
**NEW YORK CITY ENVIRONMENTAL QUALITY REVIEW
ENVIRONMENTAL ASSESSMENT STATEMENT
AND SUPPLEMENTAL REPORT**

**661 EIGHTH AVENUE
BOROUGH OF MANHATTAN**

Prepared For:

42nd & 8th Owner, LLC
141 Fifth Avenue, 2nd Floor
New York, NY 10010

Prepared By:

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Lead Agency:

New York City Department of City Planning (DCP)
120 Broadway, 31st Floor, New York, NY 10271

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**CEQR No.: 17DCP189M
16 June 2017**

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PART I: ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM
(CITY ENVIRONMENTAL QUALITY REVIEW)



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: 661 Eighth Avenue

1. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency) 17DCP189M	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) N/A	OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA)

2a. Lead Agency Information

NAME OF LEAD AGENCY:
Department of City Planning

NAME OF LEAD AGENCY CONTACT PERSON:
Robert Dobruskin

ADDRESS: 120 Broadway, 31st Floor

2b. Applicant Information

NAME OF APPLICANT:
42nd & 8th Owner, LLC

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON:
Vivien Krieger – Cozen O'Connor

ADDRESS: 277 Park Avenue

CITY: New York	STATE: New York	ZIP: 10271	CITY: New York	STATE: New York	ZIP: 10172
TELEPHONE: (212) 720-3423	EMAIL: rdobrus@planning.nyc.gov		TELEPHONE: (212) 883-2228	EMAIL: VKrieger@cozen.com	

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:

42nd & 8th Owner, LLC (the "Applicant"), is requesting a zoning text amendment to the Zoning Resolution (ZR) of the City of New York to add a new subsection to ZR §81-73 (Special Sign and Frontage Regulations). The new subsection, ZR §81-734 would permit the sign provisions applicable to C6-7 zoning districts to apply to corner lot portions of zoning lots bound by two wide streets on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, provided that no sign shall function with sound; and illuminated signs may face both wide streets, or be parallel to the street line of one wide street. The affected property is a single tax lot, Block 1033, Lot 29, located at 661 Eighth Avenue in the Clinton neighborhood of Manhattan, Community District 04 (the "Project Site").

Project Location

BOROUGH: Manhattan	COMMUNITY DISTRICT(S): 04	STREET ADDRESS: 661 Eighth Avenue
TAX BLOCK(S) AND LOT(S): Block 1033, Lot 29	ZIP CODE: 10036	

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS: The Project Site is the northwest corner lot at the intersection of Eighth Avenue and West 42nd Street. The site is directly across West 42nd Street from Port Authority Bus Terminal.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY: C6-4, within both the Special Midtown and Special Clinton Districts	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)

<input type="checkbox"/> CITY MAP AMENDMENT	<input type="checkbox"/> ZONING CERTIFICATION	<input type="checkbox"/> CONCESSION
<input type="checkbox"/> ZONING MAP AMENDMENT	<input type="checkbox"/> ZONING AUTHORIZATION	<input type="checkbox"/> UDAAP
<input checked="" type="checkbox"/> ZONING TEXT AMENDMENT	<input type="checkbox"/> ACQUISITION—REAL PROPERTY	<input type="checkbox"/> REVOCABLE CONSENT
<input type="checkbox"/> SITE SELECTION—PUBLIC FACILITY	<input type="checkbox"/> DISPOSITION—REAL PROPERTY	<input type="checkbox"/> FRANCHISE
<input type="checkbox"/> HOUSING PLAN & PROJECT	<input type="checkbox"/> 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)
 Total directly affected area (sq. ft.): 6,035 sf Waterbody area (sq. ft.) and type: 0
 Roads, buildings, and other paved surfaces (sq. ft.): 6,035 sf 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): N/A
 NUMBER OF BUILDINGS: 0 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: 6,035 sf
 The total square feet not owned or controlled by the applicant: 0.00 sf

Does the proposed project involves 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: N/A VOLUME OF DISTURBANCE: N/A
 AREA OF PERMANENT DISTURBANCE: N/A

8. Analysis Year [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2018

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 2

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? YES NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Installation of signage would be completed in 2018

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

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.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Describe type of residential structures	N/A			
No. of dwelling units	N/A	N/A	N/A	
No. of low- to moderate-income units	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Commercial	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail on first and second floor	Retail occupied lower floors, office occupied upper floors	Retail occupied lower floors, office occupied upper floors	
Gross floor area (sq. ft.)	12,905 gsf	75,404 gsf	75,404 gsf	0 gsf
Manufacturing/Industrial	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type of use	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Open storage area (sq. ft.)	N/A	N/A	N/A	
If any unenclosed activities, specify:	N/A	N/A	N/A	
Community Facility	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
Type	N/A	N/A	N/A	
Gross floor area (sq. ft.)	N/A	N/A	N/A	
Vacant Land	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	
Publicly Accessible Open Space	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	N/A	N/A	N/A	
Other Land Uses	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	
PARKING				
Garages	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Attended or non-attended	N/A	N/A	N/A	
Lots	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	N/A	
Operating hours	N/A	N/A	N/A	
Other (includes street parking)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," describe:	N/A	N/A	N/A	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If "yes," specify number:	N/A	N/A	N/A	
Briefly explain how the number of residents was calculated:				
Businesses	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
If "yes," specify the following:				
No. and type	Retail Facility	Retail & Office facilities	Retail & Office facilities	
No. and type of workers by business	13 employees	226 employees	226 employees	0 employees
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Employment estimated based on the following: 3 employees per 1,000 square feet of retail and commercial.			
Other (students, visitors, concert-goers, etc.)	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If any, specify type and number:	N/A	N/A	N/A	
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	C6-4	C6-4	C6-4	
Maximum amount of floor area that can be developed	72,420 zsf	72,420 zsf	72,420 zsf	0 zsf
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Development area is comprised primarily of commercial uses. The Port Authority Bus Terminal exists directly across West 42 nd Street from the Project Site.	Development area is comprised primarily of commercial uses. The Port Authority Bus Terminal exists directly across West 42 nd Street from the Project Site.	Development area is comprised primarily of commercial uses. The Port Authority Bus Terminal exists directly across West 42 nd Street from the Project Site.	
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.				

ATTACHMENT A: PROJECT DESCRIPTION

INTRODUCTION

The Applicant, 42nd and 8th Owner, LLC is requesting a zoning text amendment of the Theater Subdistrict Section 81-73 (Special Sign and Frontage Regulations) of the New York City Zoning Resolution (“Zoning Resolution” or “ZR”) affecting corner lot portions of zoning lots bound by two wide streets within the western portion of the Eighth Avenue Corridor of the Theater Subdistrict, including a 6,035 square foot (sf) parcel located at 661 Eighth Avenue on Block 1033, Lot 29 (the “Project Site”) in the Clinton neighborhood of Manhattan, Community District 4 (Figure 1: Regional Location Map). The proposed zoning text amendment (the “Proposed Action”) would facilitate installation of advertising signage on the roof of an existing two-story retail building (the “Proposed Project”).

PROJECT SITE

The Project Site is an approximately 6,035 sf lot located at the intersection of Eighth Avenue and West 42nd Street, at 661 Eighth Avenue (Block 1033, Lot 29) in the Borough of Manhattan (Figures 2 and 3). The Project Site is bounded by a 12 story L-shaped office building to the north and west, West 42nd Street to the south and Eighth Avenue to the east. Adjacent to the Project Site on West 42nd Street is an entrance to the MTA subway A, C and E lines; directly south is the Port Authority Bus Terminal (PABT), the primary terminal for interstate buses into Manhattan and New York City.

The Project Site is currently zoned C6-4 (Figure 4: Zoning Map) and is within the Eighth Avenue Perimeter Area of the Special Clinton District, as well as the Eighth Avenue Corridor of the Theater Subdistrict of the Special Midtown District. The maximum as-of-right FAR (including by certification) would be 12.0 FAR. This includes the base 10.0 FAR and additional 2.0 FAR achievable by TDR certification.

DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action is a zoning text amendment to the ZR of the City of New York to add a new subsection to ZR §81-73 (Special Sign and Frontage Regulations). The new subsection, ZR §81-734, would permit the sign provisions applicable to C6-7 zoning districts to apply to corner lot portions of zoning lots bound by two wide streets on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, provided that no sign shall function with sound and any illuminated signs must face both wide streets or be parallel to the street line of one wide street (i.e., towards Times Square and away from residences within the Special Clinton District). The proposed zoning text amendment (Appendix B) would state:

For a #corner lot#, or portions thereof, bounded by two #wide streets# on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, the #sign# provisions for C6-7 Districts pursuant to Section 32-60 (SIGN REGULATIONS) shall apply, with the following modifications:

- (a) No #sign# shall function with sound; and*

(b) *illuminated signs* may face both *wide streets*, or be parallel to the *street line* of one *wide street*.

PURPOSE AND NEED

Due to its proximity to Times Square, the Theater District, and multiple transit connections, including PABT, the Project Site is within one of the most highly pedestrian-trafficked areas in all of New York City. This proximity provides the Project Site with a unique opportunity for businesses to potentially substantially increase consumer exposure through use of advertising signage.

Currently, the northeast, southeast and southwest corners of the Eighth Avenue and West 42nd Street intersection contain large digital and static advertising signage. The Project Site is the only corner with no digital advertising signage. In fact, the adjacent L-shaped property to the Project Site currently maintains static signage on the eastern and southern facing exterior walls of that property. The Proposed Action would allow the Project Site to display signage similar to the opposite three corners, ultimately creating a more homogenous visual environment and reinforcing this unique intersection as a gateway to Times Square and the Theater District.

PROPOSED PROJECT

The Project contemplates installing advertising signage on the roof of the existing two-story building. Based on the physical limitations of the site and recommendations from the signage consultant retained by Project Site owner, the most likely size of a digital advertising sign would be no larger than the diagonal length of the zoning lot, or 109.96 feet. The sign would face towards the Times Square area and away from the Special Clinton District, and would not have any sound features. This is consistent with existing building façade signs in the immediate surrounding area, particularly those more prominent illuminated signs located at the northeast and southwest corners of the West 42nd Street and Eighth Avenue intersection, across from the Site, while also considering the neighbors to the north and west of the Project Site.

