



Executive Summary

Introduction

The Applicant, Commodore Owner, LLC, is seeking several discretionary approvals from the City Planning Commission (CPC)—including special permits and zoning text amendments (the Proposed Actions)—to facilitate approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development space, including a hotel, office, and public space (the Proposed Project). The Development Site would contain approximately 2,108,820 gross square feet (gsf)¹ of office space; an approximately 452,950-gsf, 500-room hotel; public space; and retail space on the cellar, ground, and second floors of the proposed building. The Proposed Project would also include significant public realm improvements, as well as subway and mass transit improvements to enhance circulation and reduce congestion at Grand Central Terminal (GCT, or the Terminal) and the Grand Central – 42nd Street subway station.

Project Area and Development Site

The Development Site is located on Block 1280, Lot 30, a 57,292-square-foot (sf) lot that currently contains the Grand Hyatt Hotel, a 26-story, approximately 1,028,120-sf, 295-foot-tall steel and glass building with approximately 1,300 guest rooms and approximately 60,000 square feet of conference/event space. The Development Site is notable for its integration with one of the City's primary transportation hubs. The building sits directly above the Grand Central – 42nd Street subway station and Metropolitan Transportation Authority (MTA) Metro-North railroad tracks and is located immediately to the east of the Beaux Arts-style

¹ Development may also occur under an All Office Scenario. Under this scenario, the overall building square footage and building massing would be the same as under the Proposed Project but would be comprised of approximately 2,561,770 gsf of office space, 43,370 gsf of retail, and no hotel.

GCT on Block 1280, Lot 1. The building is immediately to the south of the Grand Central Market (the Market) on Block 1280, Lots 54 and 154. The Terminal and Market are located on an existing merged zoning lot (Lots 1, 54, and 154) and contain approximately 322,664 sf of floor area. The MTA controls Lots 1, 54, and 154 as well as ground-floor and mezzanine-level circulation areas located on the Development Site.

The Project Area—comprising the existing hotel, Terminal, and Market on Block 1280, Lots 1, 30, 54, and 154—has a combined area of 203,872 sf (see **Figure 1**), with approximately 340 feet of frontage on Vanderbilt Avenue; 669 feet of frontage on East 42nd Street; and 253 feet of frontage on Lexington Avenue. Pursuant to a zoning text amendment, the Project Area would be treated as a qualifying site² under the East Midtown Subdistrict provisions of the Zoning Resolution.

Figure 2 shows an aerial photograph of the study area and provides a photo key for the area photographs. **Photo 1** to **Photo 4** show existing conditions in the vicinity of the Development Site.

The Project Area is located in the East Midtown central business district in Community District 5 of Manhattan. Located within the Grand Central Core Area and the Grand Central Transit Improvement Zone Subarea of the East Midtown Subdistrict, the underlying zoning district of the Project Area is C5-3. In 2017, the CPC approved the Greater East Midtown Rezoning (N 170186(A) ZRM and C 170187 ZMM) to reinforce the area's standing as a premier central business district, support the preservation of landmarked buildings, and provide for public realm improvements. The Greater East Midtown Rezoning included creation of the Grand Central Transit Improvement Zone Subarea, which permits development of up to 27 FAR as-of-right and up to 30 FAR by special permit. Developments can achieve as-of-right maximum FARs through three mechanisms: the district-wide transfer of unused landmark development rights, a payment to a public realm improvement fund to reconstruct overbuilt floor area, and the construction of pre-identified transit infrastructure projects.

At ground floor level, the Development Site fronts on Lexington Avenue to the east, 42nd Street to the south, GCT to the west and the Graybar Building to the north. The surrounding roadway network generally consists of a grid of north-south avenues and east-west streets with the notable exception of Park Avenue, which consists of a two-way viaduct running between East 40th and East 46th Streets. This allows through traffic to bypass intersections in the Grand Central area. The northbound Park Avenue viaduct also provides vehicular access to the Grand Hyatt on the second-floor level.

² In order to be considered a qualifying site, sites must have cleared frontage along a wide street, dedicate no more than 20 percent of the building's floor area for residential use, and comply with environmental standards.

Figure 1 Site Location Map

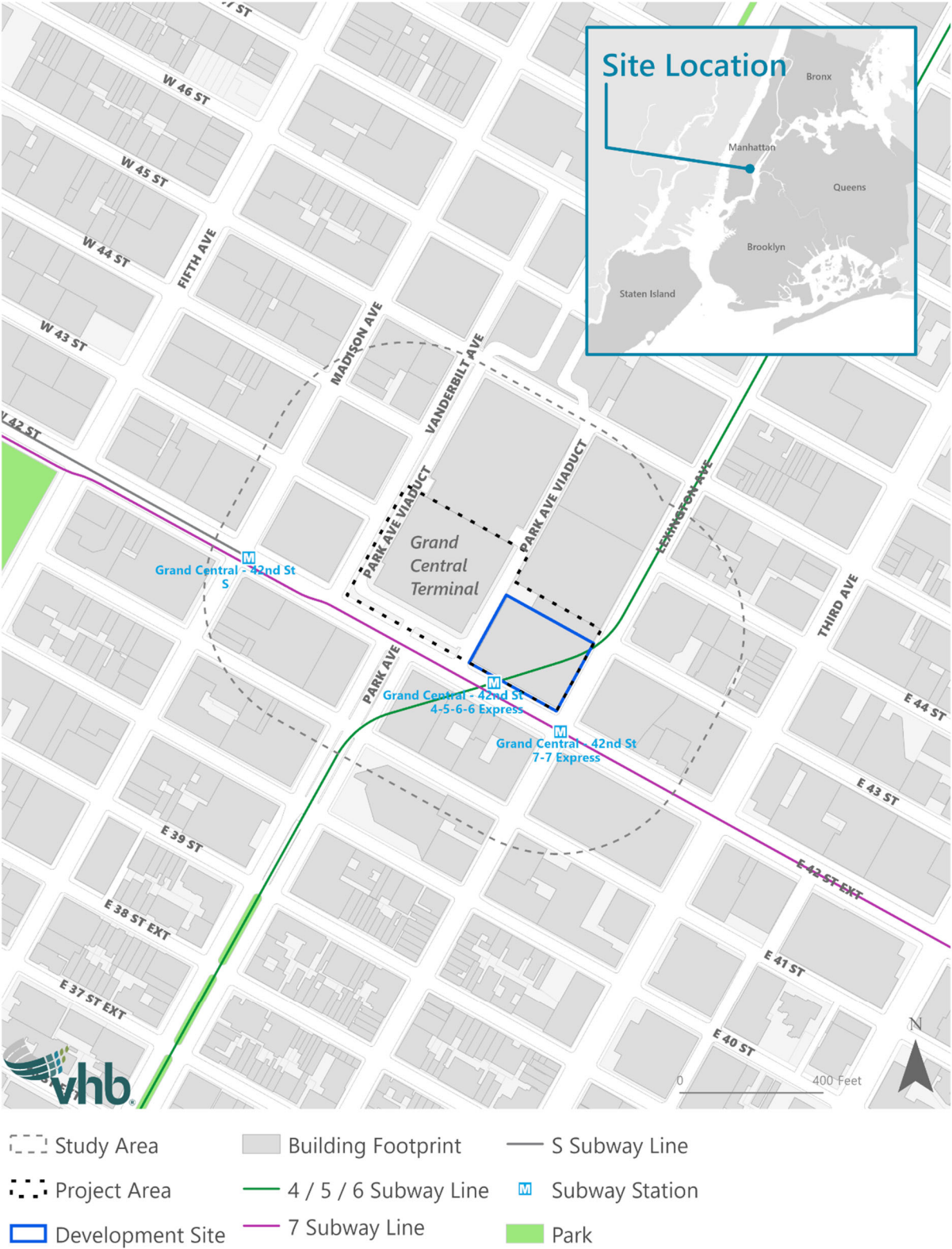


Figure 2 Aerial Photograph and Photo Key Map

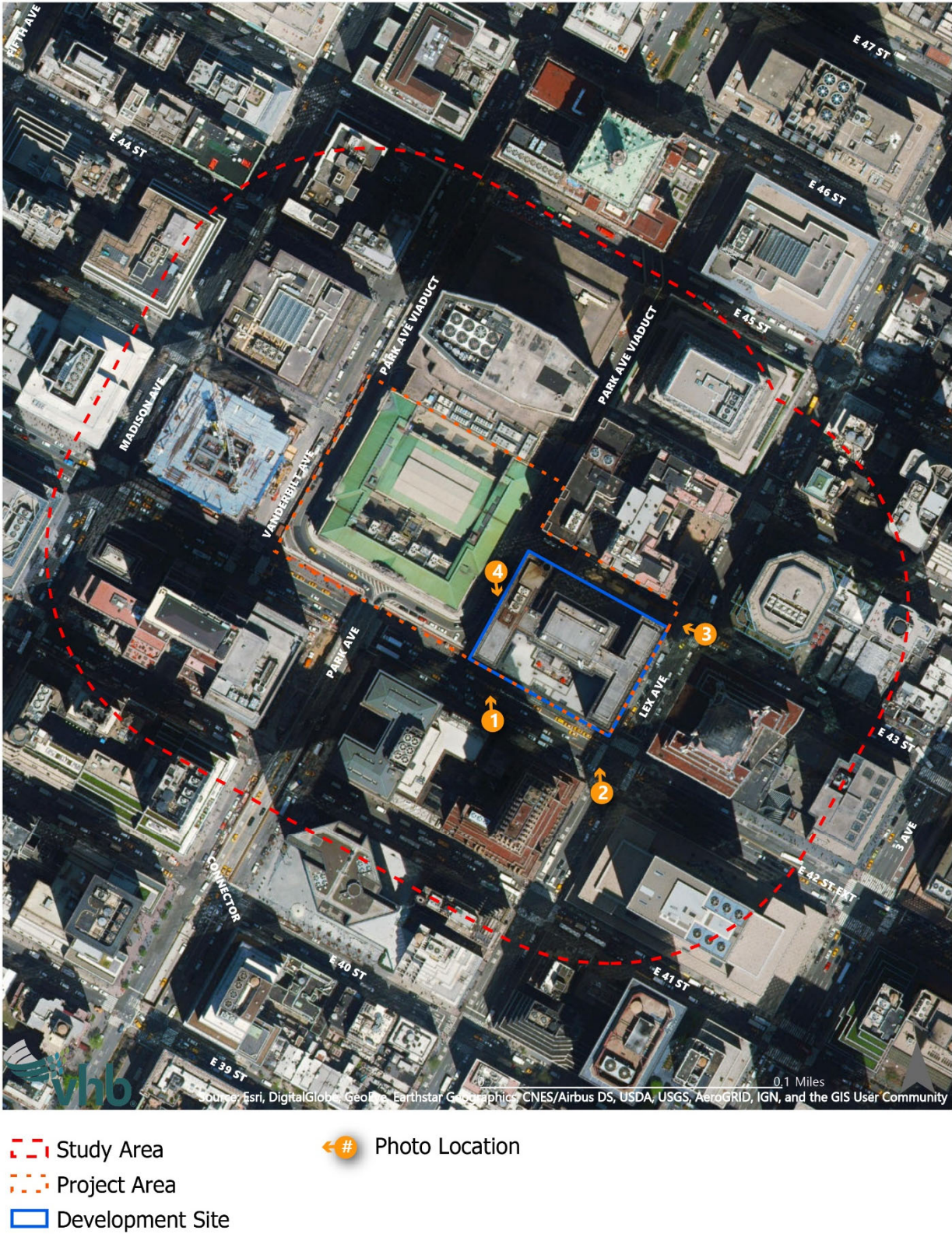


Photo 1 View from East 42nd Street near Park Avenue, Looking Northwest



Photo 2 View from intersection of East 42nd Street and Lexington Avenue, Looking Northwest



Photo 3 View of Grand Central Market from Lexington Avenue, Facing West



Photo 4 View Facing Southeast from Park Avenue Viaduct



The Development Site is located above a New York City Transit (NYCT) subway station; the Grand Central – 42nd Street subway station serves the Nos. 4, 5, 6, 7 Lines and Shuttle service. It is also located immediately east of GCT, which is the southern terminus of the Metro-North Railroad's Harlem, Hudson, and New Haven Line commuter rail service, which serves the northern parts of the New York metropolitan area and Connecticut.

Additionally, the East Side Access project that is currently under construction will, for the first time, permit Long Island commuters one-seat access to East Midtown through a new below-grade Long Island Rail Road station at GCT. Construction for the East Side Access project is expected to be completed in 2022.

There are numerous bus routes with stops adjacent to or near the Development Site, including the M1, M2, M3, M4, M5, M15, M15 SBS, M42, M101, M102, M103, and Q32 local bus routes, as well as express bus routes from the Bronx, Brooklyn, Queens, and Staten Island.

Project Area Context

The East Midtown business district is one of the largest job centers in New York City and one of the highest-profile business addresses in the world. The area between Second and Fifth Avenues and East 39th and East 57th Streets contains more than 60 million square feet of office space, more than a quarter million jobs, and numerous Fortune 500 companies.

This area is anchored by GCT, one of the city's major transportation hubs and most significant civic spaces. Around the Terminal and to the north, some of the city's most iconic office buildings, such as Lever House, the Seagram Building, 550 Madison (formerly the AT&T, then the Sony, Building), 601 Lexington (formerly the Citigroup Building) and the Chrysler Building, line the major avenues—Park, Madison, and Lexington Avenues—along with a mix of other landmarks, civic structures and hotels.

