Chapter 26: Conceptual Analysis

A. INTRODUCTION

As described in Chapter 1, "Project Description," the Proposed Actions consist of a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the "Proposed Actions"). As part of the comprehensive rezoning strategy for East Harlem, the Special East Harlem Corridors (EHC) District and zoning text are proposed in order to establish special use, bulk, ground-floor design, and parking regulations on 70 blocks fronting on major corridors within the Rezoning Area, including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue, and East 116th Street. Though much of the proposal provides a future as-of-right framework to achieve the stated land use objectives of the rezoning, when it comes to future hotel uses, a special permit, subject to a separate public review process (i.e., the Uniform Land Use Review Procedure, or ULURP) and environmental review process, is warranted. As described in more detail below, with the Proposed Actions, development of new hotel uses would only be allowed upon the issuance of a special permit by the City Planning Commission (CPC) where M1-6/R9, M1-6/R10, C6-4, C4-6, and C2-5 overlays are proposed to be mapped within the Special EHC District. Additionally, this special permit would apply to the proposed C6-4 district within the existing Special 125th Street District.

The conceptual analysis presented in this chapter considers the provision and development of new hotel uses through the proposed special permit within the Rezoning Area. The future with the Proposed Actions (With Action Condition) as presented in Chapter 1, "Projected Description," is based on several factors and assumptions regarding where new development could reasonably be expected to occur in the With Action Condition, as well as the type and amount of new development. The With Action Condition does not consider specific sites that would develop as hotel use under the aforementioned special permit, since the number and locations of sites that may utilize the future special permits cannot be predicted with certainty.

Accordingly, this chapter provides a conceptual analysis to generically assess potential environmental impacts that could result from hotel development pursuant to the special permit (the "Special Permit Scenario"). The hotel special permit would be subject to a separate discretionary approval and any environmental impacts associated with such action would be assessed and disclosed pursuant to separate environmental review, with a project-specific analysis beyond what is analyzed in this chapter on a conceptual and generic basis.

PRINCIPAL CONCLUSIONS

The Proposed Actions would create a new special permit related to the development, conversion, or enlargement of hotels. This conceptual analysis has been conducted to generically assess potential environmental impacts that could result from hotel development pursuant to the special permit. Based on the assessment, development per the proposed new special permit would not

result in any additional significant adverse impacts as compared with the With Action Condition analyzed for the Proposed Actions.

B. HOTEL SPECIAL PERMIT

The Proposed Actions would create a zoning framework that is intended to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character. Currently, hotel use is permitted as-of-right under several existing zoning districts within the Rezoning Area. These districts include M1-2, M1-4, C4-4, C4-4D, C6-3, C8-3, C4-7, and C2-5 commercial overlays in addition to any C2-4 commercial overlays within a 1,000-foot radius of entrances or exits of a limited-access expressway, freeway, parkway, or highway. As noted in Chapter 1, "Project Description," these districts would be rezoned to M1-6/R9 (replacing existing C8-3 district), M1-6/R10 (replacing existing M1-2 and M1-4 districts), C6-4 (replacing existing R7-2 district), C4-6 (replacing existing C4-4D district), and additional C2-5 overlays in the Special EHC District.

With the Proposed Actions, development of hotel uses (Use Group 5) would only be allowed upon the issuance of a special permit by the City Planning Commission (CPC) in the Special EHC District, where M1-6/R9, M1-6/R10, C6-4, C4-6, and C2-5 overlays are mapped. Additionally, this special permit would apply to the proposed C6-4 district within the Special 125th Street District.

The proposed hotel special permit is intended to ensure that hotel development does not conflict with the Proposed Actions' goal to create opportunities for requiring permanently affordable housing, and to ensure that the neighborhood would continue to serve diverse housing needs. The special permit would apply to the creation of any new hotel floor area, whether through enlargement, conversion, or new development. With the Proposed Actions, the development of hotel uses would require an application to CPC for a special permit that may only be granted provided that the CPC finds that: (1) sufficient development sites are available in the area to meet the "residential development goal; and (2) a harmonious mix of residential and non-residential uses has been established in the area, and such hotel use is consistent with such character of the surrounding area. The proposed special permit could be applied for in the future for any of the projected and potential development sites in districts that allow hotel use within the Special EHC District.

New hotel construction would be permitted upon certification by the Chairperson of the CPC to the Commissioner of Buildings that the "residential development goal" has been met for the Special EHC District. As defined in the proposed zoning text for the Special EHC District, the "residential development goal" will be considered to be met when certificates of occupancy have been issued for 4,470 new residential units (75 percent of the number of dwelling units projected to be developed in the Rezoning Area).

C. METHODOLOGY AND ANALYSIS FRAMEWORK

As described in Chapter 1, "Project Description," the Proposed Actions are expected to result in a net increase of approximately 3,500 dwelling units, a substantial proportion of which are expected to be affordable; approximately 165,000 square feet (sf) of commercial retail space (which includes local retail, destination retail, grocery, and restaurant use); approximately 105,000 sf of community facility space; and approximately 132,400 sf of manufacturing space.

The Proposed Actions are also expected to result in net decreases of approximately 10,600 sf of auto-related space, 33,000 square feet of hotel use; and 57,600 sf of warehouse/storage space.