EXISTING CONDITIONS

Land uses within a 400-foot radius of the Project Site (“Study Area”) generally include a mix of commercial uses, with only a small proportion of residential uses, as well as a large transportation and utility facility (Figure 5: Land Use Map). West 43rd Street, West 42nd Street, and Eighth Avenue between the intersections of West 41st Street and West 44th Street are predominately characterized by commercial and mixed commercial and, to a much lesser extent, limited residential uses north and west of the site. The PABT, located across from the Project Site on the south side of West 42nd Street, is the largest bus terminal in the United States and the busiest in the world by volume serving about 8,000 buses and 225,000 people on an average weekday and more than 65 million people a year.¹ On January 6, 2017, the Port Authority of New York and New Jersey agreed on a capital plan that sets aside \$3.5 billion out of an expected \$10 billion total cost for the reconstruction of the PABT.² The PABT occupies the majority of the block directly south of the Project Site and has digital illuminated advertising signage on its corner facing the West 42nd

¹ Port Authority of New York and New Jersey June 27, 2013, press release

² *The Wall Street Journal*. January 5, 2017.

Street and Eighth Avenue intersection. The display is 35.5 ft tall and 169.5 ft wide; the estimated height to the top of the display from grade is 65-70 ft. The block to the east of the Project Site is part of the 42nd Street Development Project and is improved with an entirely commercial building displaying both static and digital illuminated advertising signage facing Eighth Avenue and West 42nd Street. The digital display is comprised of two components that meet at the corner with two facades, each of which is 45 foot tall and 45 foot wide; the estimated height to the top of the display from grade is 70-75 ft. The property on the diagonally opposite corner to the southeast of the Project Site is a mixed use retail and commercial building with digital illuminated advertising signage facing the intersection of West 42nd Street and Eighth Avenue. The display is situated on two facades of a cube-like structure that is 26 ft high and 52 ft wide. Each face of the display is 26 ft by 26 ft wide; the estimated height to top of the display from grade is 125-130 ft. The Project Site is the only zoning lot at the corner of West 42nd Street and Eighth Avenue that does not have digital illuminated advertising signage.

The Project Site is surrounded by commercial districts that vary in permitted density (Figure 4: Zoning Map). A C6-7 district is mapped directly south and east of the Project Site. The C6-7 district allows for a maximum FAR of 15.0 for both commercial uses (Use Groups 5-14) and community facility uses (Use Groups 3 and 4) and a maximum residential (Use Groups 1 and 2) FAR of 10.0 with an inclusionary housing program bonus. A C6-2 district is mapped to the northwest of the Project Site. The C6-2 district allows for a maximum FAR of 6.00 for commercial uses (Use Groups 5-14), 6.50 for community facility uses (Use Groups 3 and 4) and 4.02 for residential uses (Use Groups 1 and 2) with an inclusionary housing bonus. A C6-5 district is mapped to the northeast of the Project Site. The C6-5 district allows for a maximum base FAR of 10.0 for commercial uses (Use Groups 5-14), residential uses (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4). Maximum building heights in the surrounding C6-7 and C6-5 zoning districts are governed by regulations defined by the Special Midtown District (ZR §81-74). Maximum building heights in the surrounding C6-2 zoning district are governed by regulations defined by the Special Clinton District (ZR §96-104). The Special Midtown District is mapped north and east of the Project Site and contains the Project Site. As defined by ZR §81-04, the Special Midtown District contains five subdistricts: Fifth Avenue, Grand Central, Penn Center, Preservation, and Theater. Primary goals of the Special Midtown District are³:

- Strengthen the business core of Midtown Manhattan by improving the working and living environments;
- Stabilize development in Midtown Manhattan and provide direction and incentives for further growth where appropriate;
- Preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the quality that makes Midtown vital.

³ New York City Department of City Planning. Special Midtown District. (<http://www1.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-manhattan.page#midtown>) (Accessed on 06/15/17)

The Special Clinton District is mapped north and west of the Project Site and contains the Project Site. As defined by ZR §96-03, the Special Clinton District contains three subareas, the Preservation Area, the Perimeter Area and the Other Areas. Primary goals of the Special Clinton District are⁴:

- Preserve and strengthen the residential character of the community;
- Preserve the small-scale character and variety of existing stores and activities and to control new commercial uses in conformity with the existing character of the area;
- Provide an appropriate transition from the mixed-use character along Eighth Avenue to the lower-scale residential character of the Clinton community on the narrow streets.

The Theater Subdistrict is bound by West 57th Street, Avenue of the Americas, West 40th Street, Eighth Avenue, West 42nd Street, a line 150 feet west of Eighth Avenue, West 45th Street and Eighth Avenue. The Eighth Avenue Corridor of the Theater Subdistrict is bound by West 56th Street, a line 100 feet east of Eighth Avenue, West 43rd Street, Eighth Avenue, West 42nd Street, a line 150 feet west of Eighth Avenue, West 45th Street, and Eighth Avenue. The Project Site is within the Eighth Avenue Corridor. According to the Department of City Planning, the Theater Subdistrict “allows certain theaters to transfer their available development rights throughout the subdistrict in exchange for retaining, preserving, and maintaining a legitimate theater use, and for a contribution to a newly created Theater Subdistrict Fund.”

McCaffrey Playground, a 0.44-acre public park on West 43rd Street, is northwest of the Project Site. Acquired from the Church of Holy Cross, the New York City Department of Parks and Recreation officially designated the space a public park in 1938. The playground equipment was installed in the early 1980’s and contains basketball as well as handball courts⁵.

The Project Site is directly north of the PABT and west of Times Square. There are two landmarked buildings within the 400 foot Study Area: the McGraw Hill Building (LPC designated; S/NR listed) and the Times Square Hotel (S/NR listed).

The Project Site is well served by transit, including the PABT, Port Authority subway station, multiple MTA bus lines (M42, M104, M20 and M34A-SBS) and the Times Square 42nd Street subway station (1, 2, 3, 7, A, C, E, N, Q and R trains and the shuttle to Grand Central Terminal). Adjacent to the Project Site on 42nd Street is an entrance to the MTA Port Authority subway station A, C and E lines.

⁴ New York City Department of City Planning. Special Clinton District.
(<http://www1.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-manhattan.page#clinton>)
(Accessed on 06/15/17)

⁵ New York City Department of Parks and Recreation
(<https://www.nycgovparks.org/parks/mccaffrey-playground>) (Accessed on 06/15/17)

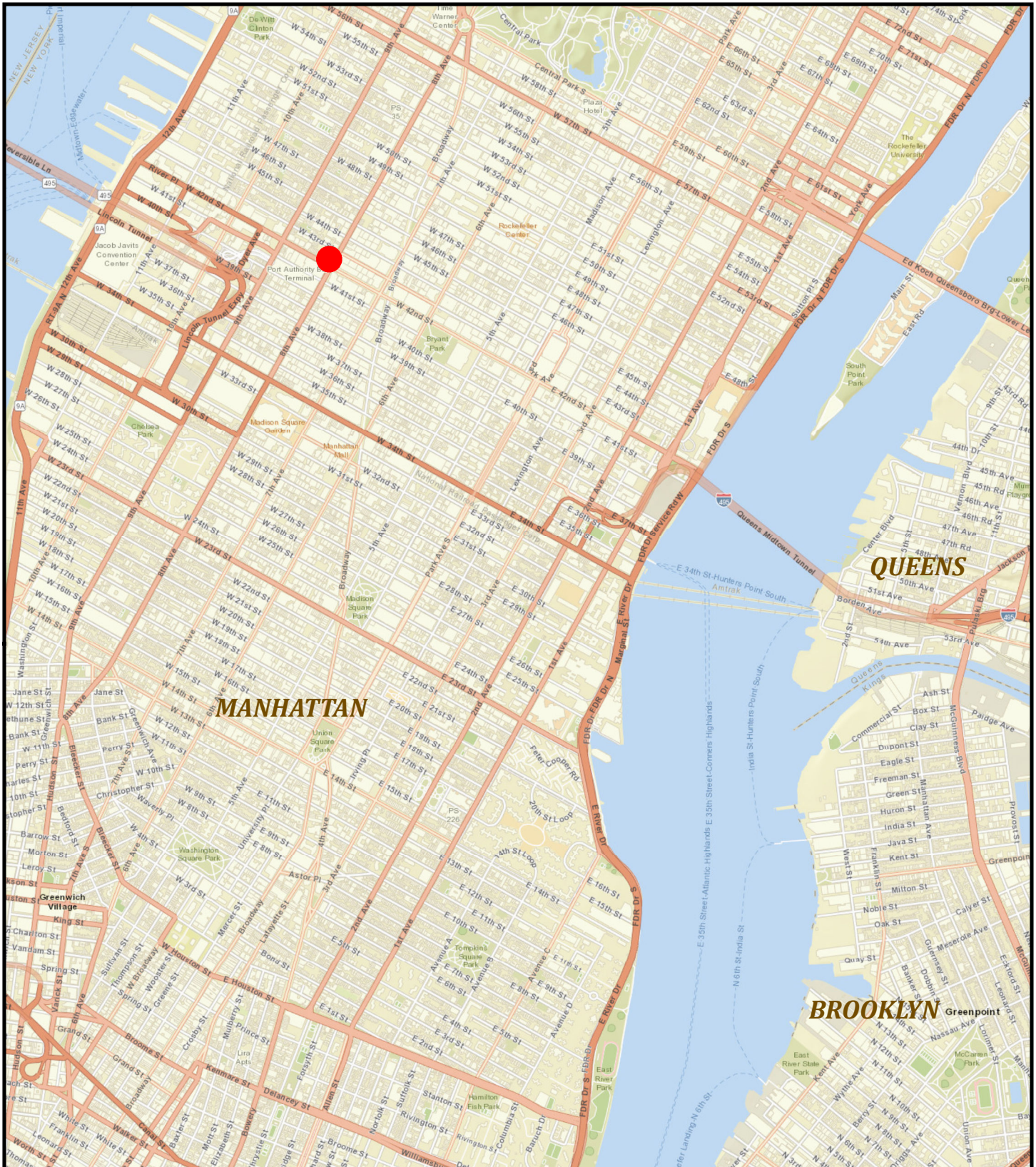


FIGURE 1: REGIONAL LOCATION

661 EIGHTH AVENUE

 Project Site

**CLINTON / TIMES SQUARE
MANHATTAN, NY**
Map Reference: ESRI Basemap



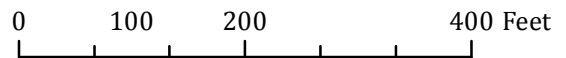
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FIGURE 2: PROJECT SITE LOCATION

661 EIGHTH AVENUE

- Project Site
- Study Area (400-foot radius)



