City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME Greater East Midtown Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP001M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
NYC Department of City Planning			NYC Department of City Planning, Manhattan Borough Office		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Robert Dobruskin, AICP, Director, EARD			Edith Hsu-Chen, Director, Manhattan Borough Office		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 120 Broadway, 31st Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10271
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 212-720-3480	EMAIL ehsuchen@planning.nyc.gov	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 6NYCRR Part 617.4(b)(9): any Unlisted action occuring wholly or partially within, or substantially contguous to, any historic building, structure, facility, site or district.

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The New York City Department of City Planning proposes: (1) a zoning text amendment to establish the East Midtown Subdistrict (the "Subdistrict") within the Special Midtown District which will supersede and subsume the existing Grand Central Subdistrict; and (2) a zoning map amendment to change an existing C5-2 district to a C5-3 district and to extend the Special Midtown District and the East Midtown Subdistrict over the proposed C5-3 district. The proposed actions are intended to reinforce the area's standing as a premiere central business district, support the preservation of landmarks, and provide for public realm improvements. (See attachment A for further details.)"

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 5 & 6	STREET ADDRESS
TAX BLOCK(S) AND LOT(S) See Table 1 in Attachment A		ZIP CODE 10016, 10017, 10022

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Generally bounded by East 57th Street to the north, East 39th Street to the south, Second and Third Avenues to the east and Fifth Avenue to the west

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY	ZONING SECTIONAL MAP NUMBER
C5-2.5, C5-3, C5-4.5, C5-6, C5-2, Special Midtown District	8c, 8d

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION Article VIII, Chapter 1

Board of Standards and Appeals: ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:
☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☒ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 8,708,568
Roads, buildings, and other paved surfaces (sq. ft.): 8,708,568
Waterbody area (sq. ft.) and type:
Other, describe (sq. ft.):

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 15,590,185
NUMBER OF BUILDINGS: 16
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
HEIGHT OF EACH BUILDING (ft.):
NUMBER OF STORIES OF EACH BUILDING:

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 0
The total square feet not owned or controlled by the applicant: 521,630 (lot area)

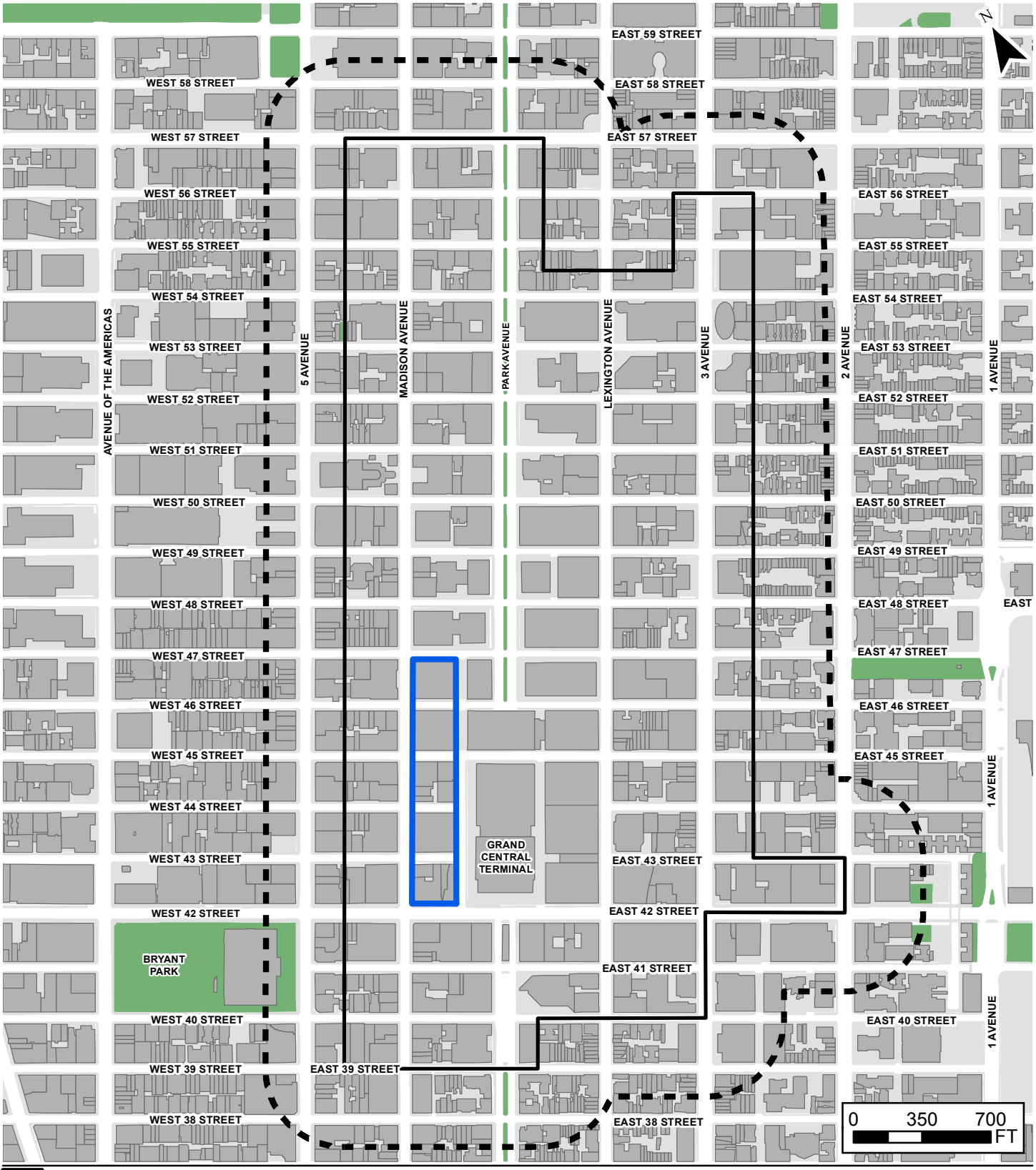
Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2036
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: n/a
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? N/A
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Approximately 20 years

9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☐ RESIDENTIAL ☐ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: transportation/utility



Proposed Greater East Midtown Rezoning Boundary

Vanderbilt Corridor

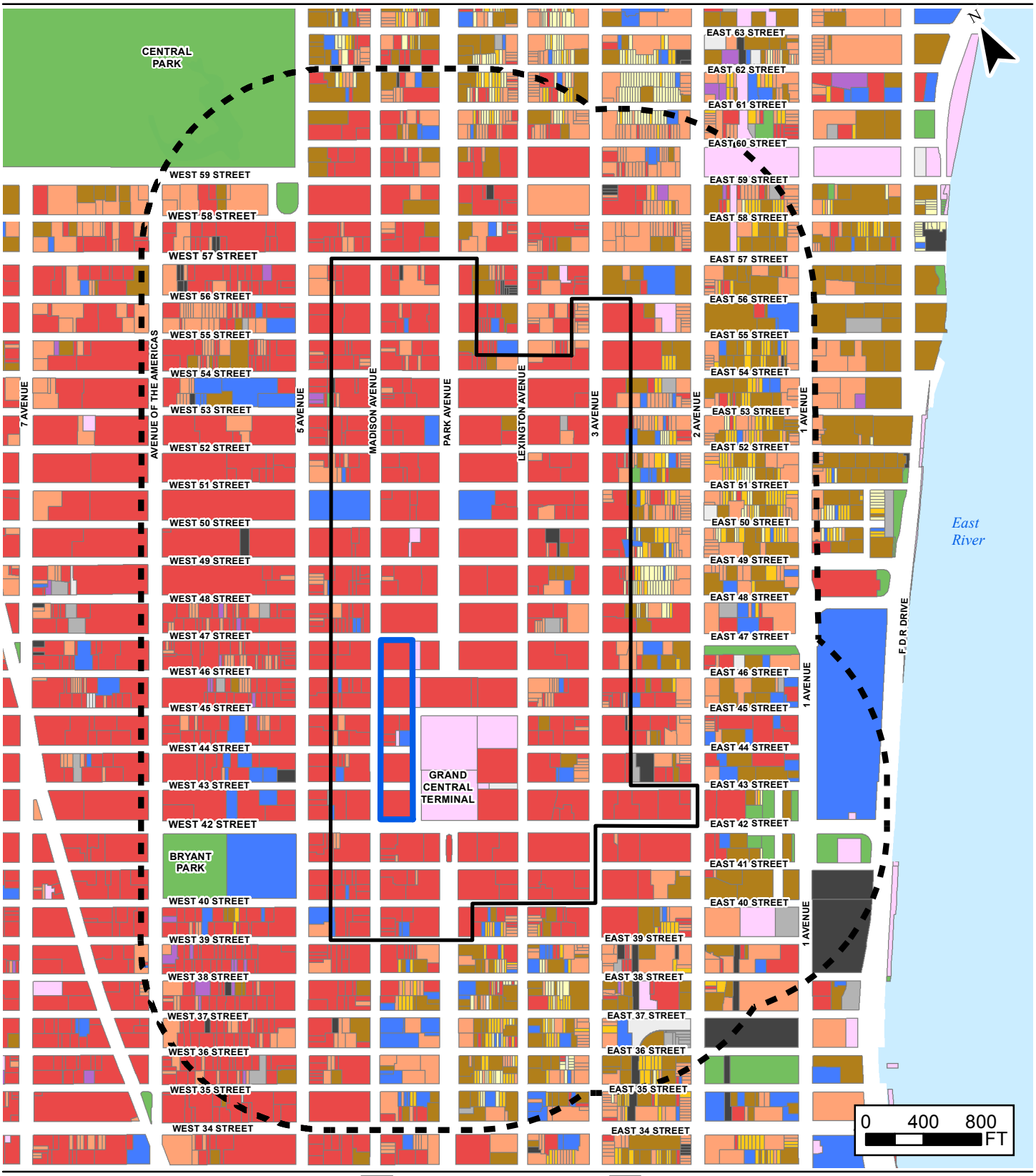
Area Excluded from the Proposed Action but Included in Study Area

400-Foot Study Area Radius

Greater East Midtown Rezoning
Manhattan, New York

Project Location

Figure 1



Vanderbilt Corridor

Area Excluded from the Proposed Action but Included in Study Area

Greater East Midtown Rezoning Boundary

Quarter-Mile Land Use Study Area Radius

One & Two Family Buildings

MultiFamily Walkup Buildings

MultiFamily Elevator Buildings

Mixed Commercial/Residential Buildings

Commercial/Office Buildings

Industrial/Manufacturing

Transportation/Utility

Public Facilities & Institutions

Open Space

Parking Facilities

Vacant Land

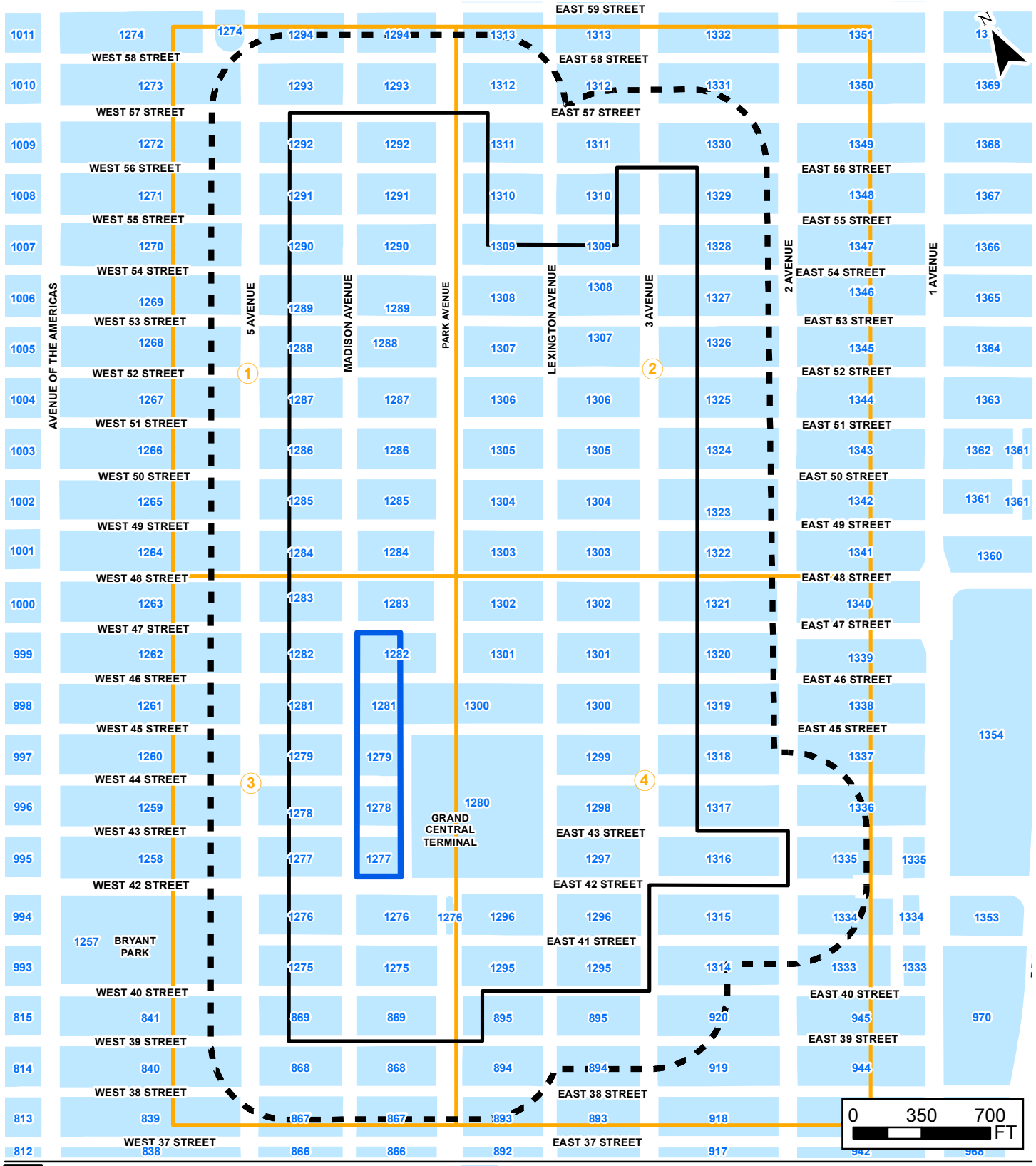
All Others or No Data

Greater East Midtown Rezoning
Manhattan, New York

Land Use Study Area

Figure 2

vhb



Greater East Midtown Rezoning
Manhattan, New York

Tax Map: Tax Blocks Overview

Figure 3.A



Proposed Greater East Midtown Rezoning Boundary

400-Foot Study Area Radius

(1) View Panel (w/ I.D. Label)

