Lead vapors	07439-92-1	0.001	2.0
7	**PA-0110-90Z**	785	11	National Reprographics, Inc	253 W. 35th Street	Expired	6/6/2000	Blueprinting machines	8	255	Ammonia	07664-41-7	0.89	1,776.0
8	**PA-0168-95Z**	785	75	Stephen Singer Pattern CO	260 W. 36th Street	Expired	7/10/2001	Photocopying machines	8	250	Ammonium Hydroxide	01336-21-6	0.8	1,587.0
11	**PA-0310-90R**	785	75	AWAD Architectural Models, Inc	260 W. 36th Street	Current	1/15/2018	Spray Booth (Architectural Models)	1	200	Pigment	NY-075-00-0	0.006	1.2
											Toluene	00108-88-3	0.2	40.0
											MEK (Methyl Ethyl Ketone)	00078-93-3	0.2	40.0
											Xylene	01330-20-7	0.2	40.0
											Isobutyl Acetate	00110-19-0	0.2	40.0
											Isopropyl Alcohol	00067-63-0	0.2	40.0
											Isobutyl Alcohol	00078-83-1	0.2	40.0
12	**PA-0348-98N**	784	68	Care Label Mfg. Corp	250 W. 35th Street	Expired	7/29/2001	Offset printing press	4	250	Technical White Oil	08042-47-5	0.001	1.0
											Misc. VOC	NY-900-00-0	0.07	1.0
15	**PA-0531-86Z**	788	4	Hi-Tech Jewelry, Inc.	580 8th Avenue	Expired	11/9/1989	Cleaning of jewelry	8	250	Ammonia vapors	07664-41-7	0.1	200.0
											Sodium Cyanide	00143-33-9	0.001	2.0
19	**PA-0649-85Z**	785	67	Harry Shumsky & Bros, Inc.	242 W. 36th Street	Expired	1/30/2001	Melting of white metal and zinc.	8	200	Zinc Oxide	01314-13-2	0.001	1.6
											Tin Oxide	01332-29-2	0.001	1.6
											Lead Oxide	01335-25-7	0.001	1.6
											Particulates	NY-075-00-0	0.002	3.2
											Sulfur Dioxide	07446-09-5	0.002	0.2
											Nitrous Oxide	10024-97-2	0.028	53.0
20	**PA-0650-85H**	785	67	Harry Shumsky & Bros, Inc.	242 W. 36th Street	Expired	3/7/2001	Soldering of tin (white metal)	8	200	Stannous Oxide	21651-19-4	0.001	1.6
											Lead Oxide	01335-25-7	0.001	1.6
21	**PA-0700-84M**	760	21	Precision Coloring	327 W. 36th Street	Expired	6/11/2000	Dyeing of buttons	7	200	Particulates	NY-075-00-0	0.001	1.4
											Sulfur Dioxide	07446-09-5	0.001	1.4
											Nitrous Oxide	10024-97-2	0.008	11.2
											CO	00630-08-0	0.001	1.4
											Formic Acid	00064-18-6	0.001	1.4

Map ID	Permit No.	Block	Lot	Facility Name	Street Address	Permit Status	Expiration Date	Source Description	Used Hrs/Day	Used Days/Yr	Pollutant Name	CAS No	Hourly Emissions (Lbs/Hr)	Annual Emissions (Lbs/Yr)
23	**PB-0131-11J**	787	11	Kennedy Fabrications	247 W. 37th Street	Expired	10/11/2014	Plastic fabrication	8	250	Plastic Dust	NY-075-00-0	0.01	20.0
24	**PB-0132-11H**	787	11	Kennedy Fabrications	247 W. 37th Street, FL 5	Expired	10/11/2014	Paint Spray Booth (Architectural Models)	8	250	Solids	NY-075-00-0	0.01	0.98
											Solvents	NY-098-00-0	0.06	93.0
25	**PB-0369-06Z**	762	11	Unit All Cabinetry, Inc.	341 W. 38th Street	Expired	1/10/2013	Woodworking	8	200	Wood Fines	NY-075-00-0	0.001	0.16
28	**PB-4165-03H**	760	10	T&M Plating & Manufacturing	357 W. 36th Street	Current	12/13/2018	Jewelry plating/electro plating	8	200	Sodium Cyanide Mist	00143-33-9	0.001	1.6
											Cooper Cyanide	00544-92-3	0.001	1.6
											Caustic Mist	NY-003-00-0	0.001	1.6
29	**PB-4166-03X**	760	10	T&M Plating & Manufacturing	357 W. 36th Street, 7th Floor	Current	12/13/2018	Melting and casting of jewelry	8	200	Antimony	07440-36-0	0.001	1.6
											Tin	07440-31-5	0.001	1.6
											Lead	07439-92-1	0.001	1.6
											Particulates	NY-075-00-0	0.001	0.8
											Sulfur Dioxide	07446-09-5	0.001	0.0
											Nitrous Oxide	10024-97-2	0.008	13.2
30	**PB-4167-03Y**	760	10	T&M Plating & Manufacturing	357 W. 36th Street, 7th Floor	Expired	4/27/2016	Sandblasting of metals	8	200	Particulate Matter	NY-075-00-0	0.001	0.32
32	**PB-4846-03J**	760	10	T&M Plating & Manufacturing	355 W. 36th Street	Expired	11/23/2016	Plating	8	200	Cyanide Mist	00057-12-5	0.001	1.6
33	**PB-0657-01N**	788	4	Sherry Accessories Corp.	580 8th Avenue	Expired	1/18/2014	Latex Cement Spray Booth. No solvents emitted.	8	200	Latex Cement	NY-075-00-0	0.05	80.0
34	**PB-4164-03J**	760	10	T&M Plating & Manufacturing	357 W. 36th Street	Current	12/13/2018	Polishing of metal parts (jewelry)	8	200	Lint	NY-075-00-0	0.001	0.048
35	**PA-0440-91L**	815	14	C.M.T. Enterprises Inc.	1412 Broadway	Expired	4/16/1992	Blueprinting / Photomarking	4	150	Ammonia	07664-41-7	0.001	0.6

Industrial Source Refined Analysis

For Site 4, information from the industrial source permits that failed the screening analysis (emission rates, stack parameters, etc.) was input to the AERMOD dispersion model. AERMOD was run using five-years of meteorological data (the same as for the HVAC detailed analysis). Concentrations of the same pollutant from industrial sources that were within 400 feet of an individual development site were combined and compared to the guideline concentrations. Discrete receptors (i.e., locations at which concentrations were calculated) were placed on the potentially affected projected and potential development sites. The receptor network consisted of receptors located at spaced intervals along the sides of the development site from the ground floor to the upper level.

Table G-7 presents the maximum predicted impacts at the projected and potential development sites using the AERMOD refined dispersion model. As shown in the table, for Site 4 the refined modeling demonstrates that there would be no predicted significant adverse air quality impacts on these development sites from existing industrial sources in the area.

TABLE G-7: Industrial Source Refined Analysis Results for Site 4

Site		Pollutant	CAS	AERMOD 1-hr concentration	SGC	AERMOD Annual concentration	AGC
4		Lead	07439-92-1	NA	NA	0.00239	0.038

Large or Major Sources

The *CEQR Technical Manual* requires that all existing major or large emission sources within 1,000 feet of the projected and potential development sites that may not be properly accounted for in the background concentrations should be identified along with their stack parameters and emissions calculations. Major sources are identified as those sources located at Title V facilities that require Prevention of Significant Deterioration permits. Large sources are identified as sources located at facilities which require a State facility permit. A search for existing large and major sources of emissions was performed using registration lists maintained by NYSDEC and EPA.[4] There are no major sources within 1,000 feet of the development sites, however four large emissions sources were identified within 1,000 feet of the development sites. Information on the location and emissions sources of these large sources are shown in **Figure G-4** and **Table G-8**. For each large emission source, a detailed HVAC analysis was performed to model the emitted concentrations of particulate matter, sulfur dioxide, and nitrogen dioxide in order to identify any significant air quality impacts to the development sites.

[4] NYSDEC (http://www.dec.ny.gov/index.html) and EPA (http://oaspub.epa.gov/enviro/ef_home2.air).

Sources: NYCDCP, ESRI

Garment Center Text Amendment EAS

Figure G-4

Large Sources with a State Facility Permit Near Sites 1, 3, 4 and 5

TABLE G-8, Large Emissions Sources within 1,000 feet of Development Sites

State Facility Permit ID	Facility Address	Name	Block	Lot	Closest Development Site	Emission Sources
2-6205-00432/00003	1385 Broadway	1385 Broadway Building	813	55	Adjacent to site 1	One 14.7 mmBtu/hr dual fuel boiler, one 13.482 mmBtu/hr dual fuel boiler sharing one stack.
2-6205-01696/00001	620 8th Avenue	New York Times Building	1012	7501	Site 5- 395 feet southwest	Two (2) natural gas engine powered electric generators (1053 bhp each), and two (2) diesel powered electric generators (2168 bhp, and 2937 bhp)
2-6205-01736/00001	242 W. 34th Street	One Penn Plaza LLC	783	70	Site 4- 460 feet north	Three natural gas powered electric generators (2 mw each)
2-6205-01617/00001[1]	333 W. 34th Street	SL Green Realty Corp	758	7501	Site 3- 590 feet north	Two 12. 55 mmBtu/hr dual fuel boilers, plus diesel backup generators. Boilers share one stack and generators share one stack.

[1] *The permit for this facility expired on September 21, 2015, and an Air Facility Registration was issued on October 7, 2015, thereby removing this facility as a large emission source and excluding it from further analysis.*

1385 Broadway

1385 Broadway is a commercial building located directly southeast of site 1, and approximately 575 feet from development site 4. According to the State Facility Permit, the facility operates combustion installation consisting of two boilers and three exempt hot-water heaters with heat intensity rates below 1 mmBtu/hr. The two boilers include a Supreme D6-350-5 boiler rated at 14.7 mmBtu/hr and Rockmills MP-350 boiler rated at 13.482 mmBtu/hr capable of firing #2 fuel oil or natural gas. Flue gases from all five sources (2 boilers + 3 water heaters) vent via a common stack. The State Air facility permit limits nitrogen oxides (NO_x) emissions to 24.9 tons per year. The analysis is based on assumption of natural gas for the assessment of NO_2 impacts, and No. 2 fuel oil for the remaining pollutants.

The results show that the maximum predicted total concentration for each pollutant analyzed is well below the NAAQS; similarly, the maximum predicted increment for both annual and 24-hour $PM_{2.5}$ are well below the applicable *de minimis* criteria, as shown in **Table G-9**. Maximum concentrations would occur with downwash at Site 1. Given the large height difference between the 1385 Broadway stack height (316 feet) and Site 1 (188 feet), a no downwash analysis not applicable.

Table G-9: 1385 Broadway Maximum Predicted Concentrations at Site 1

Pollutant	Averaging Period	Units	Maximum Predicted Increment	Background Concentration	Maximum Predicted Total Concentration	*De Minimis* Criteria[1]	NAAQS
SO_2	1-hour	$\mu g/m^3$	0.46	28.1	28.6	-	196
PM_{10}	24-hour	$\mu g/m^3$	0.87	37.0	37.9	-	150
$PM_{2.5}$	Annual	$\mu g/m^3$	0.03	11.0	-	0.3	12
	24-hr	$\mu g/m^3$	0.19	25.6	-	4.7	35
NO_2	Annual	$\mu g/m^3$	1.23	39.5	40.7	-	100
	1-hr		23.17	121.0	144.2	-	188

Notes: $PM_{2.5}$ concentration increments are compared to the de minimis criteria. Increments of all other pollutants are compared with the NAAQS to evaluate the magnitude of the increments. Comparison to the NAAQS is based on total concentrations.
[1] $PM_{2.5}$ de minimis criteria are defined as: (a) 24-hour average not to exceed more than half the difference between the background concentration and the 24-hour NAAQS; and (b) annual average not to exceed more than 0.3 $\mu g/m^3$ at discrete receptor locations.

620 8th Avenue

620 8th Avenue, also known as the New York Times Building, is an office building located approximately 150 feet northeast of development site 5. The facility operates combustion installation consisting of two natural gas engine powered electric generators and two diesel powered electric generators. The two natural gas boilers are Caterpillar 3516 SITA natural gas engines rated 1,053 bhp (35.25 MMBtu) each. Each natural gas boiler is equipped with a non-selective catalytic converter for emission control and a vapor phase unit for heat recovery from unit exhaust gas. The diesel powered electrical generators consist of one Caterpillar 3512 BDITA diesel engine rated 2,168 bhp (72.57 MMbtu), and one Caterpillar 3516 CDITA diesel engine rated 2,938 bhp (98.34 MMBtu). Emissions from all four sources exhaust through individual stacks, three stacks at a height of 119 feet on a podium level and one at a height of 760 feet. The height of the site 5 building is 240 feet. The State Air facility permit limits nitrogen oxides (NO_x) emissions to 22.5 tons per year. The analysis results show the NAAQS and de minimis criteria would not be exceeded at site 5.

Table G-10: 620 8th Avenue Maximum Predicted Concentrations at Site 5

Pollutant	Averaging Period	Units	Maximum Predicted Increment	Background Concentration	Maximum Predicted Total Concentration	*De Minimis* Criteria[1]	NAAQS
SO_2	1-hour	$\mu g/m^3$	10.6	28.1	38.7	-	196
PM_{10}	24-hour	$\mu g/m^3$	2.7	37.0	39.7	-	150
$PM_{2.5}$	Annual	$\mu g/m^3$	0.09	11.0	-	0.3	12
	24-hr	$\mu g/m^3$	2.7	25.6	-	4.7	35
NO_2	Annual	$\mu g/m^3$	-	39.5	44.21	-	100
	1-hr		-	121.0	175.8	-	188

Notes: $PM_{2.5}$ concentration increments are compared to the de minimis criteria. Increments of all other pollutants are compared with the NAAQS to evaluate the magnitude of the increments. Comparison to the NAAQS is based on total concentrations.
[1] $PM_{2.5}$ de minimis criteria are defined as: (a) 24-hour average not to exceed more than half the difference between the background concentration and the 24-hour NAAQS; and (b) annual average not to exceed more than 0.3 $\mu g/m^3$ at discrete receptor locations.

242 W. 34th Street

One Penn Plaza operates three 2 mw natural gas generators under a State Facility Permit. One Penn Plaza is approximately 460 feet south of Site 4. The facility has three stacks at height of 224 feet. The height of the site 4 building is 286 feet. The facility total NO_x emissions are capped at 24.9 tons per year. Since no fuel oil is combusted at the facility, the impact analysis is focused on NO_2. As shown in **Table G-11**, NO_2 NAAQS would not be exceeded at the closest development site (Site 4).

Table G-11: 242 W. 34th Street (One Penn Plaza) Maximum Predicted Concentrations at Site 4

Pollutant	Averaging Period	Units	Background Concentration	Maximum Predicted Total Concentration	*De Minimis* Criteria[1]	NAAQS
NO_2	Annual	$\mu g/m^3$	39.5	85.4	-	100
	1-hr		121.0	126.7	-	188

333 W. 34th Street

While this property is not listed on NYSDEC's current registration list, a copy of a NYSDEC Air State Facility permit, effective July 14, 2005, was located on NYSDEC's website.[5] In response to a Freedom of Information Law (FOIL) request, NYSDEC confirmed that the Air State Facility permit for this Facility expired on September 21, 2015, and an Air Facility Registration was issued on October 7, 2015. Air Facility Registrations are applicable to facilities that emit at a low level, or at less than 50% of the "major source" thresholds as defined by 6 CRR-NY 201-4.1, and are not considered "large or major" as defined in the *CEQR Technical Manual*. Therefore this facility was excluded from detailed analysis.

[5] http://www.dec.ny.gov/dardata/boss/afs/permits/262050161700001.pdf

ATTACHMENT H:
NOISE

Garment Center Text Amendment EAS
Attachment H: Noise

A. INTRODUCTION

This attachment assesses the potential for the proposed action and resultant reasonable worst-case development scenario (RWCDS) to result in significant adverse noise impacts. The analysis determines whether the proposed action would result in increases in noise levels that could have a significant adverse impact on nearby sensitive receptors and also considers the effect of noise exposure at the RWCDS projected and potential development sites in the future with the proposed action.

As discussed in Attachment B, "Supplemental Screening," the proposed action may introduce new sensitive noise receptors in the Special Garment Center District (SGCD) ("Study Area"), which is an area that contains existing high ambient noise levels due to adjacent highly-trafficked thoroughfares and nearby industrial uses. As local vehicular traffic and activities associated with industrial uses are a major source of ambient noise in the area, the proposed action could lead to changes in the ambient noise levels, or may put new sensitive noise receptors at risk of adverse noise levels. According to the 2014 *City Environmental Quality Review* (CEQR) *Technical Manual*, if existing noise passenger car equivalent (PCE) values are increased by 100 percent or more due to a proposed action (which is equivalent to an increase of 3.0 dBA or more) a detailed analysis is generally warranted. Conversely, if existing noise PCE values are not increased by 100 percent or more it is likely that the proposed action would not cause a significant adverse vehicular noise impact, and therefore no further vehicular noise analysis is needed.

The noise analysis for the proposed action was carried out in compliance with *CEQR Technical Manual* guidance and consists of two parts:

- (1) A screening analysis to determine whether traffic generated by the proposed action would have the potential to result in significant adverse noise impacts on existing sensitive receptors;

- (2) An analysis to determine the level of building attenuation necessary to ensure that interior noise levels of the projected/potential development sites satisfy applicable interior noise criteria. This attachment does not include an analysis of mechanical equipment because such mechanical equipment would be designed to meet all applicable noise regulations and, therefore, would not result in adverse noise impacts.

B. PRINCIPAL CONCLUSIONS

Given that existing and No-Action traffic conditions in the vicinity of the Study Area reflect heavy traffic, it is not expected that project-generated traffic would result in a significant increase in the number of noise PCEs along any given route or at any sensitive receptor (i.e., existing noise PCEs are not expected to increase by 100 percent or more due to the Proposed Project). As such, the noise screening analysis concludes that the proposed action would not generate sufficient vehicular traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of noise PCEs which would be necessary to cause a 3.0 dBA increase in noise levels).