**CLINTON / TIMES SQUARE
MANHATTAN, NY**

Map Reference: ESRI Basemap, NYC Department of City Planning MapPLUTO

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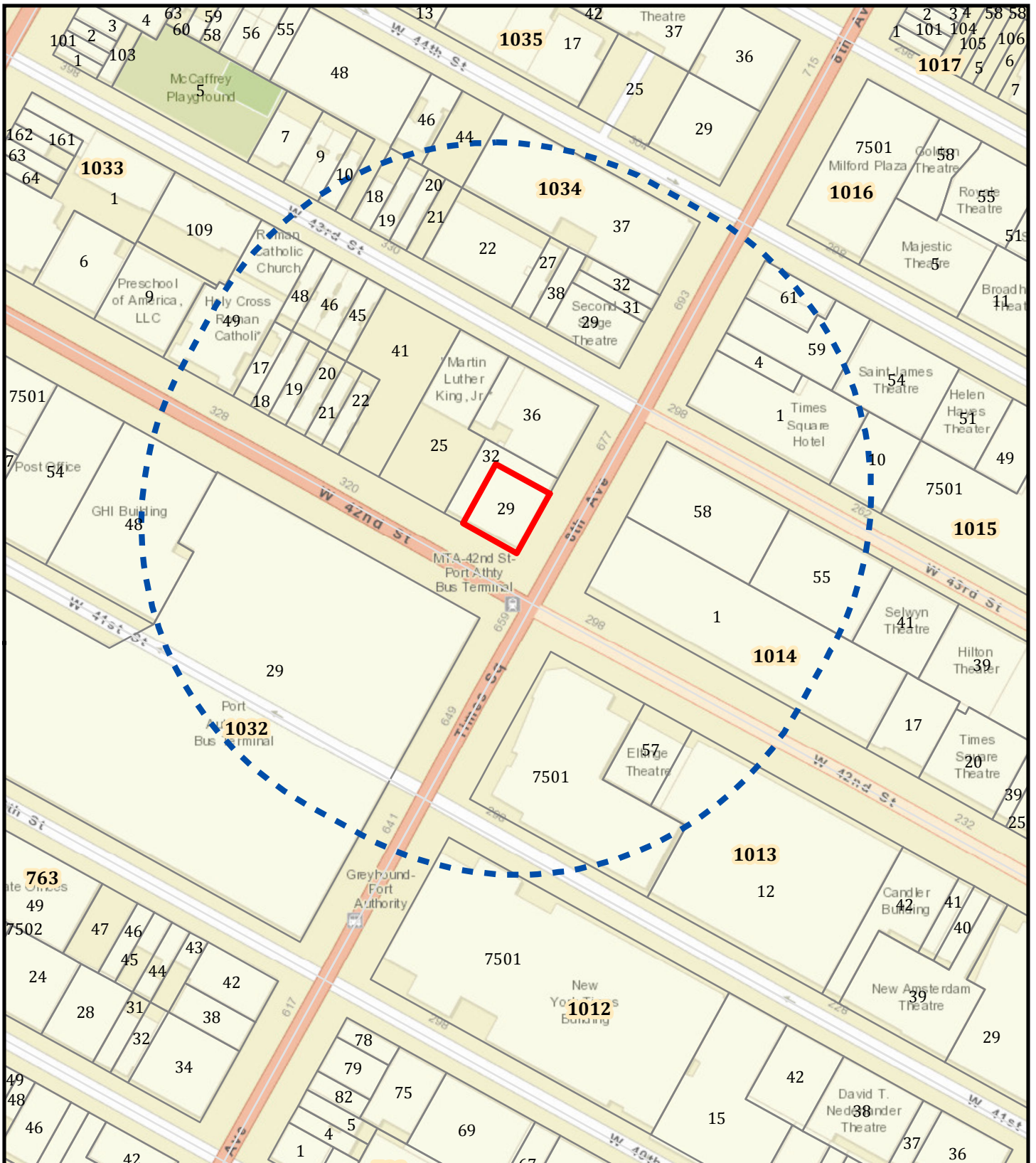


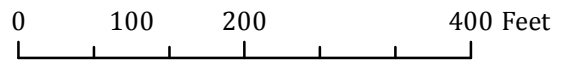


FIGURE 3: TAX MAP
661 EIGHTH AVENUE

-  Project Site
-  Study Area (400-foot radius)
- 697** Block
- 56** Tax Lot



CLINTON / TIMES SQUARE
MANHATTAN, NY

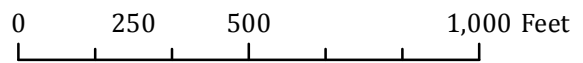
Map Reference: ESRI, NYC Dept of City Planning, LION, NYC Department of Finance

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FIGURE 4: ZONING MAP

661 EIGHTH AVENUE



Project Site



Study Area (400-foot Radius)



CLINTON / TIMES SQUARE
MANHATTAN, NY

Map Reference: NYC Dept of City Planning (Zoning Maps 8c and 8d)

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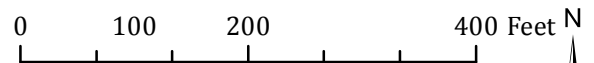


FIGURE 5: LAND USE MAP
661 EIGHTH AVENUE

CLINTON / TIMES SQUARE
MANHATTAN, NY

Map Reference: NYCDPC MapPLUTO (2016), ESRI Basemap

- Project Site
- Study Area (400-foot radius)
- Land Use**
- One & Two Family Residences
- Multi Family Walkup Residences
- Multi Family Elevator Residences
- Mixed Residential/ Commercial
- Commercial/Office Uses
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities/Institutions
- Open Space
- Parking
- Vacant Land



LANGAN

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City’s Waterfront Revitalization Program boundaries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer both questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ If “yes,” answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
▪ 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.		
(c) 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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes:”		
▪ Would the population of the primary study area increase by more than 10 percent?	<input type="checkbox"/>	<input type="checkbox"/>
▪ 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?	<input type="checkbox"/>	<input type="checkbox"/>
o If “yes” to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Indirect Business Displacement		
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?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	<input type="checkbox"/>	<input type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
i. Child Care Centers		
○ 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) Only 30 percent of the total residential floor area (124 units) would be allocated to affordable units for income at or below 80 percent of AMI. Based on this the With-Action Condition would generate approximately 14 eligible children under age 6.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ 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?	<input type="checkbox"/>	<input type="checkbox"/>
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
ii. Libraries		
○ 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	<input type="checkbox"/>	<input type="checkbox"/>
○ If "yes," would the additional population impair the delivery of library services in the study area?	<input type="checkbox"/>	<input type="checkbox"/>
iii. Public Schools		
○ 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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ 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?	<input type="checkbox"/>	<input type="checkbox"/>
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	<input type="checkbox"/>	<input type="checkbox"/>
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If "yes," would the project affect the operation of health care facilities in the area?	<input type="checkbox"/>	<input type="checkbox"/>
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
○ If "yes," would the project affect the operation of fire or police protection in the area?	<input type="checkbox"/>	<input type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(d) Is the project located within a well-served area in the Bronx , Brooklyn , Manhattan , Queens , or Staten Island ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	<input type="checkbox"/>	<input type="checkbox"/>
○ 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?	<input type="checkbox"/>	<input type="checkbox"/>
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(a) 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.		

	YES	NO
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)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.		
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, please provide the information requested in Chapter 10 . See Attachment D		
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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Has a Phase I Environmental Site Assessment been performed for the site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: Petroleum bulk storage, historic fueling and service station use and open spill, on subject property and surrounding properties.		
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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): Approximately 17,144 Pounds Per Week		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	<input type="checkbox"/>	<input type="checkbox"/>
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): Approximately 15.65 Billion BTUs annually		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**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.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources</i> : Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources</i> : Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project result in the development of 350,000 square feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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.	<input type="checkbox"/>	<input type="checkbox"/>
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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 sight to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.		
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(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. See Attachment E		
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
Michael Keane, AICP		06/16/2017
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.	Potentially Significant Adverse Impact	
	YES	NO
IMPACT CATEGORY		
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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?

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.

YES NO


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 Director, Environmental Review and Assessment Division	LEAD AGENCY Department of City Planning
NAME Robert Dobruskin, AICP	DATE 6/16/2017
SIGNATURE 	

PART II: ENVIRONMENTAL (CEQR) ANALYSIS

ATTACHMENT B: CEQR ANALYSIS FRAMEWORK

INTRODUCTION

The Proposed Action requires discretionary approval by the City Planning Commission (CPC) and, therefore, is subject to CEQR—New York City’s process for implementing the New York State Environmental Quality Review Act (SEQRA), by which agencies of the City review proposed discretionary actions to identify and disclose the potential effects those actions may have on the environment. This Environmental Assessment Statement (EAS) has been prepared pursuant to Mayoral Executive Order No. 91 of 1977, as amended; Title 62 RCNY Chapter 5 (City Environmental Quality Review; CEQR), and the implementing regulations for SEQRA found at 6 NYCRR Part 617. This EAS informs the New York City Department of City Planning (DCP), acting as lead agency on behalf of the CPC, in making the determination whether the Proposed Action would potentially result in any significant adverse environmental impacts and require further environmental quality review.

ANALYSIS FRAMEWORK

The framework for the EAS analysis is based on the guidelines established in the March 2014 Edition of the *CEQR Technical Manual (CEQR Technical Manual)*. For each technical area, the *CEQR Technical Manual* defines thresholds that, if met or exceeded, typically require a detailed analysis. Accordingly, preliminary screening analyses were conducted for all applicable CEQR technical areas to determine if detailed analyses would be necessary. The following sections of this EAS report provide additional analyses and information for technical categories listed in Part II of the EAS for which CEQR thresholds were determined to have been met or exceeded, or if supplemental information is needed to complete the analysis.

In order to assess the potential effects of the Proposed Action, a Reasonable Worst Case Development Scenario (RWCDs) was developed for both the Future Without the Proposed Action (the “No-Action Condition”) and the Future With the Proposed Action (the “With-Action Condition”) for Build Year 2018. The future With-Action Condition identifies the extent, type, and location of development that would be expected to occur and be completed in 2018 as a result of the Proposed Action. The future No-Action Condition identifies development projections for 2018 absent the Proposed Action. The incremental difference between the No-Action and With-Action conditions serves as the basis for assessing the potential environmental impacts of the Proposed Action.

Build Year

Development of the Proposed Project would occur in a single phase and construction would commence as soon as the project received approval. It is anticipated that all components of the Proposed Project would be complete and operational by 2018. Accordingly, for the purposes of this environmental review, an analysis year of 2018 will be used to assess the potential effects of the Proposed Action (the “Build Year”).

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

A Reasonable Worst Case Development Scenario (RWCDS) is broadly defined as the potential development under both the future No-Action and With-Action conditions that is used to determine the change in permitted development created by a discretionary action. A RWCDS for both the No-Action Condition and With-Action Condition was developed for Build Year 2018. The With-Action Condition identifies the extent, type, and location of development that would be expected to occur and be completed in 2018 as a result of the Proposed Action. The No-Action Condition identifies development projections for 2018 absent the Proposed Action. The potential environmental impacts of the Proposed Action are based on the incremental differences between the No-Action and With-Action conditions.

No-Action Condition

The No-Action Condition projects development that would occur on the Project Site absent the Proposed Action.