This chapter provides a conceptual analysis of the potential effects of establishing the aforementioned new CPC Special Permit and considers the potential environmental effects as compared to those described for the Proposed Actions. While it is not known which sites may apply for the proposed special permit to facilitate hotel development at this time, for the purposes of this conceptual analysis it is assumed that Projected Development Site 5 (Block 1751, Lots 40, 137, 33, 34, 37, 132, 35, 38 and 36) would be developed in accordance with the proposed new hotel special permit. Projected Development Site 5 was chosen because it is located near multiple bus lines; the Nos. 4, 5, and 6 subway lines; Metro-North Railroad; and the major mixed-use 125th Street corridor. Because of the its proximity to the 125th street corridor and the numerous transit resources it is reasonable to assume that a developer would pursue the special permit to facilitate the development of a hotel on the site. Additionally, the size and shape of the site lend themselves to the development of shallower floor-plate depths above the building's base; this would efficiently accommodate a hotel use. The following sections describe Projected Development Site 5's existing conditions, future No Action Condition and future With Action Condition, as presented in Chapter 1, "Projected Description," and for comparison purposes, also present a future Special Permit Scenario that assumes that the proposed hotel special permit is sought for the purposes of facilitating hotel development on Projected Development Site 5.

EXISTING CONDITIONS

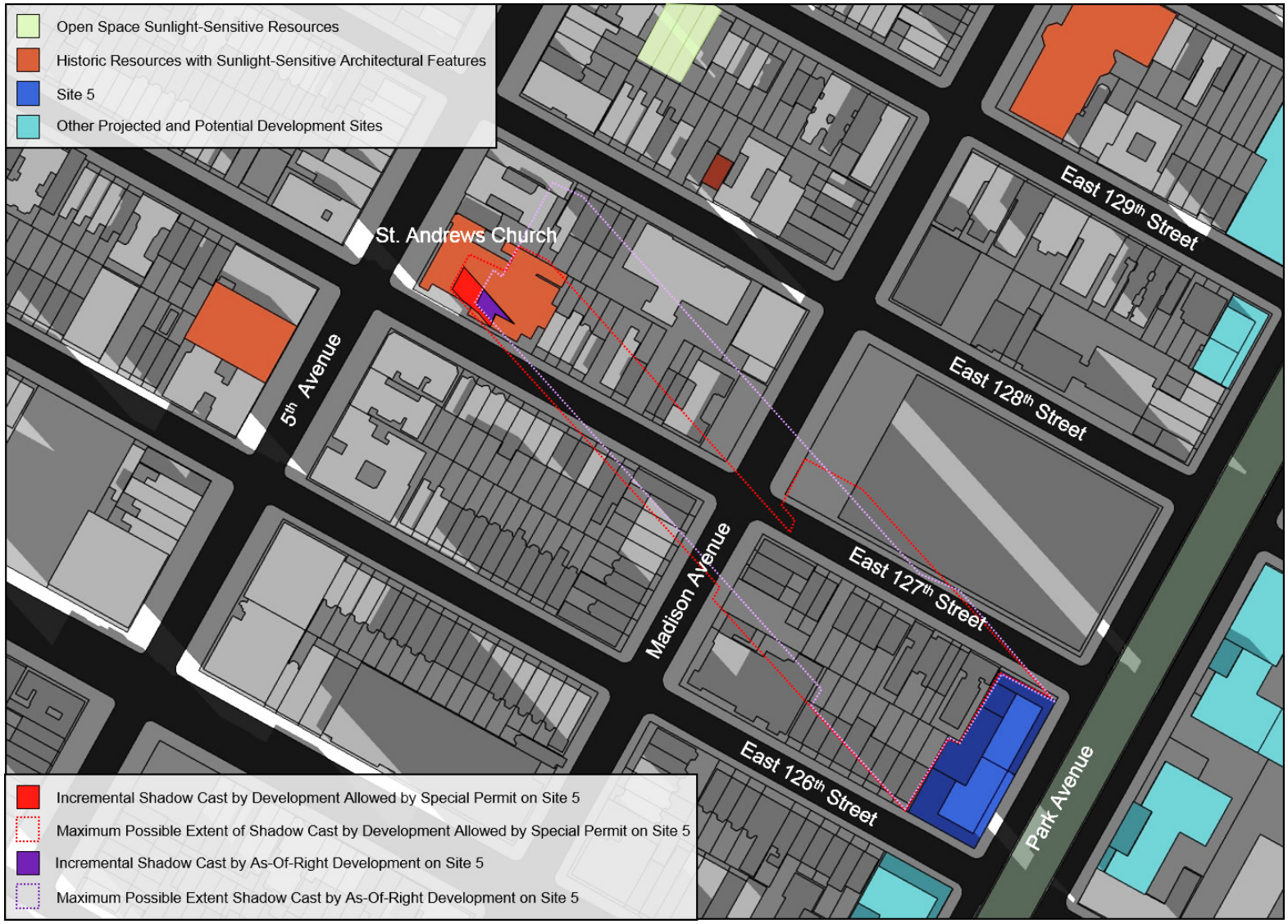
Projected Development Site 5 is a 16,487 sf site is bounded by East 126th Street to the south, East 127th Street to the north, and Park Avenue to the east. As shown in **Figure 26-1**, the site is located in an existing C8-3 district, which permits a maximum Floor Area Ratio (FAR) of 2.0 for commercial use (Use Groups 5 to 14 and 16) and a maximum FAR of 6.5 for community facility use (Use Group 4). Typical uses under the district include automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels, and amusements, such as theatres are also permitted. No residential uses are permitted. C8-3 districts also have a 60 foot base height limit, above which a structure must fit beneath a sloping sky exposure plane, and typically produces low-rise, one-story structures. The site is currently occupied with a mix of vacant lots and surface parking.

