TECHNICAL MEMORANDUM
606 WEST 57TH STREET
CEQR No. 13DCP080M
ULURP Nos. C130336ZMM, N130337ZRM, C130339ZSM, N130340ZAM
March 14, 2013

A. INTRODUCTION

The 606 West 57th Street project (the proposed project) is the subject of Uniform Land Use Review Procedure applications currently under consideration by the New York City Planning Commission (CPC) and analyzed in a Final Environmental Impact Statement (FEIS) completed on March 7, 2013. Subsequent to the completion of the FEIS, changes to the proposed discretionary actions being sought from the City Planning Commission (CPC) are under consideration. This Technical Memorandum describes the proposed modified actions and assesses whether they would result in any significant adverse environmental impacts not previously identified and addressed in the FEIS. This memorandum concludes that the proposed modified actions would not result in any new or different significant adverse environmental impacts not already identified in the FEIS.

B. DESCRIPTION OF PROPOSED MODIFIED ACTIONS

Subsequent to the completion of the FEIS, CPC is considering changes to the proposed zoning text amendment. The following modifications are under consideration:

- Zoning Resolution (ZR) §96-34(a) would not include the following text regarding an increase in the base floor area for non-residential floor area located on the zoning lot:

  > "The maximum base #floor area ratio# for #zoning lots# containing #residences# shall be 9.0 plus the product of 0.25 multiplied by the non-#residential floor area ratio# provided on the #zoning lot#, but shall not exceed 10.0. Such #floor area ratio# may be increased to a maximum of 12.0 only through the provision of #affordable housing#, pursuant to Section 23-90, inclusive."

- Zoning Resolution (ZR) §96-34(c) would not be included in the text amendment. This portion of the text amendment would have required a CPC special permit for transient hotels to be located in the area currently mapped M2-3. With the proposed modifications, the following text will not be included as §96-34(c):

  > "#Transient hotels# are permitted in that portion of Area C1-1 which is within 250 feet of Eleventh Avenue and in that portion of Area C1-1 which is within 141.5 feet of West 57th Street only pursuant to the provisions of this Section. The City Planning Commission, by special permit, may permit #transient hotels#, provided that the Commission shall find that such #transient hotel#, resulting from #development#, #enlargement#, #extension# or change of #use#, is so located as

> not to impair the essential character of, or the future use or development, of the surrounding area. The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects of such use on the character of the surrounding area."

In addition, one change to the bulk of the building proposed for development site 1 is being considered. This change would allow the maximum height of the building's east wing to be 300 feet, rather than the 290 feet analyzed in the FEIS. This additional height would provide additional flexibility in the construction of the building by allowing a slightly taller envelope. There would be no increase in floor area, residential units, or other program area.

C. POTENTIAL ENVIRONMENTAL EFFECTS OF THE PROPOSED MODIFIED ACTIONS

TEXT AMENDMENT

As noted in the FEIS, each technical area considered RWCDS 1, RWCDS 2, or both. The analysis framework that has the greatest potential to result in significant adverse impacts was used to determine project impacts for a particular technical analysis area. For example, the traffic analysis considered RWCDS 2 since its development program has a greater potential to result in significant adverse impacts compared with RWCDS 1. As another example, the community facilities analysis considered RWCDS 1 for analysis purposes, since its development program is likely to generate more new residents that would utilize community facilities and services (such as schools) when compared with RWCDS 2. Using these scenarios for analysis purposes, the FEIS determined that the proposed actions would have a significant adverse impact on community facilities (child care) and transportation (traffic, pedestrians and buses).

As it relates to ZR §96-34(a), the FEIS analyzed the potential redevelopment of the proposed project site as a residential building with only ground-floor retail uses. Under Reasonable Worst Case Development Scenario (RWCDS) 1, as analyzed in the FEIS, the proposed project site would include a primarily residential building (with up to 1,189 residential units, of which up to 248 would be affordable) and only ground floor retail, with no non-residential uses above the ground floor. Since the affected portion of the text amendment relates to non-residential floor area and its inclusion in the calculation of maximum base floor area, its removal from the text amendment would have no effect on RWCDS 1 or the analysis conclusions for RWCDS 1.

Therefore, the proposed modification to ZR §96-34(a) would not change the conclusions of the FEIS.

The FEIS also analyzed the potential for hotel uses within the rezoning area. As noted in the FEIS, although §96-34(c) would have required a CPC special permit for transient hotels to be located in the area currently mapped M2-3, the FEIS conservatively assumed that hotel uses could be developed on development site 2 in both RWCDS 1 and RWCDS 2, and that hotel uses could be developed on the applicant's site as part of RWCDS 2. Since these hotel uses were already analyzed in the FEIS, the proposed modification to ZR §96-34(c) that would allow hotel uses without a special permit would have no effect on the FEIS analyses. Therefore, the proposed modification to ZR §96-34(c) would not change the conclusions of the FEIS.