In the future without the Proposed Action, the most feasible as-of-right development would be a 13-story building at a height of approximately 166 feet. The first eleven floors would reach a maximum street wall height of approximately 142 feet. The upper two floors would set back 10 feet on each street frontage and rise approximately 24 feet. Approximately 72,336 sf of zoning floor area would be developed (Figure 6: No-Action Rendering).

According to ZR §81-46, when a development or enlargement is constructed on a zoning lot within the Special Midtown District that contains at least 5,000 sf of lot area and is adjacent to a sidewalk containing a stairway entrance or entrances into a subway station, the existing entrance or entrances shall be relocated from the sidewalk onto the zoning lot. The Project Site is approximately 6,035 sf and is adjacent to a stairway entrance to the 42nd Street Port Authority subway station along the northern sidewalk of West 42nd Street. Therefore, any development or enlargement on the Project Site would mandate relocation of the existing subway station entrance on West 42nd Street onto the Project Site, as well as the addition of a core (e.g., elevators, circulation and forms of egress) and potential loading docks and/or delivery areas. The relocation of the subway entrance may also require satisfaction of additional access obligations pursuant to the Americans for Disabilities Act.

Due to the constraints of the floor plates that would require light and air be provided at the rear of the building in order to be compliant, it is unlikely that the Project Site would be redeveloped for residential or hotel use. Residential use is further constrained by the site's location at a highly trafficked intersection directly across the street from the PABT as well as existing commercial uses south, east, and northeast of the project site. Therefore, the property's highest and best use would likely be retail or office. Retail use would presumably occupy the lower floor(s) and office use would presumably occupy the upper floors.

The Project Site is currently zoned C6-4, which permits digital illuminated and/or flashing non-advertising signage up to 40 feet above grade and up to 777 sf of signage, of which up to 402 sf could be provided on the Eighth Avenue façade and 375 sf on the West 42nd Street façade, with sound. Additionally, signs must meet the special signage regulations of the Special Theater

Subdistrict of the Special Midtown District which requires that 50 percent of the street wall of a development or ground floor enlargement must be glazed with a clear, untinted, transparent material and no more than 50 percent of that glazed area may be obstructed with signage on wide streets. There are no additional signage requirements in the Eighth Avenue Corridor of the Special Clinton District.

The current sign regulations on the Project Site are incongruous with the other three corners of this intersection, which are all in a C6-7 zoning district and display the types of illuminated signage that make the Times Square area such an iconic image of New York City.

With-Action Condition

The With-Action Condition identifies the development on the Project Site projected to occur as a result of the Proposed Action. The addition of advertising signage to the building described in the No-Action condition would be facilitated by the Proposed Action.

The current C6-4 zoning permits digital illuminated flashing and non-flashing signs, but the height of such signage is restricted to 40 feet, the overall square footage of signage is restricted, and rooftop signs and advertising signs are prohibited.

The proposed zoning text amendment would permit modified C6-7 zoning district signage regulations to apply to corner lot portions of zoning lots bound by two wide streets within the western portion of the Eighth Avenue Corridor of the Theater Subdistrict. According to ZR §32-60, the C6-7 zoning district (similar to C6-4) signage regulations permit digital illuminated flashing and non-flashing and/or non-illuminated signage. However, the C6-7 signage regulations allow advertising signage without size, elevation, or other restrictions. These regulations would be modified to ensure that future signage would be oriented away from any residential uses to the west and north and would not be produced with sound. The proposed text amendment would facilitate the installation of illuminated advertising signs consistent with the goals and objectives of the Times Square sign regulations. The size and location of advertising signage would be dictated by site conditions, future use and window requirements, as well as other constraints.

For purposes of environmental review, the reasonable worst case scenario contemplates signage that would be facilitated by the Proposed Action occupying the façade area on the lower levels of the building described in the No-Action condition (Figure 7: With-Action Scenario). This scenario is similar to existing building façade signage in the surrounding area, particularly those more prominent signs located at the northeast corner and southwest corner of the intersection of West 42nd Street and Eighth Avenue, across from the Project Site. Additionally, signage affixed to the lower levels of a building would be the most visible location for both pedestrian and vehicular traffic and thus would command the highest revenue from advertisers.

The ground floor is subject to transparency requirements; therefore, digital advertising signage would begin at a level above the ground floor and rise to approximately 75 feet above street level—a scale generally consistent with signage found at the other surrounding corners of the intersection. Similar to the digital advertising sign at 660 Eighth Avenue (northeast corner of West 42nd Street and Eighth Avenue), future signage at the Project Site is expected to extend approximately 60 feet in width from the corner intersection on each façade for a total of approximately 2,400 sf on each

façade (60 feet wide by 40 feet high). (For comparison, the width of the sign at 660 Eighth Avenue on a single façade is estimated to be approximately 40 feet.) This configuration could also allow light to enter the building through window or façade exposures on the same floors as the digital advertising signage where the signage does not exist.

Advertising signage located above 75 feet from street level is not reasonable given the need to provide windows for the upper floor office space. Signage that would preclude the provisions of windows on upper floors would render these interior uses unusable and un-rentable.

The With-Action Scenario showing advertising signage below a height of approximately 75 feet is consistent with the size and height above curb level of signs on the other corners of the intersection. (Note these buildings, also in the C6-7 district, are permitted to have advertising signage at a higher level above the curb.) (See Appendix A, Photographs 1 – 4)

Table B-1: Maximum Permitted Zoning Floor Area and Proposed Zoning Floor Area (ZSF)

	No-Action Condition	With-Action Condition
Maximum Permitted Zoning Floor Area		
Commercial ZSF	72,420	72,420
Maximum FAR Permitted	72,420	72,420
Maximum Proposed Zoning Floor Area		
Proposed Commercial FAR	72,336	72,336
Total FAR Proposed	72,336	72,336

Incremental Difference: No-Action and With-Action Scenarios

The incremental difference between the No-Action Scenario and With-Action Scenario provides the basis by which the potential environmental impacts of the Proposed Action are evaluated in the Environmental Assessment Statement (EAS). The With-Action Scenario would result in the construction of signage to occupy the façade area at the lower levels of the No-Action building. The With-Action Scenario would not result in any change in density or land use on the Project Site.

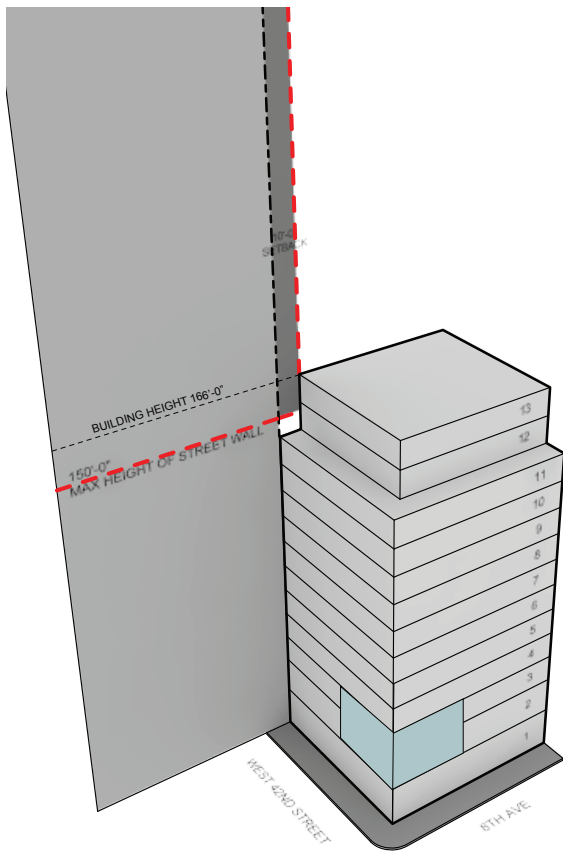
As shown in Table B-2, the With-Action Scenario would result in no net increment of commercial space. The maximum building height of the proposed building in both the With-Action and the No-Action Scenarios would be the same at approximately 166 feet.

Table B-2: No-Action and With-Action Scenarios

Land Use (Use Group)	No-Action Scenario	With-Action Scenario	Increment
Commercial (gsf)	72,336	72,336	0
Building Height (ft)	166	166	0

Source: Based on the development program provided by the Applicant

The potential adverse environmental impacts resulting from the Proposed Action are evaluated in the following sections of this EAS report.



Floor	GSF		ZFA	
	Commercial	Total	Commercial	Max Total
1st	6,028	6,028	4,561	4,561
2nd	6,028	6,028	5,907	5,907
3rd	6,028	6,028	5,907	5,907
4th	6,028	6,028	5,907	5,907
5th	6,028	6,028	5,907	5,907
6th	6,028	6,028	5,907	5,907
7th	6,028	6,028	5,907	5,907
8th	6,028	6,028	5,907	5,907
9th	6,028	6,028	5,907	5,907
10th	6,028	6,028	5,907	5,907
11th	6,028	6,028	5,907	5,907
12th	4,548	4,548	4,350	4,350
13th	4,548	4,548	4,350	4,350
Total	75,404	75,404	72,336	72,336

*1,560 SF for Subway Entrance

SRAA+E
Architecture & Engineering, P.C.

661-667 8th Ave
Manhattan, NY 10036
SRA PROJ:

ZONING STUDY

January 26, 2017

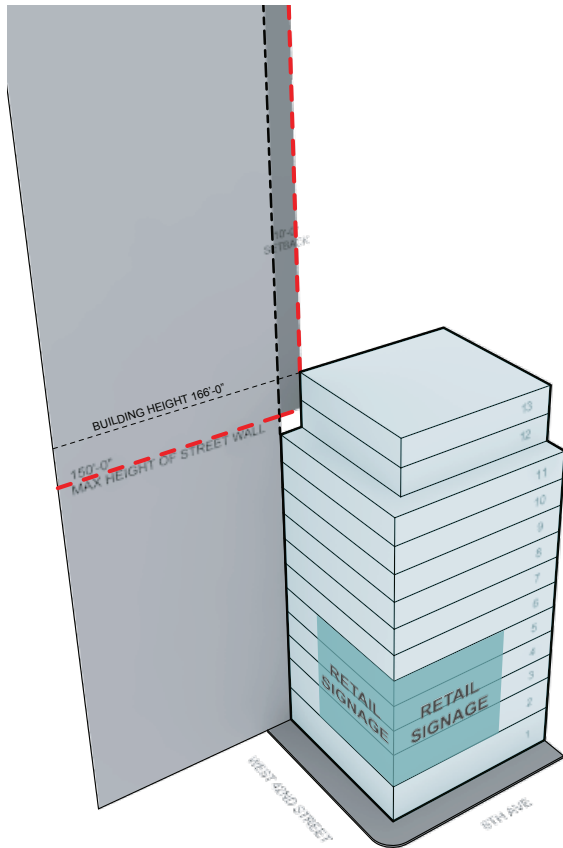
For Illustrative Purpose Only

FIGURE 6: NO-ACTION RENDERING
661 EIGHTH AVENUE

TIMES SQUARE/CLINTON
MANHATTAN, NY

LANGAN

Source: CetraRuddy Architecture DPC



Floor	GSF		ZFA	
	Commercial	Total	Commercial	Max Total
1st*	6,028	6,028	4,561	4,561
2nd	6,028	6,028	5,907	5,907
3rd	6,028	6,028	5,907	5,907
4th	6,028	6,028	5,907	5,907
5th	6,028	6,028	5,907	5,907
6th	6,028	6,028	5,907	5,907
7th	6,028	6,028	5,907	5,907
8th	6,028	6,028	5,907	5,907
9th	6,028	6,028	5,907	5,907
10th	6,028	6,028	5,907	5,907
11th	6,028	6,028	5,907	5,907
12th	4,548	4,548	4,350	4,350
13th	4,548	4,548	4,350	4,350
Total	75,404	75,404	72,336	72,336

*1,500 SF for Subway Entrance

SRAA+E
Architects & Engineers, P.C.