The building attenuation analysis concludes that in order to meet *CEQR* interior noise level requirements, up to 35 dBA of building attenuation would be required for the projected/potential development sites in order to maintain an interior noise level of 45 dBA or lower for residential/community facility uses, and 50 dBA or lower for commercial/office uses. The requirement for these levels of façade attenuation as well as the requirement for an alternate means of ventilation will be included in an (E) designation (E-486) for all affected privately-held projected and potential development sites. With implementation of the attenuation levels outlined in this attachment, the proposed project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidance of 45 dBA L_{10} for residential/community facility uses and 50 dBA L_{10} for commercial and office uses. Therefore, the proposed project would not result in any significant adverse noise impacts.

C. NOISE FUNDAMENTALS

Quantitative information on the effects of airborne noise on people is well documented. If sufficiently loud, noise may adversely affect people in several ways. For example, noise may interfere with human activities such as sleep, speech communication, and tasks requiring concentration or coordination. It may also cause annoyance, hearing damage, and other physiological problems. Although it is possible to study these effects on people on an average or statistical basis, it must be remembered that all the stated effects of noise on people vary greatly with the individual. Several noise scales and rating methods are used to quantify the effects of noise on people. These scales and methods consider factors such as loudness, duration, time of occurrence, and changes in noise level with time.

"A"-Weighted Sound Level (dBA)

In order to establish a uniform noise measurement that simulates people's perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or "dBA," and it is the descriptor of noise levels most often used for community noise. As shown in **Table H-1**, the threshold of human hearing is defined as 0 dBA; very quiet conditions (as in a library, for example) are approximately 40 dBA; levels between 50 dBA and 70 dBA define the range of noise levels generated by normal daily activity; levels above 70 dBA would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dBA.

TABLE H-1
Common Noise Levels

Sound Source	(dBA)
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80–90
Busy city street, loud shout	80
Busy traffic intersection	70–80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50–60
Background noise in an office	50
Suburban areas with medium-density transportation	40–50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0

Note: A ten dBA increase in level appears to double the loudness, and a ten dBA decrease halves the apparent loudness.
Sources: Cowan, James P. *Handbook of Environmental Acoustics*, Van Nostrand Reinhold, New York, 1994. Egan, M. David, Architectural Acoustics. McGraw-Hill Book Company, 1988.

In considering these values, it is important to note that the dBA scale is logarithmic, meaning that each increase of ten dBA describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dBA, is perceived as twice as loud as a library at 40 dBA. For most people to perceive an increase in noise, it must be at least three dBA. At five dBA, the change will be readily noticeable.

Noise Descriptors Used In Impact Assessment

Because the sound pressure level unit, dBA, describes a noise level at just one moment, and very few noises are constant, other ways of describing noise over extended periods have been developed. One way of describing fluctuating sound is to describe the fluctuating noise heard over a specific time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the "equivalent sound level", L_{eq}, can be computed. L_{eq} is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by $L_{eq(1)}$, or 24 hours, denoted as $L_{eq(24)}$), conveys the same sound-energy as the actual time-varying sound. Statistical sound level descriptors such as L_1, L_{10}, L_{50}, L_{90}, and L_x, are sometimes used to indicate noise levels that are exceeded 1, 10, 50, and 90 percent of the time, respectively. Discrete event peak levels are given as L_1 levels. L_{eq} is used in the prediction of future noise levels, by adding the contributions from new sources of noise (i.e., increases in traffic volumes) to the existing levels and in relating annoyance to increases in noise levels.

For the purposes of this analysis, the maximum 1-hour equivalent sound level ($L_{eq(1)}$) has been selected as the noise descriptor to be used in the noise impact evaluation. $L_{eq(1)}$ is the noise descriptor used in the *CEQR Technical Manual for* noise impact evaluation, and is used to provide an indication of highest expected sound levels. $L_{10(1)}$ is the noise descriptor used in the *CEQR Technical Manual* for building attenuation. Hourly statistical noise levels (particularly L_{10} and L_{eq} levels) were used to characterize the relevant noise sources and their relative importance at each receptor location.

Applicable Noise Codes and Impact Criteria

New York 2014 CEQR Technical Manual Noise Standards

The New York City Department of Environmental Protection (DEP) has set external noise exposure standards. These standards are shown in **Table H-2**. Noise Exposure is classified into four categories: acceptable, marginally acceptable, marginally unacceptable, and clearly unacceptable. The standards are based on maintaining an interior noise level for the worst-case hour L_{10} of less than or equal to 45 dBA. Attenuation requirements are shown on the following page in **Table H-3**.

Table H-2
Noise Exposure Guidelines for Use in City Environmental Impact Review

Receptor Type	Time Period	Acceptable General External Exposure	Airport[3] Exposure	Marginally Acceptable General External Exposure	Airport[3] Exposure	Marginally Unacceptable General External Exposure	Airport[3] Exposure	Clearly Unacceptable General External Exposure	Airport[3] Exposure
1. Outdoor area requiring serenity and quiet[2]		$L_{10} \leq 55$ dBA	---------- Ldn ≤ 60 dBA ----------		---------- 60 < Ldn ≤ 65 dBA ----------		(1) 65 < Ldn ≤ 70 dBA, (II) 70 ≤ Ldn		---------- Ldn ≤ 75 dBA ----------
2. Hospital, Nursing Home		$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 65 dBA		65 < L_{10} ≤ 80 dBA		L_{10} > 80 dBA	
3. Residence, residential hotel or motel	7 AM to 10 PM	$L_{10} \leq 65$ dBA		65 < L_{10} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		L_{10} > 80 dBA	
	10 PM to 7 AM	$L_{10} \leq 55$ dBA		55 < L_{10} ≤ 70 dBA		70 < L_{10} ≤ 80 dBA		L_{10} > 80 dBA	
4. School, museum, library, court, house of worship, transient hotel or motel, public meeting room, auditorium, out-patient public health facility		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
5. Commercial or office		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)		Same as Residential Day (7 AM-10 PM)	
6. Industrial, public areas only[4]	Note 4	Note 4		Note 4		Note 4		Note 4	

Source: New York City Department of Environmental Protection (adopted policy 1983).

Notes:

(i) In addition, any new activity would not increase the ambient noise level by 3 dBA or more;

[1] Measurements and projections of noise exposures are to be made at appropriate heights above site boundaries as given by American National Standards Institute (ANSI) Standards; all values are for the worst hour in the time period.

[2] Tracts of land where serenity and quiet are extraordinarily important and serve an important public need and where the preservation of these qualities is essential for the area to serve its intended purpose. Such areas could include amphitheaters, particular parks or portions of parks or open spaces dedicated or recognized by appropriate local officials for activities requiring special qualities of serenity and quiet. Examples are grounds for ambulatory hospital patients and patients and residents of sanitariums and old-age homes.

[3] One may use the FAA-approved L_{dn} contours supplied by the Port Authority, or the noise contours may be computed from the federally approved INM Computer Model using flight data supplied by the Port Authority of New York and New Jersey.

[4] External Noise Exposure standards for industrial areas of sounds produced by industrial operations other than operating motor vehicles or other transportation facilities are spelled out in the New York City Zoning Resolution, Sections 42-20 and 42-21. The referenced standards apply to M1, M2, and M3 manufacturing districts and to adjoining residence districts (performance standards are octave band standards).

Table H-3
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise level with proposed development	$70<L_{10}\leq73$	$73<L_{10}\leq76$	$76<L_{10}\leq78$	$78<L_{10}\leq80$	$80<L_{10}$
Attenuation	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^B$ dB(A)

Note: [A] The above composite window-wall attenuation values are for residential dwellings. Commercial office spaces and meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.
Source: New York City Department of Environmental Protection / 2014 *CEQR Technical Manual*

D. NOISE PREDICTION METHODOLOGY

Proportional Modeling

Proportional modeling was used to determine No-Action and With-Action noise levels at the receptor locations, which are discussed in more detail below. Proportional modeling is one of the techniques recommended in the *CEQR Technical Manual* for mobile source analysis. Using this technique, the prediction of future noise levels, where traffic is the dominant noise source, is based on a calculation using measured Existing noise levels and predicted changes in traffic volumes to determine No-Action and With-Action noise levels. Vehicular traffic volumes, which are counted during the noise recording, are converted into PCE values, for which one medium-duty truck (having a gross weight between 9,900 and 26,400 pounds) is assumed to generate the noise equivalent of 13 cars, and one heavy-duty truck (having a gross weight of more than 26,400 pounds) is assumed to generate the noise equivalent of 47 cars, and one bus (vehicles designed to carry more than nine passengers) is assumed to generate the noise equivalent of 18 cars. Future noise levels are calculated using the following equation:

FNA NL =10 log (NA PCE/E PCE) + E NL
where:
FNA NL = Future No-Action Noise Level
NA PCE = No-Action PCEs
E PCE = Existing PCEs
E NL = Existing Noise Level

Sound levels are measured in decibels and therefore increase logarithmically with sound source strength. In this case, the sound source is traffic volumes measured in PCEs. For example, assume that traffic is the dominant noise source at a particular location. If the existing traffic volume on a street is 100 PCE and if the future traffic volume were increased by 50 PCE to a total of 150 PCE, the noise level would increase by 1.8 dBA. Similarly, if the future traffic were to increase by 100 PCE, or doubled to a total of 200 PCE, the noise level would increase by 3.0 dBA.

Analyses for the RWCDS proposed action were conducted for three typical time periods: the weekday AM peak hour (8 AM to 9 AM), the weekday midday peak hour (12 PM to 1 PM), and the weekday PM peak hour (5 PM to 6 PM). These time periods are the hours when the maximum traffic generation is expected and, therefore, the hours when future conditions with the proposed action are most likely to result in maximum noise impacts for the receptor locations.

To calculate the 2027 No-Action PCE values at the Study Area, an annual background growth rate of 0.25 percent for years 1 through 5, plus a growth rate of 0.125 percent for year 6 and beyond was applied to the

counted PCE values.[1] As discussed in Attachment B, "Supplemental Screening," a trip generation was prepared based on the number of incremental dwelling units (136 DUs), incremental office space (177,750 gsf), incremental hotel rooms (-741), and incremental local retail space (29,624 gsf) generated by the 2027 With-Action development, utilizing existing modal split data for the census tract within which the Study Area is located.[2] The total incremental vehicles generated per hour were estimated to be less than the future No-Action projections during all peak hours. For conservative purposes, however, it was assumed that 2027 With-Action trip estimates would reflect the No-Action trip estimates for further noise analyses, and as such, no change in trip generations are expected between the No-Action condition and the With-Action condition along each projected and potential development site's adjacent thoroughfare: 7th Avenue, W**.** 36th Street, W**.** 37th Street, W**.** 38th Street, and W**.** 39th Street.

Building Attenuation Analysis Procedure

In general, the following procedure was used in performing the *CEQR Technical Manual* building attenuation analysis:

- Noise-sensitive receptor locations that have the greatest potential for being adversely affected by action-generated noise in the 2027 analysis year and the location of dominant sources of ambient noise were identified;
- Noise receptor locations were selected based on the following criteria: (1) locations where the highest noise levels are likely to occur based upon the consideration of existing land use patterns (e.g., locations near major commercial roadways, industrial uses, or stationary sources, etc.); and (2) along future street frontages of the projected and potential development sites[3];
- Existing noise levels were determined through field measurements of ambient noise adjacent to each projected and potential development site;
- Future (2027) noise levels without the proposed action were predicted using the PCE-based proportionality equation per *CEQR Technical Manual* guidance for all locations where local traffic is the dominant source of noise;
- Future (2027) noise levels with the proposed action were predicted using the PCE-based proportionality equation per *CEQR Technical Manual* guidance based on the projected development's trip generation estimates;
- Future (2027) noise levels with the proposed action were compared with future noise levels without the proposed action to determine, by applying *CEQR Technical Manual* impact criteria, whether the proposed action have the potential to result in a significant adverse impact;
- Noise levels were determined at exterior building façades at the projected and potential development sites;
- In compliance with *CEQR* requirements to determine an acceptable interior space noise environment, façade-based composite window/wall attenuation specifications for the projected and potential development sites were estimated based on future projected maximum exterior noise exposure within the Study Area; *CEQR* requirements are based on the maximum L_{10} values.

[1] Calculation according to Table 16-4 in the *CEQR Technical Manual.*

[2] Based on T128. Means of Transportation to Work, Queens Census Tract 85, 2011-15 Five Year ACS.

[3] A noise receptor location was not included for Projected Development Site 2 as the site is anticipated to be developed as a hotel use in the future under the With-Action conditions; under the With-Action conditions, Projected Development Site 2 would be required to apply for a special permit, and because this action would require its own *CEQR* review, no further detailed noise analyses for Projected Development Site 2 is warranted at this time. However, for conservative purposes, a detailed noise analysis of Projected Development Site 2 has been included in Attachment I, "Conceptual Analysis."

E. EXISTING NOISE LEVELS

According to the RWCDS, the projected and potential development sites are expected to be redeveloped under both the No-Action conditions and the With-Action conditions; all other sites located within the Study Area are not expected to be redeveloped.

- Projected Development Site 1 is located on the southeast corner of W. 38th Street and 7th Avenue (Block 813, Lot 64), with approximately 200 feet of frontage along W. 38th Street to the north and approximately 99 feet of frontage along 7th Avenue to the west (refer to **Figure H-1**). The approximately 19,750 sf lot contains a 4-story, 102,835 gsf parking garage.

- Projected Development Site 2 is located on the midblock of W. 38th Street's northern frontage between 7th and 8th Avenues (Block 788, Lot 26), with approximately 195 feet of frontage.4 The approximately 19,297 sf lot contains a 2-story, 48,023 gsf Post Office.

- Projected Development Sites 3a and 3b, which are adjacent to each other and expected to be developed as one, new development, are located on W. 37th Street between 8th and 9th Avenues. Projected Development Site 3a (Block 761, Lot 7) has approximately 50 feet of frontage along W. 37th Street's northern frontage. The 4,937 sf lot contains a 6-story, 26,350 gsf wholesale distributor. Projected Development Site 3b (Block 761, Lot 5) also has approximately 50 feet of frontage along W. 37th Street's northern frontage. The 4,397 sf lot is undeveloped and is utilized as a Poland Spring wholesale distributor.

- Potential Development Site 4 is located on the midblock of W. 36th Street's southern frontage between 7th and 8th Avenues (Block 785, Lot 49), with approximately 343 feet of frontage. The approximately 33,904 sf lot contains a 12-story building that is currently owned and operated by Verizon.

- Potential Development Site 5 is located on W. 39th Street between 8th and 9th Avenues (Block 762, Lot 46), with approximately 50 feet of frontage. The approximately 4,937 sf lot contains a 6-story, 27,473 gsf parking garage.

Selection of Noise Receptor Locations

As discussed above, traffic along 7th Avenue, W. 36th Street, W. 37th Street, W. 38th Street, and W. 39th Street is the dominant source of noise in the vicinity of the SGCD. Therefore, the noise receptor locations were selected based upon the assumption that the future developments within the Study Area would be built to their respective lot lines. The receptor locations are shown in **Figure H-1** and described below:

Receptor Location 1 – Future northern frontage of Projected Development Site 1 (W. 38th Street); approximate midpoint of frontage (approximately 100 feet east of 7th Avenue).

Receptor Location 2 – Future western frontage of Projected Development Site 1 (7th Avenue); approximate midpoint of frontage (approximately 50 feet south of W. 38th Street).

Receptor Location 3 – Future southern frontage of Projected Development Sites 3a and 3b (W. 37th Street); approximate midpoint of frontage (approximately 150 feet east of 9th Avenue).

[4] As noted above, Projected Development Site 2 is anticipated to be developed as a hotel use; under the With-Action conditions, this projected development would be required to apply for a special permit, and because this action would require its own *CEQR* review, no further detailed noise analyses for Projected Development Site 2 is warranted at this time. A detailed noise analysis of Projected Development Site 2 can be found in Attachment I, "Conceptual Analysis."