1 Tax Lot (w/ Lot No.)

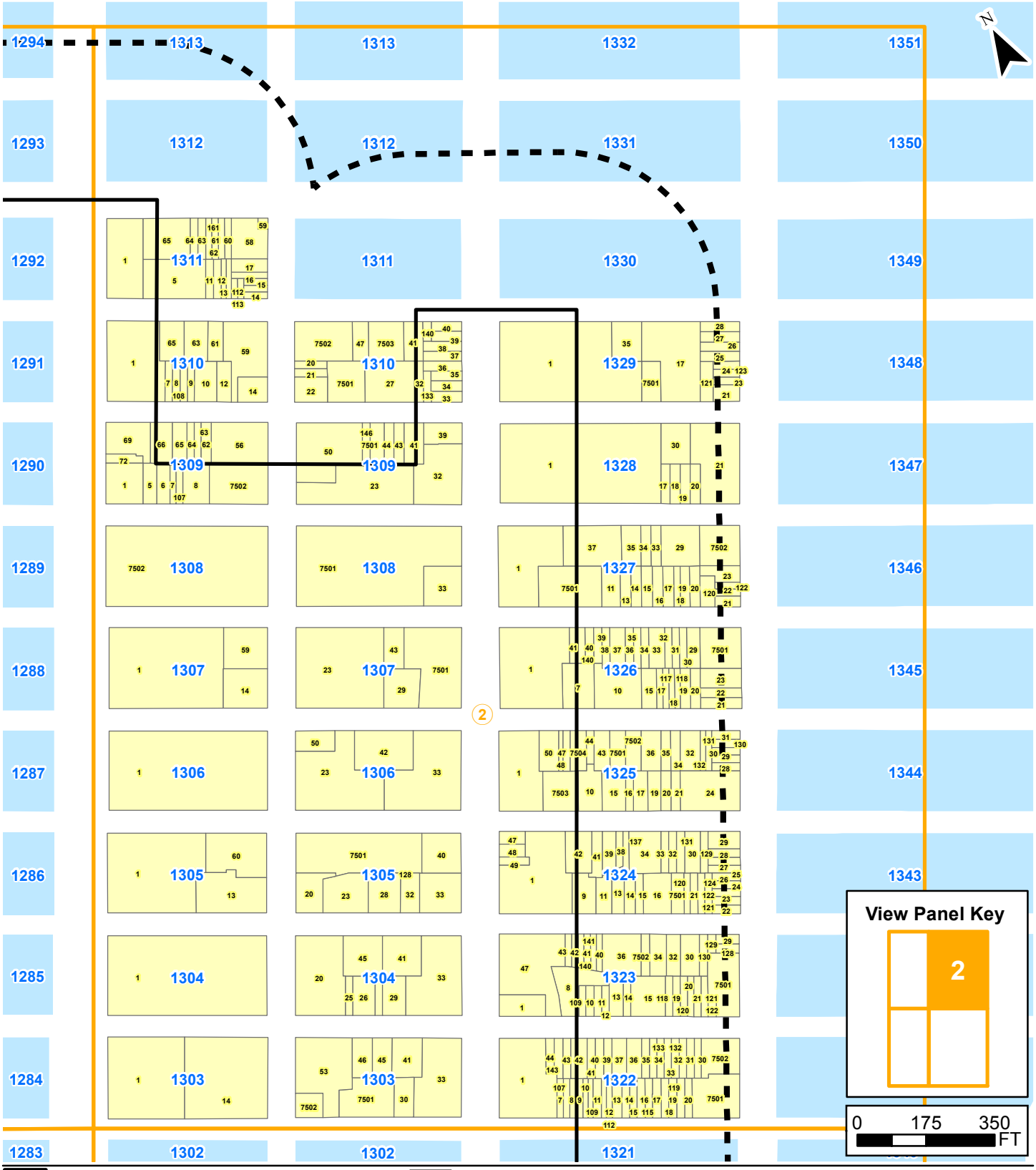
1284 Tax Block (w/ Block No.)

Greater East Midtown Rezoning
Manhattan, New York

Tax Map: Tax Lots
View Panel No. 1

Figure 3.B

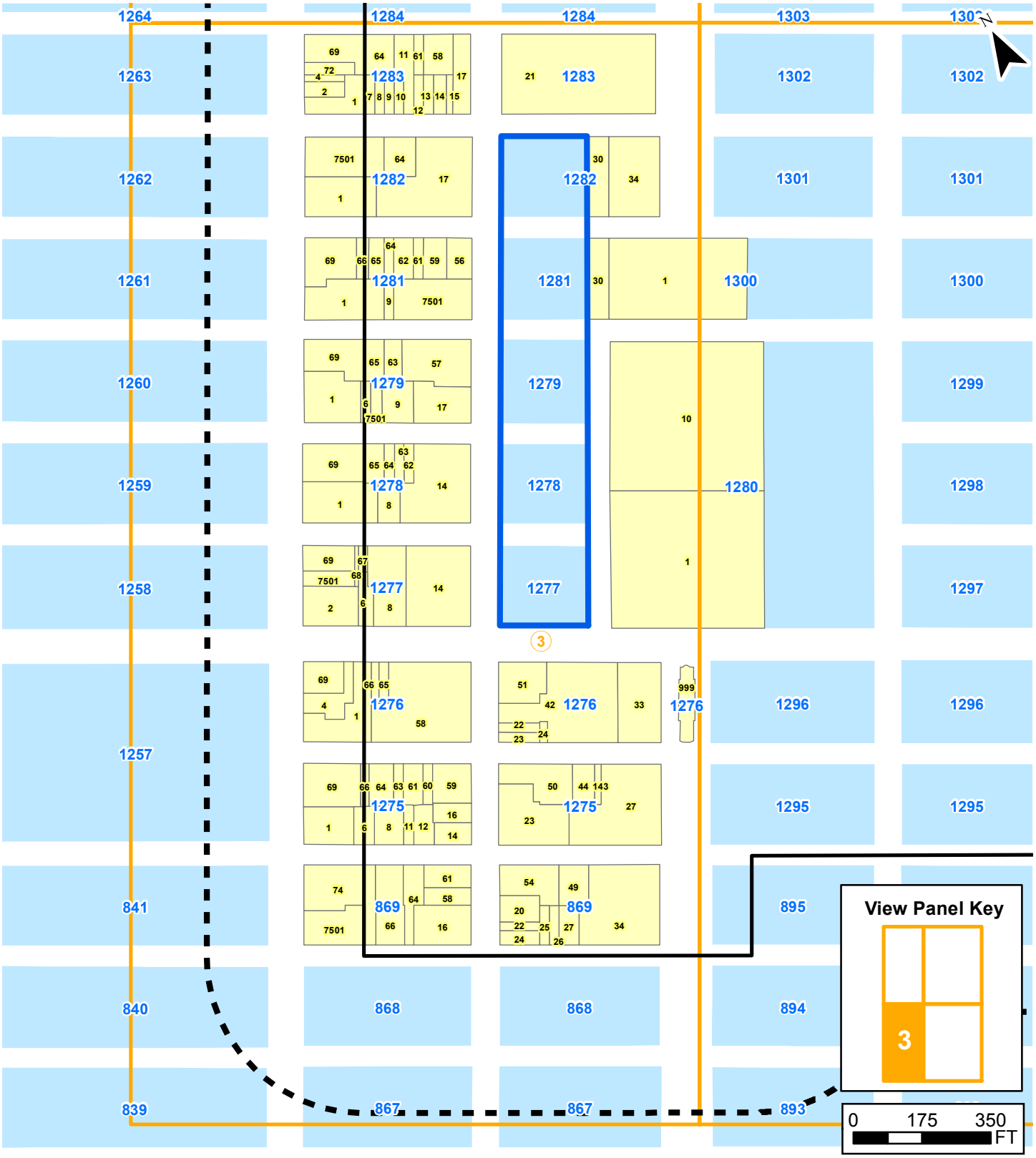
vhb



Greater East Midtown Rezoning
Manhattan, New York

Tax Map: Tax Lots
View Panel No. 2

Figure 3.C



Proposed Greater East Midtown Rezoning Boundary

Vanderbilt Corridor

400-Foot Study Area Radius

(1) Quadrant Boundary (w/ Quadrant No.)

1 Tax Lot (w/ Lot No.)

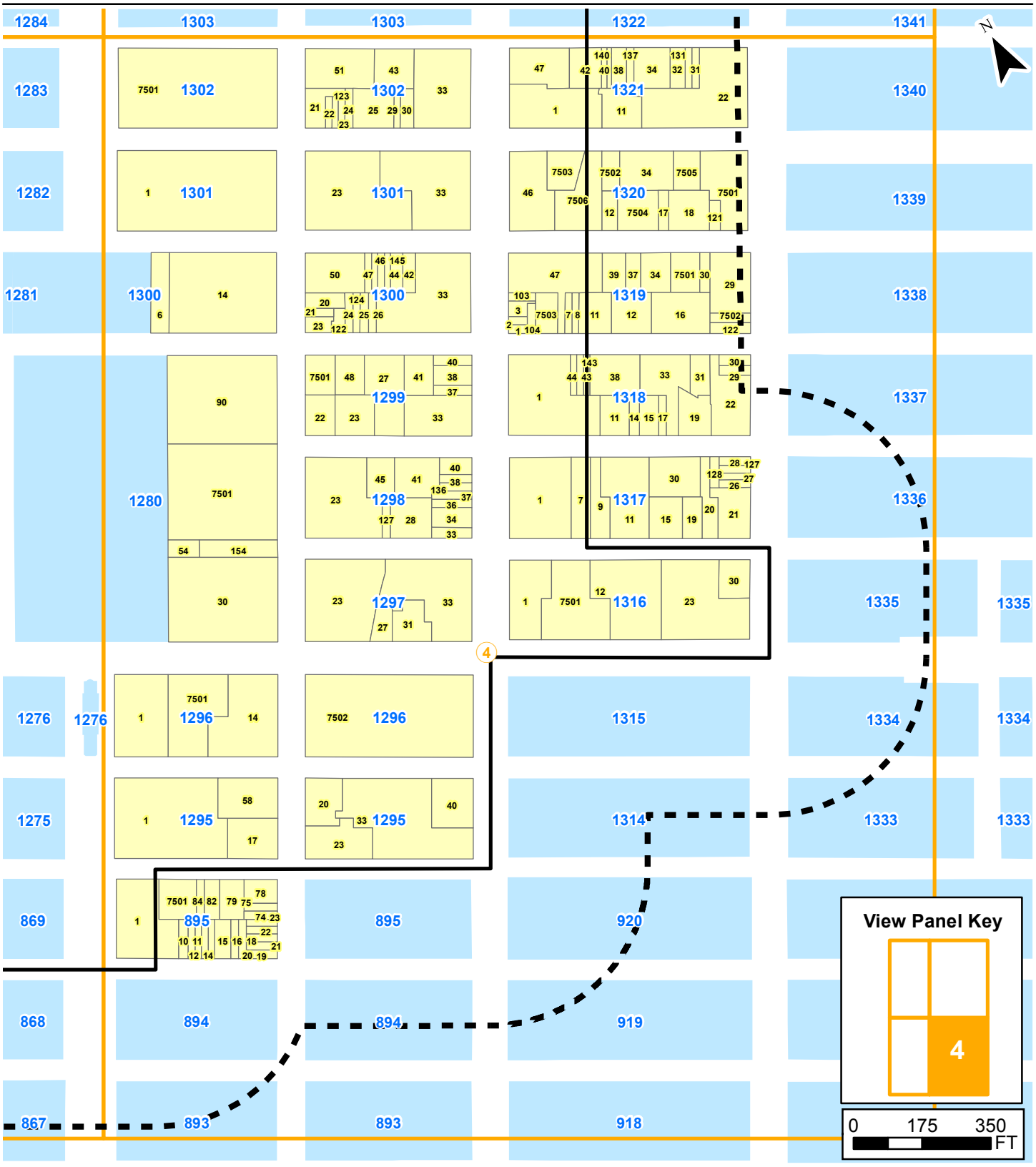
1284 Tax Block (w/ Block No.)

Area Excluded from the Proposed Action but Included in Study Area

Greater East Midtown Rezoning
Manhattan, New York

Tax Map: Tax Lots
View Panel No. 3

Figure 3.D



Proposed Greater East Midtown Rezoning Boundary

400-Foot Study Area Radius

① View Panel (w/ I.D. Label)

1 Tax Lot (w/ Lot No.)

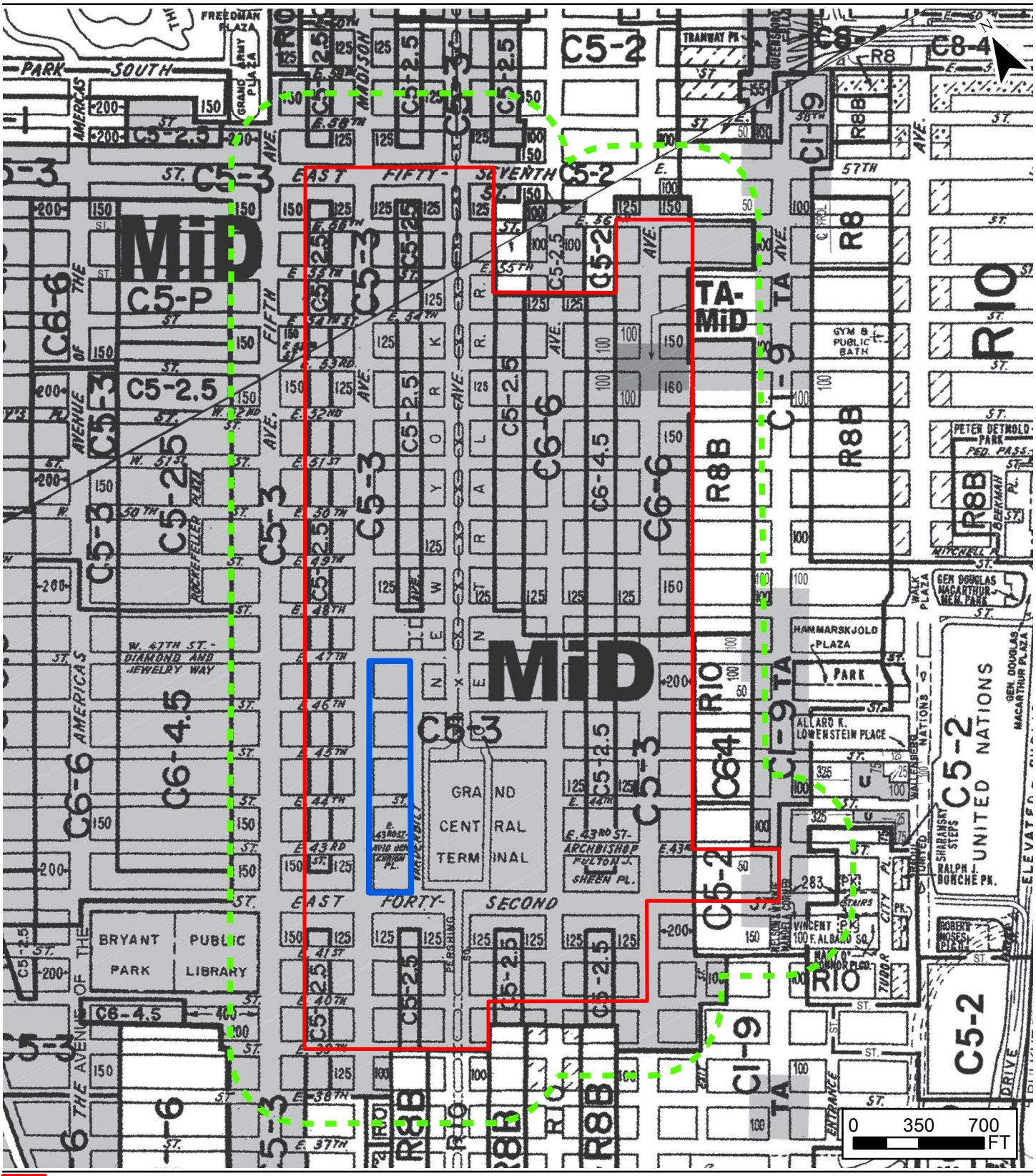
1284 Tax Block (w/ Block No.)

