Executive Summary

Introduction

The applicants, RXR SL Owner LLC and Terminal Fee Owner LP, are seeking a zoning map amendment that would extend the Special West Chelsea District (WCh) over the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1); these blocks contain the Starrett-Lehigh Building and the Terminal Warehouse (the project area) (See **Figure 1**). The zoning map amendment would change the underlying district from M2-3 to M2-4. The applicants are also seeking zoning text amendments to create new subarea (Subarea K) in WCh and, within such subarea, modify certain use, signage, sidewalk café, and loading requirements. Together, the zoning map and text amendments are the Proposed Actions.

The Proposed Actions would allow the applicants to lease space in the Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types, giving the applicants the flexibility needed to respond to changes in the economy over the long term. Both buildings are currently occupied by a number of different types of businesses—including eating and drinking establishments, office, showroom and studio space (Use Groups 6, 7, and 9) and warehouse and storage space (Use Group 16). Additionally, the Starrett-Lehigh Building contains manufacturing uses (Use Groups 16 and 17). Subarea K would allow uses (Use Group K uses) within the following Use Groups to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6A (food stores, including supermarkets, grocery stores or delicatessen stores without limitation to 10,000 square feet of floor area per establishment), 6C, 9A, 10A, and 12B. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. Together, these new uses fall within the categories of community facilities, such as academic or university space, and medical offices, and commercial uses, such as local and destination retail. Retail tenants could include a mix of tenant types, such as boutique clothing stores, “urban format”

variety stores, "clicks-to-bricks" locations, specialty, and other retail stores. No residential uses, community facility uses that provide living or sleeping accommodations of any kind, or hotels would be permitted. The Proposed Actions would not result in increased floor area or construction (other than tenant fit out).

This chapter provides a description of the project area, the area surrounding the project area, the Proposed Actions, the purpose and need for the Proposed Actions, and the reasonable worst-case development scenario (RWCDS) under the No-Action and With-Action conditions. It also discusses the public review process required for approval of the Proposed Actions. The analyses following this chapter examine the potential for the Proposed Actions to result in significant adverse environmental impacts in accordance with the appropriate guidance provided in the *2020 New York City Environmental Quality Review Technical Manual (CEQR Technical Manual)*.

Figure 1 Project Area Location



Project Area, Project Area History, and Description of Surrounding Area

The project area includes the Starrett-Lehigh Building and Terminal Warehouse, which are located on the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west (Block 672, Lot 1 and Block 673, Lot 1). Both blocks are located within an M2-3 zoning district. The project area is located within the West Chelsea Historic District (WCHD), which was designated on July 15, 2008 (LP-02302).

Starrett-Lehigh Building

Block 672 is occupied by the existing Starrett-Lehigh Building (601 West 26th Street), which was constructed between 1930 and 1931 (see **Photo 1**). The Starrett-Lehigh Building has an existing built floor area ratio (FAR) of approximately 14.79 and contains approximately 1.8 million gross square feet of space (1,835,150 gsf). It varies in height from 11 stories (approximately 140 feet) on the western portion of the building to 19 stories (plus bulkhead) at the eastern portion (approximately 219 feet). Current building tenants include design firms, multimedia agencies, directors, photographers, artists, and publishers. The Starrett-Lehigh Building is an individually designated landmark structure (designated on October 7, 1986 [LP-1295]) within the WCHD and is also eligible for listing on the State and National Register of Historic Places, according to the State Historic Preservation Office's Cultural Resource Information System.

RXR SL Owner LLC is undertaking an as-of-right project that will transform approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into the Starrett-Lehigh food market (see **Photo 2**). The renovated space will include approximately 40,000 sf of commercial space, including 13,000 sf of food hall use and 5,000 sf of exposition space. Two new entrances will be provided on West 26th Street and on Eleventh Avenue. As part of this project, new storefronts will be opened at the ground-floor on the Eleventh Avenue frontage, as approved by the New York City Landmarks Preservation Commission (LPC).

Terminal Warehouse

Block 673 is occupied by the existing Terminal Warehouse (261 Eleventh Avenue). Terminal Warehouse has an existing FAR of approximately 7.3 and contains approximately 1.14 million gsf (1,140,387 gsf) (see **Photo 3**). It was originally constructed in 1891 as a shipping and warehousing center and is now occupied by a mix of retail, restaurants, office space and self-storage. The building is 7 to 9 stories (85 feet) in height. The Terminal Warehouse is located within the WCHD and eligible for listing on the State and National Register of Historic Places, according to the State Historic Preservation Office's Cultural Resource Information System.