NO ACTION CONDITION

In the future without the Proposed Actions, the site would continue to be regulated under the existing C8-3 zoning district. It is assumed that portions of the site would be developed with an as-of-right 32,974 gsf hotel with 82 rooms, a maximum height of 45 feet, and a built FAR of 2.0.

WITH ACTION CONDITION

In the future with the Proposed Actions, the site would be rezoned to M1-6/R9 within the EHC District, and mapped within a Mandatory Inclusionary Housing (MIH) area. The proposed M1-6/R9 district permits residential use (Use Groups 1 and 2) up to 7.0 FAR, community facility use (Use Groups 3 and 4) up to 8.5, commercial use (Use Groups 5 to 15) up to 8.5 FAR, and manufacturing use (Use Group 17) up to 8.5 FAR. The Special EHC District would impose a non-residential use requirement of 1.5 FAR before any permitted residential floor area could be utilized. With this requirement, a mixed-use building with residential would be permitted up to a



December 21st Analysis Day 8:15 am

Figure 26-1

maximum FAR of 8.5. The maximum base height would be 105 feet and the maximum overall building height would be 350 feet with a penthouse allowance of up to 40 feet. Under the proposed M1-6/R9 district, the site would be developed with a 140,139 gsf mixed use building, consisting of 107,165 gsf of residential floor area and 119 dwelling units, and 32,974 gsf of commercial floor area, with a height of 190 feet. Commercial floor area would consist of 4,974 gsf of local retail, 20,000 of destination retail, and an 8,000 gsf eating and drinking establishment. Subject to the requirements of MIH, a share of the dwelling units would be set aside for permanently affordable housing for households at various income levels.

WITH ACTION CONDITION WITH HOTEL ("SPECIAL PERMIT SCENARIO")

In this conceptual analysis, it is assumed that Projected Development Site 5 would be developed as a 140,139 gsf mixed-use building with both residential and hotel use pursuant to the Hotel Special Permit (i.e., the Special Permit Scenario). The development would include 53,583 gsf of residential floor area and 59 dwelling units, and 85,556 gsf of commercial floor area, with a height of 190 feet. Commercial floor area would consist of 53,582 gsf of hotel use with 134 rooms, 4,974 gsf of local retail, 20,000 gsf of destination retail, and an 8,000 gsf eating and drinking establishment. Similar to the projected development of this site in the With Action Condition, a share of the dwelling units would be set aside for permanently affordable housing for households at various income levels.

INCREMENT FOR CONCEPTUAL ANALYSIS

The Special Permit Scenario compares the potential effects of development under the Special Permit Scenario with those described for the Proposed Actions. Compared with the With Action Condition, the increment for the conceptual Special Permit Scenario is as follows:

- Increase of 53,582 gsf of Hotel Floor Area (134 hotel rooms)
- Decrease of 53,582 gsf of Residential Use (59 dwelling units)

As noted previously, for the purposes of analysis, this conceptual analysis looks at the effects of one site seeking the special permit in addition to the rest of the 68 Projected Development Sites that would be developed, as identified in With Action Condition. The incremental difference between the With Action Condition and the Special Permit Scenario serves as the basis for impact category analyses in this chapter.

D. ENVIRONMENTAL ASSESSMENT

LAND USE, ZONING, AND PUBLIC POLICY

Similar to the analysis conducted in Chapter 2, "Land Use, Zoning, and Public Policy," development under the Special Permit Scenario would not result in a significant adverse impact on land use, zoning, and public policy. Under the Special Permit Scenario, there would be an increase of 53,582 gsf of hotel floor area (134 hotel rooms). The proposed hotel special permit would ensure that hotel development does not conflict with the Proposed Actions' goal to create opportunities for requiring permanently affordable housing, and that the neighborhood would continue to serve diverse housing needs. Similar to the conclusions of the analysis provided in Chapter 2, the Special Permit Scenario would not directly displace any land use, nor generate new land uses that would be incompatible with surrounding land uses or conflict with existing

zoning or applicable public policies. As such, the Special Permit Scenario would not result in any significant adverse impacts to land use, zoning, and public policy.

SOCIOECONOMIC CONDITIONS

As is the case under the With Action Condition, the Special Permit Scenario would not result in a significant adverse impact with respect to socioeconomic conditions. As development would occur on the same 68 projected development sites under the Special Permit Scenario, the Conceptual Development Site would not result in additional direct residential or business displacement that was not already disclosed in Chapter 3, "Socioeconomic Conditions."