661-667 8th Ave
Manhattan, NY 10036
SRA PROJ:

ZONING STUDY

January 26, 2017

For Illustrative Purpose Only

FIGURE 7: WITH-ACTION RENDERING
661 EIGHTH AVENUE

TIMES SQUARE/CLINTON
MANHATTAN, NY

LANGAN

Source: CetraRuddy Architecture DPC

PROPOSED SCENARIO

The proposed zoning text amendment would permit modified C6-7 zoning district signage regulations to apply to the Project Site. According to ZR §32-60, the C6-7 zoning district signage regulations permit digital illuminated flashing and non-flashing and/or non-illuminated signage. The existing C6-4 district permits digital illuminated flashing and non-flashing signs, but is limited to a height of 40 feet above curb line. The C6-7 district regulations allow advertising signage without size, elevation or other restrictions. These regulations would be modified to ensure that future signage would be oriented away from predominately residential uses to the west and north, and would not be produced with sound.

Approval of the proposed zoning text amendment would allow a roof top advertising sign on the existing building (Figure 8: Proposed Rooftop Signage). While additional signage on the façade is not feasible due to the need for window penetrations and/or light and air requirements; any such signage would also reduce the value of the proposed roof top advertising sign.

Based on the physical limitations of the site and recommendations from the signage consultant of the Project Site owner, the most likely size of a digital advertising sign would be no larger than the diagonal length of the zoning lot, or 109.96 feet (e.g., according to NYC records, the Project Site is a rectangular zoning lot that is 80.42 feet x 75 feet).



For Illustrative Purpose Only

FIGURE 8: PROPOSED ROOFTOP SIGNAGE
661 EIGHTH AVENUE

TIMES SQUARE/CLINTON
MANHATTAN, NY

LANGAN

Source: CetraRuddy Architecture DPC

ATTACHMENT C: LAND USE, ZONING, AND PUBLIC POLICY

INTRODUCTION

According to *CEQR Technical Manual* guidelines, a land use analysis assesses the uses and development trends in the area that may be affected by a proposed project and determines whether the proposed project is compatible with those conditions or may affect them. Similarly, the analysis considers the project's compliance with, and effect on, the area's zoning and other applicable public policies.

The Proposed Action is a zoning text amendment to the New York City Zoning Resolution (ZR) to add a new subsection to ZR §81-73 (Special Sign and Frontage Regulations). The new subsection, ZR §81-734 would permit the sign provisions applicable to C6-7 zoning districts to apply to corner lot parts of zoning lots bound by two wide streets on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, provided that no sign shall function with sound and any illuminated signs must face both wide streets or be parallel to the street line of one wide street (i.e., towards Times Square and away from residences within the Special Clinton District).

According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning and public policy is appropriate if an action would result in a significant change in land use, or would substantially affect regulations or policies governing land use. The Proposed Action would not result in a significant change to land use or substantially affect regulations or policies governing land use, therefore a detailed assessment would not be warranted. However, because the Proposed Action would result in the extension of C6-7 signage regulations to a portion of a C6-4 zoning district, a preliminary assessment of land use and zoning is warranted.

METHODOLOGY

The analysis methodology is based on the guidelines in the *CEQR Technical Manual* and involves an assessment of the Proposed Action's consistency with existing land use patterns and development trends, zoning regulations, and applicable public policies.

The land use, zoning, and public policy analysis considers a 400-foot radius around the Project Site (the "Study Area"). Existing conditions within the Study Area were identified through field studies and research of available resources, including the New York City Department of City Planning's (DCP) Land Use & CEQR Application Tracking System (LUCATS) and Primary Land Use Tax Lot Output (PLUTO™) data files; the New York City Mayor's Office of Environmental Coordination's (MOEC) CEQR Access; and the Manhattan Community Board 4 website. The ZR and DCP's web-based Zoning and Land Use Application (ZOLA) were utilized to identify and describe existing zoning districts in the Study Area and for the zoning evaluation of the No-Action and With-Action conditions. Relevant public policy documents were researched to assist in identifying and describing existing public policies that have the potential to affect the Project Site and Study Area.

LAND USE

Existing Conditions

The Project Site is an approximately 6,035 square foot (sf) lot located at the intersection of Eighth Avenue and West 42nd Street, at 661 Eighth Avenue (Block 1033, Lot 29) in the Borough of Manhattan (Figures 2 and 3). The Project Site is currently occupied by a two-story, approximately 12,905 sf commercial building.

The Project Site is bounded by a 12-story, L-shaped office building to the north and west, West 42nd Street to the south and Eighth Avenue to the east. As shown in Figure 5, the predominant land uses within the Study Area include commercial high-rise office buildings with ground floor retail and restaurant use, and general mixed-use buildings. Multiple commercial districts surround the Project Site varying in permitted density (Figure 4: Zoning Map). The Special Midtown District is mapped north and east of the Project Site and contains the Project Site. As defined by ZR §81-04, the Special Midtown District contains five subdistricts: Fifth Avenue, Grand Central, Penn Center, Preservation, and Theater. The Theater Subdistrict is bounded by West 57th Street, Avenue of the Americas, West 40th Street, Eighth Avenue, West 42nd Street, a line 150 feet west of Eighth Avenue, West 45th Street, and Eighth Avenue. The Eighth Avenue Corridor of the Theater Subdistrict is bounded by West 56th Street, a line 100 feet east of Eighth Avenue, West 43rd Street, Eighth Avenue, West 42nd Street, a line 150 feet west of Eighth Avenue, West 45th Street, and Eighth Avenue. Additionally, The Special Clinton District is mapped north and west of the Project Site and contains the Project Site. As defined by ZR §96-03, the Special Clinton District contains three subareas, the "Preservation Area," the "Perimeter Area," and "Other Areas." The Project Site is directly north of the Port Authority Bus Terminal (PABT) and west of Times Square. There are two landmarked buildings within the 400 foot Study Area: the McGraw Hill Building (LPC designated; S/NR listed) and the Times Square Hotel (S/NR listed).

The Study Area is well served by public transit, including the PABT, Port Authority subway station, multiple Metropolitan Transit Authority (MTA) bus lines (M42, M104, M20, M34A-SBS, X17J, X21, X22, X22A, X30, and X31) and the Times Square 42nd Street subway station (1, 2, 3, 7, A, C, E, N, Q, R, W, and S trains). There is an entrance to the MTA Port Authority subway station A, C, and E adjacent to the Project Site on West 42nd Street.

No-Action Scenario

In the No-Action Scenario, the proposed zoning text amendment to the ZR of the City of New York would not be granted and the Project Site would be developed pursuant to the existing C6-4 zoning district and the provisions in the Eighth Avenue Perimeter Area of the Special Clinton District and the Eighth Avenue Corridor of the Theater Subdistrict.

For purposes of this environmental review, the No-Action Scenario would include development of a 13-story (166 feet), approximately 72,336 square foot building. The lower 11 stories would reach a maximum street wall height of approximately 142 feet; the upper two stories would set back 10 feet on each street frontage and rise approximately 24 feet. Due to the required light and air provisions and resulting constraints on the floor plates, it is unlikely that the Project Site would be redeveloped for either residential or hotel use. Based on these assumptions, retail use would

presumably occupy the ground floor and potentially the second floor and office use would occupy the upper floors. The No-Action development would be consistent with the existing commercial and office buildings in the surrounding neighborhood. The No-Action building would also contain digital illuminated and/or flashing non-advertising signage up to 40 feet above grade and up to 777 sf of signage, of which up to 402 sf could be provided on the Eighth Avenue façade and 375 sf on the West 42nd Street façade— dimensions permitted as-of-right in the C6-4 zoning district.

With-Action Scenario

In the With-Action Scenario, the proposed zoning text amendment to the ZR of the City of New York would be granted and the Project Site would be developed pursuant to the existing C6-4 zoning district and the Eighth Avenue Perimeter Area of the Special Clinton District and the Eighth Avenue Corridor of the Theater Subdistrict as well as C6-7 signage regulations. For purposes of this environmental review, the With-Action Scenario would include development that is identical to that of the No-Action Scenario in terms of use; no change in land use(s) would occur on the Project Site as a result of the Proposed Action. The Proposed Action would, however, facilitate the installation of advertising signage affixed to the lower portions of building facades fronting West 42nd Street and Eighth Avenue.

The current C6-4 zoning permits digital illuminated flashing and non-flashing signs, but the height of such signage is restricted to 40 feet, the overall square footage of signage is restricted, and rooftop as well as advertising signs are prohibited. The proposed zoning text amendment would permit modified C6-7 zoning district signage regulations to apply to corner lot portions of zoning lots bounded by two wide streets within the western portion of the Eighth Avenue Corridor of the Theater Subdistrict. According to ZR §32-60, the C6-7 zoning district signage regulations permit digital illuminated flashing and non-flashing and/or non-illuminated signage. However, the C6-7 signage regulations allow advertising signage without size, elevation, or other restrictions. These regulations would be modified to ensure that future signage would be oriented away from any residential uses to the west and north and would not be produced with sound.

Assessment

The Proposed Action would not result in a change in land use different from the surrounding land uses. Additionally, the Proposed Action would not directly displace any current land uses or generate land uses that would be incompatible with current land uses in the Study Area.

The Proposed Action would allow for advertising signage on the Project Site that is consistent with existing building façade signage in the immediate surrounding area, particularly the prominent signage at the opposite three corners. The advertising signage would create a more homogenous streetscape and reinforce this unique intersection as a gateway to Times Square and the Theater District.

Based on this information, the Proposed Action would not result in any significant adverse land use impacts; therefore, no further analysis is required.