Currently, the Terminal Warehouse is being altered by converting approximately 500,000 square feet of storage into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet is being carved out of the building to create a double height space and a courtyard and added back as a rooftop addition on the western portion of the building (see **Photo 4**). The re-allocation of floor area will not result in

an increase in zoning floor area. The owner is undertaking a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

Photo 1 Starrett-Lehigh Building



Photo 2 No-Action Condition: Starrett-Lehigh Building



Photo 3 Terminal Warehouse Building



Photo 4 No-Action Condition: Terminal Warehouse



Project Area History and Description of Surrounding Area

The Starrett-Lehigh Building was designed by Yasuo Matsui and built in 1931 as one of the first full-block freight terminals of its scale, which included multiple floors for warehouses, manufacturing, and office uses. Terminal Warehouse, constructed in 1890, was designed by George Mallory and consisted of an exterior wall that enclosed 25 separate compartments. The building was used for shipping, warehousing, and moving and packing spaces, and it offered cold storage. In 1961, with the adoption of New York City's Zoning Resolution, the project area was mapped with an M2-3 zoning district, which allows development of 2 FAR. Both the Starrett-Lehigh Building and Terminal Warehouse are overbuilt but legally non-complying.

The area surrounding the project area was historically a manufacturing and commercial neighborhood that has more recently undergone substantial change. In 2005, the WCh District was adopted—this rezoning included blocks between Tenth and Eleventh Avenues extending from West 16th Street to West 30th Street. Also in 2005, the Special Hudson Yards District (HY) was established to the north of West 30th Street, extending north to West 41st Street. In 2018, the Special Hudson River Park District (HRPD) was mapped to include the eastern half of the block between Eleventh and Twelfth Avenues, extending from West 29th Street to West 30th Street.

The goals of the WCh were to facilitate new residential and commercial development, facilitate the reuse of the High Line, and enhance the neighborhood's art gallery district. WCh contains ten subareas (A-J) with different bulk regulations as well as other modifications relating to properties next to the High Line. Consistent with this rezoning, and with trends in the area between 2005 and 2013, there has been substantial new construction in West Chelsea, including 2.1 million square feet of built floor area and approximately 1,100 new dwelling units. The goals of HY were to foster a mix of uses and densities, provide new publicly accessible open space, extend the Midtown central business district by providing opportunities for substantial new office and hotel development, reinforce existing residential neighborhoods, and encourage new housing on Manhattan's Far West Side. To support the new district, the 7 line was extended and a new station (Hudson Yards) was opened in 2015. Construction of Hudson Yards began in 2012 with 10 Hudson Yards (office building) opening in 2016, and most of the remainder of Hudson Yards east of Eleventh Avenue—consisting of another five buildings containing a mix of office, hotel, retail, cultural, and residential uses—opening in 2019.

In 2012, DCP studied the potential of expanding the WCh into three new areas: (i) Area A, located at the southern portion of the district (Chelsea Market); (ii) Area B, located at the southwest portion of the district; and (iii) Area C, located west of the district between Eleventh and Twelfth Avenues from West 24th to West 30th Streets (this area includes the Starrett-Lehigh and Terminal Warehouse buildings). Only Area A was rezoned.

In 2018, a rezoning application for a portion of the block two blocks north of the project area was approved. This application included a variety of actions, one of which was a zoning map change to the eastern half of Block 675 to map the HRPD and rezone this area from a M2-3 District to a C6-4X District. The western half of the block remained an M1-6 district. The actions were requested to facilitate new mixed-use development of up to 1,196 new dwelling units and some commercial retail space.

Now that significant portions of Hudson Yards are developed, pedestrian traffic is expected to extend south to the project area. The Proposed Actions would establish a connection from a planning perspective for pedestrians traveling between West Chelsea, Hudson Yards, the High Line and Hudson River Park, supporting their respective goals.

Proposed Actions

The Proposed Actions would consist of the extension of the WCh over the project area, the creation of a new subarea (Subarea K), and a change in the underlying district from M2-3 to M2-4. Subarea K would allow additional uses within the following Use Groups (Use Group K uses) to be located within the Starrett-Lehigh and Terminal Warehouse buildings: Use Groups 3A, 4A, 6C, 9A, 10A, and 12B. At present, these uses are either not permitted or are permitted with restrictions in the underlying M2-3 and proposed M2-4 districts. No residential use (Use Group 2), uses that include living or sleeping accommodations of any kind in Use Group 3 and Use Group 4, or hotels (Use Group 5) would be permitted.