The Commodore Hotel opened on the Development Site itself in 1919. It was developed as part of Terminal City, a complex of hotels and offices connected to GCT. It was later renovated and reopened as the Grand Hyatt in 1980.

Greater East Midtown Zoning Context

The Special Midtown District was introduced in 1982 with a principal goal of promoting commercial development to the west and south of the established commercial district in East Midtown. Until the 2015 addition of the Vanderbilt Corridor, it contained five subdistricts: the Fifth Avenue, Grand Central, Penn Center, Preservation, and Theater Subdistricts. The district has flexible height and setback regulations, and mandates certain urban design features, such as street wall continuity and the provision of on-site pedestrian circulation space. Floor area bonuses for the provision of a public plaza or subway station improvements were available in all areas except for the Preservation Subdistrict.

In 2017, the CPC approved the Greater East Midtown Rezoning applications (N 170186(A) ZRM and C 170187 ZMM) to reinforce that area's standing as a premier central business district within the Special Midtown District, support the preservation of its landmarked buildings, and provide for public realm improvements.

The Greater East Midtown Rezoning established the East Midtown Subdistrict and various subareas within it, including the Grand Central Transit Improvement Zone Subarea, which permits development of up to 27 FAR as-of-right and up to 30 FAR by special permit. Within the Grand Central Transit Improvement Zone Subarea, developments can achieve as-of-right maximum FARs through three mechanisms: the transfer of unused landmark development rights from landmark buildings located within the Subdistrict, a payment to a public realm improvement fund to reconstruct overbuilt floor area, and the construction of pre-identified transit infrastructure projects. Two special permits—the Public Concourse Special Permit and the Transit Improvement Special Permit—provide FAR bonuses of up to 3.0 FAR each for the provision of a public concourse or additional subway improvements. These bonuses are in addition to as-of-right maximum FARs.

The stated goals from the 2017 Greater East Midtown Rezoning were to:

- › Protect and strengthen Greater East Midtown as a regional job center and premier central business district by seeding the area with new modern and sustainable office buildings;

- › Help preserve and maintain landmarked buildings by permitting their unused development rights to transfer within the district's boundary;
- › Permit overbuilt buildings to retain their non-complying floor area as part of a new development;
- › Upgrade the area's public realm through improvements that create pedestrian friendly public spaces and that facilitate safer, more pleasant pedestrian circulation within the transit stations and the street network; and
- › Maintain and enhance key characteristics of the area's built environment such as access to light and air, active retail corridors, and the iconic street wall character in the area surrounding GCT.

Proposed Actions

The following actions would be required in accordance with the Uniform Land Use Review Procedure (ULURP) and Section 200 of the New York City Charter.

- › A CPC special permit pursuant to ZR Section 81-621 to allow hotel use;
- › A CPC special permit pursuant to ZR Section 81-644 for transit improvements;
- › A CPC special permit pursuant to ZR Section 81-645 for public concourse improvements and to modify loading regulations in connection therewith;
- › A CPC special permit pursuant to ZR Section 81-685 to modify qualifying site, floor area, height and setback, street wall, district plan elements, publicly accessible space, and special permit term regulations;
- › Zoning text amendments to amend existing special provisions in ZR Sections 81-644 and 81-685, and update a section reference in ZR Section 81-613; and
- › Approval for the disposition of City-owned property pursuant to Section 197-c of the New York City Charter with respect to the Development Site.

Additionally, the following non-discretionary actions would be required:

- › A joint certification from the CPC Chairperson and the MTA pursuant to ZR Section 81-673(a) as to the size and location of transit easement volumes on the zoning lot;
- › A joint certification from the CPC Chairperson and the MTA pursuant to ZR Section 81-673(b) as to whether a transit easement volume is required on the zoning lot.

The project is also subject to New York City Landmarks Preservation Commission (LPC) review for a harmonious relationship determination. an advisory report concerning interior alterations to the 42nd Street Passageway within GCT to facilitate transit improvements, and a Certificate of Appropriateness for sidewalk improvements adjacent to the elevated vehicular roadway on the GCT property (none of which is subject to CEQR analysis). At the Public Hearing and Public Meeting of February 23, 2021, the LPC determined that the proposed design ~~had a harmonious relationship with GCT of the Proposed Project~~ had a harmonious relationship with GCT and voted to issue a positive advisory report regarding the interior alterations to the 42nd Street Passageway. At the Public Meeting on September 28, 2021, the LPC voted to approve a resolution authorizing the issuance of a Certificate of Appropriateness for the proposed sidewalk improvements. Additionally, in a letter dated October 29, 2020, the New York State Division for Historic Preservation of the Office of Parks,

Recreation and Historic Preservation (OPRHP) stated that they had reviewed submitted materials in accordance with the New York State Historic Preservation Action of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law) and had issued a finding of No Adverse Impact.

On March 25, 2021, Empire State Development Corporation authorized the conveyance of the possessory fee interest in the Development Site from UDC/Commodore Redevelopment Corporation to the City of New York, subject to the existing ground lease with Hyatt Equities L.L.C (or its successor/assign). The amendment and restatement of the ground lease as between the City of New York and a local development corporation affiliated with the Applicant would be subject to approval by the Manhattan Borough Board and the Mayor pursuant to Section 384(b)(4) of the New York City Charter.

Proposed Project and With-Action Condition

The Applicant proposes to redevelop the Development Site with approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development, including a hotel, office, and public space. The Development Site would contain approximately 2,108,820 gsf of office space; an approximately 452,950-gsf, 500-room hotel; approximately 25,421 sf of open-air publicly accessible space; and approximately 43,370 gsf of retail on the cellar, ground, and second floors (see **Figure 3** for the illustrative ground floor and second floor plans). It would also contain approximately 16,245 gsf of space for transit circulation.³

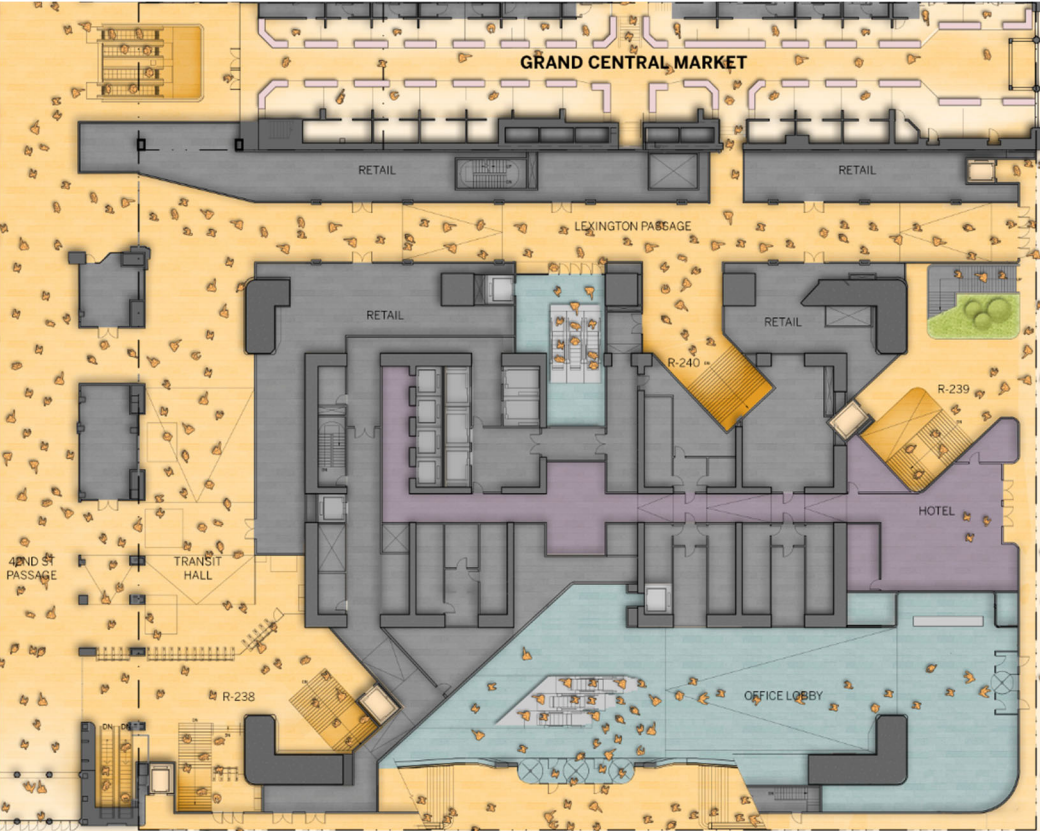
The Development Site's exceptional connectivity to public transportation provides opportunities for major upgrades to the transit system as part of a new development. The at-grade and below-grade portions of the Development Site would continue to contain the subway station and rail station areas, with significant improvements that are discussed further below. The ground floor would include a hotel lobby and an office lobby, a reconstructed Lexington Passage and MTA retail located along the passage, an approximately 5,300-sf Transit Hall, and approximately 2,400-sf of additional area for subway entries off 42nd Street and Lexington Avenue. The hotel lobby would be located on the eastern frontage on Lexington Avenue, while the office lobby would be accessed from East 42nd Street.

The second floor would contain an office lobby and three open-air publicly accessible spaces. One would front on Lexington Avenue, a second would face the eastern façade of GCT at the level of the Park Avenue Viaduct, and a third would face the Graybar building to the north. Office space is planned to be located on floors 7-63, and the hotel on floors 65-83.

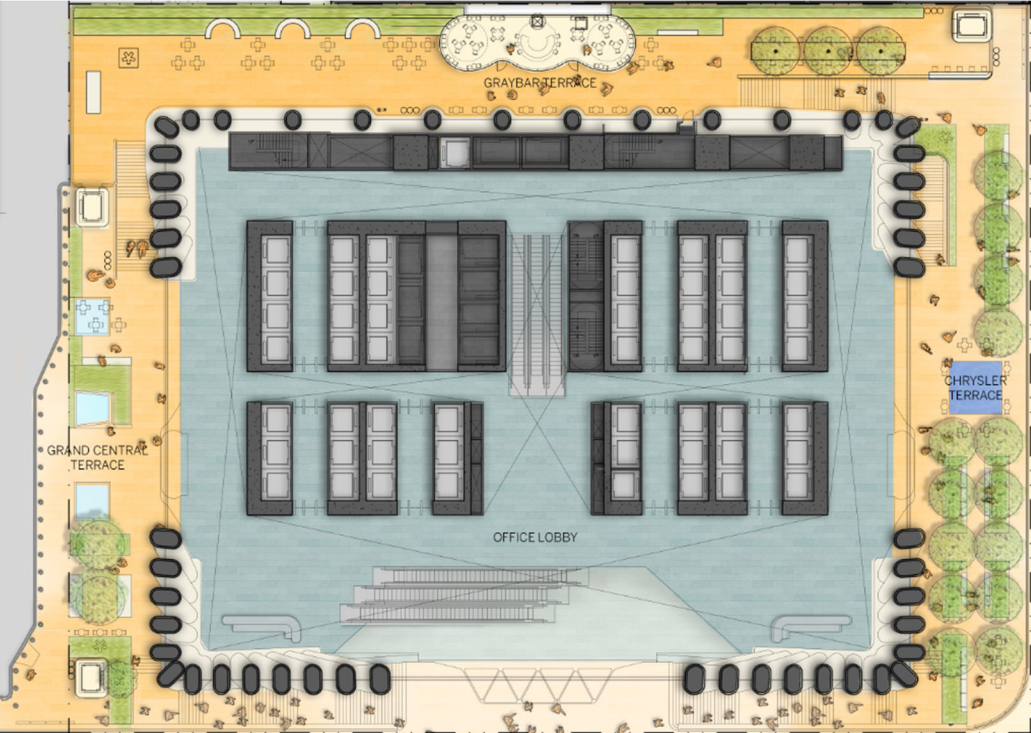
The building would rise to approximately 1,646 feet. The design would require relief from zoning regulations regarding streetwall location that would enhance views of adjacent landmarks as well as the public realm pedestrian experience. Additionally, the proposed design would require waivers for encroachments beyond the setback lines.

³ Development may also occur under an All Office Scenario. Under this scenario, the overall building square footage and building massing would be the same as under the Proposed Project but would be comprised of approximately 2,561,770 gsf of office space, 43,370 gsf of retail, and no hotel.

Figure 3 Illustrative Ground Floor and Second Floor Plans



Illustrative Ground Floor Plan



Illustrative Second Floor Plan

In connection with the proposed development, the Proposed Project would provide the following transit and transit-related public realm improvements to improve the pedestrian experience and reduce congestion at GCT and the Grand Central – 42nd Street subway station and create a healthier, safer, and improved commuting experience for hundreds of thousands of commuters each day: The transit improvements would be implemented pursuant to the terms of agreements with the MTA as the agency charged with the management of and the making of improvements to its transportation facilities.

