Chapter 18: Neighborhood Character

A. INTRODUCTION

This chapter assesses the proposed project's potential effects on neighborhood character. As defined in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*, neighborhood character is an amalgam of various elements that give a neighborhood its distinct "personality." These elements may include a neighborhood's land use, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, transportation, and/or noise conditions, but not all of these elements contribute to neighborhood character in every case.

Under CEQR, an analysis of neighborhood character identifies the defining features of the neighborhood and then evaluates whether a proposed project has the potential to affect the defining features, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical analysis areas. To determine the effects of a proposed project on neighborhood character, the defining features of neighborhood character are considered together. According to the *CEQR Technical Manual*, neighborhood character impacts are rare, and it would be unusual that, in the absence of a significant adverse impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant adverse impact identified in one of the technical areas that contributes to a neighborhood's character does not necessarily constitute a significant impact on neighborhood character, but rather serves as an indication that neighborhood character should be examined.

As described in Chapter 1, "Project Description," the applicants are seeking approval of minor modifications to the previously approved Two Bridges Large Scale Residential Development (LSRD) to allow for the development of three new mixed-use projects within the Two Bridges LSRD. The three project sites—Sites 4 (4A/4B), 5, and 6A—are located on Cherry and South Streets in the Lower East Side neighborhood of Manhattan, Community District 3.

By 2021, the proposed projects would collectively result in the development of up to 2,775 residential units (25 percent of which would be permanently affordable[1]) and add approximately 5,836 new residents.[2] They would also provide approximately 10,680 gross square feet (gsf) of retail space, approximately 17,028 gsf of community facility space, and approximately 22,779

[1] A portion of the affordable units would be made permanently affordable pursuant to requirements of the "R10 Program," set forth in Zoning Resolution Sections 23-154(a) and 23-90. The remainder of the affordable units would be made permanently affordable pursuant to Regulatory Agreements with the New York City Department of Housing Preservation and Development (HPD) as established in consultation with the applicants. For purposes herein, permanent or permanently affordable housing shall refer to units made permanently affordable both through the R10 Program and the Regulatory Agreements.

[2] Using Manhattan Community District (CD) 3's average household size of 2.15 (source: Manhattan CD 3 Profile, U.S. Census Bureau) for the non-senior units and an average household size of 1.5 for the senior units.

square feet (sf) of new publicly accessible and private open space. On Site 5, the existing approximately 22,440 sf of private Rutgers Slip Open Space would be enlarged by approximately 11,110 sf, and the total of approximately 33,550 sf (approximately 0.77 acres) would be dedicated as publicly accessible open space. Across the three project sites, a total of approximately 80,020 sf of both publicly accessible and private open space would be altered with new amenities, such as new landscaping, paving, seating, and play areas. No new parking would be created on the project sites, however, the existing 103 at-grade parking spaces on Site 5 would be relocated to a below-grade parking garage in the proposed building on that site.

The proposed projects would also result in additional resiliency measures at each site. On Site 4 (4A/4B), there would be resiliency measures around Lot 70 that are being designed that are intended to protect the existing 80 Rutgers Slip building and the new Site 4 (4A/4B) building. On Site 5, the first floor of the new building would be located above the flood plain elevation, and physical strategies would be employed around the site to assist in protecting the 265 and 275 Cherry Street buildings. On Site 6A, critical infrastructure components would be located above flood elevation, and physical strategies to assist in protecting the new building would be implemented.

The proposed projects would comply with the underlying C6-4 district regulations applicable to the sites under the Zoning Resolution, and no discretionary use or bulk waivers would be required to facilitate the proposed projects. However, the previously approved Two Bridges LSRD site plan restricts the maximum developable floor area, lot coverage, location of buildings, and other features of development on Two Bridges LSRD sites. While the proposed actions would not change the maximum allowable FAR, floor area, or building envelopes permitted by the underlying zoning district, the requested minor modifications would enable larger developments than are permitted by the previously approved Two Bridges LSRD site plan by utilizing existing unused floor area.

This chapter includes a preliminary assessment of neighborhood character, which was prepared in conformance with the *CEQR Technical Manual*. This chapter describes the defining features of the existing neighborhood character and considers the potential effects of the proposed actions on these defining features. This assessment relies on the technical analyses presented in other chapters of this Environmental Impact Statement (EIS).

PRINCIPAL CONCLUSIONS

The proposed actions would not result in significant adverse impacts associated with neighborhood character. The project sites and surrounding area encompass the entirety of the Two Bridges section of the Lower East Side neighborhood of Manhattan and adjacent portions of Chinatown. As described in the relevant chapters of this EIS, the proposed actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; or noise. Although significant adverse impacts would occur with respect to increased utilization of open space, shadows on two open spaces, and increased traffic, pedestrians, and transit riders, these impacts would be at least partially mitigated and would not result in a significant overall change to the determining elements of neighborhood character as defined in the *CEQR Technical Manual*. Further, it is the applicants' intent that that the proposed actions would result in benefits to neighborhood character. New development on the project sites would replace underdeveloped sites with new mixed-use buildings with ground floor design elements that would contribute active ground floor uses to the surrounding area that are intended to enliven the streetscape. These project components—in

addition to the enlarged and dedicated publicly accessible Rutgers Slip Open Space and the new and altered private open space on the project sites—are intended to enhance the urban design conditions of the project sites and surrounding area, thereby contributing to the neighborhood character. In addition, mitigation measures would minimize or eliminate anticipated project impacts to open spaces in the study area and to the East Broadway-Rutgers Street subway station.