The total maximum floor area of all Use Group K uses that are not already allowed in the M2 district will not be permitted to be greater than 25 percent of the existing floor area of the existing buildings (uses both listed in Use Group K and permitted in M2-4 districts shall not be counted towards the maximum floor area of all Use Group K uses). The maximum floor area for all Use Group 10A uses on any zoning lot will not be permitted to be greater than 15 percent of the existing floor area of the existing buildings. The text amendment would also permit sidewalk cafes on West 27th Street.

The proposed subarea text would also allow certain modifications to the M2 signage regulations, regarding height and angle, at the corners of Eleventh Avenue and West 26th, West 27th, and West 28th Streets:

- The portion of the street frontage of the zoning lot along Eleventh Avenue and within 15 feet of the intersection of two streets shall be referred to as the corner zone.
- Section 42-562 of the Zoning Resolution (restriction on angle and height above curb level) shall not apply to signage within the proposed corner zone.

However, Section 42-543 of the Zoning Resolution would still be applicable to the corner zone. This would result in a signage height allowance of 75 feet above the curb level within the corner zone and the allowance for signs to be oriented within 90 degrees of a commercial district boundary.

The Proposed Actions would permit sidewalk cafés on West 27th Street (they are currently permitted and will remain permitted on Eleventh and Twelfth Avenues). In addition, the Proposed Actions would eliminate any required loading berths associated with changes of use of any floor area. No construction related to loading berths would occur at either building in the With-Action condition.

The change in the underlying district of the subarea from M2-3 to M2-4 would make the buildings more complying in terms of FAR and bulk regulations. The text would increase the maximum floor area ratio from 2.0 FAR to 5.0 FAR and would allow the applicants to reconstruct their buildings up to 5.0 FAR in case of a catastrophic loss.

Purpose and Need for the Proposed Actions

Currently, the project area is mapped within an M2-3 District, which has use regulations geared towards traditional medium-performance manufacturing uses prevalent in the 1960s, including industrial and semi-industrial uses; the M2-3 District has severely limited retail options. These limitations on retail do not serve the needs of current and prospective tenants of the buildings or the needs of existing residents and workers in the neighborhood. In addition, they limit the potential pool of tenants. The Proposed Actions would allow the applicants to lease space in the existing Starrett-Lehigh and Terminal Warehouse buildings to a more diverse range of tenant types, such as academic or university space, medical offices, local and destination retail, (Use Groups 3A, 4A, 6A,6C, 10A, and 12B). In addition, the large number of the recent mixed-use developments and projected mixed-use residential developments in the surrounding West Chelsea area will result in a large increase in residents and workers that will require such increased local goods and services to support their needs. The Proposed Actions would also establish a connection, from a planning perspective, for pedestrians traveling between West Chelsea, Hudson Yards, the High Line, and Hudson River Park.

Analysis Framework and Reasonable Worst-Case Development Scenario

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

Analysis Year

An analysis year of 2024 will be used in the EIS. This accounts for overall project approval through the Uniform Land Use Review Procedure (ULURP) in 2021 and approximately 18 months to two years thereafter for the applicants to lease space in their respective buildings to a more diverse range of tenant types. For the purposes of environmental review, the conservative 18 to 24-month lease up and occupancy is assumed. In reality, the applicants expect a more gradual re-tenanting of the buildings with the new uses. Terminal Warehouse, with its as-of-right renovation (see **The Future Without the Proposed Actions (No-Action Condition)**), is expected to have new tenants in the short term, including the more diverse tenants allowed under the Proposed Actions; the Starrett-Lehigh Building, due to existing leases, is expected to have new tenants with new uses over time as leases expire. In both buildings, there is no construction period to account for in determining the build year, since any construction needed would be interior construction to fit out tenant space, typical of any building that changes tenants.

Reasonable Worst-Case Development Scenario (RWCDS)

The Proposed Actions would allow the following:

- Within the Starrett-Lehigh Building, up to 25 percent (or approximately 459,000 sf) of the building to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, 10A, and 12B (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of floor area (or approximately 275,000 sf).
- Within the Terminal Warehouse building, up to 25 percent (or approximately 282,000 sf) of the building to contain tenants consistent with the Use Groups 3A, 4A, 6C, 9A, 10A, and 12B (Subarea K uses that are not already allowed in the M2 district). All Use Group 10A uses shall not be greater than 15 percent of floor area (or approximately 171,000 sf).

