Chapter 25: Comments and Responses*

A. INTRODUCTION

This new chapter to the West 61st Street Rezoning Project and Citywide Text Amendment Final Environmental Impact Statement (FEIS) summarizes and responds to all substantive oral and written comments received during the public review period on the Draft Environmental Impact Statement (DEIS). Public review of the DEIS began on August 4, 2006 with the distribution of the DEIS. The public hearing on the DEIS was held on December 6, 2006 at the Department of City Planning, 22 Reade Street, Spector Hall. The period for public comment was held open until December 18, 2006.

Section B identifies the groups and individuals who commented on the project.

Section C summarizes and responds to each substantive comment. The comments are organized by subject area. Where multiple comments were made on the same subject matter, a single comment summarizes the essence of those individual comments. Following each comment is the list of people who made the comment identified by numbers as listed in Section B. Responses then follow each comment. Appendix C to the FEIS includes all written comments received on the proposed project.

B. ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED

1. Scott Stringer, Manhattan Borough President Recommendation dated November 15, 2006.
2. Anthony Borelli, Director of Land Use for Scott Stringer, spoken testimony.
3. Manhattan Community Board 2, letter dated November 22, 2006.
4. Doris Diether, Community Board 2, spoken testimony and written comments.
5. Manhattan Community Board 3, letter dated October 2, 2006.
6. Manhattan Community Board 7 resolution, October 2006.
7. Richard Ash, Co-Chair of Land Use Committee, Manhattan Community Board 7, spoken testimony.
8. Robert Imershein, Board of Directors, The Heschel School, spoken testimony.
9. Margery Perlmutter, Counsel for The Heschel School, spoken testimony.
10. Manhattan Community Board 4, letter dated October 5, 2006.

In addition to those listed above, various City Planning Commission (CPC) Commissioners asked questions and made comments at the public hearing. These comments are also included in

* This chapter is new to the Final Environmental Impact Statement.

this chapter and are indicated with the number 11. Michael Kwartler, Paul Selver, Jeremiah Candreva, and Mark Sullivan presented the proposed project and responded to questions asked by the Commissioners.

C. COMMENTS AND RESPONSES

PROPOSED ACTION

Comment 1: The amount of open space required under existing regulations (which set forth an open space ratio) is a quantitative number. The text amendment attempts to relax the quantitative protections and replace them with a qualitative one. The text amendment requires that the open areas provided be "of sufficient size" to serve residents of the development, but "sufficient" size is not defined in the Zoning Resolution. Replacing the quantitative requirement of open space size and relying instead on a qualitative requirement would set an inadvisable precedent. (1, 2) How is "sufficient" to be defined? (11)

Response: Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment," includes an analysis of the effects of the proposed text amendment. Although the proposed text amendment does not include a quantitative measure for defining sufficient size, the analysis concluded that the proposed text amendment would not result in any significant adverse impacts. While the applicant's counsel stated at the public hearing that the applicant is amenable to modifying the text amendment to address the question of how "sufficient size" is defined, no modifications to the text amendment are being proposed at this time. However, Chapter 21, "Alternatives," includes an assessment of a Zoning Text Amendment Alternative in which the text is modified to require that a minimum amount of open space be provided in order for the provisions of the proposed text amendment to be applicable.

Comment 2: An amendment has been proposed to Section 23-142 of the Zoning Resolution pertaining to large-scale developments, which would permit the maximum floor area ratio without regard to height factor or open space ratios, upon a finding the landscaping being provided is "superior." No criteria are provided in the proposed text amendment to define or describe how to assess if landscaping is superior. (1, 6) How is "superior" to be defined? (4, 11) The vantage point for judging superiority appears to be that of occupants of the proposed buildings, not the surrounding community. (6) Yard and open space regulations do not exist only for the residents of a building but to provide light and air to the surrounding community. The proposed text amendment relaxes those protections and mitigates them through landscaping benefits to the residents of the new building. This is not an equitable trade. (1, 6)

The proposed text amendment would allow the City Planning Commission (CPC) to waive within a general large scale development special permit, the

applicable height factor and open space ratio requirements provided that applicants meet certain findings related to the amount and quality of open areas and landscaping. Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment, includes an analysis of the effects of the proposed text amendment, and concludes that the proposed text amendment would not result in any significant adverse impacts. While the applicant's counsel stated at the public hearing that the applicant is amenable to modifying the text amendment to address the question of how "superior" is defined, no modifications to the text amendment are being proposed at this time. However, Chapter 21, "Alternatives," includes an assessment of a Zoning Text Amendment Alternative in which the text is modified to require that the open space provided on the site complies with the requirements of the Quality Housing provisions of the New York City Zoning Resolution.

Comment 3: There is value added in well-designed open space, but only if it benefits the public and is accessible to the public. (6)

Response: As disclosed in the DEIS, the proposed action, including the project's proposed open space, would not result in significant adverse impacts to open space or urban design and visual resources. In addition, the proposed text amendment would waive the open space requirements relating to the provision of private open space for building residents only. The proposed text amendment would not reduce the amount of open space that would otherwise be available to and accessible by the public.

Comment 4: The tennis court and chain link fence should be removed and replaced with "superior" landscaping comprised substantially of softscape (as defined by the American Society of Landscape Architects) but including appropriate pathways and seating. (6, 7) What kind of view of the project's open space will be provided? (11) A majority of the project's open space should be visible to the street. (7)

Response: As disclosed in the DEIS, the proposed action, including the tennis court, would not result in significant adverse impacts to open space or urban design and visual resources. The open spaces as presented in the DEIS are an integral part of the project in terms of both its programming and its design, and the suggested changes would be contrary to the project sponsor's goals and objectives. The proposed actions being sought by the applicant would enable the proposed development to provide both active and passive open spaces for building residents on the site and would enable those open spaces to be located as indicated in Figure 1-12. The open space plan has been designed to provide an active recreation area (the tennis court) while maximizing the area devoted to walking paths, seating areas, and planted areas. Between the tennis court and the West 61st Street sidewalk, there would be an approximately 35-foot planted

buffer; this buffer, which would contain walking paths and seating areas in addition to extensive plantings (called "garden areas"), would screen the tennis court from views from the street. The open space on West 61st Street has been designed to maximize visibility from the street (see Figure 1-13, which shows a rendering of the proposed wall design) so that the plantings and gardens proposed for the open space will be visible to the public from West 61st Street. Seating along the 150-foot West 61st Street frontage has also been incorporated.

Comment 5: Under the proposed text amendment, there is no requirement that the project as a whole be superior in any other way (other than having "superior" open space) to an as-of-right development; a project could well be inferior because of the waiver of height-factor requirements. (6)

Response: As has been described in Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment," which gives the full text changes proposed, General Large Scale Development (GLSD) special permits include a "superior site plan" as a finding for the special permit. Therefore, any project attempting to use the provisions of the proposed text amendment would also have to satisfy the other requirements of a GLSD special permit, including the finding of a "superior site plan." The conceptual analysis considered the use of the provisions of the of the text amendment and concluded that it would not result in any significant adverse impacts. While the proposed text amendment does not require the project as a whole be superior, it does require that the project's open space be of a "superior quality" and in connection with the GLSD special permit that the project has a "superior site plan."

In addition, as shown in Chapter 21, "Alternatives," the EIS includes a Height Factor Building Alternative which analyzes a building on the project site developed using the Height Factor requirements under the proposed zoning. The Urban Design and Neighborhood Character analyses concluded that the Height Factor Building Alternative would not be as well integrated into the fabric of the surrounding neighborhood as compared to the proposed action. The Shadows analysis concluded that, unlike the proposed action, the Height Factor Building Alternative would have the potential to result in shadow impacts.

Comment 6: The proposed text amendment reduces the level of community oversight on potential development. (5)

Response: The proposed text amendment may only be used through the granting by the CPC of a general large scale special permit. Special permits are discretionary actions subject to CEQR; therefore, the public and the community as a whole would have the opportunity to participate in the City's public review process in connection with any development that proposes to utilize the proposed text amendment.