B. METHODOLOGY

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed action has the potential to result in significant adverse impacts in any of the following technical areas: land use, socioeconomic conditions, open space, shadows, historic and cultural resources, urban design and visual resources, transportation, or noise. The *CEQR Technical Manual* states that even if a proposed action does not have the potential to result in significant adverse impacts in any specific technical area(s), an assessment of neighborhood character may be required if the project would result in a combination of moderate effects to several elements that may cumulatively affect neighborhood character. A "moderate" effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area. The study area for the preliminary assessment of neighborhood character is defined as the area within a quarter-mile of the Two Bridges LSRD boundary.

A preliminary assessment of neighborhood character determines whether changes expected in other technical analysis areas may affect a defining feature of neighborhood character. The preliminary assessment first identifies the defining features of the existing neighborhood character and then evaluates whether the proposed project or action has the potential to affect those defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas. The key elements that define neighborhood character, and their relationships to one another, form the basis of determining impact significance; in general, the more uniform and consistent the existing neighborhood context, the more sensitive it is to change. A neighborhood that has a more varied context is typically able to tolerate greater change without experiencing significant impacts.

If there is no potential for the proposed project or action to affect the defining features of neighborhood character, a detailed assessment is not warranted.

C. PRELIMINARY ASSESSMENT

DEFINING FEATURES

PROJECT SITES

The project sites contain residential buildings, retail uses, community facility spaces, private open spaces, parking lots, and some underutilized areas. The project sites, which are located within the Two Bridges LSRD, are located between Cherry and South Streets and Pike Slip and Clinton Street (see **Figure 18-1**). Site 4 (4A/4B) is located west of Rutgers Slip at the west end of the Two Bridges LSRD (Block 248, Lots 15, 70, and 76). Existing development on this site includes the Two Bridges Tower (82 Rutgers Slip, on Lot 15), a 21-story building completed in 1995 with 198 mixed-income residential units and on-site social services, including an after-school program for children and a rehabilitation center; a single-story commercial building at 235 Cherry Street (Lot 76); and the Two Bridges Helen Hayes Senior Residence (80 Rutgers Slip, on Lot 70), a 10-story

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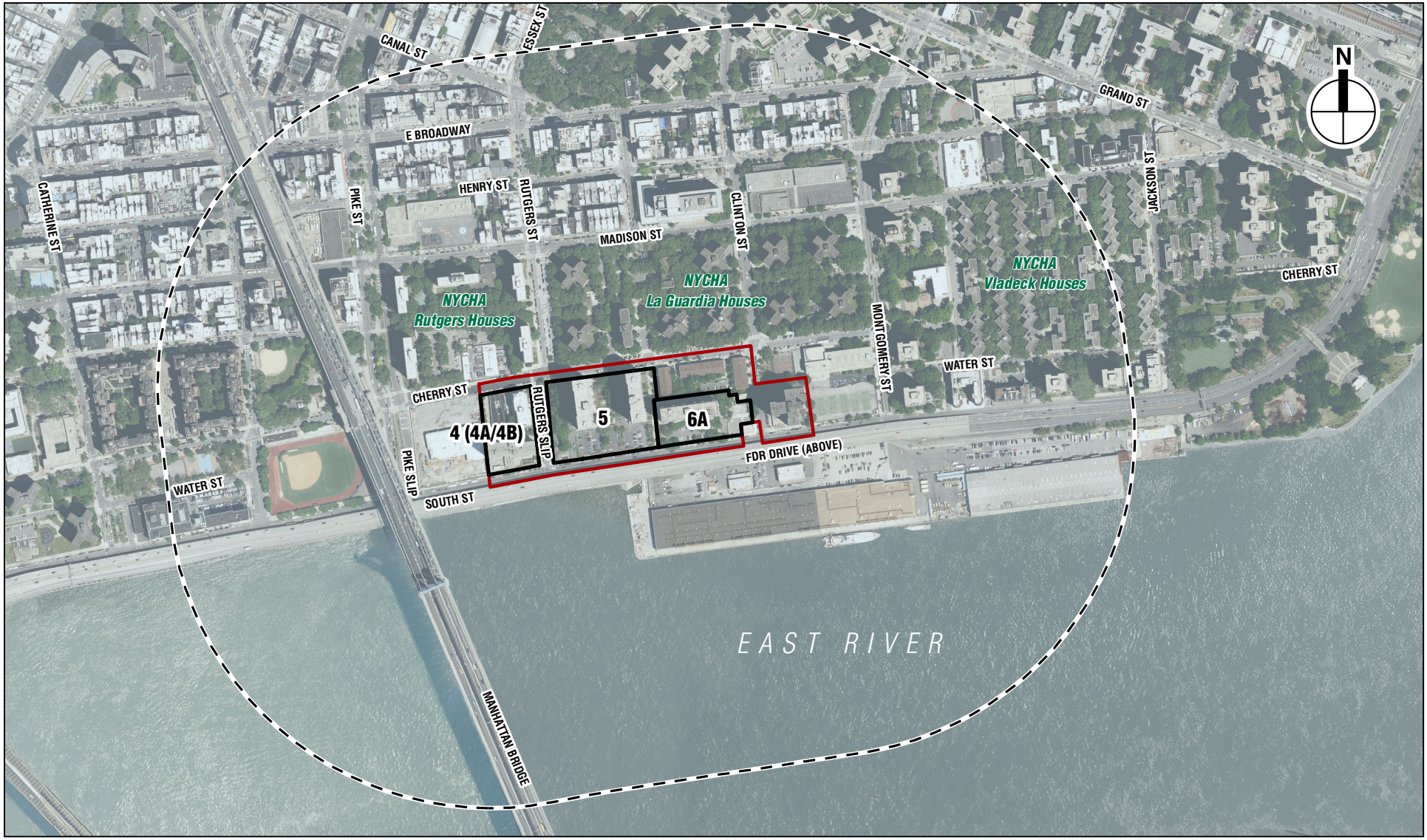

