Chapter 20: Alternatives

20.1 Introduction

As described in the *2014 CEQR Technical Manual*, alternatives selected for consideration in an environmental impact statement are generally those which are feasible and have the potential to reduce, eliminate, or avoid adverse impacts of a proposed action while meeting some or all of the goals and objectives of this action. As described in Chapter 1, "Project Description," the New York City Department of City Planning (DCP) is proposing zoning text and zoning map amendments that would collectively affect approximately 78 blocks in East Midtown, in Manhattan Community Districts 5 and 6 (collectively, the "Proposed Action"). The Proposed Action would establish the East Midtown Subdistrict within the existing Special Midtown District which would supersede the existing Grand Central Subdistrict, and allow for increased as-of-right floor area ratios (FARs) from between 18.0 and 27.0. The goal of the Proposed Action is to maintain East Midtown as one of the world's premier business districts, encourage the creation of new office space to ensure the area remains a key job center for the City and region, capitalize on the area's existing and expanding transportation network, and improve and add to the area's existing iconic pedestrian and built environments.

This chapter considers in detail the following four alternatives to the Proposed Action:

- A No-Action Alternative, which is mandated by CEQR and the State Environmental Quality Review Act SEQRA, and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part (i.e., no zoning changes).
- A No Unmitigated Significant Adverse Impact Alternative, which considers a development scenario that would not result in any identified significant, unmitigated adverse impacts.
- A Lesser Density Alternative, in which the proposed East Midtown Subdistrict would be mapped within the existing Special Midtown District and with the same geography as the Proposed Action. However, the as-of-right maximum densities would be reduced to between 16.0 and 25.0 FAR, instead of 18.0 and 27.0 FAR with the Proposed Action.
- A Modified Rezoning Boundary Alternative, where the East Midtown Subdistrict would be mapped excluding the east side of Third Avenue above East 46th Street.

Principal Conclusions

No-Action Alternative

The No-Action Alternative examines future conditions without the Proposed Action. This includes no amendments to the zoning map, and no new zoning text amendments to establish the proposed East Midtown Subdistrict of the Special Midtown District. Under the No-Action Alternative, it is anticipated that new development would occur on two of the Proposed Action's 16 Projected Development Sites. In total, on the 16 Projected Development Sites, there would be approximately 163 dwelling units

(DUs), 462,874 gross square feet (gsf) of retail, 6,812,920 gsf of commercial office, and 810,171 gsf of hotel space.

The technical chapters of this EIS have described the No-Action Alternative as "the Future without the Proposed Action." The significant adverse impacts anticipated for the Proposed Action would not occur with the No-Action Alternative. However, the No-Action Alternative would not achieve the goals of the Proposed Action, and the benefits expected to result from the Proposed Action—including protecting, promoting, and strengthening East Midtown as a premier business district; directing higher densities to areas that can accommodate future growth; locating growth proximate to the enlarging transportation infrastructure investment, and improving the area's public realm including transit access and circulation and at-grade open spaces—would not be realized under the No-Action Alternative. Without the Proposed Action, the trend toward the conversion of East Midtown's existing office buildings to other uses would continue, and the percentage of the area's square footage devoted to office uses under the No-Action Alternative would be lower compared to Existing Conditions. As a result, the purpose of the Proposed Action in reinforcing the Greater East Midtown area as an office district and using the large public investment in transit infrastructure, including the East Side Access and Second Avenue subway projects, to generate its full potential of jobs and tax revenue for the City and region would be at risk under this alternative.

No Unmitigated Significant Adverse Impact Alternative

The No Unmitigated Significant Adverse Impacts Alternative considers an alternative to the Proposed Action whereby new development would not result in any unmitigated significant adverse impacts that could not be fully mitigated. There is the potential for the Proposed Action to result in a number of significant adverse impacts for which no practicable mitigation has been identified to fully mitigate the impacts. Specifically, unmitigated impacts were identified with respect to open space, shadows, historic and cultural resources (architectural resources only), transportation (traffic, transit and pedestrians), and construction.

In order to eliminate all open space unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where the change in open space ratios when compared to the No-Action Condition would be below one percent. To achieve this, significant reductions in office and retail ground square footage would be required. For example, assuming all office development, only 1.5 million square feet could be developed over the No Action condition, introducing approximately 6,000 workers, to avoid the open space impact. This level of development is not consistent with the principal goals and objectives of the Proposed Action.

The Proposed Action could result in significant adverse shadows impacts for which there are no feasible or practicable mitigation measures that can be implemented to mitigate the impacts on the sunlight-sensitive features of St. Bartholomew's Church and Community House. Based on shadow modeling, it was determined that the height of any new development on Projected Development Site 7 would need to be limited to the height of the existing buildings on this site (approximately 300 feet tall) in order to eliminate the unmitigated significant adverse shadows impacts on St. Bartholomew's Church and Community House. However, if Projected Development Site 7 were limited to its existing height of 300 feet, it is anticipated significant adverse shadow impacts would be caused by Potential Development Sites C and D which are directly southwest of Projected Development Site 7 and would cast shadows in the same direction towards St. Bartholomew's. Consequently, if the existing height of Projected Development Site 7 is limited to 300 feet, any additional development on Potential Development Sites C and D beyond 300 feet in height is anticipated to extend the shadow duration that

covers all of the sunlight sensitive stained glass windows on St. Bartholomew's Church to result in a significant shadows impact.

The imposition of height restrictions on future developments at these sites would require capping the allowable FAR below that which would be permissible under the Proposed Action on these sites, and the use of such site-specific restrictions is not a practical solution from a zoning standpoint. Furthermore, reductions in the allowable FAR on these sites, below that which would be permissible under the Proposed Action, would be inconsistent with the overall purpose and need of the Proposed Action and is considered infeasible and impracticable.

The Proposed Action could result in unmitigated direct and construction-related significant adverse impacts on eligible historic architectural resources. In order to entirely avoid the potential unmitigated impacts, this alternative would require that Projected Development Sites 2, 4, 6 and 10 and Potential Development Site J be eliminated from the proposed rezoning. However, this would be inconsistent with the Proposed Action's goal to introduce new office buildings to the rezoning area in order to protect and strengthen East Midtown as a premier commercial district.

With respect to transportation, small increases in incremental project-generated traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Similarly, small increases in incremental project-generated volumes at congested escalators at subway stations would also result in significant adverse impacts that could not be fully mitigated during commuter peak hours, and small amounts of new development in the rezoning area could result in unmitigated transit impacts. Furthermore, small incremental increases in project-generated pedestrian volumes at some of the congested sidewalks, crosswalks and corner areas would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour, and almost any new development in the rezoning area could result in unmitigated pedestrian impacts. Therefore, no reasonable alternative could be developed to completely avoid such traffic, transit, and pedestrian impacts without substantially compromising the Proposed Action's stated goals. Similarly, no reasonable alternative could be developed that would not result in significant adverse transportation impacts.

With respect to construction traffic, nearly all of the unmitigated significant adverse traffic impacts would occur during the construction PM peak hour, which includes project-generated trips from vehicles generated by construction activities as well as operational traffic associated with the Proposed Action (trips associated with completed Projected Development Sites). As discussed above, small increases in incremental project-generated traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour. Thus, almost any new development in the rezoning area or construction-generated traffic could result in unmitigated traffic impacts. No reasonable alternative could be developed that would not result in significant adverse construction impacts to traffic.

Unmitigated construction noise impacts were also identified in the receptor locations in the immediate vicinity of Projected Development Sites 4 and 5 during the peak construction period. Therefore, if Projected Development Sites 4 and 5 were removed from the Proposed Action or were phased at different times, there may be the potential to avoid the unmitigated significant adverse impacts. The identified Projected Development Sites are key components of the Proposed Action, and additionally, there is no reasonable way to guarantee a particular construction phasing plan in an area-wide rezoning. And so, ultimately, there is not be a reasonable or feasible alternative to completely avoid

such impacts at locations adjacent to development sites while still maintaining the Proposed Action's stated goals.

Overall, in order to eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

Lesser Density Alternative

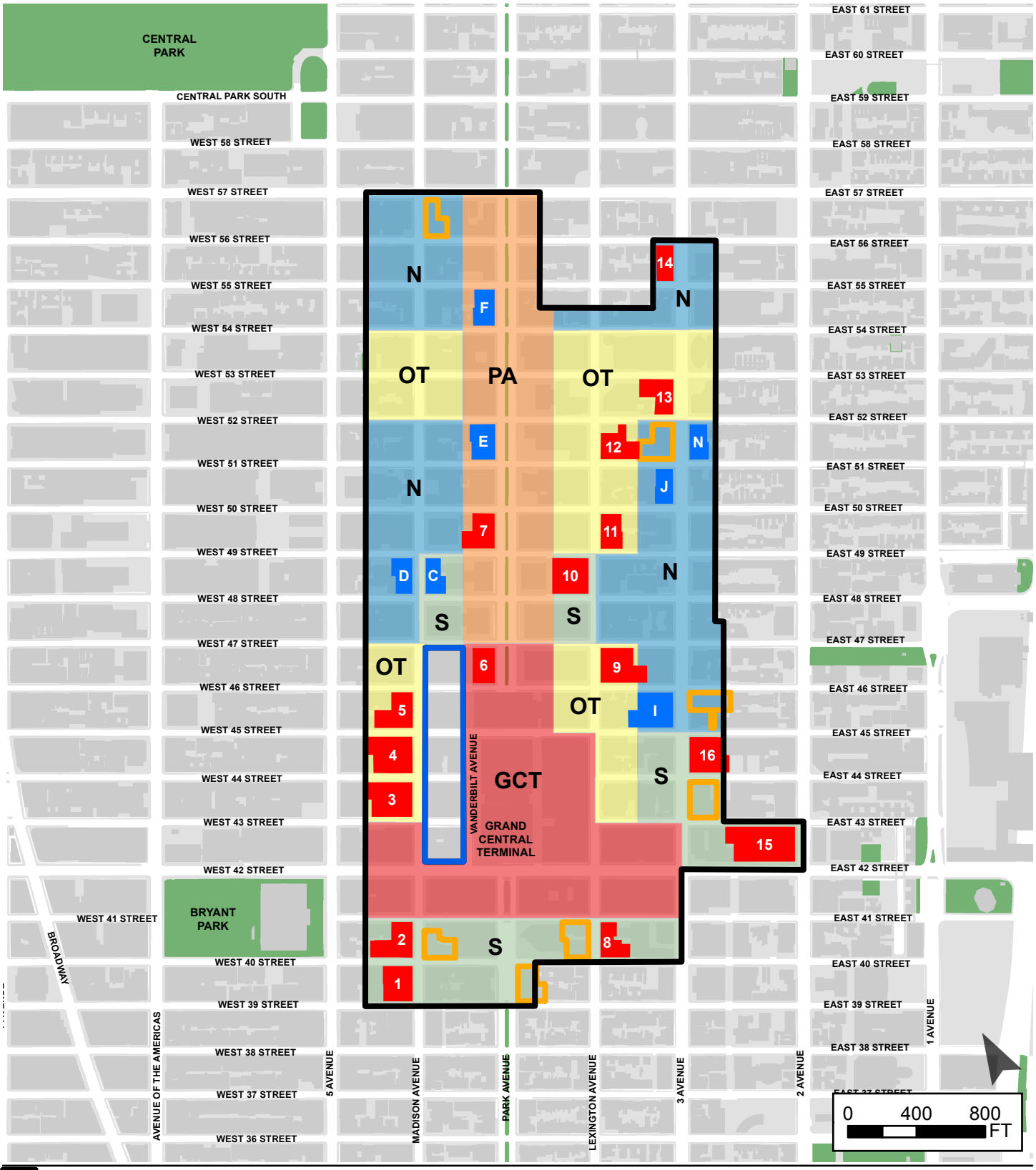
The Lesser Density Alternative (LDA) was developed for the purpose of assessing whether reducing the proposed density of the Proposed Action would eliminate or reduce the significant adverse impacts of the Proposed Action while also meeting the goals and objectives of the Proposed Action. As under the Proposed Action, a new East Midtown Subdistrict would be mapped within the existing Special Midtown District and with the same geography. However, as shown in Table 20.1, with the LDA, as-of-right maximum densities in the Subdistrict would be reduced from those in the Proposed Action, and would range from 16.0 to 25.0 FAR based on the subdistrict. As shown on Figure 20-1 and summarized in Table 20.1, with the LDA, the as-of-right maximum density in the TIZ immediately surrounding Grand Central Terminal would be 25.0 FAR. The area along Park Avenue, north of East 47th Street would have a maximum as-of-right density of 23.0. In the TIZs east and west of the Grand Central core and the area surrounding the Fifth Avenue-53rd Street and Lexington Avenue-51st/53rd Streets subway stations, the as of-right maximum density would be 21.6 FAR. In the area encircling the Grand Central TIZ, the as-of-right maximum density would be 18.0 FAR for the blocks nearest Grand Central Terminal's below-grade network and 16.0 FAR for more distant blocks.