Comment 7: The proposed text amendment is inimical to Community Board 3's stated rezoning goals. (5)

Response: The commenter did not specifically state what Community Board 3' rezoning goals are in their testimony, but the proposed text amendment would not preclude any rezoning that Community Board 3 proposes.

Comment 8: The proposed text amendment is likely to lead to a reduction in open space and rear yards. (5)

Response: Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment, includes an analysis of the effects of the proposed text amendment and concludes that the proposed text amendment would not result in any significant adverse impacts. As described in Chapter 22, the proposed text amendment would provide greater flexibility in how a project is massed on a particular site with the purpose of providing better site planning.

Comment 9: The proposed text amendment does not provide criteria on how much of a project site must be located within a C6-1, C6-2, or C6-3 zoning district for the provisions of the text amendment to be applicable. If the commercial district is the catalyst for requiring the text amendment, some defined percentage of the lot should be determined to give the text amendment a planning rationale. (1, 3, 4)

Response: Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment, includes an analysis of the effects of the proposed text amendment. Although the proposed text amendment does not provide criteria on how much of a project site must be located within a C6-1, C6-2, or C6-3 zoning district, the analysis concluded that the proposed text amendment would not result in any significant adverse impacts. The section in Chapter 22 of the EIS entitled, "Purpose and Need of the Proposed Text Amendment" outlines the planning rationale for the proposed text amendment. The proposed text amendment, if adopted, will enable the CPC to waive within certain large-scale developments the "height factor" and "open space ratio" requirements that would otherwise be required by the underlying district designations provided that the open areas on the zoning lot are of sufficient size to serve the residents of the building, that the open areas are accessible to and usable by all residents of the building, and that the open areas have appropriate access, circulation, seating, lighting, and paving. In addition, the site plan must include superior landscaping for all open areas, including the planting of street trees. The proposed text amendment would provide greater flexibility to design and program large-scale developments (allowing for a more desirable distribution of building mass) with superior open areas and recreational spaces than that which is available today. While the applicant's counsel stated at the public hearing that the applicant is amenable to modifying the text amendment to provide criteria on how much of a project site must be located within a C6-1, C6-2, or C6-3 zoning district, no

modifications to the text amendment are being proposed at this time. However, Chapter 21, "Alternatives," includes an assessment of a Zoning Text Amendment Alternative in which the text is modified to require that at least 50 percent of a site's lot area is located within a C6-1, C6-2, or C6-3 zoning district in order for the provisions of the text amendment to be applicable.

Comment 10: Since the text amendment lacks any substantial quantitative criteria, its implications cannot be truly known. A better analysis of its potential impacts is required. The text amendment should be further explored, potentially modeled out until its real-world impacts are known. (1)

Response: Chapter 22, "Conceptual Analysis of the Proposed Text Amendment," provides an analysis of the potential effects of the proposed text amendment. This chapter describes where the provisions of the text amendment could be used and analyzes the environmental effects of the future use of the provisions of the text amendment, and concludes that the proposed text amendment would not result in significant adverse impacts.

Comment 11: The text amendment should be limited in scope. (1, 10) The text amendment should be limited to apply solely in Community District 7. (1, 6, 7, 10) At a minimum, use of the text amendment should be excluded in special districts. (10) The proposed text change is being requested to accommodate one mid-block project on the upper west side; this should not be the rationale for a city-wide text change that will affect many areas. (4, 5)

Response: Chapter 22 of the EIS, "Conceptual Analysis of the Proposed Text Amendment, includes an analysis of the potential effects of the proposed text amendment in other parts of the City. Although the proposed text amendment is not limited to apply only in Community District 7, the analysis concluded that the proposed text amendment would not result in any significant adverse impacts. The discussion of purpose and need for the proposed text amendment in Chapter 22 of the EIS, specifically discusses the broader applicability of the proposed text amendment. The proposed text amendment would provide greater flexibility to design and program general large-scale developments (allowing for a more desirable distribution of building mass) with superior open areas and recreational spaces than that which is available today. While the applicant's counsel stated at the public hearing that the applicant is amenable to modifying the text amendment to make it only applicable in Community District 7, no modifications to the text amendment are being proposed at this time. However, Chapter 21, "Alternatives," includes an assessment of a Zoning Text Amendment Alternative in which the text is modified so that its provisions apply only within Manhattan Community District 7.

Comment 12: It would be better for this building to apply under Quality Housing. If the CPC concludes that any aspect of the building cannot meet Quality Housing and cannot be waived through the Section 74-743 special permit, the text amendment should be rewritten to focus specifically on providing leniency for just those requirements. (1) There may be times when both the large-scale development requirements and the alternative requirements of Quality Housing might be too restrictive to permit a large scale development of superior design and architectural quality; therefore a special permit that allows the community and CPC to exercise discretion in rewarding superior design that benefits the surrounding community. (6) The project could be accomplished by subdividing the zoning lot so that streetwall requirements would apply differently. (2)

Response: An alternative development scenario using the Quality Housing provisions was examined in Chapter 21, "Alternatives." This alternative, the Quality Housing Building Alternative, would result in an approximately 408,600-gsf building containing ground-floor retail, community facility, and residential uses. This alternative would consist of two parallel buildings of 11 stories each, with their 8-story bases aligned with the West 60th and West 61st Street streetlines. Although a mid-rise building configuration, the Quality Housing Building Alternative would have a monumental look. Comprised of two parallel street wall buildings of 300 and 375 feet in length with a single entrance on West 60th Street, the Quality Housing Building Alternative would have façade frontages considerably greater than that of any of the buildings in the immediate area, including those with full blockfronts of 200 feet. The Quality Housing Building Alternative illustrates the limitation of the Quality Housing regulations. Designed primarily for urban infill sites with relatively small frontages, the application of the Quality Housing regulations, with its tight zoning envelope, to this site's exceedingly long frontages, results in a building that cannot be characterized as being infill.

The open space provided under this alternative would be located on the interior of the project site and would not be visible to pedestrians on either West 60th or West 61st Streets. The seating along West 61st Street provided as part of the proposed project would not be possible.

Comment 13: The Heschel School, located on Lot 1, also owns Lot 61 and has recently acquired Lot 58. The Heschel School is contemplating an expansion of its school in partnership with a residential developer. The proposed action would limit the school's ability to undertake this development because of the reduction in floor area ratio from 10 (in the existing M1-6 zone) to 6.02 (on Lot 58). The Heschel School would like to propose that the C4-7 zoning district include Lot 58; however, The Heschel School will formally submit such a proposal at a later time. (8, 9)

Response: Comment noted. It should be noted that the EIS considered an expansion of the Heschel School as part of a mixed-used residential development on Lot 61, and a residential development on Lot 58 at a 6.02 FAR as another projected development (as part of the Reasonable Worst Case Development Scenario for the proposed action). Furthermore, it should be noted that the site's current M1-6 zoning does not allow residential use.

Comment 14: Subject to detailed review of precisely crafted language, CB 7 would favorably consider an amendment that would permit waiver of height factor and open space requirements upon a finding by the Community Board and the CPC that the proposal presents in combination, architectural features, design and configuration, and open space planning, including the provision of open space accessible to the public for passive recreational use, superior to the optimum design permissible as-of-right. (6)

Response: Comment noted. As discussed above in response to Comments 9 and 11, the applicant is amenable to modifications to the text amendment that would more narrowly define the criteria for its applicability.