Greater East Midtown Rezoning
Manhattan, New York

Tax Map: Tax Lots
View Panel No. 4

Figure 3.E

vhb



Proposed Greater East Midtown Rezoning Boundary

Vanderbilt Corridor

Area Excluded from the Proposed Action but Included in Study Area

400-Foot Study Area Radius

Greater East Midtown Rezoning
Manhattan, New York

Existing Zoning

Figure 4



Proposed Greater East Midtown Rezoning Boundary

Vanderbilt Corridor

Area Excluded from the Proposed Action but Included in Study Area

400-Foot Study Area Radius

(1) Photograph Location and Direction (w/ I.D. Label)

Greater East Midtown Rezoning

Manhattan, New York

Photograph Location Key

Figure 5

Photo 1
View south from the intersection of East 49th Street and Third Avenue



Photo 2
View north from the intersection of East 51st Street and Lexington Avenue



Greater East Midtown Rezononing
New York, New York

Site and Study Area Photos

Figure
5a

Photo 3
View south from the intersection of West 56th Street and Madison Avenue



Photo 4
View east from the intersection of West 49th Street and Madison Avenue



Greater East Midtown Rezononing
New York, New York

Site and Study Area Photos

Figure
5b

Photo 5
View east from the intersection of East 42nd Street and Madison Avenue



Photo 6
View south from the intersection of West 56th Street and Park Avenue



Greater East Midtown Rezononing
New York, New York

Site and Study Area Photos

Figure
5c

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Multifamily Elevator; Multifamily Walkup	Multifamily Elevator; Multifamily Walkup	Multifamily Elevator; Multifamily Walkup	-
No. of dwelling units	68	163	119	- 44
No. of low- to moderate-income units	0	0	0	0
Gross floor area (sq. ft.)	50,813	316,120	237,841	-78,279
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Retail, Office, Hotel	Retail, Office, Hotel	Retail, Office	
Gross floor area (sq. ft.)	8,133,432	8,020,257	13,996,676	+5,976,419
Manufacturing/Industrial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces	564	564	0	-564
No. of accessory spaces	n/a	n/a		
Operating hours	n/a	n/a		
Attended or non-attended	n/a	n/a		
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," describe:	street parking	street parking	street parking	-
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	111	266	194	-72
Briefly explain how the number of residents	Assumes 1.63 persons per dwelling unit (based on 2014 ACS data for the rezoning area)			

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
was calculated:				
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Varies; to be described in EIS	Varies; to be described in EIS	Varies; to be described in EIS	
No. and type of workers by business	29,311 employees	28,883 employees	55,390 employees	+26,507 employees
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Assumes 1 employee per 250 sf of office; 3 employees per 1,000 sf of retail; 1 employee per 2.67 hotel rooms; 1 employee per 25 dwelling units, and 1 employee per 10,000 sf of parking			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	See Figure 4, Zoning Map	As under Existing Condition	Refer to Attachment A, Project Description	
Maximum amount of floor area that can be developed				
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	See Figure 2, Land Use Map, and Figure 4, Zoning Map	As under Existing Condition	Refer to Attachment A, Project Description	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. **To be provided in EIS**		
(e) Is the project a large, publicly sponsored project?	☒	☐
o If "yes," complete a PlaNYC assessment and attach. **To be provided in EIS**		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
o If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☒	☐
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry? **To be determined based on EIS analysis**	☒	☐
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☒
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☒
ii. Indirect Residential Displacement		
o Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☒
o If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☒
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☒
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project? **To be determined based on EIS analysis**	☐	☐
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it? **To be determined based on EIS analysis**		
iv. Indirect Business Displacement **To be determined based on EIS analysis**		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? **To be determined based on EIS analysis**	☐	☐
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? **To be determined based on EIS analysis**	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☐
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent? **To be determined based on EIS analysis**		
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **To be included in the EIS**		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **To be included in the EIS**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☒	☐
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. **To be included in the EIS**		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials? **To be determined based on EIS analysis**	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)? **To be determined based on EIS analysis**	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? **To be determined based on EIS analysis**	☐	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed? **To be determined based on EIS analysis**	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☒	☐
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐

	YES	NO
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 344,757		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☒	☐
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan? **See "Solid Waste" section of Attachment B**	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 1,281,570,000,000		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☒	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☒	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☒	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) **To be determined based on EIS analysis**	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be included in EIS**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☒	☐
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-	☐	☐

	YES	NO
803 of the Administrative Code of the City of New York). Please attach supporting documentation. **To be included in EIS**		
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be included in EIS**		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **To be determined based on EIS analysis**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **See "Neighborhood Character" section of Attachment B**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☒	☐
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☒	☐
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☒	☐
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. **See "Construction" section of Attachment B**		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Edith Hsu-Chen		8/19/16

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☒	☐
Community Facilities and Services	☐	☒
Open Space	☒	☐
Shadows	☒	☐
Historic and Cultural Resources	☒	☐
Urban Design/Visual Resources	☒	☐
Natural Resources	☐	☒
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☒	☐
Solid Waste and Sanitation Services	☒	☐
Energy	☒	☐
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☒	☐
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☒	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☒ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment & Review Division	New York City Planning Commission
NAME: Robert Dobruskin, AICP	DATE: 8/22/2016
SIGNATURE: Robert Dobruski	

Greater East Midtown Rezoning

Environmental Assessment Statement

CEQR No. 17DCP001M

Prepared for:
NYC Department of City Planning

Prepared by:
VHB Inc.

August 19, 2016

Greater East Midtown Rezoning

Environmental Assessment Statement

CEQR No. 17DCP001M

Table of Contents

Environmental Assessment Statement Full Form

Attachment A: Project Description

Attachment B: Additional Technical Information for EAS Part II

ATTACHMENT A

Project Description

A. DESCRIPTION OF PROPOSED ACTION

Introduction

The Greater East Midtown Rezoning and Related Actions project consists of zoning text and zoning map amendments (collectively, the "Proposed Action") within the East Midtown neighborhood of Manhattan Community Districts 5 and 6. The affected area is generally bounded by East 57th Street to the north, East 39th Street to the south, a line 200 feet easterly of Third Avenue to the east, and a line 250 feet westerly of Madison Avenue to the west (see EAS Figure 1). The Proposed Action includes a zoning text amendment to establish the Greater East Midtown Subdistrict within an approximately 78-block area within the East Midtown neighborhood of Manhattan. The Proposed Action is intended to reinforce the area's standing as a premiere central business district, support the preservation of landmarks, and provide for public realm improvements. Table 1 provides a table of the Blocks and Lots which would be affected by the Proposed Action.

Background and Existing Conditions

The Greater East Midtown business district is one of the largest job centers in New York City and one of the highest-profile business addresses in the world. The area between Second and Fifth Avenues, and East 39th and East 57th Streets contains more than 70 million square feet of office space, more than a quarter million jobs and numerous Fortune 500 companies.

This area is centered upon Grand Central Terminal (the "Terminal" and "Grand Central"), one of the city's major transportation hubs and famous civic spaces. Around the Terminal and to the north, some of the city's most iconic office buildings, such as Lever House and the Chrysler Building, line the major avenues – Park, Madison, and Lexington Avenues – along with a mix of other landmarks, civic structures and hotels.

The area's transportation network is currently under expansion through two major public infrastructure projects: East Side Access and the Second Avenue subway. East Side Access will, for the first time, permit Long Island commuters one-seat access to East Midtown through a new below-grade station adjacent to Grand Central. Construction is expected to be completed in 2022. The Second Avenue subway—whose first phase from East 63rd to East 96th Streets is currently under construction—is expected to alleviate congestion on the Lexington Avenue subway line which runs through the Greater East Midtown office district.

Current Status and Recent Trends

Greater East Midtown continues to be one of the most sought-after office addresses in the New York City metropolitan region. The area straddles two Midtown office submarkets – Grand Central and the Plaza districts. The Grand Central district is typically considered an older submarket, with a higher vacancy rate and lower rents than the overall Midtown market. The Plaza district, centered on the upper reaches of Park and Madison Avenues is one of the most expensive submarkets in the country, and generally has more recent construction.

The area's tenants have historically included financial institutions and law firms, with some of the country's largest banks headquartered here. Recent trends have both reinforced and altered this role. First, the area

has become home to the city's hedge fund and private equity cluster – thanks, in part, to the area's cachet and easy access to the Grand Central 42nd Street subway station and the Metro-North Railroad. Given this, rents for high-quality space in the area's top buildings have greatly increased as this industry competes for these spaces. Conversely, as rents dropped with the economic downturn beginning in 2008, the area has developed a more diverse roster of tenants, as tenants who were previously priced out of the Greater East Midtown office market have moved in. This trend, where new non-profits, technology, and media firms have been able to move into Greater East Midtown has led to a more diverse office market. Both trends have helped the area recover from the 2008 recession, with vacancy rates beginning to fall to within a more stable range.

Other recent trends have affected the overall level of employment in the area – which has dropped over the last decade. In 2000, approximately 255,000 people worked in the area. Since then, employment has dropped by some 20,000 persons, to 235,000 working in the area in 2009 (2000, 2009 NYS Bureau of Labor Statistics Quarterly Census of Employment and Wages), with vacancy rates for office space remaining at consistent levels. These numbers represent a significant drop in employment in the area and one with no single cause, though likely reasons include ever-increasing use of technology in office space and a move toward greater professionalization of the work force. Overall, this has led to an increase in the amount of floor area per employee in the area's buildings.

Additionally, the area has experienced a shift from a singular high travel period—typically at a rush 'hour'—toward an overall more dispersed daily ridership. This has resulted in part from people working more flexible and varied hours; a trend which has been seen throughout the city.

Purpose and Need for Proposed Action

While this area currently continues to perform strongly today as an office district, in terms of overall cachet, rents, and vacancy rates, the DCP has identified a number of long-term challenges that must be addressed in order for Greater East Midtown to remain one of the region's premier job centers and one of the most attractive business districts in the world. A primary challenge is the area's office building stock, which the DCP is concerned may not—in the long run—offer the kinds of spaces and amenities that are desired by tenants, and which can only be provided through new construction. In addition to its aging office stock, Greater East Midtown faces challenges that the DCP believes may compromise its long-term competitiveness as a premier business district. These include limited recent office development and few available office development sites, public realm challenges, and the existing zoning framework, which limits new office development. Each of these long-term challenges are discussed in detail below. In light of these factors, the DCP has projected that the area's importance as a premiere Class A office district could diminish over time and the large investment in transit infrastructure, including the East Side Access and Second Avenue subway projects, will fail to generate its full potential of jobs and tax revenue for the city and region.

Aging Building Stock

The Greater East Midtown area contains approximately 475 buildings, of which more than 300 are more than 50 years old; the average age of office buildings in the area is approximately 75 years. For an office district competing for tenants regionally and globally, this is a comparatively aged building stock.

This high average age makes it more likely that the space in the area's office buildings is or may become outdated in relation to tenant needs. Today, this is seen in the area with office buildings more than 50 years old having noticeably higher vacancy rates and lower rents. Reasons for this include limited technology and amenity offerings which can at least partially be ameliorated through full-scale renovations of the

buildings. However, some of the most challenging features cannot be dealt with through renovations, particularly low floor-to-floor heights and interior columns.

Tenants looking for office space in Midtown today desire large expanses of column-free space in order to have flexibility in creating office layouts, which are trending toward more open organization. Columns and low floor-to-floor heights cannot accommodate such flexible open layouts and thus, older buildings with such features are not desirable. With such a large amount of the office stock having these outdated features, the DCP is concerned this area's buildings cannot offer the kinds of space and amenities that new construction offers and therefore can no longer compete for the occupants who have typified the Greater East Midtown area.

Instead, the DCP believes that in the long term the area's outdated office buildings may begin to convert to other uses—particularly residential buildings and/or hotels. Given the area's concentration of rail public transit infrastructure and the current expansion of this network, this outcome does not align with the city's long-term economic goals. While the DCP has undertaken many initiatives over the last decade to accommodate new office construction in the city; including at Hudson Yards, Downtown Brooklyn, and Long Island City; all of these were predicated on East Midtown remaining a center for office jobs and none contemplated the diminishment of this area as one of the city's premier business districts.

Finally, since most of the area's buildings were constructed before sustainability and energy efficiency became key features of office building design and operation, many of the area's buildings are far less efficient than new construction.

Limited Recent Office Development and Few Available Office Development Sites

With much of the Greater East Midtown's existing office stock aging, the area has also experienced little new office development. Only three office buildings have been constructed in this area since 2001, which represents a significant drop from preceding decades. Of the 70 million square feet of office space currently in the area, less than 5 percent was constructed within the last two decades. Whereas the area had an overall annual space growth rate of 1 percent between 1982 and 1991, the area's growth rate began to drop off in the next decade, with an annual growth rate of 0.14 percent. Over the last decade, this has continued to fall to an annual growth rate of only 0.06 percent between 2002 and 2011. Since 1982, the area's average age of buildings increased from 52 years to over 70 years. Three major office developments are currently underway or in the planning stages. The most prominent of these, 1 Vanderbilt Avenue, will be a 30-FAR office building directly west of Grand Central Terminal, and is being developed pursuant to the 2015 Vanderbilt Corridor text amendment's provisions. In exchange for bonus floor area, the development provided over $200 million in transit improvements, a new marquee public space on a pedestrianized portion of Vanderbilt Avenue and an on-site transit hall with connections to commuter rail. The other two underway developments, 425 Park Avenue and 380 Madison Avenue, are replacing existing office buildings in kind and add no additional office floor area to East Midtown.