With the proposed modified actions, the proposed project's overall development program, floor area and land uses would remain the same as those analyzed in the FEIS. The number of market rate and affordable residential units would not change. The FEIS analyzed the potential

redevelopment of the proposed project site as a residential building with only ground-floor retail uses and also analyzed the potential for hotel uses within the rezoning area. Therefore, the proposed modified actions would not have the potential to materially affect any of the FEIS analyses, and the proposed modified actions would not result in any significant adverse environmental impacts not previously identified and addressed in the FEIS.

DEVELOPMENT SITE 1 BUILDING HEIGHT

For most of the technical areas analyzed in the FEIS, the 10-foot change in height for a portion of the building would have no effect on the conclusions presented in the FEIS. Since there would be no changes in built floor area, the number of residential units, the amount of commercial space, the number of parking spaces, or other program areas, the analyses and conclusions for most of the environmental areas (such as community facilities, open space and transportation) would not change. For the technical areas that could be affected by this change in height—Shadows, Urban Design and Air Quality—a discussion is presented below.

SHADOWS

The FEIS analysis concluded that the proposed actions would not result in any significant adverse shadow impacts. With the addition of 10 feet to the eastern portion of the building on development site 1, there would be very minimal additional shadow cast on one open space resource, the plaza at 555 West 57th Street. For very limited time periods on the June 21 and May 6/August 6 analysis days, additional shadows resulting from the 10-foot increase in height would fall on this resource. As shown in **Figures 1 and 2**, the additional shadow would be very small and would not result in the removal of all remaining sunlight on the plaza. The shadow from the proposed building, taken as a whole, would not adversely impact the usability of the publicly accessible open space or the limited vegetation that grows within it. Therefore, the conclusions of the FEIS remain valid and there would not be a significant adverse shadow impact.

No other sun-sensitive resources would be affected by shadows from the potential increase in height.

URBAN DESIGN AND VISUAL RESOURCES

The FEIS concluded that the proposed actions would not result in significant adverse impacts related to urban design and visual resources. As noted in the FEIS, although new development would be of greater height and density than in conditions absent the proposed actions, the increase in size would be in keeping with the scale of other buildings in the study area and in keeping with the ongoing redevelopment of the neighborhood, which includes a number of existing modern high-rise buildings. The modest increase in height of the eastern portion of the building by 10 feet would not change these conclusions.

There are no visual resources on the project site, rezoning area, or the remainder of the project block. As noted in the FEIS, the proposed actions would not change urban design features so that the context of a natural or built feature is adversely altered, and would not partially or fully block any significant public views to a visual resource. This condition would not change by increasing the height of the east wing by 10 feet, and the conclusion of the FEIS remains valid that the proposed actions would not result in significant adverse impacts related to urban design and visual resources.

AIR QUALITY

The air quality analyses presented in the FEIS, which were based on wind tunnel modeling, demonstrated that concentrations of NO_2, SO_2 and PM_{10} from the Consolidated Edison Power House's boiler and combustion turbine stacks on the building on the proposed project site would not result in any violations of the NAAQS for these pollutants. It was likewise determined that incremental increases in $PM_{2.5}$ concentrations from the Con Edison Power House boiler and combustion turbine stacks would not exceed the city's *de minimis* criteria. While the wind tunnel analysis was done with the previous height (290 feet) in the physical model, the addition of 10 feet to a portion of the east side of development site 1 to increase the building height to 300 feet would not change these conclusions.

Receptors were placed at various elevations on development site 1. The maximum predicted concentrations from the air quality analysis were determined to be on the upper portion of development site 1, at a height above curb of greater than 400 feet. At heights of approximately 275 feet and 310 feet, maximum predicted concentrations were much lower (approximately 50 percent lower) than the overall maximum measured concentrations. Overall, maximum concentrations of pollutants would not be affected by the proposed change in building height, and concentrations at the taller portion of the building would be well below pollutant standards. Therefore no significant adverse air quality impacts would occur. ✷

