Chapter 1: Project Description

A. PROJECT IDENTIFICATION

Durst Development L.L.C. (the applicant) proposes a rezoning of a portion of the block bounded by West 57th and West 58th Streets, between Eleventh and Twelfth Avenues (Block 1105, the project block) in Manhattan, along with special permits, modifications to existing special permits and a Restrictive Declaration and other related land use actions, to facilitate the development of approximately 965,000 zoning square feet (zsf) (approximately 1.1 million gross square feet [gsf]) of residential, commercial, community facility, and parking uses on the project block (Block 1105) (see **Figure 1-1**). The eastern portion of the block is already developed with a residential building with ground floor retail and parking uses (The Helena) and a building with mini-storage uses. The entire block was the subject of a previous Environmental Impact Statement and Land Use Approval in 2001 (*West 57th Street Rezoning Final Environmental Impact Statement* [2001 *FEIS*], City Environmental Quality Review (CEQR) No. 00DCP041M and ULURP Nos. 000148ZMM, 010149ZSM, 010150ZSM, 010151ZSM, and 010152ZSM).

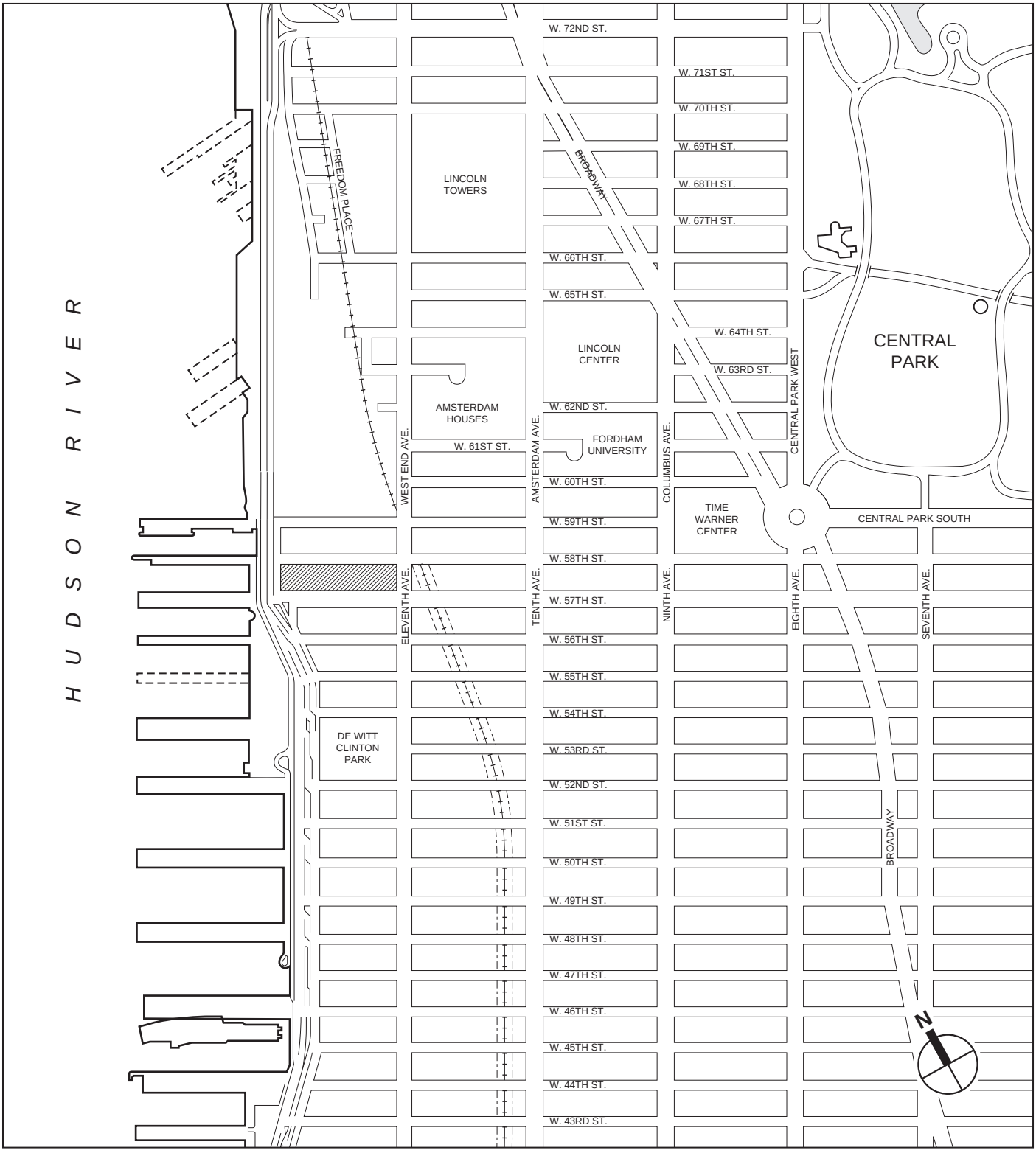
The project block is located in Manhattan Community District 4.