The increment of 53,582 gsf of additional hotel floor area and 53,582 gsf of less residential floor area between the Special Permit Scenario, and the With Action Condition would not result in additional indirect residential displacement. As discussed above, the proposed special permit is intended to ensure that hotel development does not conflict with the Proposed Actions' goal to create opportunities for requiring permanently affordable housing, and to ensure that the neighborhood would continue to serve diverse housing needs. In both the With Action Condition and Special Permit Scenario, the increment resulting from the Conceptual Development Site would not introduce or accelerate the existing trend toward rising rents, rising home prices, and rising incomes within the Study Area.

As compared with the With Action Condition, under the Special Permit Scenario hotels could be sited within an area where they would otherwise be prohibited. However, this change in land use as compared with the With Action Condition would not (1) add a new economic activity or add to a concentration of a particular sector of the local economy enough to significantly alter or accelerate existing economic patterns; (2) directly displace any type of use that either directly supports businesses in the area; or (3) bring a new customer base to the area for local businesses, or directly or indirectly displace residents or workers who form the customer base of existing businesses in the area. As with the With Action Condition, the Special Permit Scenario would not result in any significant adverse impacts due to indirect business/institutional displacement. In addition, the Special Permit Scenario would not result in any significant adverse impacts on specific industries.

COMMUNITY FACILITIES AND SERVICES

Similar to the With Action Condition, the Special Permit Scenario would not result in significant adverse impacts related to community facilities. The Conceptual Development Site would not displace or otherwise directly affect any public schools, child care centers, libraries, health care facilities, or police and fire protection service facilities. Without the addition of 59 dwelling units otherwise expected on Projected Development Site 5 in the With Action Condition, the Special Permit Scenario would also have lower demands on community facilities. Since public schools, child care facilities, libraries, police/fire services, and health care facilities, generally serve local populations, demand is not expected to increase from additional hotel rooms. Like the With Action Condition, the Special Permit Scenario would not result in significant adverse impacts related to indirect effects on public schools, public libraries, child care facilities, or fire and police protection services.

OPEN SPACE

Similar to the With Action Condition, there would be no significant adverse impacts from indirect effects on open space in the Special Permit Scenario. The Special Permit Scenario

would result in a net decrease of 53,582 gsf of residential floor area (59 dwelling units) and an increase of 53,582 gsf of hotel area (134 hotel rooms), compared with the With Action Condition. Under the Special Permit Scenario, the residential population would decrease by 143, and the non-residential population would increase by 132 when compared with the With Action Condition. The resulting non-residential passive open space ratio in the Special Permit Scenario would be 0.387 acres per 1,000 non-residents, which is slightly lower than that in the With Action Condition (0.388) and represent a3.46 percent decrease from the No Action Condition (0.401), which would constitute a reduction of less than 5 percent. The passive open space ratio for combined residents and workers would remain the same between the Special Permit Scenario and With Action Condition.

With respect to reductions in open space within the residential study area, the total residential study area open space ratio in the Special Permit Scenario would increase from 0.801 to 0.802 acres per 1,000 residents representing a smaller decrease of 3.84 percent (in comparison to a decrease of 3.96 percent in the With Action Condition), while the active and passive open space ratios would remain the same as in the With Action Condition. Given the slightly lower decrease in total residential study area open space ratio, and no changes to active and passive open space ratios, the Special Permit Scenario would not result in indirect significant adverse impacts on open space within the residential study area.

As in the With Action Condition, the Special Permit Scenario would result in significant adverse impacts related to shadows on three open space resources. The significant adverse impacts are discussed below in the "Shadows" section of this chapter.

SHADOWS

As discussed in Chapter 6 "Shadows," the With Action Condition could result in incremental shadows on 50 sunlight sensitive resources. Of these resources, 44 are open space resources and 6 are historic resources with architectural features sensitive to shadow. The affected open space resources include publicly accessible open spaces, community gardens, greenstreets, and recreational areas within New York City Housing Authority (NYCHA) housing complexes. The affected architectural features are found on New York City landmarks and other potentially historic buildings. Of the 43 resources affected by new shadow, the detailed analysis found that El Catano Garden, Eugene McCabe Field, and Jackie Robinson Garden would be significantly impacted by new shadow originating from at least one of the With Action Condition developments. The duration or extent of incremental shadow cast on these open spaces would be great enough to significantly impact the use of the open space or its ability to support vegetation.

Under the Special Permit Scenario, development on the Conceptual Development Site (Projected Development Site 5 in the With Action Condition) would have the same overall building height and scale as projected on the site in the With Action Condition, but the height of the building base and form of the tower would be different. The inclusion of a hotel use on the site would result in a base height of 40 feet and a reorientation and elongation of the building's tower. The difference in form is the result of hotel use being able to take advantage of narrower floor plates on its upper floors.

The shadows analysis in the With Action Condition determined that an incremental shadow produced by the With Action development (Projected Site 5) on the Conceptual Development Site could only reach one historic resource with sunlight-sensitive architectural features, Saint Andrews Church 2067 at Fifth Avenue, at 8:51 AM on the December 21st analysis day, as shown in **Figure 26-1**. As the incremental shadow would only be cast of the roof of the Saint

Andrews Church and not on its façade, there would be no impact on the resource under the Proposed Actions. As shown in **Figure 26-1**, the incremental shadow produced by the Special Permit Scenario for the Conceptual Development Site on Saint Andrews Church would be smaller in size than it would be under the With Action Condition and would only be cast on the roof and not the façade. Therefore, the Special Permit Scenario would not result in any additional impacts on sunlight-sensitive resources.

