ENVIRONMENTAL ASSESSMENT STATEMENT

770 ELEVENTH AVENUE MIXED-USE DEVELOPMENT REZONING

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CEQR No. 07DCP071M

ULURP Nos. 080008ZMM, N080009ZRM, 080010ZSM, 080011ZSM, 080012PCM

Lead Agency: NYC Department of City Planning

Applicant:
Two Trees Management Corp.

Prepared by:
Philip Habib & Associates

October 2007

770 Eleventh Avenue Mixed-use Development Rezoning
Environmental Assessment Statement

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TABLE OF CONTENTS

Environmental Assessment Statement (EAS)

Project Description/Analyses ..... Attachment A

Transportation Planning Assumptions Memorandum ..... Appendix A

NYC Landmarks Preservation Commission Environmental Review ..... Appendix B

Proposed Zoning Text Amendments ..... Appendix C

City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT

PART I, GENERAL INFORMATION

Reference Numbers

1. **07DCP071M**
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

BSA REFERENCE NO. IF APPLICABLE

080008ZMM, N080009ZRM, 080010ZSM, 080011ZSM, 080012PCM
ULURP REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO.(S) IF APPLICABLE
(e.g. Legislative Intro, CAPA, etc)

Lead Agency & Applicant Information
PROVIDE APPLICABLE INFORMATION

2a. Lead Agency

NYC Department of City Planning
NAME OF LEAD AGENCY

Robert Dobruskin, AICP
NAME OF LEAD AGENCY CONTACT PERSON

22 Reade Street, Room 4E
ADDRESS

New York | **NY** | **10007**
CITY | STATE | ZIP

212-720-3420 | **212-720-3495**
TELEPHONE | FAX

rdobrus@planning.nyc.gov
EMAIL ADDRESS

2b. Applicant Information

Two Trees Management Corp.**
NAME OF APPLICANT

Jed Walentas
NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

45 Main Street, Suite 602
ADDRESS

Brooklyn | **NY** | **11201**
CITY | STATE | ZIP

718-222-2500 | **718-222-2501**
TELEPHONE | FAX

jed@twotrees-dumbo.com
EMAIL ADDRESS

Action Description
SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL **770 Eleventh Avenue Mixed-use Development Rezoning**

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

The applicant is proposing a mixed-use development at 770 Eleventh Avenue, a 94,463 sf property bounded by Eleventh Avenue on the west, W. 54th Street on the north, and W. 53rd Street on the south. The project site, comprised of Block 1082, Lot 1, is located in the Clinton section of Manhattan Community District 4. The following approvals are required for the proposed project: (1) Zoning Map Amendment, changing the site's zoning from M1-5 (Special Clinton District) to C6-3X (Special Clinton District); (2) two Zoning Text Amendments; (a) one that would establish an inclusionary housing floor area bonus affecting the rezoning area that would increase permitted floor area ratio from 7.0 FAR to 9.0 FAR conditioned upon the provision of at least 20 percent of dwelling units as low-moderate income affordable housing; and (b) a second that would permit Automobile Sales, Preparation, and Repairs, Enclosed, and Stables for Horses (both Use Group 16A) within the rezoning area (refer to Appendix C); (3) Site Selection to permit the siting of proposed horse stable facility for an NYPD Mounted Unit; (4) Special Permit from the NYC City Planning Commission to pursuant to a General Large-Scale Development to modify height, setback, location of uses, and signage requirements; (5) Special Permit from the NYC Board of Standards and Appeals to operate a physical culture or health establishment (on the third floor); and (6) approval of NY State Housing Finance Agency (HFA) tax exempt bond financing under its 80/20 affordable housing program.**

****Note: Two Trees Management Corp. is the applicant for all actions, except the Site Selection, which is being sought by the New York City Police Department. Refer to Table A-3 in Attachment A, for details.**

See attached continuation sheet for additional information (follows page 8 of EAS form).

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

The proposed action would provide opportunities for new residential and commercial development on a site which is underutilized and located in an area that has been undergoing substantial new development. The proposed zoning map and text amendments and special permits would allow for the development of residential, automobile, and health club facility uses. The Inclusionary Housing Zoning Text Amendment and HFA financing would facilitate the provision of affordable housing and the Site Selection - Public Facility approval would facilitate an NYPD Mounted Unit stable facility, which is needed as an existing facility will be removed as part of the development of Hudson River Park. The proposed CPC special permit establishing a Large-Scale General Development designation is needed to facilitate the proposed design, which the applicant believes would provide a better site plan than would a project developed pursuant to standard C6-3X regulations.

Required Action or Approvals

4. CITY PLANNING COMMISSION ☒ Yes ☐ No

☐ Change in City Map	☐ Zoning Certification	☒ Site Selection - Public Facility	
☒ Zoning Map Amendment	☐ Zoning Authorization	☐ Disposition - Real Property	☐ Franchise
☒ Zoning Text Amendment	☐ Housing Plan & Project	☐ UDAAP Revocable Consent	☐ Concession
☐ Charter 197-a Plan			

☒ Zoning Special Permit, specify type: **(1) ZR 74-743 General Large-Scale Development: Special Provisions for Bulk Modification**

☐ Modification of _____

☐ Renewal of _____

☐ Other _____

5. UNIFORM LAND USE PROCEDURE (ULURP) ✕ Yes □ No

6. BOARD OF STANDARDS AND APPEALS ✕ Yes □ No

✕ Special Permit □ New □ Renewal Expiration Date _____

□ Variance □ Use □ Bulk

Specify affected section(s) of Zoning Resolution **ZR Section 73-36, Physical Culture or Health Establishments**

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION □ Yes ✕ No

□ Title V Facility □ Power Generation Facility □ Medical Waste Treatment Facility

8. OTHER CITY APPROVALS □ Yes ✕ No

□ Legislation □ Rulemaking; specify agency: _____

□ Construction of Public Facilities □ Funding of Construction, Specify □ Funding of Programs, Specify

□ Policy or plan □ Permits, Specify:

Other; explain: _____

9. STATE ACTIONS/APPROVALS/FUNDING ✕ Yes □ No

If "Yes," identify **Approval of NYS Housing Finance Agency 80/20 tax exempt bond financing**

Action Type

10. FEDERAL ACTIONS/APPROVALS/FUNDING □ Yes ✕ No

If "Yes," identify _____

11a. □ Unlisted; or ✕ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended): **6 NYCRR § 617.4(b)(6)(v), a non-residential facility with more than 240,000 gsf (the proposed project would include more than 240,000 sf of non-residential space).**

Analysis Year

11b. ✕ Localized action, site specific □ Localized action, change in regulatory control for small area □ Generic action

12. Identify the analysis year (or build year) for the proposed action: **2011**

Would the proposal be implemented in a single phase? ✕ Yes □ No □ NA.

Anticipated period of construction: **Approximately 3 years**

Anticipated completion date: **2011**

Would the proposal be implemented in multiple phases? ✕ Yes □ No □ NA.

Number of phases: **N.A.**

Describe phases and construction schedule: **Project would be constructed in a single phase over a 3-year period. As is the case with developments of this size, it is possible that temporary certificate(s) of occupancy could be issued for some sections of the building slightly prior to the issuance of the certificate of occupancy for the entire building.**

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE

770 Eleventh Ave. (address range: 758-770 Eleventh Ave., 529-557 W. 53rd St., & 536-562 W. 54th St.)

STREET ADDRESS

The project site is rectangular-shaped and has frontage on W. 53rd St., W. 54th St., and 11th Ave.

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

M1-5 (an "Excluded Area" in the Special Clinton District) — **8c**

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY — ZONING SECTIONAL MAP NO.

Block 1082, Lot 1 — **Manhattan** — **4**

TAX BLOCK AND LOT NUMBERS — BOROUGH — COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: **94,463** SQ. FT.

PROJECT SQUARE FEET TO BE DEVELOPED: **94,463** SQ. FT.

GROSS FLOOR AREA OF PROJECT: **approx. 1.1 million** SQ. FT.

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED **N.A.**

IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE: _____ % of _____

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: _____ HEIGHT; _____ WIDTH; _____ LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: **200'10" along 11th Ave., 470' 4¼" along W. 53rd St, and 470'4¼" along W. 54th St.**

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION: **N/A**

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? □ Yes ✕ No

IF 'YES', IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE. **N/A (Refer to Attachment A, for a description of the proposed zoning text amendments.**

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

PART II, SITE AND ACTION DESCRIPTION

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size.

See attached Figures 1, 2, and 3.

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 94,463 sf — Water surface area (sq. ft.): 0

Roads, building and other paved surfaces (sq. ft.): 94,463 sf — Other, describe (sq. ft.): 0

3. **PRESENT LAND USE**

Residential

Total no. of dwelling units 0 — No. of low-to-moderate income units 0

No. of stories N.A. — Gross floor area (sq. ft.) 0

Describe type of residential structures:

Commercial **Until May 2007, the site was occupied by a Verizon automotive service/vehicle storage facility (Use Group 16), but is now vacant and the applicant is proceeding with as-of-right demolition of site buildings and excavation. Conditions described below are prior to demolition.**

Retail: No. of bldgs 0 — Gross floor area of each building (sq. ft.): 0

Office: No. of bldgs 0 — Gross floor area of each building (sq. ft.): 0

Other: No. of bldgs 2 — Gross floor area of each building (sq. ft.): 35,000

Specify type(s): **(see above)** — No. of stories and height of each building: 2-stories

Manufacturing/Industrial

No. of bldgs 0 — Gross floor area of each building (sq. ft.): 0

No. of stories and height of each building: 0

Type of use(s):

Open storage area (sq. ft.) 0

If any unenclosed activities, specify:

Community facility

Type of community facility:

No. of bldgs 0 — Gross floor area of each building (sq. ft.): 0

No. of stories and height of each building: 0

Vacant land

Is there any vacant land in the directly affected area? ✕ Yes ☐ No

If yes, describe briefly: **See note above under Commercial.**

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ✕ No If yes, describe briefly:

Does the directly affected area include any mapped City, State or Federal parkland? ☐ Yes ✕ No If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ✕ No If yes, describe briefly:

Other land use **A below-grade railroad r-o-w intersects the northeastern edge of the property.**

No. of stories N/A — Gross floor area (sq. ft.)

Type of use: **Note: there is an at-grade platform covering the railroad r-o-w. Refer to Attachment A.**

4. **EXISTING PARKING Site has open paved areas previously used as vehicle storage for utility vehicles.**

Garages

No. of public spaces: — No. of accessory spaces:

Operating hours: — Attended or non-attended?

Lots

No. of public spaces: — No. of accessory spaces: 180 (est.)

Operating hours: — Attended or non-attended?

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate **Curbside parking regulations on streets adjoining the project site include no parking on W. 53rd and W. 54th streets 8 AM to 6 PM Monday to Saturday, and a mix of 1- and 2-hour metered parking along Tenth and Eleventh avenues with some peak period no parking regulations.**

5. **EXISTING STORAGE TANKS**

Gas or service stations? ☐ Yes ✕ No Oil storage facility? ☐ Yes ✕ No Other? ☐ Yes ✕ No

If yes, specify:

Number and size of tanks: **Underground storage tanks previously existing on the project site were removed in approximately June 2007. For more information refer to "Hazardous Materials" section of Attachment A.**

Last NYFD inspection date:

Location and depth of tanks:

6. **CURRENT USERS** **Site is vacant; previously (up to May 2007) occupied by 1 utility company facility with estimated 70 workers (based on 1 per 500 sf of building area)**

No. of residents: 0 No. and type of businesses: 0

No. and type of workers by businesses: 0

No. and type of non-residents who are not workers: 0

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

7. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

(a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **No**

(b) is within a designated New York City Historic District; **No**

(c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **No**

(d) is within a New York State or National Register Historic District; or **No**

(e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **No**

Identify any resource: **None**

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource. **N/A**

8. **WATERFRONT REVITALIZATION PROGRAM**

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? □ Yes ✕ No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. **CONSTRUCTION**

Will the action result in demolition of or significant physical alteration to any improvement? ✕ Yes □ No

If yes, describe briefly: **Existing buildings on project site are being demolished with or without proposed action.**

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? ✕ Yes □ No

If yes, describe briefly: **The proposed project would result in the construction of a new primarily residential mixed-use development with two cellar levels. The site will be excavated with or without the proposed action; additional excavation due to the proposed action may occur.**

Project Description

THIS SUBPART SHOULD GENERALLY BE COMPLETED ONLY IF YOUR ACTION INCLUDES A SPECIFIC OR KNOWN DEVELOPMENT AT PARTICULAR LOCATIONS

10 **PROPOSED LAND USE** **The proposed project is an approximately 1.1 million gsf primarily residential, mixed use development. It would rise to a maximum of 32 stories including two mechanical levels at the top, plus two cellar levels.**

Residential

Total no. of dwelling units **approx. 900** No. of low-to-moderate income units **approx. 180 (20% of total)**

Gross floor area (sq. ft.) **approx. 726,494 zsf**

No. of stories **See above** Describe type of residential structures: **Elevator multi-unit apartment buildings**

Commercial

Retail: No. of bldgs **Auto dealership (ground floor, mezzanine, below-grade) and food market (ground floor and mezzanine)**

Gross floor area of each building (sq. ft.): **approx. 236,000 gsf auto dealership; approx. 16,000 gsf food market**

Office: No. of bldgs 0 Gross floor area of each building (sq. ft.): 0

Other: No. of bldgs **NYPD Mounted Unit facility (ground floor) and Health Club (3rd floor with ground floor access)**

Gross floor area of each building (sq. ft.): **31,000 gsf health club; 28,000 gsf NYPD Mounted Unit facility/stable**

Specify type(s): **Health club; and NYPD Mounted Unit facility/stable**

No. of stories and height of each building: **See above.**

Manufacturing/Industrial **No manufacturing/industrial would be created as a result of proposed action.**

No. of bldgs 0 Gross floor area of each building (sq. ft.): 0

No. of stories and height of each building:

Type of use(s): Open storage area (sq. ft.): 0

If any unenclosed activities, specify:

Community facility **No community facility uses would be created as a result of proposed action.**

Type of community facility:

No. of bldgs

Gross floor area of each building (sq. ft.):

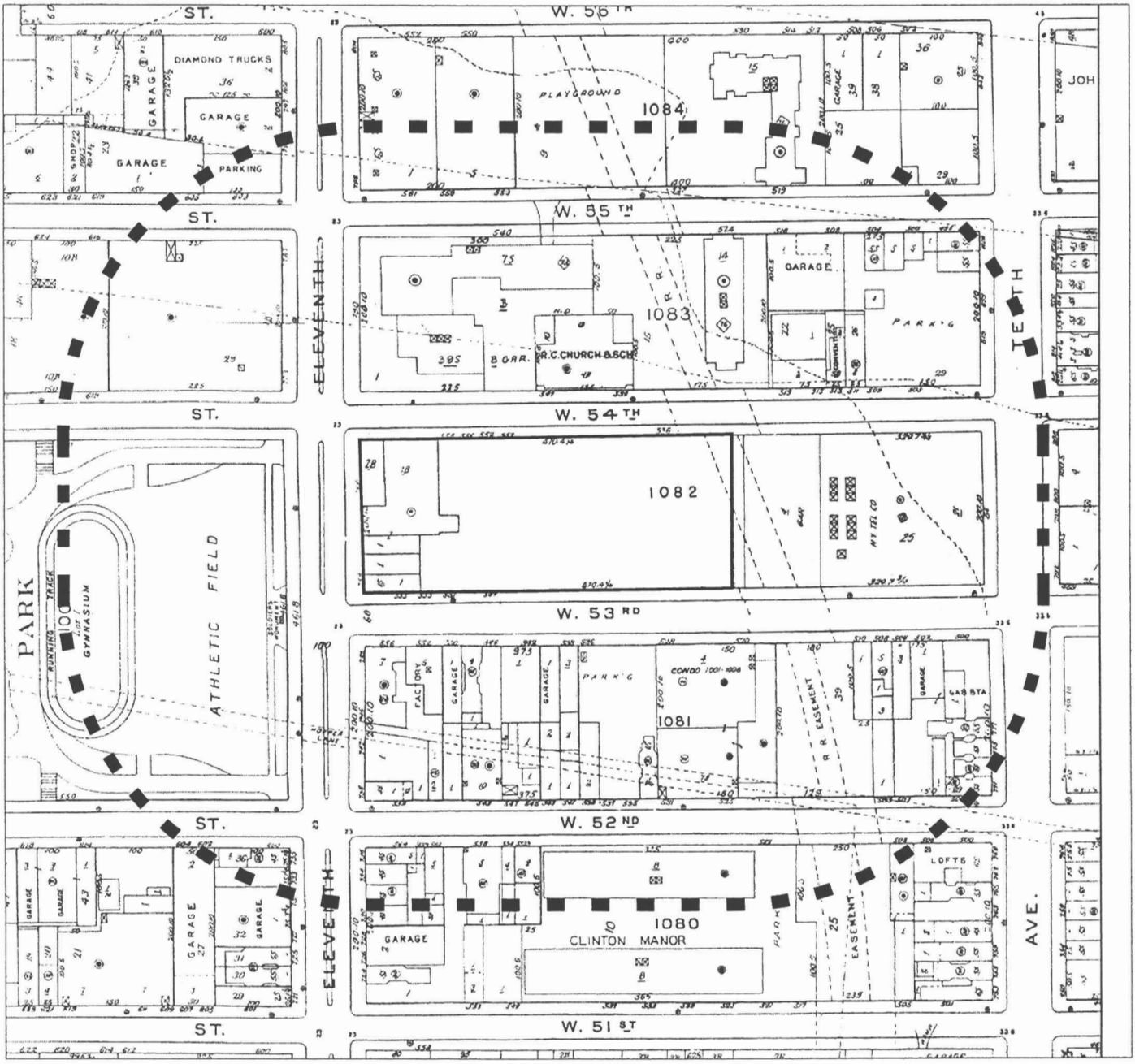
No. of stories and height of each building:

Vacant land **Vacant land on the project site would be developed as a result of proposed action.**

Is there any vacant land in the directly affected area? □ Yes ✕ No

If yes, describe briefly:

Figure 1
Sanborn Map



LEGEND:

Project Site

400-ft Radius

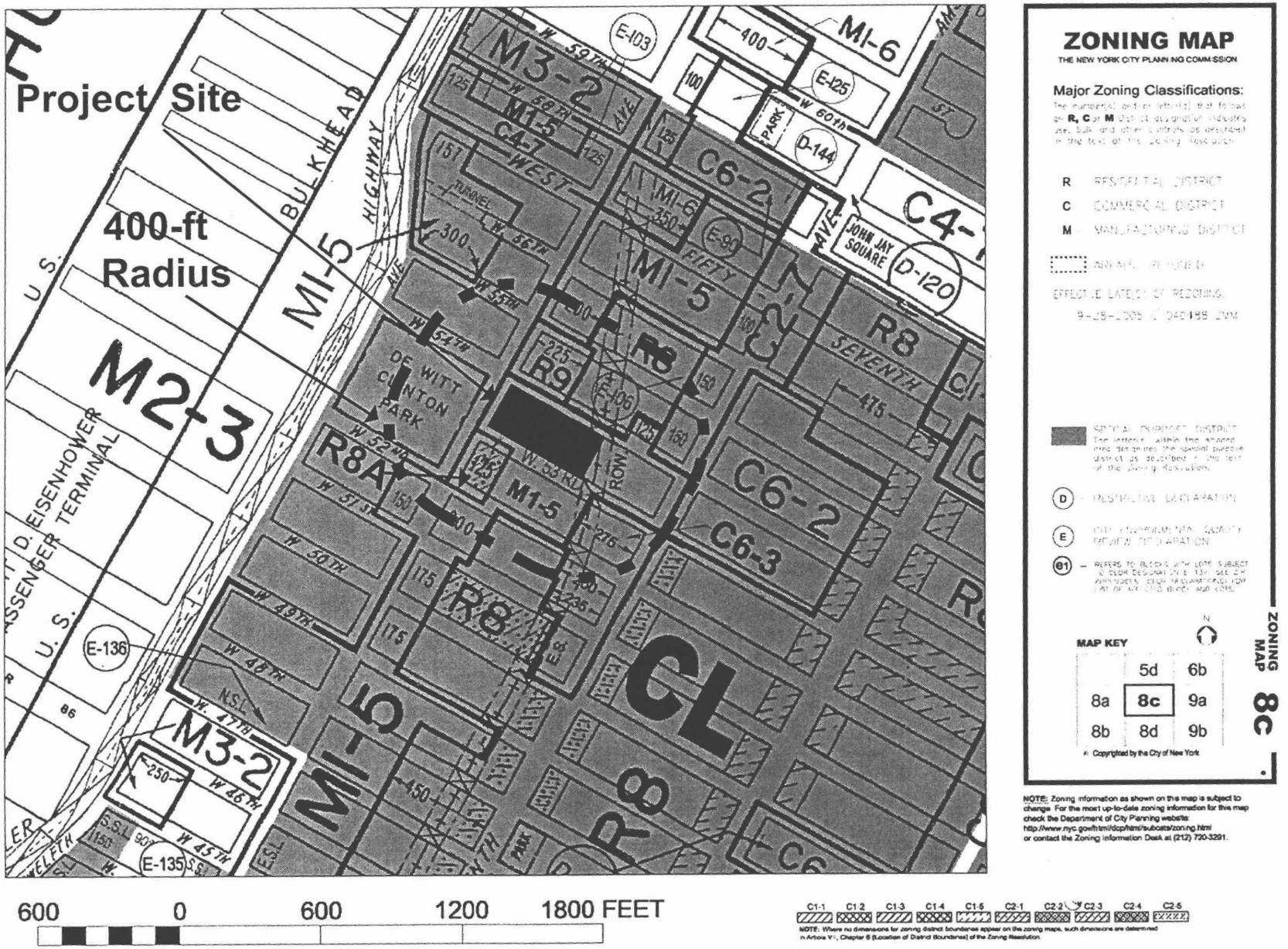
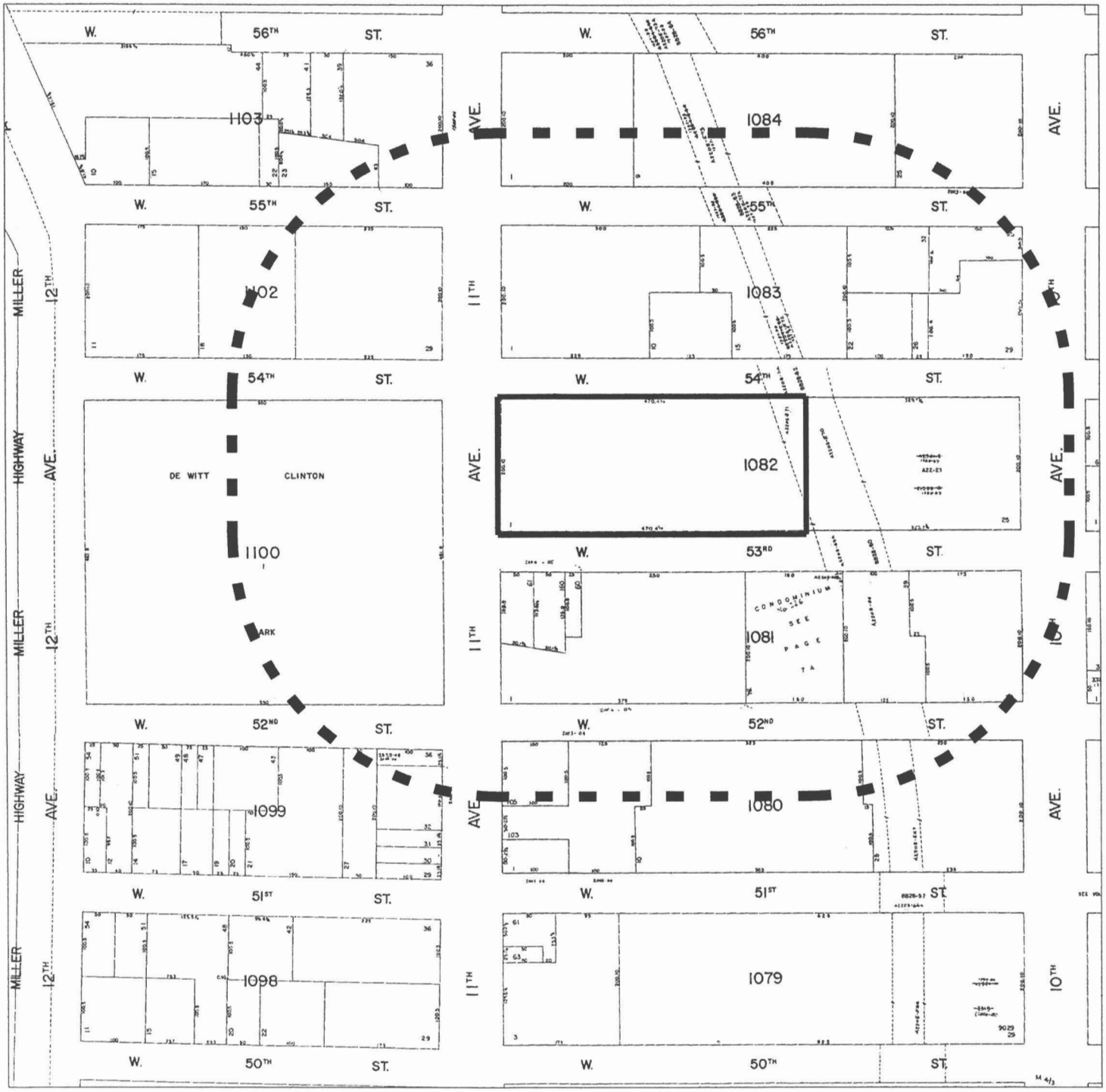