The proposed actions are being requested to facilitate the applicant's proposed project, in which it intends to build approximately 1.1 million gsf on the project block, consisting of approximately 850,000 gsf of residential space (up to 863 residential rental units, including up to 151 affordable units, or 20 percent of the units on projected development site 1); approximately 80,000 gsf of commercial office; 62,000 gsf of retail; 28,000 gsf of community facility space; and 285 additional accessory parking spaces. (The existing 100 accessory parking spaces in The Helena on the project block would remain.) The proposed actions would result in the construction of a new building on the western and midblock portions of the project block (Lots 1, 5, 14, 19, p/o 36, and 43, collectively, projected development site 1), a one to two story midblock community facility building (also located on projected development site 1), the renovation and conversion of the mini-storage facility to residential, retail, and community facility use (p/o Lot 36, projected development site 2), and the creation of new retail space in the existing Helena apartment building. For analysis purposes, it is anticipated that the proposed project, including both projected development site 1 and projected development site 2, would be complete by 2015.

Development of the proposed project requires approvals from the CPC for the following discretionary actions:

- Rezoning of a portion of the project block from M1-5 to C6-2. The C6-2 district has a floor-area ratio (FAR) of 6.0 for all uses except community facility uses, which is a 6.5 FAR. This change would provide an adjusted FAR across the entire zoning lot of 8.63 with the 6.0 FAR and a maximum 8.8 FAR with the additional community facility FAR (given the maximum 10.0 FAR within the existing C4-7 district) (see **Figure 1-2**);
- Special permit pursuant to Section 74-743 of the New York City Zoning Resolution to allow, in a large-scale development, (1) floor area to be distributed across the entire zoning