SHADOWS

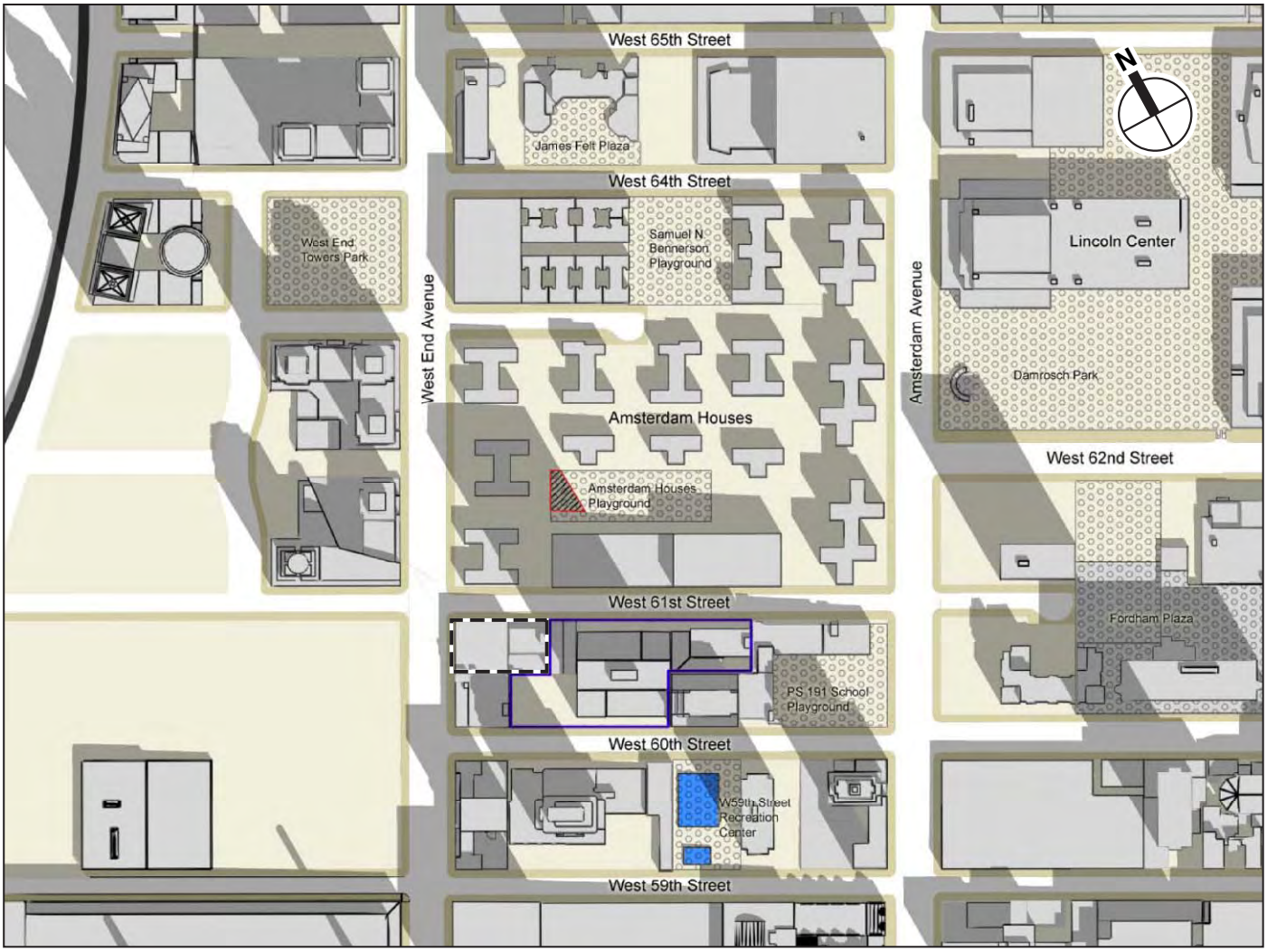
Comment 15: Can you expand on how the proposed action's incremental shadow will affect the open spaces at the Amsterdam Houses to the north? (11)

Response: Chapter 6, "Shadows," of the EIS details the proposed action's potential for shadows impacts. As discussed in that chapter, the proposed action would not result in significant adverse shadows impacts. The analysis compares shadows expected to occur from development under No Build Conditions (including No Build conditions on the project site, as well as from known developments in the area expected to be built by project completion in 2008), to those of the proposed action. The analysis, and its method of impact determination, is based on the incremental shadows projected to be cast by the proposed action (Build Conditions) compared to those cast under No Build conditions.

TRAFFIC AND PARKING/TRANSIT AND PEDESTRIANS

Comment 16: Where will the ingress and egress be located in relation to the schools on the project block? (6, 11) The garage entrance and exit as currently proposed presents some problems with traffic. (7) Please consider reversing the garage entrance and exit. (11) What are the safety measures that will be put in place for the garage entrance and exit? (11) Will the change in street direction on West 61st Street be concurrent with the proposed project? How will this affect the proposed project? (11)

12.21.06



Source: Environmental Simulation Center, LTD.

0 250 500 FEET
SCALE

Project Site Boundary

Projected Development Site

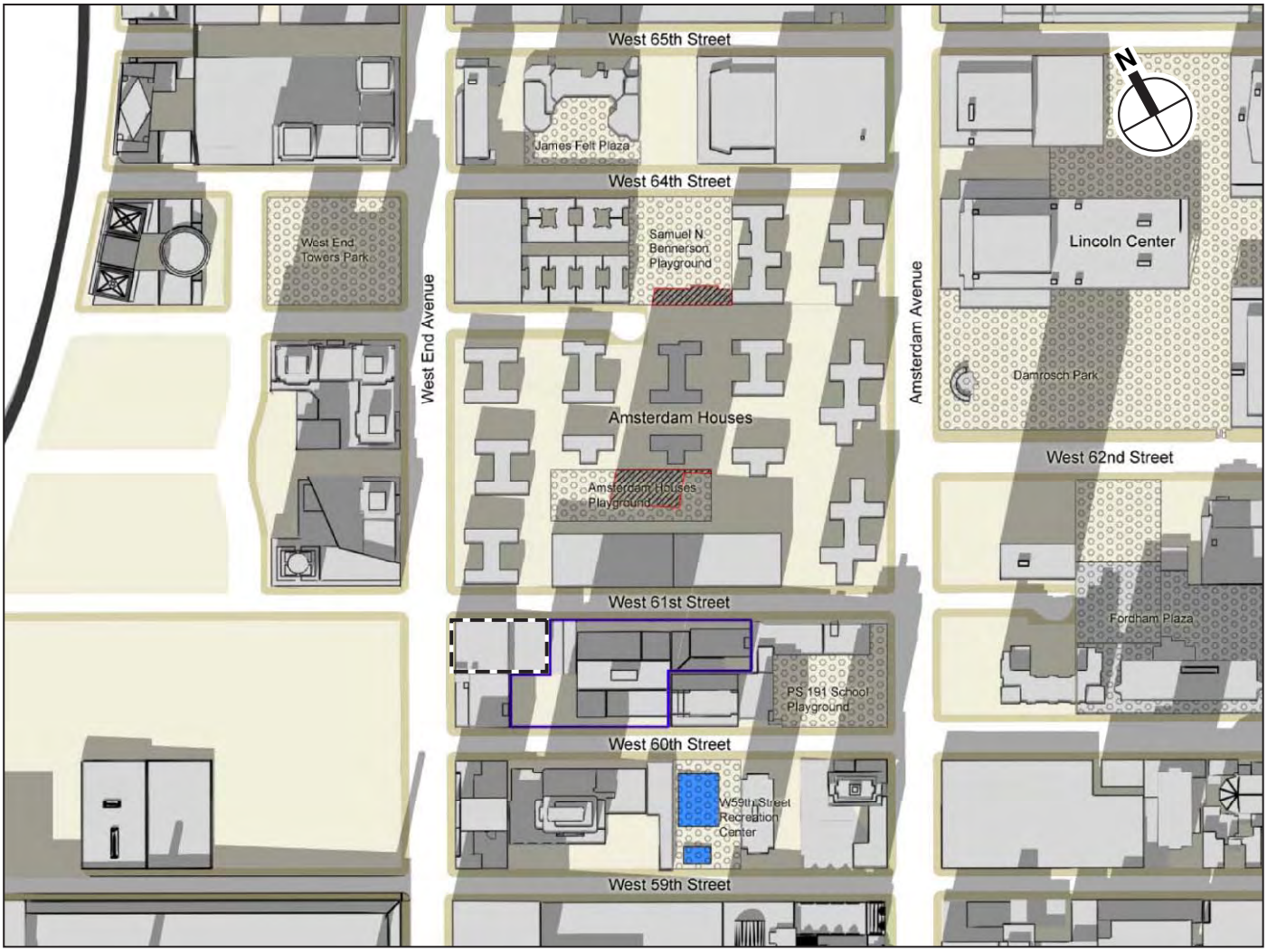
Shadow

Open Space

Incremental Shadow on Open Space

March 21 12:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-1

12.21.06



Source: Environmental Simulation Center, LTD.