Figure 2
Zoning Map

Figure 3
Tax Map



LEGEND:

Project Site

400-ft Radius

Not to Scale (refer to dimensions)

Publicly accessible open space **No publicly accessible open space would be created as a result of proposed action.**
Is there any existing publicly accessible open space in the directly affected area? □ Yes ✕ No
If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? □ Yes ✕ No
If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? □ Yes ✕ No
If yes, describe briefly:

Other land use

Gross floor area (sq. ft.) _____ No. of stories _____ Type of use:

11. **PROPOSED PARKING Accessory parking spaces would be provided in a garage on the 2nd floor.**

Garages

No. of public spaces: **0** No. of accessory spaces: **Up to 225**

Operating hours: **24 hours** Attended or non-attended? **Non-attended**

Lots **None**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate. **The proposed project does not include any changes to on-street parking, apart from changes to curb cuts.**

No. and location of proposed curb cuts: **4 on W. 53rd Street for auto dealership entry/exit, NYPD Mounted Unit stable loading, auto dealership loading, and accessory parking ramp; and 1 on W. 54th Street for dealership entry/exit; all proposed curb cuts located more than 50 feet from Eleventh Avenue. Refer to Figure A-2, Site Plan.**

12. **PROPOSED STORAGE TANKS**

Gas or service stations? ✕ Yes □ No Oil storage facility? ✕ Yes □ No Other? □ Yes ✕ No

If yes, specify: **The project may include gas or oil storage tanks for the auto dealership use. Details not available.**

Size of tanks: Location and depth of tanks:

13. **PROPOSED USERS**

No. of residents: **1,631 (est.)**

No. and type of businesses: **Food market; auto dealership; health club; NYPD Mounted Unit.**

No. and type of workers by business **Residential building employees - 40; Food market - 48; auto dealership - 236; health club - 34; NYPD Mounted Unit - 47, 27 horses (all estimates).**

No. and type of non-residents who are not workers: **Patrons of the commercial uses: 690 health club patrons per day (est. based on 22.3 per 1,000 sf per peak day); number not available for other uses.**

SEE CEQR TECHNICAL MANUAL CHAPTER III B., SOCIO-ECONOMIC CONDITIONS

14. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? □ Yes ✕ No

If yes, describe briefly: **Refer to Appendix B, Environmental Review provided by NYC LPC.**

SEE CEQR TECHNICAL MANUAL CHAPTER III C., COMMUNITY FACILITIES & SERVICES

15. **DIRECT DISPLACEMENT**

Will the action directly displace specific business or affordable and/or low income residential units? □ Yes ✕ No

If yes, describe briefly:

16. **COMMUNITY FACILITIES**

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? □ Yes ✕ No

If yes, describe briefly:

Zoning Information

17. What is the zoning classification(s) of the directly affected area?

The project site is zoned M1-5 and is an "Excluded Area" in the Special Clinton District.

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

M1-5: maximum FAR for commercial and manufacturing 5.0; community facility 6.5; residential not permitted.

Project site, 94,463 sf lot area; maximum commercial and manufacturing floor area = 472,315 zsf and maximum community facility floor area = 614,010 zsf.

19. What is the proposed zoning of the directly affected area? **Rezone the project site from M1-5 to C6-3X, remaining an "Excluding Area" in the Special Clinton District. Zoning text amendments to (1) create an Inclusionary Housing Bonus and (2) allow Automobile Sales, Preparation, and Repairs, Enclosed, and Stables for Horses (both Use Group 16A) in rezoning area/project site.**

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use. **C6-3X (Special Clinton District with zoning text amendment) maximum base FAR for residential 7.0, to 9.0 with Inclusionary Housing bonus; community facility 9.0; commercial 6.0; manufacturing not permitted. Project site, 94,463 sf lot area; maximum residential floor area (with bonus) = 850,167 zsf; maximum community facility floor area = 850,167 zsf; maximum commercial floor area = 566,778 zsf.**

21. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action?

The area within a quarter-mile radius of the project site consists of a variety of uses, including residential, retail, office/commercial, public facilities, open space, transportation/utility, and industrial.

Immediately adjoining the project site to the east on Block 1082, is the 457-foot tall AT&T Switching Center Building.

North of the project site, between Tenth and Eleventh avenues, is a mixture of predominantly residential and commercial uses, although other uses are also present. Notable uses include: Clinton Towers, a 39-story Mitchell-Lama rental apartment building located immediately north of the project site; NEP Studio 54, television studio at 513 W. 54th Street; Archstone West 54th (fka, The Foundry), a 222-DU residential rental development, of which 20 percent of the apartments are affordable housing units, with ground-floor retail comprised of a 12-story building at the northwest corner of W. 54th Street and Tenth Avenue and a 6-story building located on W. 55th Street west of Tenth Avenue; the 377-DU Harborview Terrace Apartments, a New York City Housing Authority (NYCHA) complex with one 14-story and one 15-story building on two midblock sites between W. 54th and W. 56th streets; directly east of the northern Harborview tower is the Westport, a 24-story, 371-DU rental development, of which 20 percent of the apartments are affordable housing units, with ground-floor retail; the 3-story CBS TV Central Broadcasting Center on the block bounded by W. 57th Street, Tenth Avenue, W. 56th Street, and Eleventh Avenue; a 6-story building of John Jay College of Criminal Justice; and automobile dealerships.

East of Tenth Avenue, there is a mixture of residential, ground-floor retail, commercial, institutional, and industrial uses and most buildings in the area are low- and mid-rise, including a number of walk-up apartment buildings and tenements. Notable uses include: the 4-story PS 111 and school playground, on Tenth Avenue between W. 52nd and W. 53rd streets; Sacred Hearth of Jesus Church and School; two other buildings of John Jay College; several public parking facilities; The Nicole, an 18-story, 140-DU rental development, of which 20 percent of the apartments are affordable housing units, with ground-floor retail; and Holiday Inn, Midtown, an 18-story, two-tower development located on W. 57th Street.

South of the project site, between Tenth and Eleventh avenues, is predominantly a mixture of residential, commercial, and institutional uses. Directly south of the project site are two new developments, the 11-story Clinton Parkview, and the 7-story Flats/Old School, combined these two projects contain approximately 182 affordable housing DUs, retail, and a community garden. Other notable uses south of the project site include: a 6-building mixed-use complex at the southeast corner of W. 52nd Street and Eleventh Avenue comprised of approximately 44 affordable housing DUs, retail, and a community garden; the Archstone Clinton (fka, the Mosaic, Clinton Green), under construction on two sites between W. 51st and W. 53rd streets and slated for occupancy during the second half of 2007, which will be a two-tower, 24-story predominantly residential mixed-use project comprised of approximately 627 DUs, with 20 percent affordable housing units, retail, open space, and theatre space; Encore West, a new 8-story development with 84 affordable housing DUs for senior citizens on Tenth Avenue between W. 51st and W. 52nd streets; Clinton Manor, comprised of two 8-story buildings, an approximately 235-DU affordable housing development on a midblock through lot with frontage on W. 51st and W. 52nd streets; Hudsonview Terrace, a 38-story, 395-DU rental mixed-use building on Tenth Avenue stretching from W. 51st Street to W. 52nd Street; and Park West High School, on a midblock site adjacent to Hudsonview Terrace fronting on W. 51st Street and W. 52nd Street.

Immediately west of the project site is De Witt Clinton Park, a 5.83-acre open space bounded by W. 54th Street, Eleventh Avenue, W. 52nd Street, and Twelfth Avenue (Route 9A). Besides this, the area west of Eleventh Avenue is predominately comprised of commercial, industrial, and transportation/utility uses. Notable uses in this area include several automobile dealerships; 619 W. 54th Street, an approximately 300,000 gsf commercial office building; public parking facilities; a 240,000 sf Federal Express distribution center on Twelfth Avenue between W. 48th and W. 49th streets; and a NYC Department of Sanitation facility located on Twelfth Avenue between W. 55th and W. 57th streets. There is also The Helena, a 37-story 580-DU residential building completed in 2005 at 601 W. 57th Street (at Eleventh Avenue), northwest of the project site. Further west, the quarter-mile radius includes the Hudson River Park path and upland portions of Pier 92, which is part of the New York Cruise Terminal; Pier 94, which is occupied by the UnConvention Center, a trade show and convention facility; and Piers 95 and 96, which are part of the Clinton Cove section of the Hudson River Park, which includes a boat house.

There is also a below-grade active railroad right-of-way used by Amtrak's Empire Line, which extends through the area, including the project site, on a generally northwest-southeast alignment between Tenth and Eleventh avenues.

The area within a quarter-mile radius of the project site includes several different underlying zoning districts and almost all of this area is within the Special Clinton District. Generally, in this area of Manhattan the avenues serve to separate different groupings of zoning districts. East of Tenth Avenue, this area includes commercial and residential zoning districts but there are no manufacturing districts; while between Tenth and Eleventh Avenue, this area includes residential, commercial, and manufacturing districts; and west of Tenth Avenue, there are commercial and manufacturing districts but no residential districts. Specifically, primary zoning classifications include: R8 which covers all or parts of 8 blocks of the area to the north, east, and south of the project site, including an area immediately north of the midblock portion of the project site; R8A, which covers a partial block immediately south of the project site; R9, which covers a partial block immediately north of the project site along the east side of Eleventh Avenue; C2-7, which extends along the Tenth Avenue corridor from W. 54 to W. 59th streets; C4-7, which occupies portions of two blocks fronting on the intersection of W. 58th Street and Eleventh Avenue; C6-2, which occupies portions of three blocks east of Tenth Avenue between W. 53rd and W. 56th streets as well as a portion of the block bounded by W. 59th Street, Tenth Avenue, W. 58th Street, and Eleventh Avenue; C6-3, which occupies portions of three blocks west of Tenth Avenue between W. 50th and W. 53rd streets; M1-5, which in addition to covering the project site and the remainder of Block 1082 immediately to the east, covers substantial portions of the area to the north, south, and west in four non-contiguous sections; M1-6, which covers a half-block area on the east side of Eleventh Avenue between W. 57th and W. 58th streets; M2-3, which covers much of the area to the west, including an area along the waterfront which is not within the Special Clinton District; and M3-2, which covers the northwest edge of the quarter-mile radius on the block bounded by W. 59th Street, Eleventh Avenue, W. 58th Street, and Twelfth Avenue. Within the residential zoning districts, there are C2-5 commercial overlay districts mapped in three separate locations, including: on an R8 district along the east side of Tenth Avenue extending south from W. 53rd Street; on an R8 district on the block bounded by W. 50th and W. 51st streets midblock between Tenth and Eleventh avenues; and on an the R8A district located along the east side of Eleventh Avenue between W. 52nd and W. 53rd streets. While virtually the entire quarter-mile radius area lies within the Special Clinton District, it should be noted that the area bounded by W. 56th Street, Tenth Avenue, W. 50th Street, and Eleventh Avenue, which is coincident with the boundaries of the Clinton Urban Renewal Area, is an "Excluded Area" and as such most district regulations do not apply to this area, which includes the project site.

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

Refer to Attachment A, Project Description/Analyses.

Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

a. LAND USE, ZONING, AND PUBLIC POLICY	See CEQR Technical Manual Chapter IILA.	Attachment A
b. SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter IILB	Attachment A
c. COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter IILC.	Attachment A
d. OPEN SPACE	See CEQR Technical Manual Chapter IILD.	Attachment A
e. SHADOWS	See CEQR Technical Manual Chapter IILE.	Attachment A
f. HISTORIC RESOURCES	See CEQR Technical Manual Chapter III.F.	Attachment A
g. URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III.G.	Attachment A
h. NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter IILH.	Attachment A
i. NATURAL RESOURCES	See CEQR Technical Manual Chapter IILI.	Attachment A
j. HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter IILJ.	Attachment A
k. WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter IILK.	Attachment A
l. INFRASTRUCTURE	See CEQR Technical Manual Chapter IILL.	Attachment A
m. SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter IILM.	Attachment A
n. ENERGY	See CEQR Technical Manual Chapter IILN.	Attachment A
o. TRAFFIC AND PARKING	See CEQR Technical Manual Chapter IILO.	Attachment A
p. TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter IILP.	Attachment A
q. AIR QUALITY	See CEQR Technical Manual Chapter IILQ.	Attachment A
r. NOISE	See CEQR Technical Manual Chapter IILR.	Attachment A
s. CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter IILS.	Attachment A
t. PUBLIC HEALTH	See CEQR Technical Manual Chapter III.T.	Attachment A

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above- listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

Applicant Certification

24.

Philip A. Habib, P.E.	**Two Trees Management Corp.**
PREPARER NAME	PRINCIPAL
Principal	**Jed Walentas, Principal**
PREPARER TITLE	NAME AND TITLE OF PRINCIPAL REPRESENTATIVE
PREPARER SIGNATURE	SIGNATURE OF PRINCIPAL REPRESENTATIVE
10/10/07	10.10.07
DATE	DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

Impact Significance

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	_____
SOCIOECONOMIC CONDITIONS	_____
COMMUNITY FACILITIES AND SERVICES	_____
OPEN SPACE	_____
SHADOWS	_____
HISTORIC RESOURCES	_____
URBAN DESIGN/VISUAL RESOURCES	_____
NEIGHBORHOOD CHARACTER	_____
NATURAL RESOURCES	_____
HAZARDOUS MATERIALS	_____
WATERFRONT REVITALIZATION PROGRAM	_____
INFRASTRUCTURE	_____
SOLID WASTE AND SANITATION SERVICES	_____
ENERGY	_____
TRAFFIC AND PARKING	_____
TRANSIT AND PEDESTRIANS	_____
AIR QUALITY	_____
NOISE	_____
CONSTRUCTION IMPACTS	_____
PUBLIC HEALTH	_____

2. Are there any aspects of the action relevant to the determination whether the action 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? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

Lead Agency Certification

PREPARER NAME	NAME OF LEAD AGENCY REPRESENTATIVE
PREPARER TITLE	TITLE OF LEAD AGENCY REPRESENTATIVE
PREPARER SIGNATURE	SIGNATURE OF LEAD AGENCY REPRESENTATIVE
DATE	DATE

EAS Form, Part I, 3b. (Continuation)

Overall, the proposed mixed-use project would include (all approximate): 720 market rate dwelling units (DUs), 180 affordable housing DUs, for a total of 900 DUs (located on the 3rd through 30th floors); 16,000 gsf of retail, intended to be a food market (on the ground level and mezzanine above it); 31,000 gsf of health club space (located on the 3rd floor); 236,000 gsf of automobile sales, preparation, and repairs space (located on the ground floor, mezzanine above it, and two below-grade levels); 28,000 gsf of NYPD Mounted Unit facility, including stable and related space (on the ground floor); and up to 225 accessory parking spaces (on the second floor) (the development would provide the maximum permitted as-of-right). It is expected that construction on the project site, previously occupied by a Verizon automotive service/vehicle storage facility, would commence in 2008 following the ongoing as-of-right demolition of existing structures and site excavation. The project would be completed by 2011. The proposed 1.1 million gsf development would rise to a maximum height of 32 stories (including two mechanical levels above the top residential story). This development would be constructed on a site that was until recently occupied by Verizon vehicle storage and maintenance facility and which is now currently vacant. Although the site could be developed as-of-right under the existing zoning with a maximum FAR of 5.0 for commercial or manufacturing uses or 6.5 for community facility uses, the analysis conservatively assumes that in the future without the proposed action the project site would remain vacant. This will serve as the baseline for comparing the effects of the future without and with the proposed action. Refer to Attachment A, for details.

ATTACHMENT A
PROJECT DESCRIPTION/ANALYSES

I. INTRODUCTION

This attachment provides a detailed description of the proposed project, including project location, the proposed project's purpose and need, and the governmental approvals required for implementation. In addition, this attachment examines the potential for the proposed project to result in impacts in any CEQR technical area. The attachment has been prepared in accordance with the procedures set forth in the *CEQR Technical Manual*. Using the guidelines and methodologies in the *CEQR Technical Manual*, preliminary screening analyses were conducted for the proposed action in each of the Manual's impact categories. For each of the impact categories, the screening analysis is intended to determine whether further, more detailed impact assessment in the DEIS is appropriate for this proposed action, or whether the potential for adverse impacts can be ruled out.

The proposed action includes several discretionary actions proposed by the applicant, Two Trees Management Corp.[1]: zoning map and zoning text amendments, Site Selection for a Public Facility, special permit from the NYC City Planning Commission (CPC) pursuant to a general large-scale development, special permit from the NYC Board of Standards and Appeals (BSA), and approval of NY State Housing Finance Agency (HFA) tax exempt bond financing under its 80/20 affordable housing program. These actions would facilitate a proposed approximately 1.1 million gross square foot (gsf) mixed-use development rising to a maximum of 32 stories, including two mechanical levels above the top residential story, with two cellar levels on a 94,463 sf project site. It would include the following uses (all approximate): 900 dwelling units (DUs) (on floors 3 through 30), 16,000 gsf of retail intended to be a food market (on the ground floor and mezzanine above it); 31,000 gsf of health club space (on the third floor); 236,000 gsf of automobile sales, preparation, and repairs space on the ground floor, mezzanine above it, and in two cellar levels; 28,000 gsf of NYPD Mounted Unit facility, including stable and related space (on the ground floor); and up to 225 accessory parking spaces (on the second floor). Twenty percent of the residential units, approximately 180 DUs, would be affordable housing units. The rezoning area is comprised of Block 1082, Lot 1, occupying a portion of the block bounded by W. 54th Street, Tenth Avenue, W. 53rd Street, and Eleventh Avenue in the Special Clinton District within Manhattan Community District 4. The site is also located within the boundary of the Clinton Urban Renewal Area; however as the site was never acquired by the City it is only subject to zoning.

The proposed action requires City Planning Commission (CPC) and City Council approvals through the Uniform Land Use Review Procedure (ULURP), and includes the following actions:

[1] Two Trees Management Corp. is the applicant for all actions except the Site Selection which is being sought by the New York City Police Department.

Proposed Zoning Map Amendment

The project site occupies the western portion of Block 1082, extending 470 feet, 4.25 inches from Eleventh Avenue towards Tenth Avenue. The proposed zoning map amendment would rezone the project site from M1-5 (Special Clinton District) to C6-3X (Special Clinton District). As such, residential uses which currently are not permitted in the rezoning area would become as-of-right while manufacturing uses would no longer be permitted. It should be noted that although the project site is within the Special Clinton District, it is part of an "Excluded Area," in which most of the special district's regulations are not applicable. The residential district equivalent to a C6-3X district is R9X; however, as noted below, the proposed C6-3X district would be modified by related zoning text amendments. This information is summarized in Table A-1.

Table A-1, Proposed Zoning Map Amendment

PROJECT SITE/REZONING AREA	EXISTING ZONING	PROPOSED ZONING
Manhattan Block 1082, Lot 1	M1-5 ("Excluded Area" of Special Clinton District)	C6-3X ("Excluded Area" of Special Clinton District)

Note: refer to "Proposed Zoning Text Amendment" for discussion of proposed text changes affecting the project site that would modify the Special Clinton District text on the project site.

Proposed Zoning Text Amendments

There would be two zoning text amendments to the Zoning Resolution.

One amendment would establish an inclusionary housing floor area bonus affecting only the rezoning area that would increase permitted residential floor area ratio from 7.0 FAR to 9.0 FAR conditioned upon the provision of at least 20 percent of dwelling units as low-moderate housing units. This would be established pursuant to ZR Section 23-922, Inclusionary Housing Designated Areas, with a new map added to this section of the zoning resolution identifying the project site as an inclusionary housing designated area. Furthermore, an amendment to ZR 23-942, In Inclusionary Housing Designated Areas, would establish the 7.0 base FAR and the 9.0 maximum FAR for R9X districts or equivalents.

A second text amendment would permit Automobile Sales, Preparation, and Repairs, Enclosed, and Stable for Horses (both Use Group 16A), with accessory automobile parking, within the project site below the level of any floor occupied by DUs. This zoning text amendment would be made to ZR Section 96-80, Excluded Areas, and would apply only to C6-3X districts within the "Excluded Area" of the Special Clinton District which is bounded by W. 56th Street, Tenth Avenue, W. 50th Street, and Eleventh Avenue. It should be noted that there are currently no C6-3X districts within this "Excluded Area" nor are there proposals for any other C6-3X districts in said area apart from the zoning map amendment that is part of the proposed action.