Table 20.1: Comparison of Proposed Action and Lesser Density Alternative FARs by Subarea

Subarea	Proposed Action FAR	Lesser Density Alternative FAR
Northern Subarea	18.0	16.0
Southern Subarea	21.6	18.0
Other Transit Improvement Zone Subarea	23.0	21.6
Park Avenue Subarea	25.0	23.0
Grand Central Improvement Zone Subarea	27.0	25.0

As such, and illustrated on Figure 20-1, the Reasonable Worst-Case Development Scenario (RWCDS) for the LDA would include all 16 Projected Development Sites, but only seven of the 14 Potential Development Sites located within the proposed rezoning area. Because of the lower densities allowed under the LDA, seven of the Potential Development Sites would be more than 85 percent built in relation to the maximum permitted FAR; therefore, these seven sites would exceed the site selection criteria for the RWCDS (refer to Chapter 1.0, "Project Description") and would not qualify as be either potential or projected development sites. All of the Projected Development Sites would remain less than 85 percent built in relation to their maximum permitted FARs and are thus included in the LDA analysis.

The same development mechanisms would apply for the LDA, including the ability for Qualifying Sites (sites that are eligible for the proposed as-of-right framework) to utilize the new district-wide as-of-right landmark transfer mechanism, the ability for buildings with non-complying floor area that meet certain site criteria to be rebuilt to their existing density, and requirement that Qualifying Sites within TIZs undertake pre-identified transit improvements. The Modifications of Subdistrict



Proposed Greater East Midtown Rezoning Boundary
Vanderbilt Corridor (Existing Regulations Apply)
1 Projected Development Site (w/ I.D. Label)
A Potential Development Site (w/ I.D. Label)
Proposed Action Potential Development Site

LDA Subdistrict Maximum Permissibe FAR

Northern Subarea (N) - 16.0 FAR
Southern Subarea (S) - 18.0 FAR
Other Transit Improvement Zone Subarea (OT) - 21.6 FAR
Park Avenue Subarea (PA) - 23.0 FAR
Grand Central Improvement Zone Subarea (GCT) - 25.0 FAR

Greater East Midtown Rezoning
Manhattan, New York

Lesser Density Alternative Subdistricts and Sites

Figure 20-1

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Regulations special permit, the Public Concourse special permit and Hotel Special Permit would continue to apply to appropriate sites district-wide and the Transit Improvement Special Permit would continue to apply within the TIZs. In addition, under the LDA, the proposed zoning map amendment to portions of the midblock areas between East 42nd and East 43rd Streets and Second and Third Avenues would continue to occur.

The LDA would be compatible with the Proposed Action's intent of:

- Strengthening Greater East Midtown as a regional job center by seeding the area with new modern and sustainable office buildings;
- Helping to preserve and maintain landmarked buildings by permitting their unused development rights to transfer within the district's boundary;
- Permitting overbuilt buildings to retain their non-complying floor area as part of a new development on the site; and
- Upgrading the area's public realm through improvements that create pedestrian friendly public spaces and that facilitates safer, more pleasant pedestrian circulation within the transit stations and the street network.

However, by reducing the density of the proposed East Midtown Subdistrict, the LDA would engender less new office development than the Proposed Action and yield fewer upgrades to the area's public realm and pedestrian network.

In the LDA, the 16 Projected Development Sites would be unable to utilize all 3.6 million square feet of available landmark TDRs due to the lesser densities allowed with the LDA. Compared to the Proposed Action, the LDA would result in a 35 percent reduction in contribution into the Public Realm Improvement Fund, which is contemplated to undertake the prioritized list of above- and below-grade improvements that comprise the Concept Plan (refer to Chapter 1.0, Project Description. However, the LDA would continue to be sufficient to fund all of the below-grade transit station improvements, but the reductions in density would also engender slightly fewer above-grade public realm improvements. The number and scale of required improvements are factored as a percent of built density.

As noted above, under the LDA, there would be 23 Projected and Potential Development Sites (16 Projected Sites and 7 Potential Sites), as compared to 30 Projected and Potential Development Sites (16 Projected Sites and 14 Potential Sites) under the Proposed Action. The LDA would result in an increment of approximately 5.1 million gsf of office space, approximately 139,025 gsf of retail uses, and losses of 810,171 gsf of hotel floor area, 113,820 gsf of residential uses, and 62 residential units.

The LDA would introduce a total of approximately 165 residents and 49,436 workers on the 16 Projected Development Sites. Compared to the Proposed Action, the LDA would result in an increment of approximately 1.5 million gsf less of office space, no change in retail space, no change in lost hotel space, and 35,542 less gsf of residential floor area compared to the No-Action Condition. The LDA would result in 5,954 fewer workers than the Proposed Action.

Modified Rezoning Boundary Alternative

This alternative would map the East Midtown Subdistrict with one modification. The easterly boundary would be the same as the Proposed Action between East 40th Street and the center line between East 47th and East 48th streets, but above the center line between East 47th and East 48th

streets, the boundary would be modified and moved to the center line of Third Avenue. This modification would remove Potential Development Site N from the rezoning area. The principal differences of this alternative compared to the Proposed Action are that urban design conditions would be slightly altered and (E) designations for hazardous materials, air quality and noise identified as necessary under the Proposed Action for Potential Development Site N would not be needed. The analysis of the Proposed Action did not identify any potential significant adverse impacts associated with the development of Potential Development Site N, so removing it from the proposed rezoning area would result in essentially the same impacts as under the Proposed Action. This alternative would not reduce or lessen any of those impacts, would require the same mitigation and would result in the same unmitigated impacts as the Proposed Action.

20.2 No-Action Alternative

The No-Action Alternative assumes that the proposed zoning map and text changes of the East Midtown rezoning proposal are not implemented. This includes no amendments to the zoning map and no new zoning text amendments to establish the proposed East Midtown Subdistrict of the Special Midtown District. Conditions under this alternative are similar to the "Future without the Proposed Action" described in the preceding chapters, which are compared in the following sections to conditions under the Proposed Action.

Under the No-Action Alternative, it is anticipated that new development would occur on two of the Proposed Action's 16 Projected Development Sites:

- Part of Projected Site 3 (10-14 East 44th Street)
- Projected Site 14 (914-928 Third Avenue, 159 East 55th Street and 164 East 56th Street)

Both would be redeveloped as residential buildings. Therefore, in total, on the 16 Projected Development Sites, there would be approximately 163 dwelling units (DUs), 462,874 gsf of retail, 6,812,920 gsf of commercial office, and 810,171 gsf of hotel space. This is compared to the Proposed Action, which would result in 119 DUs, 601,899 gsf of retail, 13,394,777 gsf of commercial office, and no hotel space on the 16 Projected Development Sites.

The effects of the No-Action Alternative in comparison to those of the Proposed Action are provided below.

Land Use, Zoning, and Public Policy

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to land use, zoning, or public policy. However, without the Proposed Action, the trend toward the conversion of East Midtown's existing office buildings to other uses would continue, and the percentage of the area's square footage devoted to office uses under the No-Action Alternative would be lower compared to Existing Conditions. As a result, the area's distinction as one of the world's premier business addresses and key job centers for the City and the region would be at risk under this alternative.

In the No-Action Alternative, based on existing zoning and land use trends and general development patterns, it is anticipated that the rezoning area would experience limited overall growth, most of it

concentrated in non-office uses including hotels and mixed-use residential buildings. In addition, as office space in the area becomes less economically viable, it is possible that a number of existing office buildings would convert to other uses, predominantly residential. However, as a result of the Vanderbilt Corridor project, several commercial developments are slated for the area just west of Grand Central Terminal. Outside of Grand Central Terminal's immediate vicinity, existing buildings are expected to remain in their current predominantly office uses, but would likely be of lower quality since the overall area is expected to become less desirable as an office district as office stock continues to age. In comparison to the future with the Proposed Action, under the No-Action Alternative there would be more residential uses and fewer office, retail, and hotel uses.

As with the Proposed Action, four transportation projects planned for the area (East Side Access, Second Avenue Subway [Phase 1], Pershing Square pedestrian plaza, and a pedestrian plaza on the portion of Vanderbilt Avenue between East 42nd and East 43rd Streets) would occur in the No-Action Alternative. These planned transportation projects would increase pedestrian activity in the area, particularly around Grand Central Terminal. However, the below-grade and at-grade public realm improvements facilitated by the landmark Transfer of Development Rights (TDR) fund under the Proposed Action would not occur under the No-Action Alternative. The Special UN District would be expanded to include the western portion of Robert Moses Playground, which is the site of the proposed UNDC project. No other changes to zoning or public policy would occur.

Neither the No-Action Alternative nor the Proposed Action would result in significant adverse impacts to land use, zoning, or public policy. However, the benefits expected to result from the Proposed Action—including protecting, promoting, and strengthening East Midtown as a premier business district; directing higher densities to areas that can accommodate future growth; and improving the area's public realm—would not be realized under the No-Action Alternative.

Socioeconomic Conditions

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to socioeconomic conditions.

Absent the Proposed Action, it is anticipated that new development would occur on only two of the Proposed Action's 16 Projected Development Sites. As mentioned, in total, on the 16 Projected Development Sites, there would be approximately 163 dwelling units (DUs), 462,874 gsf of retail, 6,812,920 gsf of commercial office, and 810,171 gsf of hotel space. Both the Proposed Action and the No-Action Alternative do not trigger a need for a direct residential displacement analysis, nor would they induce a trend that could potentially result in changing socioeconomic conditions for the residents within the rezoning area. The following summarizes the potential socioeconomic effects of the No-Action Alternative on business and institutional displacement as compared to those of the Proposed Action.

Direct Business and Institutional Displacement

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts due to direct business displacement. Both the Proposed Action and the No-Action Alternative would result in some direct business and institutional displacement. Similar to the businesses directly displaced as a result of the Proposed Action, the businesses displaced due to the No-Action Alternative conduct a variety of business activities and do not provide products or services essential to the local

economy that would otherwise be unavailable, nor are they the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. The businesses are not unique to the quarter-mile study area, nor do they serve a user base that is dependent on their location within the study area. It is expected that the potentially displaced businesses would be able to find comparable space within the study area or elsewhere within the city.

Indirect Business and Institutional Displacement

Neither the Proposed Action nor the No-Action Alternative would be expected to have a significant adverse indirect business displacement impact. Similar to the Proposed Action, the No-Action Alternative would not introduce new economic activities that would alter existing economic patterns in the study area nor would it alter the land use character of the rezoning area. Compared to the Proposed Action, the No-Action Alternative would result in less commercial development and an increase in residential and hotel development than would otherwise occur with the implementation of the Proposed Action. There would be comparably fewer new jobs under the No-Action Alternative.

Under the No-Action Alternative, the percent of the proposed rezoning area's square footage devoted to office stock uses would be lower compared to Existing Conditions and the range of office space more limited. As the bulk of the office stock in the area continues to age with little to no replacement stock added, the dynamism of the East Midtown office market and Central Business District is anticipated to diminish under the No-Action Alternative. In addition, the anticipated socioeconomic benefits of the Proposed Action, including creating new opportunities for existing businesses to expand, attracting employers to the City, and providing support for the overall continued long-term health of the area as an integrated and dynamic office district, would not be realized under this alternative.

Adverse Effects on Specific Industries

Neither the Proposed Action nor the No-Action Alternative would result in significant adverse impacts on specific industries. Although the Proposed Action would allow hotel construction only by special permit and there would be some direct displacement, the special permit requirement would allow controlled growth in the hotel industry while maintaining the Central Business District's character as a world class office destination. Therefore, there would be no significant adverse impacts from the Proposed Action due to adverse effects on specific industries. Comparatively, under the No-Action Alternative, the special permit would not be created, and nor would any other regulatory change affecting the City as a whole. Therefore, like the Proposed Action, the No-Action Alternative would not significantly affect business conditions in any industry or any category of business within or outside the study area.

Open Space

Like the Proposed Action, the No-Action Alternative would result in a significant adverse impact on open space. In the No-Action Alternative, the development of four new open spaces would add a total of 0.66 acres within the study area. These open spaces include two Department of Transportation (DOT) pedestrian plazas, at Vanderbilt Plaza and the new Pershing Square Plaza, and two new privately developed open spaces at 7-11 East 51st Street and 685 First Avenue.

In the No-Action Condition, it is anticipated that new development in the study area would result in a population increase of 28,435 non-residents and 43,813 combined non-residents and residents, compared to Existing Conditions. Additionally, the supply of publicly accessible passive open space in the study area is expected to increase by 0.66 acres from Existing Conditions. The ratio of passive open space per 1,000 non-residents in the No-Action Alternative would be 0.066, which remains less than half of the CEQR benchmark of 0.15. The combined open space ratio would be 0.059 acres of passive open space per 1,000 non-residents and residents, which is lower than the weighted average benchmark of 0.189. The open space ratios calculated for the No-Action Alternative represent a percent decrease of 3.0 for non-residents and a percent decrease of 5.0 for combined non-residents and residents, compared to the Proposed Action in which there is a 4.45 percent decrease for the non-residential population and the 3.97 percent decrease for the combined non-residential and residential population. Thus, in the No-Action Alternative, the amount of passive open space available to serve the non-residential population, as well as the combined non-residential and residential population, would continue to be less than the benchmarks established in the *CEQR Technical Manual*, and therefore a significant adverse open space impact would occur under the No-Action Alternative.

Shadows

Unlike the Proposed Action, the No-Action Alternative would not result in any significant adverse shadows impacts.

In the No-Action Alternative, incremental shadows identified with the Proposed Action would not be cast on publicly accessible open spaces and sunlight-sensitive historic resources. As such, the No-Action Alternative would not result in the significant adverse shadows impacts on the sunlight-sensitive features of St. Bartholomew's Church and Community House that would occur with the Proposed Action. Furthermore, similar to the Proposed Action, no other publicly accessible open spaces or sunlight-sensitive historic resources would be significantly affected by shadows in the No-Action Alternative.