Project Site Boundary

Projected Development Site

Shadow

Open Space

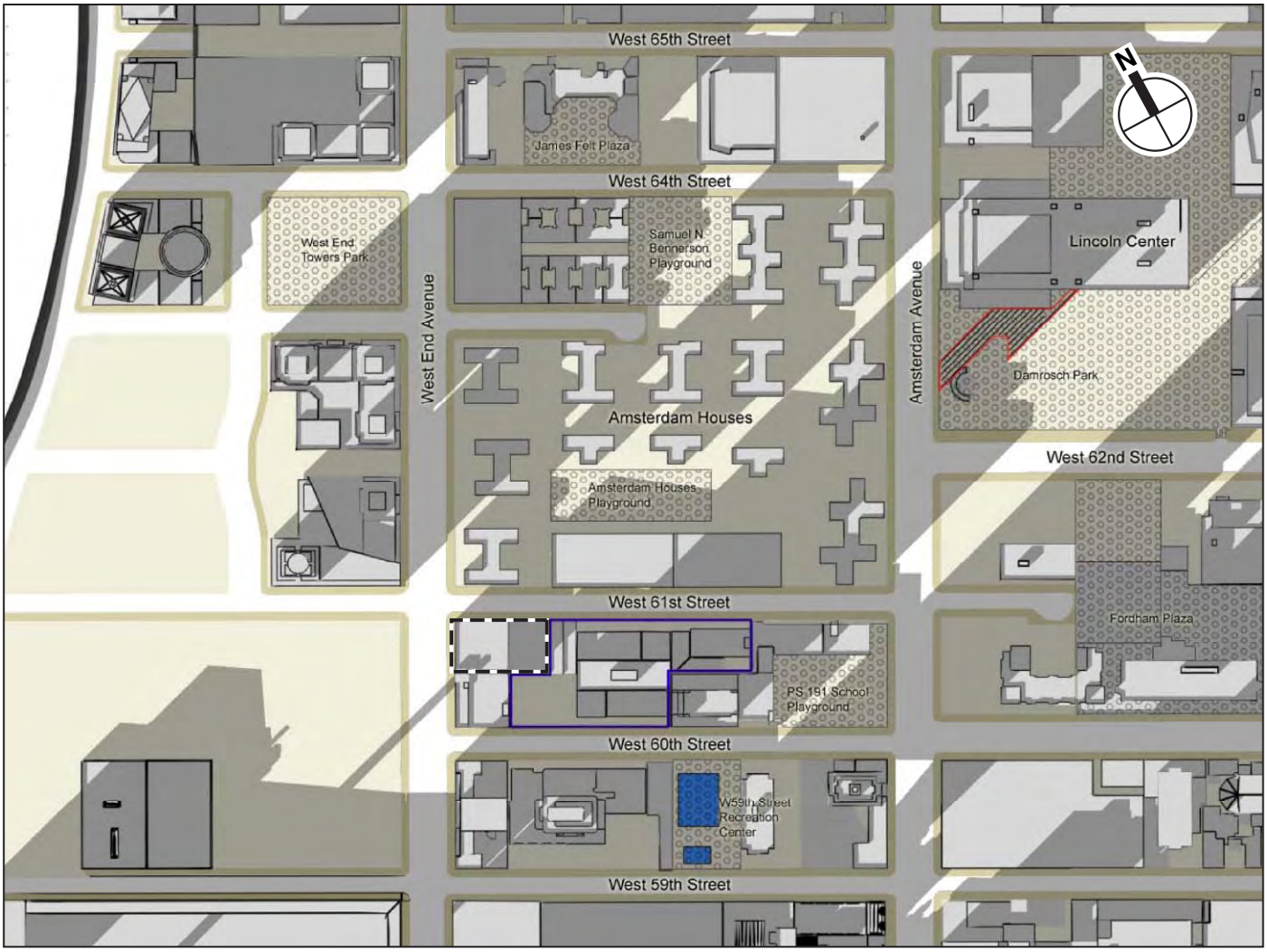
Incremental Shadow on Open Space

March 21 2:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-2



March 21 3:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-3

12.21.06



Source: Environmental Simulation Center, LTD.

0 250 500 FEET
SCALE

Project Site Boundary

Projected Development Site

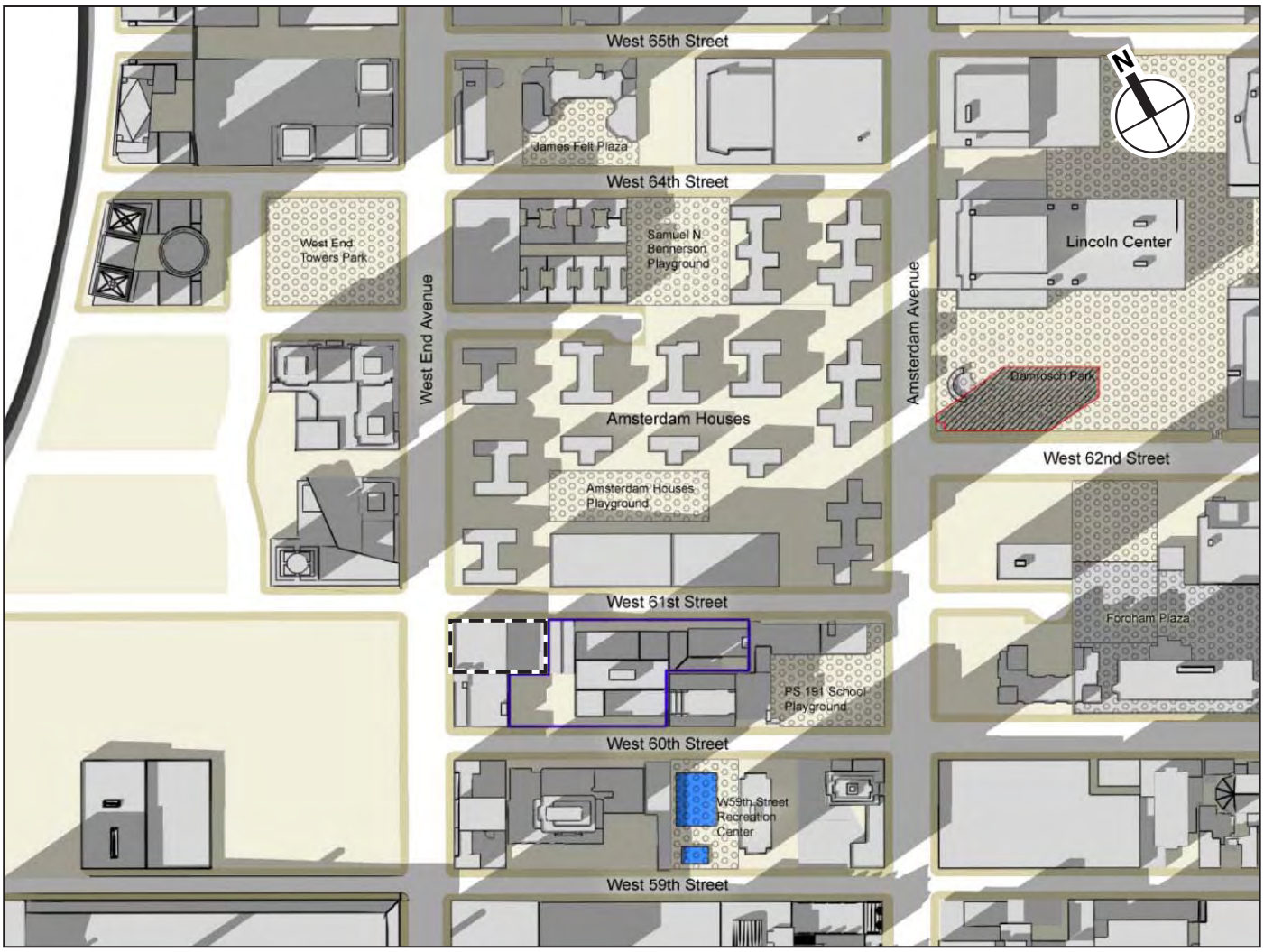
Shadow

Open Space

Incremental Shadow on Open Space

March 21 4:29 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-4

12.21.06



Source: Environmental Simulation Center, LTD.