Generally, the Use Groups listed above fall into four main categories of uses—local retail, destination retail, academic or university space, and medical office. These main categories represent a range of uses with varying trip generation characteristics. Based on these main categories, a RWCDS was identified to provide the framework for analysis in the EIS (see **Table 1**). Specifically, it shows the mix of the four main use categories to be analyzed in the environmental review. The RWCDS considers the full amount of destination retail that could be included in each building; all retail in the RWCDS is treated as destination retail, since destination retail generates a higher number of vehicle trips. The RWCDS also considers academic and medical office space. Taken together, this mix provide a reasonable estimation of both vehicular and pedestrian/subway trip generation such that the potential for significant adverse transportation impacts across modes is studied.

Table 1 Comparison of Uses in the With-Action and No-Action Conditions (RWCDS for Analysis) in GSF

	No-Action			With-Action			
	S-L	TW	N-A Total	S-L	TW	W-A Total	Increment
Commercial Office	1,465,150	1,004,387	2,469,537	1,189,876	855,290	2,045,166	(424,371)
Retail (Local)	43,000	136,000	179,000	43,000	-	43,000	(136,000)
Retail (Destination)				275,273	171,058	446,331	446,331
Manufacturing	327,000	-	327,000	143,485	-	143,485	(183,515)
Academic	-	-	-	165,164	102,635	267,799	267,799
Medical Office	-	-	-	18,352	11,404	29,756	29,756
Total Per Building	**1,835,150**	**1,140,387**	**2,975,537**	**1,835,150**	**1,140,387**	**2,975,437**	**0**

Identification of Development Sites

As discussed above, the Proposed Actions would affect just the project area, which includes the Starrett-Lehigh Building and Terminal Warehouse—located on the two blocks bounded by West 28th Street to the north, Eleventh Avenue to the east, West 26th Street to the south, and Twelfth Avenue/Route 9A to the west. No other sites would be affected. The Proposed Actions would not result in new construction, demolition, or significant physical alteration of either building.

Future Without the Proposed Actions (No-Action Condition)

The No-Action scenario conforms to existing zoning and reflects completion of RXR SL Owner LLC's ongoing interior fit-out of the Starrett-Lehigh Building's ground floor (Starrett-

Lehigh Market) and Terminal Fee Owner LP's completion of its conversion and repositioning plans, which will both occur absent the Proposed Actions.

Starrett-Lehigh Building

Absent the Proposed Actions, the Starrett-Lehigh Building will remain in its existing condition and will continue to be tenanted with businesses permitted in M2 districts in accordance with Section 42-10 of the ZR. The as-of-right Starrett-Lehigh food market project (i.e., the transformation of approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into commercial space, including food hall use and exposition space) will be completed in 2021.

Terminal Warehouse

Absent the Proposed Actions, the Terminal Warehouse will be altered by converting approximately 500,000 square feet of storage into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard and will be added back as a rooftop addition on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will introduce interior loading and undertake a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

Future With the Proposed Actions (With-Action Condition)

In the future with the Proposed Actions, broader uses than currently allowed under existing zoning would be permitted within the project area, and the applicants would be able to lease space in the existing Starrett-Lehigh Building and Terminal Warehouse to a more diverse range of tenant types. Because specific tenants have not been identified, the EIS will consider a mix of uses consistent with the RWCDS described above.

Principal Conclusions of Environmental Analysis

Historic Resources

Archaeological Resources

The Proposed Actions would not result in new in-ground disturbance within the project area, and therefore an assessment of archaeological resources is not warranted.

Architectural Resources

The Proposed Actions would not result in new construction, demolition, or significant physical alteration of either the Starrett-Lehigh Building or Terminal Warehouse, nor would they result in a change in scale, visual prominence, or visual context of the two buildings. With construction limited to potential interior construction for tenant fit-out, the Proposed

Actions would not have the potential to directly affect any of the identified architectural resources in the study area.

The Proposed Actions' potential to result in indirect, or contextual, impacts was also evaluated. The Proposed Actions would not result in any new building form or changes to the building exteriors that would alter the setting of, or views to or from the Hudson River for, any of the resources in the study area—nor would the Proposed Actions introduce new shadows to any of the resources in the study area. The Proposed Actions would also not introduce incompatible elements to the study area as any construction resulting from the Proposed Actions would be limited to interior tenant fit-out. The modifications to the M2 signage regulations would not result in a change in scale, visual prominence, or visual context of either the Starrett-Lehigh Building or Terminal Warehouse. Therefore, the Proposed Actions would not adversely affect the Starrett-Lehigh Building, Terminal Warehouse, WCHD, or the resources within the study area.