Historic and Cultural Resources

Under the No-Action Alternative, new development would occur on only two of the Proposed Action's 16 Project Development Sites, and none of the 14 Potential Development Sites, in accordance with existing zoning.

Like the Proposed Action, the No-Action Alternative would not result in any significant adverse impacts to archaeological resources.

In terms of architectural resources, like the Proposed Action, the No-Action Alternative would not result in significant adverse direct impacts to designated and eligible historic districts or to individually designated resources nor would it result in indirect or contextual impacts to resources. With fewer sites projected for development, the No-Action Alternative would not result in the Proposed Action's direct impacts to six eligible resources: the New York City Landmark (NYCL)-eligible 22-24 East 41st Street Building (#94), the NYCL-eligible Title Guarantee and Trust Company Building at 6 East 45th Street (#99), the State and/or National Register of Historic Places (S/NR)-eligible Barclay/Inter-Continental Hotel at 111 East 48th Street (#103), the NYCL- and S/NR-eligible Postum Building at 250 Park Avenue (#129), the NYCL-eligible Girl Scout Building at 830 Third Avenue (#133), and the S/NR-eligible 346

Madison Avenue Building (#141). Similarly, the No-Action Alternative would require fewer Construction Protection Plans (CPPs) for designated resources and would result in fewer potential construction-period impacts on eligible resources.

Urban Design and Visual Resources

As with the Proposed Action, the No-Action Alternative is not expected to result in any adverse impacts to urban design or visual resources.

The No-Action Alternative assumes that new development would only occur on two of the Proposed Action's 16 Projected Development Sites, and none of the Potential Development Sites, in accordance with existing zoning. Under the No-Action Alternative, the established land use pattern and urban form that characterizes both the primary and secondary study areas would be expected generally to resemble Existing Conditions. No-Action developments would reinforce the density that characterizes the urban design of Greater East Midtown, as well as introduce buildings of type and size similar to many of the more recently constructed buildings in Greater East Midtown today.

The building bulk of the developments that are expected with both the No-Action Alternative and the Proposed Action would not change the built environment's arrangement, appearance, or functionality, and the introduction of new buildings would not affect a pedestrian's experience of public space in the Greater East Midtown area. Furthermore, similar to the Proposed Action, existing iconic views of visual resources within or from the proposed rezoning area would generally remain unchanged in the No-Action Alternative. In both scenarios, views of important visual resources from certain vantage points would be modified by new buildings, but obstructed.

Hazardous Materials

In the No-Action Alternative, regulatory requirements pertaining to any identified petroleum storage tanks and/or spills, requirements for disturbance and handling of suspect lead-based paint (LBP), asbestos-containing materials (ACM) and PCB-containing building materials, as well as requirements for off-site disposal of soil/fill, would be followed. However, any construction involving soil disturbance could potentially create or increase pathways for exposure to potential subsurface impacts (i.e., impacted soils, groundwater and/or soil vapor). For the two sites that are projected for development in the No-Action Condition, part of Projected Development Site 3 and Projected Development Site 14, there are currently no (E) designations in place. As no (E) designations for hazardous materials would be applied to the Potential and Projected Development sites absent the Proposed Action, soil, groundwater and soil vapor conditions would not be investigated, and therefore, potential impacts related to these sites may not be mitigated in accordance with the standard procedures for (E) designated properties (e.g., preparation of an approved Work Plan, Remedial Investigation Report [RIR] and preparation and implementation of an approved Remedial Action Plan [RAP] and Construction Health and Safety Plan [CHASP] under the direction of the New York City Office of Environmental Remediation). As such, in the No-Action Alternative, investigation and mitigation of potential hazardous materials conditions would not be as stringent as under the Proposed Action.

Water and Sewer Infrastructure

Neither the Proposed Action nor the No-Action Alternative would result in any significant adverse impacts on the City's water supply, wastewater treatment or stormwater conveyance infrastructure.

Compared with the Proposed Action, the No-Action Alternative would generate less demand on New York City's water supply and wastewater treatment infrastructure.

Solid Waste and Sanitation Services

Neither the Proposed Action nor the No-Action Alternative would adversely affect solid waste and sanitation services, or place a significant burden on the City's solid waste management system.

While solid waste generated by the Projected Development Sites would increase under both the No-Action Alternative and the Proposed Action, due to the increase in residential units under the No-Action Alternative, the No-Action Alternative is projected to result in a greater increase in solid waste generation handled by New York City's Department of Sanitation (DSNY) than the Proposed Action. However, this increase in solid waste would be equivalent to less than one additional DSNY collection truck, and similar to the Proposed Action, would therefore not result in a significant adverse impact on solid waste and sanitation services.

Energy

Neither the Proposed Action nor the No-Action Alternative would generate significant adverse impacts with respect to the transmission or generation of energy.

Like the Proposed Action, the No-Action Alternative would generate increased demands on New York City's energy services, but the demand generated by the No-Action Alternative would be considerably less than for the Proposed Action. However, under both the Proposed Action and the No-Action Alternative, the annual increase in demand would represent a negligible amount of the City's forecast annual energy requirements for 2036.

Transportation

In the No-Action Alternative, traffic, parking, transit, and pedestrian demand in the study area would increase as a result of background growth, development that could occur pursuant to existing zoning (i.e., as-of-right-development), and other development projects likely to occur within and in the vicinity of the study area.

Unlike the Proposed Action, the No-Action Alternative would not result in significant adverse traffic impacts to 101, 101, and 106 intersections in the weekday AM, Midday, and PM peak hours, respectively. Although the No-Action Alternative would not result in significant adverse transit impacts to three subway stations, it would not include the pre-identified transit improvements that would be implemented as part of the Proposed Action. Furthermore, the Proposed Action's significant adverse impacts to 10 sidewalks, 27 crosswalks, and 22 corner areas in one or more peak hours peak hours would not occur under the No-Action Alternative. Like the Proposed Action, no parking shortfall would be expected under the No-Action Alternative.

Traffic

Independent of the Proposed Action, traffic levels of services at many locations in the study area would experience congested conditions in the future. As shown in Table 20.2, in the No-Action Alternative, 647 approach movements at signalized intersections would operate at Level of Service (LOS) E or worse, compared to 722 approach movements in the Proposed Action. Specifically, in the weekday AM peak hour, 79 movements would operate at LOS E and 140 movements would operate at LOS F in the No-Action Alternative. This compares with 64 movements at LOS E and 178 movements at LOS F with the Proposed Action. In the weekday Midday peak hour, 89 movements would operate at LOS E and 120 movements would operate at LOS F in the No-Action Alternative. This compares with 72 movements at LOS E and 156 movements at LOS F with the Proposed Action. Lastly, in the weekday PM peak hour, 94 movements would operate at LOS E and 125 movements would operate at LOS F in the No-Action Alternative. This compares with 74 movements at LOS E and 178 movements at LOS F with the Proposed Action. Table 20.2 also shows that the No-Action Alternative would have 832 movements operating at a v/c ratio of 0.90 or more, as compared to 884 with the Proposed Action. As with the Proposed Action, one unsignalized movement would operate at LOS E or worse in the No-Action Alternative. The No-Action Alternative would have no unsignalized movements operating at a v/c ratio of 0.90 or more, as compared to one with the Proposed Action.

Table 20.2: Summary of Level of Service by Movement – No-Action Alternative vs. Proposed Action

	2036 No-Action				2036 With-Action			
	Peak Hour				Peak Hour			
Levels of Service	AM	Midday	PM	Total	AM	Midday	PM	Total
Signalized Intersections								
Movements at LOS A/B/C	182	166	161	509	162	158	149	469
Movements at LOS D	54	62	62	178	51	51	41	143
Movements at LOS E	79	89	94	262	64	72	74	210
Movements at LOS F	140	120	125	385	178	156	178	512
TOTAL	455	437	442	1,334	455	437	442	1,334
Movements at v/c ≥0.90	266	277	289	832	284	292	308	884
Unsignalized Intersections								
Movements at LOS A/B/C	1	2	2	5	1	2	2	5
Movements at LOS D	0	0	0	0	0	0	0	0
Movements at LOS E	1	0	0	1	1	0	0	1
Movements at LOS F	0	0	0	0	0	0	0	0
TOTAL	2	2	2	6	2	2	2	6
Movements at v/c ≥0.90	0	0	0	0	1	0	0	1

Unlike the Proposed Action, the No-Action Alternative would not result in significant adverse impacts at 101, 101, and 106 intersections in the weekday AM, Midday, and PM peak hours, respectively. Of these, 77 intersections could not be mitigated in the Proposed Action in the weekday AM peak hour, 56 intersections could not be mitigated in the Proposed Action in the weekday Midday peak hour, and 77 intersections could not be mitigated in the Proposed Action in the weekday PM peak hour. The above-grade public realm improvements that would be implemented as part of the Proposed Action would not occur under the No-Action Alternative.

Transit

Subway

Under the No-Action Alternative, subway facilities in the proposed rezoning area would experience an increase in demand as a result of background growth, as-of-right development, and future developments anticipated throughout the study area. Although the No-Action Alternative would not result in significant adverse transit impacts to three subway stations, it would not include the pre-identified transit improvements that would be implemented as part of the Proposed Action. AM and PM peak hour conditions at analyzed subway station elements under the No-Action Alternative are discussed below.

Grand Central 42nd Street

Under the No-Action Alternative, 17 of the 37 analyzed stairs at the Grand Central 42nd Street subway station are expected to operate at LOS D or worse during the AM peak hour; there would be 10 stairs operating at LOS D, six stairs operating at LOS E, and one stair operating at LOS F. Under the Proposed Action, 21 of the 38 analyzed stairs would operate at LOS D or worse during the AM peak hour; there would be 17 stairs operating at LOS D and four stairs operating at LOS E. Under the No-Action Alternative, 10 of the 37 analyzed stairs are expected to operate at LOS D or worse during the AM peak hour; there would be six stairs operating at LOS D and four stairs operating at LOS E. Under the Proposed Action, 12 of the 38 analyzed stairs would operate at LOS D or worse during the PM peak hour; there would be nine stairs operating at LOS D and three stairs operating at LOS E. Under both the No-Action Alternative and the Proposed Action, all of the analyzed fare control areas and the analyzed passageway are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours. Under both the No-Action Alternative and the Proposed Action, all eight of the analyzed escalators are expected to operate at LOS D or worse in the AM peak hour. During the PM peak hour, five of the eight analyzed escalators are expected to operate at LOS D or worse under the No-Action Alternative whereas six of the eight analyzed escalators would operate at LOS D or worse under the Proposed Action.

42nd St-Bryant Park

Under both the No-Action Alternative and the Proposed Action, two of the eleven analyzed stairs at the 42nd Street-Bryant Park subway station are expected to operate at LOS D during the AM and PM peak hours. All other analyzed stairways and fare control areas are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours under both the No-Action Alternative and the Proposed Action.

Fifth Avenue

Under both the No-Action Alternative and the Proposed Action, one of the seven analyzed stairs at the Fifth Avenue subway station is expected to operate at LOS D in the AM peak hour. All other analyzed stairways and all analyzed fare control areas are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours under both the No-Action Alternative and the Proposed Action.

47th-50th Streets-Rockefeller Center

Under the No-Action Alternative, five of the 20 analyzed stairs at the 47th-50th Streets-Rockefeller Center subway station are expected to operate at LOS D or worse in the AM peak hour; there would

be three stairs operating at LOS D and two stairs operating at LOS E. Under the Proposed Action, as a result of the transit improvements, three of the 20 analyzed stairs would be expected to operate at LOS D or worse in the AM peak hour; there would be two stairs operating at LOS D and one stair operating at LOS E. Under both the No-Action Alternative and the Proposed Action, three of the 20 analyzed stairs are expected to operate at LOS D or worse in the PM peak hour. Under the No-Action Alternative, one stair would operate at LOS D, one stair would operate at LOS E, and one stair would operate at LOS F; however, under the Proposed Action, as a result of the transit improvements, one stair would operate at LOS D and two stairs would operate at LOS E. All analyzed fare control areas are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours under both the No-Action Alternative and the Proposed Action.

51st Street

Under the No-Action Alternative, one of the eight analyzed stairways at the 51st Street subway station would be expected to operate at LOS D or worse in both the AM and PM peak hours. Under the Proposed Action, as a result of the transit improvements, all of the analyzed stairways would operate at an acceptable LOS C or better in both the AM and PM peak hours. Under both the No-Action Alternative and the Proposed Action, all of the analyzed fare control areas are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours. In both the No-Action Alternative and the Proposed Action, the analyzed passageway connecting this station to the Lexington Avenue-53rd Street subway station would operate at LOS D in the AM peak hour and LOS C in the PM peak hour. In the No-Action Alternative, the analyzed Escalator E252 would operate at LOS D in the AM peak hour and LOS B in the PM peak hour; this escalator would not exist in the Proposed Action as it and the adjoining stair would be replaced by a wider stairway.

Lexington Avenue-53rd Street

Under both the No-Action Alternative and the Proposed Action, one of the six analyzed stairs at the Lexington Avenue-53rd Street subway station are expected to operate at LOS D or worse during at least one peak hour. Under both the No-Action Alternative and the Proposed Action, all of the analyzed fare control areas are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours. Under the No-Action Alternative, two of the six analyzed escalators would be expected to operate at LOS D or worse in the AM peak hour, and three of the six analyzed escalators would be expected to operate at LOS D or worse in the PM peak hour. As a comparison, three of the six analyzed escalators would be expected to operate at LOS D or worse in the AM peak hour and four of the six analyzed escalators would be expected to operate at LOS D or worse in the PM peak hour under the Proposed Action.