Project Site Boundary

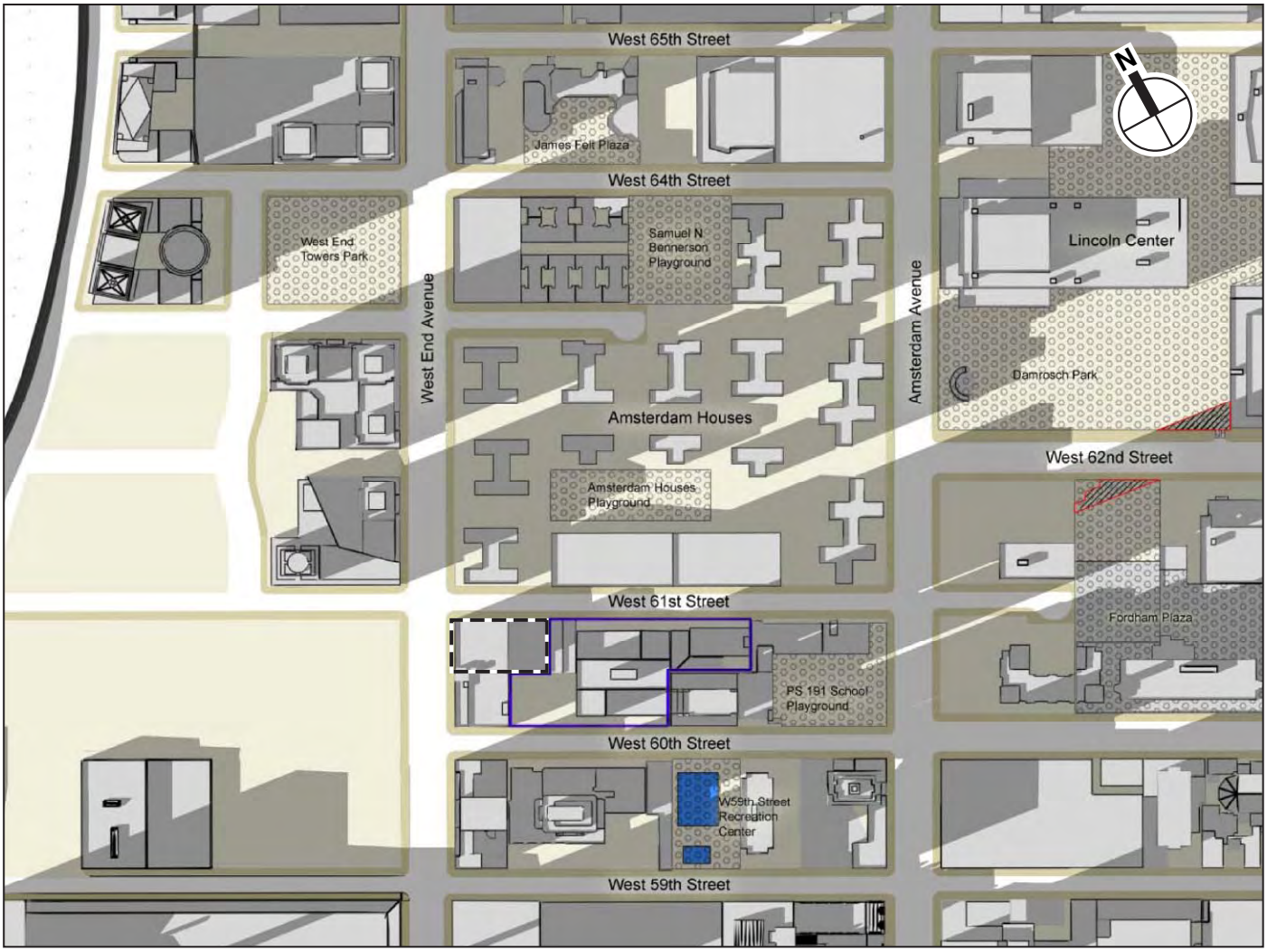
Projected Development Site

Shadow

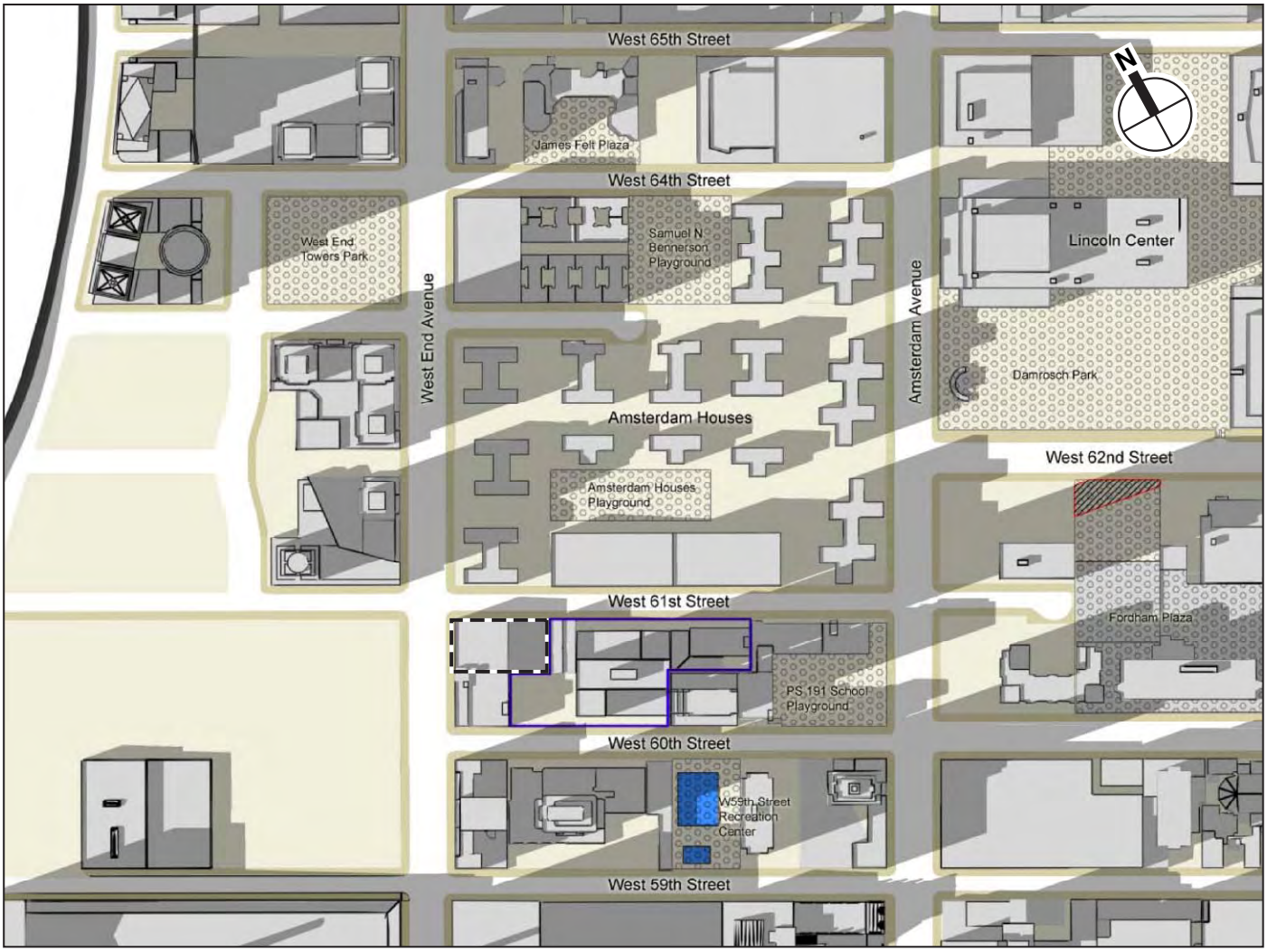
Open Space

Incremental Shadow on Open Space

May 6 5:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-5

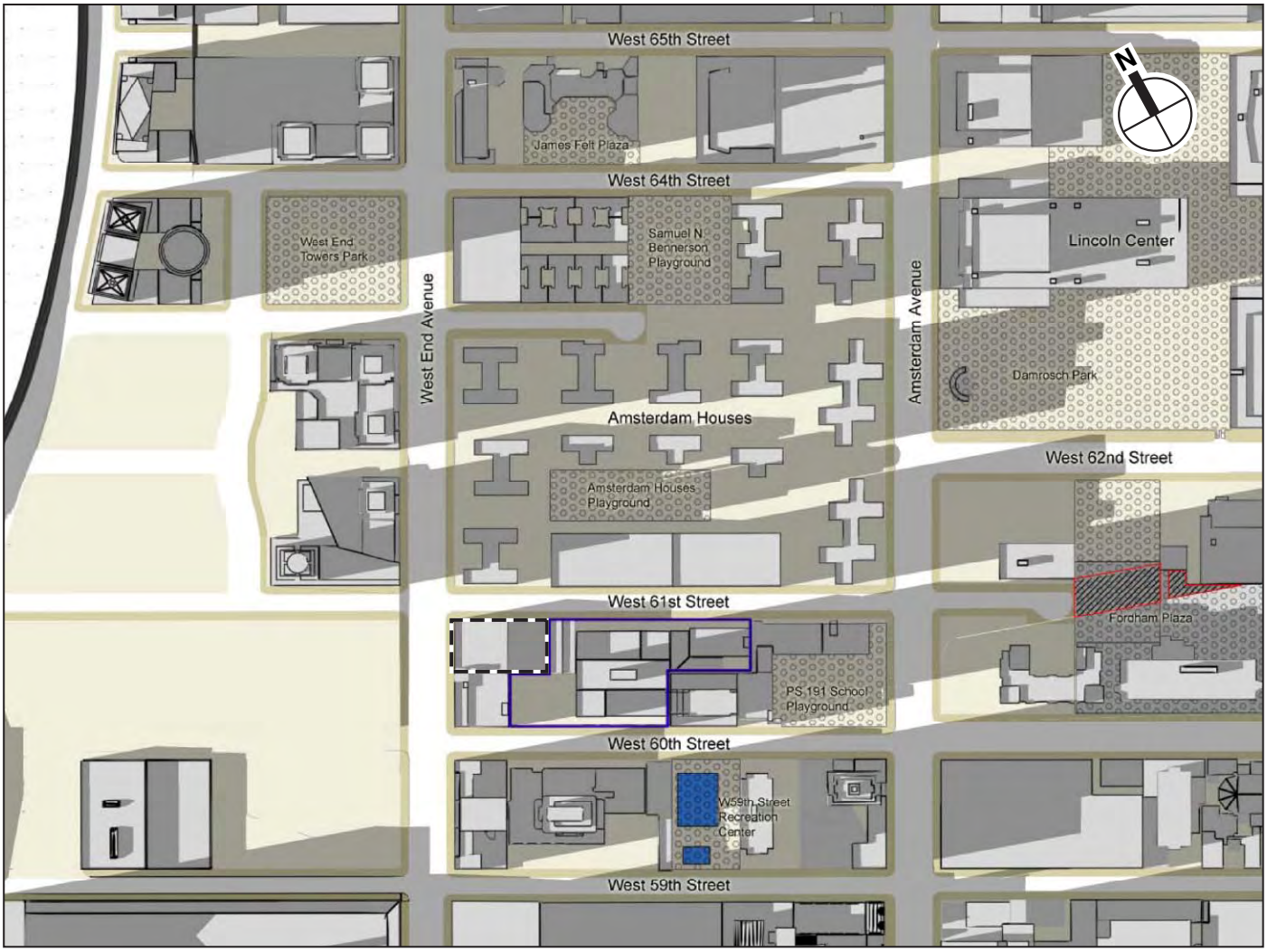


May 6 6:18 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-6