HISTORIC AND CULTURAL RESOURCES

The Special Permit Scenario would result in the same—but no additional—significant adverse impact to archaeological resources that was identified in the With Action Condition. As discussed in Chapter 7, "Historic and Cultural Resources," Landmarks Preservation Commission (LPC) determined that Potential Development Site V possesses potential archaeological significance that could result in unmitigated and unavoidable adverse impact. Projected Development Site 41, which was also identified by LPC as having potential archaeological significance, contains lots that are City-owned or City-controlled, and would be subject to completing the Phase 1B archaeological investigation prior to any future development. The remaining potential and projected development sites, including the Conceptual Development Site, were determined by LPC to have no potential archaeological significance. Since development would occur on the same 68 Projected Development Sites, the Special Permit Scenario would not result in additional in-ground disturbance that has not already been analyzed in the With Action Condition. As such, no additional significant adverse impacts to archaeological resources would occur in the Special Permit Scenario.

Similar to the With Action Condition, the Special Permit Scenario would not result in direct impacts to architectural resources. The projected and potential development sites in the With Action Condition contain a number of known resources that are eligible for listing on the State/National Registers of Historic Places (S/NR), including the First Spanish United Methodist Church (on Projected Development Site 41), Kress Building (Potential Development Site U), and 1916 Park Avenue (Potential Development Site O). The With Action Condition assumes that the First Spanish United Methodist Church and the Kress Building would be redeveloped in the future without the Proposed Actions, and that development on 1916 Park Avenue would retain the architectural resource and redevelop it for residential use, which would not be expected to result in a significant adverse impact to the resource. Since the Conceptual Development Site was analyzed as part of the With Action Condition, and that no known architectural resources were identified on the site by LPC, no additional known architectural resources would be impacted under the Special Permit Scenario.

In both the Special Permit Scenario and with the Proposed Actions, 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 Buildings (DOB) Technical Policy and Procedure Notice (TPPN) #10/88, which governs the protection of adjacent historic properties from accidental construction damage. However, as discussed in Chapter 7, "Historic and Cultural Resources," the With Action Condition would result in significant adverse construction-related impacts to four S/NR-Eligible architectural resources located within 90 feet of projected or potential development sites. These S/NR-Eligible architectural resources include St. Paul's Rectory and School, Chambers Memorial Baptist Church, a former stable at 166 East 124th Street, and the Park Avenue Viaduct.

Overall, the direct and construction-related impacts to historic resources in the Special Permit Scenario would be the same as those in the With Action Condition for the Proposed Actions. As discussed above, the Special Permit Scenario is not expected to significantly alter the context of historic resources. However, any special permit development would be a discretionary action requiring a separate environmental review. As such, any significant adverse impacts on historic resources that could result from a special permit development would be assessed and disclosed to the public under and pursuant to a separate environmental review. As discussed above, incremental shadows from the Special Permit Scenario would not result in any additional impacts on historic sunlight-sensitive resources.

URBAN DESIGN AND VISUAL RESOURCES

As in the With Action Condition described in Chapter 8, "Urban Design and Visual Resources," there would be no significant adverse impacts on urban design and visual resources in the primary or secondary study areas in the Special Permit Scenario.

The Proposed Actions reflected in the With Action Condition would allow for new residential and mixed-use developments at a greater density than what is currently permitted as-of-right in the primary study area. These actions would allow for new housing, including affordable housing, along key corridors, particularly Park, Third, and Second Avenues. The increased density would expand the customer base in the area, which would sustain existing and new businesses. While the buildings that could be built under the Proposed Actions could be much taller than the existing buildings in the area, they would be similar in scale to other new buildings being developed in Manhattan, and the new developments would be concentrated along major avenues, preserving the low-rise character of the smaller cross streets, particularly North of East 125th Street where contextual zoning would be applied to ensure that new infill development complements the existing residential character by promoting consistent building height and size.

The Proposed Actions would also establish a Special District that would improve the pedestrian experience by promoting non-residential active ground floors, and establish urban design controls such as minimum and maximum base heights, lowering the amount of required parking, and eliminating plaza bonuses. The Proposed Actions would seek to encourage new commercial development and growth potential along the fragmented and underutilized corridors of East 125th Street, East 116th Street, Third Avenue, and Park Avenue by encouraging development on vacant sites.

Under the Special Permit Scenario, development on the Conceptual Development Site (Projected Development Site 5) would have the same overall building height and scale as projected on the site in the With Action Condition, with the exception of the height of the building base and form of the tower. Specifically, the inclusion of a hotel use on the site would result in a base height of 40 feet and a reorientation and elongation of the buildings tower. The difference in form is the result of hotel use being able to take advantage of narrower floor plates on its upper floors. As shown in **Figures 26-2 and 26-3**, the lower building base in the Special Permit Scenario would be consistent with surrounding development sites on Park Avenue. The Special Permit Scenario would not have significant adverse impacts on the pedestrian's experience of the avenue's built character. Therefore there Special Permit Scenario would not result in any significant impacts on urban design.