4.16.12



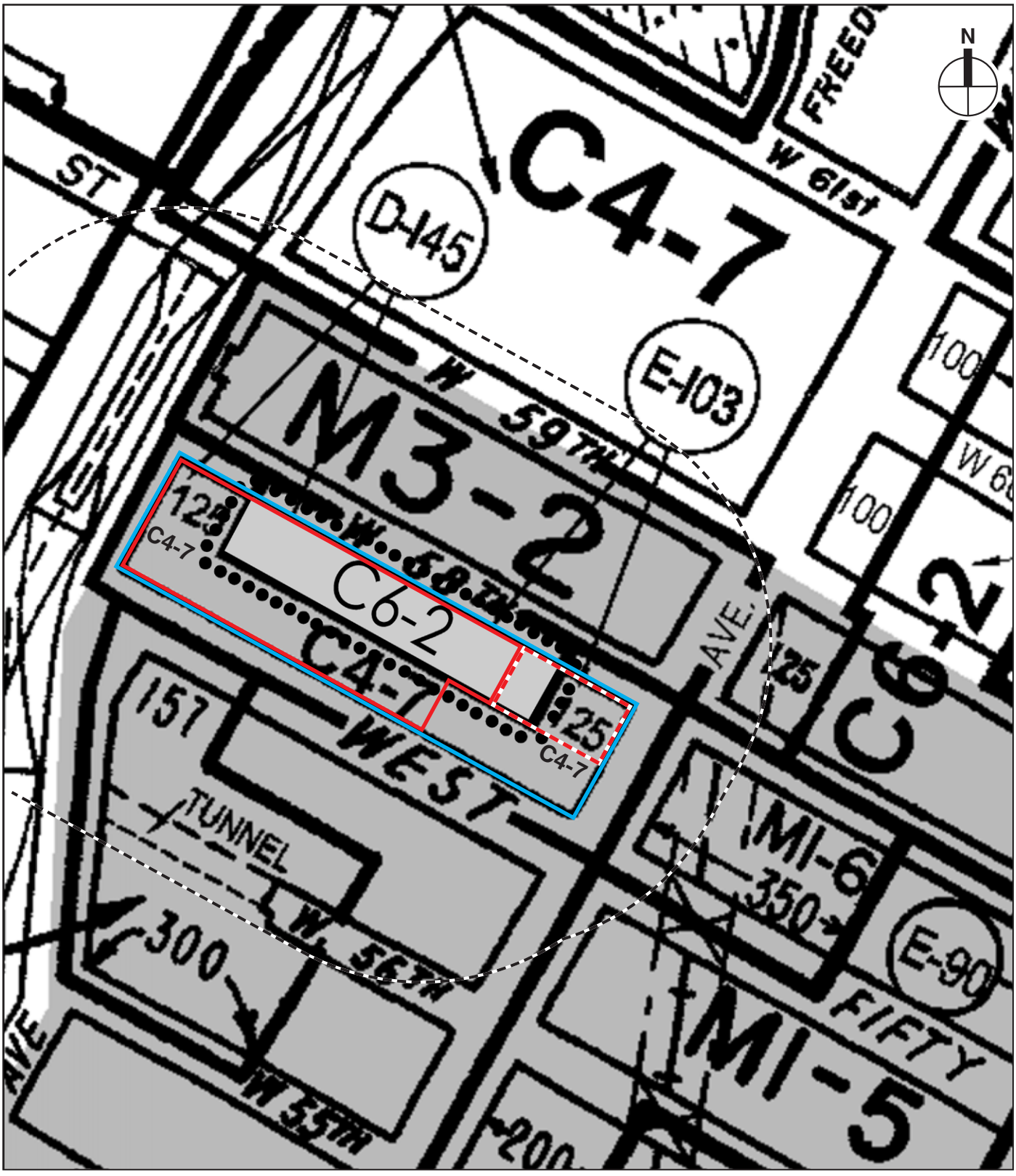
Project Block

Project Location

Figure 1-1

625 WEST 57TH STREET

7.9.12



Projected Development Site 1

Projected Development Site 2

Project Block

400-Foot Perimeter

Zoning District Boundary

Clinton Special Purpose District

0 200 400 FEET

SCALE

Proposed Zoning

Figure 1-2

625 WEST 57TH STREET

lot, (2) buildings to be located without regard for distance between building regulations, and (3) to permit the location of buildings without regard to height and setback regulations;

- Special permit pursuant to Section 13-561 of the New York City Zoning Resolution for a 285 space accessory parking garage;
- Modification of the Large Scale General Development site plan associated with the existing special permits (Amendment to ULURP No. C010151 ZSM); and
- Modification of the existing Restrictive Declaration (Amendment to Restrictive Declaration No. D-145 associated with ULURP No. C010148 ZMM).

The project sponsor is applying to the New York City Planning Commission (CPC) for discretionary actions that would allow construction of the proposed development on the project block, which is different from what was analyzed in the 2001 *FEIS*. Because the development resulting from the proposed modifications may result in significant adverse environmental impacts not identified in the 2001 *FEIS*, this Draft Supplemental Environmental Impact Statement (SEIS) has been prepared. The Draft SEIS (DSEIS) assesses whether any changed background conditions and whether the differences in program elements between the proposed development program and those assessed in the 2001 *FEIS* for the project block would result in any significant adverse impacts that were not adequately addressed in the 2001 *FEIS*.

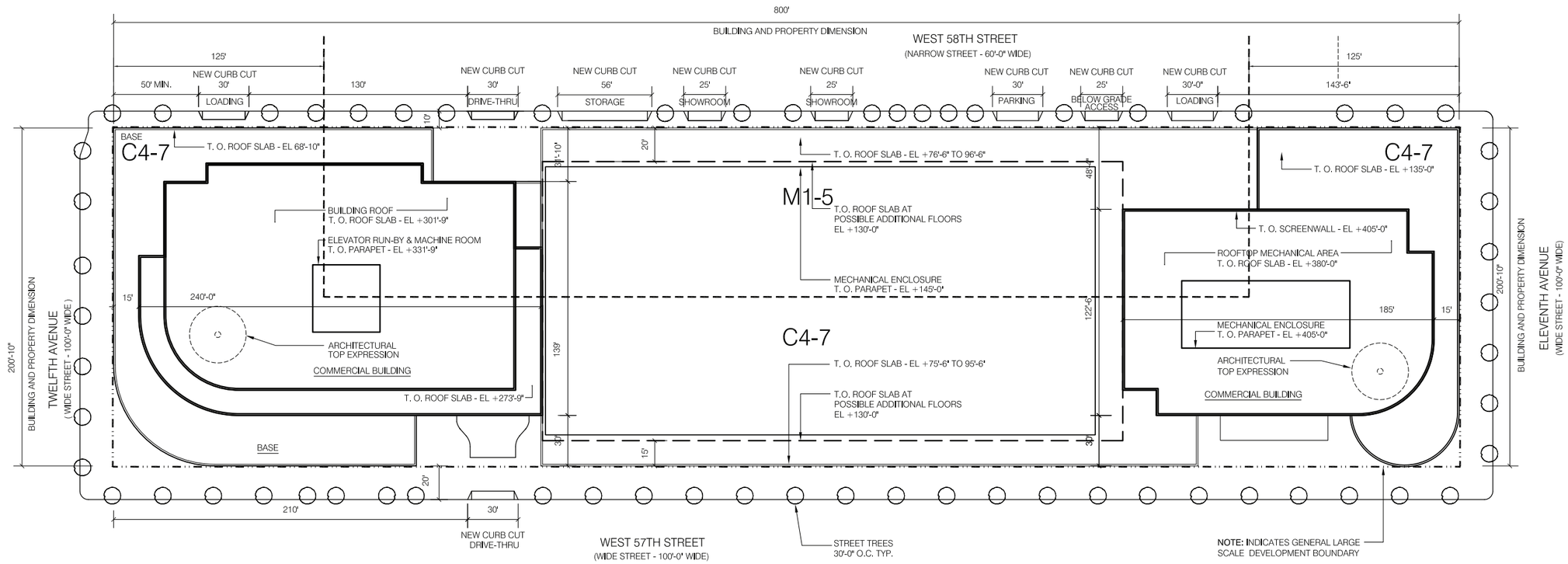
The proposed discretionary actions from the CPC are subject to environmental review. This DSEIS has been prepared in accordance with Executive Order 91 of 1977, as amended, and CEQR Rules and Procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). The 2012 *CEQR Technical Manual* will generally be used as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the proposed project, unless otherwise stated.