June 21 6:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-7

12.21.06



Source: Environmental Simulation Center, LTD.

0 250 500 FEET
SCALE

Project Site Boundary

Projected Development Site

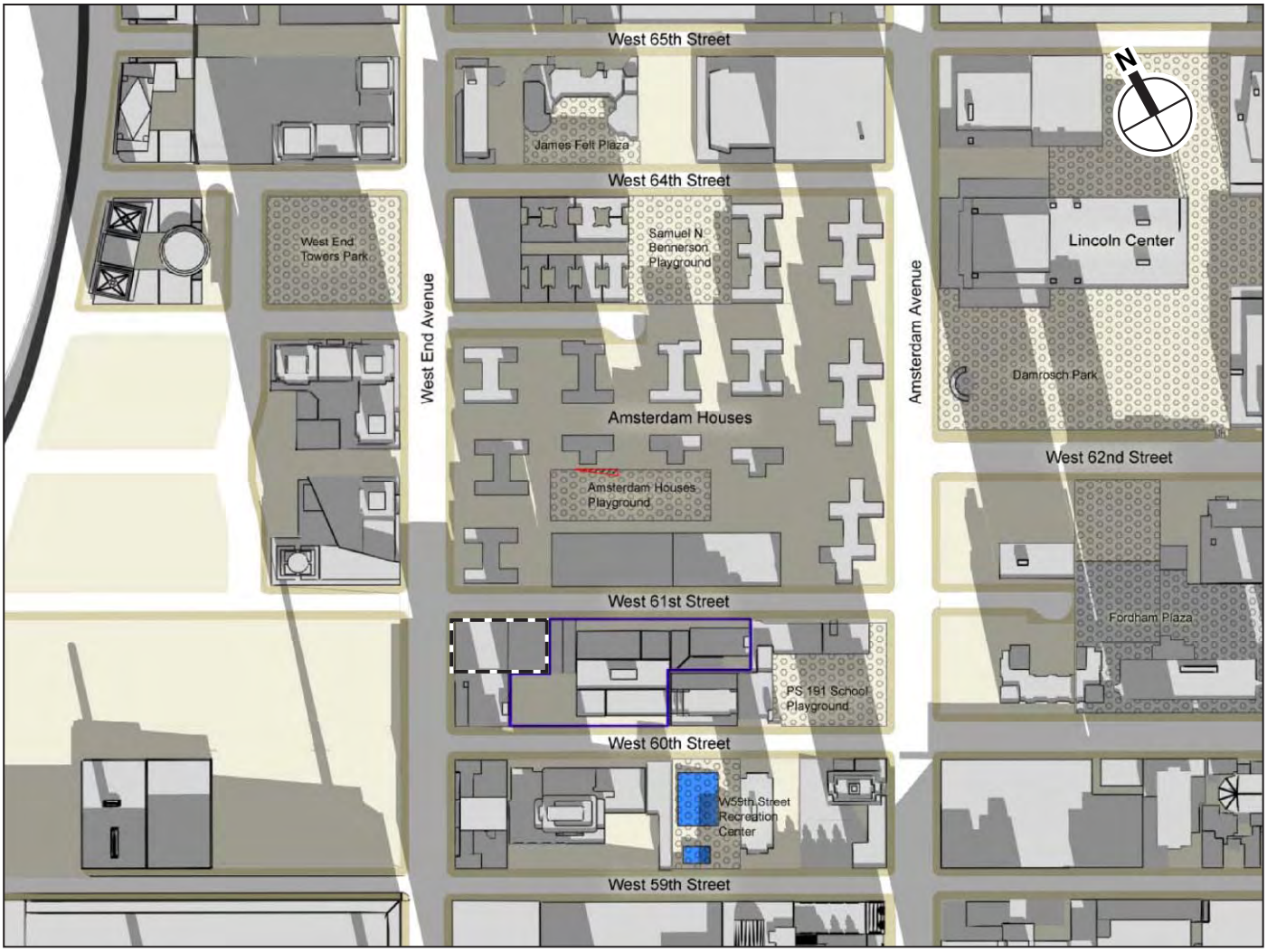
Shadow

Open Space

Incremental Shadow on Open Space

June 21 7:01 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-8

12.21.06



Source: Environmental Simulation Center, LTD.