- › The subway entrance at East 42nd Street (R-238) would be redesigned and expanded. Turnstiles would be relocated to street level, and a new diagonal staircase leading to the subway would ease the flow of foot traffic. A new elevator adjacent to the stair would provide a more direct ADA connection to the subway mezzanine. The elevator located at the entrance to the 42nd Street Passage would be removed, and in its place, the historic entrance would be restored. A new designated subway entrance would be constructed to provide a direct connection to 42nd Street from the subway and help ease crowding and backups at the entrances.
- › A new transit hall containing retail, information screens and booths, and connections to the Terminal would be constructed at the ground floor level on the western side of the Development Site. The transit hall would work in tandem with the existing 42nd Street Passage and expanded subway entrance to reduce congestion and increase pedestrian throughput.
- › Improvements to the subway entrance on Lexington Avenue and below-grade mezzanine would be constructed to bring light and air into the subway mezzanine and provide a larger, covered at-grade subway entrance. These improvements would also help to ease crowding and backups at the entrances.
- › The proposed building would be set back from Lexington Avenue to allow for minimum five-foot increased sidewalk widths on Lexington Avenue and 42nd Street and enhanced views to adjacent landmarks. In concert with this change, the stairs located near the northwest corner of Lexington Avenue and East 42nd Street that provide access from Lexington Avenue down to the mezzanine level of the subway station would be realigned and relocated further north as part of a reconstructed subway entrance that would bring light and air into the subway mezzanine and provide a larger, covered at-grade subway entrance.
- › The Lexington Passage entrance would be redesigned to make it more legible and inviting to pedestrians; the Passage would be refinished and its ceiling height would be increased to improve the pedestrian experience.
- › Girders would be removed from the subway mezzanine level to improve circulation and enhance sightlines.
- › A “Short Loop Connection” would be constructed to provide direct access through GCT from the lower-level Metro North trains and East Side Access to the Subway mezzanine level.

Table 1 summarizes the Proposed Project, as well as the All Office Scenario.

Table 1 Development Program for Proposed Project

Proposed Use	Proposed Project	All Office Scenario
	(GSF)	(GSF)
Commercial Office	2,108,820	2,561,770
Hotel	452,950	43,370
Retail	43,370	0
MTA Circulation	16,245	16,245
Publicly Accessible Space	25,421	25,421
Mechanical	345,355	345,355
Total Development	2,992,161	2,992,161

Note: All floor areas are approximate.

Project Purpose and Need

As noted above, the East Midtown Central Business District is one of the largest job centers in New York City and one of the most attractive business districts in the world. The district is anchored by GCT and the Grand Central – 42nd Street subway station and is adjacent to two recent major public infrastructure projects: East Side Access and the Second Avenue Subway. While the area benefits from a robust and improving transportation system, the office building stock is lagging behind. The average age of office buildings in the area is approximately 75 years and many of these buildings are, or may soon become, outdated for today's office tenants.

The Proposed Actions would facilitate the development of a new, mixed-use Class A office and hotel building on a site that is well-served by a variety of transit modes, including subway, bus, and regional train service. The Proposed Project would also provide significant improvements to the public realm, including major improvements to access and circulation within the GCT transportation network and new publicly accessible open space.

The Proposed Project would therefore significantly further the following stated goals from the *Greater East Midtown Rezoning FEIS*:

- › Protect and strengthen East Midtown as one of the world's premier business addresses and key job center for the City and region;
- › Seed the area with new modern and sustainable office buildings to maintain its preeminence as a premier office district;
- › Improve the area's pedestrian and built environments to make East Midtown a better place to work and visit; and

Complement ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space.

Analysis Framework and Reasonable Worst-Case Development Scenario

The *2020 City Environmental Quality Review (CEQR) Technical Manual* will serve as guidance on the methodologies and impact criteria for evaluating the potential environmental effects of a proposed development that would result from the proposed discretionary actions. To the extent that the Proposed Actions allow for a range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences will be chosen for CEQR analysis. This is considered to be the reasonable worst-case development scenario (RWCDs), the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review. The CEQR assessment examines the incremental differences between the RWCDs of the future without the Proposed Actions in place (No-Action condition) and the future with the Proposed Actions in place and the associated development in operation (With-Action condition).

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the proposed project (or With-Action condition) is compared to determine the potential for significant environment impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

The Proposed Actions would facilitate development on the Development Site only and would also result in improvements to MTA facilities both on the Development Site and on the larger qualifying site, as described above. The amount and size of development on the Development Site would be governed by the regulations of East Midtown Subdistrict, as proposed to be amended pursuant to the Proposed Actions, as well as the controls of the Special Permits granted for the new building. The Proposed Project, therefore, defines the RWCDs for purposes of the With Action condition.

Future No-Action Condition

Absent the Proposed Project, the Development Site would be developed with a 27-FAR development of approximately 1,883,743 gsf (1,546,884 zsf), comprised of approximately 1,682,336 gsf of office space; approximately 18,300 gsf of retail; and an approximately 5,896-sf enclosed publicly accessible space on the ground floor. In addition, approximately 10,220 gsf of MTA circulation space would be provided on the ground floor (see **Figure 4**). The No-Action development would be 69 stories and approximately 1,118 feet tall (see **Figure 5**). This represents the maximum floor area developable on the Development Site through non-discretionary actions.

In the No-Action condition, the Applicant would provide transit improvements from the Priority Improvement List set forth in ZR Section 81-682 to improve circulation and reduce congestion. Specifically, at the 42nd Street - Bryant Park/Fifth Avenue station, the Applicant would provide the following Type 1 improvements, which each generate 40,000 square feet of floor area (a combined total of 160,000 sf of floor area):

- › ADA elevator between Flushing platform and mezzanine level;
- › A new street entrance from the north side of West 42nd Street;

- › ADA elevator between Sixth Avenue northbound platform and mezzanine level;
- › ADA elevator between Sixth Avenue southbound platform and mezzanine level.

The following non-discretionary approvals would be required for the No-Action condition:

- › A joint Zoning Certification from the CPC Chairperson and the MTA as to the size and location of transit easement volumes on the zoning lot (ZR 81-673(a));
- › A joint Zoning Certification from the CPC Chairperson and the MTA as to whether a transit easement volume is required on the zoning lot (ZR 81-673(b));
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-643 as to the amount of non-complying floor area on the Development Site and to reconstruct non-complying floor area on the Development Site;
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-641 to increase the permitted floor area on a qualifying site through the construction of transit improvements from the Priority Improvement List set forth in ZR Section 81-682;
- › A Zoning Certification from the CPC Chairperson pursuant to ZR Section 81-642 for the transfer of unused landmark development rights and to verify payment of the contribution to the public realm improvement fund; and
- › A Zoning Certification from the CPC Chairperson to certify compliance of the design for an enclosed publicly accessible space with all applicable requirements of ZR Section 81-681(b).

Figure 4 **No-Action Ground Floor Plan**

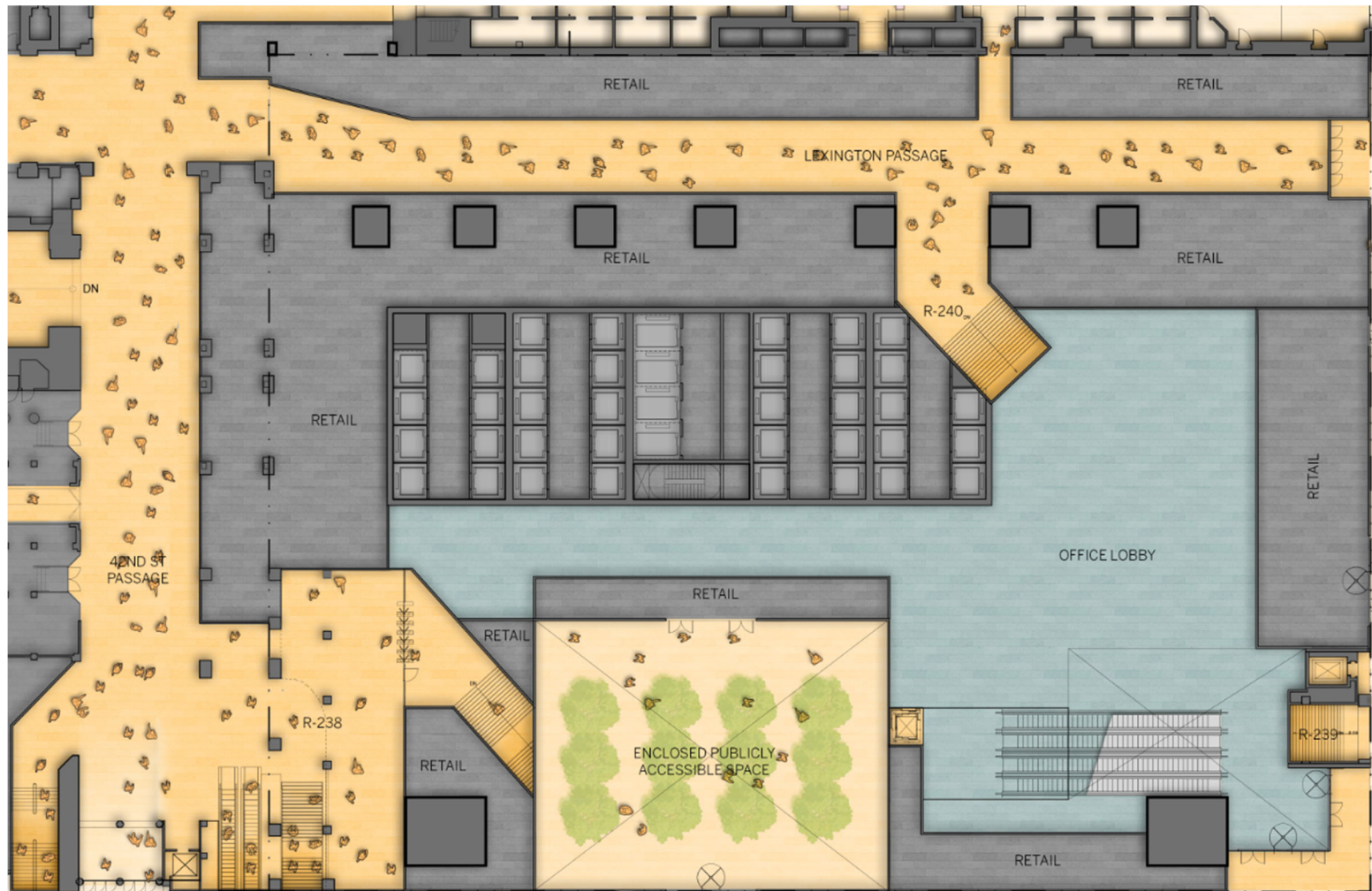
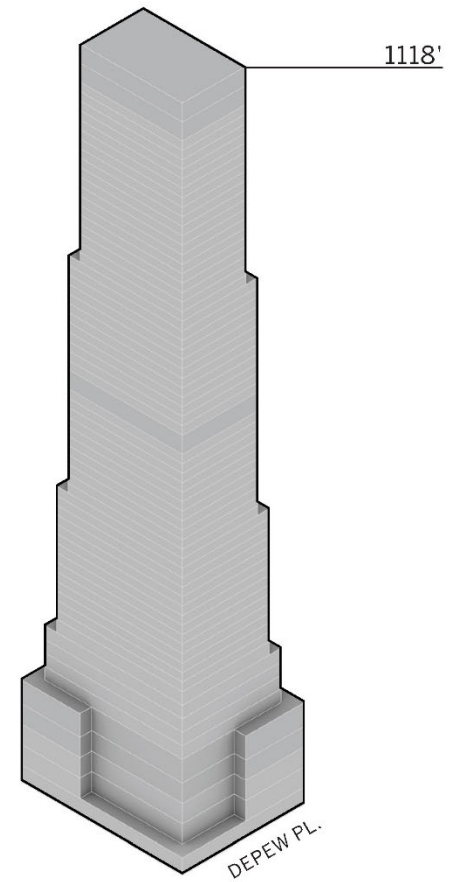
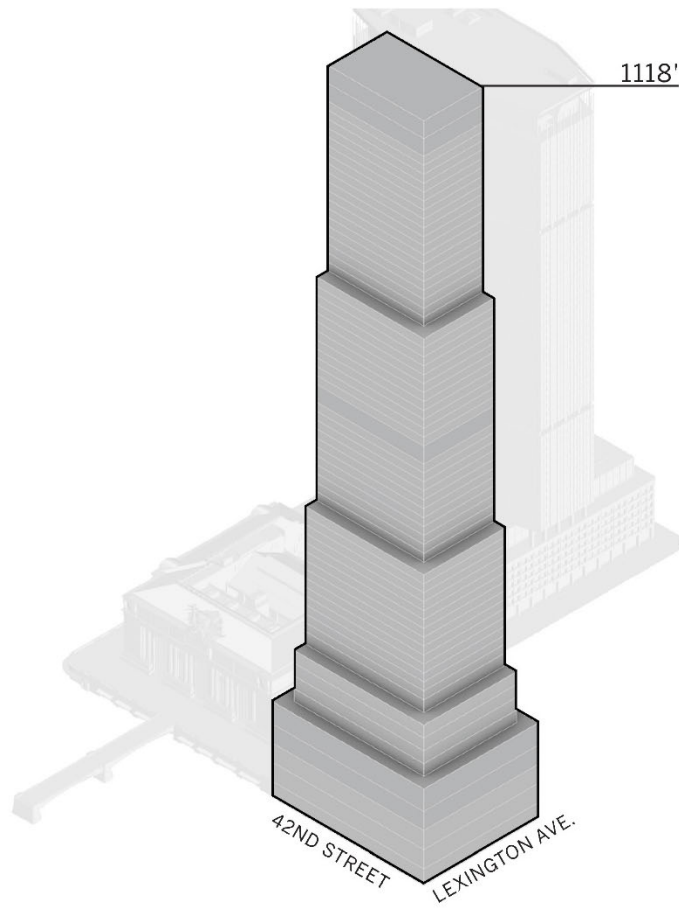


Figure 5 **No-Action Massing**



Future With-Action Condition

As stated previously, in the future With-Action condition, the Applicant proposes to redevelop the Development Site with approximately 2,992,161 gsf (2,246,515 zsf) of mixed-use development, including office, local retail, hotel, and public space. The Development Site would contain approximately 2,108,820 gsf of office space; an approximately 452,950-gsf hotel with 500 rooms; approximately 25,421 sf of open-air publicly accessible space; and approximately 43,370 gsf of retail on the cellar, ground, and second floors. Redevelopment under the All Office Scenario would be based on the same overall building square footage and building massing, and consist of office space, retail, and no hotel. The Development Site would also contain approximately 16,245 gsf of space for transit circulation. The Proposed Project, as described above, reflects the With-Action condition.