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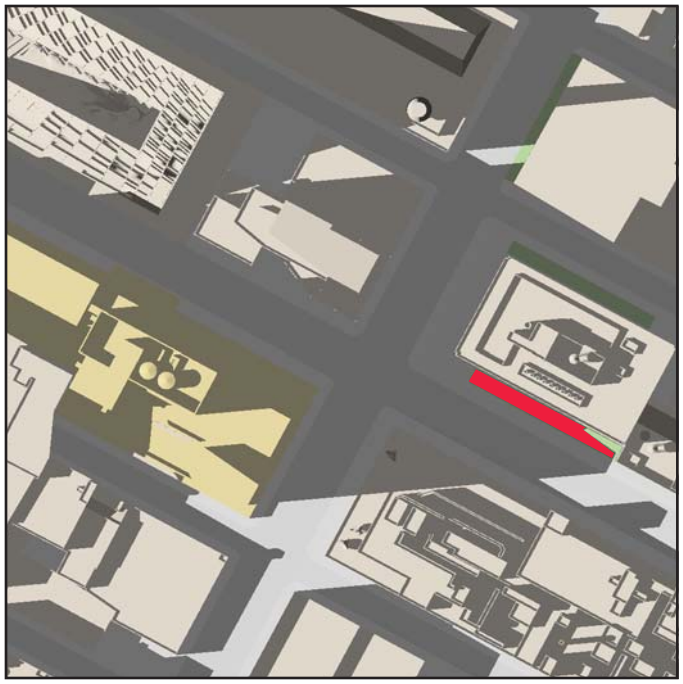

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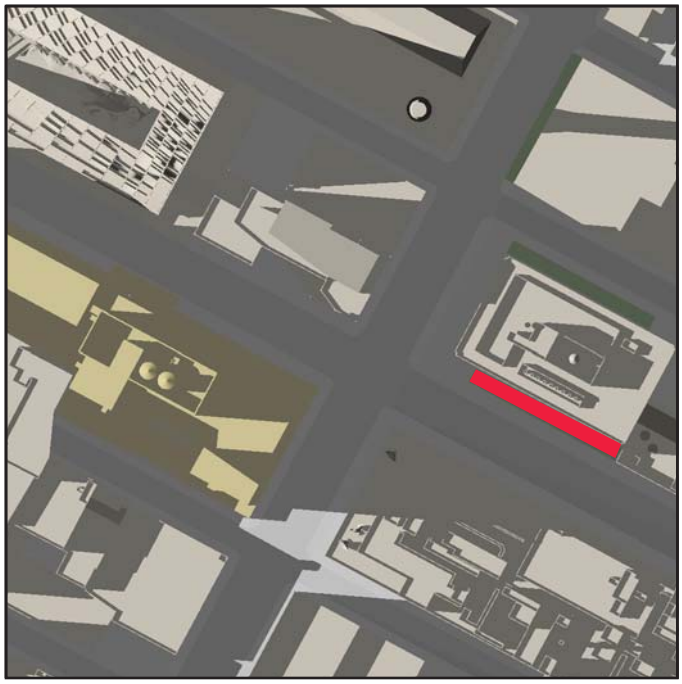

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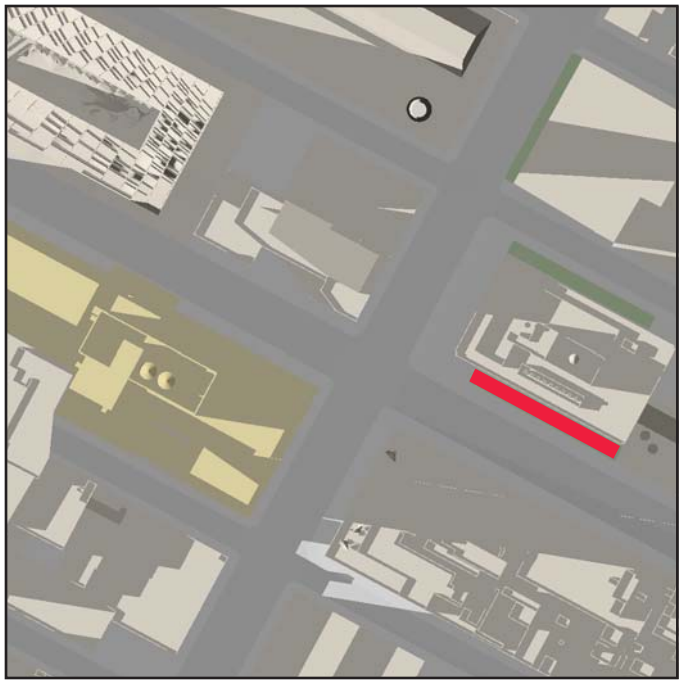

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Note: Daylight Saving Time not used.