The area is highly built up and contains few remaining development sites based on typical "soft site" criteria, i.e., sites where built FAR is less than half of the permitted base FAR, excluding landmarks. Of the possible development sites that do exist, few would accommodate a major new office building. Beyond the difficulty of assembling appropriately-sized sites, there are a number of other challenges to new development. These include the need to vacate existing tenants which, depending on existing leases, can be a long, multi-year process that is not economically viable for many property owners. Large existing buildings must then be demolished, further extending the period during which the property produces no revenue. These issues have led to very limited new office construction in the area and many owners attempting instead to renovate their buildings, often on a piecemeal basis, to compete in the overall market.

Public Realm Challenges – Pedestrian Realm and Transit Network

East Midtown contains some of the city's best known public and civic spaces, including Grand Central Terminal's main hall, the Seagram Building Plaza, and Park Avenue itself. The public realm, however, encompasses more than just iconic or grand civic spaces—it exists both above and below grade, and includes sidewalks, roadways, parks and open spaces, indoor and outdoor privately-owned public spaces (POPS) as well as publicly-accessible transit-related infrastructure. An example of the below-grade public realm is the extensive subterranean pedestrian network that connects Grand Central Terminal to the Grand Central 42nd Street subway station and to surrounding streets and buildings, allowing for a more efficient distribution of pedestrians in the area.

East Midtown is one of the most transit-rich locations in the city, and the public realm, both above and below grade, is one of the area's unique assets. However, the area faces a number of challenges to creating a pedestrian network that matches the area's role as a premier business district, and allows pedestrians to easily access its public spaces, transit amenities, office buildings and institutions. Specifically, challenges to the above and below grade public realm include:

- The area's below-grade transit system is heavily utilized. For example, Grand Central 42nd Street subway station is one of the busiest in the entire system with nearly half a million daily users. Like other stations in the area, Grand Central 42nd Street experiences pedestrian circulation constraints, including platform crowding and long dwell times for the Lexington Avenue line (Nos. 4, 5, and 6), which limits train through-put, creating a subway system bottleneck. The transit upgrades associated with 1 Vanderbilt will help alleviate pressure on the Lexington Line at the Grand Central 42nd Street station. However, the Flushing line at Grand Central 42nd Street is in need of critical upgrades, and the area's other two transit hubs, at Lexington Avenue-51st/53rd Streets and Fifth Avenue-53rd Street stations, require targeted improvements to improve pedestrian circulation and transfers between train lines.

- Several stations outside the Subdistrict boundaries serve East Midtown, through transfers or as final destinations. These stations face a similar series of connectivity and circulation-related challenges that make it difficult for users to access the area.

- The area's sidewalks and pedestrian circulation spaces can be crowded during the workweek. Vehicular congestion feels pronounced in the area, especially during rush hours, which exacerbates these negative aspects of the pedestrian experience. These include issues such as the sidewalks of Madison and Lexington Avenues, which are extremely narrow—both are less than 12 feet wide. Effective widths (the unobstructed area available to pedestrians) are even narrower, when subway grates and other sidewalk furniture are considered. The Department of Transportation (DOT) implemented protected sidewalk extensions at key pedestrian crossings on the west side of Lexington Avenue, adjacent to Grand Central which have helped improve pedestrian safety. However, similar measures are needed throughout the area's north-south corridors, particularly near transit-hubs, which tend to be highly trafficked by pedestrians. Transit modes are not well-integrated above grade and can have a precarious relationship, whether it's between bicyclists, vehicles and pedestrians, or between pedestrians and the bus system. Many intersections are crowded and challenging to cross.

- Given the area's built density, there are seemingly limited avenues to expand its open spaces or public spaces oriented towards passive activities. The city is working to address this issue in publicly owned property through the creation of Vanderbilt Place and the planned

pedestrianization of Pershing Square. Over 40 developments in the area contain POPS. Since 2007, nine of these spaces have been redesigned, and one new one has been built. POPS are a key component of East Midtown's above-grade public realm, but the current zoning and built-out fabric yield few opportunities to further supplement these spaces on private property.

Challenges of Current Zoning

East Midtown's current zoning framework is broadly intended to strengthen the area's role as a central business district and to promote and incentivize high-density development where appropriate. However, the DCP has identified a number of issues with the current framework that serve to limit new construction. One of the most prominent challenges is with permitted density. The increment between a building's maximum permitted FAR and built FAR is a driving factor in whether redevelopment is feasible. The more underbuilt a site is, the more feasibly it can be redeveloped.

East Midtown is generally zoned C5-3 along wide streets and in Grand Central's vicinity, and C5-2.5 along midblocks. The entire area, save a small portion of Block 1316, is located within the Special Midtown District. The C5-3 districts permit a maximum as-of-right FAR of 15.0 and the C5-2.5 districts permit 12.0. Existing Zoning is shown in Figure 4.

Existing built densities are commonly higher than the 15.0 and 12.0 permitted, which makes new construction of office space a challenge. As a whole, the area contains approximately 2.3 million square feet more than which is currently permitted under existing zoning. This is particularly an issue for buildings which were constructed before 1961, when floor area ratios were first instituted under the Zoning Resolution, and contain more floor area than would be permitted today. As discussed above, many of these "overbuilt" buildings contain obsolete features that make them less marketable, but the lower amount of square footage that could be constructed in a new building on the site presents a significant disincentive to new construction. Under current zoning, up to 75 percent of the floor area could be removed and reconstructed as modern office space, but this would still leave a building with 25 percent of floor space below contemporary standards, and the construction issues caused by this requirement make it extremely challenging to undertake. As indicated, two buildings, 425 Park Avenue and 390 Madison Avenue, are being redeveloped in this manner at great cost. These two redevelopments, however, are in-kind replacements and add no new office space to the area.

There are two main options for a development site to increase its on-site density without changing its underlying zoning. One is to transfer and incorporate unused development rights from area landmarks, and the second is to pursue a floor area bonus through either an as-of-right or discretionary zoning action. In practice, however, it can be difficult for development sites in East Midtown to successfully utilize these mechanisms.

East Midtown's landmarked properties hold considerable reserves of unused development rights—approximately 3.5 million square feet in total. In particular, Grand Central Terminal, St. Patrick's Cathedral and St. Bartholomew's Episcopal Church each contain between 850,000 and 1.2 million square feet of unused development rights. As-of-right, granting sites may only transfer development rights to contiguous receiving sites. However, Section 74-79 of the Zoning Resolution allows landmarked properties to transfer unused development rights to receiving sites across the street via CPC special permit. In high-density locations, the CPC can require public improvements as a condition to the special permit's approval, such as public open spaces and plazas, arcades or below-grade connections to public transit. Even with this expanded range of potential receiving sites, only two developments in East Midtown (610 Lexington Avenue and 120 Park Avenue) have successfully utilized this action, and the majority of the area's landmark development rights remain unused with limited prospects for transfer.

The Grand Central Subdistrict of the Special Midtown District was adopted in 1992, in part to address this issue by permitting the transfer of development rights from Grand Central Terminal and other nearby landmarks to a wider range of surrounding development sites, and to create an improved pedestrian realm in the area. In the Core area of the subdistrict (between Madison and Lexington Avenues, from East 41st to East 48th Streets) the maximum permitted FAR through transfer is 21.6 and requires a special permit from the CPC that finds that a significant pedestrian improvement is being provided as part of the project. Only one building, 383 Madison Avenue, has taken advantage of this provision. Additionally, 1.0 FAR transfers are permitted through a certification process in the Core and a larger area which includes the other sides of Madison and Lexington Avenues. This mechanism has been used three times since 1992. In total, more than 1.2 million square feet of development rights remain unused on the Grand Central block.

Besides Section 74-79 and the Grand Central Subdistrict mechanisms, the current zoning framework provides two land use actions that permit increased density. First, subway bonuses are permitted for sites directly adjacent to subway entrances (up to 20 percent more than the permitted base FAR) through the provision of an improvement to the subway network (pursuant to Sections 81-292 and 74-634 of the Zoning Resolution). The geographic applicability, discretionary nature of the action and long-term collaboration requirement with the Metropolitan Transportation Authority (MTA) make this mechanism comparatively difficult to pursue. To date, two developments over 20 years apart, 599 Lexington Avenue and 885 Third Avenue, have been granted this special permit.

In the portions of East Midtown outside the Grand Central Subdistrict, as-of-right bonuses of 1.0 FAR are permitted through the provision of public plazas.

The Special Midtown District formerly provided a 20 percent bonus via special permit for the provision of publicly accessible Covered Pedestrian Spaces (CPS) pursuant to Section 74-87. This permit was responsible for notable indoor public spaces at the Sony/ATT building (550 Madison Avenue), and IBM building (590 Madison Avenue). In 1998, this typology was prohibited in the Special Midtown District along with the Through Block Arcade, another type of bonusable public space that was popular during the 1970s and 1980s.

Beyond density regulations, the provisions governing height and setback in the Special Midtown District can limit new development. The District has two alternative sets of as-of-right height and setback regulations—daylight compensation and daylight evaluation. They were developed over thirty years ago in 1982 in response to concerns that midtown's built density and future development would compromise the public's access to light and air. These regulations were crafted with larger, regularly shaped development sites in mind, and have proven restrictive on smaller or irregular sites, particularly for the development of high-density office buildings.

Consequences of Long Term Challenges

The DCP believes that the long-term consequence of failing to address the aging of the existing office stock, the lack of replacement office development, the area's public realm issues and the challenges of its current zoning would be a decline in the diverse and dynamic business district in East Midtown. The needs of the full range of tenants that East Midtown serves today would be unmet if current challenges are not addressed. In particular, tenants of state-of-the-art Class A office space, who have been attracted to the area in the past, would begin to look elsewhere for space. This would likely not only affect the top of the market, but also the Class B and C office space since tenants in these buildings would lose proximity to other important businesses in their cluster. As a result, Class B and C buildings would become ripe for conversion to other uses. In sum, East Midtown would become less desirable as a business district and the significant public investment in the area's transit infrastructure would fail to maximize its full potential to generate jobs and tax revenues for the city.

2013 East Midtown Rezoning Proposal

Acknowledging the challenges discussed above, in order to reinforce the area's standing as a premier business district, the city created the 2013 East Midtown rezoning proposal (the "2013 EMT Proposal"). It was developed to encourage new, predominantly office development in East Midtown. To do so, it proposed modified zoning regulations for a 70-block area of the Special Midtown District to be known as the East Midtown Subdistrict, which would have superseded the Grand Central Subdistrict. The East Midtown Subdistrict's primary features included the following:

- Focused new commercial development on large sites with full block frontage on avenues around Grand Central Terminal and its concentration of transit access by permitting the highest as-of-right densities for these sites and slightly lower densities allowed along the Park Avenue corridor and elsewhere.
- Provided a District Improvement Bonus mechanism to generate funding for area-wide pedestrian network improvements through new development.
- Streamline the process for landmarked buildings to transfer their unused floor area.

The 2013 EMT Proposal was approved by the CPC in September 2013, but was withdrawn by the City in November of that year before reaching the City Council vote. After taking office in 2014, Mayor Bill de Blasio committed the City to developing a new plan to ensure the area's long-term success as a business district. This included a stakeholder-driven process to determine a new framework for the overall East Midtown area.

Despite the 2013 application's withdrawal, there was broad consensus and agreement with the DCP's analysis that the current zoning impedes replenishment of office space and that without a change in outdated zoning, the office stock will continue to age and the overall competitiveness of the business district will gradually decline, eroding one of the most important job centers and tax bases in the city. The key concerns raised by stakeholders during the public review process included:

- While there was overall agreement that infrastructure improvements were critically needed in the area, there were concerns raised about the effectiveness of the District Improvement Bonus in delivering area improvements, and uncertainty over which above and below grade public realm improvements the public could expect.
- The need to balance new development with preservation of the area's existing buildings, and to identify ways for the area landmarks to transfer their unused development rights.
- The specific uses that should be allowed in new development in the area, with particular concern about as-of-right hotel development.

The Vanderbilt Corridor

In 2014, the DCP sought to address the above challenges in a more targeted area. The five-block area along the west side of Vanderbilt Avenue between East 42nd and East 47th Streets, (the "Vanderbilt Corridor") was the subject of a 2015 zoning text amendment (N 150127 ZRM). In particular, the text amendment created mechanisms to increase density in exchange for substantial public realm improvements, and permitted greater transfer of unused landmark development rights in order to allow them to be a primary driver of growth. Sites in the corridor could apply for one or a combination of both special permits to achieve a maximum of 30.0 FAR. Creation of the Vanderbilt Corridor also included a City Map amendment (C 140440 MMM) to designate the portion of Vanderbilt Avenue between East 42nd and East 43rd Streets

as a "public place" dedicated to pedestrian uses, in part to alleviate the public realm challenges identified earlier.

The Vanderbilt Corridor plan addressed a number of development sites along Vanderbilt Avenue that offer the opportunity to provide modern commercial space in the immediate vicinity of Grand Central Terminal, and created a special permit mechanism linking new commercial development to significant transit and public realm improvements in the overall Grand Central area. In particular, this process facilitated the development of One Vanderbilt Avenue, a new 30 FAR, 1.3 million square foot commercial tower that received a special permit floor area bonus for the provision of approximately $225 million in improvements to the Grand Central Terminal. Construction is underway on this new building. While the Vanderbilt Corridor area would be included in the proposed East Midtown Subdistrict, the Proposal does not contemplate any modifications to the provisions currently applicable in the corridor.

East Midtown Steering Committee

Following the withdrawal of the 2013 EMT Proposal, Mayor de Blasio established the East Midtown Steering Committee in May 2014 and requested that the Manhattan Borough President and local City Council member serve as co-chairs. The Steering Committee included representatives from Community Boards 5 and 6, real estate and business interests, citywide civic and labor organizations. It was tasked with developing a new planning agenda for the future of East Midtown that would inform future rezoning, funding and capital commitments, and other policy decisions there.

The Steering Committee met 19 times between 2014 and 2015 and issued a set of recommendations intended to serve as a framework for the Proposed Action. Their recommendations covered the following topics:

Land Use and Density:

- Higher as-of-right densities should be permitted dependent upon both the location of a development site (such as proximity to transit), and upon proposed improvements to transit and the wider public realm.
- Designated landmarks should be permitted to transfer their existing unused development rights throughout the entire district on an as-of-right basis.
- A percentage of the sale of landmark transfer development rights (TDR) would be made as a contribution to an "Improvement Fund" for area-wide public realm improvements, with a per-square-foot minimum contribution.