Project Sites

Boundary of Two Bridges LSRD

Study Area (1/4-mile boundary)

Neighborhood Character Study Area

TWO BRIDGES LSRD

Figure 18-1

building at the corner of Cherry Street. Completed in 1987, the 80 Rutgers Slip building has 109 housing units for the elderly and disabled and also provides on-site social services. There are private landscaped areas around the residential towers, four accessory parking spaces on Lot 70, and an 11-space enclosed accessory parking garage within 82 Rutgers Slip.

Site 5 (Block 247, Lots 1 and 2), the largest of the three project sites, is located in the middle of the Two Bridges LSRD with frontage on Cherry and South Streets and Rutgers Slip. The two existing 26-story residential buildings, 265 Cherry Street and 275 Cherry Street, face each other across a private courtyard open space. Also known as Lands End II, these buildings were completed in 1979 and provide a total of 490 rental units for low-income households. The Stop 1 Food Market is located on the ground floor of 265 Cherry Street opening onto Cherry Street. The Two Bridges Neighborhood Council is located on the ground floor of 275 Cherry Street. To the south of the two buildings, there is an accessory paved surface parking lot for 103 vehicles along South Street. Along Rutgers Slip, Site 5 contains a privately owned, fenced open space with play equipment, basketball courts, and passive recreation areas. Between this fenced recreation area and 265 Cherry Street, there is a large paved area.

Site 6A (Block 246, Lots 1 and 5) is located at the east end of the Two Bridges LSRD with frontages on South and Clinton Streets. Lot 5 is currently vacant. Lot 1 is occupied by 275 South Street, a 19-story building with 256 residential units. The building was completed in 1978 but has been recently renovated. Lot 1 also includes an accessory surface parking lot with 34 spaces along South Street.

STUDY AREA

As shown in **Figure 18-1**, the study area for the preliminary assessment of neighborhood character extends north to Division Street and East Broadway, south to the East River, west to Market Street/Slip, and east beyond Gouverneur Street to the New York City Housing Authority's (NYCHA) Vladeck Houses. The study area has a typical urban grid pattern but includes merged superblocks closest to the project sites and smaller, generally rectangular bocks farther from the project sites. The study area is served by the F train, with a stop at East Broadway and Canal Street/Rutgers Street, and the M22 bus, which provides east–west service between Two Bridges and Battery Park City. Defining features of the study area include the Manhattan Bridge, the Franklin Delano Roosevelt (FDR) Drive, the East River, and the prevalence of affordable mixed-income and public housing complexes.

The predominant land use in the study area is residential and includes large multifamily apartment buildings interspersed with community facilities such as houses of worship, social service providers, and community centers. Retail development is located primarily along East Broadway and Market Street and is contained in single-story, freestanding buildings or on the ground floor of residential buildings. The blocks north of Madison Street are occupied with community facility and institutional uses such as schools and medical facilities. Two Bridges has a mix of tenement style walk-up buildings and taller buildings reaching 26 and 27 stories. They include mixed-income and affordable housing developments as well as public housing provided by NYCHA. Many of the superblocks south of Madison Street are occupied by NYCHA developments, including Rutgers, LaGuardia, and Vladeck Houses. These NYCHA developments consist of multiple freestanding apartment buildings set in grassy areas with trees enclosed by fences, parking lots and small playgrounds. Pedestrian walkways extend through the complexes, and there are sidewalk seating areas. The Little Flower Playground is located among the NYCHA buildings on the south side of Madison Street between Rutgers and Clinton Streets.

Another important open space in the study area is the East River Esplanade. The esplanade runs below the elevated FDR Drive and extends to the south to the pierhead line west of Pier 35; it also continues to the west outside the study area boundaries and on the east connects to East River Park, also outside the study area. The esplanade includes a bikeway/walkway, seating areas, and recreational spaces including a basketball court, metal exercise equipment, bocce courts, and bike racks. The East River is a prominent natural resource that characterizes the southern part of the study area and is defining feature of the neighborhood. Within the study area, views of the East River are available from the north–south streets and from some points along South Street; however, views are obscured by the elevated FDR Drive and, in the area between Jefferson and Jackson Streets, by the structures on Piers 35–42.

Several additional parks and playgrounds located in the study area contain athletic fields and paved play spaces with bench seating along the perimeters. The Cherry Clinton Playground, located across Clinton Street from Site 6A, contains basketball courts, metal fitness equipment, benches, planting beds, and decorative pavers. The entire playground is enclosed by a decorative metal fence. William H. Seward Park at East Broadway and Rutgers Street is a large park that contains a comfort station, benches, playground equipment, water-feature play areas, and mature trees. The approximately 0.7-acre Lillian D. Wald Playground is located in the center of the block bounded by Cherry, Gouverneur, Monroe, and Montgomery Streets. The playground contains handball, volleyball, and basketball courts, and is surrounded by trees, shrubs, and spring bulbs.