B. PROJECT DESCRIPTION

HISTORY OF THE PROJECT BLOCK

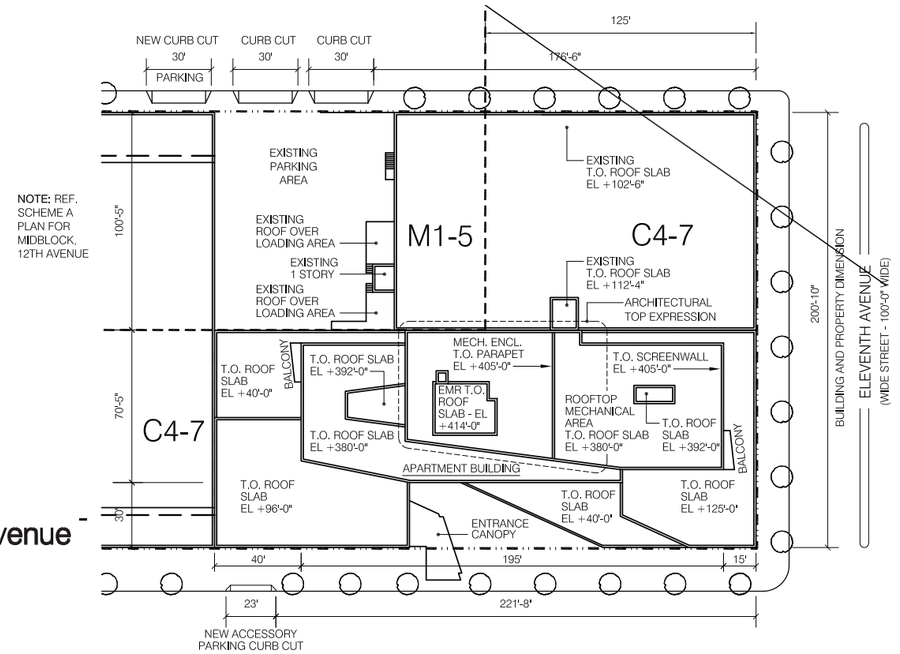
2001 ENVIRONMENTAL REVIEW AND APPROVALS

In 2001, the project block was the subject of a rezoning from an M2-3 zoning district to a C4-7 district within 125 feet of the avenues and in the midblock along West 57th Street (to a depth of approximately 100 feet), and to an M1-5 zoning district in the midblock facing West 58th Street. The proposed actions analyzed in the 2001 *FEIS* also included a special permit pursuant to ZR Section 74-743(a)(3) for the modification of height and setback regulations, a special permit pursuant to ZR Section 74-744(b) to allow residential uses located on the same level or below commercial uses, and two special permits pursuant to ZR Sections 74-52 and 13-562 for one 239-space above grade public parking garage on the western portion of the block, and for one 399-space below grade public parking garage on the eastern and midblock portions of the block. **Figure 1-3** shows the site plan of the previously approved project. A Restrictive Declaration placed on the site in connection with the prior approvals requires that if the project block is developed in whole or part in accordance with the 2001 large scale permits, the block must be developed substantially in accordance with the special permit approved plans. The Helena building was constructed utilizing the special permits, and accordingly the remainder of the block is required to comply with the approved plans. Those plans specifically limit residential development to up to 520,800 zsf on the Eleventh Avenue portion of the site, and assumed a maximum of 600 dwelling units (The Helena has 597 dwelling units and approximately 519,860 zsf). The approved plans further limit the remainder of the block to non-residential uses and



Site Plan / Roof Plan Scheme A (Office - Office)

1"=40'



Partial Site Plan / Roof Plan @ 11th Avenue - Scheme B (Commercial - Residential)

1"=40'

NOTE: This site plan has been constructed

Previously Approved Project-Site Plan
Figure 1-3

specifically limit certain retail uses (Use Groups 6A, 6C, and 10A, except radio and television studios) an aggregate of no more than 125,000 zsf, including no more than 78,000 zsf of Use Group 10A retail uses. The plans also include, among other things, maximum envelopes for buildings on the site, setback requirements from each of the streets, and other bulk limitations. The actions were approved by the City Council in April 2001.

The previously approved office-residential scenario presented in the 2001 *FEIS* included up to 1,574,250 gsf of development, which comprised approximately 511,500 gross square feet of office use in a building on the western portion of the project block; 270,000 gross square feet of light manufacturing uses in the midblock; 536,450 gsf of residential use in a building on the eastern portion of the block (600 residential units); and the remainder in retail, storage, and other uses, as well as a total of 638 public parking spaces.