Lexington Avenue-59th Street

Under the No-Action Alternative, all three of the analyzed stairways at the Lexington Avenue-59th Street subway station would be expected to operate at LOS D or worse in the AM peak hour. Under the Proposed Action, as a result of the transit improvements, all three of the analyzed stairs would operate at an acceptable LOS C or better in the AM peak hour. During the PM peak hour, five of the nine analyzed stairways would be expected to operate at LOS D or worse under the No-Action Alternative. Under the Proposed Action, only three of the nine analyzed stairways would be expected to operate at LOS D or worse as a result of the transit improvements. Under both the No-Action Alternative and the Proposed Action, all of the analyzed fare control areas and escalators are expected to operate at an acceptable LOS C or better in both the AM and PM peak hours.

Fifth Avenue-53rd Street

Under the No-Action Alternative, two of the four analyzed stairs at the Fifth Avenue-53rd Street subway station are expected to operate at LOS D or worse in the AM peak hour. Under the Proposed Action, as a result of the transit improvements, all of the analyzed stairs would operate at an acceptable LOS C or better in the AM peak hour. All of the analyzed stairways are expected to operate at an acceptable LOS C or better in the PM peak hour under both the No-Action Alternative and the Proposed Action. Under the No-Action Alternative, both of the analyzed escalators are expected to operate at LOS D or worse in the AM peak hour and one of the two analyzed escalators are expected to operate at LOS D or worse in the PM peak hour. Under the Proposed Action, as a result of the transit improvements, all of the analyzed escalators would operate at an acceptable LOS C or better in both the AM and PM peak hours.

Bus

Under the No-Action Alternative, demands on the local and express bus services operating in the vicinity of the rezoning area are expected to increase compared to existing ridership as a result of background growth as well as demand from new development. As with the Proposed Action, no impacts to local and express bus services are expected with the No-Action Alternative.

Pedestrians

Under the No-Action Alternative, pedestrian volumes along analyzed sidewalks, crosswalks and corner areas are expected to increase compared to existing levels as a result of background growth as well as demand from new development. In addition to changes in pedestrian demand, it is also anticipated that substantial new pedestrian spaces would be created in East Midtown under the No-Action Alternative as a result of the permanent closure of Pershing Square East, Pershing Square West, and Vanderbilt Avenue between East 42nd Street and East 43rd Streets to vehicular traffic. The Proposed Action's zoning regulations mandating that new buildings with full-block frontages along Madison and Lexington Avenues be set back to provide 20-foot-wide sidewalks, would not occur under the No-Action Alternative. Additionally, the above-grade public realm improvements that would be implemented as part of the Proposed Action would not occur under the No-Action Alternative.

Sidewalks

Under the No-Action Alternative, 19, 22 and 20 of the 67 analyzed sidewalks are expected to operate at congested LOS D, E, or F in the weekday AM, Midday, and PM peak hours, respectively. This compares to 23, 21, and 24 congested locations during these same periods, respectively, under the Proposed Action. The Proposed Action's significant adverse impacts to nine sidewalks in one or more peak hours would not occur under the No-Action Alternative.

Crosswalks

Under the No-Action Alternative, 23, 17 and 20 of the 48 crosswalks analyzed are expected to operate at a congested LOS D, E, or F in the weekday AM, Midday, and PM peak hours, respectively. This compares to 35, 20, and 34 congested locations during these same periods, respectively, under the

Proposed Action. The Proposed Action's significant adverse impacts to 26 crosswalks in one or more peak hours would not occur under the No-Action Alternative.

Corners

Under the No-Action Alternative, 28, 25, and 30 of the 121 corner areas analyzed are expected to operate at a congested LOS D, E, or F in the weekday AM, Midday, and PM peak hours, respectively. This compares to 28, 24, and 29 congested locations during these same periods, respectively, under the Proposed Action. The Proposed Action's significant adverse impacts to 22 corner areas in one or more peak hours would not occur under the No-Action Alternative.

Parking

Like the Proposed Action, no parking shortfall would be expected under the No-Action Alternative.

Air Quality

The No-Action Alternative would result in considerably less development contributing to vehicular trips than that of the Proposed Action and would not result in significant unmitigated adverse impacts from mobile source emissions.

Under the No-Action Alternative, as-of-right development would occur on two of the Proposed Action's 16 Projected Development Sites. Comparatively, the Proposed Action would result in more development and therefore the emissions from heat and hot water systems associated with the Proposed Action would cumulatively be greater than the emissions from heat and hot water systems under the No-Action Alternative.

Greenhouse Gas (GHG) Emissions

With less development than the Proposed Action, the No-Action Alternative would have less energy use, and would therefore result in fewer carbon dioxide equivalent (CO_2e) emissions per year. Neither the Proposed Action nor the No-Action Alternative would result in any significant GHG emission or climate change impacts.

Noise

Under the No-Action Alternative, as-of-right development would occur on two of the Proposed Action's 16 Projected Development Sites. Noise levels at and adjacent to the project area would be generally comparable to those in Existing Conditions. The largest estimated increase in noise level from Existing Conditions is projected to occur in the area adjacent to Projected Development Site 6 where peak-hour AM noise levels are projected to increase by 1.1 dBA. Peak-hour noise levels at other representative locations within the study area show similar but smaller increases in noise levels compared to the Proposed Action. Increases of this magnitude would not be perceptible, and based on the CEQR criteria would be considered insignificant.

Public Health

As with the Proposed Action, the No-Action Alternative would not result in any unmitigated significant adverse impacts related to hazardous materials, air quality, noise, or construction, and thus there would be no significant adverse public health impacts associated with the construction or operation of the new development on any development sites.

Neighborhood Character

As with the Proposed Action, the No-Action Alternative would not result in significant adverse impacts on neighborhood character.

The East Midtown area has a varied neighborhood context, and its defining features are the dominance of commercial land uses, the interspersing of older buildings with modern construction, high levels of pedestrian and vehicular activity and associated noise, a primarily high-density built context, and the presence of a number of iconic historic resources, including Grand Central Terminal, the Helmsley Building, the Chrysler Building, St. Bartholomew's Church and Community House, St. Patrick's Cathedral, the Seagram Building, and Lever House. In the No-Action Alternative, as with the Proposed Action, the East Midtown area would continue to be defined by this combination of features, although the No-Action Alternative would not achieve the goals of the Proposed Action, which are to protect and strengthen Greater East Midtown as a premier commercial district by facilitating the construction of modern commercial buildings in targeted locations, as well as improving the area's public realm including transit access and circulation.

Under the No-Action Alternative, based on current land use trends and general development patterns, it is anticipated that the rezoning area would experience overall growth, most of it concentrated in non-office uses, including hotels and residential buildings. In addition, it is possible that a number of existing office buildings would convert to other uses. The predominant share of building conversions would be to residential uses. Outside of Grand Central Terminal's immediate vicinity, existing buildings are expected to remain in their current, predominantly office, uses, but would likely be of lower quality since the overall area is expected to become less desirable as an office district as office stock continues to age.

Of the relevant technical areas specified in the *CEQR Technical Manual*, both the No-Action Alternative and the Proposed Action would not cause significant adverse impacts regarding land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; or noise. In the No-Action Alternative, as with the Proposed Action, the potential significant adverse impacts on transportation would not affect neighborhood character; while there would be increased activity, the resulting conditions would not be out of character with the East Midtown area, and thus the incremental changes would not constitute significant impacts on neighborhood character. Potential significant adverse impacts on historic resources would also not result in a significant adverse impact on neighborhood character. The identified significant adverse impact on historic resources stemming from the demolition of up to six eligible resources on Projected and Potential Development Sites would not alter the overall character of East Midtown as an area characterized by a varied context of older buildings interspersed with modern construction, and the continuing presence of defining presence of landmarks that are hallmarks of this mixed commercial neighborhood's character would not be displaced

Under both the No-Action Alternative and the Proposed Action, just as potential significant adverse impacts in the relevant technical areas would not affect any defining feature of neighborhood character, no moderate adverse effects that would affect such defining features—either singularly or in combination—have been identified.

Construction

Unlike the Proposed Action, the No-Action Alternative would not result in significant adverse construction-related impacts.

The amount of new construction in the No-Action Alternative would be less than that with the Proposed Action, and thus the No-Action Alternative would generate fewer disruptive construction-related effects. The No-Action Alternative would result in less construction-related noise and traffic than the Proposed Action. Neither the Proposed Action nor the No-Action Alternative would result in significant adverse construction impacts with respect to air quality, land use and neighborhood character, socioeconomic conditions, open space, or hazardous materials. Unlike the Proposed Action, the No-Action Alternative would not result in any construction-related traffic and noise impacts warranting mitigation.

There are two RWCDS development sites where development would occur in the No-Action Alternative, Projected Development Sites 3 and 14. Development on Site 3 would, like the Proposed Action, result in construction-related impacts to eligible historic resources nearby. No-Action development on Site 14 would not result in construction-related impacts to eligible historic resources, and since there would not be other projected development induced in the No-Action Alternative there would be no further construction-related impacts to historic resources. In both the No-Action Alternative and the Proposed Action, any development that would be located within 90 feet of a designated/listed historic resource—where new development has the potential to cause damage due to ground-borne construction vibrations—would be subject to the procedures of the New York City Department of Building's (DOB)'s Technical Policy and Procedure Notice (TPPN) #10/88, which governs the protection of adjacent historic properties from accidental construction damage. However, for development within 90 feet of eligible historic resources, the protective measures under DOB TPPN #10/88 would apply only if they become designated/listed.

20.3 No Unmitigated Significant Adverse Impact Alternative

Based on the analyses presented in other chapters of this Draft Environmental Impact Statement (DEIS), there is the potential for the Proposed Action to result in a number of significant adverse impacts for which no practicable mitigation has been identified to fully mitigate the impacts. Specifically, unmitigated impacts were identified with respect to open space, shadows, historic and cultural resources (architectural resources only), transportation (traffic, transit, and pedestrians), and construction (historic resources, traffic, and noise). This alternative considers development that would not result in any unmitigated significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

Open Space

As discussed in Chapter 4, "Open Space," the Proposed Action would result in significant adverse indirect open space impacts. These indirect impacts result from a significant reduction in the passive open space ratio, which, in the open space study area was found to be below the CEQR guidelines in the Existing Condition (i.e., below the citywide guidance of 0.15 acres of passive open space per 1,000 non-residential users). However, while CEQR guidelines recognize that the goals for open space ratios are not feasible for areas such as Midtown Manhattan, and are therefore not an impact threshold, the indirect effects analysis demonstrated that the Proposed Action would decrease passive open space ratios by 4.45 percent for the non-residential population and 3.97 percent for the combined non-residential and residential population.

In order to eliminate all open space unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where the change in open space ratios when compared to the No-Action Condition would be below one percent. To achieve this, significant reductions in office and retail ground square footage would be required. For example, assuming all office development, only 1.5 million square feet could be developed over the No Action condition, introducing approximately 6,000 workers, to avoid the open space impact. This level of development is not consistent with the principal goals and objectives of the Proposed Action.

In the event that the public realm passive open space improvements are more fully defined between this DEIS and the Final EIS, DCP may direct the evaluation of the Proposed Action with those public realm open space improvements included in the qualitative analysis.

The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. These measures include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional open space facilities.

Substantial improvements to the open space network in the East Midtown Subdistrict are planned as part of the Proposed Action through the passive open space components of the Public Realm Improvements. Once these improvements are more fully defined between this DEIS and the Final EIS, DCP may direct the evaluation of the Proposed Action with those open space improvements included in the quantitative analysis. Based on preliminary calculations, by including just a portion of the Public Realm Improvements—the Park Avenue Median Improvements and the planned Pedestrian Plazas as currently envisioned—the percent decrease in the combined open space ratio would be reduced from 3.97 percent to 2.68 percent.[1] The passive open space Public Realm Improvements and the other standard mitigation measures listed above will be explored by DCP and NYC Parks between the Draft and Final EIS. If feasible mitigation is found, the impacts will be considered partially mitigated.

As mentioned previously, to fully mitigate the significant adverse impact for open space, potential worker population significant reductions in office and retail ground square footage would be required. There is no reasonable alternative that could be developed that would not result in significant adverse open space impacts without changing the principal goals and objectives of the Proposed Action. Absent

[1] Assuming approximately 2.75 acres of new open space.

the implementation of such measures, the Proposed Action could have an unmitigated significant adverse impact on open space.

Shadows

As discussed in Chapter 5, "Shadows," the Proposed Action would have the potential to result in unmitigated significant adverse shadows impacts on a historic architectural resource, namely St. Bartholomew's Church and Community House. The sunlight-sensitive stained-glass windows of St. Bartholomew's Church and Community House would experience significant adverse shadows impacts on the May 6th and June 21st analysis days due to incremental shadows cast by Projected Development Site 7. The incremental shadows that would be cast on this historic architectural resource would result in a substantial reduction in sunlight available for the enjoyment or appreciation of the buildings' sunlight-sensitive features (i.e., stained glass windows), and thus the incremental shadows are being considered significant adverse shadows impacts.