West of the Manhattan Bridge approach there are three large open spaces—Coleman Square Playground, Murry Bergtraum Softball Field, and Martin F. Tanahey Playground. The Coleman Square Playground contains an athletic field, a paved play area, and chess tables with benches. The area is set back from the sidewalk behind mature trees. Also west of the bridge approach between Cherry and South Streets, the Murry Bergtraum Softball Field is a large athletic field with a baseball diamond, soccer field, and a track enclosed within a tall chain-linked fence. The ball field is for the use of Murry Bergtraum High School, located outside of the study area adjacent to the base of the Brooklyn Bridge, and is not accessible to the public. The portion of the Martin F. Tanahey Playground within the study area consists of an open space with decorative pavers, mature trees, and benches. Enclosed by a tall chain-link fence are basketball courts and a roller hockey rink. Other open space elements include the four publicly accessible benches that are located along the Rutgers Slip sidewalk between South and Cherry Streets adjacent to the private Rutgers Slip open space.

The elevated FDR Drive extends east–west through the study area, immediately south of the project sites, parallel to South Street and the East River. The Manhattan Bridge maintains a strong visual presence and is another defining feature of neighborhood character in the study area. The Manhattan Bridge approach extends through the western portion of the study area. The bridge's stone-clad anchorage and piers and raised metal decking visually and physically divide the western portion of the study area so that there is no connection between the study area to the west and the portion of the study area closer to the project sites. The Manhattan Bridge spans over the East River, connecting Manhattan to Brooklyn. The Manhattan Bridge, together with the FDR Drive, largely defines the boundaries of the residential neighborhood within Two Bridges.

ASSESSMENT OF THE POTENTIAL TO AFFECT THE DEFINING FEATURES OF THE NEIGHBORHOOD

The sections below discuss potential changes resulting from the proposed actions in the following technical areas that are considered in the neighborhood character assessment pursuant to the

CEQR Technical Manual: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; transportation; and noise. The assessment uses the findings from the respective chapters of this EIS to identify whether the proposed actions would result in any significant adverse impacts or moderate adverse effects in these technical areas and whether any such changes would have the potential to affect the defining features of neighborhood character. As described below, defining features of the study area's neighborhood character would not be affected either through the potential of any significant adverse impact or in combination with any other moderate effects in the relevant technical areas.

LAND USE, ZONING, AND PUBLIC POLICY

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on land use, zoning, and public policy, either individually, or in combination with potential impacts in other relevant technical areas discussed in this section.

As described in Chapter 2, "Land Use, Zoning, and Public Policy," no significant adverse impacts related to land use, zoning, or public policy would occur in the future with the proposed projects.

The proposed modifications to the Two Bridges LSRD Approvals would enable the development of three new mixed-use buildings within the Two Bridges LSRD. While the proposed actions would not change the maximum allowable FAR, floor area, or building envelopes permitted by the underlying zoning district regulations, the requested minor modifications would enable larger developments than are permitted by the previously approved Two Bridges LSRD site plan. The proposal would facilitate the ~~by~~ utilization~~ing unused~~ of existing unused floor area available within the Two Bridges LSRD. With the proposed actions, the proposed buildings themselves would be larger and taller ~~than the~~compared to existing buildings in the surrounding area. The proposed developments would include residential, community facility, retail and new open space uses, and would not add any types of uses not already located within the Two Bridges LSRD. The proposed buildings would result in up to approximately 2,775 new dwelling units, of which 25 percent or up to 694 units would be designated as permanently affordable, including approximately 200 new units of low-income senior housing. This permanently affordable housing would support the Mayor's affordable housing programs. The proposed projects would also create new community facility uses, new retail uses, and dedicated publicly accessible open space at Rutgers Slip Open Space on Site 5, and expanded and altered on-site private open space. At-grade parking on Site 5 would be relocated to a below-grade parking facility in the proposed Site 5 building.

The proposed projects are located within the City's Coastal Zone. The proposed projects would provide resiliency measures intended to support the adopted resiliency policies of New York City regarding resiliency along the waterfront areas of Manhattan, ~~including~~ as per *Housing New York: 2.0; OneNYC, Resilient Neighborhoods Initiative,* and *Vision 2020: New York City Comprehensive Waterfront Plan.* The proposed projects were reviewed for consistency with the policies of the City's Waterfront Revitalization Program (WRP). The WRP analysis concluded that the proposed projects would support the adopted resiliency policies of New York City and would be consistent with the relevant WRP policies.

SOCIOECONOMIC CONDITIONS

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on socioeconomic conditions, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section. As discussed in

Chapter 3, "Socioeconomic Conditions," it is concluded that the proposed actions would not result in significant adverse socioeconomic impacts related to direct residential displacement, direct business displacement, indirect residential displacement, indirect business displacement, or effects on specific industries in the ½-mile study area.