With Action Condition



Special Permit Scenario

Comparison Massing -126th Street at Park Avenue Facing North

Figure 26-2



With Action Condition



Special Permit Scenario

Comparison Massing -127th Street at Park Avenue Facing South

Figure 26-3

The Special Permit Scenario for the Conceptual Development Site (Projected Development Site 5) would not result in any additional impacts on the murals described in Chapter 8, "Urban Design," as there are none currently adjacent to or present on the site. Therefore, the Special Permit Scenario would not result in any significant impacts on visual resources.

NATURAL RESOURCES

Like the With Action Condition, the Special Permit Scenario would not result in significant adverse impacts to natural resources. Projected development resulting from the Proposed Actions would not adversely affect the floodplain, or increase flooding within or adjacent to the Project Area. As with the With Action Condition, the projected development sites under the Special Permit Scenario would comply with New York City Building Codes for construction within the 100-year and 500-year floodplains. In addition, construction of any subsurface stormwater source control best management practices (BMPs), as described below in "Water and Sewer Infrastructure," would not result in significant adverse impacts to the direction of groundwater flow toward the Harlem River.

HAZARDOUS MATERIALS

As with the With Action Condition, there would be no significant adverse impacts with respect to hazardous materials in the Special Permit Scenario. As discussed in Chapter 10, "Hazardous Materials," the Conceptual Development Site in the Special Permit Scenario would have an (E) designation assigned to it as part of the Proposed Actions. Therefore, the effects of hotel development pursuant to the special permit would be the same as with the With Action Condition with respect to hazardous materials, and would not result in significant adverse impacts.

WATER AND SEWER INFRASTRUCTURE

Water Supply

Similar to the With Action Condition, the Special Permit Scenario would not result in significant adverse impacts on the City's water supply system. As discussed in Chapter 11, "Water and Sewer Infrastructure," the Projected Development Sites in the With Action Condition are expected to generate a water demand of approximately 2,708,370 gallons per day (gpd), an increase of 1,492,452 gpd, or approximately 1.5 million gallons per day (mgd) compared with demand in the No Action Condition. Future incremental demand from the projected development sites would be dispersed throughout the Project Area and would represent approximately 0.15 percent of the City's average daily water supply of approximately one billion gpd. Under the Special Permit Scenario, an increase of 53,582 gsf of hotel floor area, and decrease of 59 dwelling units are not expected to generate a noticeable increase in water demand from the With Action Condition. Therefore the Special Permit Scenario would not result in significant adverse impacts on water supply.

Wastewater treatment

As discussed in Chapter 11, "Waste and Sewer Infrastructure," developments on the projected development sites in the With Action Condition are expected to generate a total of approximately 1,627,022 gpd of sanitary sewage, an increase of 902,870 gpd over the No Action Condition. With an existing average flow of 200 mgd and the addition of approximately 0.9 mgd on the Projected Development Sites, the Wards Island WWTP would continue to have reserve

capacity in the With Action Condition. As with water usage, the Special Permit Scenario is expected to generate a similar rate of sanitary sewage that would be treated by the Wards Island WWTP. Therefore, no significant adverse impacts to the City's wastewater treatment services would occur as a result of the Special Permit Scenario.

Stormwater and Drainage Management

The Special Permit Scenario is expected to have comparable sanitary flow resulting from denser development and similar amount of fully impervious rooftop area. As in the With Action Condition, increased volumes and flows would be conveyed to the Wards Island WWTP or discharged directly to the East River, depending on rainfall volume and duration. Given that the available capacity of the Wards Island WWTP is able to accommodate the increased flows to the combined sewer system from the With Action Condition, Special Permit Scenario, which assumes the same overall floor area in the Conceptual Development Site as Projected Development Site 5, would not result in significant adverse impacts on water quality and to the City's sanitary sewage conveyance and treatment system. Additionally, as in the With Action Condition, the peak stormwater runoff rates would be reduced with the incorporation of stormwater source control BMPs that would be implemented on the Conceptual Development Site by its developer in accordance with the City's site connection requirements.

SOLID WASTE AND SANITATION SERVICES

The Special Permit Scenario, similar to the With Action Condition, would not directly affect a solid waste management facility. As discussed in Chapter 12, "Solid Waste," development resulting from the With Action Condition would generate an increment above the No Action Condition of approximately 133.3 tons per week of solid waste, of which approximately 55 percent (73.1 tons) would be handled by the New York City Department of Sanitation (DSNY), and 45 percent (60.1 tons) would be handled by private carters. This correlates to approximately 9.9 additional truckloads per week of solid waste handled by DSNY, and between 7.9 and 9.9 additional truckloads per week handled by private carters.

The Conceptual Development Site, which represents an increase of 53,582 gsf of hotel floor area, and decrease of 59 dwelling units from Projected Development Site 5 in the With Action Condition, would generate approximately 137 tons per week of solid waste, of which approximately 52 percent (71.9 tons) would be handled by DSNY, and 48 percent (65.2 tons) would be handled by private carters. This correlates to approximately 9.8 additional truckloads per week of solid waste handled by DSNY, and between 8.3 and 10.4 additional truckloads per week handled by private carters. Similar to the With Action Condition, additional solid waste resulting from the Conceptual Development Site would be negligible relative to the approximately 12,260 tons of solid waste handled by the DSNY every day, or the 13,000 tons handled by private carters. As such the Special Permit Scenario would not result in an increase in solid waste that would overburden available waste management capacity.