Accordingly, both of these zoning text amendments would apply only to the proposed rezoning area, i.e., the project site.

The proposed zoning map and text changes are summarized in Table A-2. Refer to Appendix C, "Proposed Zoning Text Amendment."

Proposed CPC Special Permit

The proposed action includes a special permit from the CPC pursuant to ZR Section 74-743, General Large-Scale Development: Special Provisions for Bulk Modification. This would allow for modification of height, setback, location of uses, and signage requirements that would otherwise apply to development on the site.

Specifically, there are several proposed height and setback modifications to the standard C6-3X contextual zoning regulations. The eastern portions of the 340-foot tall building would exceed the maximum building height of 160 feet (along W. 53rd and W. 54th Streets). Along a portion of the Eleventh Avenue frontage, the minimum required 105-foot streetwall height (for a wide street) would not be provided as the northern portion of the building along the avenue would step up from a height of approximately 92 feet. Along W. 53rd and W. 54th Streets, for most of the building's width, it would have a streetwall height of approximately 42 feet, less than the minimum required 60-foot streetwall height (for narrow streets). Conversely, at the eastern end of the project site, the residential tower would exceed the maximum permitted streetwall height of 120 feet along W. 53rd and W. 54th Streets and would not provide the required setback, as the building would be approximately 310 feet tall along W. 54th Street and approximately 340 feet tall along W. 53rd Street. Refer to the "Purpose and Need" section below for a description of the rationale for these modifications. It should be noted that with these changes, all commercial uses would be located on floors below the lowest residential floor.

Regarding the proposed sign modifications, the project site is located across Eleventh Avenue from De Witt Clinton Park. As such, the more restrictive sign regulations of a C1 district apply to the Eleventh Avenue frontage. An increase in signage to what would otherwise be permitted in a C6-3 district, a maximum of 500 sf, on this arterial avenue would permit the proposed project to provide the driving public with necessary dealership location and directional signage. The modification would provide for a better site plan and vehicular circulation for the uses on the site.

As discussed below, under "Reasonable Worst Case Development Scenario," the applicant is committed to developing the proposed project pursuant to this special permit and will enter into a restrictive declaration that would bind it to the terms of the General Large-Scale Development Special Permit.

Proposed BSA Special Permit

The proposed BSA special permit is pursuant to ZR Section 73-36, Physical Culture or Health Establishments. Approval of the special permit by the BSA would facilitate the siting of an approximately 31,000 gsf health club with a swimming pool located on the third floor of the development.

Table A-2, Comparison of Existing and Proposed Zoning, Manhattan Block 1082, Lot 1

	EXISTING	PROPOSED
	M1-5* (in "Excluded Area" of Special Clinton District)	**C6-3X** (in "Excluded Area" of Special Clinton District) with Zoning Text Amendments**
Maximum Floor Area Ratio		
Residential	N/A	7.00 base (to 9.00 with bonus)
Commercial	5.00	6.00
Manufacturing	5.00	N/A
Community Facility	6.50	9.0
Initial Setback Distance	20 feet [15 feet]	20 feet [15 feet]
Maximum Front Wall / Base Height	85 feet	***
Maximum Building Height	Sky exposure plane or tower regulations	***

[ ] denotes regulations for wide streets

* M1-5 community facility Use Group 4 only and manufacturing Use Group 17 only

** With zoning text amendments, Inclusionary Housing bonus would permit increased residential floor area up to an FAR of 9.0 and Use Group 16A, Automobile Sales, Preparations, and Repairs, Enclosed , and Stables for Horses would be permitted on the project site.

*** While contextual zoning regulations would apply under the proposed C6-3X zoning, the proposed action also includes a CPC special pursuant to a General Large-scale Development to modify height, setback, location of uses, and signage requirements.

The applicant will file the BSA application for this action and will seek approval during the EIS review process. BSA's approval of the application will take into the account the analysis conducted through the EIS process.

Site Selection for Public Facility

The proposed NYPD Mounted Unit facility is subject to a Site Selection for Public Facility. The "fair share" analysis for this action will be included in the project's ULURP application.

HFA 80/20 Financing

The applicant plans to seek tax exempt bond financing for the proposed project from HFA under its 80/20 affordable housing program. Along with the proposed zoning text amendment establishing the inclusionary housing bonus, this would facilitate the affordable housing component of the proposed development, involving the creation of approximately 180 low-moderate income DUs.

Table A-3 provides a summary of the required approvals, agencies responsible for approval, applicant, and brief explanation of the action and what aspect of the proposed project it would facilitate.

Table A-3, Summary of Proposed Actions

Action	Agency (1)	Applicant	Purpose/Need for Action
Zoning Map Amendment	CPC	TTMC	C6-3X district needed to permit residential use and food market larger than 10,000 sf; permit a 9.0 FAR development
Zoning Text Amendment (ZR 23-922, 23-942)	CPC	TTMC	Needed to facilitate provision of Inclusionary Housing, approximately 180 low-moderate income DUs (consistent with City's goal to increase affordable housing)
Zoning Text Amendment (ZR 96-80)	CPC	TTMC	Needed to facilitate proposed Automobile Sales, Preparation, and Repairs, Enclosed (providing needed dealership space in an area where these businesses are strategically concentrated), and Stable for Horses (providing a needed permanent facility for NYPD Mounted Unit)
CPC Special Permit	CPC	TTMC	Needed to permit modification of height and setback, location of uses, and signage requirements; to allow for better site plan providing light and air to neighboring buildings and park and concentrate bulk toward 457-foot tall windowless AT&T Tower; signage provides visibility for auto dealership, a use common along 11th Ave.
BSA Special Permit	BSA	TTMC	Needed to permit health club (physical culture establishment), a business that would serve area residents
Site Selection	CPC	NYPD	Needed to facilitate the NYPD Mounted Unit facility (providing a needed permanent facility for the NYPD Mounted Unit)
80/20 Tax exempt bond financing	HFA	TTMC	Needed to facilitate provision of Inclusionary Housing, approximately 180 low-moderate income DUs (consistent with City's goal to increase affordable housing)

Notes:
(1) Agency responsible for approval of action.
Abbreviations: BSA = Board of Standards and Appeals; CPC = City Planning Commission; HFA = Housing Finance Agency; NYPD = New York City Police Department; TTMC = Two Trees Management Corp.

Public Review

The proposed zoning map amendment, zoning text amendments, CPC special permit, and Site Selection for a Public Facility would require approval by the City Planning Commission and the City Council. The zoning map amendment, CPC special permit, and Site Selection actions are subject to ULURP while the zoning text amendments are not ULURP actions but are subject to a similar public review which will occur concurrently with the ULURP process for the proposed project. The proposed BSA special permit is subject to approval by the BSA. The proposed tax exempt financing requires approval by HFA, a state agency.

Proposed Program and Design

Together, these actions would facilitate construction of an approximately 1.1 million gsf mixed-use development rising to a maximum height of 32 stories, including two mechanical levels above the top residential story, plus two cellar levels on the 94,463 sf project site. The design of the proposed project capitalizes on the site's large through-block condition and its unobstructed views to De Witt Clinton Park, located west of the project site across the 100-foot wide Eleventh Avenue, and the Hudson River. In order to keep the project's mass away from the park and setback from the side streets, the proposed development presents a unique design. The overall massing slopes up and away from the park, starting at approximately 92 feet along Eleventh Avenue and climbing to approximately 340 feet at the midblock, near the approximately 457-foot tall AT&T Switching Center tower located immediately to the east of the project site on Block 1082, Lot 25. The sloped roof line will create a series of stepped outdoor terraces with views to the water and exclusive apartment conditions on each floor. The building moves diagonally across the site, providing maximum light and air for both the apartment units and their neighbors along the narrow side streets.

The proposed development features a high two-story base fully covering the project site, providing a continuous streetwall apart from vehicle entrances and loading areas. The cellar levels would be occupied by non-residential uses associated with ground floor commercial uses. The base would support non-residential uses, residential lobbies, and residential amenity space. Rising from the base there would be tower structures forming an S-shaped pattern and containing residential units. Along Eleventh Avenue facing De Witt Clinton Park, the residential tower would step up from 7-stories on the north (W. 54th Street) to 10-stories on the south (W. 53rd Street). On the eastern edge of the site adjacent to the 457-foot tall AT&T Switching Tower, the residential portion would step up from 29-stories on the north to 30 stories plus two mechanical levels on the south. Connecting these two sections would be a tower on a diagonal alignment relative to the street grid, stepping up from the west along W. 53rd Street to W. 54th Street on the east.

The portions of the base structure not covered by the residential towers would have a flat roof predominantly covered by garden terraces for use by building residents and skylights providing natural lighting for the residential lobbies.

Overall, the proposed mixed-use project would include approximately 900 DUs, of which 20 percent of the total, 180 DUs, would be affordable housing units and the remaining 720 DUs would be market rate units; approximately 16,000 gsf of retail intended to be a food market; approximately 236,000 gsf of automobile sales, preparation, and repairs (dealership) space; approximately 31,000 gsf of health club space; approximately 28,000 gsf of NYPD Mounted Unit Facility; and up to 225 accessory parking spaces. The residential units would be located on the third through thirtieth floors. The retail space is expected to be occupied by and is being designed for a food market on the ground floor and mezzanine above it. The auto dealership space would occupy 66,000 gsf of showroom and related space on the ground floor and mezzanine above it, along the Eleventh Avenue frontage. In addition, the dealership use would utilize approximately 170,000 gsf of space for vehicle storage in two below-grade cellar levels, which would be accessible from vehicular entrances on W. 53rd Street and W. 54th Street. The health club would be located on the third floor, but on a lower level than the residential units. The NYPD Mounted Unit facility would include horse stables, offices, and related facilities on the ground floor on the midblock portion of the site on W. 53rd Street. The

accessory parking is expected to be located on the second floor. Additional information on these proposed uses is provided in the "Development Scenario" section below.

Until May 2007, the project site was occupied by a Verizon automotive service/vehicle storage facility and now is vacant. The applicant is proceeding with as-of-right demolition of site buildings and excavation during the second half of 2007. Construction of the proposed project would commence in 2008 following these site clearance activities, contingent upon approval of the proposed discretionary actions. The project would be constructed in a single phase over a 3-year period. As is the case with developments of this size, it is possible that temporary certificate(s) of occupancy could be issued for some sections of the building slightly prior to the issuance of the certificate of occupancy for the entire building.

Reasonable Worst Case Development Scenario

As discussed below, the applicant's proposed program and design is considered the RWCDS Build Scenario for the purposes of environmental review of the proposed action. For analysis purposes it is assumed that the development would include 180 DUs for low-income households.

Although the proposed zoning also would permit a new development with a maximum commercial FAR of 6.0, this scenario will not analyzed under the RWCDS Build Scenario in the EIS as it is considered unlikely to occur as a result of the proposed action. The applicant is committed to developing the proposed project described above and will enter into a restrictive declaration that would bind it to the General Large-Scale Development Special Permit. Similarly, the automobile dealership is part of the likely development scenario as opposed to additional residential use as the applicant is seeking the proposed text amendment related to it.

As for building design, the proposed building as described above will be analyzed as the RWCDS Build Scenario design. The design's stepped scaling and symmetry mitigates against substantial alteration. The dimensions of the proposed building are defined by the terms of the proposed special permit and, as noted above, the applicant is willing to enter into a restrictive declaration binding it to the proposed design and program. Therefore, an analysis of the maximum sized building envelope, which under C6-3X would include a required streetwall and a maximum building height of 160 feet along narrow streets and 170 feet along wide streets, will not be provided for the proposed project.

Although the site could be developed as-of-right under the existing zoning with a maximum FAR of 5.0 for commercial or manufacturing uses or 6.5 for community facility uses, the analysis conservatively assumes that in the future without the proposed action there would be no new uses or buildings on the project site. This will serve as the baseline for comparing the effects of the future without and with the proposed action.

Nevertheless, as noted above, the applicant is conducting as-of-right demolition and excavation of the site and related to this will conduct sample borings and perform any necessary environmental remediation actions and follow requirements for special handling for disposal of demolished structures or excavated soil or debris. This work will occur as-of-right in the future with or without

the proposed action, however, as the proposed project requires environmental review, the applicant will consult DEP regarding these activities (refer to "Hazardous Materials").

II. PURPOSE AND NEED

For many years, Verizon and its predecessors operated an automotive service/vehicle storage facility (Use Group 16) on the project site. However, Verizon is consolidating its operations at other locations and in May 2007 vacated the site, which it sold to the applicant in 2006. The proposed action is intended to provide opportunities for new residential and commercial development on a site which has become vacant and is located in an area that has been undergoing substantial commercial and residential redevelopment in the last several years, including both new market rate and affordable housing units.

The decline of the New York City industrial sector during the past three decades left many properties in this part of Manhattan vacant or underutilized. While the industrial sector has declined, residential demand has increased substantially and is reflected in increasing housing prices, sales volumes, and scarcity of available housing even as new units are added to the City's housing inventory. Given forecasts of continued long term population increases in the City, it is likely that demand for additional housing at various income levels will continue. In addition, with the increased residential development in the area as well as the proposed residential development on the project site, there is a need for residential-oriented neighborhood retail and services. At the same time, the immediate surrounding area contains a number of automobile dealerships and there continues to be demand for such space in the area.

Accordingly, the proposed project, with its mix of market rate and affordable housing units, automobile dealership, and food market uses, would help to address the need for these types of development in the local area and City as a whole. Also, the NYPD Mounted Unit requires a new facility as one of its existing facilities on Pier 76 will be converted to a new use as part of the ongoing development of Hudson River Park.

The proposed CPC special permit, pursuant to a General Large-Scale Development, is needed to provide a better site plan and a better relationship among the proposed development, adjacent streets, surrounding development, and adjacent open areas (particularly De Witt Clinton Park), than would be possible without such distribution and would thus benefit the occupants of the action-generated development, the neighborhood, and the City as a whole. The applicant believes the proposed design would be more appealing than a project developed pursuant to standard C6-3X regulations.

This design takes maximum advantage of this large through block site, moving much of the bulk of the building to the middle of the site allowing maximum light and air to the surrounding side street properties. The design also provides an appropriate scaled streetwall facing DeWitt Clinton Park and places the tallest building elements adjacent to the 457-foot high blank AT&T tower facade. The mid-block diagonal portion of the building provides ample distance from the 39-story residential building across W. 54th Street and the proposed 16-story residential building across W. 53rd Street. Whereas a streetwall building would provide only 60 feet of separation from the neighboring residential buildings on W. 54th Street and W. 53rd Street, the proposed design provides up to 170

feet on W. 54th Street and up to 160 feet on W. 53rd Street. This distribution of the floor area and location of open areas more accurately responds to the park, adjoining residential buildings and intrusive commercial tower than is possible by strictly adhering to the district regulations. The majority of the bulk has been placed adjacent to the windowless 457-foot tall AT&T tower masking it, to a great extent, from De Witt Clinton Park and providing more architecturally sensitive expression. The two story base provides an appropriate streetwall on the side streets and allows the light and air that the diagonal arrangement of the residential building above creates to reach the street.

III. DEVELOPMENT SCENARIO

Future No-Action Conditions (No-Build Scenario)

As noted above, Verizon has recently vacated the site and it is currently vacant and available for redevelopment. To facilitate future reuse of the project site, the applicant is proceeding with as-of-right demolition of site buildings and excavation during the second half of 2007.

Under as-of-right conditions with the site's existing M1-5 (Special Clinton District) zoning, light manufacturing and most commercial uses are as-of-right with a maximum permitted FAR of 5.0 and certain community facility uses are as-of-right with a maximum permitted FAR of 6.5. Although the site could be redeveloped with such uses, the analysis conservatively assumes that in the future without the proposed action the project site would remain vacant. This will serve as the baseline for comparing the effects of the future without and with the proposed action. Refer to Figure A-1, the No-Build Site Plan.

Future With-Action Conditions (Build Scenario)

Program

The proposed action is expected to result in the proposed development by the applicant. As noted above, the program for this development includes: approximately 900 DUs, of which approximately 180, 20 percent of the total, would be affordable housing units; approximately 16,000 gsf of retail, expected to be a food market; approximately 236,000 gsf of automobile sales, preparations, and repair space, including 66,000 gsf of above-grade showroom space and 170,000 gsf of below-grade vehicle storage space; 31,000 gsf of health club space, including a swimming pool; 28,000 gsf of NYPD Mounted Unit facility, including stables, offices, and related space; and up to 225 accessory parking spaces. This program is considered the Build Scenario for the proposed action as it represents a scale of density and scope of height and bulk that is comparable to a generic development scenario. The Build Scenario program is summarized in Table A-4. Information on the location of these proposed uses is provided below under RWCDS.

Reasonable Worst Case Development Scenario (RWCDS)

With the implementation of the Build Scenario occurring as a result of the proposed action, the No-Build Scenario projected to occur in the future without the proposed action would not occur. As the

analysis assumes that the project site would remain vacant in the 2011 future without the proposed action, the proposed project will serve as the RWCDS. Using the future without the proposed action as a baseline, the analysis identifies the environmental effects of the proposed project for the purposes of making determinations of project impacts.

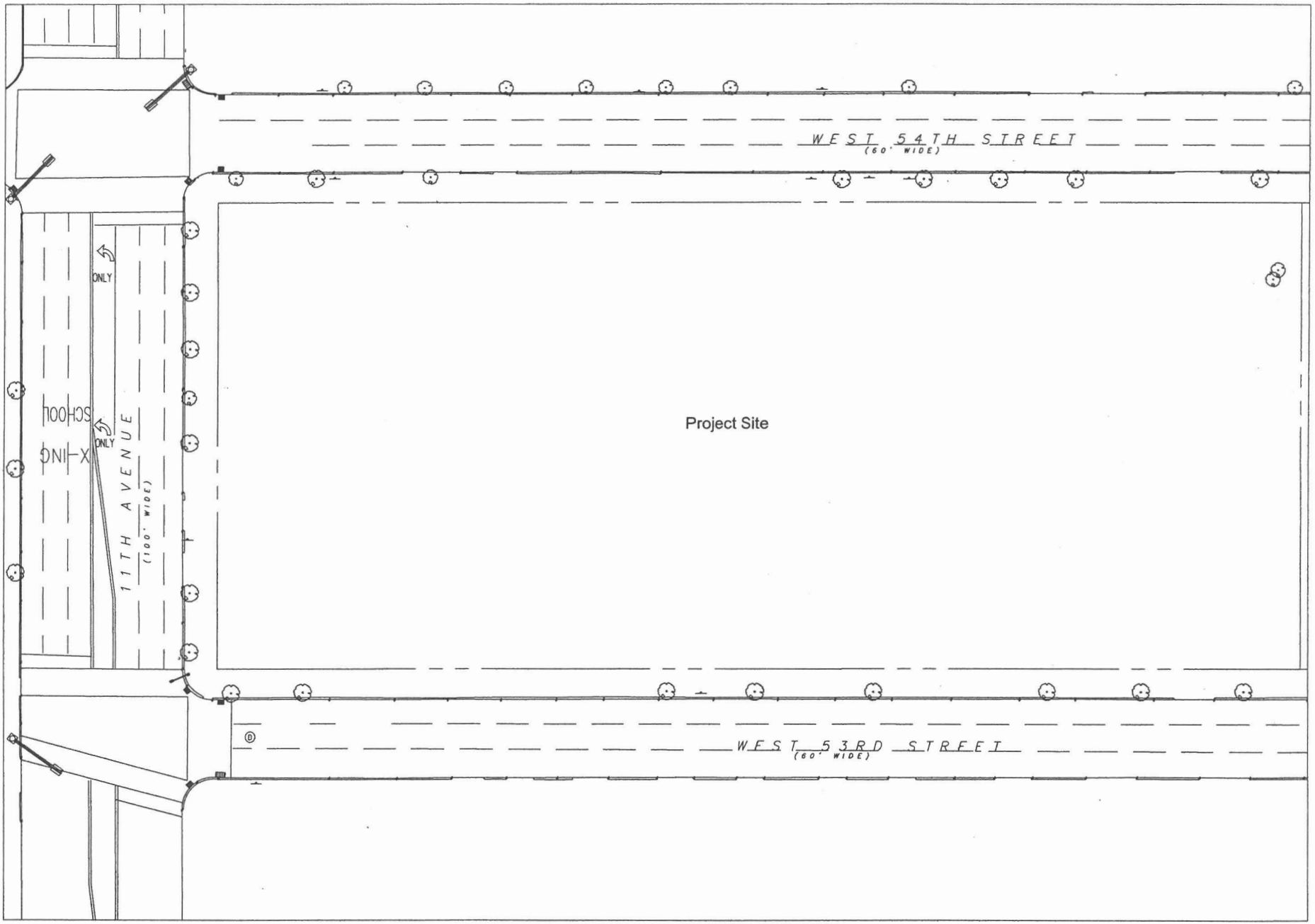
Table A-4, Reasonable Worst Case Development Scenario/Proposed Project (1)

TYPE OF USE	EXISTING	NO-BUILD SCENARIO	BUILD SCENARIO
Residential,			
Market Rate DUs	-	-	720
Affordable Housing DUs	-	-	180
Total Residential DUs	-	-	900
Residential Area (zsf)	-	-	726,494
Retail (gsf) (2)	-	-	16,000
Automobile Dealership			
Above-grade Showroom Space (gsf)	-	-	66,000
Below-grade Storage Space (gsf)	-	-	170,000
Total Automobile Dealership (gsf)	-	-	236,000
Health Club (gsf)	-	-	31,000
NYPD Mounted Unit Stable Facility (gsf)	-	-	28,000
Accessory Parking Spaces (3)	-	-	225

(1) Note: Program numbers are approximate, refer to text for details.
(2) The Build Scenario Retail Space includes approximately 16,000 gsf of local retail, intended to be a food market.
(3) The maximum permitted as-of-right accessory parking spaces would be provided. The number shown is indicative and would not be exceeded.

For analysis purposes, it is assumed that the 720 market rate DUs would have an average household size of 1.64, which is the average size for Manhattan Community District 4. This would result in approximately 1,181 residents of the market rate units. For the 180 affordable housing DUs, an average household size of 2.50 is assumed, a rate previously used in the *No. 7 Subway Extension - Hudson Yards Rezoning and Development Program FGEIS* (2004, CEQR #03DCP031M) and *Special West Chelsea District Rezoning and High Line Open Space FEIS* (2005, CEQR #03DCP069M). This would result in approximately 450 low-moderate income residents. In total, the proposed development would have approximately 1,631 residents.