For conservative analysis purposes, the EIS considers the two building program options to determine the With-Action reasonable worst case development scenario (RWCDs) for each density-based technical area: the Proposed Project with a mix of hotel, commercial office, local retail, and publicly accessible space; and the All Office Scenario, based on the same overall building square footage and building massing as the Proposed Project but comprised of approximately 2,561,770 gsf of office space, 43,370 gsf of retail, and no hotel. In each chapter, where applicable, the EIS analyzes the scenario with the greater potential for impacts.

The proposed tower would be surrounded by three public open spaces running the length of the site in the north/south direction and east/west. The Grand Central and Chrysler Terraces would be elevated at a height of approximately 30 feet above street level, while the Graybar Terrace would be elevated to a height of approximately 45 feet above street level.

The open space proposed on the west side of the site, the Grand Central Terrace, would provide new visibility of the currently obstructed southeast corner of GCT. This proposed open space would be approximately 142 feet long by 27 feet wide. In addition, there would be a sidewalk expansion along the Grand Central Terrace adjacent to the Park Avenue Viaduct measuring 142 feet long by 8.5 feet wide. The terrace would be reached by two grand staircases along East 42nd Street, as well as by elevator. The grand staircases would be a key architectural feature of the building. The terrace would provide trees, planting, seating, and skylights that would bring light to the transit hall below. It would provide a destination for commuters and visitors alike and would open up views of many landmarks along East 42nd Street in addition to GCT itself, such as the Bowery Savings Bank and Pershing Square.

The open space proposed on the east side of the building, the Chrysler Terrace, would provide an overlook onto Lexington Avenue and East 42nd Street, and a unique vantage point for viewing the Chrysler building and other surrounding landmarks. The proposed terrace would be approximately 208 feet long by 34 feet wide. It would be reachable by the grand staircases along East 42nd Street, or by third staircase located along Lexington Avenue, and by elevator. The Chrysler Terrace would feature trees, plantings, and multiple types of seating.

The open space proposed on the north side of the building, the Graybar Terrace, would provide a critical connection between the Grand Central Terrace and Chrysler Terrace. This terrace would feature retail use, fixed and movable seating, and flexible use space. The proposed terrace would be approximately 274 feet long by 25 feet wide. This terrace would

be accessed by two grand staircases along East 42nd Street and by a third staircase along Lexington Avenue. One ADA elevator located adjacent to the grand stairs on East 42nd Street and one ADA elevator located adjacent to the stairs on Lexington Avenue would be provided to facilitate ADA-compliant access and use of the space by commuters, employees, and visitors to the study area. Further additional ADA elevators would be located between terraces to provide additional ADA access for inter-terrace travel. Though the hours of operation are not known at this time, the proposed terraces would be programed to maximize the utility and functionality of the space.

Increment for Analysis

In total, the With-Action condition would result in a net increase of approximately 1,108,038 gsf over the No-Action scenario, with approximately 426,484 gsf dedicated to commercial office space, approximately 452,950 gsf for hotel space, approximately 25,070 gsf for retail space, approximately 6,025 gsf of additional MTA circulation space, and an increase in the amount of publicly accessible space by approximately 19,525 sf (see **Table 2**). The All Office Scenario, which is based on the same overall building square footage and building massing as the Proposed Project, would result in an increase of approximately 879,434 sf of office space over the No-Action condition and no hotel.

Table 2 Increment for Analysis

	No-Action	With-Action	Increment	All Office Scenario	All Office Increment
Commercial Office	1,682,336	2,108,820	426,484	2,561,770	879,434
Hotel	0	452,950	452,950	0	0
Retail	18,300	43,370	25,070	43,370	25,070
MTA Circulation	10,220	16,245	6,025	16,245	6,025
Mechanical	166,991	345,355	178,364	345,355	178,364
Publicly Accessible Space	5,896	25,421	19,525	25,421	19,525
Total	1,886,743	2,992,161	1,108,418	2,992,161	1,108,418
Total Commercial	1,700,636	2,605,140	904,504	2,605,140	904,504
Stories	69 Stories	83 Stories	14 Stories	83 Stories	14 Stories
Height	1,118 Feet	up to 1,646 Feet	528 Feet	up to 1,646 Feet	528 Feet

Note: All floor areas are in approximate GSF

Future development will be in accordance with the requested special permits. Therefore, the Proposed Project would be limited to the project and development described above, and the summary in **Table 2** represents the reasonable worst-case development scenario.

Analysis (Build) Year

The build year for the Proposed Project is 2030.

Principal Conclusions of Environmental Analysis

Land Use, Zoning, and Public Policy

~~Overall, the~~The analysis conducted found~~presented in this chapter concludes~~ that the Proposed ~~Action~~Actions would not result in significant adverse impacts on land use, zoning, or public policy.

Land Use

~~The~~As to land use, the Proposed Actions would not directly displace any land use, nor would they introduce new land uses that would be incompatible with surrounding land uses. Compared to the No-Action condition, the Proposed Actions would result in an increase in office and commercial space. The Proposed Actions would also allow for hotel use to remain on the Development Site. As described below, the Proposed Actions would be consistent with the existing zoning framework for the East Midtown Subdistrict and would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with land uses within the 400-foot study area.

Zoning and Public Policy

As to zoning and public policy, with the Proposed Actions, zoning regulations within the study area would change in a manner that is aligned with the recent Greater East Midtown Rezoning, which has the stated goal of protecting and strengthening Greater East Midtown's status as one of the world's premier business districts, while preserving and improving the area's existing iconic pedestrian and built environments. The Proposed Actions would increase the density of the Proposed Project through special permits available to "qualifying sites" pursuant to East Midtown Subdistrict regulations. The requested discretionary actions would not conflict with the zoning and would reinforce the goals of the existing zoning for the area.

The Proposed Actions would facilitate the construction of a new, mixed-use non-residential building on the Development Site in a central business district well served by mass transit. Additionally, the Proposed Project would result in a number of transit, pedestrian, and open space improvements. The proposed retail and commercial office space would be comparable to existing and planned developments in the surrounding Midtown neighborhood and would directly support relevant city policies.

Open Space

~~The open space assessment found that the Proposed Actions would not result in significant adverse open space impacts. Based on detailed analysis of indirect effects on open space, the Proposed Actions would not result in a significant adverse impact on open space. Furthermore, the Proposed Actions~~The Proposed Project would not result in the physical loss or direct displacement of publicly accessible open space or shadows that would temporarily

or permanently affect the usefulness of a public open space, and thus, no direct effects analysis is warranted. Based on detailed analysis of indirect effects on open space, the Proposed Actions would not result in a significant adverse impact on open space. The Proposed Actions would introduce additional open space as part of its public realm improvements as described in Chapter 1, Project Description.

Indirect Effects

The Proposed Actions would increase utilization of study area resources due to the introduction of a new non-residential (worker) population. Since the Proposed Actions would introduce additional workers to the area, which would place new demands on passive open space resources, the indirect effects analysis focuses on passive open space resources. In both the future with and without the Proposed Actions, the total and passive open space ratio in the non-residential study area is well below the City's open space planning goals.

According to the *CEQR Technical Manual*, projects that reduce the open space ratio by more than five percent may result in a significant adverse impact. For areas that are currently underserved, a smaller reduction may be considered significant. Based on maps in the Open Space Appendix of the *CEQR Technical Manual*, the open space study area is neither well served nor underserved by open space resources. Although the study area's existing conditions are characterized by a low open space ratio (i.e., below the citywide average of 0.15 acres of passive open space per 1,000 non-residential users), CEQR guidelines recognize that the goals for open space ratios are not feasible for areas such as Midtown Manhattan, where there are few public open spaces and limited space to provide new public open spaces, and therefore do not constitute an impact threshold.

The indirect effects analysis demonstrated that the Proposed Action would increase passive open space ratios by ~~6.40~~5.7 percent for the non-residential population and ~~6.50~~6.6 percent for the combined residential and non-residential population.

The Proposed Actions would therefore result in open space ratios in the study area that reflect minor increases relative to the No-Action condition. Accordingly, with regard to the *CEQR Technical Manual*, the Proposed Actions are not considered to have a significant adverse impact. However, since the open space ratios in the study area are so low, a qualitative analysis was provided for conservative purposes. It found that the condition and utilization of existing resources in the study area were such that the new non-residential population would be absorbed without adverse effects to the quality of open space.

Shadows

A detailed shadows analysis determined that in the With-Action (2030) scenario, project-generated shadows would reach 33 sunlight sensitive resources. These incremental shadows would be limited in extent and duration and would typically only occur in one or two seasons. The limited duration of new shadow that would fall on most affected resources would not substantially reduce the quantity of direct sunlight and would not significantly alter the utilization of the resources or the variety of vegetation supported within. Resources that would receive longer shadow increments exceeding an hour on one of the analysis days include Dag Hammarskjold Plaza, (Q141), the UN Sculpture Garden, (Q120), One Vanderbilt Plaza, (Q172), the Stephen A. Schwarzman Building, ~~GCT~~, (H14), Grand Central Terminal

(H40), and the East River: (N1). However, it was found that these resources would continue to receive substantial sunlight throughout the affected analysis days such that the public's use and enjoyment, the viability of flora and fauna, and the physical characteristics of the resources would not be impacted. Therefore, the Proposed Actions would not result in significant adverse shadow impacts, and no No publicly accessible open spaces or historic resources would experience significant adverse shadow impacts as a result of the Proposed Actions.

Historic and Cultural Resources

An assessment was conducted and determined that the Proposed Actions would not result in significant adverse impacts on historic or cultural resources, as summarized below.

Archaeological Resources

The study area for archaeological resources is the area that would be disturbed by project construction, including the Development Site and some portions of the larger Project Area where improvements are proposed to circulation areas: (see **Chapter 1, Project Description**). The entire Project Area has been disturbed and lacks archaeological sensitivity. SHPO has concurred with this finding-assumption (4/28/21). Therefore, no further analysis of archaeological resources was considered warranted.

Architectural Resources

The Proposed Project would remove the existing structure on the Development Site, which is neither a New York City Landmark (NYCL), nor an eligible or listed State/National Registers of Historic Places (S/NR) property.

To avoid inadvertent construction-period damage to the adjacent GCT—, a NYCL, S/NR, and National Historic Landmark (NHL)—, as well as the Park Avenue Viaduct (S/NR, NHL), Commodore Development, LCLPC would develop and implement a construction protection plan (CPP) for the Terminal and attached viaduct in consultation with the New York City Landmarks Preservation Commission (LPC), MTA, the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP), acting in its capacity as the New York State Historic Preservation Office (SHPO), and the MTA-LPC. CPPs would also be prepared and implemented in consultation with LPC and SHPO for the Graybar Building (NYCL, S/NR-eligible), and the Chrysler Building (NYCL, S/NR, NHL) to avoid inadvertent damage from the construction of adjacent off-site transit-related improvements.

It is not expected that the Proposed Development would result in any contextual impacts on architectural resources, as it would not adversely change the scale, visual prominence, or visual context of any building, structure, object, or landscape feature, or screen or eliminate publicly accessible views of any architectural resources that will not be screened or eliminated in the No-Action condition. The shadows analysis presented in **Chapter 4, Shadows**, concluded that the Proposed Development would cast incremental shadows on the east windows of GCT's main concourse, but these new shadows would be limited in extent, duration, and effects and would not result in any significant adverse shadow impacts.

Urban Design and Visual Resources

Urban Design

The Proposed Project would not have significant adverse impacts to the urban design of the study area. The Proposed Project has been designed to reflect its location among a group of iconic and historically significant buildings within the study area and larger East Midtown central business district. The proposed building would have a massing with multiple setbacks, honoring the style of the classic Manhattan skyscraper. The elevations of the proposed building setbacks were designed to align with important visual horizontal features of both GCT and the Chrysler Building across from the Development Site on Lexington Avenue.

The ground floor of the Proposed Project would provide a streetfront appropriate for a highly trafficked location within East Midtown, providing access to GCT and open space. The ground floor improvements include a new transit hall, larger 42nd Street passageway entrance, new 42nd Street subway entrance and a new highly visible entrance to Lexington Passageway. These improvements would contribute to better functioning of the Development Site and GCT as a central transportation hub. The Proposed Actions would also facilitate significant improvements in the pedestrian experience within and around the Development Site in the form of new publicly accessible open space. The new open space would be located on the second floor of the Proposed Project and would include three terraces that run the length of the Development Site from north to south and east to west.

While the Proposed Actions would facilitate an increase in density on the Development Site compared to the No-Action condition, under both the No-Action and With-Action conditions, the Development Site would be redeveloped as a high-rise mixed-use building typical of East Midtown and consistent with the zoning framework set by the recent Greater East Midtown Rezoning, which put in place various zoning mechanisms to increase density and encourage large scale commercial developments, similar to the Proposed Project.. The Proposed Project would be taller than the No-Action development and would facilitate many on-site benefits and improvements to the building design, particularly at the base level, that would improve visual conditions on the Development Site. Overall, the building's design would be well-integrated within its context, and would not adversely affect the built environment's arrangement, appearance, or functionality.