Improvement Fund and Place-making:

- Revenue secured through a percentage of sale of landmark TDRs should be held in the Improvement Fund. A Governing Group with appointees from the Mayor, local elected officials and representation by Community Boards and other stakeholders should set planning and project management priorities, as well as the use of funding for specific projects once available.
- Parameters should be employed to ensure funding for both above- and below-grade improvements over time.
- Key corridors should receive special attention for place-making and pedestrian improvements.

Landmark Designation:

- The New York City Landmarks Preservation Commission (LPC) should calendar for landmarks designation as many historic resources as it deems appropriate and do so by the certification date of the rezoning of Greater East Midtown.

In response to the Steering Committee's recommendations, the DCP, in concert with other city agencies and the MTA collaborated to produce an interagency proposal for Greater East Midtown, of which the Proposed Action is a main component. These included:

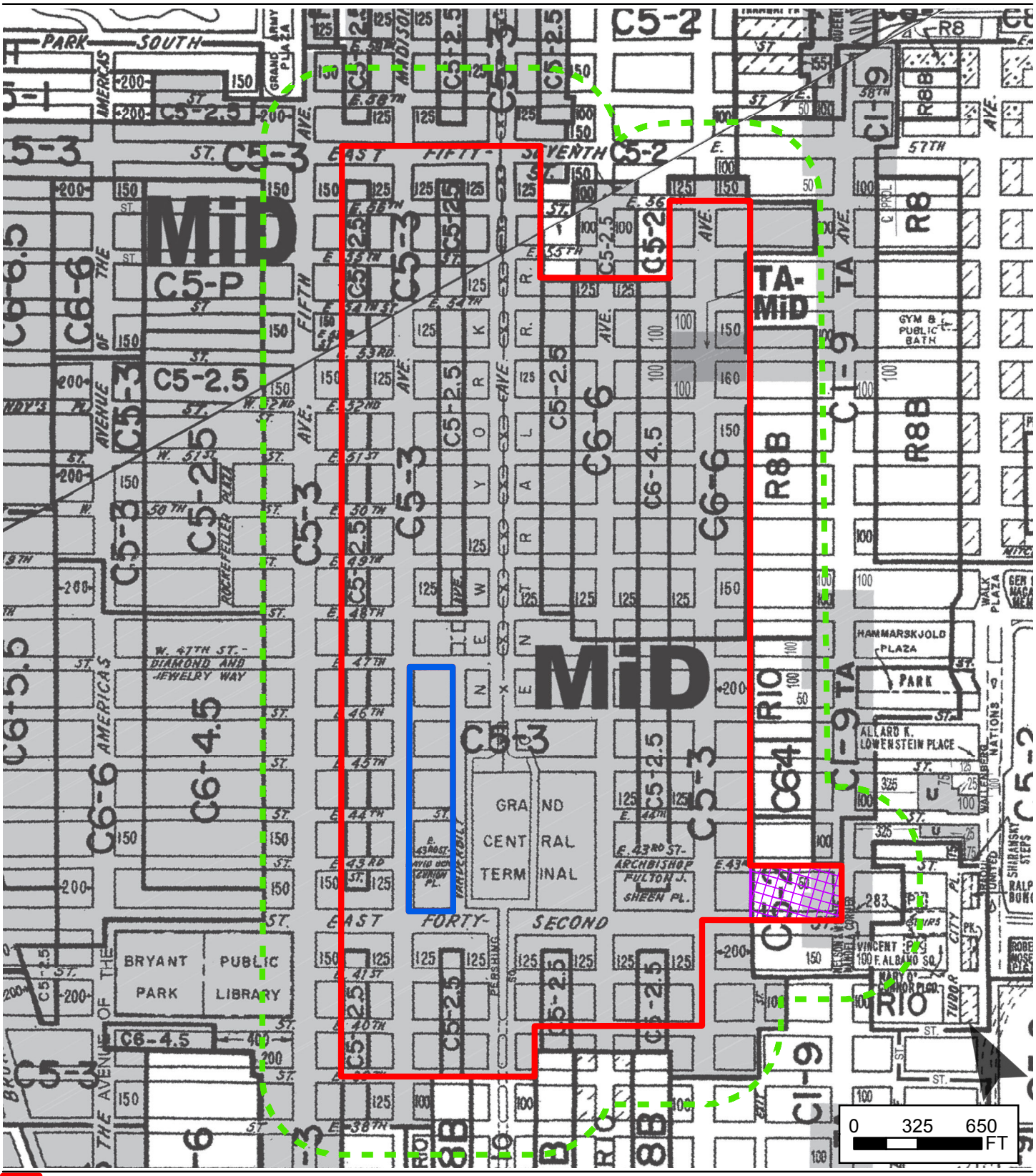
- LPC reviewed the area's buildings and calendared 12 buildings within the proposed Subdistrict, and intends to designate all 12 before the end of 2016.
- MTA studied the area's transit network to identify its primary issues, and conducted extensive engineering and costing analyses to deliver a list of feasible transit improvements to address them.
- DOT examined the Steering Committee's recommendations regarding sidewalks, roadways and similar elements of the above-grade public realm. Their study provided cost estimates and a list of improvements and place-making strategies.

Description of the Proposed Action

The City's vision for Greater East Midtown is that it will continue to be a premier central business district that complements office development throughout the city to facilitate the long-term expansion of its overall stock of office space. The addition of new office buildings would reinforce the area's standing, support the preservation and continued maintenance of cherished landmarks, and provide for public realm improvements essential for both a functional and dynamic commercial district. It is envisioned that the majority of buildings would remain in their current office uses and only a small portion would convert to residential and hotel uses. Specifically, the goals of this Proposal are to develop a largely as-of-right framework that produces predictable results that:

- Protect and strengthen Greater East Midtown as a regional job center and premier central business district by seeding the area with new modern and sustainable office buildings;
- Help preserve and maintain landmarked buildings by permitting their unused development rights to transfer within the district's boundary;
- Permit overbuilt buildings to retain their non-complying floor area as part of a new development on the site;
- Upgrade the area's public realm through improvements that create pedestrian friendly public spaces and that facilitates safer, more pleasant pedestrian circulation within the transit stations and the street network; and
- Maintain and enhance key characteristics of the area's built environment such as access to light and air, active retail corridors, and the iconic street wall character in the area surrounding Grand Central Terminal.

To accomplish these goals, a zoning text amendment and a zoning map amendment (collectively the "Proposed Action") would be required. Figure 6 shows the Proposed Zoning Change. The DCP proposes a new East Midtown Subdistrict (the "Subdistrict") within the Special Midtown District. Sites located in the Subdistrict that meet certain criteria, described further below, will be able to achieve higher densities, up



Proposed Greater East Midtown Rezoning Boundary

Vanderbilt Corridor (Area Excluded from the Proposed Action)

400-Foot Study Area Radius

Proposed Zoning Map Change*

*Extension of C5-3 and Special Midtown Zoning Districts

Greater East Midtown Rezoning
Manhattan, New York

Proposed Zoning Map Change

Figure 6

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to specified maximum allowances, through three as-of-right mechanisms (Figures 7 and 8 illustrate the Existing and Proposed Subdistricts). Specifically:

1. Underbuilt landmark sites that are within the Subdistrict or whose lot borders the Subdistrict's boundary will be permitted to transfer their unused development rights throughout the Subdistrict.
2. Floor area of pre-1961 buildings that exceeds the maximum permitted base FAR would be permitted to be utilized in a new development on the site without retaining 25 percent of the current building.
3. New developments in close proximity to transit nodes would be required to complete pre-identified transit infrastructure projects in exchange for a portion of the permitted floor area.

Each mechanism will generate improvements to the public realm. In cases where a new development is employing landmark development rights and/or floor area from an overbuilt building, a contribution to a public realm improvement fund will be required. This fund; administered by elected officials, community boards, and city agencies; would be utilized to finance districtwide public realm improvement projects. In the case of the transit infrastructure projects described in (3), the public realm improvements will be constructed by the new development.

It is expected that enactment of the Proposed Action would lead to the development of approximately 16 new predominantly office buildings in the coming decades. These buildings would occur throughout the Subdistict with concentrations along Madison Avenue between East 39th and 46th Streets, and around the Lexington Avenue-51st/53rd Streets subway station. A more limited number of developments are projected along Park Avenue and east of Grand Central Terminal. This construction would utilize all of the unused floor area from the Subdistrict's landmarked sites and provide significant funding for public realm improvements to address key challenges in the area. New construction permitted through the Proposed Action would translate into an increase of less than 6.5 percent above the approximately 90 million square feet of total space in the Subdistrict today.

Requested Actions

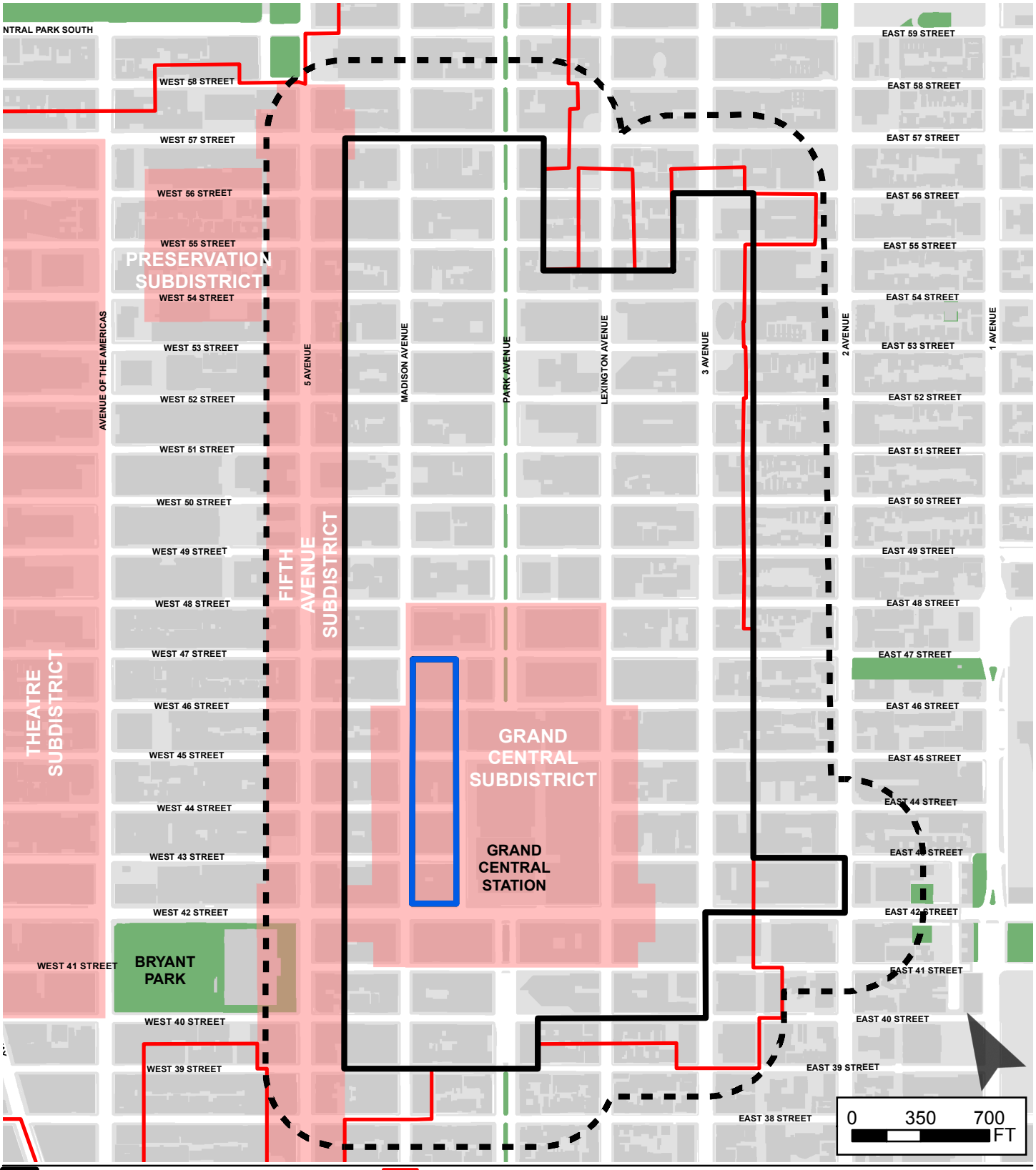
To facilitate the proposed Subdistrict, the following actions are required:

Zoning Text Amendment

The proposed zoning text amendment (the "Amendment") would establish a Greater East Midtown Subdistrict (the "Subdistrict") within the Special Midtown District. This new Subdistrict would supersede and subsume the existing Grand Central Subdistrict. Most existing zoning would remain in place and the Amendment would focus new development on sites that are near transit stations and along wide streets. The greatest as-of-right density would be around Grand Central Terminal with lower densities dissipating out from the Grand Central core. Development generated through the proposed mechanisms would provide greater opportunity for landmarks to transfer unused development rights throughout the Subdistrict and would provide district-wide public realm improvements.