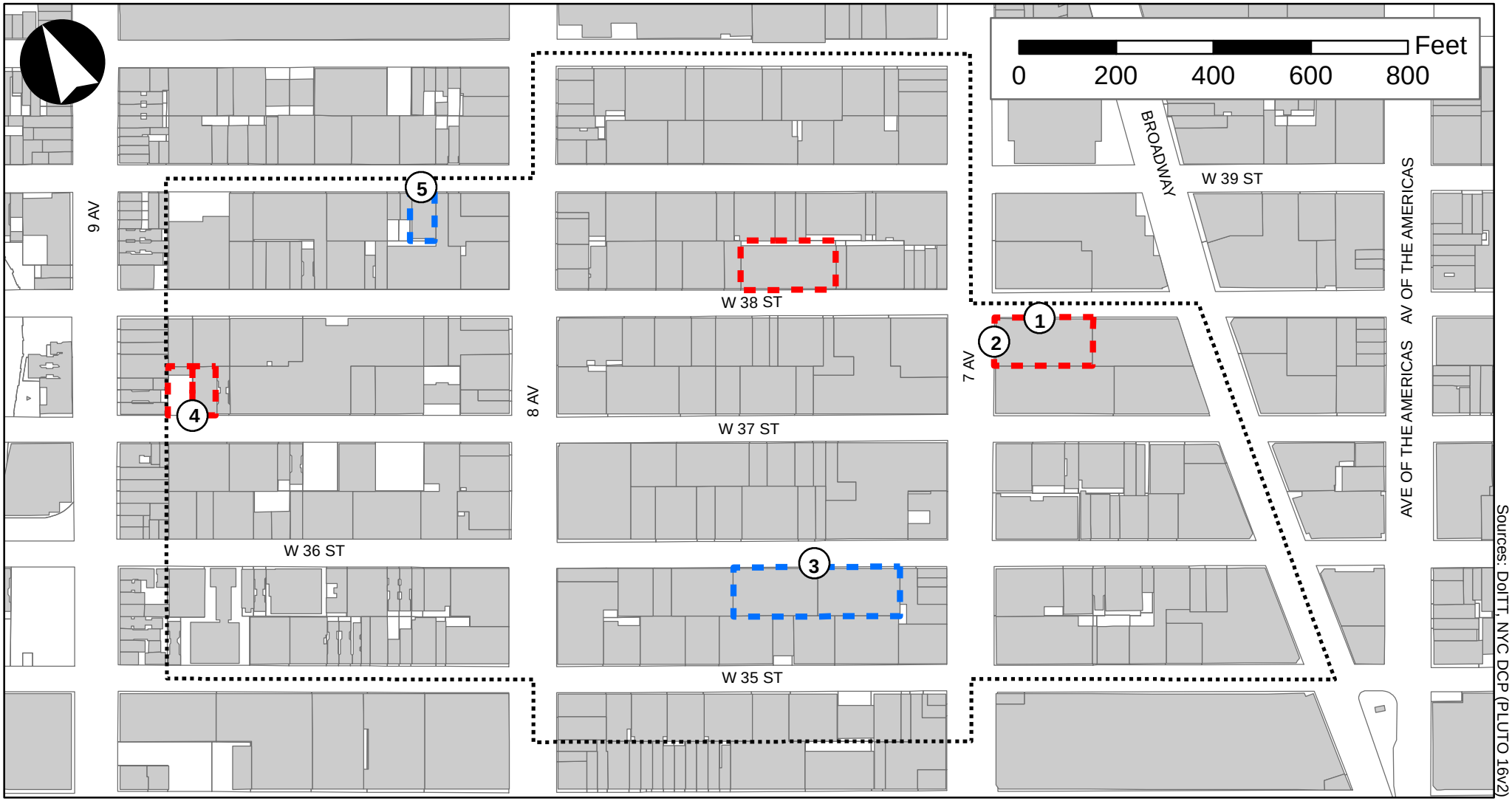


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Figure H-1
Noise Monitoring Locations

Receptor Location 4 – Future northern frontage of Potential Development Site 4 (W. 36th Street); approximate midpoint of frontage (approximately 267 feet west of 7th Avenue).

Receptor Location 5 – Future northern frontage of Potential Development Site 5 (W. 39th Street); approximate midpoint of frontage (approximately 175 feet west of 8th Avenue).

Noise Monitoring

As mentioned above, existing noise levels in the Study Area were measured at five locations along 7th Avenue, W. 36th Street, W. 37th Street, W. 38th Street, and W. 39th Street. These locations are described in **Table H-4** and shown in **Figure H-1.**

TABLE H-4
Receptor Locations

Receptor[1]	Receptor Frontages	Receptor Location
1	W. 38th Street (near 7th Avenue)	Approximately 100 feet east of 7th Ave along Projected Development Site 1's W. 38th St frontage.
2	7th Avenue (near W. 38th Street)	Approximately 50 feet south of W. 38th St along Projected Development Site 1's 7th Ave frontage.
3	W. 36th Street (midblock)	Approximately 267 feet west of 7th Ave along Potential Development Site 4's W. 37th Street frontage.
4	W. 37th Street (near 9th Avenue)	Approximately 150 feet east of 9th Ave along Projected Development Site 3a & 3b's W. 37th Street frontage.
5	W. 39th Street (midblock)	Approximately 175 feet west of 8th Ave along Potential Development Site 5's W. 39th Street frontage.

Notes:
[1] Receptor locations shown in **Figure H-1**.

At all receptor locations, 20-minute spot noise measurements were performed during the weekday AM (8:00 – 9:00 AM), midday (12:00 – 1:00 PM), and PM (5:00 – 6:00 PM) peak periods. The noise monitoring occurred on Wednesday, April 19, 2017, and Thursday, April 20, 2017; the weather was partly cloudy with an average temperature of 50°F and wind speed averages of 6 miles per hour on April 19, 2017, and the weather was partly cloudy with an average temperature of 58°F and wind speed average of 4 miles per hour on April 20, 2017. Additionally, vehicle classification counts were conducted during the 20-minute measurements, which were used in the proportional modeling analysis.

Equipment Used During Noise Monitoring

Measurements were performed using Brüel & Kjær Sound Level Meters (SLM) Types 2260, 2250 and 2270, Brüel & Kjær ½-inch microphones Type 4189, and Brüel & Kjær Sound Level Calibrators Type 4231. The Brüel & Kjær SLMs are Type 1 instruments according to ANSI Standard S1.4-1983 (R2006). The SLMs had a laboratory calibration date within the past year at the time of use, as is standard practice. The microphones were mounted at a height of approximately five feet above the ground surface on a tripod and approximately six feet or more away from any large sound-reflecting surface to avoid major interference with sound propagation. The SLMs were calibrated before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. The data were digitally recorded by the SLMs and displayed at the end of the measurement period in units of dBA. Measured quantities included the L_{eq}, L_1, L_{10}, L_{50}, L_{90}, and 1/3 octave band data. A windscreen was used during all sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

Existing Noise Levels At Noise Receptor Locations

Measured Noise Levels

The results of the measurements of existing noise levels are summarized in **Table H-5**. As shown in the table, the projected and potential development sites are located in an area with relatively high ambient noise levels. Noise levels generally reflect the level of vehicle activity present on adjacent roadways; therefore, the relatively high noise levels in the vicinity of the projected and potential development sites are a reflection of the relatively high traffic along 7th Avenue, W. 36th Street, W. 37th Street, W. 38th Street, and W. 39th Street.

TABLE H-5
Existing Noise Levels (dBA)

Receptor[1]	Measurement Location	Time	L_{eq}	L_1	L_{10}[2]	L_{50}	L_{90}	CEQR Noise Exposure Category[3]
1	W. 38th Street (Projected Development Site 1)	AM	75.37	84.42	**75.86**	73.03	72.04	Marginally Unacceptable (II)
		MD	72.39	82.40	73.83	69.74	68.54	
		PM	70.89	78.50	72.92	69.59	66.44	
2	7th Avenue (Projected Development Site 1)	AM	71.82	79.26	74.12	69.81	67.10	Marginally Unacceptable (II)
		MD	71.91	79.51	**74.27**	70.16	67.67	
		PM	72.00	77.01	73.89	70.12	67.91	
3	W. 36th Street (Potential Development Site 4)	AM	77.33	88.31	**77.82**	71.60	66.17	Marginally Unacceptable (III)
		MD	69.53	77.04	72.23	67.66	65.55	
		PM	71.79	80.14	74.55	69.43	65.59	
4	W. 37th Street (Projected Sites 3a & 3b)	AM	74.59	84.70	77.67	70.40	66.66	Marginally Unacceptable (IV)
		MD	77.08	87.16	**79.31**	71.56	67.08	
		PM	68.35	75.36	69.93	66.42	64.71	
5	W. 39th Street (Potential Development Site 5)	AM	68.33	76.91	70.44	65.94	63.99	Marginally Unacceptable (I)
		MD	69.61	77.58	69.72	65.54	63.23	
		PM	69.91	78.61	**71.77**	67.27	64.21	

Notes:
[1] Receptor locations shown in **Figure H-1**.
[2] The highest measured noise level at each receptor is indicated in **bold.**
[3] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels.

As shown in **Table H-5**, the results of the monitoring indicated that noise levels are generally highest during the weekday AM and PM peak periods. The highest L_{10} noise levels were observed at Receptor Location 4, measuring 79.31 dBA in the weekday midday peak period.

Existing L_{10} noise levels at Receptor Location 1 ranged from 72.92 dBA to 75.86 dBA, placing it in the Marginally Unacceptable (II) *CEQR* Noise Exposure category. Existing L_{10} noise levels at Receptor Location 2 ranged from 73.89 dBA to 74.27 dBA, also placing it in the Marginally Unacceptable (II) *CEQR* Noise Exposure category. Existing L_{10} noise levels at Receptor Location 3 ranged from 72.23 dBA to 77.82 dBA, placing it in the Marginally Unacceptable (III) *CEQR* Noise Exposure category. Existing L_{10} noise levels at Receptor Location 4 ranged from 69.93 dBA to 79.31 dBA, representing the greatest range of L_{10} noise levels and also placing it in the Marginally Unacceptable (IV) *CEQR* Noise Exposure category. Existing L_{10} noise levels at Receptor Location 5 were the lowest recorded L_{10} noise levels, ranging from 69.72 dBA to 71.77 dBA, placing it in the Marginally Unacceptable (I) *CEQR* Noise Exposure category.

F. THE FUTURE WITHOUT THE PROPOSED PROJECT (NO-ACTION CONDITION)

Mobile Source Noise Screening Analysis

As outlined in Attachment A, "Project Description," in absence of the proposed action, it is expected that all five projected and potential development sites would be redeveloped as hotel uses, with a total of approximately 2,291 hotel rooms within approximately 916,214 gsf of hotel space. In the 2027 future without the proposed action (the No-Action condition), traffic patterns and volumes are expected to differ slightly from their existing conditions. As vehicle noise emissions on adjacent roadways are the dominant source of noise at Receptor Locations 1, 2, 3, 4, and 5, the change in traffic patterns is expected to affect the levels of ambient noise at those locations. Pursuant to *CEQR* guidance, future No-Action traffic volumes were estimated by applying an annual background growth rate to the vehicle volumes counted during monitoring. Per Table 16-4 of the *CEQR Technical Manual,* a 0.25 percent annual background growth rate for Manhattan was applied to years 1-5, with an additional growth rate of 0.125 percent applied annually for anything over 5 years. Using the noise prediction methodology described in Section D above, future noise levels in the No-Action condition were calculated for the three analysis periods for the 2027 Build Year. **Table H-6** shows the measured Existing noise levels and calculated future No-Action condition noise levels at the receptor locations.

TABLE H-6
2027 No-Action Condition Noise Levels (dBA)

Receptor[1]	Measurement Location	Time	Existing		No-Action			CEQR Noise Exposure Category[4]
			L_{eq}	L_{10}	L_{eq}	L_{10}[2]	Existing to No-Action Change[3]	
1	W. 38 Street (Projected Development Site 1)	AM	75.37	75.86	75.45	**75.94**	0.08	Marginally Unacceptable (II)
		MD	72.39	73.83	72.47	73.91	0.08	
		PM	70.89	72.92	70.97	73.00	0.08	
2	7th Avenue (Projected Development Site 1)	AM	71.82	74.12	71.90	74.20	0.08	Marginally Unacceptable (II)
		MD	71.91	74.27	71.99	**74.35**	0.08	
		PM	72.00	73.89	72.08	73.97	0.08	
3	W. 36 Street (Potential Development Site 4)	AM	77.33	77.82	77.41	**77.90**	0.08	Marginally Unacceptable (III)
		MD	69.53	72.23	69.61	72.31	0.08	
		PM	71.79	74.55	71.87	74.63	0.08	
4	W. 37 Street (Projected Development Sites 3a &3b)	AM	74.59	77.67	74.67	77.75	0.08	Marginally Unacceptable (IV)
		MD	77.08	79.31	77.16	**79.39**	0.08	
		PM	68.35	69.93	68.43	70.01	0.08	
5	W. 39 Street (Potential Development Site 5)	AM	68.33	70.44	68.41	70.52	0.08	Marginally Unacceptable (I)
		MD	69.61	69.72	69.69	69.80	0.08	
		PM	69.91	71.77	69.99	**71.85**	0.08	

[1] Receptor locations shown in **Figure H-1**.
[2] The highest No-Action L_{10} noise level at each receptor is indicated in **bold.**
[3] No-Action L_{eq} - Existing L_{eq}.
[4] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels.

Comparing future No-Action noise levels with Existing noise levels, the increases in L_{eq} noise levels would be minimal, where all analysis periods would experience an increase of 0.08 dBA from Existing to future No-Action noise levels. According to *CEQR Technical Manual* guidance, increases of less than 3.0 dBA would be barely perceptible. The projected No-Action L_{10} noise levels at Receptor Location 1 would range from 73.0 dBA to 75.94 dBA, projected L_{10} noise levels at Receptor Location 2 would range from 73.97 dBA to 74.35 dBA, projected L_{10} noise levels at Receptor Location 3 would range from 72.31 dBA to 77.90

dBA, projected L_{10} noise levels at Receptor Location 4 would range from 70.01 dBA to 79.39 dBA, and projected L_{10} noise levels at Receptor Location 5 would range from 69.80 dBA to 71.85 dBA. In terms of *CEQR Technical Manual* criteria, as in the Existing condition, No-Action noise levels at Noise Receptor Locations 1 and 2 would remain in the Marginally Unacceptable (II) *CEQR* Noise Exposure category, noise levels at Noise Receptor Location 3 would remain in the Marginally Unacceptable (III) *CEQR* Noise Exposure category, noise levels at Noise Receptor Location 4 would remain in the Marginally Unacceptable (IV) *CEQR* Noise Exposure category, and noise levels at Noise Receptor Location 5 would remain in the Marginally Unacceptable (I) *CEQR* Noise Exposure category

G. THE FUTURE WITH THE PROPOSED PROJECT (WITH-ACTION CONDITION)

As outlined in Attachment A, "Project Description," in the future with the Proposed Action (the With-Action condition), the five projected and potential development sites would be redeveloped by the build year 2027. In the future With-Action condition, Projected Development Site 1 is expected to be redeveloped as a 197,500 gsf commercial building (177,750 gsf office, 19,750 gsf local retail), Projected Development Site 2 is expected to be redeveloped as a 231,564 gsf hotel building (579 hotel rooms), Projected Development Sites 3a and 3b are expected to be redeveloped as a 118,488 gsf mixed-use building (108,614 gsf residential, 9,874 gsf local retail), Potential Development Site 4 could potentially be redeveloped as a 339,040 gsf commercial building (305,136 gsf office, 33,904 gsf local retail), and Potential Development Site 5 could potentially be redeveloped as a 59,244 mixed-use building (54,307 gsf residential, 4,937 local retail).

TABLE H-7
2027 No-Action and With-Action Condition Noise Levels (dBA)

			No-Action		With-Action			
Receptor[1]	**Measurement Location**	**Time**	**L_{eq}**	**L_{10}**	**L_{eq}**	**L_{10}[2]**	**No-Action to With-Action Change[3]**	**CEQR Noise Exposure Category[4]**
1	W. 38 Street (Projected Development Site 1)	AM	75.45	75.94	75.45	**75.94**	0.0	Marginally Unacceptable (II)
		MD	72.47	73.91	72.47	73.91	0.0	
		PM	70.97	73.00	70.97	73.00	0.0	
2	7th Avenue (Projected Development Site 1)	AM	71.90	74.20	71.90	74.20	0.0	Marginally Unacceptable (II)
		MD	71.99	74.35	71.99	**74.35**	0.0	
		PM	72.08	73.97	72.08	73.97	0.0	
3	W. 36 Street (Potential Development Site 4)	AM	77.41	77.90	77.41	**77.90**	0.0	Marginally Unacceptable (III)
		MD	69.61	72.31	69.61	72.31	0.0	
		PM	71.87	74.63	71.87	74.63	0.0	
4	W. 37 Street (Projected Development Sites 3a & 3b)	AM	74.67	77.75	74.67	77.75	0.0	Marginally Unacceptable (IV)
		MD	77.16	79.39	77.16	**79.39**	0.0	
		PM	68.43	70.01	68.43	70.01	0.0	
5	W. 39 Street (Potential Development Site 5)	AM	68.41	70.52	68.41	70.52	0.0	Marginally Unacceptable (I)
		MD	69.69	69.80	69.69	69.80	0.0	
		PM	69.99	71.85	69.99	**71.85**	0.0	

Notes:
[1] Receptor locations shown in **Figure H-1**.
[2] The highest No-Action noise level at each receptor is indicated in **bold.**
[3] With-Action L_{eq} – No-Action L_{eq}.
[4] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels.

Using the proportional modeling methodology previously described, noise levels in the future with the proposed action were predicted, which are presented in **Table H-7**. As presented in the table, in the future with the proposed action, noise levels at the five receptor locations would not change.[5] As in the No-Action condition, With-Action noise levels at Receptor Location 1 would range from 73.0 dBA to 75.94 dBA, projected L_{10} noise levels at Receptor Location 2 would range from 73.97 dBA to 74.35 dBA, projected L_{10} noise levels at Receptor Location 3 would range from 72.31 dBA to 77.90 dBA, projected L_{10} noise levels at Receptor Location 4 would range from 70.01 dBA to 79.39 dBA, and projected L_{10} noise levels at Receptor Location 5 would range from 69.80 dBA to 71.85 dBA.

In terms of *CEQR Technical Manual* criteria, as in the No-Action condition, With-Action noise levels at Noise Receptor Locations 1 and 2 would remain in the Marginally Unacceptable (II) *CEQR* Noise Exposure category, noise levels at Noise Receptor Location 3 would remain in the Marginally Unacceptable (III) *CEQR* Noise Exposure category, noise levels at Noise Receptor Location 4 would remain in the Marginally Unacceptable (IV) *CEQR* Noise Exposure category, and noise levels at Noise Receptor Location 5 would remain in the Marginally Unacceptable (I) *CEQR* Noise Exposure category.

H. BUILDING ATTENUATION REQUIREMENTS

As shown earlier in **Table H-3**, the *CEQR Technical Manual* has set noise attenuation requirements for buildings based on exterior L_{10} noise levels. Recommended noise attenuation values for buildings are designed to maintain a maximum interior noise level of 45 dBA or lower for residential/transient hotel uses and 50 dBA or lower for commercial/office uses, and are determined based on exterior L_{10} noise levels.

As described above and presented in **Table H-7**, the maximum predicted L_{10} noise levels adjacent to Projected Development Site 1 are expected to be 75.94 dBA along the projected development site's W. 38th Street frontage, and 74.35 dBA along the site's 7th Avenue frontage; the maximum predicted L_{10} noise levels adjacent to Projected Development Sites 3a and 3b are expected to be 79.39 dBA along the site's W. 37th Street frontage; the maximum predicted L_{10} noise levels adjacent to Potential Development Site 4 are expected to be 77.90 dBA along the site's W. 36th Street frontage; and the maximum predicted L_{10} noise levels adjacent to Potential Development Site 5 are expected to be 71.85 dBA along the site's W. 39th Street frontage. Composite building attenuation requirements for each façade were calculated based on these maximum With-Action L_{10} noise levels and are presented in **Table H-8**.