In terms of building height, the maximum building height (including mechanical space at the top) for the proposed project would be approximately 340 feet under Build conditions. However, at the western edge of the site along Eleventh Avenue, the height of the building would be a maximum of approximately 120 feet, as the proposed project would concentrate building height and bulk toward the eastern end of the project site. Refer to Figure A-2, Build Site Plan; Figure A-3a, Annotated W. 53rd Street Section; Figure 3-b, Annotated W. 54th Street Section; Figure A-4, Ground Floor Plan;



770 Eleventh Avenue Mixed-use Development Rezoning EAS

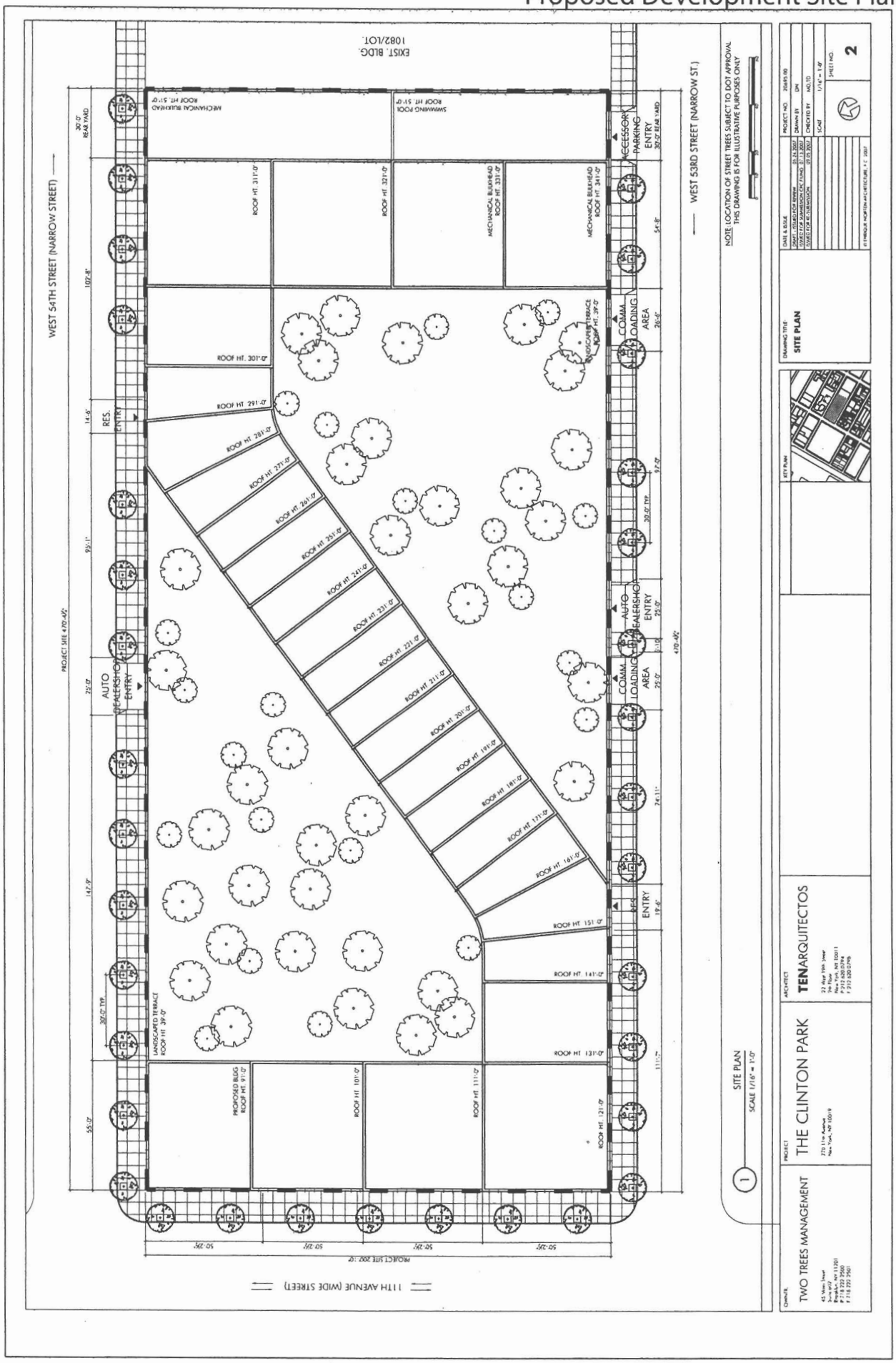
Figure A-1

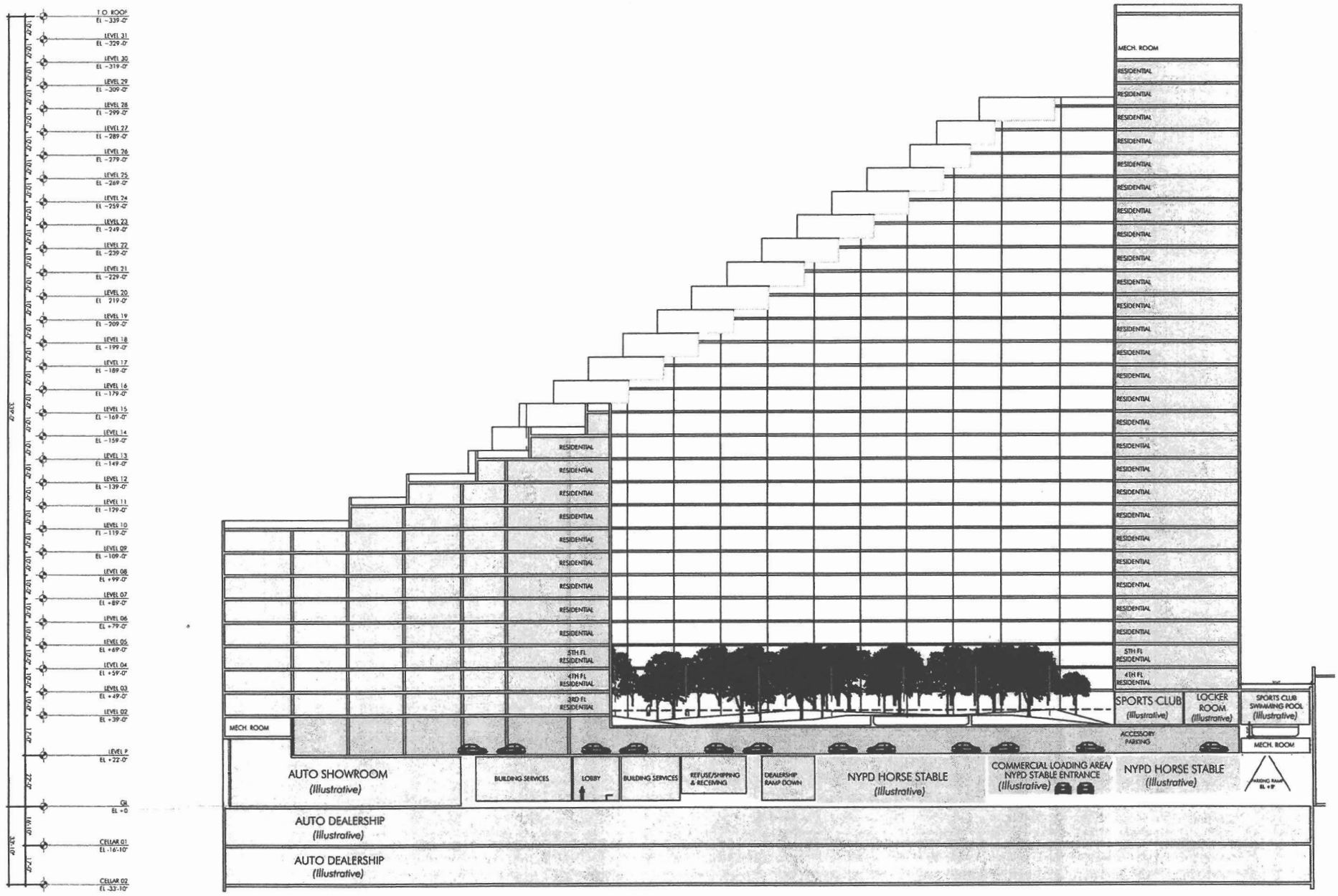
Project Site No Action Conditions

770 Eleventh Avenue Mixed-Use Development Rezoning

Figure A-2

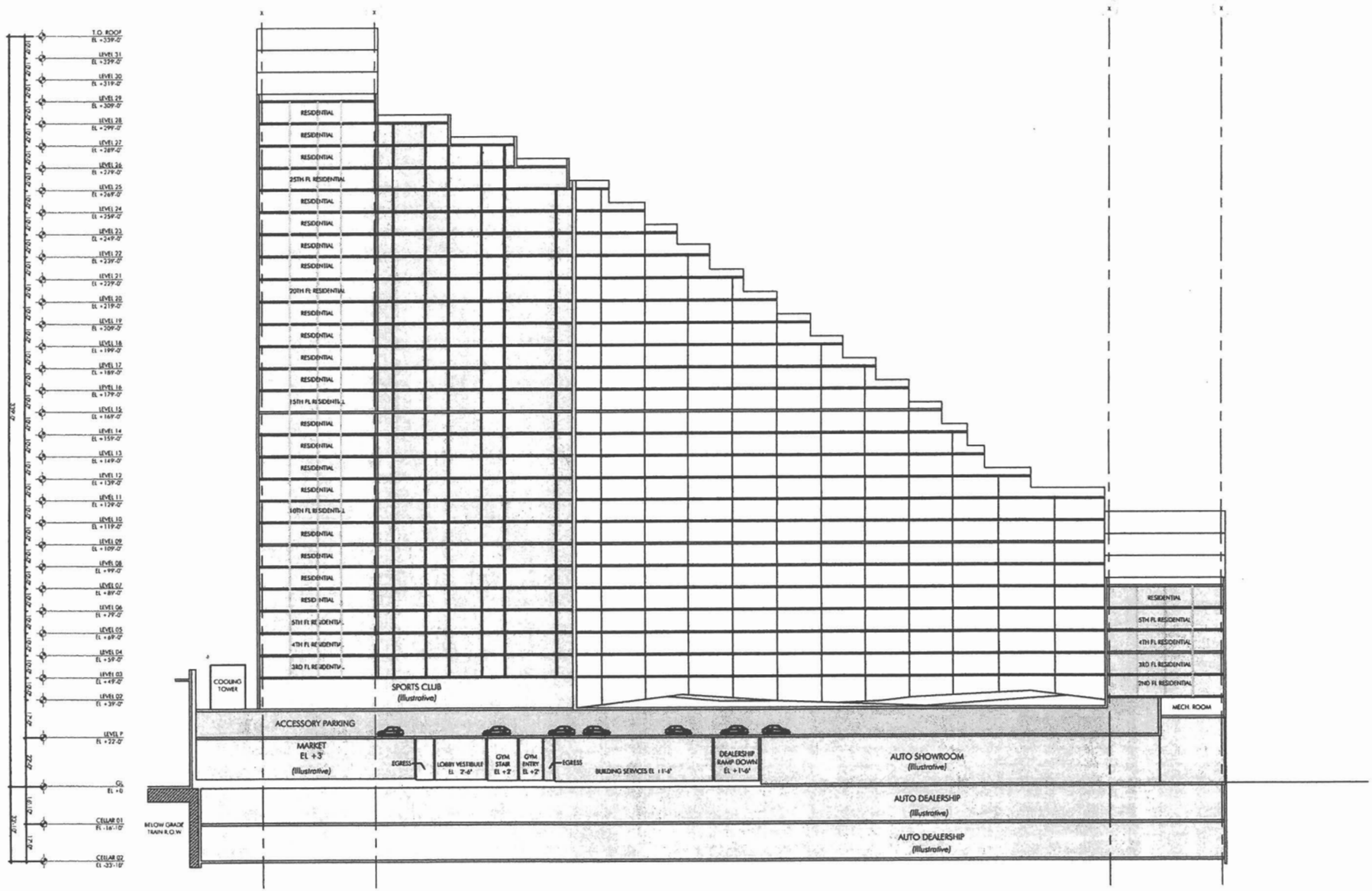
Proposed Development Site Plan





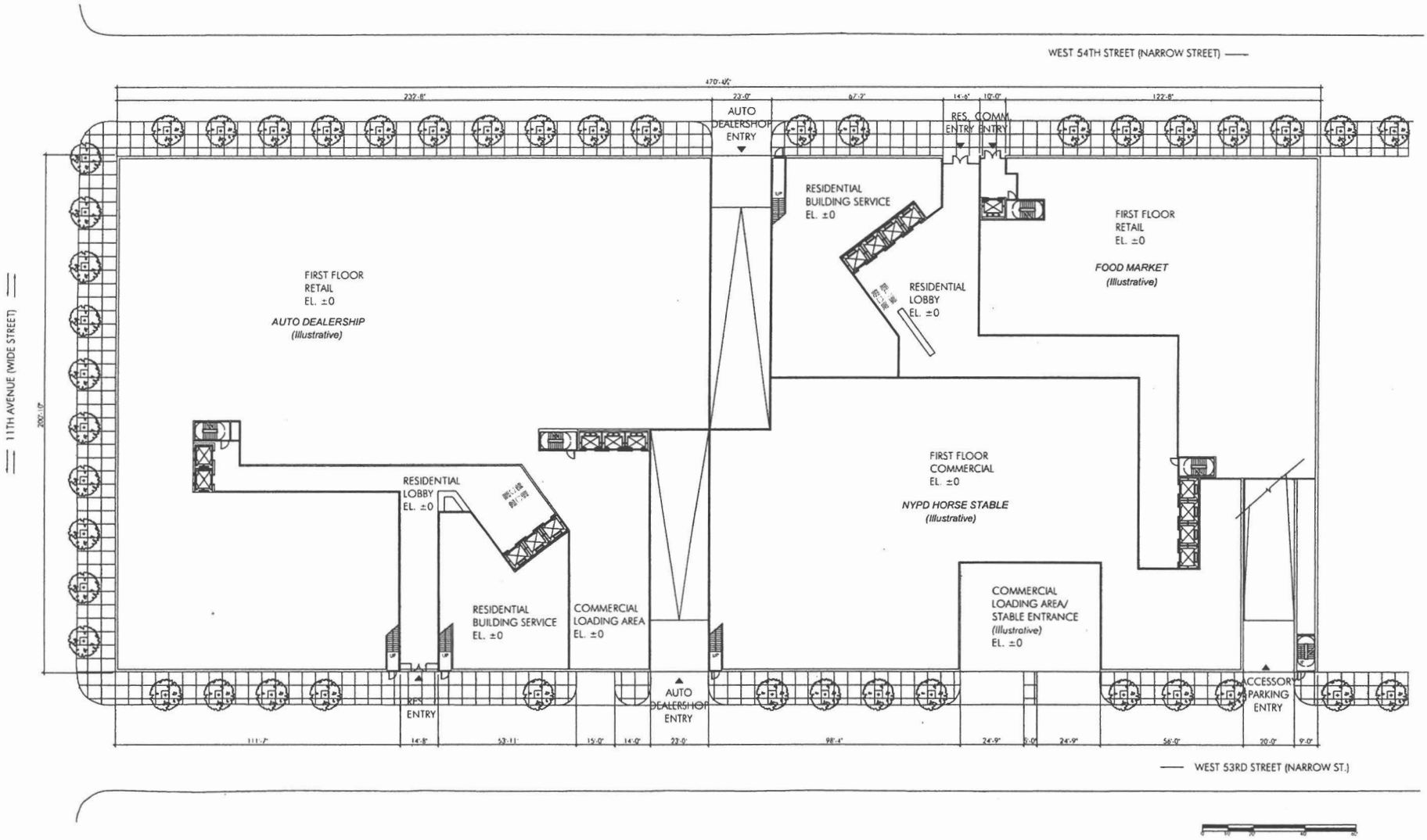
770 Eleventh Avenue Mixed-use Development Rezoning EAS

Figure A-3a
Proposed Project Annotated Building W. 53rd Street Section



770 Eleventh Avenue Mixed-use Development Rezoning EAS

Figure A-3b
Proposed Project Annotated Building W. 54th Street Section



770 Eleventh Avenue Mixed-use Development Rezoning EAS

Figure A-4
Proposed Ground Floor Plan

Figures A-5a and A-5b, Floor Plans; Figure A-6, Illustrative Park View; and Figure A-7, Illustrative W. 54th Street View.

As shown in these figures, the proposed residential units would be located on the third through thirtieth floors and would be accessed from midblock lobbies on both W. 53rd and W. 54th streets. The proposed automobile dealership would be located on the ground floor, mezzanine above it, and two below-grade cellar levels. Occupying the western portion of the ground level this use would have frontage along W. 54th Street, Eleventh Avenue, and W. 53rd Street and would be accessed via midblock driveways located on W. 53rd and W. 54th Streets. It also would be served by a midblock loading dock located on W. 53rd Street. The food market would be located at the northeastern portion of the site on the ground floor and a mezzanine above it and would be accessed from a midblock lobby on W. 54th Street; the NYPD Mounted Unit facility would be located near the southeastern corner of the site on the ground floor and would be accessed via an entrance and loading area on W. 53rd Street. The accessory parking garage would be located on the second floor and would be accessed via a driveway/ramp located near the southeastern corner of the site on W. 53rd Street.

IV. TECHNICAL ANALYSES

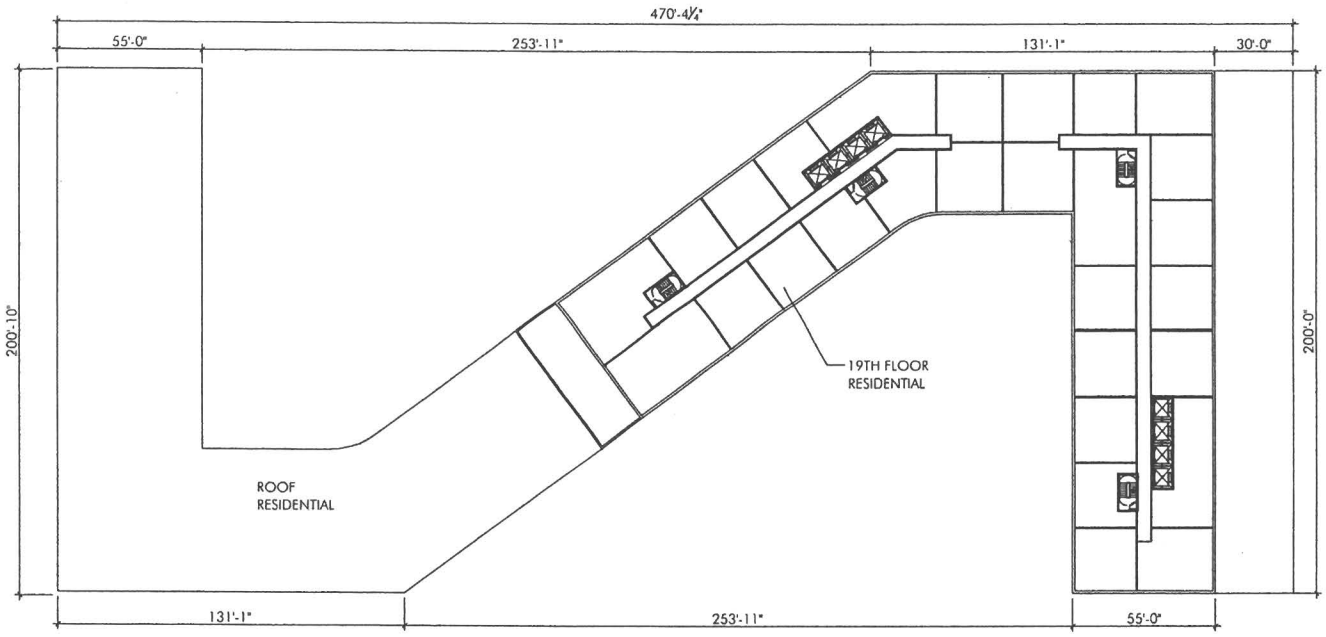
For each technical area, the *CEQR Manual* defines thresholds which, if met or exceeded require that a detailed technical analysis be undertaken. Preliminary screening analyses were conducted for the proposed project using the guidelines presented in the *CEQR Technical Manual*, to determine whether detailed analysis of a give technical area is appropriate. These analyses are provided below and identify which areas require more detailed analysis that will be provided in the Environmental Impact Statement (EIS).

A. LAND USE, ZONING, & PUBLIC POLICY

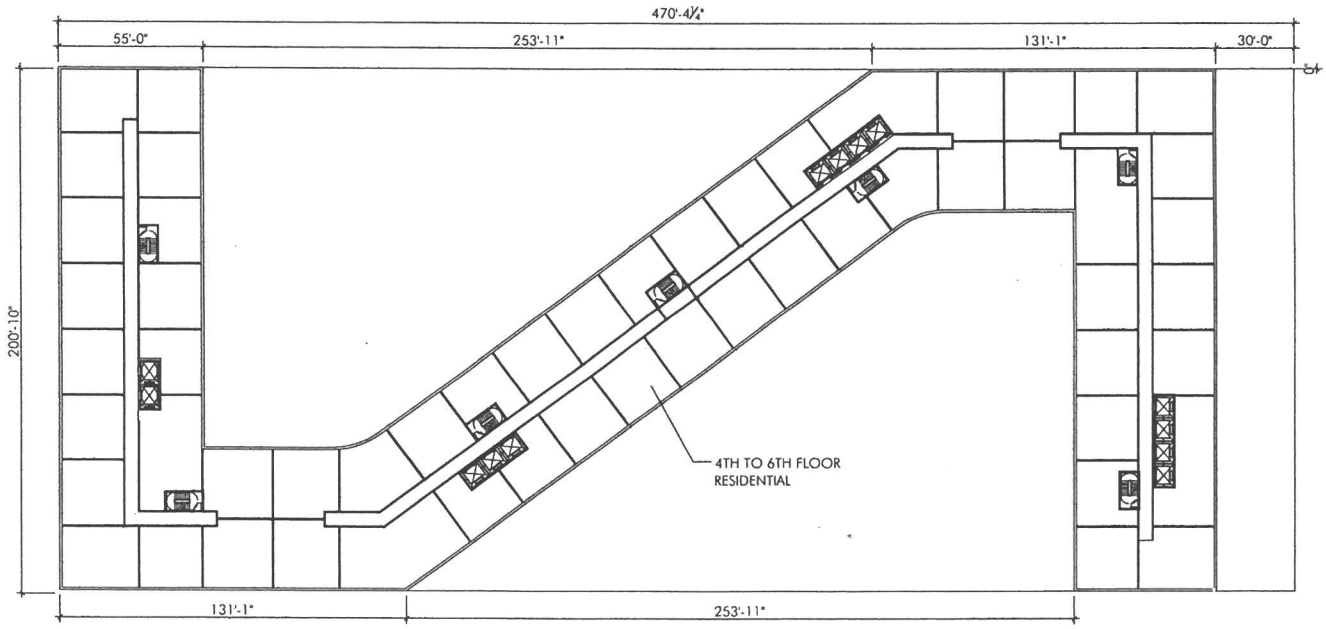
According to the *CEQR Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would be expected to result in a significant change in land use. In addition, a land use analysis characterizes the uses and development trends in the area that may be affected 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 with or to affect land use, zoning, or public policy, a description of these issues is usually appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use and zoning is appropriate if the proposed action would result in a significant change in land use or would substantially affect regulations or policies governing land use.