Density Framework to Permit and Promote New Development

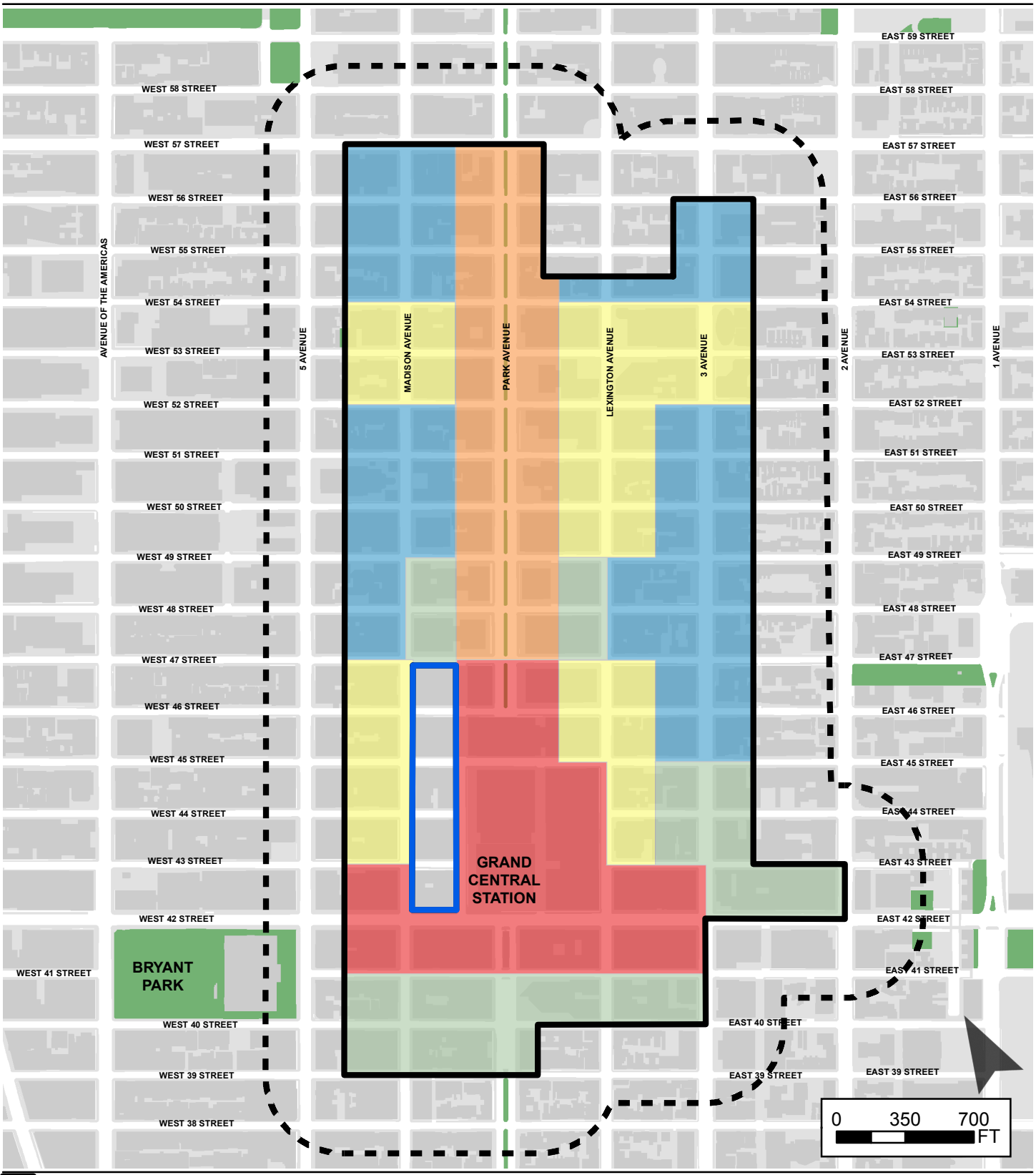
This Proposal addresses the development challenges associated with the sometimes lengthy and unpredictable special permit process and limited growth potential due to the current maximum permitted FARs through a primarily as-of-right framework. This framework permits additional density by varying degrees based on locational criteria such as proximity to transit and adjacency to wide streets. This creates a scenario whereby the public can be assured that the densest new developments will be appropriately located (i.e., near transit and along wide streets) and whereby the predictable as-of-right process and



Greater East Midtown Rezoning
Manhattan, New York

Existing Subdistricts

Figure 7



Greater East Midtown Rezoning
Manhattan, New York

Proposed Subdistricts

Figure 8

increased permitted densities will serve as incentives for developers to undergo the resource intensive effort associated with redevelopment projects in the area. The as-of-right process is elaborated upon throughout this section of the document and the proposed maximum densities are detailed here.

The area around Grand Central Terminal is mapped as a C5-3 zoning district on both wide and narrow streets. This designation permits a maximum of 15.0 FAR. The remainder of the area is mapped with C5-3 and C6-6 districts along the avenues, which permit a maximum of 15.0 FAR, and C5-2.5 and C6-4.5 districts along the midblocks, which permit a maximum of 12.0 FAR. This Proposal would enable sites to utilize the three as-of-right mechanisms to achieve specific maximum densities in excess of the base FARs.

New as-of-right maximum densities proposed for the Subdistrict range from 18.0 to 27.0 FAR based on geography. Broadly, this translates to higher permitted FARs in locations proximate to transit nodes and along Park Avenue, an especially wide street. In the area immediately surrounding Grand Central Terminal, the as-of-right maximum density would be 27.0 FAR. This would be the highest as-of-right density allowance in the East Midtown Subdistrict, reflecting the DCP's planning policy of focusing density in areas with excellent access to transit. In the area east and west of the Grand Central core and the area surrounding the Fifth Avenue-53rd Street and Lexington Avenue-51st/53rd Streets subway stations, the as-of-right maximum density would be 23.0 FAR. These areas of the district with a 23.0 or 27.0 FAR are further defined as Transit Improvement Zones, explained in further detail below. In the area encircling the Grand Central Transit Improvement Zone, the as-of-right maximum density would be 21.6 FAR for the blocks nearest Grand Central Terminal's below-grade network and 18.0 FAR for blocks further away. Generally, the area's that flank the Fifth Avenue-53rd Street and Lexington Avenue-51st/53rd Streets Transit Improvement Zones would have as-of-right maximum densities of 18.0 FAR. The exception is along Park Avenue where the as-of-right maximum density would be 25.0 FAR.

Qualifying Site Requirements

Development of new high-quality office space requires appropriate sites. Consequently, sites that are eligible for the proposed Subdistrict's as-of-right framework must have cleared frontage along a wide street, dedicate no more than 20 percent of the building's floor area for residential use, and comply with environmental performance standards in order to be considered a Qualifying Site.

Transfer of Landmark Development Rights

Under existing regulations, a landmark is only permitted to transfer its unused floor area to adjacent sites via a special permit. Adjacency is defined, pursuant to Zoning Section 74-79 which governs landmark transfers, as those lots that abut the landmark's zoning lot or are located across a street. This Proposal would permit those development rights by allowing landmarks the ability to transfer to development sites anywhere in the Subdistrict. This mechanism would allow for the redistribution of unused floor area for the construction of office space, support the restoration and continued maintenance of landmarks, and generate funds for public realm improvements.

Redistribution of unused commercial floor area – Unused floor area from landmark sites could conceivably be built in the Subdistrict but is not due to regulations that curtail modifications to landmarked structures. The redistribution of this unused floor area presents an opportunity to require that transferred floor area from these sites be developed for office use in the most appropriate portions of the Subdistrict.

Landmark restoration and maintenance – As is the procedure under Zoning Section 74-79, landmarks that transfer development rights will be required to develop a restoration and continuing maintenance plan that is approved by LPC. The sale of development rights will aid landmark property owners in funding

these preservation plans and help to ensure that landmarked structures continue their significant contribution to the Subdistrict's overall character.

Public realm improvements – Each landmark development rights transfer transaction will generate a contribution to the public realm improvement fund that will facilitate improvements to the area. The contribution rate will be a percentage of the sale of each development rights transfer from a landmark. Currently, an appraisal of the development rights value in the area is being conducted, the findings of which will inform the minimum contribution rate required for each square foot of transferred floor area. This will help to ensure that new developments appropriately support public realm improvements. This as-of-right mechanism alleviates the need for a discretionary process by CPC to require improvements as part of floor area transfers in high density locations, which is the only mechanism available under current zoning.

Existing Overbuilt Buildings

There are a number of pre-1961 buildings in East Midtown that do not comply with current zoning regulations, particularly in regard to the amount of floor area permitted. This Proposal would allow for the amount of floor area that exceeds the base FAR to be utilized as-of-right in a new development on the site and in conjunction with a contribution to the public realm improvement fund, which is detailed below.

Rebuilding non-complying floor area – This Proposal would eliminate the requirement that 25 percent of a building's structure be retained in order to utilize the building's non-complying (i.e., overbuilt) floor area as part of a new development. Instead, it would allow the amount of overbuilt floor area to be utilized in a new development as-of-right, and would permit additional floor area to be attained through a landmark development rights transfer and/or a transit infrastructure project. All floor area would be subject to the Proposal's use regulations.

Public realm improvements – The amount of non-complying floor area rebuilt on these sites would also be subject to a contribution to the public realm improvement fund. This will facilitate improvements to the area that are designed to address the increased density generated by these new developments, which traditionally have lower vacancy rates and more efficient floor layouts that allow for a greater number of workers per square foot than the existing building they would replace. The contribution rate will be informed by the appraisal of development rights value being conducted in conjunction with this Proposal.

Pre-identified Transit Improvements

The Subdistrict is one of the most transit-rich in the city due to its access to Metro-North Railroad and Grand Central 42nd Street subway station, the Fifth Avenue-53rd Street subway station, and Lexington Avenue-51st/53rd Streets subway station. Three additional stations also function as critical components of Greater East Midtown's interdependent transit network by serving as stations from which riders enter and exit the Subdistrict on foot and as stations from which riders transfer to and from trains that are entering and exiting the Subdistrict. These subway stations include 42nd Street Bryant Park-Fifth Avenue, 47th-50th Streets-Rockefeller Center, and Lexington Avenue-59th Street. The MTA is identifying and prioritizing specific improvements that would most benefit the East Midtown area's office workers, visitors, and residents. These projects will address current issues that impact the area's transit network and anticipate potential needs of the area based on future development. Types of projects would relate to handicap accessibility, circulation between platforms, and new points of access into subway stations from street level. While these improvements could be funded through the public realm improvement fund, the Proposal includes requirements for sites in close proximity to the area's transit nodes to construct pre-identified improvements so that construction on these sites come with significant improvements to the area.

Transit Improvement Zone (TIZ) – As stated earlier, part of this Proposal's planning rationale for allowing additional density in certain areas of the Subdistrict is related to an area's proximity to transit nodes. These areas are the blocks or portions of blocks directly above the Grand Central Terminal's below-grade network, the blocks or portions of blocks flanking Grand Central Terminal's below-grade network to the east and west (collectively the "Grand Central TIZ"), and the blocks or portions of blocks directly above the below grade networks of the Fifth Avenue-53rd Street (the "Fifth Avenue-53rd Street TIZ") and Lexington Avenue-51st/53rd Streets (the "Lexington Avenue-51st/53rd Streets TIZ") subway stations (collectively the "Transit Improvement Zones").

New developments built pursuant to this proposed framework that are located in Transit Improvement Zones would be required to generate between 10 and 20 percent of the development's maximum permitted floor area through direct transit improvements. For developments in 23.0 FAR districts this would equate to between 2.3 and 4.6 FAR of transit improvements and for developments in the 27.0 FAR district this would equate to between 2.7 and 5.4 FAR of transit improvements. All permitted floor area above these amounts would be through the transfer of unused floor area from the area's landmarks. Development sites located outside of the TIZs would not be required, or permitted, to undertake transit improvements.

Projects on the transit improvement list – to be provided by MTA following completion of its preliminary feasibility analysis – will be included in the zoning text and undergo the public review process as part of the Proposal. The projects will be prioritized based on their scope and benefit to the public, which takes into account improvements to the level of service and quality of commuter experience. Improvements will be assigned a specified amount of floor area. New developments will be required to select projects from the transit improvement list in the following order:

1. Local improvements – Priority will be given to local transit improvements, defined as improvements that are within that development site's TIZ;
2. Improvements on same route – Development sites would then select transit improvements that would impact a route that passes through its TIZ (e.g., a development site in the Lexington Avenue-51st/53rd Streets TIZ could select a project at Lexington Avenue-59th Street since the 4-5-6 line passes through both stations); and
3. District-wide improvements – Development sites would then select from the full list of transit improvements (e.g., a development site in the Lexington Avenue-51st/53rd Streets TIZ could select a project at 42nd Street Bryant Park-Fifth Avenue).

Public Realm Improvements

One of the primary long-term challenges facing East Midtown is the creation of a pedestrian realm and transit network fully matching the area's role as one of the city's and world's premier office districts. In order to ameliorate this, new developments that utilize the proposed framework would finance improvements to the public realm either directly, as is the case for new developments in Transit Improvement Zones, or through a contribution to the public realm improvement fund (the "Fund"), as is the case for developments utilizing landmark development rights and/or floor area from an overbuilt building. The Fund would finance capital expenditures for projects that meet the goals and objectives of above- and below-grade improvements as identified by the MTA and DOT (the "Concept Plan"). Below-grade improvements (i.e., transit infrastructure projects) financed through the Fund would be from the list of improvements that would also be fundable by developments in the TIZs. This would provide two methods for financing transit improvements in the area thus providing greater assurance that the transit network would receive the necessary investment. Above-grade improvements (i.e., pedestrian network projects) financed through the Fund may include projects such as neck-downs, bus bulb-outs, shared

streets, and publicly accessible open space. The Fund would provide the flexibility to finance improvements from the Concept Plan taking into account the public benefit of a project, location of new development, and the amount of funds available. The Fund will be managed by a governing group consisting of elected officials, community members, and mayoral appointees.

Height and Setback Modifications

Compliance with the Special Midtown District's height and setback regulations is based on calculation of the amount of daylight and openness to the sky made available to pedestrians through the proposed building's design. Under the Section 74-79 landmark transfer special permit, as well as the permits available in the Grand Central Subdistrict, modifications to these regulations are allowed to accommodate the higher FAR made available through the floor area transfer. To extend this flexibility to the as-of-right framework included in the Proposal, limited modifications to the underlying height and setback regulations would be granted to Qualifying Sites so as to permit as-of-right development at the levels allowed through the proposed framework and to better take account of the smaller development sites and higher street walls found in the East Midtown area.

Other Modifications Affecting Entire Subdistrict

Hotel use – Hotels in Greater East Midtown provide a vital service to the business community. To ensure that new development, conversion, or enlargement of hotels in the Subdistrict will provide on-site amenities and services that support the area's role as a business district, hotel uses will be permitted only through special permit.

Stacking rules – In order to enliven the program of future buildings the 'stacking' rules will be relaxed. Under the existing 'stacking' rules, non-residential uses are not permitted above or on the same story as residential uses, limiting the ability to develop such uses in mixed-use buildings with residential uses. In order to permit these active uses, the Proposal would allow restaurants, observation decks, and other similar uses to be developed above residential uses as-of-right, provided that the residential and non-residential uses above are not accessible to each other on floors above the ground level.