As presented in **Table H-8**, to satisfy *CEQR* interior noise level requirements and ensure acceptable interior noise levels, commercial uses along W. 38th Street and 7th Avenue (Projected Development Site 1) must provide 26 dBA of composite attenuation for that street frontage. Along W. 37th Street (Projected Development Sites 3a and 3b), residential/community facility uses must provide 35 dBA composite attenuation for that street frontage. Commercial uses along W. 36th Street (Potential Development Site 4) must provide 28 dBA composite attenuation for that street frontage. Along W. 39th Street (Potential Development Site 5), residential/community facility uses must provide 28 dBA composite attenuation. Attenuation values for commercial and office uses on all facades would be 5 dBA less than the values presented in **Table H-8**, which represent *CEQR* minimum required attenuation requirements for residential/community facility uses.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade is composed of the

[5] As noted in Section D above, the total incremental vehicles generated per hour was estimated to be less than the future No-Action projections during all peak hours; however, for conservative purposes, it was assumed that 2022 With-Action trip estimates would reflect the No-Action trip estimates for further noise analyses, and as such, no change in trip generations are expected between the No-Action condition and the With-Action condition along each projected and potential development site's adjacent thoroughfare.

wall, glazing, and any vents or louvers for HVAC systems. The proposed project would be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating greater than or equal to the attenuation requirements listed in **Table H-8**. The OITC classification is defined by ASTM International (ASTM E1332-10a) and provides a single-number rating that is used for designing a building façade, including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise.

Table H-8
Required Attenuation at the Proposed Project under CEQR Criteria

Projected/ Potential Development Site	Façade	Representative Monitoring Location[1]	Maximum Predicted L_{10} at Ground Level (in dBA)	CEQR Minimum Required Attenuation (in dBA)[2]
1	W. 38th Street	1	75.94	31
	7th Avenue	2	74.35	
3	W. 37th Street	4	79.39	35
4	W. 36th Street	3	77.90	33
5	W. 39th Street	5	71.85	28

Notes:
[1] Monitoring locations shown in **Figure H-1**.
[2] The composite window/wall attenuation values shown are for residential/community facility uses. Attenuation values for commercial and office uses would be 5 dBA less. Attenuation requirements do not apply to lobby, mechanical, or storage spaces.

The noise attenuation specifications for the proposed project would be mandated through the assignment of an (E) designation to the project site. The requirements of the (E) designation (E-486) resulting from the noise analyses would be as follows:

Block 813, Lot 64 (Projected Development Site 1)

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 31 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Block 761, Lots 5, 7 (Projected Development Sites 3)

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 35 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Block 785, Lot 49 (Potential Development Site 4)

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 33 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

Block 762, Lot 46 (Potential Development Site 5)

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed-window condition with a minimum OITC rating of 28 dBA window/wall attenuation. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. The minimum composite building façade attenuation for commercial uses would be 5 dBA less than that for residential/community facility uses.

With implementation of the attenuation levels outlined above and described in **Table H-8**, the proposed project would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for hotel uses and 50 dBA L_{10} for commercial and office uses on the RWCDS projected and potential development sites. Therefore, the proposed project and resultant RWCDS would not result in any significant adverse noise impacts.

ATTACHMENT I:
CONCEPTUAL ANALYSIS

Garment Center Text Amendment EAS
Attachment I: Conceptual Analysis

A. INTRODUCTION

This attachment analyzes the proposed hotel special permit text amendment and considers whether future utilization of the hotel special permit in the Special Garment Center District (SGCD) has the potential for significant adverse impacts. As discussed in Attachment A, "Project Description," this proposed text amendment would establish a special permit to allow new hotel uses in the SGCD, i.e., hotel uses in new buildings or in conversions or enlargements of existing buildings would no longer be allowed as-of-right throughout the special district. The special permit would require that the City Planning Commission review the appropriateness of a site applying for a hotel special permit for commercial or, where permitted, for residential uses before committing one of the special district's last remaining soft sites to hotel use. One development site has been identified as a likely location for a hotel special permit in the foreseeable future. This site, identified as Projected Development Site 2 in Attachment A, is Block 788, Lot 26, a 19,297-sf midblock property located at 223 W. 38th Street, which is currently occupied by a 2-story privately-owned building occupied by a post office. The conceptual analysis provided below is a qualitative assessment of the likely effects of a hotel developed pursuant to a special permit on this site, which is referred to as the "Special Permit Scenario." Detailed analyses of the Special Permit Scenario are not provided herein, given that this or any other application for a special permit in the SGCD would be a discretionary action subject to its environmental review as part of the public review process.

Future hotels that would be allowed under the SGCD hotel special permit, would be subject to the zoning regulations of the underlying M1-6 and C6-4M districts, as modified by the special district regulations. A detailed description of the zoning controls that would be applicable to the SGCD under With-Action conditions are detailed in the "Land Use, Zoning, and Public Policy" section of Attachment B, "Supplemental Screening." In summary, hotels approved by special permit would have a maximum permitted floor area ratio (FAR) of 10.0, which could be increased to 12.0 with a plaza bonus, and would be subject to special bulk regulations currently applicable in the C6-4M portion of the special district and proposed contextual bulk regulations that would be adopted as part of the proposed action in the M1-6 portion of the special district.

As described in Attachment A, the proposed hotel special permit text amendment would be part of the SGCD text in the Zoning Resolution and as such would not apply outside the special district. The proposed action would also include other text amendments to the SGCD text and the projected and potential development, i.e., the reasonable worst-case development scenario (RWCDS) associated with the other elements of the proposed action are identified in Attachment A and assessed in Attachments B through H.

B. PRINCIPAL CONCLUSIONS

Except as modified by the preservation requirements, hotels are currently allowed as-of-right in the SGCD. Under the proposed action, the preservation requirements would be lifted, but with the proposed hotel special permit text amendment, hotels would only be allowed in the SGCD by a special permit. The special permit would require that the City Planning Commission review the appropriateness of a site applying for a hotel special permit for commercial or, where permitted, for residential uses before committing one of the special district's last remaining soft sites to hotel use. One development site has been identified as a likely location for a hotel special permit in the foreseeable future. This site, identified as Projected Development Site 2 in Attachment A, is Block 788, Lot 26, a 19,297-sf midblock property located at 223 W. 38th Street, which is currently occupied by a 2-story privately-owned building occupied by a post office. As this would require a

special permit, it would be subject to its own environmental review. The conceptual analysis examines the likely effects of the hotel special permit, focusing specifically on the projected hotel on Site 2 but also serving as a generic assessment of the effects of a hotel built pursuant to a special permit at any location in the SGCD. This qualitative analysis identifies those CEQR technical areas that may potentially require detailed analysis as part of the future environmental review. That environmental review would provide screening and, as warranted, detailed analyses of the effects on CEQR technical areas at the time of the special permit application in order to make impact determinations.

C. METHODOLOGY AND ANALYSIS FRAMEWORK

This conceptual analysis provides a qualitative assessment of the effects of a hotel developed pursuant to a special permit on Projected Development Site 2 (Block 788, Lot 26). This 19,297-sf site is located on a rectangular-shaped interior lot with 195.42 feet of frontage on W. 38th Street and has a depth of 98.75 feet, extending to the centerline of the block. It is occupied by a 2-story building with a continuous streetwall and which occupies most of the lot. The building houses the Midtown Station Post Office, operated by the US Postal Service (USPS). The building area is approximately 48,023 sf and the estimated built FAR is 2.5. The existing building was constructed for the Post Office Department (predecessor of the USPS) by a private developer and completed in 1921. Site 2, which remains privately-owned, is zoned M1-6 (SGCD) and is located within Preservation Area P1 (refer to Attachments A and B for more information on the Preservation Areas).

RWCDS No-Action Conditions

In the future without the proposed action, it is projected that the existing, approximately 30-foot tall post office on Site 2 would be demolished and replaced by a new 340-foot tall, 231,564-sf hotel building with 579 hotel rooms. Under No-Action conditions, with the existing zoning regulations remaining in effect, hotel (Use Group 5) would continue to be permitted as-of-right. (The No-Action condition is not considered in this conceptual analysis but is described here for informational purposes.)

RWCDS With-Action Conditions

In the future with the proposed action, it is projected that the existing 48,023 sf post office on Site 2 would remain. This represents the baseline against which the effects of a hotel developed pursuant to the proposed hotel special permit would be compared.

Special Permit Scenario

In the future with the proposed action and with a hotel special permit approved for Site 2, referred to as the "Special Permit Scenario," it is projected that the existing post office on Site 2 would be demolished and replaced by a new 310-foot tall, 231,564-sf hotel building with 579 hotel rooms.

Comparison of Special Permit Scenario with RWCDS With-Action Conditions

The incremental change in development on Site 2 between the Special Permit Scenario and the RWCDS With-Action conditions would consist of an increase of 231,564 sf of hotel space with 579 hotel rooms, a decrease of 48,023 sf of post office space, and an incremental height increase of approximately 280 feet. This forms the basis for the conceptual analysis provided below and would be the project increment analyzed in the environmental review for a hotel special permit application for this site.

Table I-1 provides a summary of the RWCDS With-Action conditions, Special Permit Scenario, and the comparison of the two.

Table I-1, Comparison of Special Permit Scenario with RWCDS With-Action Conditions

Site	RWCDS With-Action	Special Permit Scenario	Change
Site 2 Block 788, Lot 26 223 W. 38th St. M1-6 (SGCD)	* 48,023 sf post office * 30 feet tall	* 231,564 sf hotel; 579 hotel rooms * 310 feet tall	* +231,564 sf hotel; +579 hotel rooms * -48,023 sf post office * + 280 feet height increase

The conceptual analysis provided below, is a qualitative assessment of the likely effects of the change in the use of that would occur as a result of an approved hotel special permit for this site. Detailed analyses are not provided herein, as this or any other development that utilizes the hotel special permit text amendment to apply for a special permit, which is a discretionary action subject to its environmental review as part of the public review process. While no other development site is considered likely to be developed with a hotel pursuant to the hotel special permit in the foreseeable future, any site within the SGCD could apply for a hotel special permit. The assessment provided below, while specific to Site 2, also serves as a generic assessment of the effect of a hotel built pursuant to a special permit at any location in the SGCD.

D. CONCEPTUAL ENVIRONMENTAL ASSESSMENT

Land Use, Zoning, and Public Policy

The only new land use introduced under the Special Permit Scenario is hotel, which would not be permitted as-of-right under With-Action conditions.

Under the Special Permit Scenario, Site 2's use would change from an approximately 30-foot tall 48,023-sf post office building with a built FAR of 2.5 to an approximately 310-foot tall, 231,564-sf hotel with 579 hotel rooms with a built FAR of 12.0. The hotel use would be required to comply with all applicable bulk, density, and other zoning regulations that would be in effect under With-Action conditions.

The projected hotel on Site 2 would require a special permit subject to CPC approval under the Uniform Land Use Review Procedure (ULURP), which the City Council could elect to review. In its review of a SGCD hotel special permit, the CPC would be required to determine if the site could be better used for other uses, in order to support a mix of uses in the special district. If the CPC finds that the site could not be better used for office or industrial use allowed by the M1-6 (SGCD) zoning, this would provide the basis for approval of the application.

Such an application, if it is determined to meet the findings, thereby would be presumed to not introduce an incompatible use or conflict with zoning or applicable public policies.

Detailed and site-specific analysis of potential effects of a proposed hotel on land use, zoning and public policy would be made at the time of the special permit application in order to make an impact determination.

Socioeconomic Conditions

As socioeconomic conditions in the SGCD under the Special Permit Scenario overall would be generally similar to those under RWCDS With-Action conditions, the Special Permit Scenario, similar to the proposed action analyzed in Attachment C, "Socioeconomic Conditions," would not be expected to result in direct or indirect residential displacement, indirect business or institutional displacement, or result in significant adverse impacts on any specific industries.

The Special Permit Scenario is projected to result in the direct displacement of the existing post office on Site 2. However, given the nature of USPS operations, the displacement of an operating post office station would

not be expected to result in the direct loss of jobs as the status of employees based at that location would be determined by other factors such as overall USPS staffing levels in the City and demand for postal services. As such, a hotel allowed by special permit on Site 2 would not be expected to exceed the CEQR screening threshold for direct business or institutional displacement, which is the displacement of more than 100 employees. Furthermore, as a tenant in a privately-owned building that is substantially underbuilt relative to permitted density, this post office would be expected to be displaced under No-Action conditions and although this is not projected to occur under With-Action conditions, redevelopment of the site would be permitted as-of-right in compliance with the terms of the post office's lease. The displacement of this post office and the development of a new hotel in its place would not represent enough new economic activity to alter existing economic patterns in the area.

If warranted, detailed and site-specific analysis of potential effects of a proposed hotel on socioeconomic conditions would be made at the time of the special permit application in order to make an impact determination.

Community Facilities and Services

It is projected that under With-Action conditions the existing post office on Site 2 would remain while under the Special Permit Scenario it is projected that the post office would be replaced by a hotel pursuant to a special permit. The 2014 *City Environmental Quality Review* (*CEQR) Technical Manual* does not provide specific guidance on the direct displacement of federal community facilities such as post offices; a determination as to whether a direct effects community facilities analysis would be warranted would be made by the lead agency.

As the Special Permit Scenario assumes the development of a single site with hotel use, it would not meet any thresholds for indirect analysis of community facilities and services.

If warranted, detailed and site-specific analysis of potential effects of a proposed hotel on community facilities would be made at the time of the special permit application in order to make an impact determination.

Open Space

The 579-room hotel projected for Site 2 under the Special Permit Scenario would generate an employee population of approximately 1,546 workers. This would exceed the 750-employee screening threshold for detailed analysis of worker effects on open space applicable to the SGCD and vicinity, which is categorized as neither well-served nor underserved for open space per *CEQR Technical Manual* guidance. (If a new post office is not located in the surrounding area to replace the facility on Site 2 it would be appropriate to account for site employees removed in determining the net change in employment that would occur under the Special Permit Scenario.)

Detailed and site-specific analysis of potential effects of a proposed hotel on open space would be made at the time of the special permit application in order to make an impact determination.

Shadows

The hotel projected for Site 2 under the Special Permit Scenario would be approximately 280 feet taller than the existing building on the site. The hotel would be located in a historic district, an area with the potential for sunlight-sensitive resources such as ornate building details, and therefore the hotel may have the potential to cast additional shadows on sunlight sensitive resources. As such, a Site 2 hotel would exceed screening thresholds for shadows.

A detailed and site-specific analysis of potential shadows effects of a proposed hotel on sunlight sensitive resources would be made at the time of the special permit application in order to make an impact determination.

A preliminary analysis found that a new 310-foot building located on Site 2 could potentially result in incremental shadow coverage on the Candler Building, the New Amsterdam Theater, 525 7th Avenue, and 555 8th Avenue, all of which contain sunlight-sensitive architectural resources. Using the same methodologies detailed in Attachment D, "Shadows," a brief description of the shadows technical analysis is provided below.

Preliminary Screening

Tier 1 Screening Assessment

According to the *CEQR Technical Manual*, the longest shadow that a structure will cast in New York City, except for periods close to dawn or dusk, is 4.3 times its height. The maximum shadow radius for Projected Development Sites 2 warranting a preliminary shadow analysis was determined using the site's maximum zoning envelope (310 feet). As such, the maximum shadow radius for Projected Development Site 2 was calculated as being 1,333 feet, forming the longest shadow study area (Tier 1 Assessment).

Within the longest shadow study area, there are a number of potentially sunlight-sensitive open spaces and historic resources. Therefore, further screening was warranted in order to determine whether any resources could be affected by project-generated shadows.

Tier 2 Screening Assessment

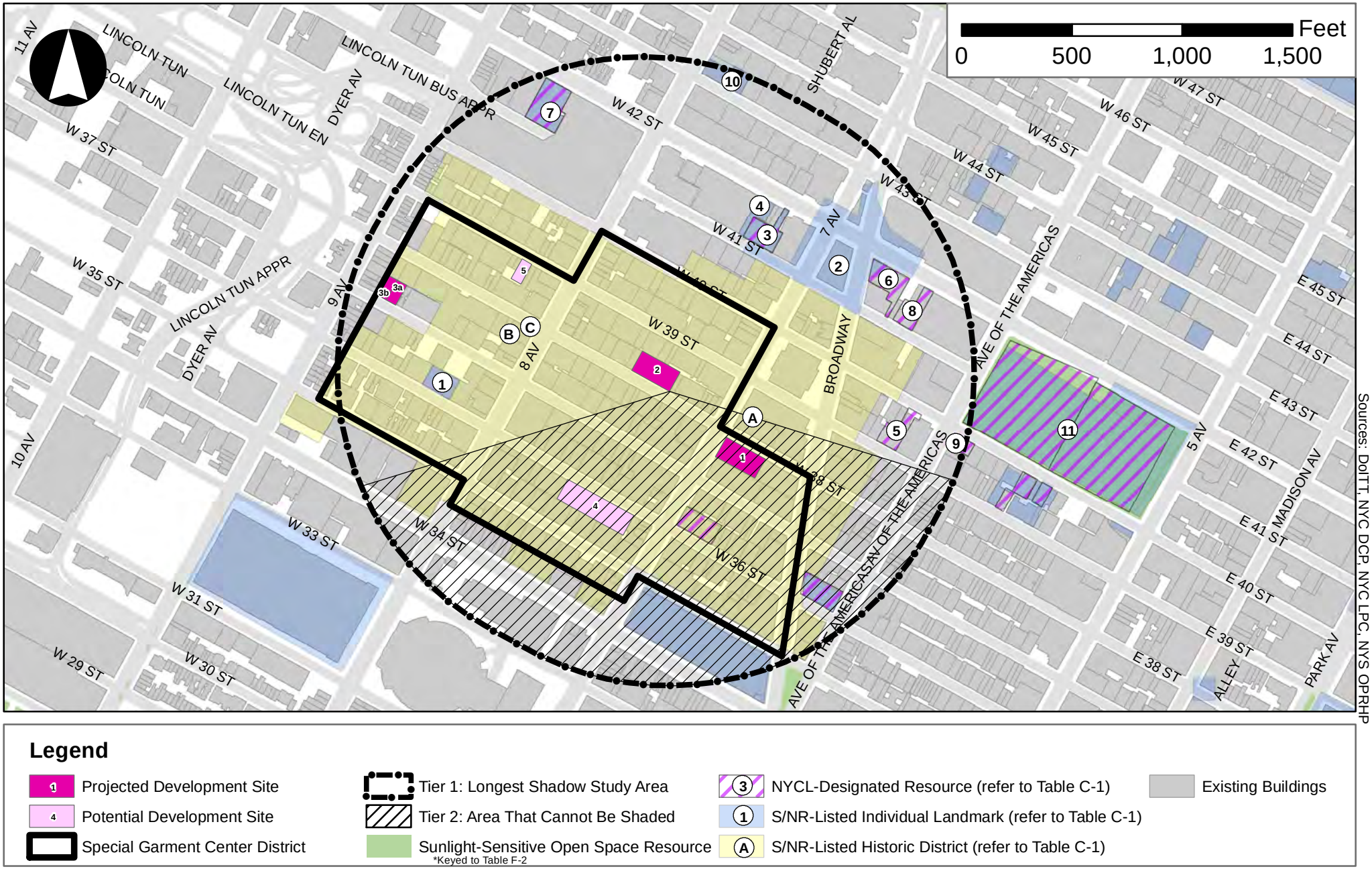
Due to the path of the sun across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City, this area lies between -108 and +108 degrees from true north. The purpose of the Tier 2 screening is to determine whether the sunlight-sensitive resources identified in the Tier 1 screening are located within portions of the longest shadow study area that can receive shade from the projected and potential development sites.