Direct Residential Displacement

A screening-level assessment finds that the proposed projects would not result in significant adverse socioeconomic impacts due to direct residential displacement. The proposed projects would not directly displace any residents from the socioeconomic conditions study area.[3]

On Site 4 (4A/4B), there are 10 DUs that would be removed from the 80 Rutgers Slip building and replaced in the new Site 4 (4A/4B) building. An additional nine DUs in the 80 Rutgers Slip building would be renovated. The Site 4 (4A/4B) applicant intends to relocate the approximately 19 residents living in these units during the construction period to comparable, newly renovated units within the 80 Rutgers Slip building as they become available, or, if necessary, to units in neighboring buildings. As units in 80 Rutgers Slip become available prior to construction, they would not be re-tenanted, but instead would be renovated and offered as temporary or permanent dwelling units for residents of the relocated or renovated units. There are currently nine vacant units within the building that would be renovated and made available. Because the 80 Rutgers Slip building is under a U.S. Department of Housing and Urban Development (HUD) regulatory agreement, the DUs and residents could only be moved under a relocation plan approved by HUD. Such approval would only be granted by HUD and is not a part of the proposed actions. To date, the Site 4 (4A/4B) applicant has ~~submitted~~ detailed its proposed relocation ~~a~~ plan to HUD and HUD confirmed that the plan tentatively meets the requirements for approval. Additional filings will be required, and therefore, final approval is ~~pending~~forthcoming. The Site 4 (4A/4B) applicant has state that they would coordinate the project construction to minimize disruptions to these tenants and to ensure that, to the extent possible, residents of these units remain in the building throughout construction. No residents would be permanently displaced from Site 4(4A/4B). Irrespective of the applicant's ability to provide replacement units for the residents of these 19 units within the building, this level of potential direct residential displacement is well below the 500-resident threshold warranting assessment under CEQR, and would not constitute a significant adverse environmental impact.

Direct Business Displacement

A screening-level assessment finds that the proposed projects would not result in significant adverse socioeconomic impacts due to direct business displacement. There is one business on the project sites (Site 5) that may require temporary displacement during construction—the Stop 1 Food Market, which is an amenity to the community. The Site 5 applicant is committed to working with Stop 1 Food Market to remain in operation during construction, if determined to be feasible, and to provide an opportunity for the business to re-tenant the building when the new space is ready for occupancy. However, even if Stop 1 Food Market did not re-tenant the space, its displacement would not constitute a significant adverse environmental impact as defined under

[3] For this analysis, the census tracts that comprise the "socioeconomic study area," or "study area," are shown in **Figure 3-1** and include Census Tracts 2.01, 2.02, 6, 8, 10.01, 12, 14.01, 14.02, 16, 25, and 27. The study area is generally bounded by the East River to the south, the Brooklyn Bridge to the west, Bowery to the north, and Delancey Street and the Williamsburg Bridge to the east.

CEQR. The potential loss of employment (approximately 10 workers[4]) falls well below the 100-employee threshold for assessment, and in this respect, its potential displacement would not alter the socioeconomic character of the neighborhood. In addition, while the Stop 1 Food Market is a convenient source of goods for residents of the study area and the project sites in particular, its products and services are not unique to the study area; alternative sources of similar products and services are available within close proximity. Finally, there are no regulations or publicly adopted plans aimed at preserving a market of this size (approximately 2,100 gsf) within the neighborhood.

Indirect Residential Displacement

A preliminary assessment finds that the proposed projects would not result in significant adverse environmental impacts due to indirect residential displacement. Under CEQR, the objective of the indirect residential displacement analysis is to determine whether a project may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. Based on *CEQR Technical Manual* guidelines, a vulnerable population is defined as renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not support substantial rent increases. In the case of the proposed projects, most study area residents are not vulnerable to displacement as defined under CEQR; it is estimated that approximately ~~88~~83 percent of study area rental units are in buildings protected by rent control, rent stabilization, or other government regulations that protect rents from market influences generated by changes in market conditions. Those not vulnerable to displacement include study area residents living within the large concentration of NYCHA public housing complexes within the study area. It is reasonable to conclude that a vast majority of low- and moderate-income households in the study area live in housing that is protected by rent control, rent stabilization, or other government regulations limiting rent increases, and therefore are not vulnerable to displacement due to increased rents as defined under CEQR.

While the proposed projects would add new population, which, in the aggregate, would have a higher average household income than the average household income in the study area, the proposed projects would not introduce or accelerate the existing trend of changing socioeconomic conditions. There is already a readily observable trend toward higher incomes and new market-rate residential development in the study area. The average monthly asking rent (lowest 10th percentile) for non-rent-protected units in the study area currently ranges from approximately $1,900 for a studio unit to $3,300 for a three-bedroom unit; these rents are generally not affordable to low- and moderate-income households. The proposed projects are expected to introduce a higher percentage of affordable housing than is expected from planned development projects in the future No Action condition, which are primarily market-rate. In this respect, the proposed projects would serve to maintain a study area housing stock that is affordable to households with a wider range of incomes as compared to the No Action condition, in which projects will continue the trend towards market-rate development and rising residential rents in the study area.

[4] The worker estimate for the Stop 1 Food Market is based on in-person observation by an AKRF, Inc. staff member on February 21, 2017, and assumes that up to three work shifts are required to staff this 24-hour food market.

Indirect Business Displacement

A preliminary assessment finds that the proposed projects would not result in significant adverse impacts due to indirect business displacement. The proposed projects would facilitate the introduction of new residential, commercial, and community facility uses. The project sites and broader socioeconomic study area have well-established residential and retail markets such that the proposed projects would not be introducing new economic activities to the project sites or to the study area.