The 2001 *FEIS* identified potentially significant impacts on hazardous materials, traffic, and noise. Mitigation measures included:

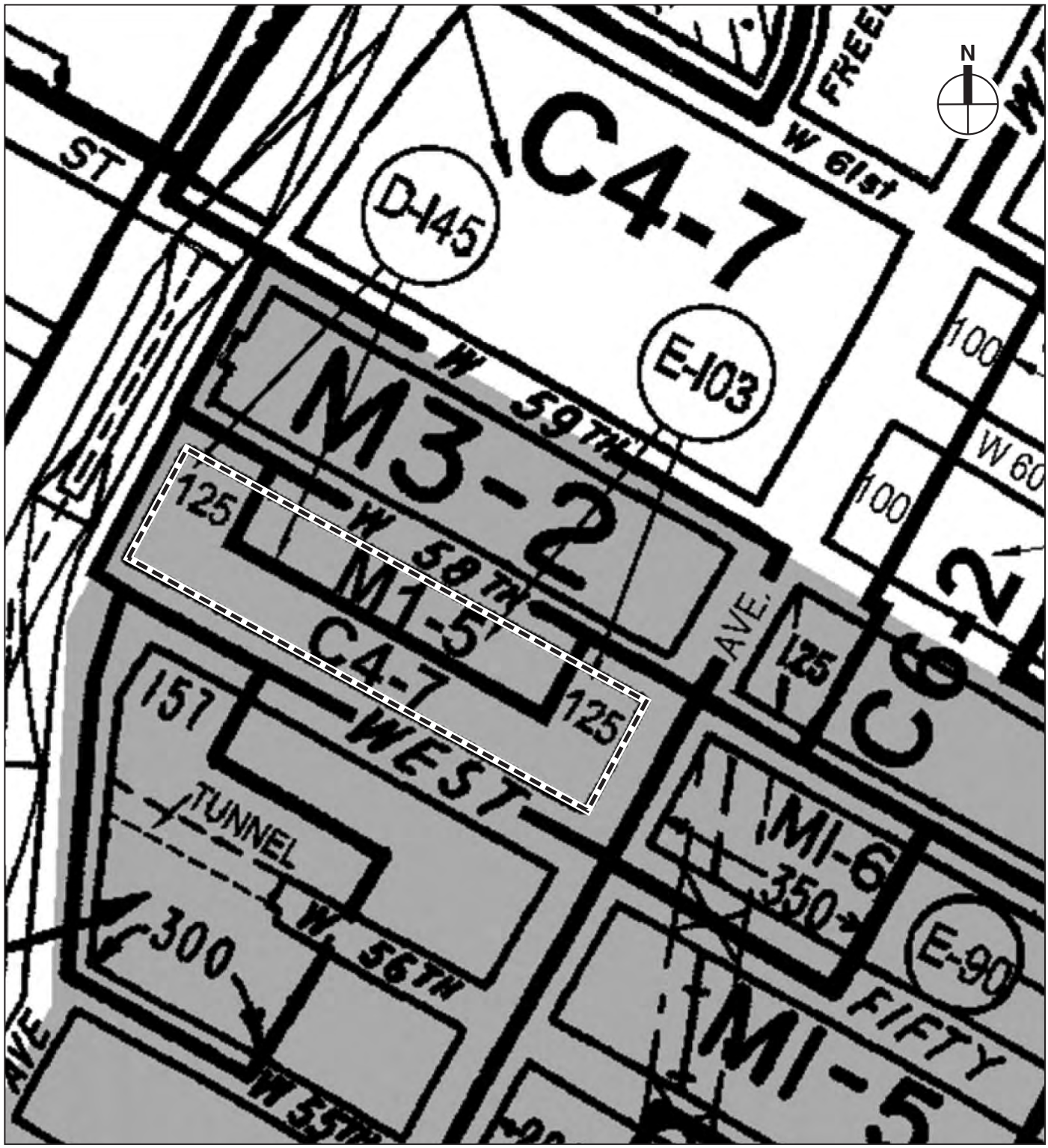
- Hazardous Materials: In order to avoid any adverse effects on the project block, a Remedial Action Plan was to be submitted to the New York State Department of Conservation (DEC), groundwater monitoring under the project block would be conducted, a dewatering system would be implemented if necessary, asbestos-containing materials (ACM) would be abated before the start of demolition of any structure containing asbestos, and any ACMs, polychlorinated biphenyls (PCBs), and lead based paint encountered during demolition would be removed/disposed of in accordance with all applicable Federal, State, and local regulations. (In addition, since the 2001 *FEIS*, all buildings on the western and midblock portions of the project block have been demolished, site investigation has been completed in coordination with DEC, and cleanup is underway in coordination with DEC. See Chapter 9, "Hazardous Materials," for additional information.)
- Traffic and Transportation: The 2001 *FEIS* analyzed the effects of the office-residential scenario on traffic and transportation, and identified measures designed to reduce potential impacts to traffic and transportation including (a) facilitating access/egress to the future expanded Route 9A; (b) creating a two-way service drive to reduce conflicts on West 57th Street and enhance circulation; (c) eliminating curb cuts from the key frontages of Eleventh Avenue, Twelfth Avenue, and West 57th Street; and (d) widening West 58th Street adjacent to the site to accommodate two-way traffic and all of the project's service needs. Mitigation measures consisted of parking regulation and lane configuration changes at two intersections, and signal timing changes at five intersections. All measures were subject to review and approval by the New York City Department of Transportation (NYCDOT) prior to implementation.
- Noise: In order to preclude the potential for significant adverse noise impacts, the 2001 *FEIS* identified a closed window condition with a minimum of 35 dB(A) window/wall attenuation to maintain an interior noise level of 45 dB(A) for residential uses. An (E) designation was placed on the site to reflect this requirement.