Table I-2, Sunlight-Sensitive Resources Warranting Further Analysis Based on Tier 1 and 2 Screening

No.[1]	Sunlight-Sensitive Resources
1	315-325 W. 36th Street
2	Times Square/42nd Street Subway Station
3	New Amsterdam Theater
4	Candler Building
5	Springs Mills Building
6	Knickerbocker Hotel
7	McGraw-Hill Building
8	Bush Tower
9	Bryant Park Studios
10	Times Square Hotel
11	Bryant Park
	Potentially Sunlight-Sensitive Historic Resources within the Garment Center Historic District
A	525 7th Avenue
B	555 8th Avenue
C	557 8th Avenue

[1] Numbers keyed to **Figure I-1**

Figure I-1 provides a base map illustrating the results of the Tier 1 and Tier 2 screening assessments (i.e., the portion of the longest shadow study area lying within -108 degrees from the true north and +108 degrees from true north as measured from southernmost portions of the development sites). A total of 13 historic resources and 1 open space resource were identified as sunlight-sensitive resources that warranted further assessment. A list of these resources is provided in **Table I-2**.



Sources: DoITT, NYC DCP, NYC LPC, NYS OPRHP

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Figure I-1
Tier 1 and Tier 2 Shadows Assessment

Tier 3 Screening Assessment

According to the *CEQR Technical Manual*, a Tier 3 screening assessment should be performed to determine if, in the absence of intervening buildings, shadows resulting from a proposed action can reach a sunlight-sensitive resource, thereby warranting a detailed shadow analysis. The Tier 3 screening assessment is used to determine if shadows resulting from a proposed action can reach a sunlight-sensitive resource at any time between 1.5 hours after sunrise and 1.5 hours before sunset on representative analysis dates.

As project-generated shadows could reach a number of sunlight-sensitive resources, a Tier 3 assessment was performed using three dimensional (3D) computer mapping software. The 3D model was used to calculate and display project-generated shadows on individual representative analysis dates. The model contained 3D representations of the elements in the base map used in the preceding assessments and a 3D model of the proposed project. At this stage of the assessment, surrounding buildings within the study area were not included in the model so that it may be determined whether project-generated shadows would reach any sunlight sensitive resources.

As shown in **Figures I-2** and **I-3**, eight sunlight-sensitive resources would not receive project-generated shadows on any of the four analysis days, and these resources therefore did not require any further analysis. **Table I-3** presents a summary of the Tier 3 assessment, showing 6 historic resources that could, in the absence of intervening buildings, receive project-generated shadows, and on which analysis days the new shadows would occur.

Table I-3, Tier 3 Assessment Results

No.[1]	Name	March 21/Sept. 21 7:36 AM - 4:29 PM	May 6/August 6 6:27 AM - 5:18 PM	June 21 5:57 AM - 6:01 PM	December 21 8:51 AM - 2:53 PM	Number of Analysis Days
1	315-325 W. 36th Street	No	**Yes**	**Yes**	No	**2**
2	Times Square/42nd Street Subway Station	No	No	No	No	0
3	New Amsterdam Theater	No	No	No	**Yes**	**1**
4	Candler Building	No	No	No	**Yes**	**1**
5	Springs Mills Building	No	No	No	No	0
6	Knickerbocker Hotel	No	No	No	No	0
7	McGraw-Hill Building	No	No	No	No	0
8	Bush Tower	No	No	No	No	0
9	Bryant Park Studios	No	No	No	No	0
10	Times Square Hotel	No	No	No	No	0
11	Bryant Park	No	No	No	No	0
A	525 7th Avenue	No	No	**Yes**	No	**1**
B	555 8th Avenue	**Yes**	**Yes**	No	No	**2**
C	557 8th Avenue	**Yes**	No	No	No	**1**

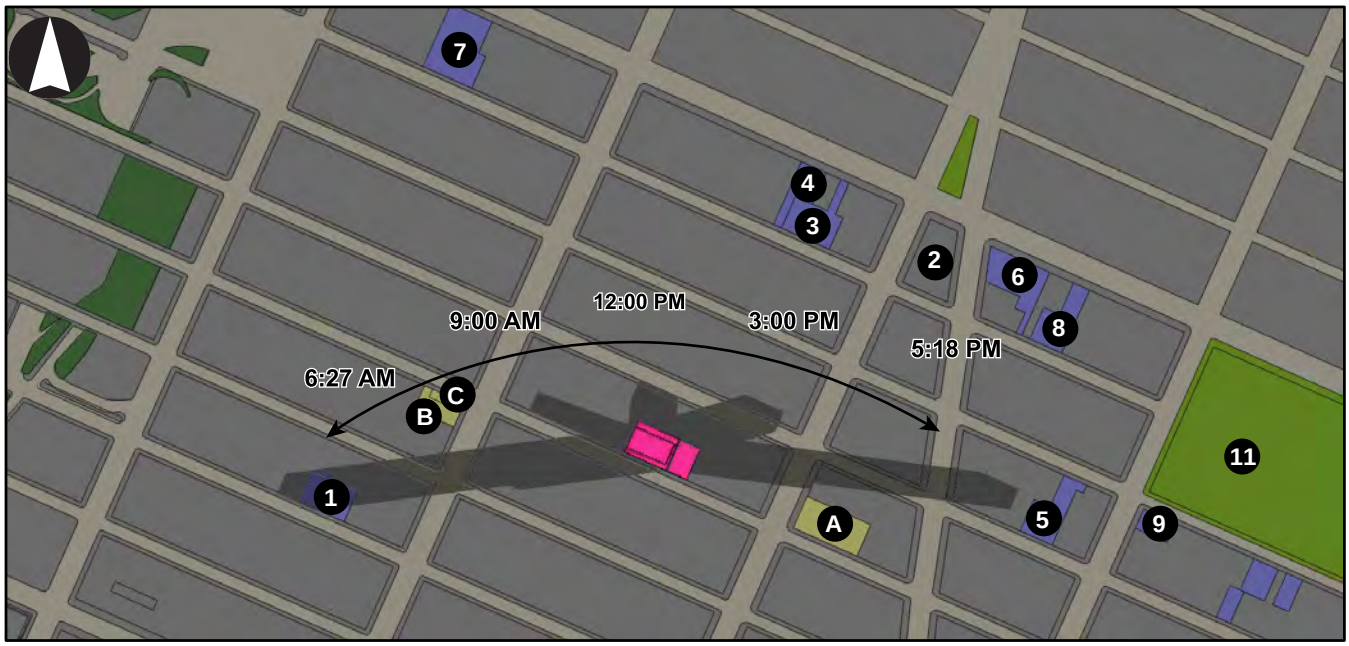
[1] Numbers keyed to **Figure I-1**

Shadows Analysis

Per *CEQR Technical Manual* guidance, shadow analyses were performed for the six sunlight-sensitive resources identified above on four representative days of the year: March 21/September 21, the equinoxes; May 6, the midpoint between the summer solstice and the equinox (and equivalent to August 6); June 21, the summer solstice and the longest day of the year; and December 21, the winter solstice and shortest day of the year. These four representative days indicate the range of shadows over the course of the year. CEQR guidance define the temporal limits of a shadow analysis period to fall from 1.5 hours after sunrise to 1.5 hours before

Figure I-2
Tier 3 Screening
Projected Development Site 2

MARCH 21/SEPTEMBER 21



MAY 6/AUGUST 6

Projected Development

11 **Open Space Resource**

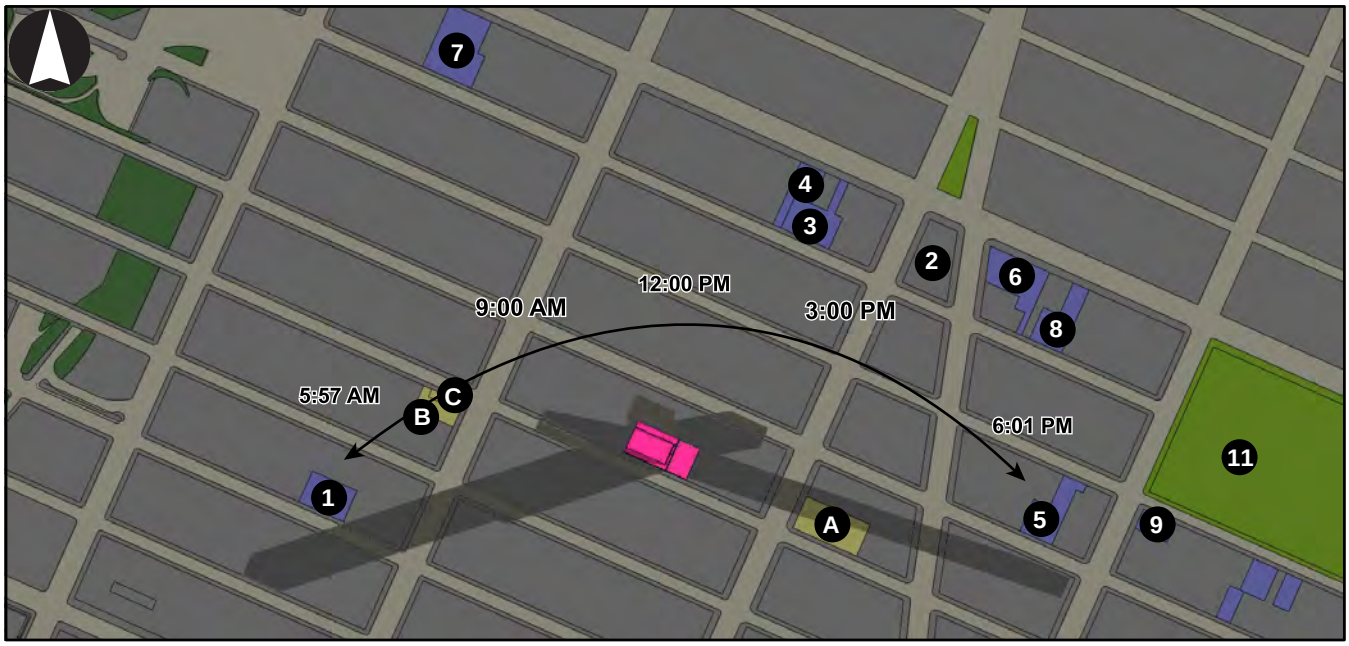
Note: Resources keyed to Table I-3

1 **Sunlight Sensitive Historic Resource**

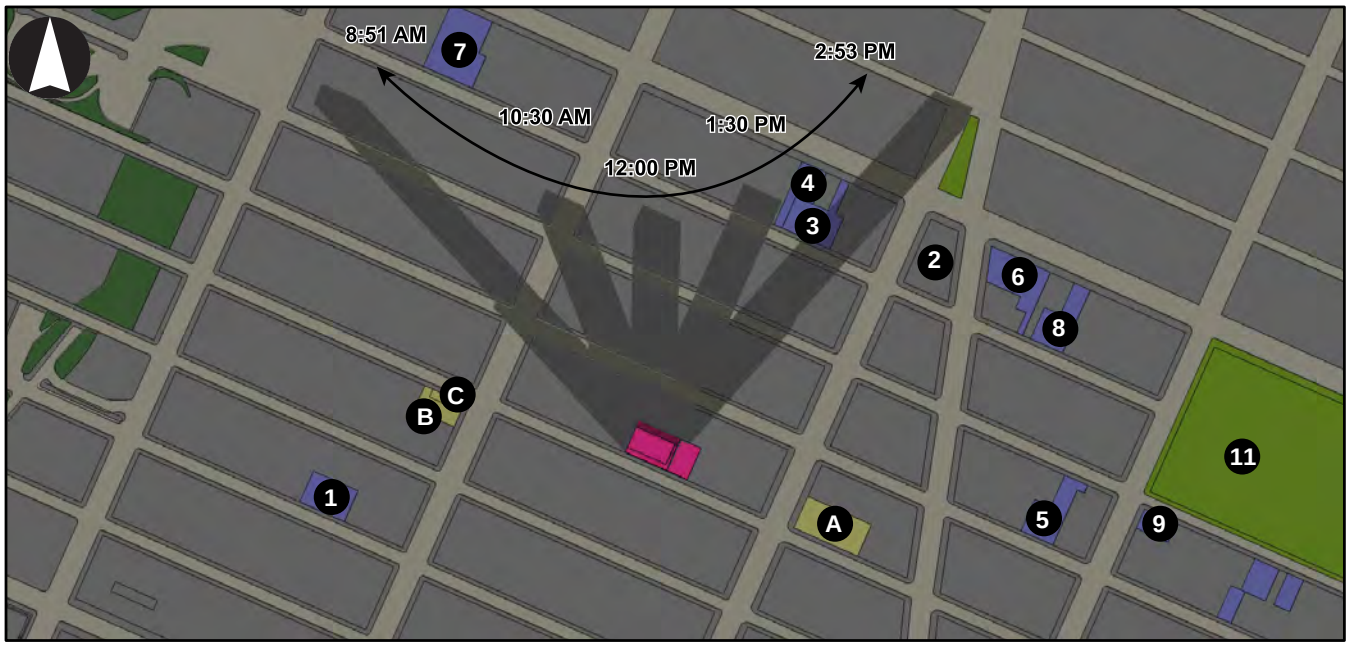
A **Sunlight Sensitive Historic Resource**

Incremental Shadow

Figure I-3
Tier 3 Screening
Projected Development Site 2



JUNE 21



DECEMBER 21

Projected Development

11 Open Space Resource

1 Sunlight Sensitive Historic Resource

Note: Resources keyed to Table I-3

A Sunlight Sensitive Historic Resource

Incremental Shadow

sunset. As discussed above, the results of the shadows analysis show the incremental difference in shadow impact between the With-Action condition and the Special Permit Scenario (see **Table I-4**).

As shown in **Table I-4**, incremental project-generated shadows would reach four sunlight-sensitive historic resources identified in the Tier 3 assessment: the New Amsterdam Hotel, the Candler Building, 555 8th Avenue, and 525 7th Avenue. Increases in shadow coverage would occur at the New Amsterdam Theater and the Candler Building on the December 21 representative analysis day; increases in shadow coverage would occur at 555 8th Avenue on the March 21/September 21 and May 6/August 6 representative analysis days; and increases in shadow coverage would occur at 525 7th Avenue on the June 21 representative analysis day. **Figures I-4** through **I-8** show representative shadow views for the three sunlight-sensitive resources of concern on each of the four representative analysis days.

Table I-4, Duration of Shadows on Sunlight Sensitive Resources (Increment Comparing Special Permit Scenario to With-Action Condition)

Resource	Analysis Day	March 21/Sept. 21	May 6/August 6	June 21	December 21
		7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM – 2:53 PM
315-325 W. 36th Street	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-
New Amsterdam Theater	Shadow enter-exit time	-	-	-	1:42 – 2:53 PM
	Incremental shadow duration	-	-	-	1 hour 11 minutes
Candler Building	Shadow enter-exit time	-	-	-	1:35 – 2:26 PM
	Incremental shadow duration	-	-	-	51 minutes
525 7th Avenue	Shadow enter-exit time	-	-	5:21 – 6:01 PM	-
	Incremental shadow duration	-	-	40 minutes	-
555 8th Avenue	Shadow enter-exit time	7:36 – 7:50 AM	7:35 – 7:44 AM	-	-
	Incremental shadow duration	14 minutes	9 minutes	-	-
557 8th Avenue	Shadow enter-exit time	-	-	-	-
	Incremental shadow duration	-	-	-	-

Note: All times are Eastern Standard Time; Daylight Savings Time was not accounted for per *CEQR Technical Manual* guidance.
Table indicates the entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource.