The project is also subject to LPC review for a harmonious relationship determination. At the Public Hearing and Public Meeting of February 23, 2021, the LPC Commissioners determined that the proposed design had a harmonious relationship with GCT. Additionally, in a letter dated October 29, 2020, the New York State Division for Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) stated that they had reviewed submitted materials in accordance with the New York State Historic Preservation Action of 1980 (section 14.09 of the New York Parks, Recreation and Historic Preservation Law) and had issued a finding of No Adverse Impact.

Visual Resources

The Proposed Actions are not anticipated to have significant adverse impacts to visual resources within the study area. The design of the Proposed Project honors its location,

surrounded by visual resources, by increasing visibility to those visual resources and improving pedestrian experiences.

The proposed building form would taper inward along the western, southern and eastern facades, in order to provide increased visibility to surrounding landmarks, and ~~allowing for the creation of~~ to create new public and green spaces. This proposed building form would provide new sightlines to GCT's eastern façade, which is largely hidden from public view by the existing Grand Hyatt Hotel, as the existing building rises directly from the property line with no setback. The existing Grand Hyatt Hotel is ~~also~~ cantilevered over the 42nd street sidewalk, further obscuring views of Grand Central. The Proposed Project would also create new sightlines to other surrounding visual resources, including improving visibility of the Graybar Building's distinctive Art deco/Neo-byzantine façade from the south as well as the intricate detailing of the Chanin Building's façade from the north, and the visibility of the corner of the Chrysler building from the west. By tapering the massing of the Proposed Project inwards before meeting the ground, three new second-floor terraces are created, flanking the Development Site on the east, west, and north. They would provide a safe, protected, and publicly accessible elevated space from which to view and enjoy these and other resources, including GCT to the west, the Chrysler Building to the east, and Graybar to the north.

Though taller than buildings in its immediate surrounding context, the Proposed Project would sit within the context of other tall towers within the Manhattan skyline, including One Vanderbilt and the MetLife Building. Terminal City, as the area around GCT was called, was a catalyst of urban density; the Proposed Project extends a tradition of towers that defined the district, including many of the surrounding visual resources. Moreover, the goal of the Greater East Midtown Rezoning is to continue this tradition and facilitate new, high-quality commercial towers. As a result, the Proposed Project would be constructed as part of a newly revitalized East Midtown skyline, including towers such as One Vanderbilt and 270 Park Avenue. Therefore, urban design effects of the Proposed Project are anticipated to be similar to those of other newly constructed tall towers in the context of the densely developed and continuously evolving skyline.

Hazardous Materials

The Proposed Actions would not result in significant adverse impacts related to hazardous materials.

The Development Site is currently improved with the Grand Hyatt Hotel, a 26-story steel and glass building with approximately 1,300 guest rooms with conference/event space. The existing building is located directly above the Grand Central – 42nd Street subway station and MTA Metro-North Railroad (MNR) tracks below grade. The Development Site is located immediately east of the Beaux Arts-style GCT. The Proposed Actions would facilitate the redevelopment of the Development Site with approximately 2,992,161 gsf of mixed-use development, including a hotel,⁴ office, and public space. In addition, a number of on- and off-site transit and public realm improvements would be introduced to enhance passenger

⁴ Development may also occur under an All Office Scenario. Under this scenario, the overall building square footage and building massing would be the same as under the Proposed Project but would be comprised of approximately 2,561,770 gsf of office space, retail, and no hotel.

circulation conditions at the Grand Central – 42nd Street subway station. These improvements include the redesign and expansion of Fare Control Areas (FCAs) R238 and R238A, a new transit hall on the western side of the Development Site, a redesign of the FCA R240 area, removal of girders from the subway mezzanine level, and a “Short Loop Connection” construction to provide direct access for MNR and Long Island Railroad (LIRR) from GCT to the subway.

A subsurface investigation was conducted at the Development Site to evaluate for the presence of contamination in soil/fill materials that would be disturbed as part of the redevelopment. Sub-slab soil vapor was also evaluated for the presence of volatile organic compounds (VOCs) to determine if soil vapor mitigation may be warranted for the future redevelopment. The results of the subsurface investigation provided in the Phase II Environmental Site Assessment (ESA) indicate the presence of contaminants in historic/urban fill materials below the building slab that exceed applicable New York State Department of Environmental Conservation (NYSDEC) Part 375 cleanup criteria. Furthermore, chlorinated and petroleum VOCs were detected in sub-slab soil vapor samples, but were not detected at concentrations that exceed New York State Department of Health (NYSDOH) regulatory criteria. Contamination identified in the Phase II ESA was not directly attributed to an active release.

To address these conditions during site redevelopment, a New York City Department of Environmental Protection (NYCDEP)-approved Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) were developed and would be implemented during construction with regulatory oversight provided by NYCDEP. (see **Appendix B** for the May 2021 RAP and CHASP). The RAP provides requirements relating to the management of excavated materials including *in-situ* waste characterization sampling, stockpiling methods, transport and disposal of soil/fill materials, and fugitive dust and VOC monitoring under a Community Air Monitoring Plan (CAMP). Soil vapor mitigation would also be implemented including a minimum 20-mil soil vapor barrier to be incorporated into the design of the building. Quality assurance and contingency measures are also outlined in the RAP including potential gross contamination or underground storage tanks (USTs) that may be encountered relating to current and/or historic uses. The CHASP identifies potential hazards that may be encountered during construction and specifies appropriate health and safety measures to be undertaken to ensure that subsurface disturbance is performed in a manner protective of workers, the community and the environment (such as personal protective equipment [PPE], community air monitoring, and emergency response procedures). Upon completion of remedial action, a Professional Engineer (PE)-certified Remedial Action Report (RAR) would be prepared and submitted to the NYCDEP detailed for review and approval, which would detail the implementation of the remedy.

In addition to implementing the RAP and CHASP, regulatory requirements pertaining to the disturbance and handling of any lead-based paint (LBP), asbestos-containing materials (ACM) and PCB-containing building materials would be followed. As such, implementation of the Proposed Actions would not result in significant adverse impacts related to hazardous materials.

Water and Sewer Infrastructure

The Proposed Actions would not result in a significant adverse impact on the City's water and sewer infrastructure. Based on the methodology set forth in the *CEQR Technical Manual*, although the Proposed Actions would create new demand for water and treatment of sewage, the incremental increases would be well within the capacity of the City's systems, and the impacts would not be considered significant or adverse.

Water Supply

New York City consumes approximately 1.3 billion gallons of water per day from a reservoir system with a total storage capacity of approximately 550 billion gallons.^{5, 6} The total water usage as a result of the Proposed Actions is calculated to equal approximately 0.78 mgd, which is an increment of 0.32 mgd (or 69.8 percent), compared to the No-Action condition projected demand of 0.46 mgd. This incremental demand would represent 0.00006 percent of the City's overall water supply. As the total water usage as a result of the Proposed Actions would result in less than 1 mgd, the Proposed Actions would not have a significant adverse impact on the City's water supply or system water pressure.

Sanitary Sewage

Sanitary sewage generated by the Proposed Actions would discharge to the Newtown Creek wastewater treatment plant (WWTP), which has a State Pollution Discharge Elimination System (SPDES)-permitted dry weather flow capacity of 310 mgd.⁷ The average monthly flow over a 12-month period is 210 mgd.⁸ The Proposed Actions have the potential to result in a total generation of 0.34 mgd of sanitary sewage discharge, an increment of 0.17 mgd (or 97.7 percent) over the No-Action total sewage generation, which is estimated at 0.17 mgd. This incremental increase in sanitary flow would represent approximately 0.05 percent of the Newtown Creek WWTP's SPDES-permitted capacity. As the projected increase in sanitary sewage would not cause the Newtown Creek WWTP to exceed its operational capacity or SPDES-permitted capacity, the Proposed Actions would not result in significant adverse impacts to sanitary sewage conveyance and treatment.

Stormwater Drainage and Management

The Project Area is served by a combined sewer system, collecting both dry-weather wastewater and stormwater. The Proposed Actions would not result in an increase in impervious surfaces as compared to Existing conditions and therefore is not expected to generate additional stormwater runoff. However, as the Proposed Actions would result in increased sanitary sewage flows, the total volume to the combined sewer system would be increased. As noted previously, the incremental increase in sanitary flow is well within the capacity of the existing system and would not result in significant adverse impacts to the City's sewer infrastructure. Additionally, due to the New York City Department of

⁵ Source: New York City's Wastewater Treatment System, New York City Department of Environmental Protection; <https://www1.nyc.gov/site/dep/water/>

⁶ Source: 2020 *CEQR Technical Manual*

⁷ Source: New York City's Wastewater Treatment System, New York City Department of Environmental Protection.

⁸ 12-month period through April 2016

Environmental Protection (DEP)'s current stormwater management requirements, stormwater runoff from new developments is expected to substantially decrease as compared to Existing conditions. Based on the analysis pursuant to the *CEQR Technical Manual*, with stormwater Best Management Practices (BMPs) implemented on the Development Site by the Applicant to reduce runoff, it is concluded that the Proposed Actions would not result in significant adverse impacts on stormwater conveyance and treatment infrastructure.

Transportation

~~A detailed transportation analysis was conducted and determined that the Proposed Actions would result in significant adverse impacts related to traffic (15 intersections), transit (one station element), and pedestrians (four pedestrian elements) as detailed below. The Proposed Actions would not adversely impact vehicular and pedestrian safety or parking conditions.~~

Traffic

The Proposed Project would generate a total of 217 vehicles per hour (vph) (138 "ins" and 79 "outs") in the AM peak hour, 251 vph (126 "ins" and 125 "outs") in the midday peak hour, and 274 (104 "ins" and 170 "outs") in the PM peak hour. Of the 15 intersections analyzed, the Proposed Project would result in significant adverse traffic impacts at ~~14 intersections during the AM and the midday peak hours, and at all 15 intersections during the AM and PM peak hours, and at 14 intersections during the midday peak hour.~~ The identification and evaluation of traffic capacity improvements available to mitigate these impacts are presented in **Chapter 16, Mitigation**.

Parking

Only a very small percentage of trips made to the major uses proposed for the Development Site (office and hotel space) would be made by auto; the Proposed Project would not include a parking garage. The Proposed Project is expected to generate a need for approximately 125 parking spaces during the area's midday parking peak. The area within a quarter-mile (five minute) walk currently contains 3,166 off-street parking spaces, about 165 spaces of which will be lost to other new developments. Overall, under the With-Action condition parking demand would exceed the off-street parking capacity within a quarter mile of the Development Site. As a result, some of those who choose to drive to the Proposed Project may need to park at facilities just beyond a five-minute walk. As the Proposed Project is located in a transit-rich area, this is not considered to be a significant impact.

Transit

As part of the Proposed Project, a number of transit and public realm improvements would be introduced to enhance passenger circulation conditions at the Grand Central – 42nd Street subway station. These changes include:

- › Redesign and expansion of Fare Control Areas (FCA) R238 and R238A, including a new surface to station mezzanine stair (M1) and new subway entrance, which would provide direct connection from East 42nd Street to the subway station.

- › A new transit hall, which would contain retail, information screens and booths, and connections to the Terminal, would be constructed on the western side of the Development Site and would expand pedestrian circulation space in the area of GCT's 42nd Street passage.
- › Redesign of the FCA R240 area.
- › Removal of girders from the subway mezzanine level to improve circulation and enhance sightlines.
- › A "Short Loop connection" would be constructed to provide direct access to and from the subway for MNR and LIRR riders.

An analysis was conducted for the Grand Central – 42nd Street subway station elements (stairways, escalators, fare control areas, and passageways) during the AM and PM commuter peak hours. The analysis concluded that significant adverse transit impacts would be expected at five stairs along the northbound and southbound Lexington line platform during the AM peak hour and one stair along the northbound Lexington line platform during the PM peak hour. Two escalators (ES208 and ES210) located at the west end of the Flushing platform would have significant adverse impacts during both the AM and PM peak hours. The identification and evaluation of measures that could mitigate these impacts are discussed in **Chapter 16, Mitigation**.

An assessment of the incremental subway riders for each subway line by direction was also conducted. According to the *2020 CEQR Technical Manual*, subway line-haul impacts are not expected if the increase in subway ridership is less than five riders per subway car. Since the projected peak ridership increase would be below this threshold, a detailed subway line-haul analysis was not needed and subway line-haul impacts are not expected.

Pedestrians

Pedestrian analyses were performed for four sidewalk elements, six crosswalk elements, and five corner elements for the AM, midday, and PM peak hours. The Proposed Project would include widening of the sidewalks along the Lexington Avenue and East 42nd Street frontages. Of the 15 pedestrian elements analyzed, the Proposed Project would result in significant adverse impacts at one pedestrian element during the AM and PM peak hours, and five pedestrian elements during the midday peak hour. Mitigation measures that could be implemented to mitigate the potential significant adverse pedestrian impacts are discussed in **Chapter 16, Mitigation**.

Vehicular and Pedestrian Safety

Four of the 15 traffic analysis locations have been identified as high crash locations according to New York City Department of Transportation (NYCDOT) criteria since five or more bicycle and/or pedestrian crashes have been recorded at those locations—all along 42nd Street—within a consecutive 12-month period. Many of the crashes reported at these locations involve vehicles crashing into turning vehicles at intersections as well as crashes between vehicles and pedestrians or bicyclists in the intersection. NYCDOT implemented the 42nd Street Transit Improvement Program in late 2019, which included the elimination of one general travel lane and installation of an exclusive bus lane in each direction along 42nd Street, the prohibition of left and right turns at key intersections, and other improvements

that are expected to improve bus travel reliability and improve vehicular and pedestrian safety.