Project Site Boundary

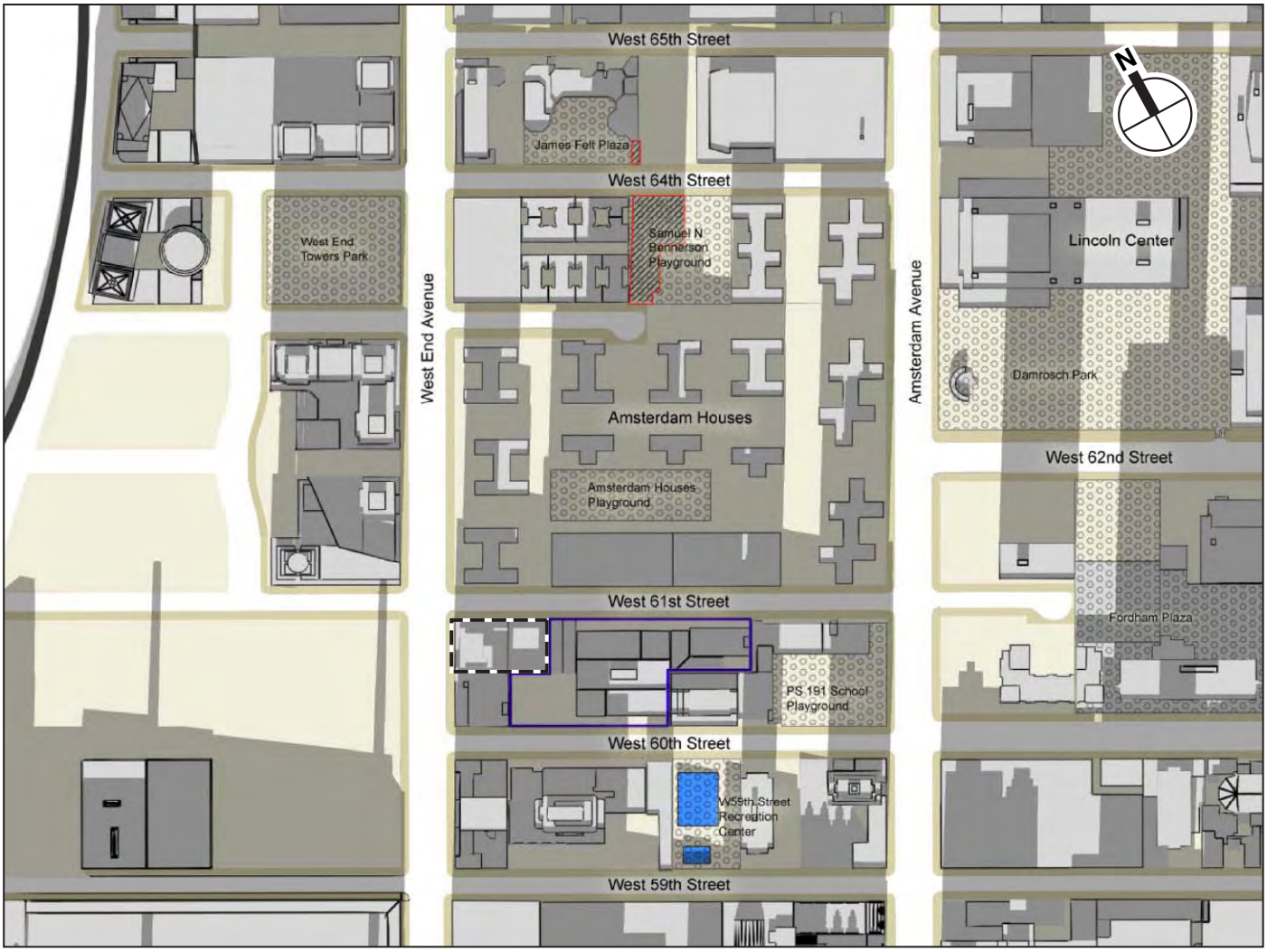
Projected Development Site

Shadow

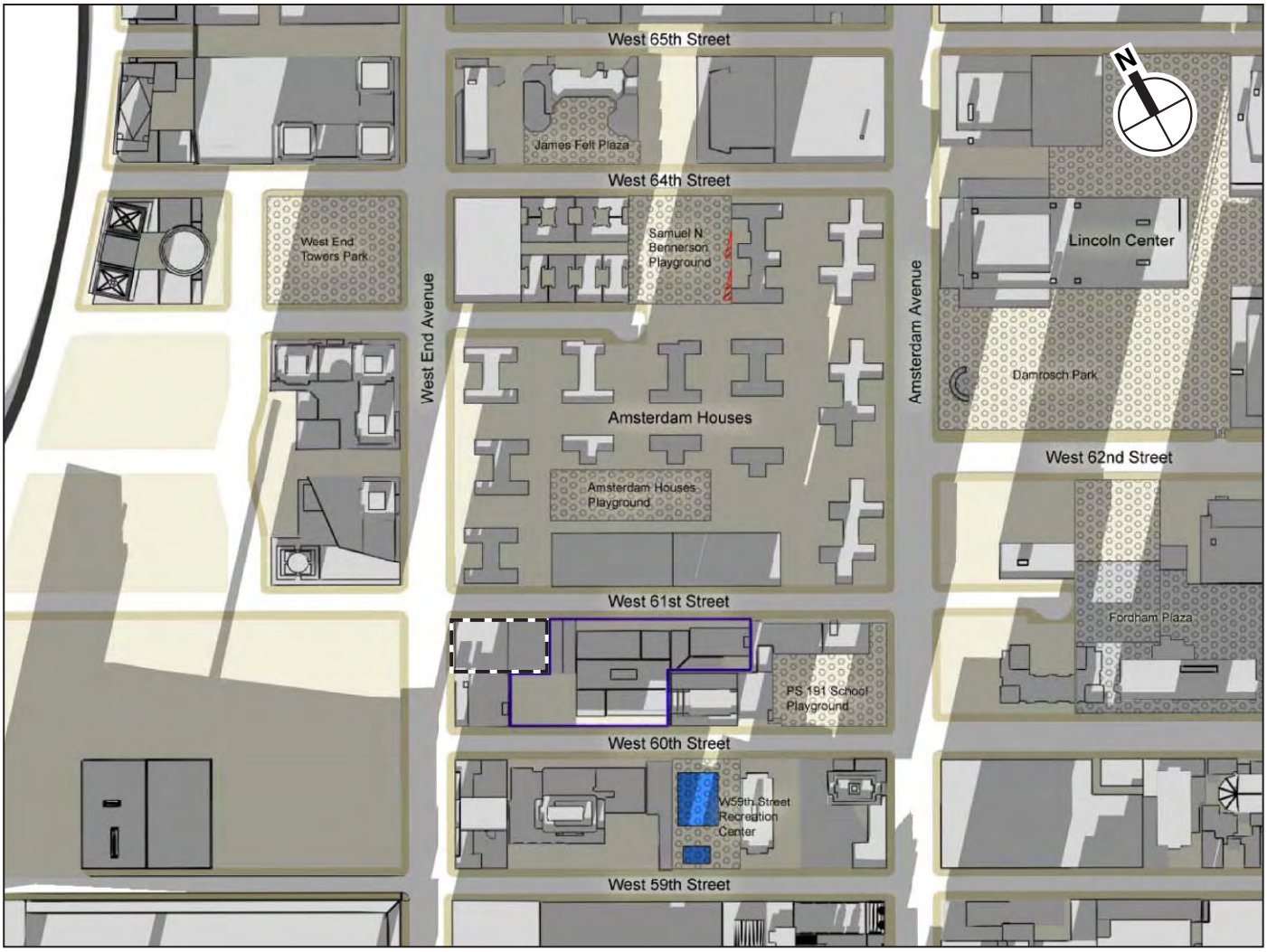
Open Space

Incremental Shadow on Open Space

December 21 1:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-9



December 21 2:00 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-10



Project Site Boundary

Projected Development Site

Shadow

Open Space

Incremental Shadow on Open Space

December 21 2:53 PM
Shadow Diagram
As-of-Right Alternative
Figure 25-11

Response: As shown in the Chapter 1, "Project Description," on Figure 1-4 the entrance and exit driveways of the proposed garage are located along West 60th and West 61st Streets, respectively, just west of the midpoint of the project block. The garage entrance and exit ramps would be more than 125 feet west of the P.S. 191 building on West 60th Street and over 150 feet from the P.S. 191 building on West 61st Street, respectively. The proposed garage entrance on West 60th Street would also be approximately 280 feet east of the Heschel School building. The traffic analysis presented in the EIS accounted for the likely circulation patterns associated with these access and egress locations and identified the potential traffic impacts. The comment does not specify what "problems with traffic" are foreseen. However, an examination of the area's traffic circulation patterns which was necessary to determine the likely assignment of project-generated traffic shows that the suggested reversal of the garage entrance and exit locations would result in an increase in traffic circulation in the area from project-generated vehicles, compared to the project as proposed. In addition, the choice of garage entrance and exit was made anticipating the street direction change. If the entrance/exits were reversed, then once the street direction change is implemented, it would lead to new vehicle-pedestrian conflicts at the West 61st Street/Amsterdam Avenue intersection from left turning vehicles heading to the project garage. The potential for this condition is eliminated with the garage access as proposed. As indicated in the DEIS, the garage will be designed and constructed with the required safety elements (lights, warning alarms, etc.) designated in the New York City Building Code.

The change in street direction is a traffic mitigation measure identified in the Riverside South FEIS (1992) for implementation in 2011, three years after the build year for the proposed action. Consequently, the DEIS does not consider the change in street direction in the analysis of no-build conditions.

In response to concerns of the Borough President's office, the project sponsor has conducted a traffic study in which the street direction is changed prior to the build year of the proposed action. The study concludes that the reversal of West 61st Street between Amsterdam and West End Avenues from one-way eastbound to one-way westbound would improve the overall traffic circulation in the area, since there is currently no westbound access between West 59th Street and West 66th Street. The analysis shows that it would have the effect of resulting in fewer project-generated impacts than under the proposed action with the street direction remaining unchanged. Mitigation for project-related impacts would still be required, and would be similar to those measures proposed for the proposed action. Appendix F contains a summary of the study.

Comment 17: The proposed parking garage does not meet finding 74-52(b) which requires that the garage will not inhibit pedestrian flow or contribute to neighborhood congestion. According to the EIS, the impact of the garage will increase the

turning delay at seven intersections. Even after factoring in proposed mitigation, delays will persist at Columbus Avenue and West 57th Street, Amsterdam Avenue and West 57th Street, and West End Avenue and West 59th Street. In total, 24 turning lanes will be impacted by the proposed rezoning, despite proposed mitigation. (1)

Response: As detailed in the EIS traffic analysis, the residential component would generate the majority of the vehicle trips associated with the proposed project and reasonable worst-case development scenario examined in this EIS. During the AM peak hour, the school use assumed under the reasonable worst-case development scenario on Lot 61 would also generate a substantial amount of vehicle trips. It should be noted that there are also medical offices and retail components to the proposed project that add to the overall trip generation. Collectively, these trips would be in the area and traverse the study area intersections whether or not there would be on-site parking. Hence, contrary to what is stated in the comment, the traffic impacts and increased intersection delays identified in the EIS analysis are primarily attributable to the residential and school components of the proposed project, rather than to the on-site public parking garage. In any case, for all of the traffic impacts identified in the analyses, feasible mitigation measures were developed that would eliminate the impacts. Furthermore, the pedestrian analyses conducted for the reasonable worst-case development scenario found that the proposed action would not result in any significant adverse pedestrian impacts. Therefore, the proposed parking garage does in fact comply with and meet Zoning Resolution finding 74-52(b).