Although some retail stores may be indirectly displaced, their displacement would not constitute a significant adverse environmental impact under CEQR. As of 2015, Retail Trade industry stores in the study area represent less than three percent of retail stores in Manhattan and less than one percent of retail stores in New York City. The stores that would be vulnerable to indirect displacement, while fostering economic activity in the local area, are not of substantial economic value to the City or region, and their displacement would not significantly affect neighborhood character. Storefronts that are vacated due to indirect displacement would not be likely to remain vacant; more likely, they would turn over to other retail or community facility uses that could better capitalize on the market. The proposed actions could generate additional local demand for neighborhood retail and services. However, the additional population resulting from the proposed projects is not so large as to substantially transform the retail character of the neighborhood. Therefore, the limited indirect retail displacement that could result from the proposed projects would not lead to major changes within nearby commercial strips and would not result in significant adverse socioeconomic impacts or adverse impacts to neighborhood character.

Adverse Effects on Specific Industries

A preliminary assessment finds that the proposed projects would not result in significant adverse impacts on specific industries. This assessment considers whether a substantial number of residents or workers depend on the goods or services provided by the affected businesses, or if the proposed projects would result in the loss or substantial diminishment of a particularly important product or service within the industry. The proposed projects would not significantly affect the business conditions in any industry or any category of business within or outside the study area. The one business that could be temporarily displaced by the proposed projects—the Stop 1 Food Market—does not represent a critical mass of businesses within any City industry, category of business, or category of employment. Although this business is an amenity to the community, the goods and services it offers can be found elsewhere within the socioeconomic study area, within a broader trade area, and within the City as a whole. The products and services offered by this potentially displaced business are not expected to be essential to the viability of other businesses within or outside the study area. Finally, the proposed projects would not result in significant indirect business displacement, and therefore would not substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

OPEN SPACE

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on publicly accessible open space, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this chapter.

No publicly accessible open space resources would be physically displaced as a result of the proposed projects. In two cases, project-generated shadow would be substantial enough in extent and/or duration to significantly affect the use or vegetation of the open space resource: Cherry

Clinton Playground on the December 21 analysis day (use, but not vegetation), March 21/September 21 analysis day (use and vegetation), and on the May 6/August 6 analysis day (use only); and the Lillian D. Wald Playground on the March 21/September 21 analysis day (use only). Further, the active areas of these two open space resources would be less affected by shadows than the passive areas, as described in Chapter 6, "Shadows." The proposed projects on Site 5 would enlarge the Rutgers Slip Open Space, provide new amenities, and dedicate it as publicly accessible.

As described in Chapter 5, "Open Space," the proposed projects together would introduce a substantial new residential population that would use open space resources. With the proposed projects or in the future without the proposed projects, the total, active, and passive open space ratios in the open space study area would remain below the City's planning goals. With the proposed projects, the study area's total open space ratio would decrease by ~~7.36~~7.31 percent, the active open space ratio would decrease by ~~8.17~~8.06 percent, and the passive open space ratio would decrease by ~~6.45~~6.25 percent. As the study area is currently underserved by publicly accessible open space, publicly accessible open space is not a critical defining feature of the study area. Any impacts to publicly accessible open space resulting from the proposed projects, including reductions in open space ratios, would not have a significant adverse impact on neighborhood character.

With the existing approximately 22,440-sf private Rutgers Slip Open Space being enlarged and dedicated as publicly accessible, there would be an improvement over existing conditions as the proposed projects would provide approximately 33,550 sf (approximately 0.77 acres) of new publicly accessible open space that would include amenities for both active and passive recreational use. The existing private open space on the Site 4 (4A/4B) and Site 5 would also be altered with new amenities, including the existing approximately 15,868 sf (0.36 acres) of private open space on Lots 15, 70, and 76 Site 4 (4A/4B). As described in Chapter 21, "Mitigation," the existing private open space on Site 4 (4A/4B) would be dedicated as publicly accessible open space. ~~and~~ On Site 5, the existing approximately 29,664-sf private courtyard area ~~on Site 5~~ would be enlarged to approximately 32,313 sf. The altered private open space, and the new and enhanced dedicated publicly accessible open space, would benefit the residents ~~of the proposed projects~~. Further, as described in Chapter 21, "Mitigation," ~~funding for~~ renovation of existing open spaces in the vicinity of the project sites has been identified as a ~~potentially~~ practicable mitigation measure. Coleman Playground, Captain Jacob Joseph Playground, and Little Flower Playground have been proposed as potential resources to be reconstructed. Given that these improvements would improve the quality but not quantity of open space available in the study areas, the renovation of these open spaces would provide partial mitigation for the anticipated open space impacts generated by the increase in users.

SHADOWS

Although the analysis presented in Chapter 6, "Shadows," showed that incremental shadows cast by the proposed projects would reach ~~34~~ 35 sunlight-sensitive resources, the majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons. Only two sunlight-sensitive resources would experience significant adverse impacts—the Cherry Clinton Playground and the Lillian D. Wald Playground. These open space resources contain basketball courts, handball courts, playground/fitness equipment, seating areas, trees, and landscaping.

Project-generated shadows would fall on the Cherry Clinton Playground on the December 21, March 21/September 21 and May 6/August 6 analysis days, beginning in the early afternoon hours

and remaining throughout most of the day. The long afternoon duration and large extent of incremental shadow on Cherry Clinton Playground would significantly affect the user experience on these analysis days, as well as the vegetation on the March 21/September 21 analysis day.