ENERGY

The Special Permit Scenario would not result in a significant adverse impact on energy systems. As discussed in Chapter 13, "Energy," the With Action Condition would result in increased demand of approximately 516,576,883 British Thermal Units (BTUs) of energy per year as compared with the No Action Condition. In addition to the With Action Condition, the Special Permit Scenario would generate an increase of 4,800,947 BTUs of energy per year. The Special Permit Scenario, similar to the With Action Condition, would generate an incremental increase

in energy demand that would be negligible when compared with the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Therefore, no significant adverse energy impacts are expected to occur.

TRANSPORTATION

In general, hotel rooms and residential dwelling units have similar daily trip generation characteristics. As shown in Chapter 14, "Transportation," and summarized in **Table 26-1**, hotel rooms and residential dwelling units each generate between 8 and 10 person trips per day. However, as demonstrated in the increment for the conceptual Special Permit Scenario directly above, approximately twice as many hotel rooms as residential dwelling units can be accommodated in the same space. Accordingly, the Special Permit Scenario is expected to generate approximately twice as many daily person trips as the With Action Condition. Other factors that are important to consider include temporal distributions (hotel use generates a higher percentage of trips during the midday peak hour compared to residential use), and auto and taxi use characteristics (for developments in Manhattan, hotel trips are more likely to be auto and taxi based trips, compared with residential trips that are more likely to be via subway and bus).

The 2014 *CEQR Technical Manual* presents a two-tier screening procedure to determine the potential for significant impacts. The screening procedure begins with a trip generation analysis (Level 1 Screen) to estimate the number of person and vehicle trips attributable to a proposed action. If a proposed project is projected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips, then significant transportation impacts are unlikely and no further analyses are generally warranted. When these thresholds are exceeded, trip assignments (Level 2 Screen) are performed. If the trip assignments show that a proposed project would result less than 50 peak hour vehicle trips at a particular intersection, 200 or more peak hour subway trips at a subway station, 50 or more peak hour bus trips in one direction along a bus route, or 200 or more peak hour pedestrian trips traversing a pedestrian element, then significant transportation impacts are unlikely and no further quantified analyses are generally warranted.

A Level 1 trip generation screening assessment was conducted to estimate the number of person and vehicle trips associated with the increment for the conceptual Special Permit Scenario. Trip generation factors for hotel and residential uses were taken from the transportation chapter of this document. The trip generation analysis for the conceptual residential and hotel developments is presented below in **Table 26-1**.

As shown in **Table 26-1**, the increment for the conceptual Special Permit Scenario results in 53, 153, 111, and 68 incremental person trips in the Weekday AM, midday, PM, and Saturday midday peak hours, respectively. Each of these is below the 200 pedestrian and transit trip Level 1 screening threshold. Therefore, significant pedestrian or transit impacts are unlikely and no further analysis is warranted.

The information presented in **Table 26-1** indicates that the increment for the conceptual Special Permit Scenario generates 24, 47, 41, and 29 incremental vehicle trips in the Weekday AM, midday, PM, and Saturday midday peak hours, respectively. Each of these is below the 50 vehicle trip Level 1 screening threshold. Therefore, significant traffic impacts are unlikely and no further analysis is warranted.

The *CEQR Technical Manual* indicates that if a detailed traffic assessment is not warranted, then significant parking impacts are not likely and no further analysis is warranted. As discussed

above, the conceptual Special Permit Scenario does not warrant a detailed traffic assessment and therefore significant parking impacts are not likely and no further analysis is warranted.

Table 26-1
Conceptual Analysis Trip Generation Summary

				Temporal Distribution				Person Trips			
		Weekday	Saturday	Weekday	Weekday	Weekday	Saturday	Weekday	Weekday	Weekday	Saturday
Land Use	Size	PT Rate	PT Rate	AM	MD	PM	MD	AM	MD	PM	MD
Residential	59	8.075	9.6	10%	5%	11%	8%	48	24	52	45
Hotel	134	9.4	9.4	8%	14%	13%	9%	101	176	164	113
Increment								53	153	111	68
								Auto Trips			
Residential								3	1	4	2
Hotel								19	33	31	21
Increment								16	32	27	19
								Taxi Trips			
Residential								0	0	0	0
Hotel								9	15	14	10
Increment								9	15	14	10
								Vehicle Trips			
Residential								4	1	4	2
Hotel								28	49	45	31
Increment								24	47	41	29

Note: Transportation Demand Factors are from Chapter 14, "Transportation."

AIR QUALITY

No significant air quality impacts are anticipated due to additional development pursuant to the Special Permit Scenario.

Mobile Source

Traffic associated with the additional development pursuant to the Special Permit Scenario is estimated to be greater than under the With Action Condition by 24 vehicle trips in the AM peak hour, 47 vehicle trips in the Midday peak hour, and 41 vehicle trips in the PM peak hour (see **Table 26-1**). These increases, which would be spread over the traffic study area, are not expected to cause a violation of National Ambient Air Quality Standards (NAAQS) as the estimated traffic increments under the With Action Condition would be well below the applicable CEQR mobile source screening threshold for carbon monoxide and particulate matter. Therefore, the additional traffic increments under this conceptual scenario would not be expected to exceed the CEQR screening threshold.