ZONING

Existing Conditions

The Project Site is surrounded by commercial districts that vary in permitted density (Figure 4: Zoning Map). A C6-7 district is mapped directly south and east of the Project Site. The C6-7 district allows for a maximum FAR of 15.0 for both commercial uses (Use Groups 5-14) and community facility uses (Use Groups 3 and 4) and a maximum residential (Use Groups 1 and 2) FAR of 10.0 with an inclusionary housing program bonus. A C6-2 district is mapped to the northwest of the Project Site. The C6-2 district allows for a maximum FAR of 6.00 for commercial uses (Use Groups 5-14), 6.50 for community facility uses (Use Groups 3 and 4) and 4.02 for residential uses (Use Groups 1 and 2) with an inclusionary housing bonus. A C6-5 district is mapped to the northeast of the Project Site. The C6-5 district allows for a maximum base FAR of 10.0 for commercial uses (Use Groups 5-14), residential uses (Use Groups 1 and 2) and community facility uses (Use Groups 3 and 4). Maximum building heights in the surrounding C6-7 and C6-5 zoning districts are governed by regulations defined by the Special Midtown District (ZR §81-74). Maximum building heights in the surrounding C6-2 zoning district are governed by regulations defined by the Special Clinton District (ZR §96-104).

Special Midtown District

The Special Midtown District is mapped north and east of the Project Site and contains the Project Site. As defined by ZR §81-04, the Special Midtown District contains five subdistricts: Fifth Avenue, Grand Central, Penn Center, Preservation, and Theater. Primary goals of the Special Midtown District are⁶:

- Strengthen the business core of Midtown Manhattan by improving the working and living environments;
- Stabilize development in Midtown Manhattan and provide direction and incentives for further growth where appropriate;
- Preserve the historic architectural character of development along certain streets and avenues and the pedestrian orientation of ground floor uses, and thus safeguard the quality that makes Midtown vital.

⁶ New York City Department of City Planning. Special Midtown District.
(<http://www1.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-manhattan.page#midtown>)
(Accessed on 06/15/17)

Special Clinton District

The Special Clinton District is mapped north and west of the Project Site and contains the Project Site. As defined by ZR §96-03, the Special Clinton District contains three subareas, the Preservation Area, the Perimeter Area and the Other Areas. Primary goals of the Special Clinton District are⁷:

- Preserve and strengthen the residential character of the community;
- Preserve the small-scale character and variety of existing stores and activities and to control new commercial uses in conformity with the existing character of the area;
- Provide an appropriate transition from the mixed-use character along Eighth Avenue to the lower-scale residential character of the Clinton community on the narrow streets.

No-Action Scenario

In the No-Action Scenario, the proposed zoning text amendment to the ZR of the City of New York would not be granted and the Project Site would be developed pursuant to the existing C6-4 zoning district and the provisions in the Eighth Avenue Perimeter Area of the Special Clinton District and the Eighth Avenue Corridor of the Theater Subdistrict. The Project Site would remain a C6-4 zoning district. For purposes of this environmental review, the No-Action Scenario would include development of a 13-story (166 feet), approximately 72,336 square foot building. The lower 11 stories would reach a maximum street wall height of approximately 142 feet; the upper two stories would set back 10 feet on each street frontage and rise approximately 24 feet. The No-Action building would also contain digital illuminated and/or flashing non-advertising signage up to 40 feet above grade and up to 777 sf of signage, of which up to 402 sf could be provided on the Eighth Avenue façade and 375 sf on the West 42nd Street façade—dimensions permitted as-of-right in the C6-4 zoning district.

With-Action Scenario

In the With-Action Scenario, the proposed zoning text amendment to the ZR of the City of New York would be granted and the Project Site would be developed pursuant to the existing C6-4 zoning district including the provisions in the Eighth Avenue Perimeter Area of the Special Clinton District and the Eighth Avenue Corridor of the Theater Subdistrict as well as C6-7 signage regulations. For purposes of this environmental review, the With-Action Scenario would include development that is identical to that of the No-Action Scenario in terms of height and bulk. However, in the With-Action Scenario, the Proposed Action would facilitate the installation of advertising signage affixed to the lower portions of the building facades fronting West 42nd Street and Eighth Avenue. Therefore, for purposes of this zoning assessment, the incremental difference between the No-Action Condition and the With-Action Condition is the addition of the advertising signage facilitated by the Proposed Action compared to signage that would be allowed by existing zoning; there would be no building height or bulk increment created by the Proposed Action.

⁷ New York City Department of City Planning. Special Clinton District.
(<http://www1.nyc.gov/site/planning/zoning/districts-tools/special-purpose-districts-manhattan.page#clinton>)
(Accessed on 06/15/17)

The proposed zoning text amendment would permit modified C6-7 zoning district signage regulations to apply to corner lot portions of zoning lots bound by two wide streets within the western portion of the Eighth Avenue Corridor of the Theater Subdistrict. According to ZR §32-60, the C6-7 zoning district signage regulations permit digital illuminated flashing and non-flashing and/or non-illuminated signage. However, the C6-7 signage regulations allow advertising signage without size, elevation, or other restrictions. These regulations would be modified to ensure that future signage would be oriented away from any residential uses to the west and north and would not be produced with sound.

Assessment

The Proposed Action would result exclusively in modifications to signage provisions in the C6-4 district. The proposed text amendment would have no implications on the underlying C6-4 provisions for height, bulk or floor area ratio (FAR); the proposed text amendment would not affect the applicable Special Midtown or Special Clinton District regulations. The Proposed Action would not result in a change in zoning that is different from surrounding zoning.

Based on this information, the Proposed Action would not result in any significant adverse zoning impacts; therefore, no further analysis is warranted.

PUBLIC POLICY

According to the *CEQR Technical Manual*, a proposed 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 that pertain to the study area. If the proposed action could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

Assessment

Because the Proposed Action does not have the potential to affect an applicable public policy, no further assessment is required.

ATTACHMENT D: URBAN DESIGN AND VISUAL RESOURCES

INTRODUCTION

This section assesses the potential effects on urban design and visual resources that could result from the Proposed Action. According to the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by the existing zoning, including projects that result in an increase in built floor area beyond what would be allowed as-of-right or in the No-Action Condition. CEQR requires a detailed analysis for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

METHODOLOGY

Based on the guidelines and definitions in the *CEQR Technical Manual*, this assessment of urban design and visual resources considers the Proposed Action's potential effect on the following elements:

1. Streetscape and Buildings: Streetscape elements are physical features that make up a streetscape, such as building street walls, fenestration, sidewalks, street trees, street furniture, and other fixtures. A building's street wall forms the most common backdrop for public space and includes a building's size, shape, setbacks, lot coverage, and placement on the zoning lot and block.
2. Visual Resources: A visual resource is the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources.

STUDY AREA

According to the *CEQR Technical Manual*, the study area for an urban design analysis is defined as the area where the project may influence land use patterns and the built environment, and is generally consistent with that used for the land use analysis (400-foot radius). However, in many cases where significant visual resources exist, it may be appropriate to look beyond the Land Use Study Area to encompass views outside of this area, as is often the case with waterfront sites or sites within or near historic districts. Because the Project Site is not adjacent to any significant visual resources, a 400-foot Study Area ("Study Area") will be used to analyze urban design and visual resources (Figure 9: Urban Design Study Area and View Location Map).

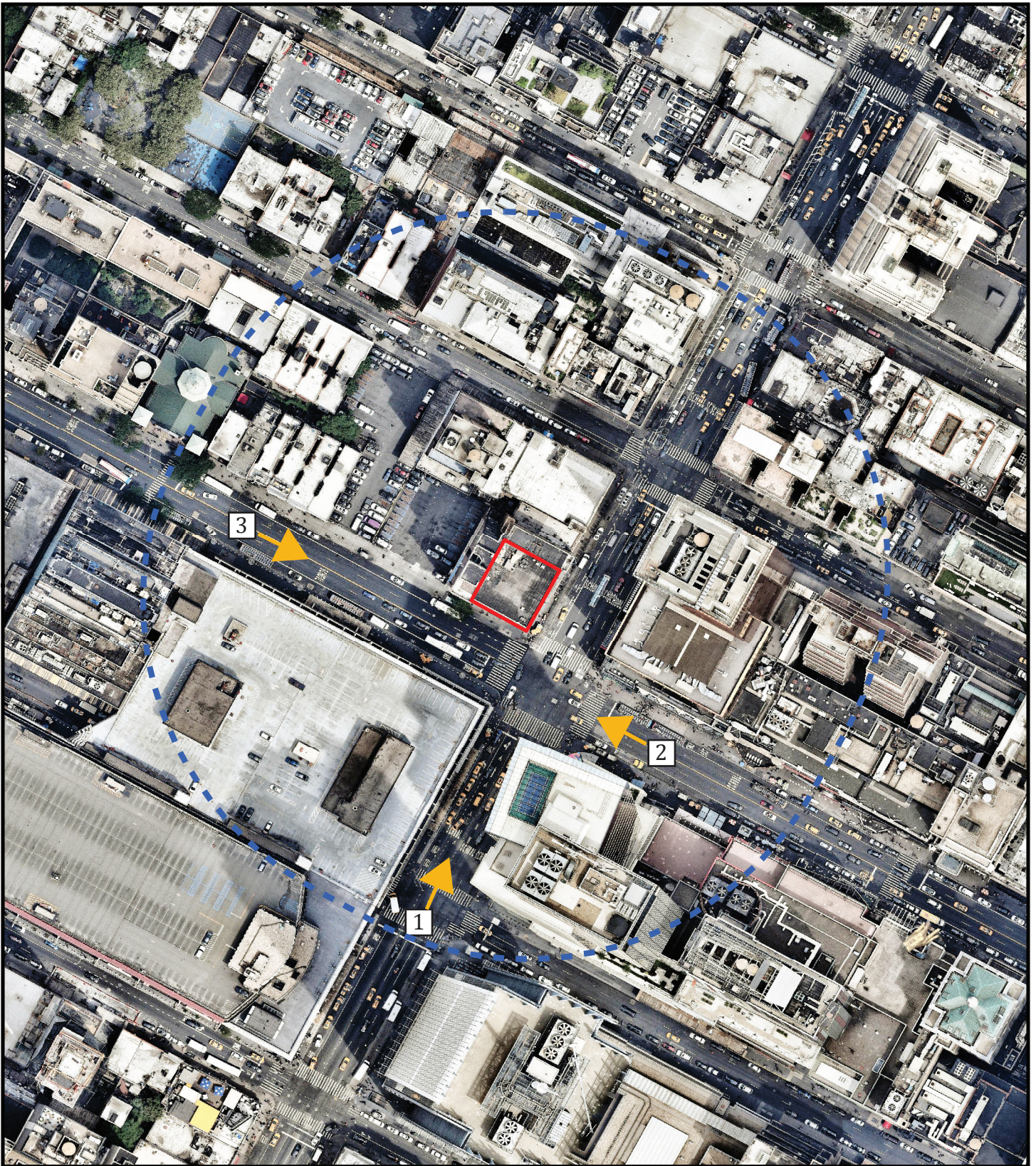


FIGURE 9: URBAN DESIGN STUDY AREA AND VIEW LOCATION MAP

661 EIGHTH AVENUE

**CLINTON
MANHATTAN, NY**

Map Reference: ESRI Basemap, NYC Department of City Planning MapPLUTO

-  Project Site
-  Study Area (400-foot radius)

0 100 200 400 Feet N

LANGAN

Existing Conditions

Project Site

The Project Site is an approximately 6,035 sf lot located at the intersection of Eighth Avenue and West 42nd Street, at 661 Eighth Avenue (Block 1033, Lot 29) in the Borough of Manhattan (Figures 2 and 3). The Project Site is bounded by a 12 story L-shaped office building to the north and west, West 42nd Street to the south and Eighth Avenue to the east. Adjacent to the Project Site on West 42nd Street is an entrance to the MTA subway A, C and E lines; directly south is the Port Authority Bus Terminal (PABT), the primary terminal for interstate buses into Manhattan and New York City.