- Projected Development
- Publicly-Accessible Open Space
- Incremental Shadow on SUnlight-Sensitive Feature
- Project Modification Additional Shadows

Detailed Analysis
May 6 / August 6
Figure 1

606 WEST 57TH STREET

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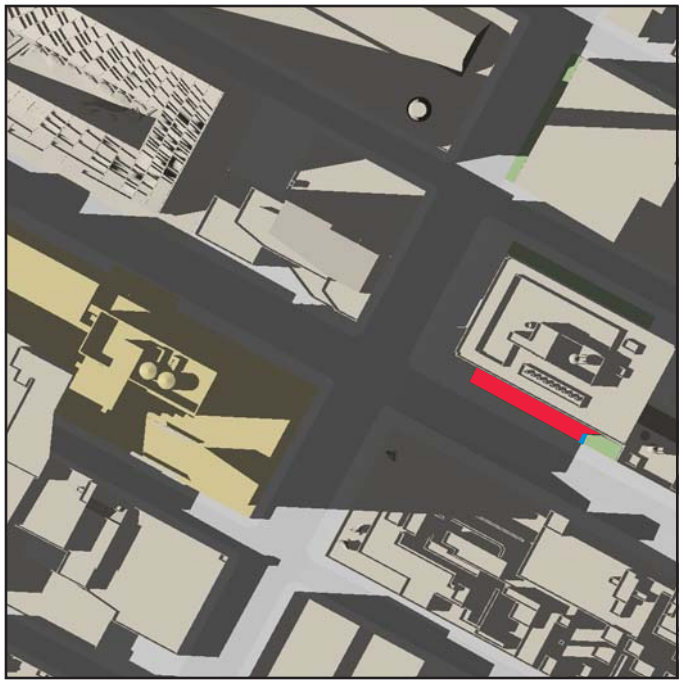

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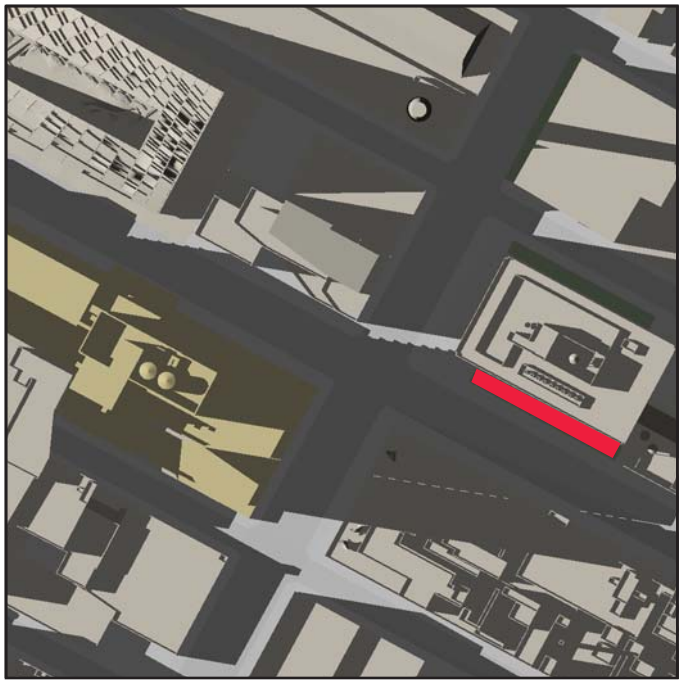

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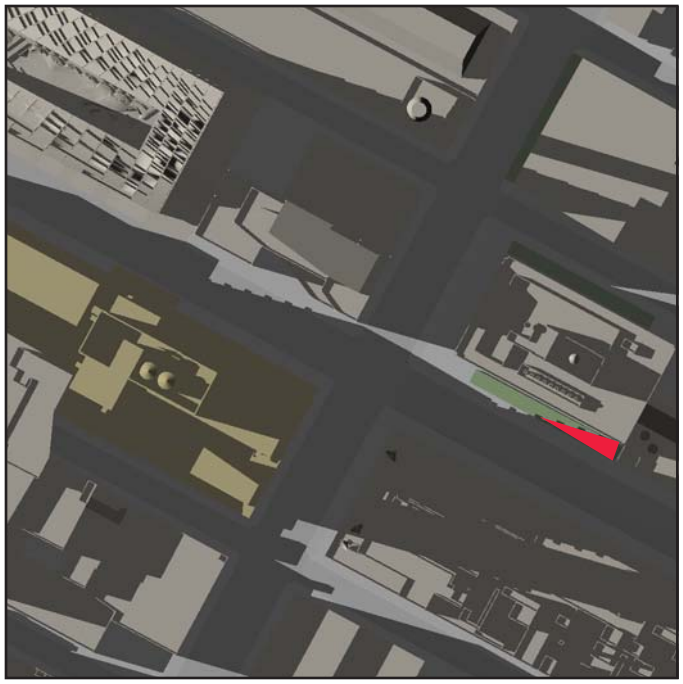

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Note: Daylight Saving Time not used.

Projected Development

Publicly-Accessible Open Space

Incremental Shadow on SUnlight-Sensitive Feature

Project Modification Additional Shadows

Detailed Analysis
June 21
Figure 2

606 WEST 57TH STREET