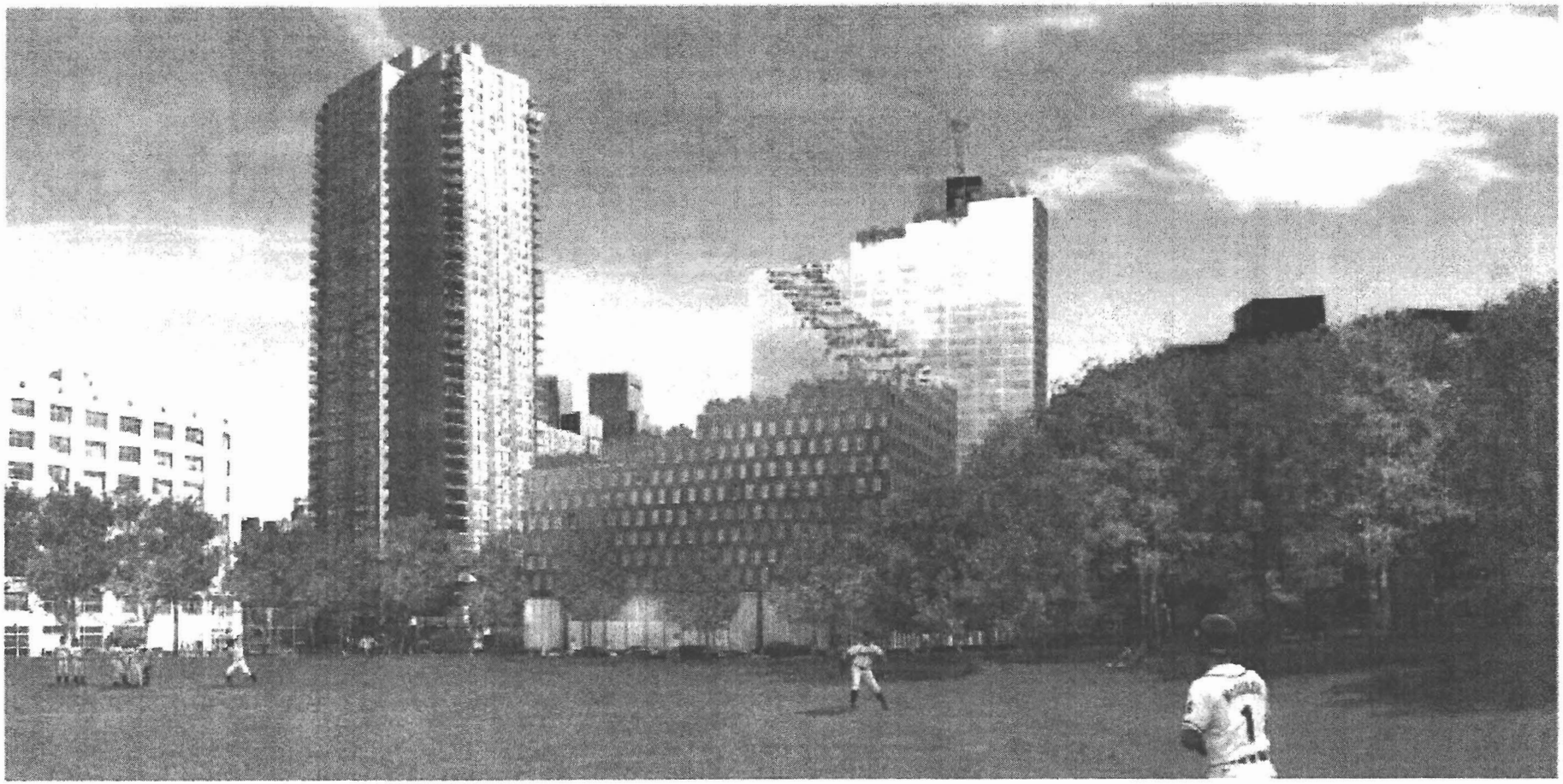
The proposed project would result in the redevelopment of the 94,463 sf project site in Manhattan Community District 4. The project site is owned by the applicant, which acquired it from Verizon in 2006. Until May 2007 it was occupied by a Verizon automotive service/vehicle storage facility (Use Group 16) but now is unoccupied. Prior to ongoing as-of-right demolition, the site included two buildings with a total of approximately 35,000 gsf and unenclosed storage area.

19th FLOOR



32nd FLOOR

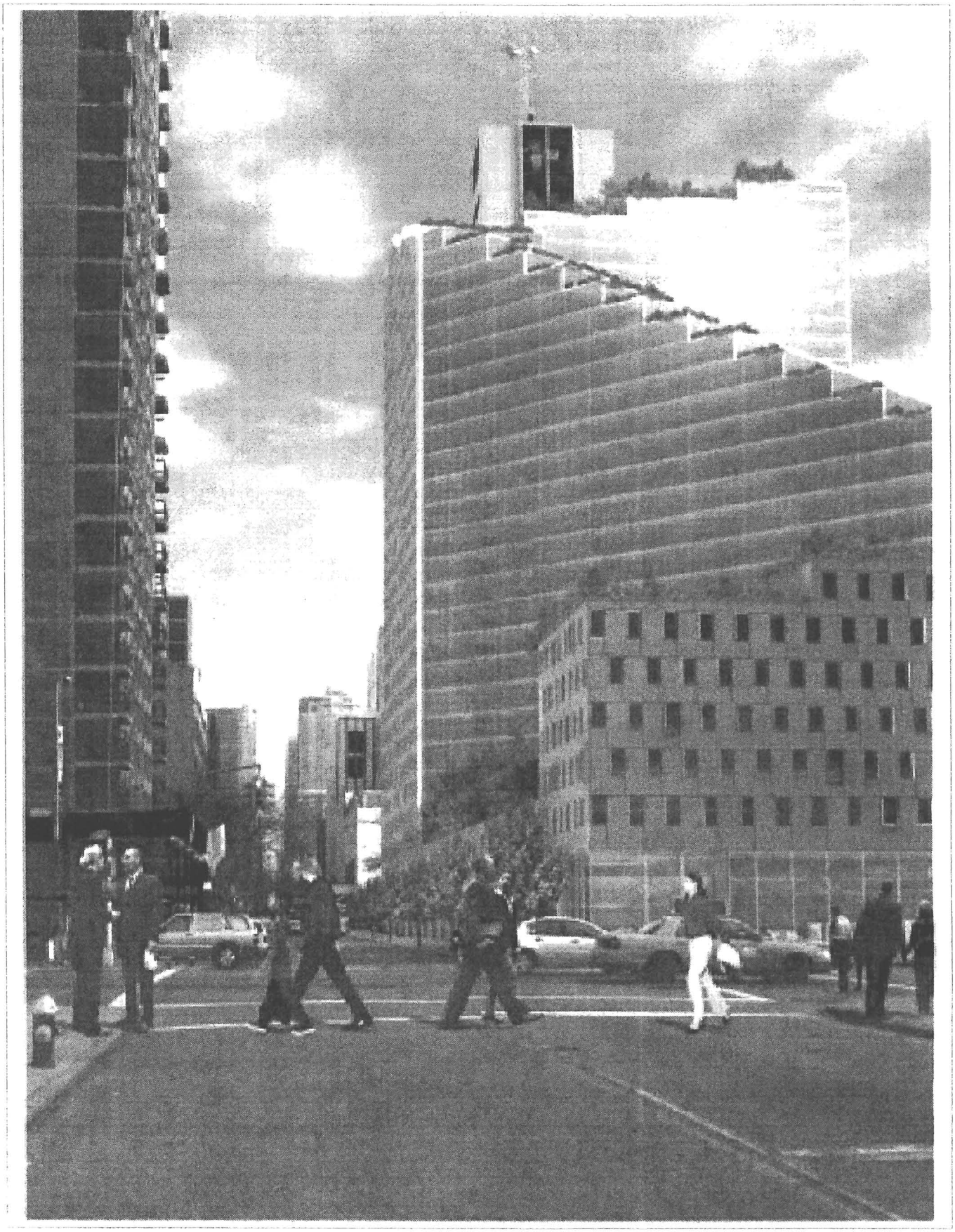




1 PARK VIEW

View from DeWitt Clinton Park towards Proposed Project

Figure A-6
Illustrative Park View



View facing east from intersection of Eleventh Avenue and W. 54th Street towards Proposed Project

Figure A-7
Illustrative W. 54th Street View

activities within the neighborhood; an adverse effect on conditions in the real estate market in the area; or an adverse effect on socioeconomic conditions in a specific industry. According to the *CEQR Technical Manual*, a residential development of 200 units or less, or a commercial development of 200,000 sf or less would typically not result in socioeconomic impacts, unless it generates socioeconomic conditions that are very different from prevailing conditions.

Under CEQR, the principal issues of concern with respect to socioeconomic conditions are: direct (or primary) residential displacement; direct (or primary) business or institutional displacement; indirect (or secondary) residential displacement; indirect (or secondary) business and institutional displacement; and effects on specific industries.

Direct Residential Displacement

There are no residential units located on the project site. The proposed action would not directly displace any residential dwelling units on the project site, and therefore would not result in significant adverse impacts related to direct residential displacement.

Direct Business/Institutional Displacement

The site is currently vacant and for analysis purposes it is assumed to remain vacant in the future without the proposed action. Accordingly, the proposed action would not directly displace any businesses or institutions and therefore would not result in significant adverse impacts related to direct business/institutional displacement.

Indirect Residential and Business Displacement

The proposed action would introduce approximately 900 DUs, with approximately 720 (80 percent) market rate units and 180 (20 percent) affordable housing units. All of these are expected to be rental units. This exceeds the CEQR threshold of 200 residential units and a preliminary assessment of socioeconomic impacts from potential indirect residential displacement is warranted for the proposed action. Under Build conditions there would be approximately 283,000 gsf of commercial space on the project site. As this exceeds the CEQR threshold of 200,000 sf of commercial development, a detailed assessment of potential significant adverse socioeconomic impacts from indirect business displacement may be warranted. Accordingly, as discussed in the draft Scope of Work for an EIS (Task 3), a preliminary assessment of the potential for indirect residential and business displacement will be provided in the EIS to the extent warranted to make a determination as to effects.

Effects on Specific Industries

No concentration of specific industries exists on the project site. However, specific industries in the area surrounding the site may potentially be affected by the proposed action. This includes automobile dealership and service establishments, as there is a concentration of such businesses in the surrounding Clinton area. A detailed assessment of whether automobile dealerships or other industries would be specifically affected by the proposed action is warranted and will be provided in the EIS, as also discussed in the draft Scope of Work for an EIS.

C. COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by the proposed project. New residential developments tend to affect facilities, such as public schools, day care centers, libraries, and hospitals. According to the *CEQR Technical Manual*, a detailed community facility analysis is conducted when a project would have a direct or indirect effect on a community facility.

Direct effects occur if a project would "physically alter a community facility, whether by displacement or other physical change." Analysis of police and fire facilities is typically conducted only when a direct impact is expected. Indirect effects occur if a project would add population to an area which may potentially affect service delivery. An analysis of public schools would be required if a project would introduce more than 50 elementary and/or intermediate school students or 150 high school students. An analysis of libraries would be undertaken if a project would result in more than a five percent increase in the ratio of residential units to libraries in the borough. An analysis of health care facilities is undertaken with projects of more than 600 low-to moderate-income housing units, and an analysis of day care centers is necessary when a project would introduce more than 50 eligible children.

Public Education Facilities

Guidelines established in the *CEQR Technical Manual* were used to determine the number of school age children expected to be introduced by the new project. The guidelines, which are outlined in Table 3C-2 of the manual, are based on the number of new residential units, the targeted income of prospective residents, and the borough. The proposed action is expected to introduce up to approximately 900 DUs, including 720 market rate units and 180 affordable housing units for low-moderate income households.

Based on ratios provided in the *CEQR Technical Manual*, the project would generate a maximum of approximately 116 new elementary and intermediate school students and 31 new high school students. As such, the proposed project would exceed the 50 elementary/intermediate school student threshold in the *CEQR Technical Manual*, and a detailed analysis is required to determine potential indirect impacts on public elementary and intermediate schools in the study area.

Public Libraries

The *CEQR Technical Manual* states that if a proposed action would represent a 5 percent or greater increase over the average dwelling units per library branch in the borough where it is located a potential for significant adverse impacts on libraries exists and therefore a detailed assessment is necessary. According to Table 3C-4 of the *CEQR Technical Manual*, with 18,015 housing units per branch in Manhattan, the applicable screening threshold for the proposed action is 901 housing units. With 900 proposed DUs, the proposed action would increase the number of housing units served by the library by approximately 5 percent. Therefore, the proposed project would meet the CEQR threshold for detailed analysis and the EIS would provide such an analysis.

Health Care Facilities

According to the *CEQR Technical Manual*, a detailed analysis of health care facilities is required for large projects introducing a sizable number of new low-or moderate-income residents who may rely

on nearby emergency and/or other outpatient clinic services. An assessment of health care facilities is typically conducted if the proposed action would generate more than 600 low-to moderate-income units. The proposed action would introduce approximately 180 affordable housing DUs for low-moderate income households. As such, the project would not meet the threshold for analysis of health care facilities and a significant adverse impact to public day care centers is not expected to occur.

Health care facilities within the vicinity of the project site include St. Luke's Roosevelt Hospital Center Roosevelt Division, at 1000 Tenth Avenue. Emergency response is provided throughout New York City by the Emergency Medical Services (EMS) Division of the Fire Department of New York.

Public Day Care Centers

The *CEQR Technical Manual* states that if a proposed action generates 50 or more children eligible for public day care, a more detailed analysis of impacts is usually necessary. According to Table 3C-4 of the *CEQR Technical Manual*, in Manhattan a proposed project with 357 or more low-income housing units could yield 50 or more eligible children for public day care. In addition to approximately 720 market rate units, the proposed action would generate approximately 180 affordable housing units designated for low-income households. As such, the proposed project, which is not expected to generate 50 or more children eligible for public day care, would not meet the thresholds for analysis of day care centers, and significant adverse impacts to public day care services are not expected to occur.

Police and Fire Protection

Police protection for this area is provided by the NYPD Midtown North Precinct, with a station house at 306 W. 54th Street. The closest fire protection facilities to the project site include Engine Company 40/Ladder Company 35, at 131 Amsterdam Avenue; Engine Company 34/Ladder Company 21, at 440 W. 38th Street; and Rescue Company 1, at 530 W. 43rd Street. There is an Emergency Medical Services facility, EMS Battalion 9, at 625 Eighth Avenue.

According to the *CEQR Technical Manual*, a detailed assessment of the project impacts on police or fire service delivery is conducted only if a proposed action would affect the physical operations of, or access to and from, a station house. The proposed action would not result in any physical changes to any existing police or fire stations and therefore, a detailed analysis of police and fire protection services is not warranted.

The proposed action would include a public facility for an NYPD Mounted Unit, including stable for the unit's horses, offices, and other space for the unit's officers. This would provide a modern, purpose-designed facility. No significant adverse impacts on community facilities would occur as a result of the provision of this public facility.

Summary

The draft Scope of Work (Task 4) provides a description of the tasks required for the detailed analyses of elementary and middle schools and libraries to be presented in the EIS. Detailed analyses of other types of community facilities are screened out from further analysis and no significant adverse impacts are expected.

D. OPEN SPACE

The *CEQR Technical Manual* defines open space as publicly or privately owned land that is publicly accessible and designated for leisure, play or sport, or land set aside for the protection and/or enhancement of the natural environment. An open space analysis is conducted to determine whether or not an action would have a direct impact resulting from the elimination or alteration of open space, or an indirect impact resulting from the overtaxing of available open space. A direct impact would "physically change, diminish or eliminate an open space or reduce its utilization or aesthetic value." An indirect effect may occur when the population generated by the proposed action would be sufficient to noticeably diminish the ability of an area's open space to serve the existing or future population. According to the guidelines established in the *CEQR Technical Manual,* a project that would add fewer than 200 residents or 500 employees, or a similar substantial number of other users to an area, is typically not considered to have indirect effects on open space.

The project site does not currently contain any public open space. Therefore, the proposed project would not cause the physical loss of public open space, would not change the use of any open space so that it no longer serves the same user population, and would not limit public access to any open space. Therefore, an assessment of the potential for the project to directly affect open spaces is not warranted.

There are several open spaces within the surrounding area, including De Witt Clinton Park, located directly across Eleventh Avenue from the project site. There are a number of other nearby open spaces including, among others, Hudson River Park, May Matthews Playground, Hells Kitchen Park, and Damrosch Park.

The proposed project would bring more than 200 new residents to the area, but is not expected to generate a net increase of 500 or more employees.

Pursuant to the open space thresholds identified in the *CEQR Technical Manual*, an assessment of the proposed action's potential to affect open space and recreational facilities is required. The proposed action would result in approximately 1,631 new residents thereby requiring further assessment based on the *CEQR Technical Manual*'s city-wide median of 1.5 acres of parkland per 1,000 residents, and DCP's goal of 2.5 acres per 1,000 sf for large-scale plans and proposals (2.0 for active and 0.5 for passive). A detailed analysis of open space will be presented in the EIS, as described in the draft Scope of Work (Task 5).

In addition, as the proposed project would result in a new structure across the street from a park, an assessment of the shadow effects on the open space facility is required under CEQR. Refer to "Shadows" below.

E. SHADOWS

The *CEQR Technical Manual* notes that a shadow assessment should be undertaken for actions that result in new shadows long enough to reach a publicly accessible open space (except within an hour and a half of sunrise or sunset), historic landscape or other historic resources (if the features that

make the resource significant depend on sunlight), or important natural features where the shadow adversely affects its use or vegetation. Shadow assessments are typically prepared for actions resulting in structures 50 feet high or taller, and for shorter structures adjacent to important features such as parks, historic resources, or important natural features.

The proposed project includes a new complex that would rise to a maximum height of 32 stories. Although the tallest portion of the development would be located at the eastern end of the site, the project includes new multi-story development along Eleventh Avenue across the street from the 5.83-acre De Witt Clinton Park. As this and possibly other potentially sunlight-sensitive resources may be affected by incremental shadows impacts generated by the proposed project, a detailed assessment will be provided in the EIS to determine whether the proposed project would result in significant adverse shadow impacts. Refer to the draft Scope of Work (Task 6) for details.

F. HISTORIC RESOURCES

An assessment of historic resources is usually needed for projects that are located adjacent to historic or landmark structures, or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated. The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated New York City Landmarks (NYCL); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for listing on the S/NR; National Historic Landmarks (NHL); and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

Historic resources include both architectural and archaeological resources. Actions that could affect archaeological resources and that typically require assessments are those that involve above ground construction resulting in ground disturbance or below ground construction, such as excavation. Actions that trigger an architectural resources assessment include new construction, demolition, or significant alteration to any building, structure, or object or landscape feature; construction, including but not limited to, excavation, vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting of significant historic landscape features; screening or elimination of publicly accessible views; and the introduction of significant new shadows or significant lengthening of the duration of existing shadows over an historic landscape or on an historic structure with sunlight dependent features.

Historic Background

The project site is located in the Clinton neighborhood of Manhattan which following Native American occupation was settled in colonial times with farms and then in the nineteenth century was developed with warehouses, rail lines, factories, and tenements. In addition, construction of Hudson River Piers in Clinton occurred over the course of the nineteenth and twentieth centuries, including freight shipping and passenger ships. It was during this period that the area, inhabited by successive

waves of immigrants, became known as Hell's Kitchen. As in other parts of the city, the economic and land use character of the neighborhood changed in the post-World War II period as industrial uses and shipping declined, although the passenger ship terminals at Piers 88 through 92 continue to operate into the present day.

The local community was renamed Clinton in 1959, in an effort to distance the neighborhood from the perceived negative connotations of its earlier moniker. The name also referenced the neighborhood's De Witt Clinton Park (located west of the project site), named in honor of a famed mayor and governor of New York in the early nineteenth century whose family had a farm in the area prior to its urbanization. In an effort to redevelop the area surrounding the project site with a more residential character, in 1969 the City established the Clinton Urban Renewal Area encompassing the area bounded by W. 56th Street, Tenth Avenue, W. 50th Street, and Eleventh Avenue. A few years later in the 1970s, the City adopted the Special Clinton District, a special purpose zoning district, to regulate development within the neighborhood. In recent years, a number of new residential and mixed-use developments have been developed in this area of Clinton.

For the project site in particular, historic maps and certificates of occupancy indicate that from at least as early as the 1880s and continuing well into the twentieth century, land use on what is today the project site was divided into two distinct sections. The eastern portion of the project site, as well as the remainder of Block 1082 to the east, was occupied by a railroad-related facility. Over the years, this facility was identified as being associated successively with the Central Park, North, and East River Railroad Company; the Metropolitan Street Railway Company; and the Third Avenue Railway Company. During this same period small one to five story buildings, including some tenements, occupied the western portion of the project site.

To the east of the project site, on a portion of the property previously occupied by railroad uses, the AT&T Switching Center building was constructed in 1964. The 1974 Sanborn Map indicates that by that year, the project site was occupied by a mixture of garage buildings and open storage areas similar to what exists there in spring 2007.

Architectural Resources

There are no historic resources listed on the National or State Registers of Historic Places, designated as NYC Landmarks, or calendared for such designations on the project site or within a 400-foot radius.

The EIS will provide an analysis determining the potential for the proposed action to affect historic architectural resources in the vicinity of the project site.

Archaeological Resources

NYC Landmarks Preservation Commission has determined that the project site is not archaeologically sensitive (refer to Appendix B). Therefore, the proposed action does not have the potential to affect any archaeological resources.

EIS

The EIS will provide a historic resources analysis in sufficient detail to make a determination as to the proposed project's potential to result in significant adverse impacts. Basic historic information on the project site and surrounding area will be provided for informational purposes. Refer to the draft Scope of Work (Task 7) for details.

G. URBAN DESIGN/VISUAL RESOURCES

An analysis of urban design and visual resources is appropriate if a proposed project would a) result in buildings that have substantially different height, bulk, form, setbacks, size, scale, use, or arrangement than exists in an area; b) change block form, demap an active street, or map a new street, or affect the street hierarchy, street wall, curb cuts, pedestrian activity, or streetscape elements; or c) would result in above ground development in an area that includes significant visual resources.

The proposed project would substantially alter the appearance of the project site by creating a distinctive new building rising to a height of 32 stories, with residential towers rising above a mixed-use base. This building would differ considerably from a vacant lot that would be on the site under the No-Build scenario. In addition, as this project would be developed across the street from a public park, its effects on visual resources must be assessed.