Stationary Source

In connection with the Proposed Actions, institutional controls are proposed to avoid significant impacts on Projected Development Site 5 with respect to air quality (heating systems). The institutional controls, also presented in Table F-1 in Appendix F, are expected to be sufficient to avoid significant impacts under the Special Permit Scenario as discussed below.

Given the similar development size, bulk, and HVAC stack location between the Special Permit Scenario development and the With Action Condition for Projected Development Site 5, air quality effects under both scenarios are expected to be the same, and the same institutional

controls listed in Appendix F would apply to hotel development pursuant to the Special Permit Scenario. With these institutional controls in place, it is expected that no significant air quality impacts would result from the Special Permit Scenario. If the eventual development's size, bulk and/or stack location is different than what is assumed in this conceptual analysis, an air quality analysis would be expected to be completed at the time an applicant applies for the special permit.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

As in the With Action Condition, no significant adverse greenhouse gas (GHG) emission impacts are expected to result from development assumed in connection with the Special Permit Scenario. Given that the overall floor area would not change, GHG emissions are anticipated to be similar to emission levels in the With Action Condition. Construction and operation of buildings developed pursuant to the Special Permit Scenario, as well as mobile source emissions, would continue to be consistent with the goals of OneNYC and PlaNYC.

NOISE

As is the case under the With Action Condition analyzed for the Proposed Actions, no significant adverse noise impacts are anticipated as a result of the Special Permit Scenario.

The mobile noise exposure from traffic movements under the Special Permit Scenario would not be perceptibly higher than those projected under the Proposed Action. Therefore, no significant adverse noise impacts would likely occur at any of the 19 representative noise receptor locations evaluated within the study area.

As is the case with the With Action Condition, in the future under the Special Permit Scenario, noise levels associated with Projected Development Site 5 would be generally comparable to those expected under the No Action Condition. Peak hour noise levels would be comparable to those expected from development under the Special Permit Scenario

In connection with the Proposed Actions, institutional controls are proposed to avoid significant impacts on Projected Development Site 5 with respect to noise (window-wall attenuation). The institutional controls, presented in Appendix H, would be expected to be sufficient to avoid significant impacts. Given the fact that the noise characteristic would not differ between the With Action Condition and the Special Permit Scenario, and comparable noise attenuation requirements for residential uses and hotel uses, the noise attenuation requirements under both scenarios are expected to be the same, and the same institutional controls as presented in Appendix H would apply to hotel development pursuant to the Special Permit Scenario.

Like the Proposed Action, no significant adverse impacts related to noise would be expected to result from the Special Permit Scenario.

PUBLIC HEALTH

As is the case under the With Action Condition, no significant adverse impacts are anticipated with respect to public health as a result of the Special Permit Scenario. As discussed in other sections of this chapter, the Special Permit Scenario is not expected to result in any significant adverse impacts related to hazardous materials, air quality, or noise. Site-specific analyses of the construction-related impacts resulting from the Special Permit Scenario cannot be provided because the specific features of the buildings that may be constructed in connection with one of the special permits are not known. Development pursuant to the special permit would be a

discretionary action requiring a separate environmental review; any adverse impacts on public health that could result from such development would be assessed and disclosed to the public under and pursuant to that environmental review.

NEIGHBORHOOD CHARACTER

As is the case under the With Action Condition, the Special Permit Scenario is not expected to result in any significant adverse impacts on neighborhood character. As discussed in Chapter 17, "Neighborhood Character," East Harlem is a vibrant neighborhood with a rich cultural history that includes waves of immigration, construction of the elevated rail lines in the late 19th century, the development of tenement housing that extended into the early 20th century, and the large-scale urban renewal projects of the mid-20th century.

The With Action Condition and Special Permit Scenario would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; traffic; and noise. Although significant adverse impacts would occur with respect to historic resources and shadows, these impacts would not result in significant adverse impacts to neighborhood character. In both the With Action Condition and Special Permit Scenario, construction-related impacts on four S/NR-Eligible architectural resources (St. Paul's Rectory and School, Chambers Memorial Baptist Church, a former stable at 166 East 124th Street, and the Park Avenue Viaduct) would not result in significant adverse impacts to neighborhood character, as they are not defining elements of neighborhood character.

Under the With Action Condition, the duration or extent of incremental shadow cast on four open space resources (El Catano Garden, Eugene McCabe Field, and Jackie Robinson Garden) would not constitute an impact on neighborhood character because there are other parks and gardens in East Harlem that would continue to be sunlit and function in the same way as the affected open spaces. While these significant adverse impacts would remain under the Special Permit Scenario, as with the With Action Condition, they would not constitute neighborhood character impact. No significant adverse impacts related to neighborhood character are expected under the Special Permit Scenario.

CONSTRUCTION

Under the Special Permit Scenario, there would be an increase of 53,582 gsf of hotel floor area (134 hotel rooms) and a decrease in 53,582 gsf of residential use (59 dwelling units). Given the similarity between the Special Permit Scenario and the With Action Condition (similar development size and bulk), the duration and magnitude of construction activities that could take place on the Conceptual Development Site would be expected to approximate those for Projected Development Site 5 in the With Action Condition. Construction activities associated with the With Action Condition would result in temporary significant adverse noise impacts and potentially transportation impacts. The Special Permit Scenario would result in the same—but no additional—construction impacts with the With Action Condition. ✷