March 21/September 21

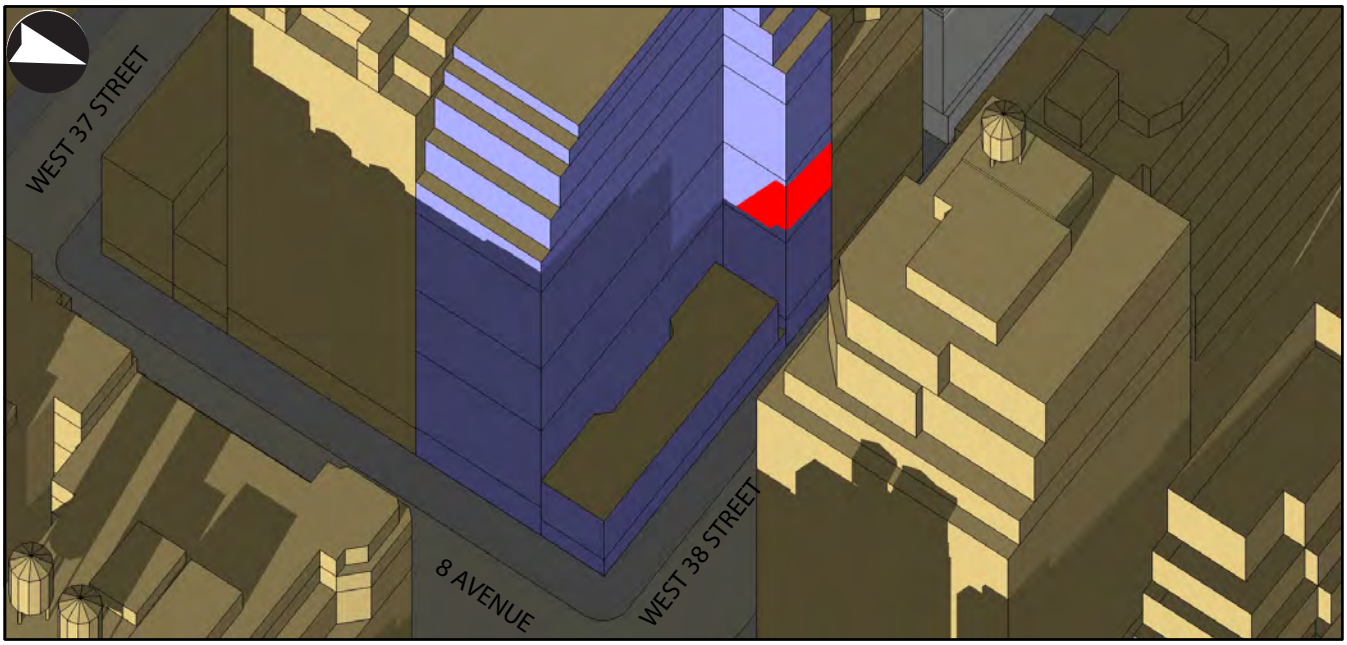
On March 21/September 21 the time period for shadows analysis begins at 7:36 AM and continues until 4:29 PM. March is considered the beginning of the growing season in New York City, and September 21, which has the same shadow patterns as March 21, is also within the growing season. On the March 21/September 21 analysis day, incremental shadows from Projected Development Site 2 would reach the eastern and northern façades of 555 8th Avenue.

Projected Development Site 2 would cast incremental shadows on 555 8th Avenue beginning at 7:36 AM and continuing until 7:50 AM, for a duration of approximately 14 minutes. The eastern and northern façades of 555 8th Avenue would not experience any incremental shadow coverage as a result of the proposed project before after 7:50 AM. As indicated in **Figure I-4**, incremental shadows would enter the eastern façade from the west before moving in an easterly direction across the building's frontage. The extent of incremental shadow coverage would increase slightly but many areas of the building's façade would continue to receive direct sunlight. The areas experiencing shadow coverage feature cast-stone entablatures with frieze of female heads and floral patterns and cast-stone fluted pilasters.

May 6/August 6

On May 6/August 6 the time period for shadows analysis begins at 6:27 AM and continues until 5:18 PM. On the midpoint between the equinoxes and the solstices, incremental shadows from Projected Development Site 2 would reach 555 8th Avenue.

Figure I-4
555 8th Avenue
Incremental Shadows on March 21/September 21



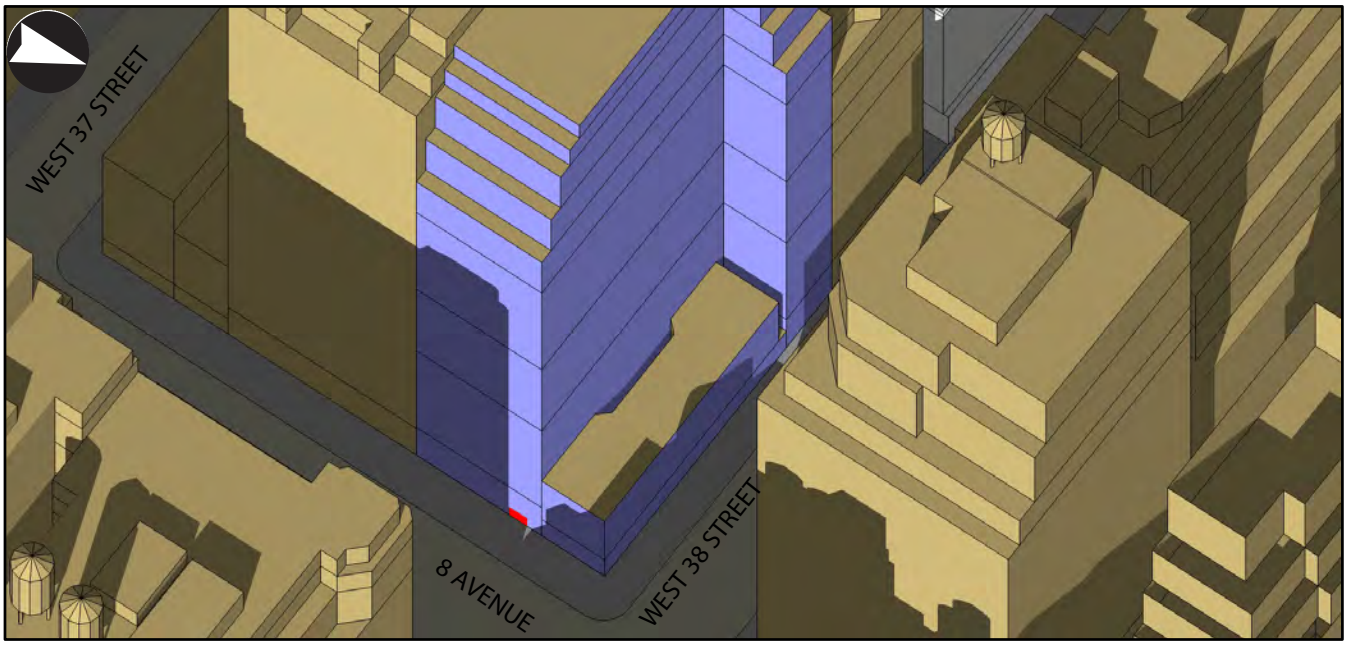
7:40 AM

Projected Development

Sunlight Sensitive Historic Resource

Incremental Shadow

Figure I-5
555 8th Avenue
Incremental Shadows on May 6/August 6



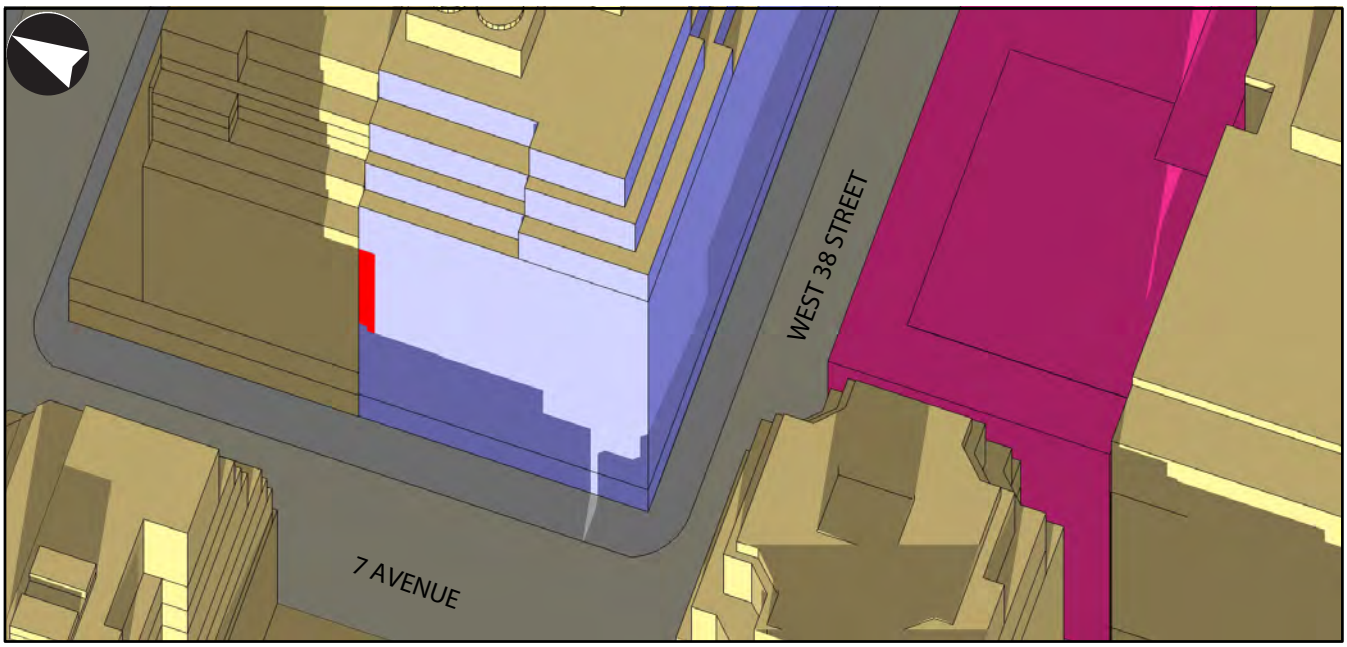
7:40 AM

Projected Development

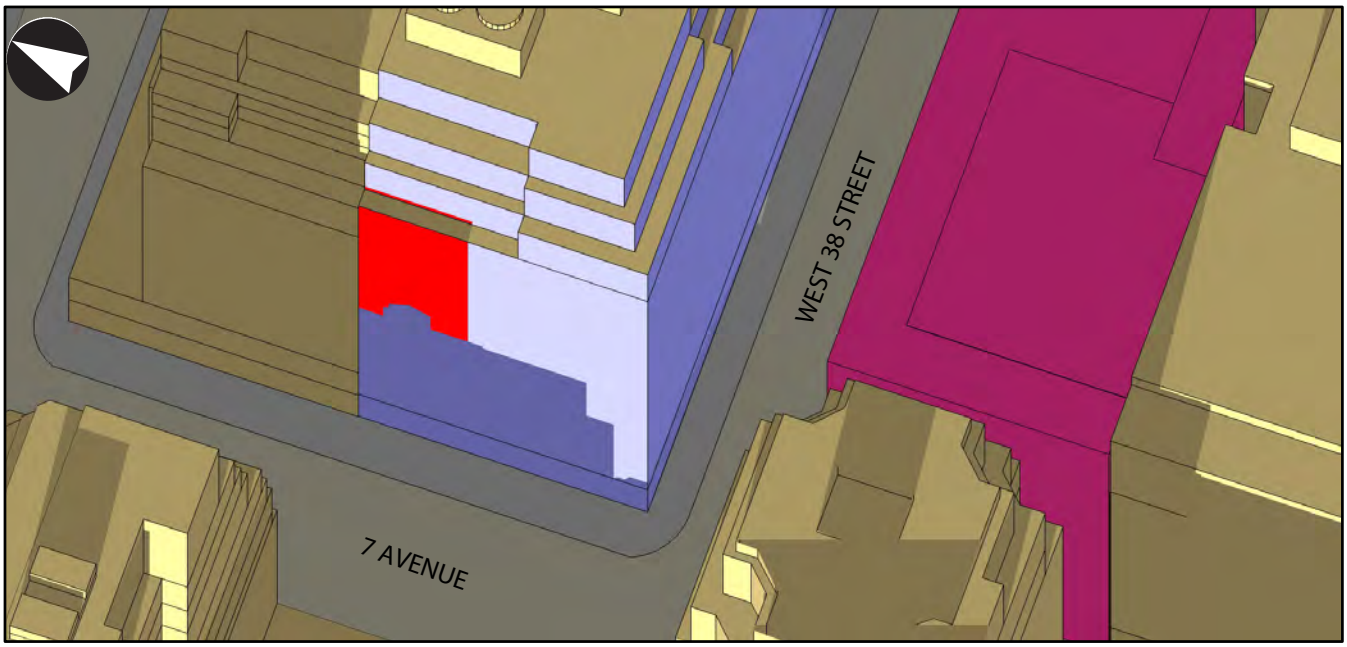
Sunlight Sensitive Historic Resource

Incremental Shadow

Figure I-6
525 7th Avenue
Incremental Shadows on June 21



5:30 PM



6:00 PM

Projected Development

Sunlight Sensitive Historic Resource

Incremental Shadow

Figure I-7
New Amsterdam Theater
Incremental Shadows on December 21

1:45 PM

2:45 PM

Projected Development

Sunlight Sensitive Historic Resource

Incremental Shadow

Figure I-8
Candler Building
Incremental Shadows on December 21

1:45 PM

2:15 PM

Projected Development

Sunlight Sensitive Historic Resource

Incremental Shadow

The projected development would cast incremental shadows on 555 8th Avenue's eastern façade beginning at 7:35 AM and continuing until 7:44 AM, for a duration of approximately 9 minutes. Prior to 7:35 AM and following 7:44 AM, the building's eastern façade would not experience any incremental shadow coverage as a result of the projected development. As indicated in **Figure I-5**, at 7:35 AM incremental shadows would enter a small portion of the building's eastern façade comprised of cast-stone entablatures with frieze of female heads and floral patterns and cast-stone fluted pilasters.

June 21

On June 21 the time period for shadows analysis begins at 5:57 AM and continues until 6:01 PM. On the summer solstice, which is the day of the year with the longest period of daylight, the sun is most directly overhead and generally shadows are shortest and move across the widest angular range from west to east. On this date the proposed development would cast incremental shadows on 525 7th Avenue.

The projected development would also cast incremental shadows on 525 7th Avenue's western façade beginning at 5:21 PM and continuing until the end of the representative analysis day (6:01 PM), for a duration of approximately 40 minutes. Prior to 5:21 PM the building would not experience any incremental shadow coverage as a result of the projected development. As indicated in **Figure I-6**, by 5:30 PM minimal incremental shadows would enter a small portion of the building's eastern façade comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling. By 6:00 PM incremental shadow coverage would increase, shifting south along the building's western façade, which is also comprised of Romanesque-inspired colonnettes, moldings, sculpted grotesques, and corbelling.

December 21

On the winter solstice, December 21, the day of the year with the shortest period of daylight, the sun is low in the sky and shadows are at their longest but move rapidly. On this date the projected development would cast incremental shadows on both the New Amsterdam Theater and the Candler Building.

The projected development would cast incremental shadows on the New Amsterdam Theater's southern façade from 1:42 PM to 2:53 PM for a total duration of approximately 1 hour and 11 minutes. The building would not experience any incremental shadow coverage prior to 1:42 PM as a result of the projected development. As indicated in **Figure I-7**, by 1:45 PM incremental shadows would enter a small portion of the building's southern façade fronting W. 41st Street. By 2:45 PM, incremental shadows would increase slightly and shift eastward until the end of the representative analysis period.

Projected Development Site 2 would also cast incremental shadows on the Candler Building's southern façade from 1:35 PM to 2:26 PM for a total duration of approximately 51 minutes. The building would not experience any incremental shadow coverage prior to 1:35 PM and following 2:26 PM as a result of the projected development. As indicated in **Figure I-8**, by 1:45 PM incremental shadows would enter a small portion of the building's southern façade fronting W. 41st Street. By 2:15 PM, incremental shadows would continue to move slightly eastward and coverage would decrease until leaving the building's southern façade by 2:26 PM.

Assessment

A shadow impact occurs when the incremental shadow from a projected development falls on a sunlight sensitive resource or feature and reduces its direct sunlight exposure. Determining whether this impact is significant or not depends on the extent and duration of the incremental shadow and the specific context in which the impact occurs. As the extent and duration of the incremental shadows detailed above would be minimal, incremental shadows are not expected to have a significant effect on the building's sunlight sensitive resources. Therefore, the incremental shadows as a result of the Special Permit Scenario would not adversely

affect the function or character, nor hamper public enjoyment of the key architectural features of the New Amsterdam Theater, the Candler Building, 555 8th Avenue, and 525 7th Avenue.

Historic and Cultural Resources

As noted in Attachment C, "Historic and Cultural Resources," most of the SGCD, including Site 2, is located within the Garment Center Historic District, which is listed on the State and National Registers of Historic Places (S/NR). As such, a hotel special permit application for Site 2 would require a detailed historic and cultural resources analysis. The existing privately-owned post office on the site is a contributing resource to the historic district, but as it is not a designated New York City Landmark or in a City-designated historic district it could be altered or demolished on as-of-right basis provided no public funding is used. As noted above it is projected that the existing building would be replaced by an as-of-right hotel under RWCDS No-Action conditions.

Detailed and site-specific analysis of potential effects of a proposed hotel on historic and cultural resources would be made at the time of the special permit application in order to make an impact determination.

Urban Design and Visual Resources

Under the Special Permit Scenario, a hotel developed on Site 2 would be required to comply with the applicable bulk regulations. Specifically, as part of the present application, the contextual bulk text amendment described in Attachment A would require a contextual building envelope in the M1-6 portion of the SGCD that is intended to create building envelopes compatible with the prevailing loft character of the special district. As discussed in Attachment B, the contextual bulk text amendment would not result in any significant adverse urban design and visual resources impacts.

As the hotel special permit would only modify use and would require compliance with density and bulk requirements, a hotel on Site 2 under the Special Permit Scenario would not introduce a new building, new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the site not allowed by zoning at the time of application. In addition, it would not be expected to obstruct a view of a notable visual resource given the densely developed surrounding built environment. As such, the Special Permit Scenario would not exceed any threshold for detailed analysis of urban design and visual resources.

Natural Resources

As indicated on the EAS Form, the project area does not contain any natural resources and therefore the proposed action does not warrant a natural a natural resources assessment. This screening also would be applicable to a proposed hotel special permit for Site 2.