Based on shadow modeling, it was determined that the heights of new development on Projected Development Site 7 would need to be limited to a height approximately of 300 feet in order to eliminate the unmitigated significant adverse shadows impacts on St. Bartholomew's Church and Community House. However, if Projected Development Site 7 were limited to its existing height of 300 feet, it is anticipated significant adverse shadow impacts would be caused by Potential Development Sites C and D which are directly southwest of Projected Development Site 7 and would cast shadows towards St. Bartholomew's. Consequently, if the existing height of Projected Development Site 7 is limited to 300 feet, any additional development on Potential Development Sites C and D beyond 300 feet in height is anticipated to extend the shadow duration that covers all of the sunlight sensitive stained glass windows on St. Bartholomew's Church to result in a significant adverse shadows impact.

The imposition of height restrictions on future developments at this site would require capping the allowable FAR below that which would be permissible under the Proposed Action, and the use of such site-specific restrictions is not a practical solution from a zoning standpoint. Furthermore, reductions in the allowable FAR on this site, below that which would be permissible under the Proposed Action, would be inconsistent with the overall purpose and need of the Proposed Action and is considered infeasible and impracticable. In lieu of such a height restriction, another means to avoid the shadows impact on St. Bartholomew's would be to provide for the mounting of artificial lighting on an adjacent building to approximate sunlight on the resource. Although such a provision could be included in zoning that would require the owner to consult with DCP and St. Bartholomew's, there would be no guarantee (through zoning) that it would be implemented.

Historic and Cultural Resources

As described in Chapter 6, "Historic and Cultural Resources," the Proposed Action could result in significant adverse impacts due to potential partial or complete demolition of six historic resources that are eligible for NYCL designation and/or inclusion on S/NR. These eligible resources are located on Projected Development Sites 2, 4, 6 and 10 and Potential Development Site J: the NYCL-eligible 22-24 East 41st Street Building (#94), the NYCL-eligible Title Guarantee and Trust Company Building at 6 East 45th Street (#99), the S/NR-eligible Barclay/Inter-Continental Hotel at 111 East 48th Street (#103), the NYCL- and S/NR-eligible Postum Building at 250 Park Avenue (#129), the NYCL-eligible Girl Scout Building at 830 Third Avenue (#133), and the S/NR-eligible 346 Madison Avenue Building (#141).

Redesigning or relocating the Proposed Action so that it does not disturb the eligible resources by eliminating those development sites from the rezoning proposal would be inconsistent with the overall purpose and need of the Proposed Action and is considered infeasible and impracticable as it would result in an incoherent zoning plan that would not allow for the establishment of an area-wide East Midtown Subdistrict. Contextual redesign, adaptive reuse and the use of a construction protection plan are not available as mitigation measures, given the nature of the Proposed Action as an area-wide rezoning.

Transportation

Traffic

As discussed in Chapter 19, "Mitigation," the Proposed Action would result in significant adverse traffic impacts at intersections within the study area that cannot be fully mitigated. Most of the unmitigated intersection approach movements would operate at LOS F under the No-Action Condition. According to the *CEQR Technical Manual*, for a lane group that would operate at LOS F in the No-Action Condition, a projected increase in delay of 3.0 or more seconds is considered a significant impact. As such, small increases in incremental project-generated traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Action's stated goals.

Transit

As discussed in Chapter 19, "Mitigation," the Proposed Action would result in significant adverse transit impacts at subway stations that could not mitigated. Most of the unmitigated subway station elements are escalators that would operate at a v/c ratio of greater than 1.00 under the No-Action Alternative. According to the *CEQR Technical Manual*, for any escalator that operates at a v/c ratio of 1.00 or greater in the No-Action, a 0.01 change in v/c ratio is considered a significant impact. A nominal increase in project-generated trips at a congested escalator (approximately five incremental trips in a 15-minute interval) would result in a significant adverse impact. As such, small increases in incremental project-generated volumes at congested escalators at subway stations would also result in significant adverse impacts that could not be fully mitigated during commuter peak hours, and small amounts of new development in the rezoning area could result in unmitigated transit impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Action's stated goals.

Pedestrians

As discussed in Chapter 19, "Mitigation," the Proposed Action would result in significant adverse pedestrian impacts to analyzed sidewalks, crosswalks, and corner areas that cannot be fully mitigated. Pedestrian mitigation measures at some locations, such as the removal of street furniture and obstructions on sidewalks, were not deemed feasible due to the presence of multiple obstructions as

the removal of any single obstruction would not increase the effective sidewalk widths as the location of the narrowest point would be moved to a different location on the block.

As the rezoning area is located in East Midtown and encompasses Grand Central Terminal, many of the unmitigated pedestrian impact locations have substantial levels of existing pedestrian activity and would become more congested under the No-Action Condition, particularly with the opening of the East Side Access project. For this reason, small increments in project-generated pedestrian volumes at some of the congested sidewalks, crosswalks, and corner areas would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour, and almost any new development in the rezoning area could result in unmitigated pedestrian impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Action's stated goals.

Construction

Historic and Cultural Resources

As described in Chapter 18, "Construction," development under the Proposed Action—specifically, on Projected Development Sites 2, 3, 4, 5, 6, and 7 and Potential Development Sites B, E, F and J —could result in inadvertent construction-related damage to NYCL- and/or S/NR-eligible historic resources, as they are located within 90 feet of Projected and/or Potential Development Sites.

As discussed in Chapter 19, "Mitigation," the New York City Building Code, under section C26-112.4, provides some measures of protection for all properties against accidental damage from adjacent construction by requiring that all buildings, lots, and service facilities adjacent to foundation and earthwork areas be protected and supported. For designated NYC Landmarks and S/NR-listed historic buildings located within 90 feet of a proposed construction site, additional protective measures under the New York City Department of Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88 supplement the procedures of C26-112.4 by requiring a monitoring program to reduce the likelihood of construction damage and to detect at an early stage the beginnings of damage so that construction procedures can be changed. However, for the 12 non-designated resources that are within 90 feet of one or more Projected and/or Potential Development Sites, construction under the Proposed Action could potentially result in construction-related impacts to the resources, and the protective measures under TPPN 10/88 would only apply if the resources become designated. Without the protective measures described above, significant adverse construction-related impacts would not be mitigated. Consequently, the potential significant adverse construction-related impacts to these 12 historic resources would constitute unavoidable significant adverse impacts as a result of the Proposed Action.

In order to entirely avoid the potential unmitigated adverse construction-related impacts, this alternative would require that Projected Development Sites 2, 3, 4, 5, 6, and 7, and Potential Development Sites B, E, F and J be eliminated from the rezoning proposal. However, this would be inconsistent with the Proposed Action's goal to introduce new office buildings to the rezoning area in order to protect and strengthen East Midtown as a premier commercial district.

Traffic

As discussed in Chapter 19, "Mitigation," construction-related traffic would result in significant adverse traffic impacts at intersections within the study area that cannot be fully mitigated. Nearly all of the unmitigated significant adverse traffic impacts would occur during the construction PM peak hour, which includes project-generated trips from vehicles generated by construction activities as well as operational traffic associated with the Proposed Action (trips associated with completed Projected Development Sites). As discussed above, small increases in incremental project-generated traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hour. Thus, almost any new development in the rezoning area or construction-generated traffic could result in unmitigated traffic impacts. No reasonable alternative could be developed that would not result in significant adverse construction impacts to traffic.

Noise

Unmitigated construction noise impacts were also identified in the receptor locations in the immediate vicinity of Projected Development Sites 4 and 5 during the peak construction period. Therefore, if the Projected Development Sites 4 and 5 were removed from the Proposed Action or were phased at different times, there may be the potential to avoid the unmitigated significant adverse impacts. The identified Projected Development Sites are key components of the Proposed Action, and additional there is no reasonable way to guarantee a particular construction phasing plan in an area-wide rezoning. And so, ultimately, there is not be a reasonable or feasible alternative to completely avoid such impacts at locations adjacent to development sites while still maintaining the Proposed Action's stated goals.

20.4 Lesser Density Alternative

The Lesser Density Alternative (LDA) was developed for the purpose of assessing whether reducing the density of the proposed rezoning would eliminate or reduce the significant adverse impacts of the Proposed Action while also meeting its goals and objectives. As under the Proposed Action, a new East Midtown Subdistrict would be mapped within the existing Special Midtown District and with the same geography. However, in the LDA, as-of-right maximum densities in the Subdistrict would be reduced from those in the Proposed Action, and would range from 16.0 to 25.0 FAR based on geography (instead of 18.0 to 27.0):

- In the TIZ immediately surrounding Grand Central Terminal, the as-of-right maximum density would be 25.0 FAR (instead of 27.0).
- The area along Park Avenue, north of East 47th Street would have a maximum as-of-right density of 23.0 (instead of 25.0).
- In the TIZs east and west of the Grand Central core and the area surrounding the Fifth Avenue-53rd Street and Lexington Avenue-51st/53rd Streets subway stations, the as of-right maximum density would be 21.6 FAR (instead of 23.0).

- In the area encircling the Grand Central TIZ, the as-of-right maximum density would be 18.0 FAR for the blocks nearest Grand Central Terminal's below-grade network and 16.0 FAR for blocks further away (instead of 21.8 and 18, respectively).

As such, the RWCDS for the LDA would include all 16 Projected Development Sites, but only seven of the 14 Potential Development Sites located within the proposed rezoning area, as illustrated on Figure 20-1. The LDA's reduced densities result in seven of the Potential Development Sites becoming more than 85 percent built in relation to their maximum permitted FAR, and thus being disqualified as potential or projected sites. All of the Projected Development Sites under this alternative remain less than 85 percent built in relation to their maximum permitted FARs and are thus included in the LDA analysis.

The same development mechanisms would apply in the LDA, including the ability for Qualifying Sites to utilize the new district-wide as-of-right landmark transfer mechanism, the ability for buildings with non-complying floor area that meet certain site criteria to be rebuilt to their existing density, and requirement that Qualifying Sites within TIZs undertake pre-identified transit improvements. The Public Concourse special permit and Hotel Special Permit would continue to apply to appropriate sites district-wide and the Transit Improvement Special Permit would continue to apply within the TIZs. In addition, under the LDA, the proposed zoning map amendment to portions of the midblock areas between East 42nd and East 43rd Streets and Second and Third Avenues would be implemented.

The LDA would be compatible with the Proposed Action's intent of:

- Strengthening Greater East Midtown as a regional job center by seeding the area with new modern and sustainable office buildings;
- Helping to preserve and maintain landmarked buildings by permitting their unused development rights to transfer within the district's boundary;
- Permitting overbuilt buildings to retain their non-complying floor area as part of a new development on the site; and
- Upgrading the area's public realm through improvements that create pedestrian friendly public spaces and that facilitates safer, more pleasant pedestrian circulation within the transit stations and the street network.

However, by reducing the density of the proposed East Midtown Subdistrict, the LDA would result in less new office development than the Proposed Action and yield fewer upgrades to the area's public realm and pedestrian network.

In the LDA, the 16 Projected Development Sites would be unable to utilize all 3.6 million square feet of available landmark TDRs due to the lower permitted densities in the rezoning area. This would result in a lower overall contribution into the Public Realm Improvement Fund of approximately 35 percent below what could be realized under the RWCDS for the Proposed Action. Overall, the LDA would be sufficient to fund all of the below-grade improvements to transit stations would result in slightly fewer above-grade public realm improvements. The number and scale of required improvements are factored as a percent of built density.

As noted above, under the LDA, there would be 23 Projected and Potential Development Sites (16 Projected Development Sites and seven Development Potential Sites), as compared to 30 Projected and Potential Development Sites (16 Projected Development Sites and 14 Potential Development Sites) under the Proposed Action. As shown in Table 20.3, the LDA would result in an increment of

approximately 5.1 million gsf of office space, approximately 139,025 gsf of retail uses and losses of 810,171 gsf of hotel floor area, 113,820 gsf of residential uses and 62 residential units.

Table 20.3: Summary of Lesser Density Alternative Development Scenario

Use	No-Action Condition	Lesser Density Alternative	Increment
Residential	316,120 gsf (163 DU)	202,300 gsf (101 DU)	-113,820 gsf (-62 DU)
Office	6,812,920 gsf	11,906,364 gsf	5,093,444 gsf
Retail	462,874 gsf	601,889 gsf	139,025 gsf
Hotel[1]	810,171 gsf (1,246 rooms)	0 gsf (0 rooms)	-810,171 gsf (-1,246 rooms)
Parking	158,441 gsf (564 spaces)	0 gsf (0 spaces)	-158,441 gsf (-564 spaces)

Notes:
Under the Lesser Density Alternative, development would occur on all 16 Projected Development Sites.
[1] Assumes 650 sf per hotel room

As shown in Table 20.4, the LDA would introduce a total of approximately 165 residents and 49,436 workers on the 16 Projected Development Sites.

Table 20.4: Summary of Lesser Density Alternative Population and Employment

Population/Employment[1]	No-Action Condition	Lesser Density Alternative	Increment
Residents	266	165	-101
Workers	27,500	49,436	21,936

Notes:
[1] Assumes 1.63 persons per DU (based on 2014 ACS data for the rezoning area), 1 employee per 250 sf of office, 3 employees per 1,000 sf of retail, 1 hotel employee per 2.67 hotel rooms, 1 residential building employee per 25 DU, and 1 employee per 10,000 sf of parking floor area

Compared to the Proposed Action, the LDA would result in approximately 1,488,413 gsf less of office space. The net incremental decrease in hotel space and parking would be the same under both the Proposed Action and the LDA, while the net incremental decrease in residential space is actually larger under the LDA than the Proposed Action, resulting in 18 fewer dwelling units (see Table 20.5).