Air Quality

The air quality analysis, as summarized below, found that the Proposed Actions would not cause significant adverse air quality impacts on the surrounding sensitive receptors nor would nearby emission sources significantly impact the Proposed Project.

The number of incremental trips generated by the Proposed Project would be lower than the screening thresholds for carbon monoxide (CO) and particulate matter (PM) (both PM_{2.5} and PM₁₀) identified in the *CEQR Technical Manual*. Therefore, traffic emissions from the Proposed Project would not result in a significant adverse impact on air quality.

The elevated Park Avenue Viaduct would be located within a few feet from the proposed public open space that would surround the proposed building. However, emissions from mobile sources on the Park Avenue Viaduct would be small and would not have a potential to adversely affect air quality.

The proposed building would use steam for its HVAC and hot water needs. This commitment would be included into an (E) designation, ~~Restrictive Declaration, or other mechanism (E-648)~~ for the Proposed Project. With this commitment, the Proposed Project would not incur any local air quality impacts. There are no large sources within a 1,000-foot radius of the Development Site that would impact the Proposed Project.

There is one light industrial source within a 400-foot radius of the Proposed Project. This source would not emit carcinogenic air pollutants. The analysis of non-carcinogenic non-criteria pollutants resulted in concentrations below guideline levels and demonstrated the hazard index below significance thresholds. Therefore, no adverse air quality impacts on the Proposed Project are expected from the nearby industrial sources.

Greenhouse Gas Emissions and Climate Change

The Proposed Actions would be consistent with the applicable City GHG emissions reduction and climate change goals, and there would be no significant adverse GHG emission or climate change impacts as a result of the Proposed Actions.

Following the methodology provided in the *CEQR Technical Manual*, it is estimated that the Proposed Actions would result in approximately 12,587 metric tons of carbon dioxide equivalent (CO₂e) emissions from its annual operations and 3,947 metric tons a year of CO₂e emissions from mobile sources annually; accordingly, the Proposed Actions would result in an annual total of approximately 16,534 metric tons of CO₂e emissions. This represents less than 0.03 percent of the City's overall 2019 GHG emissions of 55.1 million metric tons, an insignificant contribution.

The Proposed Project would comply with the 2020 Energy Conservation Construction Code of New York State and 2020 New York City Energy Conservation Code, which govern the exterior building envelope of new buildings. The Proposed Project would contribute towards the NYC GHG reduction goals including to the reductions under the City's Climate Mobilization Act (Local Law 97). The Proposed Project would be located directly above the Grand Central – 42nd Street subway station and Metropolitan Transportation Authority (MTA) Metro-North railroad

tracks below grade and is located immediately to the east of the Beaux Arts-style ~~GCT~~Grand Central Terminal, thereby reducing demand for vehicular travel to the site.

In addition, this transit-oriented development would incorporate measures to encourage the use of public transportation by improving transit infrastructure both onsite and adjacent to the site. These improvements would include a reconstructed Lexington Passage and MTA retail located along the passage, removal of girders from the subway mezzanine level to improve circulation and enhance sightlines, construction of a "Short Loop Connection" to provide direct access through Grand Central from the lower-level Metro North trains and East Side Access to the Subway mezzanine level, ~~redesign and expansion of the subway entrance at East 42nd Street (R-238), construction of~~ would be redesigned and expanded, an approximately 5,300,800-sf Transit Hall, and ~~provision of~~ approximately 2,400-sf of additional area for subway entries off 42nd Street and Lexington Avenue. ~~These; these~~ transit inclusions would advance New York City's GHG reduction goals by virtue of their nature and location.

Noise

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment as defined in applicable provisions of the City's noise code.

Existing Noise Receptors

Future No-Action and With-Action noise conditions in the Project Area were determined with proportional noise modeling. Mobile source noise levels would increase by up to 0.3 dBA due to traffic generated by the Proposed Actions. Therefore, there would be no potential for significant adverse noise impacts due to mobile sources.

New Noise Receptors

With-Action sound levels at the Development Site would be up to 81.5 dBA (L_{10}) on the south façade, up to 79.0 dBA (L_{10}) on the east façade, up to 79.7 dBA (L_{10}) on the north façade, and up to 78.1 dBA (L_{10}) on the west façade. Based on these findings of Clearly Unacceptable sound levels that exceed 80 dBA (L_{10}) on the south façade and Marginally Unacceptable sound levels between 70 and 80 dBA (L_{10}) on the north, east, and west facades, outdoor-to-indoor sound attenuation of the window/wall will be specified to ensure acceptable sound attenuation from the window/wall materials.

To implement these attenuation requirements, it is anticipated that an (E) ~~designation, Restrictive Declaration, or other mechanism~~ Designation (E-648) for noise would be applied to the Development Site specifying the appropriate amount of window/wall attenuation and an alternate means of ventilation. With these commitments, the Proposed Project would not result in any significant adverse noise impacts.

Public Health

~~The Proposed Project would not result in significant adverse impacts to public health.~~ As described in the relevant analyses of this EIS, the Proposed ~~Project~~Actions would not result

in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, or operational noise.

The Proposed Actions would not result in significant adverse impacts to public health related to hazardous materials. A Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP were developed and approved) will be submitted for review and approval by the New York City Department of Environmental Protection (NYCDEP). In addition, regulatory requirements pertaining to the disturbance and handling of any lead-based paint (LBP), asbestos-containing materials (ACM) and PCB-containing building materials would be followed.

The detailed analysis on operational air quality showed that the Proposed Actions would not cause significant adverse air quality impacts on the surrounding sensitive receptors nor would nearby emission sources significantly impact the Proposed Project proposed on-site development.

The Proposed Actions would not lead to significant increases in mobile source noise levels. However new noise receptors would experience Clearly Unacceptable and Marginally Unacceptable sound levels, necessitating sufficient outdoor-to-indoor window/wall sound attenuation. Institutional controls such as an of the window/wall to provide acceptable sound attenuation from the window/wall materials. An (E) designation, Restrictive Declaration or other mechanism Designation (E-648) would be utilized applied to ensure acceptable interior noise levels by specifying the appropriate amount of window/wall attenuation in and a closed -window condition. With these sound attenuation commitments, there would be no adverse impact due to operational noise.

An analysis of construction air quality showed that there would be no significant adverse air quality impacts during construction, as construction of the Proposed Project would not result in any concentrations of NO₂, PM₁₀, and CO that exceed the NAAQS and the maximum predicted incremental concentrations of PM_{2.5} would not exceed the City's de minimis criteria.

An analysis of construction period noise showed that construction period noise would not exceed 85 dBA at any receptor during the peak construction. With adherence to periods nor would there be a 15 dBA increase at any receptor assuming existing construction noise regulations, typical construction equipment, and the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, as well as the use of an 8-foot perimeter construction noise barrier, construction noise would be below the level of a significant adverse noise impact.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts to the neighborhood character of East Midtown. The study area contains numerous iconic large-scale commercial buildings which historically have shaped the East Midtown skyline. The study area is characterized by dense, commercial development, which is reinforced by recent actions, including the Vanderbilt Corridor rezoning in 2015 and the Greater East Midtown rezoning in 2017. A key The goal of the Greater East Midtown rezoning was to replace older commercial building stock with new commercial development to maintain the subdistrict as a globally competitive business district.

~~As Both the Proposed Project and the All Office Scenario would fulfill the goal of the Greater East Midtown Rezoning, as a tall commercial tower in keeping with the predominant use and building form that defines the study area, the Proposed Project fulfills this goal of the Greater East Midtown Rezoning.~~ The Proposed Project and the All Office Scenario would incorporate a number of proposed public realm improvements, including new public open space on the second floor of the building as well as significant transit improvements such as the construction of a new transit hall and reconstruction and upgrades to the existing 42nd Street and Lexington Avenue Grand Central passages. These public realm improvements improve several defining features of the neighborhood, contributing to the active and vibrant pedestrian activity and circulation network that facilitates the area's function as a central transportation hub for New York City. In addition, the ~~Proposed Project~~ proposed building has been designed to complement and support surrounding iconic buildings. The proposed second-floor open spaces and tapered form above the second floor would create new and unique sightlines to ~~GCT~~ Grand Central Terminal, the Chrysler Building, and the other defining buildings of the neighborhood.

As detailed in the relevant chapters of this EIS, the Proposed Actions would not result in significant adverse impacts in the contributing technical areas of land use, zoning, and public policy; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. Significant adverse impacts were identified in the transportation technical area (traffic and pedestrian impacts), however, per *CEQR Technical Manual* guidelines, this is not necessarily equivalent to a significant impact on neighborhood character.

~~There~~ Although it is expected that there would be an increase in the level of pedestrian activity and traffic volumes in the future With-Action condition, ~~and the resulting conditions in the future With-Action~~ would not be out of character with the East Midtown area, which is already defined by high volumes of vehicles and pedestrians. Therefore, the identified impact would not affect the defining features of the neighborhood and would not constitute a significant impact on neighborhood character. Overall, the Proposed Actions would not result in a significant adverse impact on neighborhood character, either from a significant adverse impact identified in a singular technical area or from the combined effect of changes to the ~~neighborhood's~~ defining elements.

Construction

Governmental oversight of construction in New York City is extensive and involves a number of City, State, and Federal agencies, each with specific areas of responsibility. Construction at the Development Site would be subject to government regulations and oversight described ~~under below in~~ Construction Regulations and General Practices in Chapter 15 and would employ the general construction practices described below. The Proposed Project would also comply with the requirements of the New York City Noise Control Code, as well as Project Components Related to the Environment (PCRE) that would be incorporated into the project to reduce construction noise in the surrounding area. **Chapter 15, Construction** ~~considers the potential for construction period activities to result in significant adverse impacts with these measures in place.~~

Transportation

Traffic

The projected construction activities would yield less total traffic than the amount of traffic projected for the Proposed Project. However, significant traffic impacts could still occur at some of the study area locations during construction, similar to impacts identified in **Chapter 9, Transportation**. In addition, travel and parking lane closures associated with construction activities would be needed along the Lexington Avenue and East 42nd Street site frontages. In coordination with the Department of City Planning and New York City Department of ~~NYCDOT, Transportation~~ (NYCDOT), five intersections were identified for analysis—Lexington Avenue with East 42nd Street, East 43rd Street, East 44th Street, and East 45th Street, and Third Avenue with East 42nd Street—during the AM and PM construction peak hours.

Construction activities for the Proposed Project would generate 118 construction worker auto trips and 30 construction truck trips during the AM construction peak hour, and 117 construction worker auto trips and 14 construction truck trips during the PM construction peak hour. Construction trucks would be required to use NYCDOT-designated truck routes to get to the project area and would then use local streets to access the Development Site.

Significant impacts were identified at ~~four of the five analysis intersections during the AM construction peak hour and at all five intersections during the AM and PM construction peak hour hours~~. Where impacts during construction may occur, measures similar to the ones recommended in **Chapter 16, Mitigation** could be implemented early to aid in alleviating congested traffic conditions. Significant impacts to the intersections of East 42nd Street with Third Avenue and Lexington Avenue, and the intersection of East 43rd with Lexington Avenue during the AM and PM peak hours, and the ~~intersections~~intersection of Lexington Avenue with ~~East 43rd Street and East 45th Street~~ during the PM peak hour, could not be mitigated under construction conditions. These findings are similar to the findings of the operational With-Action conditions except for the intersection of Lexington Avenue and East 43rd Street which could be mitigated during the AM peak hour under the operational With-Action conditions.

Parking

Construction workers would generate an estimated peak daily parking demand of 147 spaces during the peak construction quarter for the Proposed Project and would be accommodated by the off-street parking facilities available within a quarter-mile radius.

Transit and Pedestrians

It is anticipated that approximately 71 percent of construction workers would commute to the Development Site by public transportation during the peak construction quarter and would result in approximately 589 construction worker transit trips arriving during the AM construction peak hour and departing during the PM construction peak hour. The study area is well served by public transit and the Development Site is located above the Grand Central – 42nd Street subway station and next to GCT. Several Manhattan and Queens local bus routes and express bus routes also serve the study area. These trips would be distributed to the different transit options and are not expected to result in transit or pedestrian impacts.

Because of proposed sidewalk closures associated with construction activities along the Lexington Avenue and East 42nd Street site frontages, an assessment of the proposed walkway level of service during construction was performed and compared to the No-Action condition when the sidewalks would be available, as requested by NYCDOT. For the purposes of a conservative analysis, the No-Action condition analyzed a condition where the existing building would remain. Pedestrian impacts would be expected at both sidewalks during the AM and PM operational peak hours during construction.

Air Quality

Based on the results of the emissions intensity and quantitative construction air quality analysis for on-site emissions (construction equipment, trucks and fugitive dust from demolition and excavation/foundations), and taking into account based on the volume results of screening analysis for off-site construction trucks compared to the operational period traffic, the Proposed Project would not result in significant adverse impacts on air quality during construction. The results of the quantitative on-site construction analysis indicate that the Proposed Project would not exceed NO₂, PM₁₀, and CO NAAQS. In addition, the maximum predicted 8-hour CO concentration would be well below and incremental concentrations of PM_{2.5} would not exceed the City's *de minimis* criteria. The off-site screening demonstrated no potential for significant adverse CO and PM_{2.5} impacts from construction-related traffic.