Hazardous Materials

The Proposed Actions would allow the Applicants to tenant the Starrett-Lehigh Building and Terminal Warehouse with a more diverse mix of uses than allowed by current zoning. Any construction needed at the buildings would be interior construction to fit out tenant space—typical of any building that changes tenants—and the Proposed Actions would not result in ground disturbance at either the Starrett-Lehigh Building or Terminal Warehouse. In addition, any interior renovations that would occur within the buildings to accommodate new tenants would, as in existing conditions, comply with applicable federal, state, and local, including Department of Buildings, requirements for abatement of asbestos, lead-based paints, or other potential hazards, should any be present in the area of interior renovation. Therefore, the Proposed Actions would not result in significant adverse impacts relating to hazardous materials.

As a conservative measure due to the potential for community facility use in the buildings, the New York City Department of Environmental Protection (NYCDEP) requested an (E) Designation for hazardous material (E-625) be applied to Block 672, Lot 1 and Block 673, Lot 1. The (E) Designation requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use.

Transportation

A detailed transportation analysis determined that the Proposed Actions would result in significant adverse impacts related to traffic, pedestrians, buses, and select subway station elements. The Proposed Actions would not result in bus or subway line-haul impacts. A parking analysis determined that there would be sufficient off-street parking availability to accommodate demand generated by the Proposed Actions.

Overall, of the 21 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at nine intersections in the weekday PM peak hour and at seven intersections in the Saturday midday peak hour. Detailed weekday AM and midday peak

hour analyses are not warranted as the volume of vehicle trips generated by the Proposed Actions during those hours fall below *CEQR* thresholds requiring detailed analyses. The identification and evaluation of traffic capacity improvements needed to mitigate weekday PM and Saturday midday impacts are presented in **Chapter 9, Mitigation**.

Subway elements were analyzed at the 34th Street-Hudson Yards Station at Eleventh Avenue and the 23rd Street Station at Eighth Avenue. It was determined that the Proposed Actions would result in significant adverse impacts to select elements at the 34th Street-Hudson Yards Station. During the weekday PM peak hour, a pair of mezzanine escalators operating in the down direction would be significantly impacted. No other elements analyzed at this station would be impacted. No subway elements analyzed at the 23rd Street Station at Eighth Avenue would be significantly impacted. The identification and evaluation of station improvements needed to mitigate the weekday PM escalator impacts are presented in **Chapter 9, Mitigation**.

The pedestrian analysis included 67 pedestrian elements (18 sidewalks, 17 crosswalks, and 32 corner areas). The Proposed Actions would result in significant adverse impacts at two elements in the weekday AM and midday peak hours, six in the weekday PM peak hour, and one in the Saturday peak hour. The identification and evaluation of improvements needed to mitigate these pedestrian impacts are presented in **Chapter 9, Mitigation**.

Bus analyses conducted for the M23-SBS and M34-SBS crosstown bus routes indicated that neither would be significantly impacted using CEQR-approved travel demand assumptions. Use of a more conservative set of assumptions specifically oriented toward greater use of the M23-SBS route via subway transfers indicated that a significant bus capacity impact could be expected with those assumptions in the weekday PM peak hour. Measures needed to mitigate this impact are presented in **Chapter 9, Mitigation**.

In addition to physical improvements currently being undertaken at the Starrett-Lehigh Building's loading docks, RXR SL Owner LLC has committed to exploring strategies in consultation with NYCDOT between the Draft EIS and Final EIS that will further improve loading operations management. These strategies will be part of a comprehensive freight and logistics management plan with a goal of minimizing conflicts with pedestrians and cyclists while balancing their feasibility, including, but not limited to, the demand for deliveries, the uses in and the limitations of the building and existing lease obligations. This commitment will be formalized in a letter to be signed by RXR SL Owner LLC.

Air Quality

The Proposed Actions would not result in significant adverse air quality impacts. An analysis of mobile sources undertaken for the Proposed Actions concluded that the maximum hourly incremental traffic volumes generated by the Proposed Actions would not exceed the *CEQR Technical Manual* carbon monoxide (CO) screening threshold of 170 peak-hour vehicle trips at a single intersection in the study area. In addition, action generated volumes would not exceed the particulate matter (PM) emission screening thresholds discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. No other air quality impacts are anticipated from the Proposed Actions.