Table 20.5: Summary of No-Action to With-Action Incremental Development – Proposed Action vs. Lesser Density Alternative

	No-Action to With-Action Increment		
Use	Proposed Action	Lesser Density Alternative	Difference
Residential	-78,279 gsf (-44 DU)	-113,820 gsf (-62 DU)	-35,541 gsf (-18 DU)
Office	6,581,857 gsf	5,093,444 gsf	-1,488,413 gsf
Retail	139,025 gsf	139,025 gsf	0 gsf
Hotel	-810,171 gsf (-1,246 rooms)	-810,171 gsf (-1,246 rooms)	0 gsf (0 rooms)
Parking	-158,441 gsf (-564 spaces)	-158,441 gsf (-564 spaces)	0 gsf (0 spaces)
Workers	27,890	21,936	-5,954

As discussed in the following sections, the LDA would not eliminate the significant adverse impacts of the Proposed Action although in some technical areas, impacts would be reduced:

- Open Space. The LDA would require the same mitigation measures as the Proposed Action, as applicable, for the identified significant adverse impacts.
- Shadows. The LDA would require the same mitigation measures as the Proposed Action, i.e., provision of an offsite-building mounted indirect lighting source to avoid the shadows impact on St. Bartholomew's Church and Community House.
- Historic and Cultural Resources. Direct impacts would occur to the same architectural resources as with the Proposed Action.
- Transportation (traffic, transit, and pedestrians).
    - Under the LDA, certain intersections that cannot be mitigated under the Proposed Action would be able to be mitigated (two intersections in the AM peak period, 5 intersections in the midday peak period, and 7 intersections in the PM peak period).
    - Under the LDA, the same analyzed station elements that were significantly adverse impacted at the Grand Central 42nd Street and Lexington Avenue-53rd Street subway stations under the Proposed Action would also be impacted under the LDA. However, unlike the Proposed Action, the LDA would not result in a significant adverse transit impact to street Stair MB20 during the PM peak hour at the 42nd St-Bryant Park subway station.
    - Under the LDA, there would be one fewer unmitigated sidewalk impact during the AM and PM peak hours than under the Proposed Action. There would be two fewer crosswalk impacts during the AM, one fewer during the Midday, and two fewer during the PM than the Proposed Action. There would be three fewer corner area impacts during the AM, three fewer during the Midday, and six fewer during the PM than under the Proposed Action.
- Construction. Overall, the amount of new construction in the LDA would be less than that with the Proposed Action since there would be fewer sites developed; however, the unmitigated construction noise impacts identified in the receptor locations in the immediate vicinity of Projected Development Sites 4 and 5 are anticipated to occur under the LDA as well,

Land Use, Zoning, and Public Policy

Similar to the Proposed Action, this alternative would not result in any significant adverse impacts on land use, zoning, or public policy.

Both the Proposed Action and the LDA would include a zoning text change to establish the East Midtown Subdistrict within the existing Special Midtown District and a zoning map amendment from C5-2 to C5-3 and an extension of the East Midtown Subdistrict in the area bounded by East 43rd Street to the north, East 42nd Street to the south, Second Avenue to the east, and a line 200 feet easterly of Third Avenue to the west.

Comparing development on the RWCDS Projected Development Sites, both the Proposed Action and the LDA would result in a decrease in residential uses and an increase in commercial office space compared to the No-Action Condition; however, the increase in commercial office uses under the LDA

would be approximately 23 percent less than the increment resulting from the Proposed Action. In addition, the incremental increase in retail uses would be approximately 10 percent less than the increment resulting from the Proposed Action and the incremental decrease in residential space would be 45 percent more compared to the increment resulting from the Proposed Action (compared to the No-Action Condition). As noted earlier, there would be fewer Potential Development Sites identified in the RWCDS as compared to the Proposed Action.

The LDA would support, though to a lesser degree, the Proposed Action's intent of focusing future development around Grand Central Terminal (given its access to regional rail and large concentration of aging office stock) and preserving and promoting office uses in East Midtown.

Socioeconomic Conditions

Like the Proposed Action, the Lesser Density Alternative would not result in any significant adverse impacts on socioeconomic conditions.

Under the Lesser Density Alternative, it is anticipated that development would occur on all 16 Projected Development Sites, and would include approximately 101 DU, 11,906,364 gsf of office space, 601,889 gsf of retail uses, and no hotel uses. The Lesser Density Alternative would result in a decrease in retail and hotel development equivalent to the Proposed Action, comparatively less office development, and a more significant decrease in residential space. Since the LDA would reduce the amount of commercial development in the study area as compared to the Proposed Action, the LDA is expected to generate fewer employment opportunities in the study area.

Business displacement on the 16 sites under the Lesser Density Alternative would be the same as in the Proposed Action, but would not result in significant adverse impacts. The assessment finds that while these businesses are valuable individually and collectively to the City's economy, according to *CEQR Technical Manual* criteria, the displaced businesses do not provide products or services that would no longer be available to local residents or businesses, nor are they the subject to regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. The displaced businesses are not unique to the quarter-mile secondary study area, nor do they serve a user base that is dependent upon their location within the study area. East Midtown commercial spaces are occupied by a diverse array of businesses and the potentially directly displaced businesses/institutions are found throughout the study area and the broader neighborhoods and borough.

It is expected that the potentially displaced businesses would likely be able to find comparable space within the study area or elsewhere within the city, especially given the extensive development becoming available at the World Trade Center site in Lower Manhattan and Hudson Yards on the west side. For businesses that do not require Class A space, there are Class B and C office space availabilities in other Midtown areas including Times Square South and Westside submarkets sufficient to absorb the displacement.

Similar to the Proposed Action, the Lesser Density Alternative would forestall conversion of office to residential space, and would therefore not induce a trend that could potentially result in changing socioeconomic conditions for the residents within the East Midtown rezoning area.

Similar to the Proposed Action, the new commercial development resulting from the Lesser Density Alternative would not constitute new economic activities in the study area, nor would it alter or

accelerate commercial market trends in the study area, and therefore would not result in significant adverse impacts due to indirect business/institutional displacement. In addition, like the Proposed Action, the Lesser Density Alternative would not result in any significant adverse impacts on specific industries. Like the Proposed Action, the Lesser Density Alternative would facilitate the construction of a limited and targeted amount of higher-density commercial office and retail development that would be concentrated near Grand Central Terminal, in a high-density, transit-rich area that is already predominantly commercial and recognized as one of the most sought-after office markets in the New York City Region. This increase in office stock would add to the dynamism of the City's office market and meet the needs of tenants seeking high-quality space with extensive amenities/technologies/ services. The anticipated benefits of the Proposed Action, including creating new opportunities for existing businesses to expand and providing support for the overall continued long-term health of the area as an integrated and dynamic office district, would be realized to a slightly lesser extent under this alternative since the overall amount of projected development would be less.

Open Space

As with the Proposed Action, there would be significant adverse impacts on open space as a result of the Lesser Density Alternative.

By reducing the density of the proposed East Midtown Subdistrict, the LDA would produce less new office development than the Proposed Action thereby introducing fewer workers and less demand for area resources. However, the LDA would also yield fewer upgrades to the area's public realm and pedestrian network. It follows that the open space ratio calculated for the Lesser Density Alternative for non-residents is 0.064 as compared to the non-residents No-Action Condition ratio of 0.066. The combined non-residents and residents LDA ratio is 0.057 as compared to the combined non-residents and residents No-Action Condition ratio of 0.059. The open space ratios calculated for the LDA represent a percent decrease of 3.53 for non-residents and a percent decrease of 3.14 for combined non-residents and residents, compared to the Proposed Action in which there would be a 4.45 percent decrease for the non-residential population and a 3.97 percent decrease for the combined non-residential and residential population. Thus, in the Lesser Density Alternative, the amount of passive open space available to serve the non-residential population, as well as the combined non-residential and residential population, would continue to be less than the benchmarks established in the *CEQR Technical Manual.* The LDA would require the same mitigation measures as the Proposed Action, as applicable, for the identified significant adverse impacts but would still be only partially mitigated.

Shadows

As with the Proposed Action, the LDA would result in significant adverse shadows impacts to a sunlight-sensitive features of a historic resource: St. Bartholomew's Church and Community House, identified as Resource H19.

As discussed in Chapter 5, "Shadows," the Proposed Action would have the potential to result in unmitigated significant adverse shadows impacts on a historic architectural resource, namely St. Bartholomew's Church and Community House. The sunlight-sensitive stained-glass windows of St. Bartholomew's Church and Community House would experience significant adverse shadows impacts on the May 6th and June 21st analysis days due to incremental shadows cast by Projected Development Site 7. The incremental shadows that would be cast on this historic architectural resource would result

in a substantial reduction in sunlight available for the enjoyment or appreciation of the buildings' sunlight-sensitive features, and thus the incremental shadows are being considered significant adverse shadows impacts.

Based on shadow modeling, it was determined that the heights of new developments on Projected Development Site 7 would need to be limited to a height of approximately 300 feet in order to eliminate the unmitigated significant adverse shadows impacts on St. Bartholomew's Church and Community House. However, if Projected Development Site 7 were limited to its existing height of 300 feet, it is anticipated that significant adverse shadow impacts would be caused by Potential Development Sites C and D which are directly southwest of Site 7, and would also cast shadows on St. Bartholomew's if Projected Development Site 7 were not built. Consequently, if the existing height of Projected Development Site 7 is limited to 300 feet, any additional development on Potential Development Sites C and D beyond 300 feet in height is anticipated to extend the shadow duration that covers all of the sunlight sensitive stained glass windows on St. Bartholomew's Church to result in a significant adverse shadows impact.

Therefore, even though the heights for Projected Development Site 7 as well as the Potential Development Sites would be slightly reduced under the LDA (by approximately 80 to 100 feet), the heights would not be limited to existing conditions and therefore significant adverse shadow impacts would still occur under this alternative. The LDA would require the same mitigation measures as the Proposed Action, i.e., provision of an offsite-building mounted indirect lighting source to avoid the shadows impact on St. Bartholomew's Church and Community House, for the identified significant adverse impacts.

Historic and Cultural Resources

With development on all 16 Projected Development Sites and 7 of the Potential Sites, the LDA would result in similar effects to historic and cultural resources as the Proposed Action. Because the LDA includes the same affected Projected Development Sites and the same Potential Development Site as the Proposed Action, direct impacts would occur to the same architectural resources as with the Proposed Action: the NYCL-eligible 22-24 East 41st Street Building (#94), the NYCL-eligible Title Guarantee and Trust Company Building at 6 East 45th Street (#99), the S/NR-eligible Barclay/Inter-Continental Hotel at 111 East 48th Street (#103), the NYCL- and S/NR-eligible Postum Building at 250 Park Avenue (#129), the NYCL-eligible Girl Scout Building at 830 Third Avenue (#133), and the S/NR-eligible 346 Madison Avenue Building (#141).

As with the Proposed Action, the LDA would not result in any significant adverse impacts to archaeological resources or any indirect impacts to architectural resources.

Furthermore, as with the Proposed Action, the development sites included in the LDA are not located within any historic districts, and they do not contain any landmark buildings or structures. Therefore, neither the Proposed Action nor the LDA would result in direct adverse impacts to historic districts or individual landmark buildings and structures.

In both the LDA and the Proposed Action, any development that would be located within 90 feet of a designated/listed historic resource would be subject to the procedures of the DOB TPPN #10/88 to protect the historic properties from accidental construction damage. However, for development within 90 feet of eligible historic resources, the protective measures under DOB TPPN #10/88 would apply only if they become designated/listed. The LDA would result in potential construction related impacts

to nine of the 12 eligible historic resources that would be affected by the Proposed Action; The LDA and the Proposed Action could both result in construction-related impacts to the following 12 eligible resources: 601 Lexington Avenue, (NYCL-calendared, #23);; 6 East 45th Street (NYCL-eligible, #99), 45 East 45th Street (NYCL- and S/NR-eligible, #100); 111 East 48th Street (S/NR-eligible, #103); 39 East 51st Street (NYCL- and S/NR-eligible, #104); 299 Madison Avenue (NYCL-eligible, #124); 437 Madison Avenue (NYCL-eligible, #125); 270 Park Avenue (NYCL-eligible, #130); 59 East 54th Street (S/NR-eligible, #139and 280 Park Avenue, (S/NR-eligible, #143. However, the LDA would not result in construction-related impacts to the NYCL-eligible Girl Scout Building at 830 Third Avenue (NYCL eligible #133), 50-52 East 41st Street (NYCL- and S/NR eligible, #95) or 295 Madison Avenue (S/NR-eligible #140). The LDA would require the same mitigation measures as the Proposed Action, which would be calendaring and designation as NYCL such that TPPN #10/88 would apply, for the identified significant adverse impacts to these eligible resources.

Neither the LDA nor the Proposed Action would have significant adverse indirect impacts on existing historic resources. The developments resulting from both the LDA and the Proposed Action would not alter the context or visual prominence of any historic resources. Like the Proposed Action, the LDA would result in the significant adverse shadows impacts on the sunlight-sensitive features of St. Bartholomew's Church and Community House, and would require the same mitigation to that resource as would the Proposed Action. Overall, compared to the Proposed Action, the LDA would result in slightly fewer significant adverse impacts to historic resources.

Urban Design and Visual Resources

As with the Proposed Action, the LDA is not expected to result in any adverse impacts to urban design or visual resources.