Hazardous Materials

As discussed in the "Hazardous Materials" section of Attachment B, given the special district's history as a manufacturing area, the presence of hazardous materials on the projected and potential development sites is a possibility. In order to avoid the potential for significant adverse hazardous materials impacts, site investigation, testing, and as appropriate, remediation, including proper disposal of contaminated materials and construction health and safety protocols, should be conducted. As institutional controls such as (E) designations are not adopted in connection with conceptual development sites, potentially significant adverse hazardous materials impacts could occur.

Because a hotel on this site would require a special permit under With-Action conditions, it would be subject to further site-specific environmental review. It is likely that an (E) designation would be recommended to

preclude the potential for significant adverse hazardous materials impacts. If an (E) designation for hazardous materials is in place for Site 2, a hotel on Site 2 developed pursuant to a special permit would be required to comply with requirements for site investigation, testing, and, as appropriate, remediation to the satisfaction of New York City Office of Environmental Remediation (OER).

Water and Sewer Infrastructure

As indicated on the EAS Form, the proposed action would not result in a water demand of more than 1 million gallons per day and therefore does not warrant a water and sewer infrastructure assessment. Similarly, as a distinct project, the hotel on Site 2 that would be developed under the Special Permit Scenario would not result in a water demand of 1 million gallons per day and therefore would not warrant a detailed water and sewer infrastructure analysis.

Solid Waste and Sanitation Services

The 579-room hotel projected for Site 2 under the Special Permit Scenario, which would replace the existing 48,023 sf post office, would generate a net increase of approximately 104,574 pounds of solid waste per week. This would exceed the 100,000-pound per week threshold for detailed analysis of effects on solid waste and sanitation services.

Detailed and site-specific analysis of potential effects of a proposed hotel on solid waste and sanitation services would be made at the time of the special permit application in order to make an impact determination.

Energy

As indicated on the EAS Form, the proposed action would not affect the transmission or generation of energy and therefore does not warrant an energy assessment. Similarly, as a distinct project, the hotel on Site 2 that would be developed under the Special Permit Scenario would not affect the transmission or generation of energy and therefore would not warrant an energy assessment.

Transportation

Table 16-1 in the *CEQR Technical Manual*, which establishes density development screening thresholds for actions potentially requiring detailed transportation analysis does not include a minimum density threshold for hotels. As such, a preliminary travel demand forecast would be necessary to determine if detailed transportation analysis would be warranted for the Site 2 hotel under the Special Permit Scenario. Using the transportation planning assumptions presented in **Table B-5** in Attachment B, a preliminary travel demand forecast for the Site 2 hotel indicates that it would exceed screening thresholds for traffic and pedestrians and therefore detailed analyses of those mode would be warranted. Refer to **Table I-5**. However, this forecast does not account for eliminated travel demand associated with the existing post office on the site. Depending on the number of vehicle and pedestrian trips that would be eliminated due to the removal of the post office, the incremental travel demand generated by a hotel special permit may fall below the screening thresholds for traffic and/or pedestrians.

Detailed and site-specific analysis of potential effects of a proposed hotel on transportation would be made at the time of the special permit application in order to make an impact determination.

Table I-5, Travel Demand Forecast for Site 2 Special Permit Scenario

SITE 2: 223 W 38 ST		Special Permit Scenario			
Land Use:		**Hotel**		**Total**	
Size/Units:		579 rooms			
Peak Hour Trips:					
	AM	435		435	
	MD	762		762	
	PM	708		708	
	Sat MD	490		490	
Person Trips:					
		In	Out	In	Out
AM	**Auto**	15	24	15	24
	Taxi	30	46	30	46
	Subway	41	65	41	65
	Bus	5	8	5	8
	Walk/Ferry/Other	78	123	78	123
	Total	169	266	169	266
		In	Out	In	Out
MD	**Auto**	37	32	37	32
	Taxi	72	61	72	61
	Subway	99	85	99	85
	Bus	13	11	13	11
	Walk/Ferry/Other	190	162	190	162
	Total	411	351	411	351
		In	Out	In	Out
PM	**Auto**	42	23	42	23
	Taxi	81	43	81	43
	Subway	111	60	111	60
	Bus	14	8	14	8
	Walk/Ferry/Other	212	114	212	114
	Total	460	248	460	248
		In	Out	In	Out
Sat MD	**Auto**	24	21	24	21
	Taxi	46	39	46	39
	Subway	64	55	64	55
	Bus	8	7	8	7
	Walk/Ferry/Other	122	104	122	104
	Total	264	226	264	226
Vehicle Trips :					
		In	Out	In	Out
AM	**Auto (Total)**	11	17	11	17
	Taxi	17	26	17	26
	Taxi Balanced	35	35	35	35
	Truck	2	2	2	2
	Total	48	54	48	54
		In	Out	In	Out
MD	**Auto (Total)**	26	23	26	23
	Taxi	40	34	40	34
	Taxi Balanced	54	54	54	54
	Truck	2	2	2	2
	Total	82	79	82	79
		In	Out	In	Out
PM	**Auto (Total)**	30	16	30	16
	Taxi	45	24	45	24
	Taxi Balanced	47	47	47	47
	Truck	0	0	0	0
	Total	77	63	77	63
		In	Out	In	Out
Sat MD	**Auto (Total)**	17	15	17	15
	Taxi	26	22	26	22
	Taxi Balanced	35	35	35	35
	Truck	0	0	0	0
	Total	52	50	52	50

Notes: 15% link-trip credit applied to local retail

Air Quality

The hotel projected for Site 2 under the Special Permit Scenario would have the potential to emit air pollutants from action-generated motor vehicles (mobile sources) and from building systems (stationary sources). The project would also be introducing a new sensitive use that may be affected by pollutants emitted by existing and planned sources in the surrounding area, principally industrial sources and large/major facilities. Accordingly, screening assessments, and if necessary detailed analyses of air quality mobile and stationary sources would be warranted.

Detailed and site-specific analysis of potential effects of a proposed hotel on air quality would be made at the time of the special permit application in order to make an impact determination.

A brief description of the air quality technical analysis is provided for informational purposes. As such, Site 2 was analyzed for air quality using the same procedures as Sites 1, 3, 4, and 5. For detailed methodology information on the air quality technical analyses, refer to Attachment G.

Mobile Sources

The applicable mobile source screening threshold for the Special Permit Scenario would be a net increment of 140 vehicle trips (passenger-car-equivalents) given that Site 2 is located in Midtown Manhattan between W. 30th Street and W. 60th Street. Based on the preliminary travel demand forecast presented in **Table I-5**, the hotel on Site 2 under the Special Permit Scenario would exceed this screening threshold in the midday and PM peak hours. As noted above in the discussion of "Transportation," this does not account for eliminated vehicle trips associated with the site's existing post office. Depending on the number of vehicle trips that would be eliminated due to the removal of the post office, the incremental motor vehicle demand generated by a hotel special permit may fall below the screening thresholds for air quality mobile source analysis.

Stationary Sources

The stationary sources analysis that would be warranted as the part of the environmental review of a hotel special permit application for Site 2 would include an HVAC boiler emission assessment, including a screening and if necessary a detailed analysis, to assess the effects of pollutant emissions from building boilers on any nearby sensitive receptors, i.e., nearby building of similar or greater height with operable windows. It would also include an industrial sources assessment, including a screening and if necessary a detailed analysis, to determine if the introduction of a hotel at this site would be affected by existing or planed emissions from nearby industrial and large/major sources. Based on the analysis that would be conducted for Site 2 in a future environmental review, if a potential for air quality stationary source impacts is identified, an (E) designation would be recommend to preclude the potential for significant adverse impacts related to air quality stationary sources.

A brief description of the HVAC screening and detailed analysis are provided below:

HVAC Screening

As shown in **Figures I-9** and **I-10**, site 2 would exceed the CEQR HVAC screening thresholds for Fuel Oil #2 and Natural Gas. **Table I-6** summarizes the parameters and results of the HVAC screening analysis.

Figure I-9, SO_2 Boiler Screen, Commercial and Other Non-Residential Development – Fuel Oil #2; Site 2

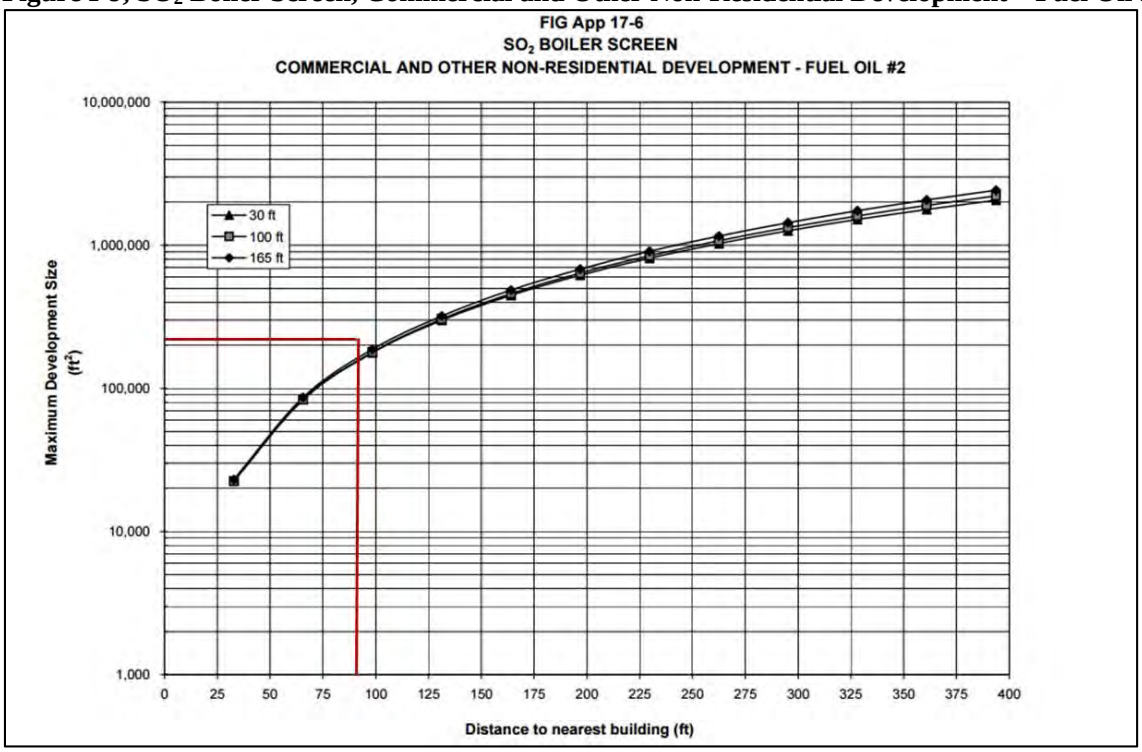


Figure I-10, NO_2 Boiler Screen, Commercial and Other Non-Residential Development – Natural Gas Site 2

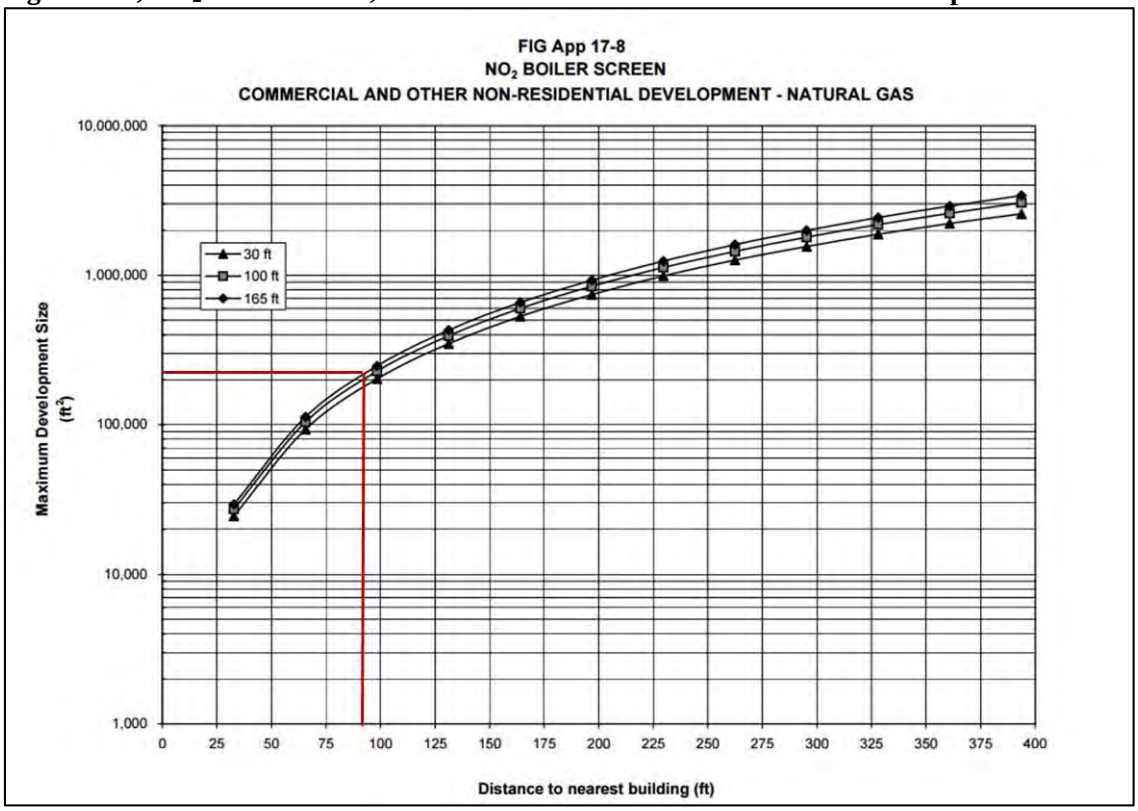


TABLE I-6, Site 2- CEQR Technical Manual HVAC Screening Analysis

Site ID	Site Block and Lot	RWCDS With-Action Land Use	Building Floor Area (gsf)	Building Height (feet)	Stack Height (feet)	Nearest Building of Similar or Higher Height		Screen Results (Pass/Fail)	
						Block/Lot	Distance (feet)	#2 Oil	Natural Gas
2	788;26	Hotel	231,564	310	313	block 788, lot 49	89	Fail	Fail

HVAC Detailed Analysis

Table I-7 provides pollutant emission rates that were used in the dispersion analysis for Site 2. Natural gas was assumed for NO2 emission rates, and No. 2 fuel oil was assumed for PM2.5, PM10 and SO2. Emission rates were calculated based on *CEQR Technical Manual* energy consumption factors and AP-42 boiler emission rates. The diameter of the stacks and the exhaust's exit velocities were estimated based on values obtained from NYCDEP "CA Permit" database, using the RWCDSD floor area and energy intensity per square foot assumptions for each pollutant to estimate the corresponding boiler sizes. All stack exit temperatures were assumed to be 293°K, consistent with default value given in the *CEQR Technical Manual*.

TABLE I-7, Site 2 Emission Rates for HVAC Detailed Analysis

Site ID	Site Block and Lot	RWCDS With-Action Land Use	NO_2		$PM_{2.5}$		PM_{10} 24-hour	SO_2 1-hour
			1-hour	Annual	24-hour	Annual		
2	788;26	Hotel	0.02952	0.01476	0.00062	0.00031	0.00246	0.00052

Table I-8 provides the detailed HVAC analysis results for Site 2. The results show the NAAQS or relevant CEQR de minimis criteria would not be exceeded with incorporation of an (E) designation restricting the stack location as described below. However, as such measures are not adopted in connection with conceptual development sites, this would be considered a potentially significant adverse air quality impact.

Table I-8, Site 2 HVAC Detailed Analysis Results

Pollutant	Averaging Period	Units	Maximum Predicted Increment	Background Concentration	Maximum Predicted Total Concentration	*De Minimis* Criteria[1]	NAAQS
SO_2	1-hour	µg/m3	3.19	28.1	31.3	-	196
PM_{10}	24-hour	µg/m3	3.14	37.0	40.1	-	150
PM2.5	Annual	µg/m3	0.014	11.0	-	0.3	12
	24-hr	µg/m3	0.35	25.6	-	4.7	35
NO_2	Annual	µg/m3	-	39.5	82.4	-	100
	1-hr		-	121.0	186.5	-	188

Potential Site 2 (E) designation (to be confirmed in site-specific environmental review):

Any new residential (hotel) development on Block 788, Lot 49 must ensure that the heating system exhaust stack(s) are located at the highest tier or at least 313 feet above grade and at least 61 feet away from the easterly lot line facing 7th Avenue.

Because a hotel on this site would require a special permit under With-Action conditions, it would be subject to further site-specific environmental review, including updated detailed HVAC air quality analysis. Based on the analysis that would be conducted for Site 2 in a future environmental review, if a potential for an HVAC stationary source impacts is identified, an (E) designation would be recommend to preclude the potential for significant adverse air quality impacts related to HVAC sources.

Industrial Sources

Industrial Sources Screening

Industrial source permits from DEP were obtained for potential industrial sources within 400 feet of site 2 (see **Figure I-11**) as described in Attachment G. **Table I-9** summarizes the industrial sources with permits requiring industrial source screening analysis.

Site 2 fails the cumulative industrial source screening for five pollutants:

- Diphenyl- emitted by sources # 16, 17, 18
- Ammonium Hydroxide- emitted by sources # 5, 6, and 27
- Lead vapors- emitted by source #14
- Tin- emitted by source #14
- Cadmium- emitted by source #14

These industrial sources and pollutants failing the screening analysis were carried forward to a refined analysis with AERMOD as described in the next section. The remainder of the industrial sources within 400 feet of Site 2 would not exceed the SGC/AGC criteria based on the screening analysis and do not require further analysis.