Land uses within the Study Area generally include a mix of commercial uses, with only a small proportion of residential uses, as well as a large transportation and utility facility (PABT) (Figure 5: Land Use Map). West 43rd Street, West 42nd Street, and Eighth Avenue between the intersections of West 41st Street and West 44th Street are predominately characterized by commercial and mixed commercial and, to a much lesser extent, limited residential uses north and west of the Project Site.

Streetscape and Buildings

The Project Site is zoned C6-4 and is occupied by a two-story commercial building. The Project Site and Study Area contain wide pedestrian sidewalks along West 42nd Street as well as Eighth Avenue. The Project Site is surrounded by commercial districts that vary in permitted density (Figure 4: Zoning Map). Ground floor space within the Study area is almost exclusively defined by commercial uses, including restaurants and retail space. The area immediately east of the Project Site is zoned C6-7 and is generally defined by high rise commercial and office buildings displaying large exterior advertising signage (Figure 12: View Looking East on 42nd Street).

Open Space and Visual Resources

McCaffrey Playground, located northwest of the Project Site (43rd Street between Eighth Avenue and Ninth Avenue), is the only open space resource in the 400-foot Study Area. However, due to intervening existing buildings, the park is not visible from the Project Site.

There are two historic resources within the 400-foot Study Area: (1) the McGraw Hill Building (LPC designated; S/NR listed) at 330 West 42nd Street, diagonally across the street from the Project Site, and (2) the Times Square Hotel (S/NR listed) at 255 West 43rd Street, northeast of the Project Site. Both buildings are visible from the Project Site.

No-Action Scenario

For purposes of this environmental review, the No-Action Scenario would include development of a 13-story (166 feet), approximately 72,336 square foot building. The lower 11 stories would reach a maximum street wall height of approximately 142 feet; the upper two stories would set back 10 feet on each street frontage and rise approximately 24 feet. The No-Action building would also contain digital illuminated and/or flashing non-advertising signage up to 40 feet above grade and up to 777 sf of signage, of which up to 402 sf could be provided on the Eighth Avenue façade and 375 sf on the West 42nd Street façade—dimensions permitted as-of-right in the C6-4 zoning district (Figures 10, 11 and 12).

With-Action Scenario

For purposes of this environmental review, the With-Action Scenario would include development that is identical to that of the No-Action Scenario in terms of height and bulk. However, in the With-Action Scenario, the Proposed Action would facilitate the installation of advertising signage affixed to the lower portions of building façades fronting West 42nd Street and Eighth Avenue. Therefore, for purposes of this Urban Design and Visual Resources assessment, the incremental difference between the No-Action Condition and the With-Action Condition is the addition of the advertising signage facilitated by the Proposed Action compared to signage allowed by the existing zoning; there would be no building height or bulk increment as a result of the Proposed Action (Figures 10, 11, and 12).

Assessment

The Proposed Action would allow for advertising signage on the Project Site that is consistent with existing building façade signage in the immediate surrounding area, particularly the prominent illuminated signage at the opposite three corners. The advertising signage would create a more homogenous streetscape and reinforce this unique intersection as a gateway to Times Square and the Theater District. The Proposed Action would not introduce any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project.

The advertising signage facilitated by the Proposed Action would face south toward West 42nd Street and east toward Eighth Avenue. Given that (1) McCaffrey Playground on West 43rd Street between Eighth Avenue and Ninth Avenue is not visible from the Project Site, and (2) the advertising signage would face south toward West 42nd Street and east toward Eighth Avenue – away from the park – the advertising signage would not result in the obstruction of any publicly accessible views to this visual resource.

While the two landmark buildings – the McGraw Hill Building at 330 West 42nd Street and the Times Square Hotel at 255 West 43rd Street – are visible from the Project Site, the advertising signage facilitated by the Proposed Action would not face either resource and, therefore, would not result in the obstruction of any publicly accessible views (Figures 10, 11, and 12).

Based on this information, the Proposed Action would not result in any potential significant adverse effects on urban design or visual resources and, therefore, no further assessment is necessary.

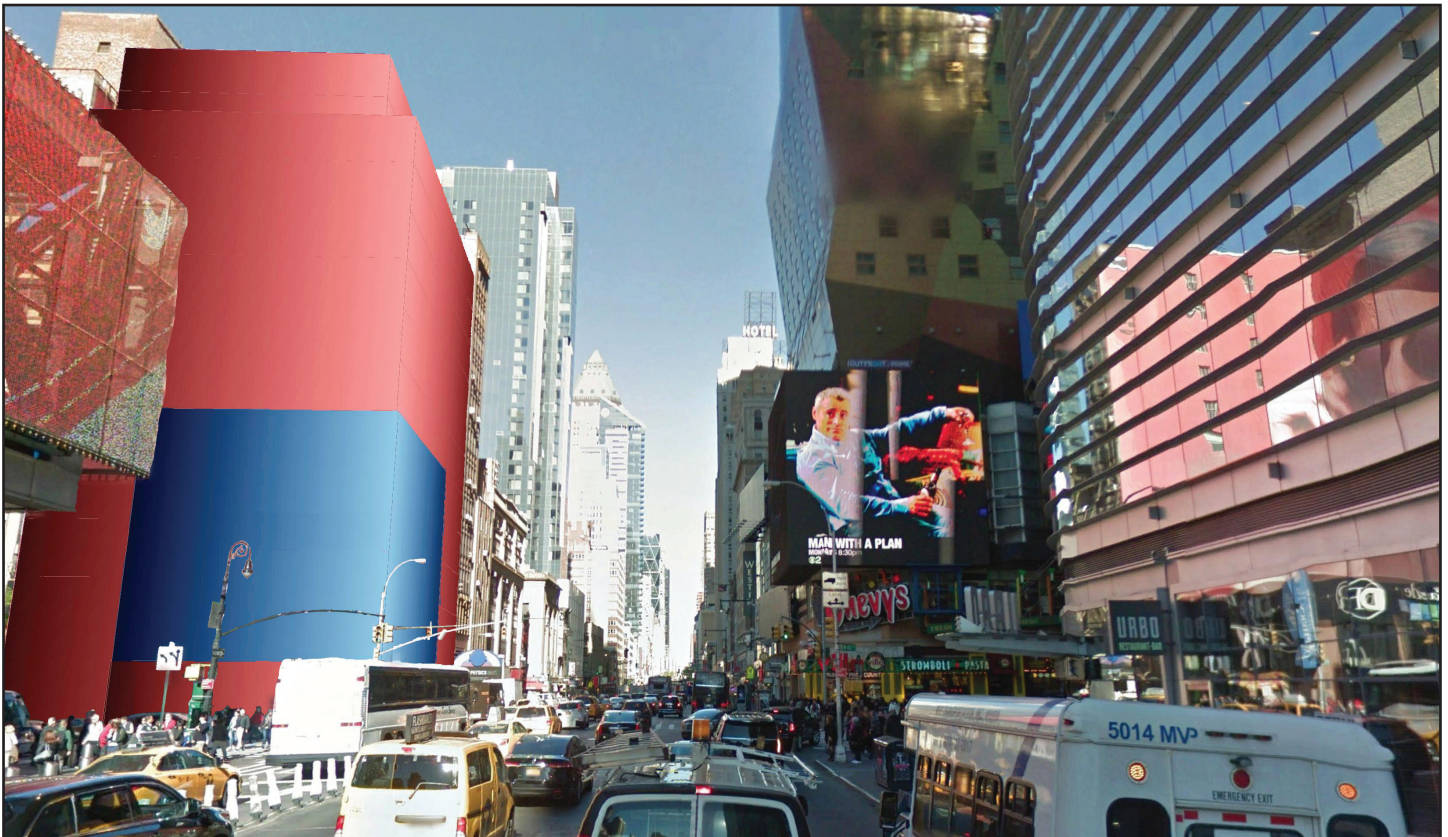
**FIGURE 10: View Looking North on Eighth Avenue Toward Project Site
661 EIGHTH AVENUE**