In the LDA, development could occur on 16 of the Projected Development Sites identified in the Proposed Action, and seven fewer Potential Development Sites. They would primarily comprise high-density commercial uses, which would conform to the built context of the East Midtown area. The building bulk of the developments that are expected with both the LDA and the Proposed Action would not change the built environment's arrangement, appearance, or functionality, and the height of new buildings would generally be consistent with that of other high-rise buildings in the East Midtown area, and generally consistent with the buildings contemplated with the Proposed Action. The introduction of new buildings with either the LDA or the Proposed Action would not affect a pedestrian's experience of public space in the East Midtown area. As a result of the projected and potential developments in both the LDA and the Proposed Action, some iconic views of visual resources within or from the East Midtown area would be modified by the addition of new buildings along the view corridors; other iconic views in both scenarios would be obstructed from certain vantage points, but similarly iconic views would continue to be widely available from many other locations.

Hazardous Materials

The effects of the LDA with respect to hazardous materials are expected to be similar to those of the Proposed Action.

As with the Proposed Action, all of the Projected and Potential Development Sites would receive an (E) designation under the LDA, although there are fewer Projected and Potential Development Sites

(23 total) in this alternative than with the Proposed Action (30 total). In both the LDA and the Proposed Action, the placement of (E) designations would reduce or avoid the potential for significant adverse impacts related to hazardous materials to occur as a result of the projected and potential developments.

Water and Sewer Infrastructure

Under this alternative, demands on water and sewer infrastructure on the Projected Development Sites would be less than those under the Proposed Action. However, neither this alternative nor the Proposed Action would cause significant adverse impacts to the City's water supply, wastewater treatment or stormwater conveyance infrastructure.

Water Supply

The water usage as a result of this Lesser Density Alternative is expected to total approximately 3,477,556 gallons per day (gpd), resulting in an incremental increase of 985,503 gpd on the 16 Projected Development sites as compared to the No-Action Condition. In comparison, the Proposed Action would result in an incremental increase of approximately 1,390,224 gpd on the Proposed Action's 16 Projected Development Sites. As with the Proposed Action, the incremental water demand under this alternative would be less than one percent of the City's water supply demand, and changes of this magnitude would not be large enough to have significant adverse impacts on the City's water system.

Wastewater Treatment

Based on the rates provided in the *CEQR Technical Manual*, the LDA has the potential to result in an incremental sanitary sewage discharge of approximately 233,712 gpd over the No-Action Condition (compared to approximately 385,403 gpd of incremental sanitary sewage discharge under the Proposed Action). As with the Proposed Action, the incremental increase in sanitary flows would not result in significant adverse impacts to the sewage system within the subcatchment areas or to the Newtown Creek Wastewater Treatment Plant (WWTP).

Stormwater

Like the Proposed Action, the LDA would not result in an increase in impervious surfaces as compared to Existing Conditions and therefore is not expected to generate additional stormwater runoff, nor result in significant adverse impacts. As with the Proposed Action, due to the New York City Department of Environmental Protection (DEP)'s current stormwater management requirements, stormwater runoff from new developments is expected to substantially decrease as compared to Existing Conditions. With Best Management Practices implemented on each Projected Development Site by its respective developer, it is concluded that the Proposed Action would not result in significant adverse impacts on stormwater conveyance and treatment infrastructure.

Solid Waste and Sanitation Services

Solid waste generation would increase under both the Proposed Action and LDA, with a slightly lower incremental increase under the LDA (compared to the No-Action Condition). However, neither this

alternative nor the Proposed Action would cause significant adverse impacts to the City's solid waste and sanitation services.

Development on the 16 Projected Development Sites under the LDA would generate approximately 383 tons of solid waste per week, an incremental increase of 130 tons per week over the No-Action Condition (compared to an incremental increase of 169.1 tons per week with the Proposed Action). Under both the LDA and the Proposed Action, the majority of the solid waste would be generated by commercial uses, which would be collected by private commercial carters; approximately 2.1 tons of weekly solid waste would be generated by residential uses and collected by DSNY trucks under the LDA, compared to the 3.4 tons under the Proposed Action.

Changes of this magnitude would be a minimal addition to the City's solid waste stream and would represent less than 1 percent of future commercial waste generation for the City as projected in the City's Solid Waste Management Plan (SWMP). Therefore, neither the Proposed Action nor the LDA would result in significant adverse impacts on solid waste and sanitation services.

Energy

While neither the Proposed Action nor the LDA would result in significant adverse energy impacts, the LDA would result in a slightly lower incremental increase in energy usage compared to the No-Action Condition.

Future uses on the 16 Projected Development Sites under the LDA would use approximately 2.73 trillion British thermal units (BTU) annually, which would represent an approximately 941,126 million BTU increase over the No-Action Condition per year. In comparison, development under the Proposed Action would result in an incremental annual increase of approximately 1,267,573 million BTU, compared to the No-Action Condition. The incremental increase in annual energy consumption under both the Proposed Action and the LDA would represent less than 0.7 percent of the City's forecasted annual energy requirement of 51,898 GWh for 2025. As such, neither the Proposed Action nor the LDA would result in a significant adverse impact on energy systems.

Transportation

As discussed below, compared with the Proposed Action, the LDA would result in fewer significant adverse impacts with respect to transportation. The LDA would require the same mitigation measures as the Proposed Action, as applicable, for the identified significant adverse impacts.

With a reduction in overall floor area, the LDA would generate fewer trips compared to the Proposed Action. Travel demand forecasts were prepared for the LDA based on the transportation planning factors summarized in Chapter 12, "Transportation." Table 20.6 presents a comparison of the total peak hour person trips that would be generated by the LDA and Proposed Action during the weekday AM, Midday, and PM peak hours. As shown in the table, the LDA would result in 3,230, 4,027, and 3,772 fewer person trips during the weekday AM, Midday, and PM peak hours, respectively, which represents an approximate 22-24 percent reduction compared to the Proposed Action. Table 20.7 presents a similar comparison of the total peak hour vehicle trips and shows that the LDA would result in 345, 224, and 386 fewer vehicle trips during the weekday AM, Midday, and PM peak hours, respectively.

Table 20.6: Net Difference in Person Trips between the Lesser Density Alternative and the Proposed Action

Development Scenario	Auto		Taxi		Bus		Subway		Railroad		Walk/ Other		Total		
	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
AM Peak Hour															
Lesser Density Alternative	785	-12	174	-88	1,573	63	5,042	91	2,032	82	842	-99	10,448	37	10,485
Proposed Action	1,018	1	243	-84	2,028	80	6,527	156	2,627	109	1,093	-83	13,536	179	13,715
Difference	-233	-13	-69	-4	-455	-17	-1,485	-65	-595	-27	-251	-16	-3,088	-142	-3,230
Midday Peak Hour															
Lesser Density Alternative	105	122	106	138	445	477	391	430	-1	-1	5,818	6,322	6,864	7,488	14,352
Proposed Action	145	163	162	201	561	602	509	557	1	1	7,422	8,055	8,800	9,579	18,379
Difference	-40	-41	-56	-63	-116	-125	-118	-127	-2	-2	-1,604	-1,733	-1,936	-2,091	-4,027
PM Peak Hour															
Lesser Density Alternative	-9	914	-144	196	111	1,841	158	5,852	128	2,347	84	1,250	328	12,400	12,728
Proposed Action	4	1,184	-134	277	141	2,366	252	7,570	167	3,032	107	1,534	537	15,963	16,500
Difference	-13	-270	-10	-81	-30	-525	-94	-1,718	-39	-685	-23	-284	-209	-3,563	-3,772

Table 20.7: Net Difference in Vehicle Trips between the Lesser Density Alternative and the Proposed Action

Development Scenario	Auto		Taxi		Truck		Total		
	In	Out	In	Out	In	Out	In	Out	Total
AM Peak Hour									
Lesser Density Alternative	681	-4	137	137	77	77	895	210	1,105
Proposed Action	883	3	183	183	99	99	1,165	285	1,450
Difference	-202	-7	-46	-46	-22	-22	-270	-75	-345
Midday Peak Hour									
Lesser Density Alternative	88	101	141	141	84	84	313	326	639
Proposed Action	123	138	190	190	111	111	424	439	863
Difference	-35	-37	-49	-49	-27	-27	-111	-113	-224
PM Peak Hour									
Lesser Density Alternative	-10	788	140	140	18	18	148	946	1,094
Proposed Action	6	1,024	202	202	23	23	231	1,249	1,480
Difference	-16	-236	-62	-62	-5	-5	-83	-303	-386

Traffic

All study area intersections were evaluated quantitatively to determine if the LDA would result in significant impacts and if the impacts could be mitigated. Table 20.8 presents a comparison of the number of approach movements and intersections that would have significant adverse impacts and unmitigated significant adverse impacts for the LDA and Proposed Action. The results of these analysis are summarized below:

- For the weekday AM peak hour, 181 approach movements at 100 intersections would be impacted under the LDA (compared to 189 approach movements at 101 intersections under the Proposed Action). The intersection of Lexington Avenue at East 51st Street would not be impacted under the LDA. With respect to unmitigated movements, 143 approach movements at 75 intersections would have unmitigated significant adverse impacts (compared to 155 approach movements at 77 intersections under the Proposed Action). The intersection of Second Avenue at East 40th Street and Second Avenue at East 60th Street, which were unmitigated under the Proposed Action, would be mitigated under the LDA.

- For the weekday Midday peak hour, 167 approach movements at 100 intersections would be impacted under the LDA (compared to 179 approach movements at 101 intersections under the Proposed Action). The intersections of Third Avenue at East 53rd Street and Madison Avenue at East 40th Street would not be impacted under the LDA. The intersection of First Avenue and East 42nd Street would be impacted under the LDA but not under the Proposed Action. With respect to unmitigated movements, 106 approach movements at 51 intersections would have unmitigated significant adverse impacts (compared to 123 approach movements at 56 intersections under the Proposed Action). The intersection of Second Avenue at East 53rd Street, Second Avenue at East 57th Street, Third Avenue at East 40th Street, Third Avenue at East 41st Street, and Lexington Avenue at East 48th Street, which were unmitigated under the Proposed Action, would be mitigated under the LDA.

- For the weekday PM peak hour, 186 approach movements at 101 intersections would be impacted under the LDA (compared to 200 approach movements at 106 intersections under the Proposed Action). The intersections of First Avenue at East 55th Street, First Avenue at East 57th Street, Lexington Avenue at East 52nd Street, Lexington Avenue at East 53rd Street, and Park Avenue at East 48th Street would not be impacted under the LDA. With respect to unmitigated movements, 132 approach movements at 70 intersections would have unmitigated significant adverse impacts (compared to 150 approach movements at 77 intersections under the Proposed Action). The intersection of First Avenue at East 49th Street, Third Avenue at East 36th Street, Lexington Avenue at East 54th Street, Madison Avenue at East 53rd Street, and Fifth Avenue at East 39th Street, which were unmitigated under the Proposed Action, would be mitigated under the LDA.

Table 20.8: Number of Intersections and Approaches with Significant Adverse Traffic Impacts – Comparison of Lesser Density Alternative and Proposed Action

Peak Hour	Development Scenario	Movements/ Intersections Analyzed	Movements / Intersections with No Significant Impacts	Movements / Intersections with Significant Impacts	Mitigated Movements / Intersections	Unmitigated Movements / Intersections
AM	Lesser Density Alternative	468/119	287/19	181/100	38/25	143/75
	Proposed Action	468/119	279/18	189/101	34/24	155/77
Midday	Lesser Density Alternative	468/119	301/19	167/100	61/49	106/51
	Proposed Action	468/119	289/18	179/101	56/45	123/56
PM	Lesser Density Alternative	468/119	282/18	186/101	54/31	132/70
	Proposed Action	468/119	268/13	200/106	50/29	150/77

Projected AM, Midday, and PM peak hour traffic volumes for the LDA are provided in Appendix I.1. The results of the traffic analysis for the LDA are summarized in Appendix I.2.

Transit

Subway Stations

As shown in Table 20.6, the LDA would generate 1,550 fewer trips by subway in the AM peak hour and 1,812 fewer subway trips in the PM compared to the Proposed Action. As noted above, the LDA would result in a lower overall contribution to the prioritized transit improvements and Public Realm Improvement Fund as compared with the Proposed Action. However, it would continue to be sufficient to fund the pre-identified transit improvements. Table 20.9 presents a comparison of the number of subway station elements that would have significant adverse impacts for the LDA and Proposed Action. As the LDA would generate fewer subway trips compared to the Proposed Action, for analyzed station elements (stairs, escalators, passageways, and fare control areas) where no significant adverse impacts were identified in the Proposed Action, the same conclusion of no potential significant adverse impacts can be made. As such, neither the Proposed Action nor the LDA would result in significant adverse transit impacts to the 47th-50th Streets-Rockefeller Center, Lexington Avenue-59th Street, and Fifth Avenue-53rd Street subway stations.

Table 20.9: Number of Subway Station Elements with Significant Adverse Transit Impacts – Comparison of Lesser Density Alternative and Proposed Action

Peak Hour	Development Scenario	Elements Analyzed	Elements with No Significant Impacts	Elements with Significant Impacts
Stairways				
AM	Lesser Density Alternative	97	97	0
	Proposed Action	97	97	0
PM	Lesser Density Alternative	103	102	1
	Proposed Action	103	101	2
Escalators				
AM	Lesser Density Alternative	16	5	11
	Proposed Action	16	5	11
PM	Lesser Density Alternative	17	11	6
	Proposed Action	17	11	6
Passageways				
AM	Lesser Density Alternative	2	2	0
	Proposed Action	2	2	0
PM	Lesser Density Alternative	2	2	0
	Proposed Action	2	2	0
Fare Control Areas				
AM	Lesser Density Alternative	28	28	0
	Proposed Action	28	28	0
PM	Lesser Density Alternative	31	31	0
	Proposed Action	31	31	0

All other analyzed station elements were evaluated to determine if the LDA would result in significant adverse impacts. The results of the analysis show that the same analyzed station elements that were significantly adverse impacted at the Grand Central 42nd Street and Lexington Avenue-53rd Street subway stations would also be impacted under the LDA. However, unlike the Proposed Action, the LDA would not result in a significant adverse transit impact to street Stair MB20 during the PM peak hour at the 42nd St-Bryant Park subway station. The results of the subway station analysis for the LDA are summarized in Appendix I.3.