Noise

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment as defined in applicable provisions of the City's noise code. Because the Proposed Actions would not result in changes to either building's heating, ventilation, or air conditioning (HVAC) systems and as the Proposed Actions would provide sufficient partition requirements, an assessment of whether the Proposed Actions would significantly increase sound levels from stationary sources is not warranted.

Existing Noise Receptors

Based on the Level 2 Screening Results completed for the transportation analysis (see **Transportation**), detailed traffic analyses were completed at 21 intersections for the weekday PM and Saturday peak hours. Future 2024 No-Action and 2024 With-Action noise conditions were determined based on proportional traffic modeling using passenger car equivalents (PCEs). With-Action noise conditions would not increase by more than 3 dBA compared to the No-Action noise conditions and there would be no significant adverse noise impact to existing receptors.

New Noise Receptors

Noise monitoring was conducted at the project area, and future 2024 No-Action and 2024 With-Action noise conditions were determined using proportional modeling of the traffic as presented in the transportation analysis. Based on this analysis, like in existing and No-Action conditions, 2024 With-Action noise conditions would be Clearly Unacceptable on the western facades of both buildings where sound levels are projected to exceed 80 dBA and Marginally Unacceptable on all other facades of both buildings where sound levels are projected to be between 70 dBA and 80 dBA according to the CEQR Noise Exposure Guidelines.

Since With-Action noise conditions would be Clearly Unacceptable or Marginally Unacceptable according to the CEQR Noise Exposure Guidelines, building attenuation would be required to ensure that interior noise levels for new community facility spaces meet CEQR criteria. A minimum window/wall sound attenuation would be required for new community facility spaces to meet an interior noise condition of 45 dBA. The window/wall attenuation and alternative means of ventilation requirements would be set forth in a Noise (E) Designation (E-625) for the project area.

There is the potential for interior noise generated by manufacturing/industrial uses to result in high interior noise conditions when they are located immediately adjacent to new community facility spaces (i.e., sharing a partition wall or floor/ceiling). To ensure that new community facility spaces maintain an interior noise condition of 45 dBA (L_{eq} or L_{10}) or lower, sufficient partitions between immediately adjacent manufacturing/industrial and community facility uses are required. To reduce the potential for interior noise to enter new community facility spaces from manufacturing/industrial spaces, mechanical ventilation systems shall not result in sound transmission that exceeds the interior noise condition of 45 dBA (L_{eq} or L_{10}). The interior partition sound attenuation and building sound transmission requirements

would also be set forth in an (E) Designation (E-625) for noise that would be applied to the project area.

Public Health

As described in the relevant analyses of this Environmental Impact Statement, the Proposed Actions would not result in unmitigated significant adverse impacts in any of the technical areas related to public health: hazardous materials, water quality, air quality, or noise.

As a conservative measure due to the potential for community facility use in the buildings, an (E) designation (E-625) for hazardous materials and noise would be placed on the sites. The (E) Designation for hazardous materials requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use. The (E) designation for noise would require a minimum window/wall sound attenuation, interior partition sound attenuation, and building sound transmission requirements for new community facility spaces, if and as necessary, to meet an interior noise condition of 45 dBA.

The analysis of operational air quality showed that the Proposed Actions would not result in air quality impacts from mobile sources or other areas.

Because the Proposed Actions would require only interior renovations, a construction-period assessment was not warranted.

Neighborhood Character

Overall, the Proposed Actions would not result in significant adverse impacts to neighborhood character. With the exception of transportation, the Proposed Actions would not result in significant adverse impacts in any of the technical areas that contribute to neighborhood character (i.e., the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; or noise). While the Proposed Actions would result in significant adverse impacts to transportation, the transportation analysis shows that these impacts would be limited to a moderate number of traffic movements, pedestrian elements, and subway station elements, and the mitigation analysis shows that the majority of these impacts would be able to be mitigated (impacts would remain unmitigable at just three intersections and two pedestrian elements in one or more peak hours). Overall, the potential transportation impacts would not result in a significant change to the determining elements of neighborhood character.

The Proposed Actions would allow a more diverse range of commercial and community facility uses to be located in the Starrett-Lehigh Building and Terminal Warehouse. These uses are compatible with uses in the study area and the larger West Chelsea neighborhood and are consistent with the changing character of the project area. Like the No-Action condition, the Proposed Actions would result in more activity than in existing conditions. With only interior modifications to the Starrett-Lehigh Building and Terminal Warehouse themselves, these two buildings would also retain their prominence in the neighborhood.