No-Action Scenario



No-Action Building **No-Action Signage**

With-Action Scenario



With-Action Building **With-Action Signage**

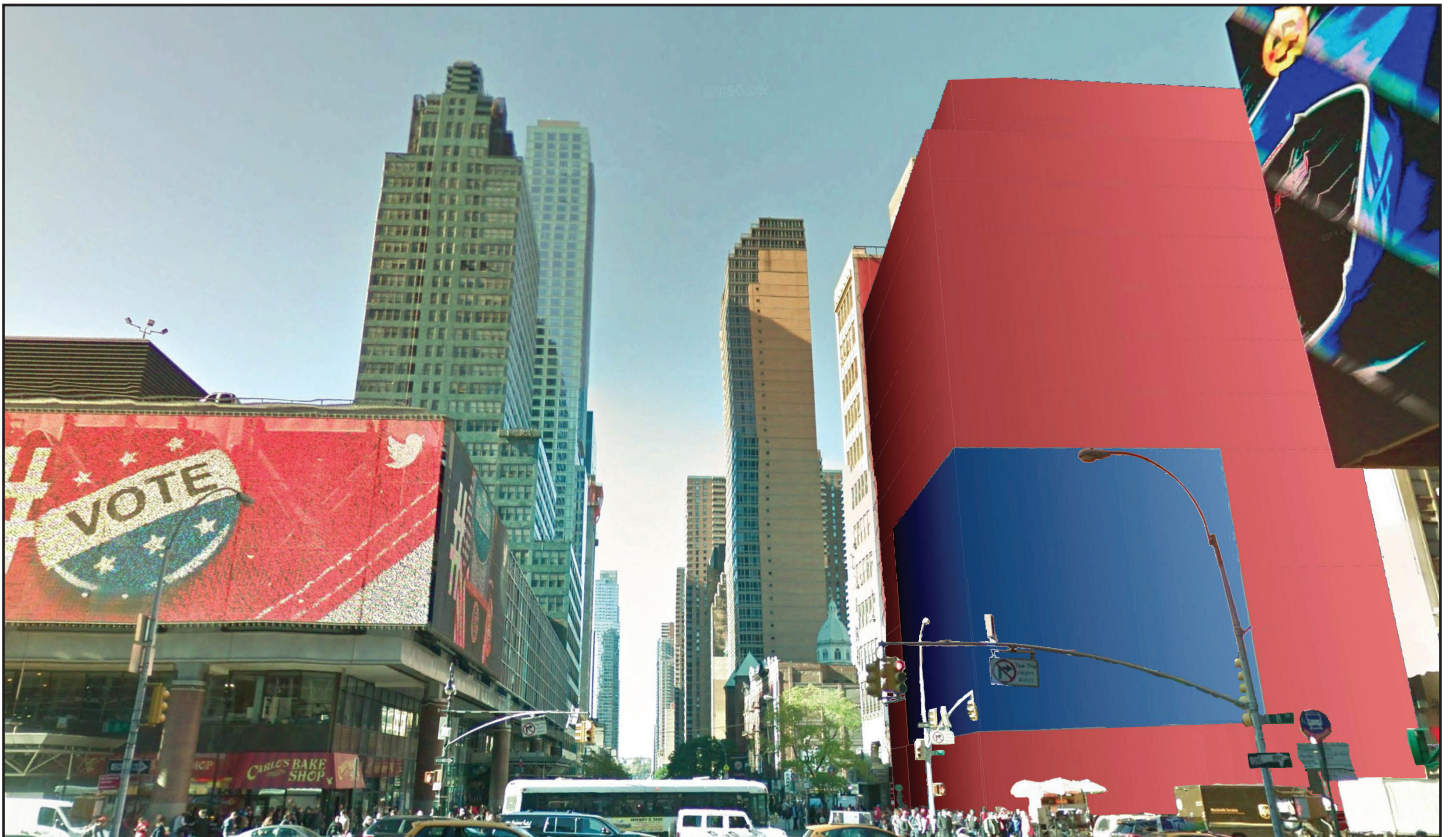
**FIGURE 11: View Looking West on West 42nd Street Toward Project Site
661 EIGHTH AVENUE**

No-Action Scenario



No-Action Building No-Action Signage

With-Action Scenario



With-Action Building With-Action Signage

**FIGURE 12: View Looking East on West 42nd Street Toward Project Site
661 EIGHTH AVENUE**

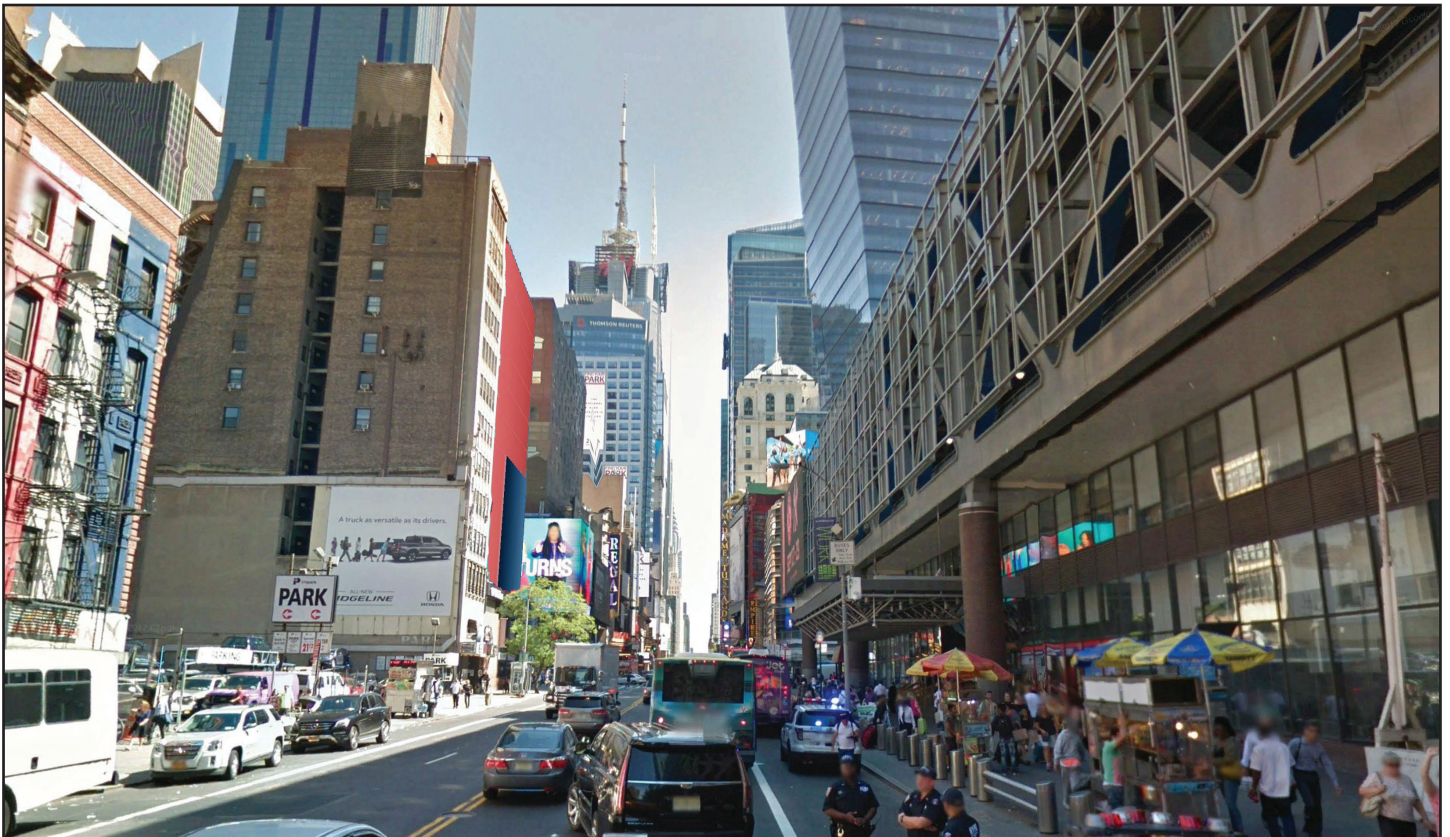
No-Action Scenario



No-Action Building

No-Action Signage

With-Action Scenario



With-Action Building

With-Action Signage

ATTACHMENT E: CONSTRUCTION

INTRODUCTION

According to the *CEQR Technical Manual*, construction activities, although temporary, may sometimes result in significant impacts. Construction duration, which is a critical measure to determine a project's potential for adverse impacts during construction, is categorized as short-term (less than two years) and long-term (two or more years). Where the duration of construction is expected to be short-term, any impacts resulting from the short-term construction generally do not require a detailed assessment. However, there are instances where a potential impact may be of short duration, but nonetheless significant, because it raises specific issues of concern. In addition, there are technical areas such as air quality, where the duration of construction alone is not a sufficient indicator of the need for a detailed assessment, and other factors should be considered.

ASSESSMENTTransportation

Based on the anticipated short-term duration of the signage installation (less than 24 months) facilitated by the Proposed Action, construction-related auto and truck trips would not exceed 50 vehicle trips or 25 passenger car equivalents (PCEs). During construction it is anticipated that temporary construction staging areas might be required on sidewalks; however, traffic and pedestrian flows are not expected to be affected due to their temporary nature. Furthermore, construction activities are not expected to result in lane or street closures, affect traffic patterns, create traffic diversions, or otherwise cause a significant deterioration in traffic flow. Therefore, the Proposed Project is not expected to result in any potentially significant adverse transportation impacts related to construction activities; therefore, no further assessment is necessary.

Air Quality*Mobile Source*

Because the signage installation facilitated by the Proposed Action is not expected to result in any lane closures, traffic diversions, disruptions of area traffic flow, or excessive vehicular trip generations from construction, an assessment of mobile source air quality impacts is not necessary.

Historic Resources

The New York City Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) 10/88 defines procedures for the avoidance of damage to historic structures resulting from adjacent construction. As stated in TPNN 10/88, adjacent is defined as a structure which is contiguous to or within a lateral distance of ninety feet from a lot under development or alteration. Because the nearest historic landmark is more than ninety feet from the Project Site and the construction facilitated by the Proposed Action would not involve excavation, pile-driving or other forms of in-ground disturbance, construction would not result in any potentially significant adverse environmental impacts to historic resources within the Study Area.

Conclusion

The Proposed Action would facilitate the installation of rooftop advertising signage on the Project Site and would not involve any in-ground disturbance. The overall project duration is expected to be less than 24 months (2017-2018). Based on this information, no potentially significant adverse impacts resulting from construction activities are anticipated as a result of the Proposed Action; therefore, no further assessment is necessary.

PART III: APPENDICES

APPENDIX A: PHOTOGRAPHS

(Project Site and Historic Landmark Photographs taken on February 13, 2017)



**Photograph 1: Intersection of 8th Avenue and 42nd Street
661 Eighth Avenue**

Northeast Corner



Photograph 2: Intersection of 8th Avenue and 42nd Street
661 Eighth Avenue

Southeast Corner



Photograph 3: Intersection of 8th Avenue and 42nd Street
661 Eighth Avenue

Southwest Corner



**Photograph 4: Intersection of 8th Avenue and 42nd Street
661 Eighth Avenue**

Northwest Corner

APPENDIX B: ZONING TEXT AMENDMENT

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE VIII: Special Purpose Districts

**Chapter 1:
Special Midtown District**

* * *

**81-70
SPECIAL REGULATIONS FOR THEATER SUBDISTRICT**

* * *

**81-73
Special Sign and Frontage Regulations**

* * *

**81-733
Special provisions for central refuse storage area**

* * *

**81-734
Special signage regulations for portions of the west side of Eighth Avenue**

For a #corner lot#, or portions thereof, bounded by two #wide streets# on the west side of Eighth Avenue within the Eighth Avenue Corridor of the Theater Subdistrict, the #sign# provisions for C6-7 Districts pursuant to Section 32-60 (SIGN REGULATIONS) shall apply, with the following modifications:

- (a) no #sign# shall function with sound; and
- (b) #illuminated signs# may face both #wide streets#, or be parallel to the #street line# of one #wide street#.

**81-74
Special Incentives and Controls in the Theater Subdistrict**

* * *