As the proposed project would result in a development substantially different from what exists on the site or would exist under future No-Build conditions and given the site's proximity to De Witt Clinton Park, the proposed project has the potential to result in significant adverse impacts on urban design and visual resources. Therefore, a discussion of the project's effect on urban design and visual resources is warranted and would be provided in the EIS. Refer to the draft Scope of Work (Task 8) for details.

H. NEIGHBORHOOD CHARACTER

Neighborhood character is defined by the *CEQR Technical Manual* as a combination of the elements that give a neighborhood a distinct "personality," including land use, urban design, visual and historic resources, socioeconomic conditions, traffic, and noise. The *CEQR Technical Manual* recommends a detailed assessment of neighborhood character if a proposed action could:

- Substantially change land use character;
- Result in substantially different block form, street pattern, or street hierarchy;
- Create substantial changes in the character of business; or
- Create substantial changes in the character of businesses.

The identification of significant adverse impacts in the areas of land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, or noise could also warrant a detailed analysis of neighborhood character.

By developing a currently unoccupied site with a major mixed-use development, the proposed project would represent a dramatic change to the land use, building bulk and scale on the project site, and thus would be expected to affect the character of the surrounding neighborhood. It would also result in an addition to the residential and worker populations in the area. As such, the proposed project has the potential to alter certain constituent elements of the affected area's neighborhood character, including land use patterns, socioeconomic conditions, traffic and noise levels, and urban design features. A detailed assessment will be presented in the EIS identifying whether the proposed action would result in significant impacts on neighborhood character. Refer to the draft Scope of Work (Task 9) for details.

I. NATURAL RESOURCES

As indicated in the *CEQR Technical Manual*, a natural resource is defined as plant and animal species and any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance. Such resources include surface and groundwater, wetlands, dunes and beaches, grasslands, woodlands and landscaped areas, gardens and built structures used by wildlife. Two conditions determine whether a significant adverse impact on a natural resource might occur, and therefore whether an assessment may be appropriate: the presence of a natural resource on or near the site of the action; and an action that involves direct or indirect disturbance of that resource.

The project site is improved and is located in a densely developed area of the City. It has been developed and redeveloped since the nineteenth century and is currently covered by buildings and paved surfaces. In addition, the right-of-way of Amtrak's below-grade Empire Line traverses the northeastern edge of the project site and is covered by a platform. The project site is entirely surrounded by urban development and roadways, including DeWitt Clinton Park, an urban park developed by the City in the early twentieth century located 100 feet from the project site across Eleventh Avenue. The park consists of walking paths, trees, ballfields, and other active and passive recreational facilities.

No significant impacts on natural resources in the area are expected, as the proposed project would not disrupt or eliminate any significant natural resource. The site does not include any of the following ecological resources: surface water bodies, wetlands, beaches, dunes, bluffs, thickets, significant grasslands, meadows, woodlands or forests. In addition, there are no such ecological resources immediately adjacent to the project site which could be affected by the proposed project. Therefore, the proposed actions do not have the potential to result in any significant adverse natural resource impacts, and a detailed assessment of natural resources is not warranted and will not be provided in the EIS.

J. HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semivolatile organic compounds, methane, polychlorinated biphenyls, and hazardous wastes (defined

as substances that are chemically reactive, ignitible, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials.

Phase I

A *Phase I Environmental Site Assessment (ESA) Report* was prepared for the project site in June 2006 by EnviroTrac Ltd. Based on the information gathered as a result of the Phase I ESA process, the following recognized environmental conditions, as defined by the American Society of Testing and Materials (ASTM), and areas of environmental concern were identified at that time:

* There were three underground storage tanks (USTs) on the project site.
* NYSDEC Spill Number 05-12738 was assigned to the site due to "leaking containers (and/or abandoned drums) in Verizon parking" on 3 February 2006. The spill remained open as of June 2006. The Phase I ESA recommended that NYSDEC be contacted to determine the status of the spill and what documentation is needed to submit a request for spill closure as there were no leaking drums present on the site at the time of the Phase I ESA walkthrough.
* A small patched area of concrete was observed in the floor in a garage area. Upon further investigation, it was found to be a vehicle service pit. A subsurface soil sample was collected from beneath the south basement concrete flooring adjacent to the base of the vehicle service pit structure. The soil sample was submitted to a New York State certified laboratory for analysis of volatile organic compounds (VOCs) and semivolatile organic compounds (SVOCs) Based on laboratory results, VOCs and SVOCs were not detected above the method detection limit of the laboratory. Based on this data, the Phase I ESA states that no further work is warranted for this recognized environmental condition.
* Asbestos containing materials (ACM) were noted on pipe insulation within the basement level. Based on the age of the building, lead based paint may be present. Additionally fluorescent light fixtures could have ballasts that contain polychlorinated biphenyls (PCB) dielectric fluid. An asbestos inspection and lead pain survey were beyond the scope of the Phase I ESA. The Phase I ESA states that prior to any repairs, replacement, or disturbance of these materials, sampling should be performed and the materials must be handled and disposed of properly according to federal and state laws.

Underground Storage Tank Removal

Subsequent to the completion of the Phase I, in June 2007 the USTs were removed from the site under the direction of Verizon, the previous site owner. EnviroTrac's *Underground Storage Tank Removal Report* documenting this work has been submitted to the New York State Department of Environmental Conservation.

Asbestos Removal

All asbestos containing materials were removed from the site in July 2007 under the supervision of Emteque Corporation. Emteque submitted an Asbestos Control Program report documenting this work to DEP.

Phase II *Health and Safety Plan and Subsurface Investigation Work Plan*

In May 2007, Emteque prepared a Phase II *Health and Safety Plan and Subsurface Investigation Work Plan* for the project site as a follow up to the *Phase I ESA*. It proposed soil sample borings to test for the presence of volatile organic compounds, semi-volatile organic compounds, metals, and pesticides.

DEP Consultation

The June 2006 *Phase I ESA* and the May 2007 *HASP and Subsurface Investigation Work Plan* were forwarded to NYC Department of City Planning by the applicant for review by NYC Department of Environmental Protection (DEP). In September 2007, DEP provided recommendations on the location and nature of test borings to be undertaken. Emteque, on behalf of the applicant, is acting to implement DEP's recommended test boring program. The results of these test borings will be provided to DEP. This work will occur concurrent with the applicant's as-of-right excavation of the site occurring from September 2007.

CEQR Review

The historical on- and off-site uses and conditions indicate the potential for significant adverse impacts related to hazardous materials, and warrant a detailed assessment of hazardous materials, as discussed in the draft Scope of Work. Refer to the draft Scope of Work (Task 10) for details.

K. WATERFRONT REVITALIZATION PROGRAM

The project site is not located within a Coastal Zone boundary as delineated in the Coastal Zone Boundary maps published by the New York City Department of City Planning. An assessment of the proposed actions' consistency with the City's Local Waterfront Revitalization Program (LWRP) is therefore not warranted and will not be provided in the EIS.

L. INFRASTRUCTURE

For CEQR, the City's infrastructure system comprises the physical systems supporting its population, including water supply, wastewater treatment, and stormwater management. Other infrastructure components are addressed separately under CEQR. Given the size of the City's water supply system, and the City's commitment to maintaining adequate water supply and pressures, only very large developments or actions that would generate an exceptionally large demand for water (e.g., more than 1 million gallons per day) would warrant a detailed water supply assessment. Similarly, only actions with unusually large flows could have potential impacts on wastewater treatment. The proposed project would involve the development of an approximately 1.1 million gsf mixed-use development, which could place additional demands on infrastructure due to increased demand for services and the additional volume of sewage produced.

The *CEQR Technical Manual* states that a detailed analysis of stormwater management is warranted if a proposed action involves certain types of industrial activities (e.g., manufacturing, processing, or raw materials storage), actions that would greatly increase the amount of paved area, actions that would be served by a separate storm system and that would involve construction activities, or construction of a new stormwater outfall. Stormwater management impacts would occur if the proposed action would result in significant degradation of the water quality of the Hudson River, increase the frequency or extent of flooding, or increase the levels of erosion and sedimentation from construction and operation activities.

The proposed project would generate a demand for water well below 1 million gallons per day. Similarly, sewage generation would be commensurately below levels likely to create impacts. A preliminary calculation of the project's anticipated water demand and sewage generation was prepared. The calculation applied standard water and sewage generations provided in the *CEQR Technical Manual* and the results of these calculations are shown in Table A-5. As shown in the table, total water usage, inclusive of domestic consumption and air conditioning, for the project site with the development of the proposed project would be 458,082 gallons per day (gpd). As also shown in Table A-5, sanitary sewage flows generated by the proposed project would be approximately 275,842 gpd.

Table A-5, Estimated Water Usage/Sewage Generation for the Proposed Project

Use	Size	Domestic Water/ Sanitary Sewage Generation (gpd)	Air Conditioning (gpd)	Total Water Usage (gpd)
Residential	730,000 sf; 1,631 residents	182,672	124,100	306,772
Retail	283,000 sf	48,110	48,110	96,220
Health Club	31,000 sf; 620 patrons/day	40,300	5,270	45,570
NYPD Stable	28,000 sf	4,760	4,760	9,520
Total		**275,842**	**182,240**	**458,082**

Source: Generation rates from *CEQR Technical Manual* Table 3L-2: residential domestic/sewage 112 gallons/day/person, air conditioning 0.17 gallons/day/person; retail/public use domestic/sewage 0.17 gallons/day/sf, air conditioning 0.17 gallons/day/sf (used for retail food market, auto dealership, and NYPD Stable facility); health club domestic/sewage 65 gallons/day/patron, air conditioning 0.17 gallons/day/sf.

Furthermore, the proposed action would not be likely to substantially affect stormwater management as the project would not increase impervious surface areas or otherwise affect combined sewer infrastructure.

Therefore, the proposed project is unlikely to result in significant adverse infrastructure impacts. However, for disclosure purposes, the EIS will provide a detailed quantitative infrastructure screening analysis identifying project-generated water demand and sewage flows. Refer to the draft Scope of Work (Task 11) for details.

M. SOLID WASTE AND SANITATION SERVICES

The *CEQR Technical Manual* states that actions involving construction of housing or other development generally do not require evaluation of solid wastes unless they are unusually large. A generation rate of less than 10,000 pounds per week is not considered large. The proposed project would involve the development of a 1.1 million gsf mixed-use development. The proposed development would require sanitation services, including municipal service for the residential and NYPD components, and is expected to generate an increase exceeding 10,000 pounds of municipal solid waste per week, given the scale of proposed development. Accordingly, the EIS will provide a detailed assessment to determine whether the proposed project would result in impacts on solid waste and sanitation services. Refer to the draft Scope of Work (Task 12) for details.

N. ENERGY

Consolidated Edison supplies both natural gas and electric service to the project area. According to the standardized average energy rates for particular land uses, which are provided in Table 3N-1 in the *CEQR Technical Manual*, the amount of energy projected to be consumed per year during the long-term operations of the development generated by the proposed project is approximately 128,381,900,000 BTUs per year.

The proposed mixed-use development would comply with the New York State Energy Conservation Code. According to the *CEQR Technical Manual*, all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy. Therefore, actions resulting in new construction would not create adverse energy impacts, and would not require a detailed energy assessment. The *CEQR Technical Manual* indicates that a detailed assessment would be limited to actions that might somehow affect transmission or generation of energy, or that generate substantial indirect consumption of energy. As the proposed action would not involve the transmission or generation of energy, and would not generate substantial indirect consumption of energy (due to compliance with the NYS Energy Conservation Code), adverse impacts to energy sources are not anticipated to occur as a result of the proposed action and an energy assessment is not warranted and will not be provided in the EIS.

O. TRAFFIC AND PARKING

The objective of traffic and parking analyses is to determine whether a proposed action is expected to have significant adverse impacts on street and roadway conditions or on parking resources. This includes the sufficiency of street and highway elements to adequately process the proposed action's expected traffic flow and operating condition changes, and the effect of the proposed action on parking resources in the area.

As described above, the proposed project would be located in the Clinton section of Manhattan Community District 4, a high density urban area containing a variety of residential, commercial, institutional, industrial, and other uses. The project site is located on Eleventh Avenue between W.

53rd and W. 54th streets, one block east of the principal north-south roadway along the western edge of Manhattan, Route 9(A), which is designated Twelfth Avenue in this area.

Eleventh Avenue in the vicinity of the project site is a major two-way arterial roadway which extends south to Chelsea and north, where the roadway's name changes to West End Avenue, into the Upper West Side. Adjacent to the project site it generally operates with two moving lanes in each direction as well as parking lanes on both sides of the street. W. 54th Street, located along the northern edge of the project site, operates as a one-way eastbound street with one to two moving lanes and parking lanes on both sides of the street. While it operates one-way eastbound across the Manhattan grid, the one block segment between Eleventh and Twelfth avenues operates two-way. W. 53rd Street, located along the southern boundary of the project site, terminates at Eleventh Avenue due to De Witt Clinton Park. It operates one-way westbound across the Manhattan grid with one to two travel lanes and parking lanes on both sides of the street in the vicinity of the project site.

According to the *CEQR Technical Manual*, a preliminary trip generation analysis for a project generally will be appropriate to determine the volume of vehicular trips expected during the peak hours. In most areas of the City, including the project area, if the proposed action is projected to result in fewer than 50 peak hour vehicular trip ends, traffic impacts would be unlikely, and therefore further traffic analysis would not be necessary.

As the proposed project would be an approximately 1.1 million gsf mixed-use development, it exceeds the minimum development densities potentially requiring detailed traffic analysis identified in Table 3O-1 in the *CEQR Technical Manual*. A preliminary travel demand forecast indicates that the project would generate a project increment of approximately 219 vehicle trips per hour (vph) in the weekday AM peak hour, 261 vph in the weekday Midday peak hour, 276 vph in the weekday PM peak hour, and 218 vph in the Saturday Midday peak hour (see Appendix A, "Transportation Planning Assumptions Memorandum"). The project-generated vehicle trips would exceed the CEQR screening threshold in the weekday AM, Midday, and PM and Saturday Midday peak hours and therefore the EIS will require a detailed analysis of the potential traffic impacts.

The proposed project also is expected to generate peak parking demand in excess of the up to 225 accessory parking spaces to be provided on the project site. Therefore, the proposed project has the potential to affect parking conditions in the vicinity of the project site.

Appendix A describes the methodology used to forecast the project's travel demand and identifies the need to provide detailed traffic analyses for up to approximately 16 intersections. It also identifies that the proposed project requires a detailed analysis of on- and off-street public parking conditions during the peak periods.

Refer to the draft Scope of Work (Task 13A and 13B) for details of the scope of the traffic and parking analysis.

P. TRANSIT AND PEDESTRIANS

The objective of transit and pedestrian analyses is to determine whether a proposed action would have a significant impact on public transit facilities and services and on pedestrian flows.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority specified in the *CEQR Technical Manual*, detailed transit analyses are not required if the proposed action is projected to result in less than 200 peak hour rail or bus transit riders, because a proposed development that generates such a low number of transit riders is unlikely to create a significant impact on the current transit facilities. Transit analyses focus on the weekday AM and PM peak hours, when ridership on the transit services is generally highest.

The site is within walking distance of several subway stations, including the 50th Street Station at Eighth Avenue (IND C and E lines); 59th Street-Columbus Circle Station (IND A, B, C, D, and IRT 1 lines); 50th Street Station at Broadway (IRT 1 line); and the 7th Avenue Station at W. 53rd Street (IND B, D and E lines).

Nearby bus routes include the M11, which operates northbound on Tenth Avenue and southbound on Ninth Avenue from Greenwich Village to Harlem, and the M31, which has its western terminus on W. 54th Street adjacent to the project site and provides service to Midtown and the Upper East Side via 57th Street and York Avenue.

According to the travel demand forecast presented in Appendix A, the proposed project would generate increases of 274 and 445 subway person trips in the AM and PM peak hours, respectively. The project also would generate increases of approximately 152 and 215 bus person trips in the AM and PM peak hours, respectively.

As discussed in Appendix A, project-generated subway trips would be dispersed among four subway stations, with no single station estimated to process more than 50 percent of these trips. Accordingly, the number of these peak hour subway trips at any one station would be below 200 trips per hour, except for the 59th Street-Columbus Circle Station in the PM peak hour. In accordance CEQR screening procedures, a detailed analysis is warranted and will be provided in the EIS for this and any other station expected to process 200 or more subway trips in the weekday AM or PM peak hours.

Project-generated bus trips would be distributed primarily between M11 (Tenth and Eleventh Avenues West Side) and the M31 (W. 57th Street crosstown) routes. With project demand dispersed among these two and other nearby bus routes, it is expected that no single bus route would carry more than 200 project-generated bus trips in any peak hour. As the proposed project would generate well below 200 net bus trips on any one bus route, detailed analysis of bus conditions is not warranted and would not be provided in the EIS. However, the EIS will provide a qualitative discussion of bus services and analysis screening assessment.

Pedestrians

As shown in Appendix A, the proposed action would result in 668 pedestrian trips during the weekday AM peak hour, 724 pedestrian trips during the weekday Midday peak hour, and 971 pedestrian trips during the weekday PM peak hour (including walk only, subway and bus trips). Accordingly, detailed pedestrian analyses will be provided in the EIS.

Refer to the draft Scope of Work (Task 13C and 13D) for details of the scope of the transit and pedestrians analysis.

Q. AIR QUALITY

According to CEQR guidelines, air quality analyses are conducted in order to assess the effect of an action on ambient air quality (i.e., the quality of the surrounding air), or effects on the project because of ambient air quality. Air quality can be affected by "mobile sources," pollutants produced by motor vehicles, and by pollutants produced by fixed facilities, i.e., "stationary sources." As per the *CEQR Technical Manual*, an air quality assessment should be carried out for actions that can result in either significant mobile source or stationary source air quality impacts.

Mobile Sources

Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. For this area of New York City (Manhattan between 30th Street and 61st Street and their prolongations) the screening analysis for a mobile source detailed assessment is a project-generated increment of 75 vehicles through an intersection during any peak hour period. As noted above, the proposed project would generate increases of 219, 261, 278, and 218 vph in the weekday AM, weekday Midday, weekday PM, and Saturday Midday peak hours, respectively. As such, the proposed action may exceed the *CEQR Technical Manual* threshold of 75 vehicle trips through an intersection during one or more of these peak hours. In the event, the project could have significant adverse mobile source air quality impacts and a detailed analysis of up to four microscale intersection analyses would be warranted, and would be provided in the EIS, as discussed in the Draft Scope of Work.

In addition, the proposed development is expected to include a new accessory parking garage for up to 225 vehicles and an approximately 170,000 gsf of below-grade area for vehicle storage and related functions for the proposed auto dealership use (functionally this facility would be similar to a garage for the purposes of air quality mobile source analyses). As such, the potential impacts from the exhaust vents of the new garages will need to be assessed in the EIS, as detailed in the draft Scope of Work.

Stationary Sources

Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks for industrial plants, hospitals, or other large institutional uses, or a building's boiler stacks used for heating/hot water, ventilation, and air conditioning (HVAC)

systems, that can affect surrounding uses; when they add uses near existing or planned future emissions stacks, and the new uses might be affected by the emissions from the stacks, or when they add structures near such stacks and those structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses.

The proposed project would involve the development of a new mixed-use development with residential units on a site currently in an M1-5 zoning district and in close proximity to manufacturing zoning districts. Therefore, an assessment to examine the potential for impacts on the residents of the proposed project from industrial emissions will be performed. Additionally, the proposed project is expected to use fossil fuels for its HVAC systems, and thus could potentially have impacts on existing and planned buildings in the surrounding area resulting in significant air quality impacts. Furthermore, the proposed project would be developed in proximity to other buildings and the boilers for the HVAC systems in those buildings may have the potential to affect the proposed development. Therefore, a detailed stationary source air quality analysis is warranted.

Odors

As the proposed project would include a horse stable facility in proximity to residential units, it may have the potential to have odor effects on these and other sensitive uses. Therefore, a detailed odor analysis will be provided in the EIS.

Refer to the draft Scope of Work (Task 14) for details.

R. NOISE

According to *CEQR Technical Manual*, a nosie 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 diverts vehicular traffic or if an action is located near a heavily trafficked thoroughfare. A noise assessment also would be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of existing rail activity or a receptor (such as a park) with a direct line of sight to that receptor, 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.

The project site is near several heavily trafficked streets, including Eleventh Avenue, W. 54th Street (on which the M31 bus operates), Tenth Avenue, and Twelfth Avenue (Route 9A). The last of these is one block to the west, across De Witt Clinton Park. In addition, the project would involve the construction of new residential uses thereby creating noise sensitive receptors. Therefore, there is the potential that high ambient noise levels from vehicular traffic and nearby land uses could affect the project site and the proposed project could have potential noise impacts on sensitive land uses. Furthermore an analysis will need to be conducted to determine whether the proposed project would generate sufficient vehicle trips to have the potential for causing a significant adverse noise impact. Therefore, a detailed noise assessment for the project site, including noise monitoring at a number

of receptor locations, will be presented in the EIS. Refer to the draft Scope of Work (Task 15) for details.

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, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions. In addition, because soils are disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

The historical uses and conditions of the project site and the surrounding area may indicate the potential for significant adverse impacts related to hazardous materials; thus, the proposed project may have the potential for hazardous materials-related construction impacts. The potential construction impacts on these areas, as well as on historic and archaeological resources, transportation, air quality, and noise, will be assessed in the EIS. Refer to the draft Scope of Work (Task 16) for details.

T. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources.

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if a project results in a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant adverse impacts to sensitive receptors from noise and odors; e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts; or f) exceedances of accepted federal, state, or local standards. Depending on the results of the hazardous materials, air quality, and noise assessments, a public health analysis may be warranted. If so, this analysis will be provided in the EIS. Refer to the draft Scope of Work (Task 17) for details.

APPENDIX A
TRANSPORTATION PLANNING ASSUMPTIONS MEMORANDUM

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770 Eleventh Avenue Mixed-use Development Rezoning
Transportation Planning Assumptions
[5 October 2007]

A. INTRODUCTION

Project Site

The project site is comprised of Block 1082, Lot 1, occupying a portion of the block bounded by W. 54th Street, Tenth Avenue, W. 53rd Street, and Eleventh Avenue in the Special Clinton District within Manhattan Community District 4. The site has frontage on Eleventh Avenue extending from W. 53rd Street to W. 54th Street, and along W. 53rd Street and W. 54th Street extending 470 feet, 4.25 inches east from Eleventh Avenue. Adjacent to the site on the east is the 457-foot tall AT&T Switching Center building. Until May 2007, the project site was occupied by a Verizon automotive service/vehicle storage facility and now is unoccupied.