The Proposed Actions would not adversely affect the defining features of the neighborhood. Therefore, no further assessment is warranted, and the Proposed Actions would not result in significant adverse impacts on neighborhood character.

Mitigation

Traffic

Of the 21 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at nine intersections during the weekday PM peak hour and seven intersections during the Saturday peak hour. The majority of impacts would be fully mitigated with implementation of signal timing changes, which are subject to review and approval by the New York City Department of Transportation (NYCDOT). These signal timing changes would provide full mitigation for six of the nine intersections impacted in the weekday PM peak hour, and six of the seven intersection impacted in the Saturday peak hour. In terms of impacted movements, the identified signal timing changes would fully mitigate six out of eleven movements impacted in the weekday PM peak hour; and eight of the nine movements impacted in the Saturday peak hour. Mitigation measures such as signal timing modifications are standard traffic capacity improvements that are typically implemented by NYCDOT. The remaining significantly impacted intersections would remain unmitigated. One or more traffic movements at the following intersections could not be mitigated in at least one peak hour:

- Tenth Avenue and West 34th Street (weekday PM peak hour)
- Tenth Avenue and West 26th Street (weekday PM and Saturday peak hours)
- Tenth Avenue and West 23rd Street (weekday PM peak hour)

Transit

The Proposed Actions would not result in significant adverse bus impacts using the project's basic travel demand assumptions. However, with assumptions specifically oriented toward greater use of the M23-SBS route via subway-to-bus transfers, a significant impact would be expected to occur in the weekday PM peak hour to the M23-SBS in the eastbound direction. In order to mitigate this impact, the weekday PM peak bus frequency would need to be increased by three buses. Implementation of this service change is subject to NYCT's discretion as well as operational and fiscal constraints.

The Proposed Actions would result in significant adverse impacts to a pair of down mezzanine escalators during the weekday PM peak hour at the 34th Street-Hudson Yards Station. These escalator impacts are currently identified as unmitigated. Between the Draft and Final EISs, measures will be explored in coordination with New York City Transit (NYCT) and presented in the Final EIS if practicable. If no feasible mitigation measure is identified, the impacts would remain identified as unmitigated.

Pedestrians

Of the 67 pedestrian elements analyzed, it was determined that the Proposed Actions would result in significant adverse impacts at two elements in the weekday AM and midday peak hours (one sidewalk and crosswalk), six in the weekday PM peak hour (two sidewalks and

four crosswalks), and one in the Saturday peak hour (crosswalk). These impacts could be mitigated by modest crosswalk widenings or signal timing changes at the majority of the impacted locations. Mitigation at one impacted sidewalk during the weekday AM peak hour (north side of West 25th Street between Eighth Avenue and Ninth Avenue) and two sidewalks (north side of West 25th Street between Eighth Avenue and Ninth Avenue and the west side of Hudson Boulevard between West 33rd Street and West 34th Street) during the weekday PM peak hour were deemed infeasible and have thus been considered unmitigatable.

Unavoidable Significant Adverse Impacts

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

Alternatives

A summary of the principal conclusions for the two alternatives is described below.

No-Action Alternative

The No-Action Alternative examines future conditions in 2024 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding chapters of this EIS. The No-Action scenario conforms to existing zoning and reflects completion of RXR SL Owner LLC's ongoing interior fit-out of the Starrett-Lehigh Building's ground floor (Starrett-Lehigh Market) and Terminal Fee Owner LP's completion of its conversion and repositioning plans, which will both occur absent the Proposed Actions. The as-of-right Starrett-Lehigh Market project (i.e., the transformation of approximately 43,000 square feet of the Starrett-Lehigh Building's ground floor into commercial space, including food hall use and exposition space) will be completed in 2021. Absent the Proposed Actions, the Terminal Warehouse will be altered by converting approximately 500,000 square feet of storage into new office space and repositioning the ground floor to include food and beverage retail uses permitted under current zoning. As part of this full-building repositioning, approximately 200,000 square feet will be carved out of the building to create a double height space and a courtyard and will be added back as a rooftop addition on the western portion of the building. The re-allocation of floor area will not result in an increase in zoning floor area. The owner will introduce interior loading and undertake a restoration of the building—including façade repairs, window replacement, cornice repairs, fire escape removal, and reintroduction of historic details, such as window shutters.