The project block is currently zoned C4-7 and M1-5, within the Special Clinton District (see **Figure 1-4**).

DEVELOPMENT SINCE 2001

In 2004, the applicant requested a modification of the existing special permits to allow an additional curb cut on West 57th Street for access to the 100-space accessory parking garage in

7.9.12



0 200 400 FEET

SCALE

Project Block

Zoning District Boundary

Clinton Special Purpose District

625 WEST 57TH STREET

Existing Zoning
Figure 1-4

The Helena. The modification was approved and the Restrictive Declaration covering the site was modified to reflect the changes to the approved plans.

The Helena, a 38-story, 597-unit residential apartment building with approximately 12,000 square feet of ground floor retail and 100 accessory parking spaces was completed in 2004 pursuant to the 2001 approvals as modified in 2004, and fully occupies the southeastern corner of the block. The 2001 *FEIS* assumed that the new residential development along Eleventh Avenue would include Lot 36 on the northeastern corner of the project block. However, this lot was not included in the development of The Helena; instead, Manhattan Mini-Storage currently occupies a 98,500 square foot, 6-story building with an approximately 20 space accessory parking area on this lot. The buildings on the mid and western portions of the project block were demolished subsequent to the 2001 *FEIS* and the lots are now vacant.

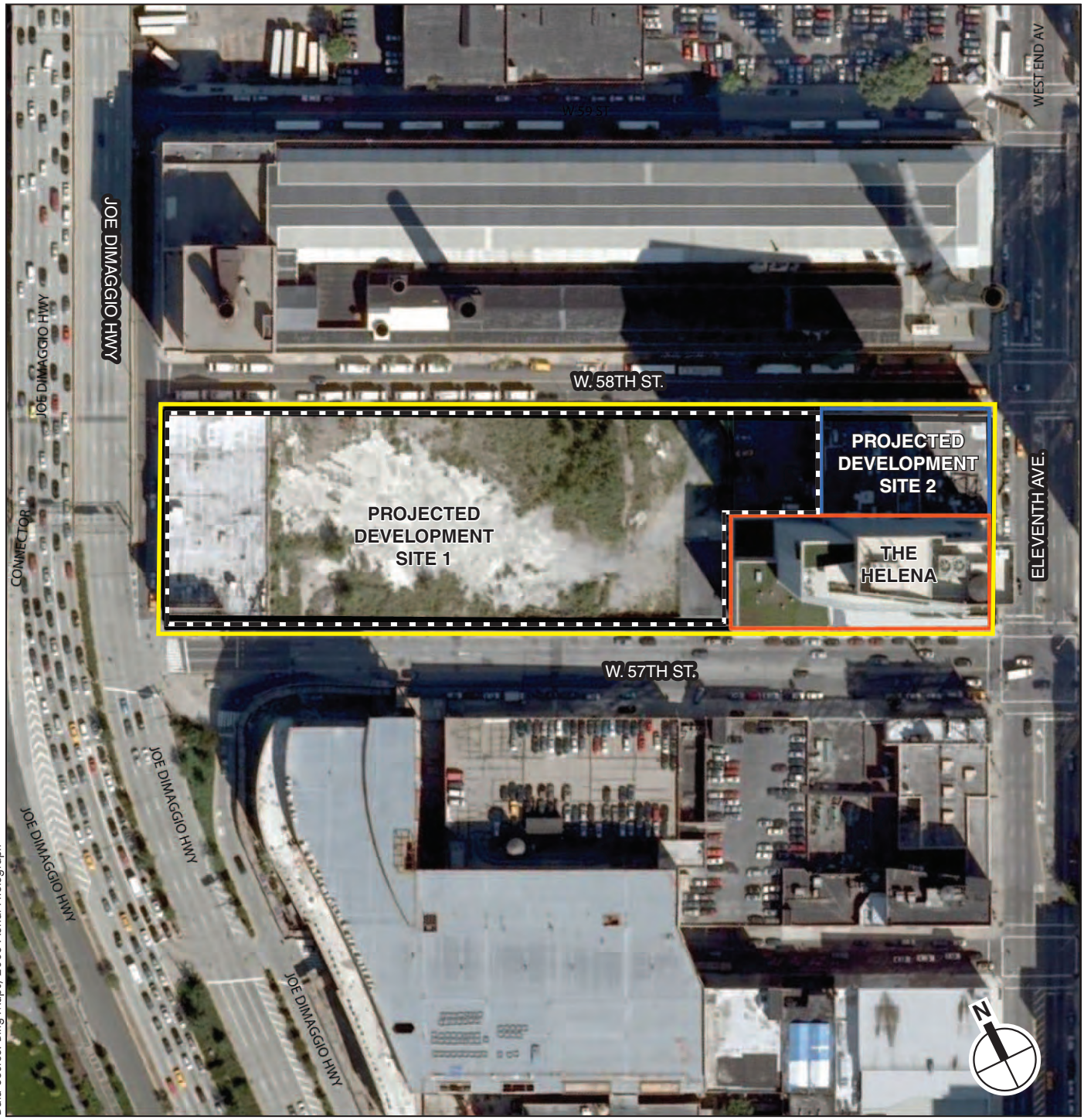
In 2008, an application was submitted to the New York City Board of Standards and Appeals (BSA) for a special permit pursuant to ZR Section 73-19 to permit the development of a 1,750 seat school (Use Group 3) for grades Pre-K through 12 on a site partially within an M1-5 zoning district. The special permit was approved, but the project is not being pursued.