Comment 18: The feasibility of the mitigation is questionable, especially considering other planning actions underway in the area and the mitigations proposed to manage their impacts. For example, the EIS proposes mitigation for this project by instituting daylighting on the west side turning lane of Ninth Avenue at West 57th Street. The EIS for the Hudson Yards rezoning proposed daylighting at the same intersection's southbound eastern lane. [Table 19-37 of Hudson Yards EIS]. If the mitigations recommended in both EISs are instituted, the combined effect will increase the width of Columbus Avenue by two lanes to handle the total proposed traffic. It is unlikely that this mitigation can be implemented without seriously impeding pedestrian flow at this intersection. Therefore, either this garage will impair pedestrian flow, or the mitigation will not be performed and it will impede traffic flow. While these two projects have different build years (2008 and 2010, respectively), the City should take a comprehensive planning perspective when approving new projects. (1)

Response: Per CEQR guidelines, the EIS traffic analysis accounted for measures approved by the project's future analysis year (2008). Hence, measures proposed as part of the Hudson Yards FEIS are not appropriate for, and were not considered in, the analysis. Nonetheless, the mitigation measures proposed for the two studies

were compared. This comparison revealed that 1) the table from the Hudson Yards FEIS referred to in the comment summarizes midday peak period traffic mitigation measures, whereas the proposed daylighting on the west side of Columbus Avenue approaching West 57th Street in this EIS is for the AM peak period; and 2) when comparing the proposed mitigation measures for the AM peak period, it is apparent that the measures proposed in this EIS are within the overall scope of mitigation approved for the Hudson Yards FEIS. The proposed daylighting measure to mitigate projected traffic impacts is also very standard and routinely approved by the New York City Department of Transportation (NYCDOT) to improve traffic flow. It would not be expected to impair pedestrian flow since it does not reduce the amount of available pedestrian circulation space. The mitigation proposed at this location would not change the width or length of the crosswalk, which in conjunction with walk time and pedestrian volumes, are the critical analysis parameters used to determine potential impacts. As indicated in the pedestrian analysis, it is not expected that the proposed action would result in any significant adverse pedestrian impacts. The proposed action would not be expected to add any pedestrians to this location. In addition, the change in signal timing suggested during the AM peak, as part of the traffic impact mitigation at this location, would give additional crossing time to pedestrians traversing Columbus Avenue at this location. Furthermore, as stated before, the projected traffic impacts are results of project-generated traffic, primarily from the proposed action's reasonable worst-case development scenario residential uses and the expanded school rather than from the provision of an on-site garage.

Comment 19: The Commission should approve garages to operate as they are studied in their environmental review. The EIS for this garage anticipates that it will be used nearly 100 percent as accessory parking. Approximately 188 spaces are anticipated to be used for residential use overnight, with the rest of the usage coming primarily from accessory retail and medical space. According to Table 14-22 of the EIS, the project generates at most two trips from the public parking garage at any given hour throughout the day. Since this garage has not been studied as a public parking garage, it should not be approved for public parking. (1)

Response: While the on-site garage would serve primarily proposed project needs, by operating it as a public parking garage, it could also accommodate other demand in the area. There are several facilities in the area that are independently situated and function exclusively for public parking, serving both monthly and transient parkers. It was recognized that these garages function differently and have different characteristics in daily parking distribution. Taking into consideration other available parking facilities near the proposed on-site parking garage, reasonable estimates were developed in consultation with DCP staff for analysis. ✷