Noise

Construction noise was analyzed for each phase of construction for mobile and stationary sources for both the first shift (from approximately 7:00 AM to 3:30 or 4:00 PM) and second shift (from approximately 3:30 PM to 12:00 AM) for the No-Action and With-Action conditions. Construction of the Proposed Project would involve standard construction activities and practices for buildings in New York City. Excavation, foundation, demolition, and superstructure phases of construction are typically when the noisiest activities occur. The interior fit-out phase of construction typically involves minimal exterior equipment and substantially quieter noise conditions. The Proposed Project is near existing commercial and hotel land uses. The
Based on the proximity of these noise-sensitive land uses, there is the potential for construction to cause significant adverse noise impacts on these nearby noise sensitive land uses was evaluated.

Construction of the Proposed Project would include a weekday period from 6:00 AM to 7:00 AM when construction mobile sources (i.e., worker vehicles and trucks) would arrive at the Project Site. There would be mobile and stationary construction sources during the first shift period from approximately 7:00 AM to 3:30 or 4:00 PM and the second shift period from approximately 3:30 PM to 12:00 AM. The second shift construction typically includes fewer activities and quieter noise levels than first shift conditions. Work permits would be obtained from DOB prior to second shift work commencing.

Construction noise from mobile sources has been evaluated for the With-Action condition from 6:00 AM to 7:00 AM which is when construction traffic would be greatest. There would not be construction noise from stationary sources during this time since first shift construction activities are between 7:00 AM and 3:30 PM or 4:00 PM. Construction noise from mobile sources would not increase by 3 dBA or more at any receptor and there would be no significant adverse noise impact between 6:00 AM and 7:00 AM.

Construction noise from mobile and stationary sources has been evaluated for first and second shifts for the following phases:

- › From Month 1 to 12, the Make Ready phase would include box and pickup trucks, but no stationary equipment for both the No-Action and With-Action conditions. Therefore, there would be no stationary source noise and no potential for significant adverse noise impact since trucks would not idle for longer than 3 minutes in accordance with New York City Administrative Code §24-163.
- › From Month 12 to 18, the Platform over MTA phase would include box trucks, pickup trucks, and tractor trailers. Similar to the Make ready phase, there would be no stationary source noise for both the No-Action and With-Action conditions and no potential for significant adverse noise impact since trucks would not idle for longer than 3 minutes.
- › From Month 12 to 34, the Demolition, Excavation and Foundation phase would occur for a total of 23 months during the No-Action and With-Action conditions. Construction has been evaluated based on Month 24 for this period which is when there would be the highest construction sound emissions.
- › From Month 35 to 65, the Superstructure phase would occur for a total of 31 months during the No-Action and With-Action conditions. Construction would include structural steel, concrete, spray fireproofing, and curtain wall activities during both the No-Action and With-Action conditions. Construction sound emissions would be the same for the No-Action and With-Action Conditions. Construction has been evaluated based on Month 57 for this period.
- › From Month 66 to 73, the Superstructure phase would continue for 8 more months during the No-Action condition including structural steel and curtain wall activities. This portion of the No-Action Superstructure phase includes less equipment and sound emissions than during the Month 35 to 65 period. Construction has been evaluated based on Month 70 for this period.
- › From Month 66 to 87, the Superstructure phase would occur for 30 more months during the With-Action condition including structural steel, concrete, spray fireproofing, and curtain wall activities. Construction has been evaluated based on Month 70 for this period.
- › From Month 88 to 98, the Superstructure phase would occur for 11 more months during the With-Action condition including structural steel, spray fireproofing, and curtain wall activities. This portion of the With-Action Superstructure phase includes less equipment and sound emissions than from Month 35 to Month 87. Construction has been evaluated based on Month 88 for this period.
- › From Month 99 to 110, the Interior Fitout phase would occur for 12 months during the With-Action condition and would include box trucks and tractor trailers. Therefore, there would be no stationary source noise and no potential for significant adverse noise impact since trucks would not idle for longer than 3 minutes in accordance with New York City Administrative Code §24-163.

The significance of construction noise impact depends on the absolute exterior level, as it relates to the Public Health noise criterion, the increase in noise level over ambient conditions, the interior noise level, time of day, and whether such conditions would occur in the No-Action and/or With-Action condition (see **Construction Noise Criteria** for further

details). For construction noise impact to be significant, the Proposed Project must cause noise levels to exceed the exterior increase criteria and interior criteria. The exterior increase criteria depend on the time of day where there is a greater potential for construction noise impact during the evening or night when second shift construction activities would occur. There would be significant adverse noise impact if absolute construction noise levels exceed the Public Health criterion of 85 dBA.

The following summarizes the results of the construction noise assessment at the closest receptors surrounding the Proposed Project.

- › Construction noise impact results during Excavation-Foundation-Demolition phase for both No-Action and With-Action conditions between month 12 and 34 include:

 - First shift construction noise levels would range from 68.2 to 83.8 dBA at nearby receptors, with a maximum increase of 15.9 dBA above ambient at one receptor location at 420 Lexington Avenue (R42). First shift construction noise levels would increase by 3 dBA or more and exceed the interior noise criteria at 23 receptor locations.
 - Second shift construction noise levels would range from 59.6 to 75.1 dBA at nearby receptors, with a maximum increase of 13.3 dBA above ambient levels. Second shift construction noise levels would increase by 7 dBA or more during the evening period (6:00 PM to 10:00 PM) at eight receptor locations and increase by 3 dBA or more at 37 receptor locations during the nighttime period (10:00 PM to 12:00 AM). Noise levels would not exceed the interior criteria at any receptor locations.
- › Construction noise impact results during the Superstructure phase for both No-Action and With-Action conditions between month 35 and 65 include:

 - First shift construction noise levels would range from 67.9 to 80.5 dBA at nearby receptors, with a maximum increase of 10.1 dBA above ambient. First shift construction noise levels would increase by 3 dBA or more and exceed the interior noise criteria at eight receptor locations.
 - Second shift construction noise levels would range from 59.5 to 73.8 dBA at nearby receptors, with a maximum increase of 13.1 dBA above ambient. Second shift construction noise levels would increase by 7 dBA or more during the evening at seven receptor locations and increase by 3 dBA or more during the nighttime at 21 receptor locations. Interior noise levels would not exceed criteria at any receptor locations.
- › Construction noise impact results during the Superstructure phase for the With-Action condition, when there would be less equipment on site, between month 66 and 73 include:

 - First shift construction noise levels would range from 67.9 to 78.0 dBA, with a maximum increase of 6.1 dBA above ambient. First shift construction noise levels would not increase by 3 dBA or more and exceed the interior noise criteria within the project study area.
 - Second shift construction noise levels would range from 59.5 to 70.4 dBA, with a maximum increase of 9.1 dBA above ambient. Second shift construction noise levels would increase by 7 dBA or more during the evening period at two receptor locations and increase by 3 dBA or more during the nighttime period at seven

receptor locations. Interior noise levels would not exceed criteria at any receptor locations.

› Construction noise impact results during the Superstructure phase for the With-Action condition between months 66 and 87, when construction activities would not be reduced as with the No-Action condition, include:

- First shift construction noise levels would be range from 67.9 to 80.5 dBA with a maximum increase of 10.1 dBA above ambient. First shift construction noise levels would increase by 3 dBA or more and exceed the interior noise criteria at eight receptor locations.
- Second shift construction noise levels would be range from 59.5 to 73.7 dBA with a maximum increase of 13.2 dBA above ambient. Second shift construction noise levels would increase by 7 dBA or more during the evening at seven receptor locations and increase by 3 dBA or more at 21 receptor locations. Interior noise levels would not exceed criteria at any receptor locations.

› Construction noise impact results during the Superstructure phase for the With-Action condition, when there would be less equipment on site, between months 88 and 98 include:

- First shift construction noise levels would be range from 67.9 to 78.3 dBA with a maximum increase of 7.1 dBA above ambient. First shift construction noise levels would increase by 3 dBA or more and exceed the interior noise criteria at two receptor locations (R22-R23).
- Second shift construction noise levels would be range from 59.5 to 73.2 dBA with a maximum increase of 12.3 dBA above ambient. Second shift construction noise levels would increase by 7 dBA or more during the evening at seven receptor locations and increase by 3 dBA or more at 19 receptor locations. Interior noise levels would not exceed criteria at any receptor locations.

Construction noise levels would be up to 83.8 dBA at ~~nearby~~all receptor locations for the No-Action and With-Action conditions and would not exceed the public health noise criterion of 85 dBA.

~~The Proposed Project would not cause construction noise levels to exceed both the exterior increase and interior impact thresholds at any receptor that would not exceed both of these criteria in the No-Action condition. During the first shift, exterior construction noise levels would exceed 3 dBA or more above ambient levels and exceed interior criteria (45 dBA L₁₀ for hotels and 50 dBA L₁₀ for commercial office space) for more than 24 months at five nearby buildings: including 110 East 42nd Street, 374 Lexington Avenue, 395 Lexington Avenue, 420 Lexington Avenue, and 416 Lexington Avenue for both the No-Action and With-Action conditions. At five other buildings: including 118 Park Avenue, 125 Park Avenue, 150 East 42nd Street, 425 Lexington Avenue, and GCTGrand Central Station, construction noise levels would exceed 3 dBA or more above ambient levels and exceed interior criteria for less than 24 months for both the No-Action and With-Action conditions. Therefore, since the Proposed Project would not cause construction noise levels to exceed both the exterior~~No-Action and interior With-Action constructions would cause potential noise impact thresholds, there would not be any new significant adverse noise impact impacts caused by the Proposed Project during the first shift.

During the second shift, exterior construction noise levels would not exceed the evening increase criterion (7 dBA), ~~exceed~~increase by 3 dBA ~~during the evening period for 24 months or more longer~~, or exceed the nighttime increase criterion (3 dBA) ~~for any prolonged period of time and also~~ exceed interior criteria at any receptor location for the No-Action or With-Action condition. Since second shift construction noise levels are substantially lower than first shift levels, noise levels would not exceed the interior impact thresholds and ~~therefore there~~ would not be significant adverse noise impact.

With the adherence to existing construction noise regulations and the implementation of a Construction Noise Mitigation Plan, as required by the New York City Noise Code, as well as the use of an 8-foot perimeter construction noise barrier, construction noise would be below the level of significant adverse noise impact. Therefore, construction of the Proposed Project is not anticipated to result in significant adverse construction noise impact at receptors near the Project Site.

Vibration

Construction activities have the potential to generate ground-borne vibration that can potentially cause structural or architectural damage or annoy people in nearby vibration-sensitive spaces, such as commercial offices or hotels. The most substantial sources of construction vibration are equipment associated with the excavation and foundation phase, such as drill rigs, bulldozers, and jack hammers.

Buildings within 90 feet of the Project Site, where there is the greatest potential for vibration impact, include 420 Lexington Avenue (Graybar Building), 89 East 42nd Street (GCT), 125 Park Avenue (Pershing Square Building), 110 East 42nd Street (Bowery Savings Bank Building), 374 Lexington Avenue (Chanin Building), and 395 Lexington Avenue (Chrysler Building). The GCT building and the Graybar Building are adjacent to the Project Site.

Due to the buildings listed above being classified as individual landmarks, the NYCDOB Technical Policy and Protection Notice (TPPN) #10/88 would apply, which requires a vibration monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and NR-listed properties within 90 feet. The applicant would employ means/methods that meet acceptable vibration levels as mandated by NYCDOB.

Since no construction activities would generate vibration levels in excess of the LPC vibration criteria, there is no potential for significant adverse construction vibration impact.

Alternatives

~~No Action Alternative~~

~~The No Action Alternative examines future conditions in 2030 absent the Proposed Actions. In simplest terms, the No Action Alternative is the No Action condition identified, described, and assessed in the preceding chapters of the EIS. In the No Action Alternative, the Development Site would be developed with a 27 FAR development of approximately 1,883,743 gsf (1,546,884 zsf), comprised of approximately 1,682,336 gsf of office space; approximately 18,300 gsf of retail; and an approximately 5,896 sf enclosed publicly accessible space on the ground floor. In addition, approximately 10,220 gsf of MTA circulation space would be provided on the ground floor. The No Action development would~~

~~be 69 stories and approximately 1,118 feet tall. In the No Action condition, the Applicant would provide transit improvements from the Priority Improvement List set forth in ZR Section 81-682 to improve circulation and reduce congestion. These improvements would be located at the 42nd Street Bryant Park/Fifth Avenue station.~~

~~Construction of the No Action Alternative would require a shorter construction period. Some of the significant adverse impacts associated with the Proposed Actions would not occur under the No Action Alternative. However, the No Action Alternative would not meet the project goals, and as compared to the Proposed Actions, the intended benefits—the development of significant transit improvements and circulation space, substantial first class office and hotel space, and an outdoor open space amenity—would be eliminated or substantially reduced with the No Action Alternative.~~

~~No Unmitigated Significant Adverse Impacts Alternative~~

~~The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project would be modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Project would result in significant adverse traffic impacts which could not be fully mitigated with standard traffic capacity improvement measures at 10 of the 15 intersections during the AM peak hour, 13 intersections during the midday peak hour, and 13 intersections during the PM peak hour. These impacts would result despite the project's modest increase in vehicle trips, due to prevailing background traffic conditions and high volumes of pedestrian traffic. The Proposed Actions would result in subway transit impacts at five stairways and two escalators in the AM peak hour and one stairway and two escalators in the PM peak hour; while mitigation measures will be explored between the Draft EIS and the Final EIS, it is possible that these impacts could remain unmitigated.~~

~~A sensitivity analysis was conducted and determined that any development increment larger than the No Action development would be expected to result in unmitigated significant adverse traffic and subway transit impacts. The degree to which the Proposed Project would need to be reduced to avoid these unmitigated impacts would, in effect, reduce the Proposed Project to the same size as the No Action Alternative and, by so doing, compromise the Applicant's ability to achieve the project goals and objectives of providing new modern and sustainable first class office space to protect and strengthen East Midtown as one of the world's premier business addresses, improving the area's pedestrian and built environments, and complementing ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long term expansion of the City's overall stock of office space. In particular, the three new, publicly accessible open spaces that would be constructed as part of the Proposed Actions would not be constructed and transit and public realm improvements to enhance pedestrian circulation at the Grand Central—42nd Street subway station, GCT, and sidewalks surrounding the Development Site would not be implemented. Therefore, the No Unmitigated Significant Adverse Impact alternative is not considered a reasonable alternative as it would not realize the goals of the Proposed Actions.~~

Mitigation

Transportation

Traffic

Of the 15 intersections analyzed, the Proposed Project would result in significant adverse traffic impacts at ~~14 intersections during the AM and midday peak hours, and at all 15 intersections during the AM and PM peak hours and at 14 intersections during the midday peak hour.~~ The major overall finding of the traffic mitigation analysis is that impacts to several intersections could be fully mitigated via signal timing changes, while for the majority of the significantly impacted intersections there are no traffic engineering improvements that could provide full or partial mitigation and the impacts would therefore remain unmitigated.