In 2010, the applicant demolished the building on the western portion of the block and filed an application for a building permit with the New York City Department of Buildings (DOB) for a new building on the mid- and western portions of the block pursuant to the existing zoning and approvals for the site. Under this application, the mid- and western portions of the block would be developed with approximately 331,300 gsf of office use; 67,500 gsf of retail uses; and 538 public parking spaces. Subsequent to that filing, the applicant determined it would not construct new below-grade parking at the site, and amended the application to include only the 239-car above grade public garage permitted under the existing special permits. As discussed below, absent the proposed project this new building would be completed in the future without the proposed project.

PROPOSED PROJECT

The proposed actions are being requested to facilitate the applicant's proposed project, in which it intends to build approximately 1.1 million gsf on the project block consisting of approximately 850,000 gsf of residential space (up to 863 residential rental units, including up to 151 affordable units, or 20 percent of the units on projected development site 1); approximately 80,000 gsf of commercial office; 62,000 gsf of retail; 28,000 gsf of community facility space; and 285 additional accessory parking spaces (see **Table 1-1**). As discussed below, the proposed actions would result in the construction of a new building on the western and midblock portions of the project block (Lots 1, 5, 14, 19, p/o 36, and 43, collectively, projected development site 1), a one to two story midblock community facility building (also located on projected development site 1), the renovation and conversion of the mini-storage facility to residential, retail, and community facility use (p/o Lot 36, projected development site 2), and the creation of new retail space in the existing Helena apartment building (see **Figure 1-5**). For analysis purposes, it is anticipated that the proposed project, including both projected development site 1 and projected development site 2, would be complete by 2015.