On the March 21/September 21 analysis day, the proposed projects would cast large areas of new shadow on Lillian D. Wald Playground for an hour, including a 15-minute period when incremental shadow would eliminate virtually all the sun. Smaller incremental shadows would fall on the playground for an additional 50 minutes. Given that weather on March 21/September 21 analysis day can be cool making sunlit areas important to users, and given the large extents and long duration of the incremental shadow, the incremental shadow from the proposed projects would significantly affect the user experience in Lillian D. Wald Playground on this analysis day.

Since the project-generated shadows would result in significant adverse impacts on only two sunlight-sensitive resources, these shadows would not adversely affect neighborhood character. Further, as described in Chapter 21, "Mitigation," ~~potential~~ mitigation measures for the shadows impacts include dedicated funding for enhanced maintenance at the Cherry Clinton Playground and the Lillian D. Wald Playground to mitigate the significant adverse impact to users and the trees of the Cherry Clinton Playground, and the users of the Lillian D. Wald Playground. Thus, the shadow impact would not create a significant adverse impact on neighborhood character.

HISTORIC AND CULTURAL RESOURCES

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on historic and cultural resources, either singularly or in combination with potential impacts in other relevant technical areas.

Archaeological Resources

The Phase 1A Archaeological Documentary Study determined that undisturbed portions of Site 5 and Site 6A possess moderate to high sensitivity for landfill deposits and landfill-retaining structures and low to moderate sensitivity for historic period streetbed deposits and early wooden water mains. Site 4 (4A/4B) was determined to have low sensitivity for both types of resources. The Phase 1A study recommended archaeological monitoring at Site 5 and Site 6A and the preparation of an Unanticipated Discoveries Plan for Site 4 (4A/4B).

If the monitoring confirms the presence of archaeological resources and if the resources are determined to be significant (e.g., National Register-eligible), their disturbance or removal would constitute a significant adverse impact. With the completion of the Unanticipated Discoveries Plan for Site 4, the completion of additional archaeological investigations at Sites 5 and 6A, and LPC concurrence with the conclusions of those investigations, the proposed projects would avoid significant adverse impacts to archaeological resources and would not affect defining features of neighborhood character.

Architectural Resources

There are no known or potential architectural resources on the project sites. Portions of three architectural resources are located in the study area—the Manhattan Bridge, the FDR Drive, and the East River Bulkhead. The proposed projects would not eliminate or substantially obstruct important public views of the Manhattan Bridge or the FDR Drive, as all significant elements of these historic resources would remain visible in view corridors on public streets. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the proposed projects to any historic resource's setting. The proposed projects would not adversely affect the

portion of the East River Bulkhead located in the study area. Because the bulkhead is at and below the water's edge, it is only visible from locations immediately adjacent to the East River, and does not include any components visible from the project sites. There is no meaningful physical or visual relationship between the project sites and the East River Bulkhead.

Construction of the new buildings on Site 5 and Site 6A would occur within 90 feet of portions of the FDR Drive, a historic resource that was designed to withstand the vibration effects of continuous vehicle usage. Between the Draft Environmental Impact Statement (DEIS) and the Final Environmental Impact Statement (FEIS), ~~the applicants would~~the New York City Department of City Planning (DCP) consulted with LPC; ~~and the New York City Department of Transportation (NYCDOT) to~~ LPC determined that ~~whether~~ a Construction Protection Plan (CPP) for this portion of the FDR Drive is warranted. ~~Should LPC and/or NYCDOT request the preparation of~~ Therefore, in consultation with LPC, the applicants for Site 5 and Site 6A would prepare a CPP~~, it would be prepared~~ in accordance with the guidelines of the New York City Department of Buildings (DOB)'s *Technical Policy and Procedure Notice (TPPN) #10/88*, as well as LPC's guidance document, *Protection Programs for Landmarked Buildings*, and the National Park Service's *Preservation Tech Notes, Temporary Protection #3: Protecting a Historic Structure during Adjacent Construction*. With the CPP in place, construction would not be expected to result in significant adverse impacts to the portion of the FDR Drive located within 90 feet of Site 5 and Site 6A. No other architectural resources are located within 90 feet of the project sites.

Therefore, the proposed projects would not result in any significant adverse direct or indirect effects to architectural resources in the study area and would not affect defining features of neighborhood character.

URBAN DESIGN AND VISUAL RESOURCES

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on urban design and visual resources, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section.

The proposed buildings would be consistent with new development projects in the primary and secondary study areas, including the 80-story building under construction at One Manhattan Square directly west of Site 4 (4A/4B) and the multi-building, mixed-use Essex Crossing development currently under construction. With the proposed projects, all three proposed buildings would include ground floor design elements that would contribute active ground floor uses to the surrounding area that are intended enliven the streetscape of the nearby study area. These project components are also intended to enhance the pedestrian experience of the urban design characteristics of the project sites and surrounding area.

While the proposed projects would add three tall buildings to the area, they would not eliminate significant publicly accessible view corridors or completely block public views to any visual resources, result in any substantial changes to the built environment of a historic district, or result in an area-wide rezoning. Further, the proposed buildings would not obstruct any existing view corridors or views to visual resources in the primary or secondary study areas. Overall, the proposed projects would not result in any significant adverse impacts on urban design and visual resources.

Pedestrian Wind Conditions

A wind tunnel assessment was undertaken to evaluate pedestrian-level wind conditions at the project sites to determine whether pedestrian-level winds could potentially exceed the safety criterion in the With Action condition. The proposed projects would result in some elevated pedestrian wind conditions primarily or entirely during the winter months; however, these conditions would be similar to comparable locations in the City in close proximity to the waterfront.