Subway Line Haul

As the level of new subway demand projected to occur under the Proposed Action would not result in significant adverse subway line haul impacts, the smaller numbers of new trips projected under the LDA are also not expected to result in significant adverse subway line haul impacts.

Bus

Neither the Proposed Action nor the LDA would result in significant adverse impacts to local or express bus services. As shown in Table 20.6, the LDA would generate 472 fewer bus trips (local and express combined) in the AM peak hour and 555 fewer in the PM compared to the Proposed Action.

Pedestrians

Compared to the Proposed Action, the LDA would generate an estimated 3,157 fewer pedestrian trips in the AM peak hour, 3,908 fewer in the Midday, and 3,681 fewer in the PM peak hour. (These would include fewer walk-only trips as well as fewer pedestrian trips en route to and from area transit services and parking garages.) As the LDA would generate fewer pedestrian trips compared to the Proposed Action, for analyzed pedestrian elements (sidewalks, crosswalks and corner areas) where no significant adverse impacts were identified in the Proposed Action, the same conclusion of no potential significant adverse impacts can be made. All other analyzed pedestrian elements were evaluated quantitatively to determine if the LDA would result in significant adverse impacts and if the impacts could be mitigated. The effects of traffic and air quality mitigation measures on pedestrian levels of service were also evaluated at locations where mitigation measures were proposed. Table 20.10 presents a comparison of the number of sidewalks, crosswalks and corner areas that would have significant impacts and unmitigated significant adverse impacts for the LDA and Proposed Action.

As shown in Table 20.10, under the LDA there would be six unmitigated sidewalk impacts during the AM peak hour, three during the Midday, and eight during the PM, one fewer during the AM and PM peak hours than under the Proposed Action. There would also be 18 crosswalks during the AM peak hour, five crosswalks in the Midday, and 16 crosswalks during the PM with unmitigated significant impacts, two fewer during the AM, one fewer during the Midday, and two fewer during the PM than the Proposed Action. There would also be 15 corner areas during the AM peak hour, five corner areas during the Midday, and 11 corner areas during the PM with unmitigated impacts, three fewer during the AM, three fewer during the Midday, and six fewer during the PM than under the Proposed Action. The results of the pedestrian analysis for the LDA are summarized in Appendix I.4.

Table 20.10: Number of Locations with Significant Adverse Pedestrian Impacts – Comparison of Lesser Density Alternative and Proposed Action

Peak Hour	Significant Impacts		Unmitigated Significant Impacts[1]	
	Proposed Action	Lesser Density Alternative	Proposed Action	Lesser Density Alternative
Sidewalks				
AM	7	6	7	6
Midday	3	3	3	3
PM	9	8	9	8
Crosswalks				
AM	23	19	20	18
Midday	10	8	6	5
PM	22	20	18	16
Corner Areas				
AM	19	17	18	15
Midday	8	6	8	5
PM	18	13	17	11

Notes:
[1]Includes unmitigated significant impacts due to traffic or corner mitigation measures.

Parking

The hourly net increase in parking demand for the LDA is summarized in Appendix I.5. With less development in the LDA, there would be a lower demand for parking compared to the Proposed Action. The LDA would have a lower demand for off-street parking compared to the Proposed Action and would displace the same amount of existing parking facilities. Compared to the LDA, the Proposed Action would generate a parking demand for 335 more spaces during the weekday Midday period. As with the Proposed Action, no parking shortfall would be expected under the LDA.

Air Quality

Mobile Source Analysis

As discussed in Chapter 13, "Air Quality," the mobile source analyses determined that there would be no potential significant adverse air quality impacts as a result of project-generated vehicular traffic from the Proposed Action with the incorporation of traffic mitigation measures for certain analysis sites (see Chapter 19, "Mitigation"). The LDA would result in less development resulting in fewer project-generated vehicular trips than that of the Proposed Action. As a result, with the application of the same mitigation measures required by the Proposed Action, it's expected that the maximum predicted pollutant concentrations under the LDA would be lower than the Proposed Action. Therefore, the LDA would not result in any significant adverse impacts from mobile source emissions.

Stationary Source Analysis

Under the Proposed Action, the stationary source air quality impacts would not be significant. This result was as the consequence of placing air quality (E) designations; specifically, they would have restrictions specified for the control of emissions for fossil fuel-fired heating, ventilation and air conditioning (HVAC) systems, which would be designed to ensure there would be no significant adverse air quality impacts at nearby sensitive receptor locations. The LDA will require the same air quality (E) designations for those development sites that would utilize utility steam from Con Edison for their HVAC systems under the Proposed Action. The development sites included under the LDA would be have lower building heights compared to the Proposed Action (generally by approximately 80 to 100 feet lower) and therefore for ten (10) of the affected development sites (i.e., Projected Development Sites 2, 6, 7, 8, 9, 14, 15 and 16, and Potential Development Sites E and F), the potential air quality impacts from HVAC emissions would likely be similar or greater than the Proposed Action since there are additional potential sensitive receptors of similar or greater height. As such, more restricted (E) designations might be required for these development sites under the LDA than the Proposed Action.

The HVAC screening analysis was performed for the 10 abovementioned developments sites resulting in a steam restriction at six development sites (i.e., Projected Development Sites 2, 6, 8, 14 and 15, and Potential Development Site E), where under the Proposed Action natural gas or a stack height restriction was identified. At the other four development sites (i.e., Projected Development Sites 7, 9 and 16, and Potential Development Site F), a stack height restriction would be required similar to the Proposed Action. With these designations in place, similar to the Proposed Action, the potential stationary source impacts of development under the LDA would not be significant.

Greenhouse Gas Emissions (GHG)

With less development than the Proposed Action, the LDA would have less energy use, and would therefore result in fewer carbon dioxide equivalent (CO_2e) emissions per year. Neither the Proposed Action nor the LDA would result in any significant GHG emission or climate change impacts.

Noise

Like the Proposed Action, the LDA would not generate sufficient traffic to have the potential to cause a significant adverse noise impact given the fewer generated traffic trips projected to occur under this Alternative.

Compared to the Proposed Action, the LDA would result in approximately 1,488,413 gsf less of office space and the same amount of retail space. However, the estimated traffic noise exposure, impact assessment and window-wall noise attenuation requirements for the Proposed Action (see Chapter 15, "Noise" for details) and the LDA are essentially the same within this common development area and all sites are assumed to require (E) designations under the LDA. As with the Proposed Action, no significant adverse noise impacts would occur with the LDA.

Public Health

As with the Proposed Action, the LDA would not result in significant adverse public health impacts.

Both the Proposed Action and the LDA would not result in any unmitigated significant adverse impacts related to air quality, water quality, or hazardous materials. While during some periods of construction, the LDA as with the Proposed Action could potentially result in significant adverse impacts related to noise as defined by CEQR thresholds, the predicted overall changes to noise levels would not be large enough to significantly affect public health.

Neighborhood Character

As with the Proposed Action, the LDA would not result in significant adverse impacts on neighborhood character.

The East Midtown area has a varied neighborhood context, and its defining features are the dominance of commercial land uses, the interspersing of older buildings with modern construction, high levels of pedestrian and vehicular activity and associated noise, a primarily high-density built context, and the presence of a number of iconic historic resources, including Grand Central Terminal, the Helmsley Building, the Chrysler Building, St. Bartholomew's Church and Community House, St. Patrick's Cathedral, the Seagram Building, and Lever House. In the LDA, as with the Proposed Action, the East Midtown area would continue to be defined by this combination of features, although under the LDA, the benefits of protecting and strengthening East Midtown as one of the world's premier business addresses would be limited to a smaller 35-block area because of the reduced area of the proposed East Midtown Subdistrict.

Of the relevant technical areas specified in the *CEQR Technical Manual*, both the LDA and the Proposed Action would not cause significant adverse impacts regarding land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; or noise. As described above,

significant adverse impact related to shadows would still occur, as with the Proposed Action. In the LDA, as with the Proposed Action, the potential significant adverse impacts on transportation would not affect neighborhood character; while there would be increased activity, the resulting conditions would not be out of character with the East Midtown area, and thus the incremental changes would not constitute significant impacts on neighborhood character.

Under both the LDA and the Proposed Action, potential significant adverse impacts on historic resources would not result in a significant adverse impact on neighborhood character because they would not alter the overall character of East Midtown as an area characterized by a varied context of older buildings interspersed with modern construction. In addition, the iconic historic structures that are defining features of neighborhood character—Grand Central Terminal, the Helmsley Building, St. Patrick's Cathedral, St. Bartholomew's Church and Community House, the Chrysler Building, the Seagram Building, and Lever House—would not be displaced with either the LDA or the Proposed Action.

Under both the LDA and the Proposed Action, just as potential significant adverse impacts in the relevant technical areas would not affect any defining feature of neighborhood character, no moderate adverse effects that would affect such defining features—either singularly or in combination—have been identified.

Construction

The LDA would result in fewer construction-related impacts than the Proposed Action. The LDA would require the same mitigation measures as the Proposed Action, as applicable, for the identified construction-related impacts.

The LDA would be constructed on the 16 Projected Development Sites identified for the Proposed Action. Development on these 16 sites would be expected to follow the same reasonable worst-case construction schedule as that assumed for the Proposed Action. For the cluster of Projected Development Sites 4 and 5 located between Madison and Fifth Avenues and East 44th and East 46th Streets, the same sequencing and duration of construction would be expected to occur under both the Proposed Action and the LDA.

Overall, the amount of new construction in the LDA would be less than that with the Proposed Action, and thus the LDA would generate fewer disruptive construction-related effects. The LDA would result in less construction-related noise and traffic than the Proposed Action. The LDA would result in fewer potential construction-related significant adverse impacts to architectural resources as compared with the Proposed Action since fewer sites would be developed (16 Projected Development Sites and 7 Potential Sites). As with the Proposed Action, the LDA would not result in significant adverse construction impacts with respect to air quality, land use and neighborhood character, socioeconomic conditions, open space, or hazardous materials. The LDA would still be expected to result in significant adverse construction impacts related to transportation (traffic and pedestrians), although possibly at fewer locations than the Proposed Action.

Under the Proposed Action, unmitigated construction noise impacts were also identified in the receptor locations in the immediate vicinity of Projected Development Sites 4 and 5 during the peak construction period. Construction would still occur on these sites in the LDA, and while the buildings would be slightly smaller in size, it is anticipated that the same unmitigated significant adverse construction noise impacts would remain from the heavy construction activities under this alternative.

20.5 Modified Rezoning Boundary Alternative

This alternative would map the East Midtown Subdistrict as contemplated in the Proposed Action, but with one boundary modification. The easterly boundary would be the same as the Proposed Action between East 40th Street and the center line between East 47th and East 48th streets, but above the center line between East 47th and East 48th streets, the boundary would be modified and moved to the center line of Third Avenue. This alternative was developed in response to a comment received during scoping for the DEIS, requesting analysis of a scenario in which the east side of Third Avenue is not rezoned.

Under this alternative, Potential Development Site N would fall outside of the boundaries of the proposed rezoning area, and therefore would not have the potential to be redeveloped as analyzed under the Proposed Action. With the exception of this site, all of the other development sites identified under the Proposed Action would remain the same. The principal differences of this alternative compared to the Proposed Action are that urban design conditions would be slightly altered and (E) designations for hazardous materials, air quality and noise identified as necessary under the Proposed Action for Potential Development Site N would not be needed.

Potential Development Site N is located on the east side of Third Avenue between East 51st and East 52nd Streets in the Northern Subdistrict (refer to Figure 1-2 in Chapter 1, "Project Description,") where a permitted FAR of 18.0 is proposed. Under this Alternative, Potential Development Site N would not be redeveloped as analyzed under the Proposed Action, but other nearby development sites along this portion of Third Avenue would be. These include Projected Development Sites 12 and 13 and Potential Development Sites J and K.

Urban Design: With respect to urban design, the creation of a node of towers of similar heights and relationship to the streetwall flanking the subway station and facing each other across Third Avenue would not be achieved to the extent it would under the Proposed Action; refer to Figures 7-4 and 7-8 in Chapter 7, "Urban Design." The elimination of Potential Development Site N would result in a negligible change to urban design conditions compared to the Proposed Action. No significant adverse impacts to urban design would occur either under this alternative or under the Proposed Action.

Hazardous Materials, Air Quality, and Noise: Under this alternative, the (E) designations required under the Proposed Action for Potential Development Site N would not be needed as that site would not be redeveloped. All other (E) designations would remain the same as under the Proposed Action.

The analysis of the Proposed Action did not identify any potential significant adverse impacts associated with the development of Potential Development Site N, so removing it from the proposed rezoning area would result in essentially the same impacts as under the Proposed Action. This alternative would not reduce or lessen any of those impacts. The same mitigation required for the Proposed Action would be required for this alternative.