Signal timing changes detailed in Chapter 16, Mitigation would provide full mitigation for ~~four~~five of the ~~14~~15 significantly impacted intersections in the AM peak hour, one of the 14 significantly impacted intersections in the midday peak hour, and two of the 15 significantly impacted intersections in the PM peak hour. The remaining significantly impacted intersections would remain unmitigated. One or more traffic movements at the following intersections could not be mitigated in at least one peak hour:

- › Second Avenue and East 40th Street (midday and PM peak hours);
- › Second Avenue and East 42nd Street (AM, midday, and PM peak hours);
- › Third Avenue and East 40th Street (AM, midday, and PM peak hours);
- › Third Avenue and East 42nd Street (AM, midday and PM peak hours);
- › Lexington Avenue and East 40th Street (AM peak hour);
- › Lexington Avenue and East 42nd Street (AM, midday and PM peak hours);
- › Lexington Avenue and East 43rd Street (midday and PM peak hours);
- › Lexington Avenue and East 44th Street (midday and PM peak hours);
- › Lexington Avenue and East 45th Street (midday and PM peak hours)
- › Lexington Avenue and East 46th Street (AM, midday, and PM peak hours);
- › Park Avenue and East 40th Street (AM, midday, and PM peak hours);
- › Madison Avenue and East 42nd Street (AM, midday, and PM peak hours);
- › Fifth Avenue and 42nd Street (AM, midday, and PM peak hours); and
- › Sixth Avenue and West 42nd Street (AM, midday, and PM peak hours).

Mitigation measures such as signal timing modifications are standard traffic capacity improvements that are typically implemented by NYCDOT.

Transit

The Proposed Project would provide several transit and public realm improvements that would enhance passenger circulation conditions at the ~~42nd Street~~—Grand Central—42nd Street subway station, which would also benefit the GCT transportation hub overall. These include increased circulation capacity at the R238, R238A, and R240 fare control areas,

improved subway mezzanine level circulation through the introduction of a new surface to mezzanine stairway (from the R238 fare control area) to the midpoint of the mezzanine and the removal of numerous girders at the mezzanine level that impede pedestrian flow. The Proposed Project would also include the construction of a "Short Loop connection" to provide direct access through GCT for MNR and Long Island Rail Road (LIRR) riders to the subway.

While these improvements would provide significant enhancements, the analysis of subway station elements (stairways, escalators, fare control areas, and passageways) identified significant adverse transit impacts at five stairways along the northbound and southbound Lexington line platforms during the AM peak hour, and one stairway along the northbound Lexington line platform during the PM peak hour. Measures to mitigate these stairway impacts ~~will be evaluated in consultation with NYCT between the Draft EIS and Final EIS.~~ were evaluated in consultation with NYCT between the Draft EIS and Final EIS. The possibility of constructing a new platform stair between two impacted stairs, P16 and P18, was evaluated. Although it was determined that this new stair could draw enough passengers away from the P16 and P18 stairs to mitigate the impacts at those two stairs, NYCT has advised that it also would adversely affect conditions at the platform level. The new diagonal mezzanine (M1) stair and relocation of the R238 fare control area proposed as part of the Proposed Project have been designed to distribute passengers to the center and northern ends of the platform and alleviate crowding on the southern end. The introduction of this new stair would negate this transit benefit by directing riders to the southern end of the platform and would result in loss of platform area at that location. Therefore, NYCT has advised that the addition of this new stair would not be practicable. No feasible mitigation measures were identified that would address impacts at other impacted stairway locations (P13, P19, and P21). Accordingly, the stairway impacts would remain unmitigated.

Two escalators (ES208 and ES210) located at the west end of the Flushing platform would also have significant adverse impacts during both the AM and PM peak hours and could potentially be mitigated by increasing the escalator operating speed; ~~the practicability of implementing this measure would also be explored between the Draft EIS and Final EIS.~~ Should measures to mitigate these impacts be determined to be impracticable, these significant impacts would be considered unmitigated in the Final EIS. Replacement of the two escalators as part of MTA's Capital Program is expected to be completed by 2025 and would allow for the increase of the escalator operating speed to 100 feet per minute. However, if in future it is determined that there is crowding in the immediate switchback landing as passengers transfer between escalators, then NYCT would have to potentially lower the escalator operating speed back to 90 feet per minute, in which case, the impact would remain unmitigated.

Pedestrians

The Proposed Project would result in significant adverse pedestrian impacts at one pedestrian element during the AM and PM peak hours and at five pedestrian elements during the midday peak hour, out of the 15 pedestrian elements analyzed. Mitigation consisting of crosswalk widenings was identified for one impacted element in the AM and PM peak hours, and for three out of the five impacted elements in the midday peak hour.

For the midday peak hour, two corner areas could not be mitigated. At one of these two locations—the southwest corner of the intersection of Lexington Avenue and East 42nd Street—the relocation of a garbage bin would partially mitigate the impact. Implementation of the pedestrian mitigation measures is within the jurisdiction of NYCDOT, except for the relocation of garbage bins; the Applicant will coordinate with the Grand Central Partnership to implement the relocation of the garbage bin and ensure its compliance.

Construction

Traffic

As discussed in Chapter 15, Construction, five key intersections were analyzed for potential significant traffic impacts during the construction traffic peak hours. Significant impacts were identified at all five analysis intersections during the AM and PM construction peak hours. Where impacts during construction may occur, measures similar to those recommended in the operational traffic analysis could be implemented early to aid in alleviating congested traffic conditions. Significant impacts to the intersections of East 42nd Street with Third Avenue and with Lexington Avenue, and the intersection of East 43rd Street with Lexington Avenue during the AM and PM peak hours, and the intersection of Lexington Avenue with East 45th Street during the PM peak hour, could not be mitigated under construction conditions, similar to the findings of the operational With-Action conditions.

Pedestrians

Due to the proposed sidewalk closures associated with construction activities along the Lexington Avenue and East 42nd Street site frontages, an assessment of the proposed walkway level of service during construction was performed and compared to the No-Action condition when the sidewalks would be available, as requested by NYCDOT. For the purposes of a conservative analysis, the No-Action condition analyzed a condition where the existing building would remain. Pedestrian impacts would be expected at both sidewalks during the AM and PM operational peak hours during construction.

Alternatives

No-Action Alternative

The No-Action Alternative examines future conditions in 2030 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the following chapters of the FEIS. In the No-Action Alternative, the Development Site would be developed with a 27-FAR development of approximately 1,883,743 gsf (1,546,884 zsf), comprised of approximately 1,682,336 gsf of office space; approximately 18,300 gsf of retail; and an approximately 5,896-sf enclosed publicly accessible space on the ground floor. In addition, approximately 10,220 gsf of MTA circulation space would be provided on the ground floor. The No-Action development would be 69 stories and approximately 1,118 feet tall. In the No-Action condition, the Applicant would provide transit improvements from the Priority Improvement List set forth in ZR Section 81-682 to improve circulation and reduce congestion. These improvements would be located at the 42nd Street – Bryant Park/Fifth Avenue station.

Construction of the No-Action Alternative would require a shorter construction period. Some of the significant adverse impacts associated with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the project goals, and as compared to the Proposed Actions, the intended benefits—the development of significant transit improvements and circulation space, substantial first-class office and hotel space, and an outdoor open space amenity—would be eliminated or substantially reduced with the No-Action Alternative.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Project are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Project would result in significant adverse traffic impacts which could not be fully mitigated with standard traffic capacity improvement measures at 10 of the 15 intersections during the AM peak hour, 13 intersections during the midday peak hour, and 13 intersections during the PM peak hour. These impacts would result despite the project's modest increase in vehicle trips because of prevailing background traffic conditions and high volumes of pedestrian traffic. The Proposed Actions would result in subway transit impacts at five stairways and two escalators in the AM peak hour and one stairway and two escalators in the PM peak hour; mitigation measures were explored between the Draft EIS and the Final EIS and determined that these impacts would remain unmitigated. Replacement of the two escalators as part of MTA's Capital Program is expected to be completed by 2025 and would allow for the increase of the escalator operating speed to 100 feet per minute which could mitigate the escalator impacts. However, if in future it is determined that there is crowding in the immediate switchback landing as passengers transfer between escalators, then NYCT would have to potentially lower the escalator operating speed back to 90 feet per minute, in which case, the impact would remain unmitigated.

A sensitivity analysis was conducted and determined that any development increment larger than the No-Action development would be expected to result in unmitigated significant adverse traffic and subway transit impacts. The degree to which the Proposed Project would need to be reduced to avoid these unmitigated impacts would, in effect, reduce the Proposed Project to the same size as the No-Action Alternative and, by so doing, compromise the Applicant's ability to achieve the project goals and objectives of providing new modern and sustainable first-class office space to protect and strengthen East Midtown as one of the world's premier business addresses, improving the area's pedestrian and built environments, and complementing ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space. In particular, the three new, publicly accessible open spaces that would be constructed as part of the Proposed Actions would not be constructed and transit and public realm improvements to enhance pedestrian circulation at the Grand Central – 42nd Street subway station, GCT, and sidewalks surrounding the Development Site would not be implemented. Therefore, the No Unmitigated Significant Adverse Impact alternative is not a reasonable alternative as it would not realize the goals of the Proposed Actions.

Unavoidable Significant Adverse Impacts

As described in **Chapter 16, Mitigation**, the Proposed Action has the potential to result in significant adverse traffic, transit, and pedestrian impacts. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

Growth-Inducing Aspects of the Proposed Project

The Proposed Actions would permit an increase in the maximum floor area ratio, a hotel use, and modifications to certain bulk regulations and mandatory district plan elements in order to facilitate the development of a new mixed-use, Class A office and hotel building on a site that is well-served by a variety of transit modes, including subway, bus, and regional train service. The Proposed Project would also provide significant improvements to the public realm, including major improvements to access and circulation within the Grand Central transportation network and new publicly accessible open space.

The Proposed Project would therefore significantly further the following stated goals from the *Greater East Midtown Rezoning FEIS*:

- › Protect and strengthen East Midtown as one of the world's premier business addresses and key job center for the City and region;
- › Seed the area with new modern and sustainable office buildings to maintain its preeminence as a premier office district;
- › Improve the area's pedestrian and built environments to make East Midtown a better place to work and visit; and
- › Complement ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space.

These transportation, planning, and economic development goals would be realized in connection with the development of a first-class office, hotel, and retail building. As described in **Chapter 2, Land Use, Zoning, and Public Policy**, there are several developments that would bring substantial commercial growth to the neighborhood surrounding the Development Site, which is expected to occur independent of the Proposed Project. This would collectively result in approximately 3.3 million square feet of commercial office space within a 400-foot radius of the Development Site, growth that will occur in the future without the Proposed Actions. Accordingly, while the Proposed Actions would result in increased development in a transit-rich area of Manhattan, with denser development focused around the intermodal GCT, it is not anticipated that the Proposed Actions would result in substantial new development in nearby areas that would generate significant secondary impacts.

While the Proposed Actions would provide transportation improvements, the infrastructure in the study area is already well developed such that improvements associated with the Proposed Actions would not induce additional growth.

Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

Irreversible and Irretrievable Commitments of Resources

The Proposed Project constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future; however, the Development Site does not possess any natural resource of significant value, and the site has been previously developed. Furthermore, funds committed to the design, construction/renovation, and operation of developments under the Proposed Actions are not available for other projects.

These commitments of resources and materials are weighed against the benefits of the Proposed Project. As described in **Chapter 1, Project Description**, the Proposed Actions would facilitate the development of a new, mixed-use Class A office and hotel building on a site that is well-served by a variety of transit modes, including subway, bus, and regional train service. The Proposed Project would also provide significant improvements to the public realm, including major improvements to access and circulation within the Grand Central transportation network and new publicly accessible open space.

The Proposed Project would therefore significantly further the following stated goals from the *Greater East Midtown Rezoning FEIS*:

- › Protect and strengthen East Midtown as one of the world's premier business addresses and key job center for the City and region;
- › Seed the area with new modern and sustainable office buildings to maintain its preeminence as a premier office district;
- › Improve the area's pedestrian and built environments to make East Midtown a better place to work and visit; and
- › Complement ongoing office development in Hudson Yards and Lower Manhattan to facilitate the long-term expansion of the City's overall stock of office space.

Through the development of this new, first-class, modern office and hotel building, the Proposed Actions seeks to maintain East Midtown's importance as an office district while further realizing its transportation, planning, and economic development goals.