Potential measures to reduce or minimize the effects of pedestrian-level winds in the With Action condition have been evaluated, including planting marcescent tree species (deciduous trees that retain their leaves in the winter) and implementing architectural elements such as a canopy or a parapet, and a notched segment at the podium level on the north façade at the Site 6A building. The results of the pedestrian wind analysis demonstrate that with the implementation of certain measures, no significant adverse urban design impacts would result from potential pedestrian wind conditions. The Restrictive Declarations for each of the proposed projects will contain provisions defining the circumstances under which changes to the final building design or tree planting layout may be required to undergo wind tunnel analysis to confirm their effectiveness in addressing the potential for elevated pedestrian wind conditions.

Further consultation with ~~the New York City Department of City Planning (~~DCP~~), NYCDOT, and the New York State Department of Transportation (NYSDOT), as needed,~~ and the New York City Economic Development Corporation (NYCEDC), and the applicants ~~will~~ continued between the DEIS and the FEIS regarding measures for reducing elevated wind conditions at the two locations below the FDR Drive. Through this consultation, NYCEDC determined that it does not support the installation of wind screens at these two locations because these locations conflict with the current use as a NYC Parks fitness equipment area and the City's Two Bridges Coastal Resilience project currently in design (which is part of the LMCR project). For these reasons, NYCEDC determined that it is not possible to commit to a wind screen at these locations at this time.

Overall, the changes in urban design characteristics, view corridors and visual resources, and pedestrian wind conditions due to the proposed actions would not result in significant adverse impacts on neighborhood character.

TRANSPORTATION

Defining features of the neighborhood would not be adversely affected due to potential effects of the proposed actions on transportation, either singularly, or in combination with potential impacts in other relevant technical areas discussed in this section.

Traffic

A detailed analysis of project-generated vehicle trips at 31 intersections for the weekday AM, midday, and PM peak hours concluded that in the future with the proposed projects, there would be significant adverse impacts at six intersections during the weekday AM peak hour, five intersections during the midday peak hour, and 10 intersections during the PM peak hour. Overall, the changes in traffic due to the proposed actions would not result in significant adverse impacts on neighborhood character.

Transit

The subway station analysis identified significant adverse stairway impacts for the S1 stairway during the weekday AM and PM peak hours, and the P3 stairway for the weekday AM peak hour.

Discussions with New York City Transit (NYCT) to identify feasible mitigation measures are presented in Chapter 21, "Mitigation." These transit changes would not result in significant adverse neighborhood character impacts.

Pedestrians

Weekday peak period pedestrian conditions were evaluated at key area sidewalk, corner reservoir, and crosswalk locations. Based on the detailed assignment of pedestrian trips, 18 sidewalks, 16 corner reservoirs, and 12 crosswalks were selected for detailed analysis for the weekday AM, midday, and PM peak hours. Significant adverse impacts were identified for one sidewalk during the weekday AM and PM peak hours, two crosswalks during the weekday AM peak hour, one crosswalk during the weekday midday peak hour, and two crosswalks during the weekday PM peak hour.

Potential measures (i.e., crosswalk widenings, signal timing adjustments, etc.) were identified to mitigate the pedestrian impacts, as described in Chapter 21, "Mitigation." Overall, these few pedestrian impacts would not affect overall neighborhood character.

Parking

The With Action public parking utilization is expected to increase to 113, 132, 116, and 112 percent of the ½-mile off-street parking capacity during the weekday morning, midday, evening, and overnight time periods, respectively. These utilization levels represent parking shortfalls of 293, 755, 373, and 274 spaces during the corresponding weekday peak periods. It is expected that excess parking demands resulting from the proposed projects during the weekday peak periods would need to be accommodated by on-street parking or off-street parking beyond ½-mile walk from the project sites. Alternatively motorists could choose alternate modes of transportation. The parking shortfall would not result in an adverse impact to the overall neighborhood character.

As described in Chapter 14, "Transportation," the proposed projects would result in significant adverse traffic, transit (subway station elements) and pedestrian impacts. The proposed projects would not result in significant adverse impacts on subway and bus line haul or parking availability. With implementation of the traffic, subway stairway, and pedestrian mitigation measures outlined in Chapter 21, "Mitigation," the identified significant adverse impacts would be mitigated. Therefore, the increased traffic, transit, and pedestrian impacts would not result in an overall impact to neighborhood character.

NOISE

The defining features of the neighborhood would not be adversely affected due to potential noise effects of the proposed actions, either singularly, or in combination with potential impacts in other relevant technical areas. The analysis presented in Chapter 17, "Noise," finds that the proposed actions would not result in any significant adverse noise impacts at nearby noise receptors. The proposed projects would not generate sufficient traffic to have the potential to cause a significant noise impact (mobile source). It is assumed that the proposed buildings' mechanical systems (i.e., heating, ventilation, and air conditioning [HVAC] systems) would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant increase in ambient noise levels. Therefore, the proposed projects would not result in any significant adverse noise impacts related to building mechanical equipment (stationary sources). As a result, there would be no noise-related impacts on neighborhood character.

CONCLUSIONS

As shown above, the assessments demonstrate that the proposed projects do not have potential to affect the defining features of the neighborhood, either individually through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas. Therefore, the proposed actions would not result in a significant adverse impact to neighborhood character. ✷