Urban design and height and setback controls – The Special Midtown District contains a series of requirements tailored to the unique conditions of the area. These include special street wall, pedestrian circulation space, and loading requirements. These requirements would be modified to ensure appropriate as-of-right development in the East Midtown Subdistrict, and would include elements such as the following:

- Sidewalk widening requirement - While existing street wall requirements for Madison and Lexington Avenues permit sidewalk widenings of up to 10 feet along these streets, full-frontage sites would now be required to provide sidewalk widenings that would translate into sidewalks with a minimum width of 20 feet along these streets.
- Retail continuity - Existing retail requirements on wide streets (including Madison and Lexington Avenues) would be maintained, but developments in the area around Grand Central Terminal would also be required to devote a minimum of 50 percent of their side street frontage to retail uses.
- Park Avenue - The underlying Midtown height and setback regulations require calculations based on the street widths that a zoning lot fronts upon. However, compliance can only be measured on three possible street widths – 60-foot, 80-foot, and 100-foot wide streets. Today, calculations for sites on Park Avenue use the 100-foot wide street requirements but do not reflect the actual width

of the street – at 140 feet it is the widest street in Midtown. The DCP believes this causes developments on the relatively-small sites found on Park Avenue to be taller, narrower and less economically viable than would be required if the street's full width were taken into account. To allow the development of modern commercial buildings on the street while maintaining the overall Midtown district's standards of access to light and air, developments on Park Avenue would be able to calculate their compliance with the existing height and setback controls taking into account the full width of the street.

Discretionary Actions

While the vast majority of this Proposal provides an as-of-right framework to achieve the development and public realm improvements desired for the area, there are limited scenarios in which a special permit, subject to a separate public review process (i.e., ULURP), is the most appropriate mechanism. This is the case for projects that would include any of the following improvements or uses. In addition to the below discretionary actions, it is possible that the Proposed Action would include mechanisms to allow for waivers of various provisions of the Special Midtown District, including height and setback.

Public Concourse special permit – Public space is at a premium throughout Greater East Midtown. The Concept Plan envisions opportunities for above-grade public realm improvements on city-owned land, however, private property can also play a vital role in providing publicly accessible space. To allow for this, a special permit similar to that of the current Covered Pedestrian Space bonus, pursuant to Zoning Sections 74-87, will be created within the proposed Subdistrict. The design guidelines would allow these spaces to be enclosed or unenclosed and would reflect contemporary best practices in urban design. This special permit would allow a 20 percent increase of the maximum permitted base FAR in exchange for providing a covered publicly accessible area within a new development site. This bonus of up to 3.0 FAR would be in addition to the proposed as-of-right maximum FAR.

Transit improvement special permits – As new developments are realized over the coming decades, it is feasible that these projects may want to expand upon the transit infrastructure projects listed within the Concept Plan or construct improvements that are not currently identified in the Concept Plan. To allow for this, the existing Subway Station Improvements bonus, pursuant to Zoning Sections 74-634 and 81-292, will be permitted within the Transit Improvement Zones of the proposed Subdistrict. These special permits allow a 20 percent increase of the maximum permitted FAR in exchange for improvements to transit infrastructure. This bonus of up to 3.0 FAR would be in addition to the proposed as-of-right maximum FAR.

Hotel special permit – Hotels in Greater East Midtown must appropriately serve the needs of the business community by providing business-oriented amenities and services, such as conference facilities and advanced telecommunication tools, at a scale proportionate to the needs of the area. To ensure that new floor area for hotel use in the Subdistrict meet these requirements, a special permit similar to that of the current Special Permit for Transient Hotels, pursuant to Zoning Section 81-65, will be created within the proposed Subdistrict.

Zoning Map Amendment

The rezoning area is currently zoned predominantly as high density commercial (zoning districts C5 and C6) within the Special Midtown Subdistrict. The area between Second and Third Avenues along East 42nd Street is entirely commercial in character, with a number of existing aging office buildings with potential for redevelopment. The Special Midtown Subdistrict generally follows the boundary of Midtown's commercial areas and thus this area would more appropriately be located in the Midtown Subdistrict, and

additionally as part of the Greater East Midtown Subdistrict. By incorporating the area into Midtown, the Special Subdistrict regulations, including height and setback and streetscape requirements, would become applicable. These are more tailored to the needs of the area than the generic 1961 high-density commercial zoning provisions that now apply.

In order to do this, the rezoning would replace the existing C5-2 district (10.0 FAR) with a C5-3 district (15.0 FAR), and extend the Special Midtown District and the Greater East Midtown Subdistrict over the proposed C5-3 district, in the area bounded by East 43rd Street to the north, East 42nd Street to the south, Second Avenue to the east, and a line 200 feet easterly of Third Avenue to the west. As both the existing and proposed designations are C5 districts, they share the same permitted uses.

Affected Area

The proposed Project Area is generally bounded by East 57th Street to the north, East 39th Street to the south, a line 200 feet easterly of Third Avenue to the east, and a line 250 feet westerly of Madison Avenue to the west.

- Block 1316 is included in the rezoning area in its entirety.
- The portion of Block 895 beginning 125 feet east of Park Avenue is excluded from the rezoning area.
- The portion of Block 1311 beginning 125 feet east of Park Avenue is excluded from the rezoning area.
- The portion of Block 1310 125 feet east of Park Avenue and 100 feet west of Third Avenue is excluded from the rezoning area.
- The portion of Block 1309 is excluded, beginning 125 feet east of the intersection of the westerly side of Park Avenue and the southerly side of E. 55th Street, running thence:
    - 100.42 feet southerly, parallel to Park Avenue;
    - Running thence along the midline of Block 1309, parallel to East 55th Street, approximately 685 feet to a point 100 feet west of Third Avenue;
    - Running north thence 100.42 feet to a point 100 feet west of the intersection formed by the westerly side of third Avenue the southerly side of East 55th Street;
    - Running thence to the point or place of beginning.
- Blocks 920, 1314, 1315 and 1330 are excluded from the rezoning area.

The rezoning excludes the five-block area between East 42nd Street, East 47th Street, Vanderbilt Avenue and Madison Avenue known as the Vanderbilt Corridor.

The tax blocks and lots within the proposed rezoning area are detailed in the following table:

Table 1: Blocks and Lots within the Rezoning Area

Block	Lot
869	16, 20, 22, 24, 25, 26, 27, 34, 49, 54, 58, 61, 64, 66, 74, 7501
895	1
1275	6, 8, 11, 12, 14, 16, 23, 27, 44, 50, 59, 60, 61, 63, 64, 66, 143
1276	1, 22, 23, 24, 33, 42, 51, 58, 65, 66, 999
1277	6, 8, 14, 20, 27, 46, 52, 67
1278	1, 8, 14, 20, 62, 63, 64, 65

Table 1: Blocks and Lots within the Rezoning Area (cont.)

Block	Lot
1279	6, 9, 17, 23, 24, 25, 28, 45, 48, 57, 63, 65, 69, 7501
1280	1, 10, 30, 54, 90, 154, 7501
1281	1, 9, 21, 30, 56, 59, 61, 62, 64, 65, 66, 7501
1282	1, 17, 21, 30, 34, 64, 7501
1283	7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 21, 58, 61, 62, 63, 64
1284	7, 12, 13, 14, 17, 21, 26, 33, 52, 55, 56, 59, 60, 152, 7501
1285	13, 15, 21, 36, 46, 59, 7501
1286	1, 21, 30, 35, 43, 53
1287	8, 9, 10, 14, 21, 27, 28, 33, 52, 58, 61, 62, 63, 7501
1288	6, 7, 10, 11, 21, 24, 27, 33, 51, 56, 63
1289	6, 8, 14, 21, 23, 24, 28, 36, 45, 52, 59, 65, 67, 107, 149
1290	6, 14, 15, 16, 17, 21, 27, 28, 31, 36, 37, 44, 50, 52, 56, 61, 62, 115, 127, 7501, 7502
1291	10, 21, 28, 38, 45, 47, 51, 127, 7501
1292	8, 15, 33, 37, 41, 42, 47, 48, 52, 64, 66, 7501
1295	1, 17, 20, 23, 33, 40, 58
1296	1, 14, 7501, 7502
1297	23, 27, 31, 33
1298	23, 28, 33, 34, 36, 37, 38, 40, 41, 45, 127, 136
1299	22, 23, 27, 33, 37, 38, 40, 41, 48, 7501
1300	1, 6, 14, 20, 21, 23, 24, 25, 26, 33, 42, 44, 46, 47, 50, 122, 124, 145, 146
1301	1, 23, 33
1302	21, 22, 23, 24, 25, 27, 28, 29, 30, 33, 43, 51, 123, 127, 7501
1303	1, 14, 30, 33, 41, 45, 46, 53, 7501, 7502
1304	1, 14, 30, 33, 41, 45, 46, 53, 7501, 7502
1305	1, 13, 20, 23, 28, 32, 33, 40, 60, 128, 7501
1306	1, 23, 33, 42, 50
1307	1, 14, 23, 29, 43, 59, 7501
1308	33, 7501, 7502
1309	1, 5, 6, 7, 8, 23, 32, 39, 41, 69, 72, 107, 7502
1310	1, 33, 34, 35, 36, 37, 38, 39, 40, 133, 140
1311	1, 5, 65
1316	1, 12, 23, 30, 7501
1317	1, 7
1318	1, 43, 44, 143
1319	1, 2, 3, 7, 8, 11, 47, 103, 104, 7503
1320	46, 7503, 7506
1321	1, 42, 47
1322	1, 7, 8, 9, 42, 43, 44, 107, 143
1323	1, 8, 42, 43, 47
1324	1, 9, 42, 47, 48, 49
1325	1, 47, 48, 50, 7503, 7504
1326	1, 7, 41, 140
1327	1, 37, 7501
1328	1
1329	1

ATTACHMENT B
Additional Technical Information for EAS Part II

In order to assess the possible effects of the Proposed Action, a reasonable worst case development scenario (RWCDS) was developed for both the current (Future No-Action) and proposed zoning (Future With-Action) conditions. The details on how the RWCDS was developed can be found in the Draft Scope of Work. As summarized in Table 2, below, the Proposed Actions are expected to result in a net increase of approximately 6.6 million square feet of commercial office use and 150,000 sf of retail use. Additionally, there would be a net reduction of 0.8 million square feet of hotel use, and a net decrease of 44 dwelling units and 564 parking spaces. This information was used to determine whether the potential for significant impacts exists in each of the impact categories.

Table 2: RWCDS and Population Summary for Projected Development Sites

USE	Existing Conditions (GSF)	Future No-Action Condition (GSF)	Future With-Action Condition (GSF)	No-Action to With-Action Increment (GSF)
Office	6,856,059	6,763,274	13,394,777	6,631,503
Retail	467,202	446,812	601,899	155,087
Hotel	810,171	810,171	0	-810,171
Hotel Rooms	1,246	1,246	0	-1,246
Residential	50,813	316,120	237,841	-78,279
Residential Units	68	163	119	-44
Parking	158,441	158,441	0	-158,441
Parking Spaces	564	564	0	-564
POPULATION / EMPLOYMENT(1)	Existing Conditions	Future No-Action Condition	Future With-Action Condition	No-Action to With-Action Increment
Residents	111	266	194	-72
Workers	29,311	28,883	55,390	26,507

(1) Assumes 1.63 persons per DU (based on 2014 American Community Survey data for rezoning area), 200 SF per parking space, 650 SF per hotel room, 1 employee per 250 SF of office, 3 employees per 1000 SF of retail, 1 employee per 2.67 hotel rooms, 1 employee per 25 DUs, and 1 employee per 10,000 SF of parking floor area.

A. Land Use, Zoning and Public Policy

Under New York City Environmental Quality Review (CEQR), a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent or to affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if the action would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendments.

The Proposed Action includes zoning map and zoning text amendments that would affect an approximately 78-block area within the East Midtown neighborhood of Manhattan Community Districts 5 and 6, generally flanking and running north of Grand Central Terminal. In addition, a number of public policies are applicable to portions of the rezoning area, including the 197-a Plan for the Eastern Section of Community Board 6; several historic districts that are designated by the New York City Landmarks Preservation Commission (LPC) and/or listed on the State and National Register of Historic Places (S/NR); and several Business Improvement Districts (BIDs). In addition, OneNYC, the City's vision for growth,

sustainability and resilience pertains. Therefore, consistent with the guidelines of the *2014 CEQR Technical Manual*, an assessment of land use, zoning and public policy is warranted, and will be provided in the EIS, as described in the Draft Scope of Work.

B. Socioeconomic Conditions

According to the *2014 CEQR Technical Manual,* the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

The Proposed Action warrants an assessment of socioeconomic conditions with respect to all but two of these principal issues of concern—direct and indirect residential displacement. According to the *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. As shown in Part II of the EAS Form and the RWCDS Summary in Table 2, above, there would be an incremental displacement of 72 residents which is below the threshold for triggering a direct residential displacement analysis. As to indirect residential displacement, the Proposed Action would forestall conversion of office to residential space resulting in a net reduction of residential units compared to No-Action condition, and would therefore not introduce a trend that could potentially result in changing socioeconomic conditions for the residents within the rezoning area. Therefore, an assessment of indirect residential displacement would not be warranted for the Proposed Action. The following describes the level of assessment that is warranted and the scope of analysis for the remaining three principal socioeconomic issues of concern, which is also detailed in the Draft Scope of Work.

Direct Business Displacement

According to the *CEQR Technical Manual*, if a project would directly displace more than 100 employees, an assessment of direct business displacement is appropriate. As the Proposed Action has the potential to exceed the *CEQR Technical Manual* analysis threshold of 100 displaced employees, an assessment of direct business displacement will be conducted pursuant to CEQR guidelines, as described in the Draft Scope of Work.

Indirect Business Displacement

The concern with respect to indirect business and institutional displacement is whether a proposed project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. The CEQR threshold for "substantial" new development warranting such an assessment is 200,000 square feet. The Proposed Action would introduce several million square feet of new commercial uses to the project area. Therefore, as described in the Draft Scope of Work, an assessment of indirect business and institutional displacement will be provided in the EIS.

Adverse Effects on Specific Industries

Based on the guidelines in the *CEQR Technical Manual*, an assessment of effects on specific industries will be conducted to determine whether the Proposed Action would significantly affect business conditions in any industry or category of businesses within or outside the study area, or whether the Proposed Action would substantially reduce employment or impair viability in a specific industry or category of businesses.

C. Community Facilities and Services

Community facilities are public or publicly funded schools, libraries, child care centers, health care facilities and fire and police protection. An analysis looks at an action's potential effect on the services provided by these facilities. An action can affect facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

The Proposed Action is not projected to result in the direct displacement of any existing community facilities or services, nor effect the physical operations or access to and from any police or fire stations. Therefore, the Proposed Action would not have any potential for significant adverse direct impacts on existing community facilities or services.

New population added to an area as a result of an action would use existing services, which may result in potential indirect effects on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed action. Based on the RWCDS, the Proposed Action would result in a net reduction of 44 dwelling units. Therefore, the Proposed Action does not have the potential to result in significant, adverse impacts related to public schools, libraries, and child care and analyses of those subjects are not warranted for the Proposed Action. Lastly, the Proposed Action would not introduce a sizable new neighborhood as it is located in well-established neighborhoods in and around Grand Central Terminal and Park Avenue; therefore, an assessment of health care facilities and fire and police services would not be warranted.