Proposed Project

The proposed rezoning and related actions would result in an approximately 1.1 million gross square-foot (gsf) mixed-use development on the project site including the following uses (all approximate): 900 dwelling units (DUs), 16,000 gsf of local retail; 31,000 gsf of health club space; 236,000 gsf of automobile sales, preparation, and repairs space on the ground floor, mezzanine above it, and in two cellar levels; 28,000 gsf of NYPD Mounted Unit facility (stable and related space); and up to 225 accessory parking spaces. Twenty percent of the residential units, approximately 180 DUs, would be affordable housing units and the remaining 720 DUs would be market rate rental units.

It is expected that the proposed project would be completed and fully occupied by 2011. This proposed development represents the Build scenario for the project site.

No-Build Scenario

In the future with or without the proposed action, for analysis purposes it is assumed that the project site would remain unoccupied. This will serve as the baseline for comparing the effects of the future without and with the proposed action.

Reasonable Worst Development Scenario Net Development

In the future with the proposed action, the No-Build development scenario would not occur and the proposed project would be developed in its place. This is the Reasonable Worst Case Development Scenario (RWCDS) associated with the proposed project. This memo discusses the transportation planning assumptions to be used in demand forecasting in the EIS.

Table 1 summarizes the RWCDS development conditions.

Table 1, Reasonable Worst Case Development Scenario/Proposed Project (1)

TYPE OF USE	EXISTING	NO-BUILD SCENARIO	BUILD SCENARIO
Residential,			
Market Rate DUs	-	-	720
Affordable Housing DUs	-	-	180
Total Residential DUs	-	-	900
Residential Area (zsf)	-	-	726,494
Local Retail (gsf) (2)	-	-	16,000
Automobile Dealership			
Above-grade Showroom Space (gsf)	-	-	66,000
Below-grade Storage Space (gsf)	-	-	170,000
Total Automobile Dealership (gsf)	-	-	236,000
Health Club (gsf)	-	-	31,000
NYPD Mounted Unit Stable Facility (gsf)	-	-	28,000
Accessory Parking Spaces (3)	-	-	225

(1) Note: Program numbers are approximate, refer to text for details.
(2) The Build Scenario Retail Space includes approximately 16,000 gsf of retail, assumed to be a food market.
(3) The maximum permitted as-of-right accessory parking spaces would be provided. The number shown is indicative and would not be exceeded.

Proposed Project Access and Circulation

Pedestrian and vehicular access points would be dispersed throughout the proposed project's three street frontages. Based on preliminary project plans, these include the following access points, which would affect traffic and pedestrian circulation to and from the project site:

Eleventh Avenue: The avenue frontage likely would include pedestrian access for the auto dealership use. No vehicular curb cuts would be provided along the avenue.

W. 53rd Street: The southern frontage of the site would include pedestrian access to a residential lobby. Other pedestrian access points would be provided for the NYPD Mounted Unit facility and possibly for the auto dealership. Vehicular access would be provided for the auto dealership via a two-way ramp. There also would be separate two-way ramp providing access to the accessory parking. Also, along W. 53rd Street a curb cut would provide access for horses and horse trailers to the NYPD Mounted Unit facility.

W. 54th Street: The northern frontage of the site would include pedestrian access to a residential lobby. Pedestrian access also would be provided to the retail (food market) and health club uses, and possibly for the auto dealership. A second two-way ramp providing access for the auto dealership use would be located along this frontage.

B. SELECTION OF PEAK HOURS FOR ANALYSIS

On weekdays, the proposed project's residential component, the predominant generator of travel demand under the Build scenario, is expected to generate peak demand during the traditional weekday AM (8-9 AM) and PM (5-6 PM) commuting periods, and to a lesser extent, during the traditional (lunch time) midday (12 noon-1 PM) period. In addition, significant project-generated travel demand is expected during the Saturday midday (12 noon - 1 PM) period. The proposed auto dealership use is expected to experience peak weekday travel demand during the AM, midday, and PM peak hours, based on survey data for a dealership reported in the *West 57th Street Rezoning FEIS*. As for the other proposed Build scenario components which would generate only a small proportion of the project-related demand, local retail demand is expected to peak in the midday period (primarily walk trips) the health club in the PM peak period, and the NYPD Mounted Unit in the AM and PM peak periods. Accordingly, based on these patterns the travel demand forecast and screening analysis will focus on these three weekday peak hours. In addition to being the periods of peak project-generated demand, these typically are also the periods where traffic network volumes are at their highest levels.

Under CEQR, transit (subway and bus) analyses generally examine conditions during the weekday AM and PM peak commuter periods as it is during these times that overall transit demand (and potential for significant adverse impacts) is typically greatest. Therefore, the forecast and screening will focus on these two peak hours for analysis of transit conditions.

C. PROJECT-GENERATED DEMAND

Table 2 shows the transportation planning assumptions used in the forecast for the proposed action in the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours. The table provides the daily generation rates, mode choice, as well as hourly and directional patterns. These transportation planning assumptions were based on standard CEQR criteria, standard professional references, Census data, and studies that have been used in previous EASs and EISs for projects with similar uses and in nearby areas in Clinton and West Midtown.

Sources for these assumptions are provided in Table 2 and key sources are described below.

TABLE 2
TRANSPORTATION PLANNING ASSUMPTIONS
770 11th Ave. Mixed-use Development

	Uses Generated by the Proposed Action				
Land Use:	Residential	Health Club	Retail	Auto Dealership	NYPD Mounted Unit
Size/Units:	900 DUs	31,000 gsf	16,000 gsf	236,000 gsf	28,000 gsf
	(1)	(2)	(1)	(3)	(4)
Trip Generation: WKDY	8.075	44.7	205.0	2.63	8.06
SAT	8.075	29.5	205.0	2.63	8.06
	per DU	per 1,000 sf	per 1,000 sf	per 1,000 sf	per 1,000 sf
Temporal Distribution:	(1)	(2)	(2)	(3)	(4)
WKDY AM	9.1%	4.8%	3.1%	12.0%	14.6%
WKDY MD	4.7%	5.6%	19.0%	12.0%	1.0%
WKDY PM	10.7%	13.2%	9.6%	9.0%	18.1%
SAT MD	7.0%	9.8%	9.5%	12.0%	1.0%
	(5)	(6)	(6)	(3)	(4)
Modal Splits:	AM/MD/PM	AM/MD/PM	AM/MD/PM	AM/MD/PM	AM/PM
Auto	9.0%	35.0%	35.0%	100.0%	45.0%
Taxi	6.0%	3.0%	3.0%	0.0%	0.0%
Subway	31.0%	41.0%	41.0%	0.0%	0.0%
Bus	20.0%	12.0%	12.0%	0.0%	0.0%
Walk	34.0%	9.0%	9.0%	0.0%	5.0%
Other	0.0%	0.0%	0.0%	0.0%	50.0%
	100.0%	100.0%	100.0%	100.0%	100.0%
	(1)	(2)	(2)	(3)	(4)
In/Out Splits:	In Out	In Out	In Out	In Out	In Out
WKDY AM	15% 85%	41% 59%	15% 85%	67% 33%	92% 8%
WKDY MD	50% 50%	54% 46%	50% 50%	50% 50%	35% 65%
WKDY PM	70% 30%	75% 25%	10% 90%	15% 85%	9% 91%
SAT MD	50% 50%	54% 46%	55% 45%	50% 50%	35% 65%
Vehicle Occupancy:	(5),(2)	(2)	(7)	(3)	(4)
Auto	1.26	1.40	2.0	1.3	1.0
Taxi	1.40	1.40	2.0	1.5	1.0
Truck Trip Generation:	(7)	(2)	(7)	(3)	(4)
WKDY	0.064	0.19	0.14	0.15	0.15
SAT	0.004	0.01	0.018	0.15	0.15
	per DU	per 1,000 sf	per 1,000 sf	per 1,000 sf	per 1,000 sf
	(7)	(2)	(7)	(3)	(4)
WKDY AM	6.0%	6.0%	7.7%	9.6%	6.0%
WKDY MD	11.0%	11.0%	11.0%	11.0%	11.0%
WKDY PM	1.0%	1.0%	1.0%	1.0%	1.0%
SAT MD	7.9%	7.6%	11.0%	11.0%	11.0%
	(7)	(2)	(7)	(3)	(4)
	In Out	In Out	In Out	In Out	In Out
AM/MD/PM	50% 50%	50% 50%	50% 50%	50% 50%	50% 50%

Sources:
(1) Pushkarev & Zupan, *Urban Space for Pedestrians* (1975).
(2) Coliseum Redevelopment FEIS (1997)
(3) W. 57th Street Rezoning FEIS (2001)
(4) PHA assumptions: 95% of employees and horses work on a typical weekday; 100% of staff drive to/from work; use horses or walk for othe trips; temporal split based on 120th Precinct EAS
(5) 2000 Census for NY County tract 135, Journey to Work data (adjusted to exclude "worked at home")
(6) 2000 Census for NY County tract 135, Reverse Journey to Work data (adjusted to exclude "worked at home")
(7) Clinton Green Mixed Use Development EAS (2004)
Note: Gross floor area numbers are approximate.

Residential

The transportation planning assumptions for the proposed residential use are based on trip generation rates and temporal distributions derived from *Urban Space for Pedestrians* (1975) by Boris Pushkarev and Jeffrey Zupan. The mode choice and auto vehicle occupancy rate were taken from 2000 US Census journey to work data for New York County census tract 135, in which the project site is located.

Health Club

The transportation planning assumptions for the proposed health club are from the *Coliseum Redevelopment EIS* (1997), which studied development scenarios for the New York Coliseum site at Columbus Circle that was subsequently redeveloped into the Time Warner Center. However, to reflect local site conditions, the modal choice rates were taken from 2000 US Census data reverse journey to work data for census tract 135.

Local Retail

The local retail is expected to be a food market, with an area of approximately 16,000 sf. The exact type of food market has not been determined, but this could be a destination market.

To be conservative, the trip generation rate for local retail is derived from the *CEQR Technical Manual* and Pushkarev and Zupan and the temporal distribution assumptions are based on the *Coliseum Redevelopment EIS*. The modal choice rates were taken from 2000 US Census data reverse journey to work data for census tract 135.

Auto Dealership

It should be noted that the proposed auto dealership would sell both new and pre-owned, i.e., used, vehicles. In addition, it would provide basic automobile servicing for owners of its product line vehicles. Automobile parts also would be available for sale. Customers and employees of the auto dealership would be able to utilize the accessory parking spaces provided on the project site, as available.

The transportation planning assumptions for the proposed auto dealership use are taken from the *West 57th Street Rezoning EIS* (2001), which affected the block bounded by W. 58th Street, Eleventh Avenue, W. 57th Street, and Twelfth Avenue. These assumptions were developed based on a survey taken by PHA at a Mercedes-Benz dealership in Manhattan. It is expected that the service department would generate approximately two-thirds of the daily trips generated by the auto dealership. Conversely, it is expected that the sales showroom would generate approximately one-third of the daily trips. Trips generated by the parts department are expected to be less than 5 percent of the total.

NYPD Mounted Unit

The preliminary transportation planning assumptions for the proposed NYPD Mounted Unit facility were developed based on information about the existing facility and from the *120th Precinct Station*

House, Staten Island, NY EAS, 2006 (CEQR #07NYP001R). The proposed facility would replace an existing one currently located on Hudson River Pier 76. Prior to completion of the EIS, surveys of travel demand characteristics of the existing facility will be conducted, contingent on permission of NYPD, to confirm these assumptions or revise as necessary.

D. TRANSPORTATION ANALYSIS

Table 3 provides the overall resulting net trip generation for the three weekday peak hours for person trips for each mode of transportation and for vehicles trips for autos, taxis, and trucks.

Traffic

According to the *CEQR Technical Manual*, a preliminary trip generation analysis for a project generally will be appropriate to determine the volume of vehicular trips expected during the peak hours. In most areas of the City, including the project area, if the proposed action is projected to result in fewer than 50 peak hour vehicular trip ends, traffic impacts would be unlikely, and therefore further traffic analysis would not be necessary.

As indicated in Table 3, a preliminary travel demand forecast indicates that during a typical weekday the project would generate a project increment of approximately 219 vehicle trips per hour (vph) in the weekday AM peak hour, 261 vph in the weekday Midday peak hour, 276 vph in the PM peak hour, and 218vph in the Saturday midday.

As the proposed project would generate more than 50 vph in the weekday AM, weekday Midday, weekday PM, and Saturday Midday peak hours, a detailed analysis of traffic conditions for those peak hours is warranted and will be provided in the EIS.

Traffic Study Area

Vehicle trips generated by the proposed project were assigned to the local street network and study area intersections identified in the draft Scope of Work for the EIS. As noted in the draft Scope, the traffic study area is expected to include up to approximately 16 intersections along the Tenth Avenue, Eleventh Avenue, and Twelfth Avenue (Route 9A) corridors. These study area intersections are located proximate to the project site and are located along the roadways that would provide access to/from the project site. Project-generated traffic is expected to become rapidly less concentrated with increasing distance from the project site as vehicles disperse through the street grid network. The traffic study area therefore focuses on locations where new traffic is expected to be most concentrated and does not include more distant intersections along access corridors. The traffic assignment is based on trip origin or destination as well as the most direct routes to major roadways. As the project site is located one block from Twelfth Avenue (Route 9A), which offers access for northbound and southbound traffic throughout the west side of Manhattan, it is expected that a substantial portion of the project-generated trips would be made via this roadway.

TABLE 3
TRANSPORTATION PLANNING CALCULATIONS
770 11th Ave. Mixed-use Development

Land Use:		*Uses Generated by the Proposed Action*										Subtotal,		
		Residential		Health Club		Retail		Auto Dealership		NYPD Mounted Unit		Build Scenario		
Size/Units:		900 DUs		31,000 gsf		16,000 gsf		236,000 gsf		28,000 gsf				
Peak Hour Trips:														
WKDAY AM		661		67		102		74		33		937		
WKDY MD		342		78		623		74		2		1,119		
WKDY PM		778		183		315		56		41		1,372		
SAT MD		509		90		312		74		2		987		
Person Trips:														
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W AM	Auto	9	51	10	14	5	30	50	25	14	1	87	120	208
	Taxi	6	34	1	1	0	3	0	0	0	0	7	37	45
	Subway	31	174	11	16	6	35	0	0	0	0	48	226	274
	Bus	20	112	3	5	2	10	0	0	0	0	25	128	152
	Walk	34	191	2	4	1	8	0	0	2	0	39	203	242
	Other	0	0	0	0	0	0	0	0	15	1	15	1	16
	Total	99	562	27	39	15	86	50	25	30	3	222	715	937
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W MD	Auto	15	15	15	12	109	109	37	37	0	1	177	175	352
	Taxi	10	10	1	1	9	9	0	0	0	0	21	21	42
	Subway	53	53	17	15	128	128	0	0	0	0	198	195	393
	Bus	34	34	5	4	37	37	0	0	0	0	77	76	152
	Walk	58	58	4	3	28	28	0	0	0	0	90	89	179
	Other	0	0	0	0	0	0	0	0	0	1	0	1	1
	Total	171	171	42	36	312	312	37	37	1	1	562	557	1,119
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W PM	Auto	49	21	48	16	11	99	8	47	2	17	118	200	318
	Taxi	33	14	4	1	1	9	0	0	0	0	38	24	62
	Subway	169	72	56	19	13	116	0	0	0	0	238	207	445
	Bus	109	47	16	5	4	34	0	0	0	0	129	86	215
	Walk	185	79	12	4	3	26	0	0	0	2	200	111	311
	Other	0	0	0	0	0	0	0	0	2	19	2	19	20
	Total	544	233	137	46	31	283	8	47	4	37	725	647	1,372
												In	Out	Total
S MD	Auto	23	23	17	14	60	49	37	37	0	1	137	124	262
	Taxi	15	15	1	1	5	4	0	0	0	0	22	21	43
	Subway	79	79	20	17	70	57	0	0	0	0	169	153	322
	Bus	51	51	6	5	21	17	0	0	0	0	77	73	150
	Walk	86	86	4	4	15	13	0	0	0	0	106	103	209
	Other	0	0	0	0	0	0	0	0	0	1	0	1	1
	Total	254	254	48	41	171	140	37	37	1	1	512	475	987
Vehicle Trips :														
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W AM	Auto (Total)	7	40	7	10	3	15	38	19	14	1	69	85	154
	Taxi	4	24	1	1	0	1	0	0	0	0	5	26	31
	Taxi (Bal.)											29	29	58
	Truck	2	2	0	0	0	0	2	2	0	0	4	4	8
	TOTAL											101	118	219
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W MD	Auto (Total)	12	12	10	9	55	55	29	29	0	1	106	105	211
	Taxi	7	7	1	1	5	5	0	0	0	0	13	13	26
	Taxi (Bal.)											19	19	38
	Truck	3	3	0	0	0	0	2	2	0	0	6	6	12
	TOTAL											131	130	261
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
W PM	Auto (Total)	39	17	34	11	6	50	6	37	2	17	87	131	218
	Taxi	23	10	3	1	0	4	0	0	0	0	27	15	42
	Taxi (Bal.)											29	29	58
	Truck	0	0	0	0	0	0	0	0	0	0	1	1	1
	TOTAL											116	160	276
		In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total
S MD	Auto (Total)	18	18	12	10	30	25	29	29	0	1	89	82	172
	Taxi	11	11	1	1	3	2	0	0	0	0	15	14	28
	Taxi (Bal.)											21	21	42
	Truck	0	0	0	0	0	0	2	2	0	0	2	2	5
	TOTAL											113	106	218

The EIS will analyze these intersections in the weekday AM, Midday, and PM peak hours. The traffic study area and likely intersections to be analyzed are shown in Figure 1. Traffic assignment diagrams for the project increment are presented in Figures 2 through 5.

Parking

The proposed project would provide up to 225 accessory parking spaces, i.e., providing the maximum permitted as-of-right.

Parking demand generated by the proposed residential units typically would peak during the weekday overnight period. A parking demand screening assessment for the proposed project was prepared to identify if the proposed accessory parking spaces would be sufficient to accommodate the project's peak parking demand. Based on 2000 US Census data from the census tract containing the project site, for households with annual incomes of $100,000 (1999 dollars) or above, it is expected that the vehicle ownership rate for the 720 market rate DUs would be approximately 31 percent. In addition, based on Census data for the same area for households with annual incomes below $75,000 (1999 dollars), it is expected that the vehicle ownership rate for the 180 affordable housing DUS would be 22 percent. Accordingly, the peak residential parking demand would be approximately 263. In addition, the NYPD has requested that 12 parking spaces be allocated for its use on an ongoing basis. Although overnight parking demand from commercial tenants and building employees is expected to be very minimal, in any event the peak overnight parking demand is expected to be at or exceed the up to 225 accessory parking spaces provided. As such, the proposed project may have the potential to affect public parking facilities in the surrounding area. Accordingly, the EIS will provide a detailed analysis of public parking conditions during the weekday peak and overnight peak periods within an approximately quarter-mile radius of the project site for existing, No-Build, and Build conditions. However, should the parking spaces available within this distance of the site, along with the proposed accessory parking prove insufficient to accommodate the peak parking demand, the parking study area (both on and off street parking) will be extended to a half-mile of the proposed project.

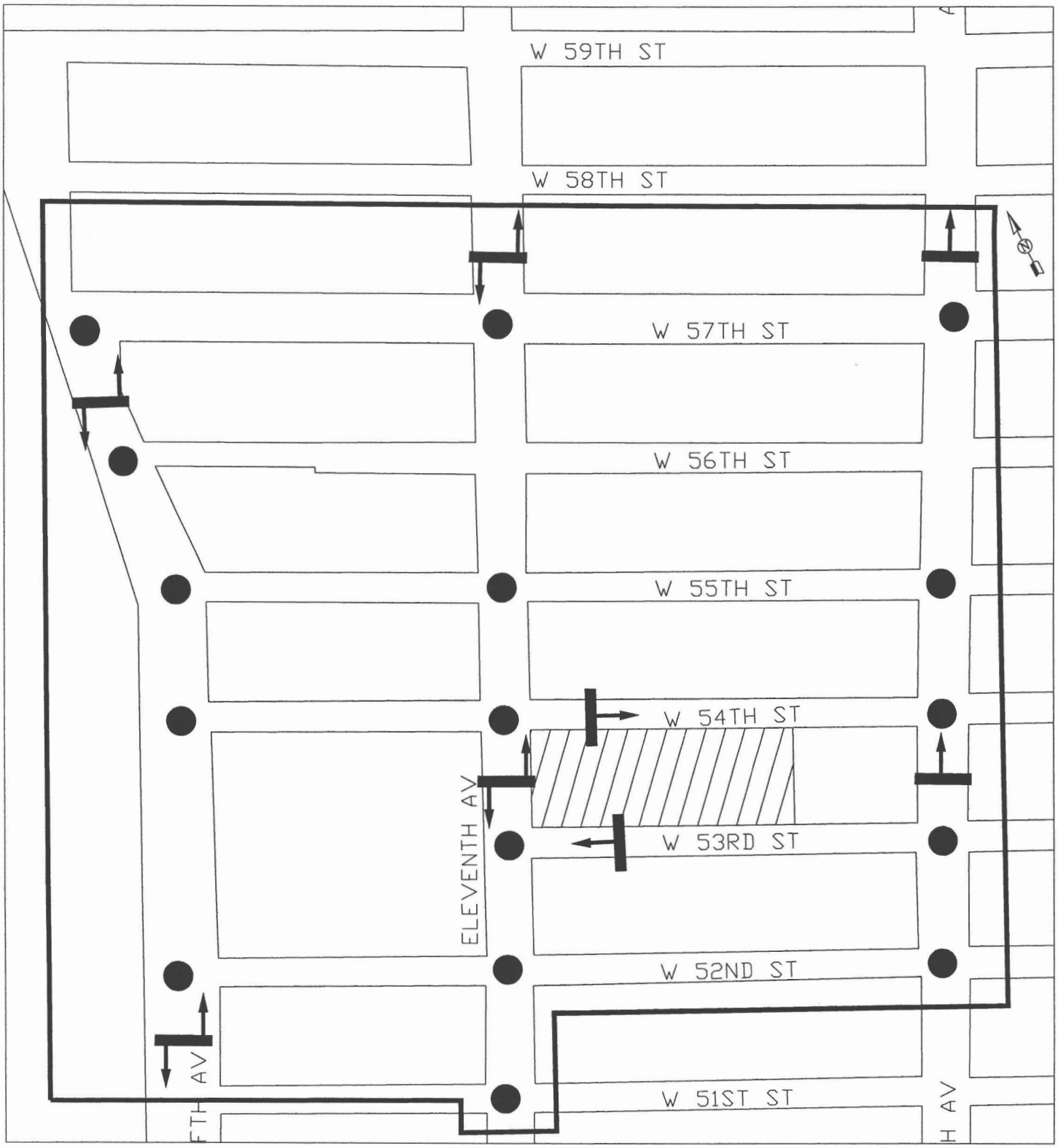
Transit

According to the general thresholds used by the Metropolitan Transportation Authority specified in the *CEQR Technical Manual*, detailed transit analyses are not required if the proposed action is projected to result in less than 200 peak hour rail or bus transit riders, because a proposed development that generates such a low number of transit riders is unlikely to create a significant adverse impact on the current transit facilities.