In the No-Action Alternative, the two buildings within the project area would be fully tenanted with uses permitted as-of-right in M2 districts in accordance with Section 42-10 of the Zoning Resolution. Overall, the two buildings would contain a total of 2,975,537 gsf

including 2,469,537 gsf of commercial office space, 179,000 gsf of local retail space, and 327,000 gsf of manufacturing space.

Under the No-Action condition, there would be no significant adverse impacts. Since there would be no community facility use introduced at either building in this Alternative, there would be no need to place an (E) designation for hazardous materials or noise.

In terms of transportation conditions, there would be three intersections operating at unacceptable levels of service during the weekday PM peak hour (none during the Saturday peak hour); out of the 59 traffic movements analyzed, 24 and 14 would operate at unacceptable levels of service during the weekday PM and Saturday peak hours, respectively. Additional articulated buses would need to be added to the M34-SBS route to accommodate projected demand during the weekday PM peak hour. The C subway line would operate above capacity during the weekday PM peak hour. One sidewalk and two crosswalks would have unacceptable levels of service in one or more peak hours. However, the No-Action Alternative would not result in significant adverse traffic, pedestrian, or transit impacts whereas the Proposed Actions would have significant adverse impacts.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Actions would result in significant adverse impacts to transportation, specifically traffic, transit, and pedestrians.

Assuming the distribution of land uses and spaces composing the Reasonable Worst Case Development Scenario (RWCDS) were to remain the same, a sensitivity analysis determined that the RWCDS square footage would have to be reduced by as much as approximately 95 percent in order for the Proposed Actions to not result in any unmitigable transportation impacts. The degree to which the Proposed Actions would need to be modified to avoid unmitigable transportation impacts would compromise the Applicants' ability to achieve the project goals and objectives of providing space for a more diverse set of allowable land uses and tenants at the Starrett Lehigh building and the Terminal Warehouse building. Therefore, the No Unmitigated Significant Adverse Impact Alternative is not a reasonable alternative as it would not realize the Applicants' goals of the Proposed Actions.

Growth-Inducing Aspects of the Proposed Actions

Generally, the more diverse types of uses that would be allowed with the Proposed Actions include additional types of retail use as well as community facility use (such as academic or university space, and medical office). These uses are consistent with those allowed by existing zoning within the study area and are consistent with the recent mixed-use developments and projected mixed-use residential developments in the surrounding area to the north of the project area and in West Chelsea. These changes occurring in the study area (independent of the Proposed Actions) will result in a large increase in residents and workers that will require increased local goods and services to support their needs. The more diverse types of uses that would be allowed in the future with the Proposed Actions would support the needs of the residents and workers within the study area. Overall, the projected

introduction of a broader range of uses is intended to support the increasingly mixed-use character of the surrounding West Chelsea and Hudson Yards neighborhoods, but not induce growth.

Overall, the Proposed Actions would result in a broader mix of land uses within the project area but would not introduce new economic activity that would substantially alter economic patterns in the surrounding area. The Proposed Actions would not include the introduction or expansion of infrastructure capacity (e.g., sewers, central water supply) that would induce development. Therefore, the Proposed Actions are not expected to induce any significant additional growth in the directly affected area.

Irreversible and Irretrievable Commitments of Resources

The Proposed Actions would allow the Applicants to tenant the Starrett-Lehigh Building and Terminal Warehouse with a more diverse mix of uses than allowed by current zoning. Any construction needed at the building would be interior construction to fit out tenant space—typical of any building that changes tenants. The Proposed Actions would also permit sidewalk cafés on West 27th Street (they are currently permitted along Eleventh and Twelfth Avenues and would continue to be permitted in these areas under future With-Action conditions) and would not require additional new berths when there is a change of use of any floor area.

The project area is fully developed with the Starrett-Lehigh Building (constructed in 1930-1931) and Terminal Warehouse (constructed in 1891), and it does not possess any natural resource of significant value. The Proposed Actions would allow the two buildings to continue to adapt over time by allowing a more diverse mix of tenants to occupy the buildings. While resources, both natural and human-made, would be expended in the interior fit out for these new tenants, this would be typical of any existing building that changes tenants.

Overall, while uses within the two buildings would be diversified as a result of the Proposed Actions, there would be no displacement of existing uses. The commitment of resources and materials in the new tenant fit-out are weighed against the benefits of the Proposed Actions. As described above in **Project Description,** the Proposed Actions' goals are to allow for a more diverse tenanting of the existing buildings, and through the new uses allowed in these historic buildings, to meet the needs of current and prospective tenants of the buildings as well as the needs of residents and workers in the neighborhood.