Sources: NYCDCP, ESRI

Garment Center Text Amendment EAS

Figure I-11

Permitted Industrial Sources within 400 feet of Site 2

Table I-9, Summary of Industrial Source Permits for Screening Analysis within 400 ft of Site 2

Map ID	Permit No.	Block	Lot	Facility Name	Street Address	Permit Status	Expiration Date	Source Description	Used Hrs/Day	Used Days/Yr	**Pollutant Name**	**CAS No**	**Hourly Emissions (Lbs/Hr)**	**Annual Emissions (Lbs/Yr)**
5	PA-0080-95R	787	67	Photo Affiliates	246 W. 38th Street	Expired	2/17/1995	Printing	8	250	Ammonium Hydroxide	01336-21-6	1.32	2,644.0
6	PA-0081-95H	787	67	Westside Copy	246 W. 38th Street	Expired	6/7/2004	Blueprinting machines	8	250	Ammonium Hydroxide	01336-21-6	1.32	2,645.0
13	PA-0529-85K	787	67	Ben Amun Co Inc.	246 W. 38th Street	Current	12/12/2018	Polishing of metal (Tin)	8	250	Particulates (non-specific)	NY-075-00-0	0.001	0.048
14	PA-0530-85J	787	67	Ben Amun Co Inc.	246 W. 38th Street	Current	12/12/2018	Melting of white metal alloy (Tin & Antimony) melting pots.	8	250	Tin	07440-31-5	2	4,000.0
											Lead vapors	07439-92-1	1	2,000.0
											Cadmium	07440-43-9	1	2,000.0
											Glycerin	00056-81-5	1	2,000.0
											Hydrogen Chloride	07647-01-0	1	2,000.0
											Antimony	07440-36-0	2	4,000.0
15	PA-0531-86Z	788	4	Hi-Tech Jewelry, Inc.	580 8th Avenue	Expired	11/9/1989	Cleaning of jewelry	8	250	Ammonia vapors	07664-41-7	0.1	200.0
											Sodium Cyanide	00143-33-9	0.001	2.0
16	PA-0546-89P	787	72	DuBarry Process, Inc.	256 W. 38th Street	Expired	8/29/1995	Dyeing of polyester & nylon buttons.	8	250	Acetic Acid	00064-19-7	0.129	257.7
											Diphenyl	00092-52-4	0.033	66.7
											Trichlorobenzene	00120-82-1	0.13	260.0
											2-Butoxy-Ethanol	00111-76-2	0.027	53.3
											Particulates (non-specific)	NY-075-00-0	0.001	0.002
17	PA-0547-89M	787	72	DuBarry Process, Inc.	256 W. 38th Street	Expired	8/29/1992	Dyeing of polyester & nylon buttons.	8	250	Acetic Acid	00064-19-7	0.129	257.7
											Diphenyl	00092-52-4	0.033	66.7
											Trichlorobenzene	12002-48-1	0.13	260.0
											2-Butoxy-Ethanol	00111-76-2	0.027	53.3
											Particulates (non-specific)	NY-075-00-0	0.001	0.002
18	PA-0548-89J	787	72	DuBarry Process, Inc.	256 W. 38th Street	Expired	2/10/1990	Dyeing of polyester & nylon buttons.	8	250	Sulfur Dioxide	07446-09-5	0.001	0.001
											Carbon Monoxide	00630-08-0	0.002	1.330
											Nitrogen Oxides (total, as NO2)	10102-44-0	0.009	6.200
											Trichlorobenzene	12002-48-1	0.13	260.000
											2-Butoxy-Ethanol	00111-76-2	0.027	53.300
											Particulates (non-specific)	NY-075-00-0	0.001	0.002
											Acetic Acid	00064-19-7	0.129	257.7
											Diphenyl	00092-52-4	0.033	66.7
22	PA-1174-87M	789	21	ACE Tag & Label	243 W. 39th Street	Expired	3/24/2003	Printing presses	7.5	250	Miscellaneous Org	NY-990-00-0	1.34	2,513.0
											Isopropyl Alcohol	00067-63-0	0.75	1,406.0

Map ID	Permit No.	Block	Lot	Facility Name	Street Address	Permit Status	Expiration Date	Source Description	Used Hrs/Day	Used Days/Yr	**Pollutant Name**	**CAS No**	**Hourly Emissions (Lbs/Hr)**	**Annual Emissions (Lbs/Yr)**
											Particulates	NY-075-00-0	0.001	1.9
23	PB-0131-11J	787	11	Kennedy Fabrications	247 W. 37th Street	Expired	10/11/2014	Plastic fabrication	8	250	Plastic Dust	NY-075-00-0	0.01	20.0
24	PB-0132-11H	787	11	Kennedy Fabrications	247 W. 37th Street, FL 5	Expired	10/11/2014	Paint Spray Booth (Architectural Models)	8	250	Solids	NY-075-00-0	0.01	0.98
											Solvents	NY-098-00-0	0.06	93.0
27	PB-0615-01K	787	72	Create-A-Copy	256 W. 38th Street	Expired	9/6/2010	Blueprinting machines	8	200	Aqua Ammonia	01336-21-6	0.0001	0.0001
33	PB-0657-01N	788	4	Sherry Accessories Corp.	580 8th Avenue	Expired	1/18/2014	Latex Cement Spray Booth. No solvents emitted.	8	200	Latex Cement	NY-075-00-0	0.05	80.0

Industrial Source Refined Analysis

Table I-10 presents the maximum predicted impacts at Site 2 using the AERMOD refined dispersion model. Emissions of cadmium from a jewelry manufacturing facility at 246 W. 38th Street (Map ID# 14, PA-0530-85J) would exceed the AGC. The exceedance would occur for receptors between 115 and 203 feet in elevation along the south façade of Site 2. This is considered a potentially significant adverse air quality impact. Because a hotel on this site would require a special permit under With-Action conditions, it would be subject to further site-specific environmental review, including updated detailed industrial source analysis. At such time that actions are requested to facilitate the development of this building, potential remedies can be explored in detail. It is also possible that the industrial source causing this potential impact may relocate by the time these actions are requested and an environmental review is conducted or the design of the building massing and operable windows may avoid the impact.

Table I-10, Industrial Source Refined Analysis Results for Site 2

Site	Pollutant	CAS	AERMOD 1-hr concentration (µg/m3)	SGC (µg/m3)	AERMOD Annual concentration (µg/m3)	AGC (µg/m3)
2	Diphenyl	00092-52-4	NA	NA	0.19	3.1
2	Ammonium Hydroxide	01336-21-6	375.78	2,400	1.23	100
2	Lead	07439-92-1	NA	NA	0.00156	0.038
2	Tin	07440-31-5	NA	NA	0.00372	0.24
2	Cadmium	07440-43-9	NA	NA	0.00156*	0.00024

* Potential Significant Adverse Impact

Greenhouse Gas Emissions

As indicated on the EAS Form, the proposed action would not meet or exceed any of the screening thresholds for detailed analysis of greenhouse gas emissions. Similarly, as a distinct project, the hotel on Site 2 that would be developed under the Special Permit Scenario would not meet or exceed any of the screening thresholds for detailed analysis of greenhouse gas emissions and therefore would not warrant a detailed greenhouse gas emissions analysis.

Noise

The hotel projected for Site 2 under the Special Permit Scenario would be affected by existing noise levels as a hotel is a noise-sensitive use. Accordingly, a noise analysis would be warranted. In addition, this hotel would have the potential to generate significant noise from action-generated motor vehicles (mobile sources) and therefore a noise mobile source screening assessment and, if necessary detailed analysis, also would be warranted.

Detailed and site-specific noise analysis of potential effects of a proposed hotel would be made at the time of the special permit application in order to make an impact determination. However, as existing noise levels were collected at Site 2 during the weekday AM, midday, and PM peak hours, using the same methodology as performed in Attachment H, "Noise," a preliminary noise analysis was conducted at Site 2 to determine any

potential noise impacts as a result of the Special Permit Scenario. A brief description of the noise technical analysis is provided below.

Existing Noise Levels

As a result of the Special Permit Scenario, it is projected that the existing post office on Site 2 would be demolished and replaced by a new 310-foot tall, 231,564-sf hotel building with 579 hotel rooms.

As traffic along W. 38th Street is the dominant source of noise in the vicinity of Projected Site 2, the noise receptor locations were selected based upon the assumption that the future development at Site 2 would be built to its respective lot lines. The receptor location is described below:

> Receptor Location 1 – Future southern frontage of Projected Development Site 2 (W 38th Street); approximate midpoint of frontage (approximately 325 feet west of 7th Avenue).

The results of the measurements of existing noise levels are summarized in **Table I-11**. As shown in the table, Projected Site 2 is located in an area with relatively high ambient noise levels. Noise levels generally reflect the level of vehicle activity present on adjacent roadways; therefore, the relatively high noise levels in the vicinity of the projected and potential development sites are a reflection of the relatively high traffic along W. 38th Street.

TABLE I-11, Existing Noise Levels (dBA)

Receptor	Measurement Location	Time	L_{eq}	L_1	L_{10}[1]	L_{50}	L_{90}	CEQR Noise Exposure Category[2]
1	W. 38th Street (Projected Development Site 2)	AM	72.18	81.37	**75.29**	68.36	65.15	Marginally Unacceptable (II)
		MD	70.24	80.03	72.40	66.97	64.67	
		PM	68.45	75.43	69.44	65.74	63.91	

Notes:
[1] The highest measured noise level at each receptor is indicated in **bold.**
[2] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels

As shown in **Table I-11**, the highest L_{10} noise levels were observed at Receptor Location 1, measuring 75.29 dBA in the weekday AM peak period. Existing L_{10} noise levels at Receptor Location 1 ranged from 69.44 dBA to 75.29 dBA, placing it in the Marginally Unacceptable (II) CEQR Noise Exposure category.

The Future With the Proposed Project and Without the Hotel Special Permit (With-Action Condition)

As outlined in Section C of this Attachment, it is expected that in the future with the proposed project (With-Action condition), the existing 48,023 sf post office on Site 2 would remain. In the 2027 future with the proposed actions (the With-Action condition), traffic patterns and volumes are expected to differ slightly from their existing conditions. As vehicle noise emissions on adjacent roadways are the dominant source of noise at Receptor Location 1, the change in traffic patterns is expected to affect the levels of ambient noise at this location. Pursuant to CEQR guidance, as there are no new developments anticipated for Site 2 in the future With-Action condition, traffic volumes were estimated by applying an annual background growth rate to the vehicle volumes counted during monitoring. Per Table 16-4 of the *CEQR Technical Manual*, a 0.25 percent annual background growth rate for Manhattan was applied to years 1-5, with an additional growth rate of 0.125 percent applied annually for anything over 5 years. Using the noise prediction methodology described in Section D of Attachment H, future noise levels in the With-Action condition were calculated for the three analysis periods for the 2027 Build Year. **Table I-12** shows the measured Existing noise levels and calculated future With-Action condition noise levels at the receptor location.

TABLE I-12, 2027 With-Action Condition Noise Levels (dBA)

Receptor	Measurement Location	Time	Existing		With-Action			CEQR Noise Exposure Category[3]
			L_{eq}	L_{10}	L_{eq}	L_{10}[1]	Existing to With-Action Change[2]	
1	W. 38 Street (Projected Development Site 2)	AM	72.18	75.29	72.26	**75.37**	0.08	Marginally Unacceptable (II)
		MD	70.24	72.40	70.32	72.48	0.08	
		PM	68.45	69.44	68.53	69.52	0.08	

[1] The highest No-Action L_{10} noise level at each receptor is indicated in **bold.**
[2] No-Action L_{eq} - Existing L_{eq}.
[3] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels.

Comparing future With-Action noise levels with Existing noise levels, the increases in L_{eq} noise levels would be minimal, where all analysis periods would experience an increase of 0.08 dBA from Existing to future No-Action noise levels. According to *CEQR Technical Manual* guidance, increases of less than 3.0 dBA would be barely perceptible. The projected No-Action L_{10} noise levels at Receptor Location 1 would range from 69.52 dBA to 75.37 dBA, and would remain in the Marginally Unacceptable (II) CEQR Noise Exposure category.

The Future with the Hotel Special Permit (Special Permit Scenario)

As outlined in Section C of this Attachment, in the future with the hotel special permit (the Special Permit Scenario), Projected Site 2 would be redeveloped by the build year 2027. In the Special Permit Scenario, the existing post office on Projected Development Site 2 is expected to be demolished and replaced by a new 310-foot tall, 231,564-sf hotel building with 579 hotel rooms.

Table I-13, 2027 With-Action and Special Permit Scenario Noise Levels (dBA)

Receptor	Measurement Location	Time	With-Action		Special Permit Scenario			CEQR Noise Exposure Category[3]
			L_{eq}	L_{10}	L_{eq}	L_{10}[1]	With-Action to Special Permit Scenario Change[2]	
1	W. 38th Street (Projected Development Site 2)	AM	72.26	75.37	72.61	**75.72**	0.36	Marginally Unacceptable (II)
		MD	70.32	72.48	70.87	73.03	0.55	
		PM	68.53	69.52	69.29	70.28	0.76	

Notes:
[1] The highest No-Action noise level at each receptor is indicated in **bold.**
[2] With-Action L_{eq} – No-Action L_{eq}.
[3] For consistency purposes, the *CEQR* noise exposure categories for existing, No-Action, and With-Action conditions are based on the residential/community facility/hotel/commercial noise exposure guidelines; reflects the worst-case peak hour noise levels.

Noise levels in the future with the hotel special permit were predicted, which are presented in **Table I-13**. As presented in the table, in the future under the Special Permit Scenario, noise levels at Receptor Location 1 would increase slightly, ranging from 70.28 dBA to 75.72 dBA. According to *CEQR Technical Manual* guidance, increases of less than 3.0 dBA would be barely perceptible. In terms of *CEQR Technical Manual* criteria, as in the With-Action condition, Special Permit Scenario noise levels at Receptor Location 1 would remain in the Marginally Unacceptable (II) CEQR Noise Exposure category.

Building Attenuation Requirements

As shown in Table H-3 in Attachment H, "Noise," the *CEQR Technical Manual* has set noise attenuation requirements for buildings based on exterior L_{10} noise levels. Recommended noise attenuation values for buildings are designed to maintain a maximum interior noise level of 45 dBA or lower for residential/transient

hotel uses and 50 dBA or lower for commercial/office uses, and are determined based on exterior L_{10} noise levels.

As described above and presented in **Table I-13**, the maximum predicted L_{10} noise levels adjacent to Projected Site 2 are expected to be 75.72 dBA along the projected development site's W. 38th Street frontage. Composite building attenuation requirements for each façade were calculated based on these maximum Special Permit Scenario L_{10} noise levels and are presented in **Table I-14**. As presented in **Table I-14**, to satisfy CEQR interior noise level requirements and ensure acceptable interior noise levels, residential/transient hotel uses along W. 38th Street (Projected Site 2) must provide 31 dBA of composite attenuation for that street frontage. Attenuation values for commercial and office uses on all facades would be 5 dBA less than the values presented in **Table I-14**, which represent CEQR minimum required attenuation requirements for residential/community facility uses.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade is composed of the wall, glazing, and any vents or louvers for HVAC systems. The proposed project would be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating greater than or equal to the attenuation requirements listed in Table H-8. The OITC classification is defined by ASTM International (ASTM E1332-10a) and provides a single-number rating that is used for designing a building façade, including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise.

Table I-14, Required Attenuation at the Proposed Project under CEQR Criteria

Projected/ Potential Development Site	Façade	Representative Monitoring Location	Maximum Predicted L_{10} at Ground Level (in dBA)	CEQR Minimum Required Attenuation (in dBA)[1]
2	W. 38th Street	1	75.72	31

Notes:
[1] The composite window/wall attenuation values shown are for residential/community facility/transient hotel uses. Attenuation values for commercial and office uses would be 5 dBA less. Attenuation requirements do not apply to lobby, mechanical, or storage spaces.

With implementation of the attenuation levels outlined above and described in **Table I-14**, the Site 2 building would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for hotel uses and 50 dBA L_{10} for commercial and office uses on the RWCDS Projected Development Site 2. If such a measure was not implemented, this is considered a potentially significant adverse noise impact that could occur if ambient noise levels remain at current levels. Because a hotel on this site would require a special permit under With-Action conditions, it would be subject to further site-specific environmental review, including updated detailed noise analysis. At such time that actions are requested to facilitate the development of this building, an environmental review would be required. Based on the analysis that would be conducted for Site 2 in a future environmental review, if a potential for noise stationary source impacts is identified, an (E) designation would be recommend to preclude the potential for significant adverse impacts related to noise stationary sources.

Public Health

As noted above, the hotel projected for Site 2 under the Special Permit Scenario may be required to provide detailed analyses of one or more of the following technical areas: hazardous materials, air quality, and noise, in which a case a screening assessment of public health would be necessary.

If warranted, detailed and site-specific analysis of potential effects of a proposed hotel on public health would be made at the time of the special permit application in order to make an impact determination.

Neighborhood Character

As noted above, the hotel projected for Site 2 under the Special Permit Scenario may be required to provide detailed analyses of one of more of the following technical areas: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise, in which case a screening assessment of neighborhood character would be necessary.

If warranted, detailed and site-specific analysis of potential effects of a proposed hotel on neighborhood character would be made at the time of the special permit application in order to make an impact determination.

Construction

The construction of the hotel projected for Site 2 under the Special Permit Scenario would be required to follow regulations related to construction and would be expected to result in short-term conditions typical of construction sites in New York City. There are several screening thresholds potentially applicable to the hotel projected for Site 2 under the Special Permit Scenario. If the application is found to exceed any of these then a construction screening assessment would be necessary.

If warranted, detailed and site-specific analysis of potential construction effects of a proposed hotel would be made at the time of the special permit application in order to make an impact determination.

APPENDIX A:
LANDMARKS PRESERVATION COMMISSION REVIEWS

Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 17DCP149M
Project: GARMENT CENTER REZONING
Date received: 5/9/2018

The LPC is in receipt of a request for update for Historic and Cultural Resource chapter of the EAS dated 4/23/18. There appear to be no changes to the historic properties identified in the document.

Gina Santucci 5/10/2018

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32020_FSO_GS_05102018.doc

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 17DCP149M
Project: GARMENT CENTER REZONING
Date received: 8/15/2017

The LPC is in receipt of the Shadows Chapter dated 8/14/17. There are no further concerns.

Gina Santucci 8/15/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32020_FSO_GS_08152017.doc