Subway

As shown in Table 3, the net hourly subway trips generated by the proposed action would be 274 and 445 in the weekday AM and PM peak hours, respectively.

Subway trips generated by the proposed uses likely would be dispersed among four nearby subway stations. These include: (1) 50th Street Station served by the IND C and E lines, at Eighth Avenue; (2) the 59th Street-Columbus Circle Station, served by the IND A, B, C, and D lines and the IRT 1

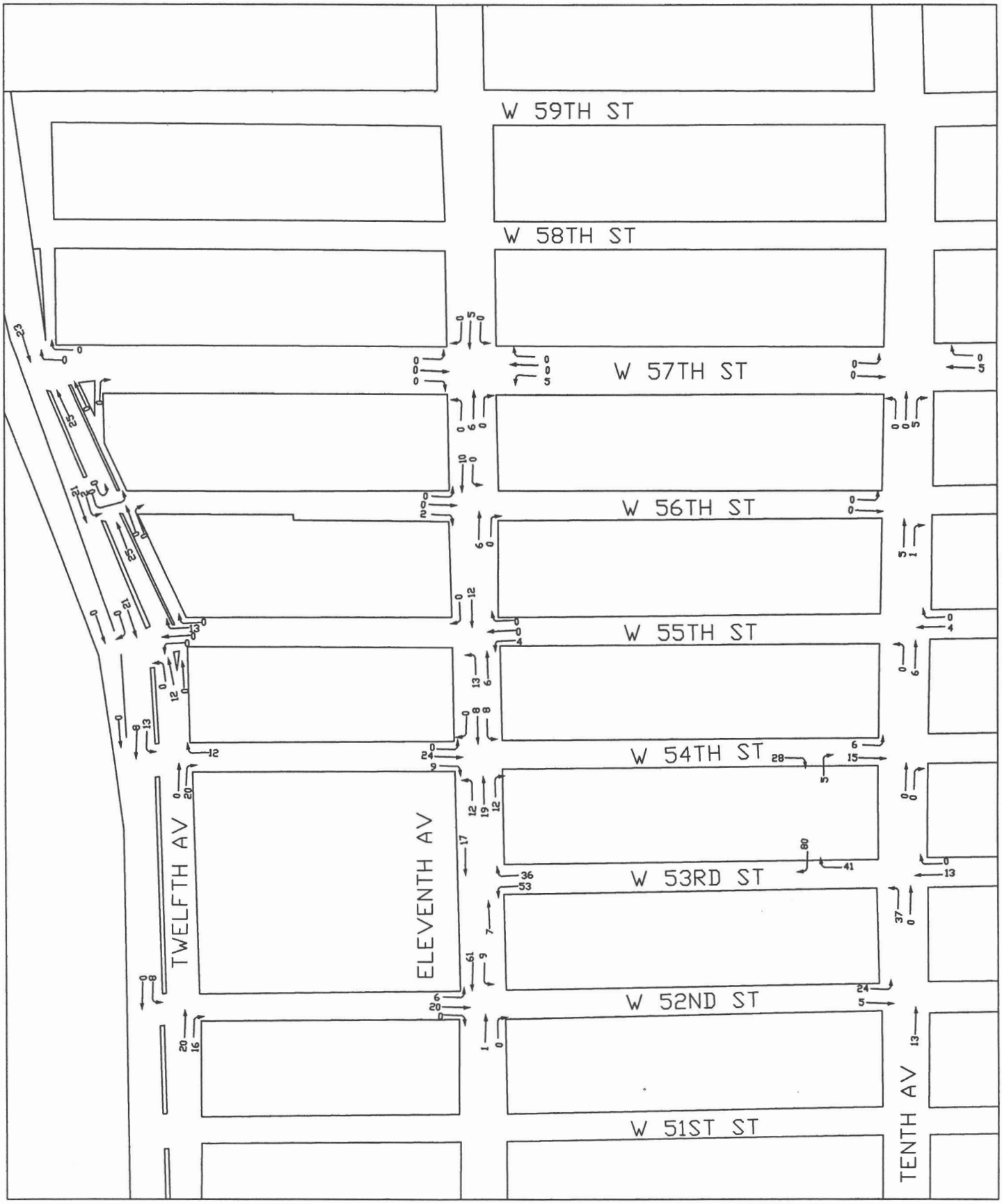


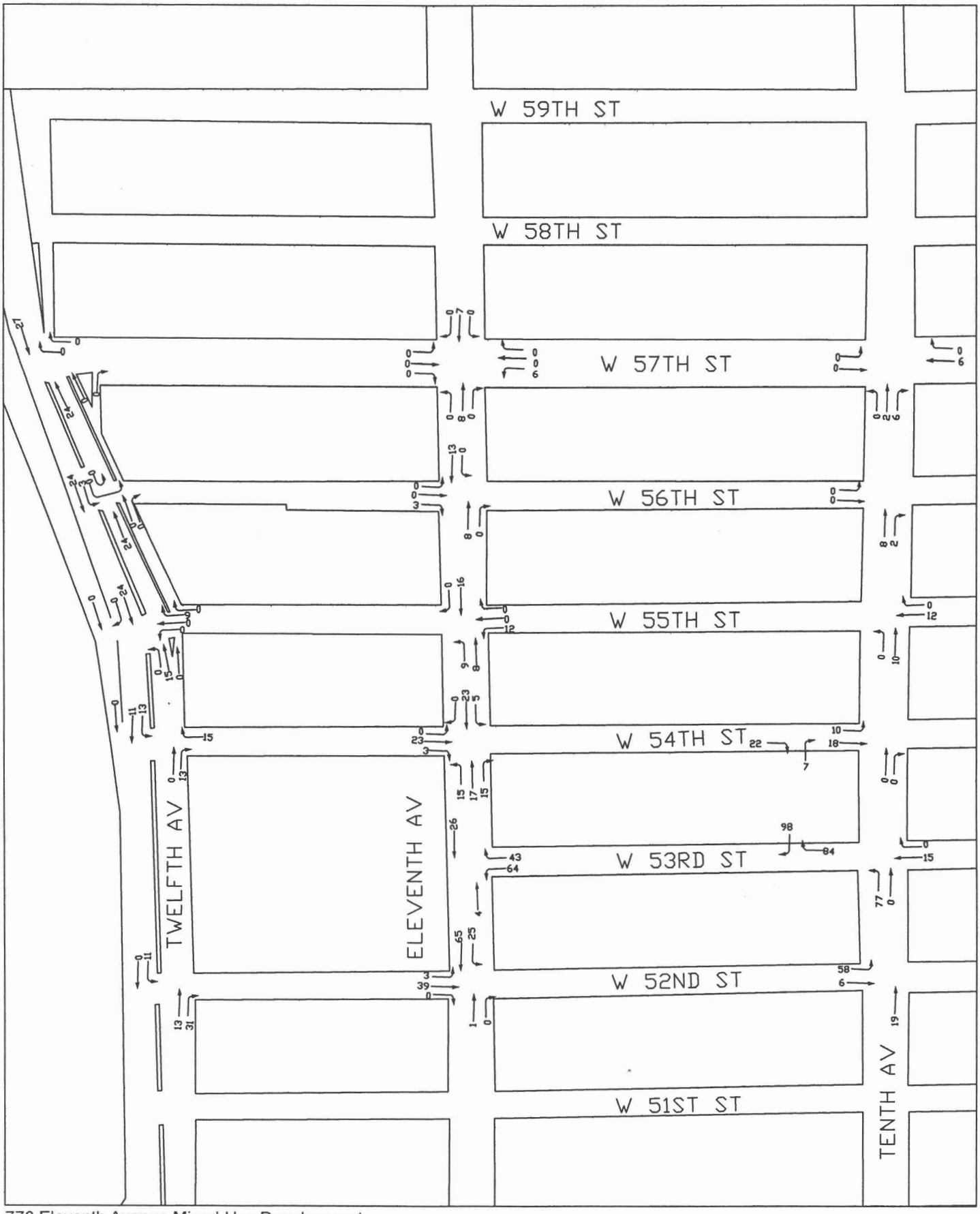
Legend

- Potential Traffic Study Area Intersections
- Study Area Boundary
- ATR Locations

770 Eleventh Avenue Mixed-use Development Rezoning

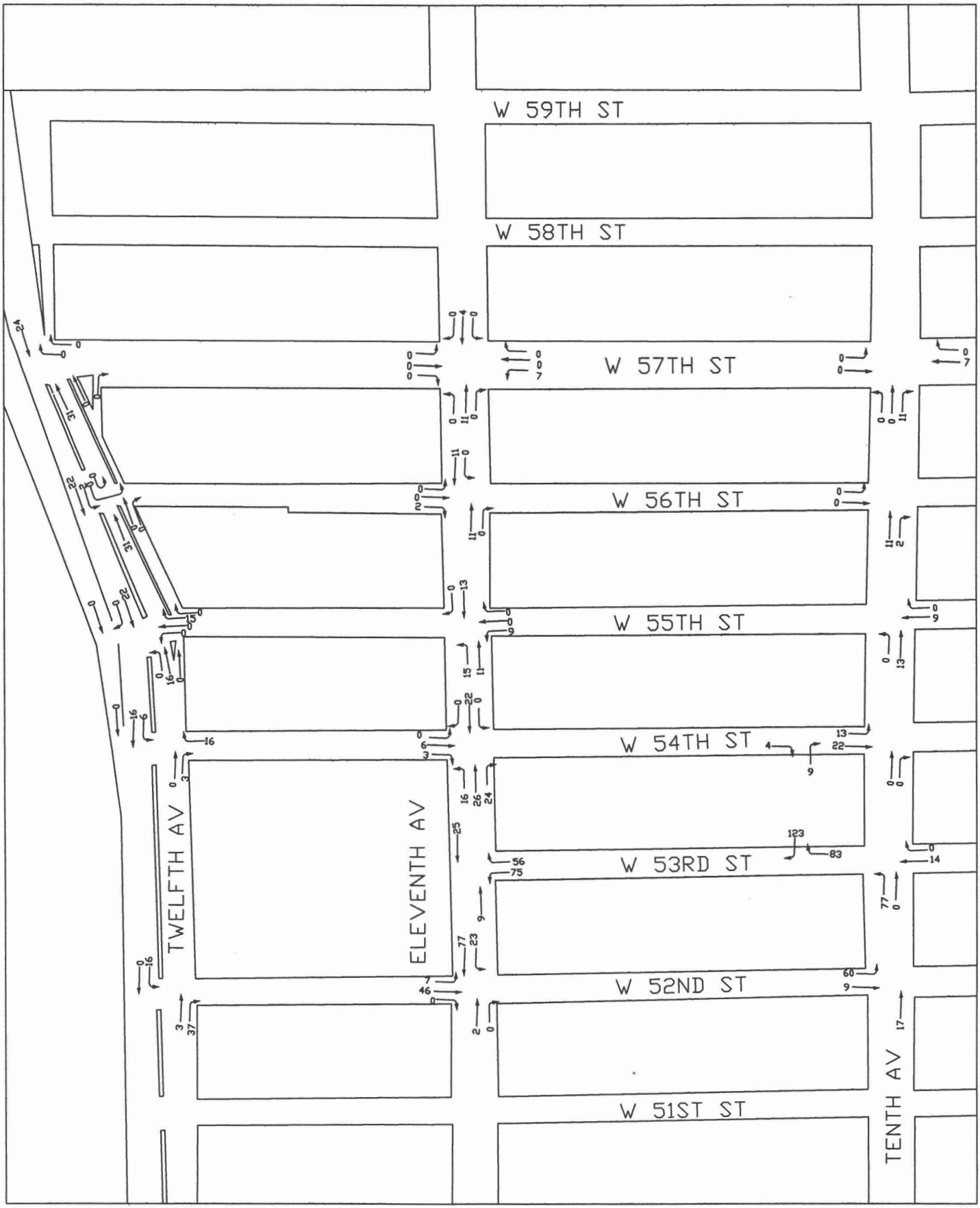
Figure 1, Traffic Study Area


W 59TH ST
W 58TH ST
W 57TH ST
W 56TH ST
W 55TH ST
W 54TH ST
W 53RD ST
W 52ND ST
W 51ST ST
TWELFTH AV
ELEVENTH AV
TENTH AV



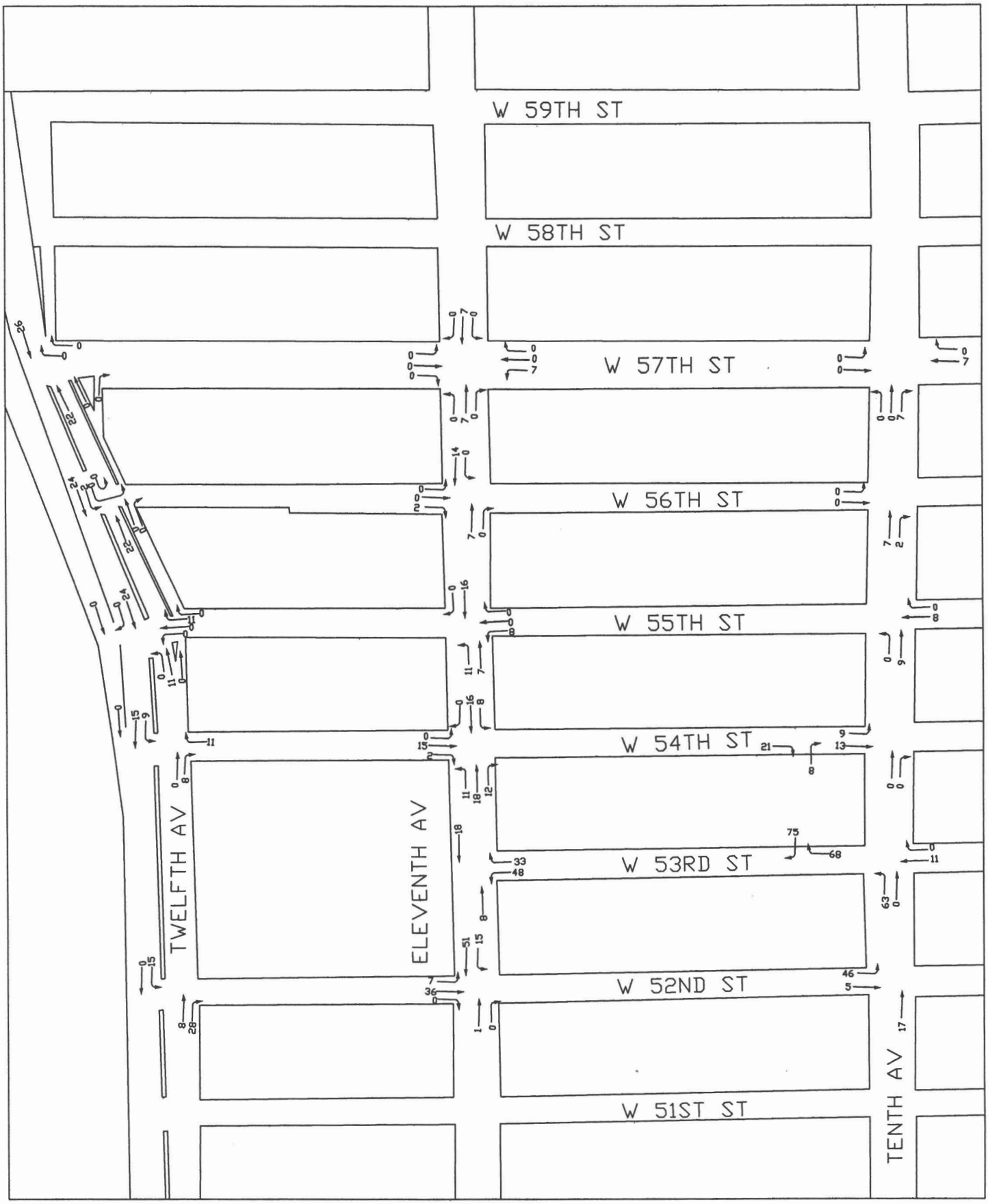
770 Eleventh Avenue Mixed-Use Development

Build Increment MD Traffic Volumes
Figure 3



770 Eleventh Avenue Mixed-Use Development

Build Increment PM Traffic Volumes
Figure 4



770 Eleventh Avenue Mixed-Use Development

Build Increment Sat. MD Traffic Volumes
Figure 5

line, at Eighth Avenue and Broadway, which has entrances at W. 57th Street and Eighth Avenue; (3) 50th Street Station, served by the IRT 1 line, at Broadway; and (4) the Seventh Avenue Station, served by the IND B, D, and E lines, at W. 53rd Street, which has an entrance at W. 53rd Street and Broadway. Based on location of these stations relative to the site, services available, and likely travel patterns, it is expected that roughly 50 percent of project-generated subway trips would be via the 59th Street-Columbus Circle Station, roughly 35 percent would made via the 50 Street Station (IND) at Eighth Avenue, and the remaining roughly 15 percent would be made via the other two stations.

Accordingly, with this distribution of subway trips, the greatest contribution of project-generated peak hour trips at any one station would be roughly 274 and 445 in the AM and PM peak hours, respectively, at 59th Street-Columbus Circle. As the number of peak hour subway trips at the 59th Street-Columbus Circle Station in the PM peak hour generated by the proposed action would be above 200 trips per hour, a detailed analysis at this location in the PM peak hour is warranted and will be provided in the EIS.

Bus

The approximate net hourly bus trips generated by the proposed action would be 152 and 215 in the weekday AM and PM peak hours, respectively. These trips would be distributed primarily between M11 (Tenth and Eleventh Avenues West Side) and the M31 (W. 57th Street crosstown) routes. With project demand dispersed among these two and other nearby bus routes, it is expected that no single bus route would carry more than 200 project-generated bus trips in any peak hour.

As the proposed project would generate well below 200 net peak hour bus trips on any one route, detailed analysis of bus conditions is not warranted and would not be provided in the EIS. However, the EIS will provide a qualitative discussion of bus services and analysis screening assessment.

Pedestrians

Analysis of pedestrian conditions focuses on elements where substantial number of trips are generated by an action. These elements include sidewalks, street corner areas, and crosswalks. The proposed action would generate net new pedestrian demands on these types of elements in the vicinity of the project site.

As shown in Table 3, the proposed project would generate a pedestrian increment of 242 walk only trips in the AM peak hour and 311 walk only trips in the PM peak hour. In addition, the 426 bus and subway trips in the AM peak hour and the 660 bus and subway trips in the PM peak hour would include a walk component to reach/depart the project site. With this level of pedestrian trips generated by the proposed project, detailed pedestrian analyses will be provided in the EIS. The analysis will focus on corners, crosswalks, and adjoining sidewalks adjacent to the project site that would process the greatest concentrations of project-generated pedestrian trips, as determined by a pedestrian assignment. This is expected to include up to four pedestrian intersections.

APPENDIX B
NYC LANDMARKS PRESERVATION COMMISSION
ENVIRONMENTAL REVIEW

THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION
1 Centre St., 9N, New York, NY 10007 (212) 669-7700

RECEIVED
JUN 18 2007
Philip Habib & Assoc.

ENVIRONMENTAL REVIEW

DCP/LA-CEQR-M — PROJECT NUMBER

06/05/07 — DATE RECEIVED

PROJECT 758 11 AVE:

[X] No architectural significance

[X] No archaeological significance

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[ ] Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

COMMENTS

Gina Santucci — SIGNATURE

06/08/07 — DATE

APPENDIX C
PROPOSED ZONING TEXT AMENDMENTS

ATTACHEMNT TO SUPPLEMENTAL FORM ZR

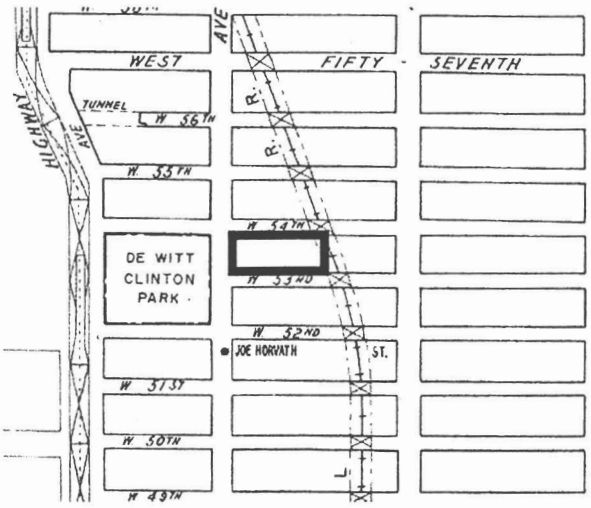
PROPOSED ZONING TEXT AMENDMENTS

23-922 Inclusionary Housing designated areas

The Inclusionary Housing Program shall apply in the following areas:

* * *

(f) In Community Board 4, in the Borough of Manhattan, in the C6-3X District within the area shown on the following Map 10:



Map 10
Portion of Community District 4, Manhattan

23-942

In Inclusionary Housing designated areas

* * *

(a) Maximum #floor area ratio#

The #floor area# of a #development# or #enlargement# may not exceed the base #floor area ratio# set forth in the following table, except that such #floor area# may be increased by one and one-quarter square feet for each square foot of #floor area# provided for #lower income housing#, up to the maximum #floor area ratio# specified in the table. However, the amount of #lower income housing# required to receive such bonus #floor area# need not exceed 20 percent of the total #floor area#, exclusive of ground floor non-#residential floor area#, in the #building#. In addition, the following rules shall apply:

District	Base #floor area ratio#	Maximum #floor area ratio#
R6*	2.2	2.42
R6**	2.7	3.6
R6A	2.7	3.6

District	Base #floor area ratio#	Maximum #floor area ratio#
R6B	2.0	2.2
R7A	3.45	4.6
R7X	3.75	5.0
R8	5.40	7.2
R9	6.0	8.0
R9X	7.0	9.0
R10	9.0	12.0

---

* for #zoning lots#, or portions thereof, beyond 100 feet of a #wide street#

** for #zoning lots#, or portions thereof, within 100 feet of a #wide street#

* * *

96-80

EXCLUDED AREAS

Except as provided in this Section, the regulations set forth in this Chapter shall not apply to the following areas:

(a) parcels within the blocks bounded by West 50th Street, Tenth Avenue, West 56th Street and Eleventh Avenue known as the Clinton Community Urban Renewal Development Area, provided that in this area (i) the provisions of Section 96-40 (MODIFICATIONS OF GENERAL LARGE-SCALE DEVELOPMENT PROVISIONS) and 96-51 (Mandatory Tree Planting Provisions) shall apply; (ii) in C6-3X districts automobile showrooms with automobile sales, preparation of automobiles for delivery and automobile repairs, and police department stables for horses, with accessory automobile parking shall be permitted uses below the level of any floor occupied by dwelling units.

* * *