In summary, the Proposed Action would not warrant an assessment of community facilities and services as it would not have the potential to directly or indirectly result in significant adverse direct impacts on existing community facilities or services. Therefore, community facilities and services will not be analyzed in the EIS.

D. Open Space

Based on the *CEQR Technical Manual*, an open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than:

- 350 residents or 750 workers in areas classified as "well-served areas;"
- 25 residents or 125 workers in areas classified as "underserved areas;"
- 200 residents or 500 workers in areas that are not within "well-served" or "underserved areas".

Maps in the Open Space appendix of the *CEQR Technical Manual* identify the proposed rezoning area as not falling in either well-served or underserved areas. Thus, the analysis threshold used for the Proposed Action is for an area that is neither underserved nor well-served. The development projected under the RWCDS would result in a net reduction in the number of residents in the area and therefore would not met the threshold of 200 additional residents for requiring an open space analysis of both active and passive

open space resources. However, the commercial development projected under the Proposed Action could potentially introduce more than 20,000 new employees and, as the result, would exceed the *CEQR Technical Manual* threshold of 500 additional workers for requiring an analysis of passive open space resources within an approximate ¼ mile of the proposed rezoning area boundaries. Therefore, an open space assessment for the worker population generated by Proposed Action is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

E. Shadows

The *CEQR Technical Manual* requires a shadow assessment for a proposed action that would result in a new structure(s), or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. The Proposed Action would result in new development with buildings with substantial increase in height over what could be realized without the Proposed Action, some of which would be located in the vicinity of sunlight sensitive resources (e.g., the landscaped median along Park Avenue and Bryant Park to the west of the proposed rezoning area). Therefore, the Proposed Action would have the potential to cast new shadows on nearby open spaces. In addition, the potential for effects on historic resources (including the resources that have been calendared for hearing by the New York City Landmarks Preservation Commission – "LPC") that may have sunlight-sensitive features will be evaluated. As such, consistent with the guidelines of the *CEQR Technical Manual*, an analysis of the new buildings' potential to result in shadow impacts on sunlight sensitive resources is warranted and will be included in the EIS, as described in the Draft Scope of Work.

F. Historic and Cultural Resources

According to the *CEQR Technical Manual*, a historic resources assessment is required if there is the potential to affect either archaeological or architectural resources. According to *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites directly affected by the Proposed Action and in the area surrounding identified development sites.

The proposed rezoning area encompasses several designated landmarks, including Grand Central Terminal, the Park Avenue Viaduct, the Chrysler Building, and Lever House, as well as buildings that may be eligible for landmark designation. Furthermore, LPC has calendared hearings on 12 additional resources in or near the proposed rezoning area. An assessment of historic architectural resources will be provided in the EIS, as described in the Draft Scope of Work.

It is anticipated that the Proposed Action would result in additional in-ground disturbance on most, if not all, of the RWCDS development sites, and therefore has the potential to affect archaeological resources that may be present on those sites. Therefore, as assessment of archaeological resources will be provided in the EIS, as described in the Draft Scope of Work.

G. Urban Design and Visual Resources

The *CEQR Technical Manual* outlines an assessment of urban design when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural features, and wind. According to the *CEQR Technical Manual*, an analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: 1) projects that permit the modification of yard, height, and setback requirements; and 2) projects that result in an increase in built floor area beyond what would be

allowed "as-of-right" or in the future without the Proposed Action. CEQR stipulates that a detailed analysis may be necessary for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Action and subsequent projected development would result in physical changes in the proposed rezoning area beyond the bulk and form currently permitted as-of-right. These changes could affect a pedestrian's experience of public space, requiring an urban design assessment. Therefore, an assessment of urban design and visual resources will be provided in the EIS, as described in the Draft Scope of Work.

H. Natural Resources

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include ground water, soils and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife.

According to the *CEQR Technical Manual*, a natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. The proposed rezoning area is located in a fully developed area of Manhattan, and the affected area and immediately adjacent area are substantially devoid of natural resources. Therefore, the Proposed Action would not have a significant adverse impact on natural resources, and no further analysis is warranted. Accordingly, an analysis of natural resources will not be provided in the EIS.

I. Hazardous Materials

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or c) the project would introduce a population to potential human or environmental exposure from off-site sources. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. Therefore, the EIS will include an assessment of hazardous materials on the RWCDS development sites, as described in the Draft Scope of Work.

J. Water and Sewer Infrastructure

The *2014 CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. An analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than 1 million gallons per day), or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). An analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

For the Proposed Action, an analysis of water supply is warranted because the project is expected to result in a demand of more than 1 million gallons per day (gpd) compared to No-Action conditions. As shown in Table 3 below, based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Action would use a maximum net total of approximately 3,882,285 gallons of water per day, an increase of 1,410,222 gpd compared to the No-Action. As such, an assessment of water infrastructure is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

For wastewater and stormwater conveyance and treatment, the *CEQR Technical Manual* indicates that a preliminary assessment would be needed if a project is located in a combined sewer area and would exceed the following incremental development of residential units or commercial space above the predicted No-Action scenario: (a) 1,000 residential units or 250,000 sf of commercial space or more in Manhattan; or, (b) 400 residential units or 150,000 sf of commercial space or more in the Bronx, Brooklyn, Staten Island or Queens. As the Proposed Action would result in a net increase of more than 250,000 sf of non-residential space compared to No-Action conditions, an assessment of wastewater and stormwater infrastructure is warranted and will be provided in the EIS. Further detail is provided in the Draft Scope of Work.

Table 3: Expected Water Demand and Wastewater Generation on Projected Development Sites – 2036 No-Action vs. 2036 With-Action Conditions

	Land Use	Area (SF)	Dwelling Units / Hotel Rooms	Gallons Per Day (gpd)		
				(Domestic only)	(AC only)	Total
				Water/ Wastewater Generation	Air Conditioning	(Domestic + AC)
No-Action Condition	Residential	316,120	163	25,917	0	25,917
	Commercial – Retail	446,812		107,235	75,958	183,193
	Commercial – Office	6,763,274		676,327	1,149,757	1,826,084
	Hotel	810,171	1,246	299,140	137,729	436,869
			No-Action Total	*1,108,619*	*1,363,444*	*2,472,063*
With-Action Condition	Residential	237,841	119	18,921	0	18,921
	Commercial – Retail	601,889		144,453	102,321	246,774
	Commercial – Office	13,394,777		1,339,478	2,277,112	3,616,590
	Hotel	0	0	0	0	0
			With-Action Total	*1,502,852*	*2,379,433*	*3,882,285*
					Net Difference: No-Action v. With-Action Condition	1,410,222

Notes:
1. Uses *CEQR Technical Manual* water demand rates from Table 13-2 "Water Usage and Sewage Generation Rates for Use in Impact Assessment"
   Residential = 100 gpd/person
   Retail: Domestic = 0.24 gpd/sf; A/C = 0.17 gpd/sf
   Commercial/Office: Domestic = 0.10 gpd/sf; A/C = 0.17 gpd/sf
   Hotel: Domestic = 120 gpd/room/occupant; A/C = 0.17 gpd/sf
2. Per 2010 Census information for Manhattan community districts 5 and 6, an average of 1.59 persons per DU is assumed.
3. For hotel use, assumes an average of 2.0 occupants per room.

K. Solid Waste and Sanitation Services

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be

inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, projects that have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), have the potential to result in a significant adverse impact. As shown in Table 4 below, based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the RWCDSs associated with the Proposed Action would result in a net increase of approximately 344,757 pounds of solid waste per week (172.3 tons), compared to No-Action conditions. Therefore, an analysis of solid waste and sanitation services is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Table 4: Comparison of Weekly Solid-Waste Generation on Projected Development Sites (No-Action and With-Action Conditions)

	Land Use	Area (GSF)	Population[1]	Solid Waste Generation Rate (lbs/wk)[2]	Solid Waste Generation (lbs/wk)
No-Action Condition	Commercial – Office	6,763,274	27,053 employees	13 per employee	351,689 (175.8 tons/wk)
	Commercial – General Retail[3]	446,812	1,341 employees	79 per employee	105,939 (53.0 tons/wk)
	Hotel	810,171 (1,247 rooms)	467 employees	75 per employee	35,025 (17.5 tons/wk)
	Residential	316,120 (163 DU)	163 households	41 per household	6,683 (3.3 tons/wk)
No-Action Total Solid Waste Generation					*499,336 (249.7 tons/wk)*
With-Action Condition	Commercial – Office	13,394,777	53,580 employees	13 per employee	696,540 (348.2 tons/wk)
	Commercial – General Retail[3]	601,899	1,806 employees	79 per employee	142,674 (71.3 tons/wk)
	Hotel	0 (0 rooms)	0 employees	75 per employee	0 (0 tons/wk)
	Residential	237,841 (119 rooms)	119 households	41 per household	4,879 (2.4 tons/wk)
With-Action Total Solid Waste Generation					*844,093 (422.0 tons/wk)*
Net Difference: No-Action v. With-Action Condition Total Solid Waste Generation					344,757 (172.3 tons/wk)

Notes:
1. Assumes 1 employee per 250 gsf of office, 3 employees per 1,000 gsf of retail, and 1 employee per 2.67 hotel rooms.
2. Rates based on Table 14-1 of the *CEQR Technical Manual*.
3. For consistency, the general retail solid waste generation rate is used for Existing, No-Action, and With-Action Conditions.

L. Energy

According to the *CEQR Technical Manual,* a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Although significant adverse energy impacts are not anticipated for the Proposed Action, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Action, as this information is required for the assessment of Greenhouse Gas Emissions (see below). Further detail is provided in the Draft Scope of Work.

M. Transportation

Consistent with the guidelines of the *CEQR Technical Manual*, an assessment of transportation will be provided in the EIS. Based on preliminary estimates for the RWCDS, the Proposed Action is expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours. The project is also expected to generate 50 or more vehicles per hour during each of these peak hours through one or more intersections. Therefore, detailed traffic analysis is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work. Furthermore, as described in the Draft Scope of Work, the EIS will document changes in on- and off-street parking utilization in the future No-Action and With-Action conditions, and will include a parking assessment to determine whether the Proposed Action and associated RWCDS would result in excess parking demand, and whether there is a sufficient number of other parking spaces in the study area to accommodate that excess demand.

Based on preliminary estimates, the RWCDS is expected to generate more than 200 subway riders at one or more stations and more than 50 bus passengers in a single direction on one or more bus routes in the weekday AM, midday, and PM peak hours. Therefore, detailed subway and bus transit analyses are warranted and will be provided in the EIS, as detailed in the Draft Scope of Work. The transit analyses will focus on the weekday AM and PM peak hours as it is during these periods that the overall demand on the subway and bus systems is usually highest.

Based on preliminary estimates, there are expected to be more than 200 project-generated pedestrian trips in all peak periods, which include walk-only trips as well as the pedestrian component associated with walking between projected development sites and other modes of travel, such as subway stations, bus stops, and parking facilities. Although these pedestrian trips would be dispersed throughout the rezoning area, some concentrations of new pedestrian trips exceeding the 200-trip *CEQR Technical Manual* threshold may occur during one or more peak hours in the immediate vicinity of projected development sites and along corridors connecting these sites to area transit services. Therefore, detailed pedestrian analysis is warranted and will be provided in the EIS.

N. Air Quality

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses.

The Proposed Action would meet or exceed some of the thresholds for analysis outlined in Section 210 of Chapter 17 of the *CEQR Technical Manual*. Specifically, the project-generated vehicle trips would exceed the emissions threshold and potentially the peak vehicle traffic threshold for conducting an air quality analysis of mobile sources in Manhattan, which is 140 vehicles at any intersection. In addition, the Proposed Action and associated RWCDS would meet or exceed the threshold conditions outlined in Section 220 in Chapter 17. Specifically, the RWCDS development sites could use fossil fuels for heat and hot water systems. Therefore, consistent with the guidelines of the *CEQR Technical Manual*, an assessment of air quality will be provided in the EIS. As detailed in the Draft Scope of Work, the air quality assessment will consider the potential impacts on air quality from project-generated vehicle trips, heat and hot water systems, and from existing industrial uses in the surrounding area on the development resulting from the Proposed Action.

O. Greenhouse Gas Emissions and Climate Change

The *CEQR Technical Manual* notes that while the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment

currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 square feet or greater (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The proposed development associated with the RWCDS of several million square feet would exceed 350,000 square feet CEQR threshold, and therefore a GHG assessment will be provided in the EIS, as described in the Draft Scope of Work. As a GHG emissions analysis will be provided in the EIS, pursuant to *CEQR Technical Manual* guidelines the Proposed Action and associated RWCDS's energy consumption will be calculated and provided in the EIS, as described in the Draft Scope of Work.

P. Noise

According to the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, or if an action would be within 1 mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the action would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would be located in an area with high ambient noise levels resulting from stationary sources.

A detailed noise analysis will be included in the EIS, because the Proposed Action would meet the following *CEQR Technical Manual* thresholds: it would result in additional vehicle trips to and from the rezoning area; it would introduce new potentially sensitive receptors in the vicinity of heavily trafficked roadways including Madison, Park, Lexington, and Third Avenues, and it would introduce new sensitive receptors in an area that experiences high existing ambient noise levels as a result of its proximity to the aforementioned heavily trafficked roadways. Building attenuation required to provide acceptable interior noise levels for the RWCDS development sites will also be examined and discussed in the EIS.

Q. Public Health

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. Many public health concerns are closely related to air quality, water quality, hazardous materials, and noise. The *CEQR Technical Manual* indicates that for most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in these other CEQR analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As none of the relevant analyses have yet been completed, the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, then an assessment of public health will be provided in the EIS, as described in the Draft Scope of Work.

R. Neighborhood Character

Under CEQR, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on neighborhood character, a neighborhood's contributing elements are considered together.

According to the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Action is expected to affect one or more of the constituent elements of the proposed rezoning area's neighborhood character, including land use patterns, urban design, historic and cultural resources, and levels of traffic and noise. Therefore, an analysis of the Proposed Action's effects on neighborhood character will be provided in the EIS, as described in the Draft Scope of Work.

S. Construction

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, the integrity of historic resources, community noise patterns, and air quality conditions.

According to the *CEQR Technical Manual*, multi-sited projects with overall construction periods lasting longer than two years and which are near to sensitive receptors should undergo a preliminary impact assessment. Therefore, this will be undertaken in the EIS, following the guidelines in the *CEQR Technical Manual*. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. If the preliminary assessments indicate the potential for a significant impact during construction, a detailed construction impact analysis will be undertaken and reported in the EIS in accordance with guidelines contained in the *CEQR Technical Manual*.