7.9.12



Data Source: Bing Maps, 2008 Aerial Photograph

Projected Development Site 1 Boundary

Project Block Boundary

Projected Development Site 2 Boundary

0 100 200 FEET

SCALE

Project Block Aerial Photo

625 WEST 57TH STREET

Figure 1-5

Table 1-1
Proposed Project Development Program

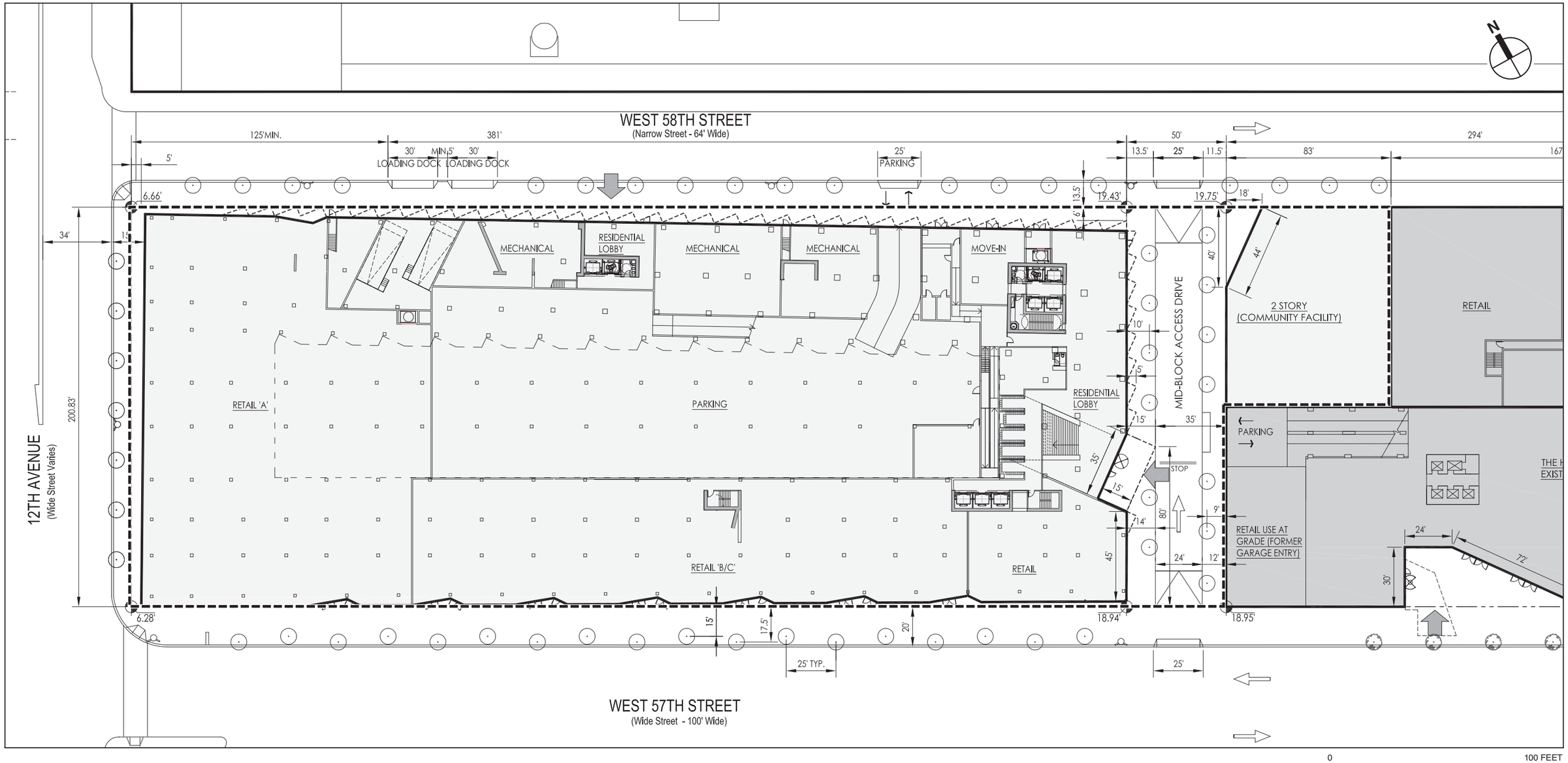
Project Components	Projected Development Site 1 (GSF)	Projected Development Site 2 (GSF)	Total (GSF)	Proposed Zoning Floor Area	Approx. Proposed FAR
Residential[1]	760,000	90,000	**850,000**	810,000	**5.0**
Total Residential Units	*753*	*110*	***863***	*NA*	***NA***
Affordable Residential Units	*151*[2]	*0*	***151***	*NA*	***NA***
Commercial Office	80,000[3]	0	**80,000**	75,500	**0.5**
Retail	55,000	5,000	**62,000**[4]	52,000	**0.3**
Community Facility	13,000[5]	15,000	**28,000**	27,600	**0.2**
Above-Grade Parking	50,000	0	**50,000**	0	**0.0**
Accessory Parking Spaces[6]	*285*	*0*	***285***	*NA*	***NA***
Mechanical and Loading	50,000	0	**50,000**	0	**0.0**
Total	**--**	**--**	**1,120,000**	**965,100**[7]	**6.0**[7]

Note: GSF = gross square feet
[1] The residential GSF includes residential amenity, lobby, and storage space.
[2] It is expected that 20 percent or up to 151 units on projected development site 1 would be affordable.
[3] The commercial office GSF may be allocated as commercial space, residential space, amenity space, or community facility space. To provide for a conservative analysis, it is analyzed as office space. If it were allocated to residential space it would not affect the overall number of units in the proposed project.
[4] The total retail GSF includes approximately 2,000 gsf of new retail that would be created by relocating and converting the existing Helena garage entrance on West 57th Street.
[5] The community facility use on projected development site 1 would be located in the midblock community facility building.
[6] The proposed project would include a new 285-space accessory parking garage. The existing 100-space accessory parking garage under The Helena would be retained.
[7] The total proposed zoning floor area and FAR presented in this table includes floor area that may be allocated as commercial space, residential space, amenity space, or community facility space as both residential floor area and office floor area.
Source: Durst Development L.L.C.; SLCE Architects, LLP

PROJECTED DEVELOPMENT SITE 1

Projected development site 1 would be developed with two buildings—a mixed-use building and a midblock community facility use building—containing residential, office, retail, community facility, and parking uses (see **Figures 1-6a, 1-6b, 1-7a, 1-7b, and 1-8**). The mixed-use building would occupy the majority of projected development site 1 (Lots 1, 5, 14, 19, and 43) and would contain approximately 760,000 gsf of residential space; approximately 80,000 gsf of commercial office; and 55,000 gsf of retail. The midblock community facility use building would be located on a portion of Lot 36 adjacent to projected development site 2. It is currently expected that the community facility space would be occupied by medical office uses. Projected development site 1 would include up to 753 residential rental units. The proposed development program includes a set-aside of 20 percent of the residential units on projected development site 1 (or up to 151 units) as affordable housing units for a period of 35 years following completion of construction, with affordable housing defined as dwelling units affordable to families or individuals whose incomes at the time of initial occupancy do not exceed the applicable percentage of median income and family size thresholds. The applicant will seek to participate in both the New York State Housing Finance Agency's (HFA) "80/20" Housing Program, in which the applicant would receive tax-exempt financing, as well as the New York City Department of Housing Preservation and Development's 421-a Affordable Housing Program, as applied to a rental building with affordable units in which the applicant would receive property tax exemptions, in exchange for the reservation of 20 percent of the rental units on projected development site 1 as affordable housing. Even without these programs, the overall number of units on projected development site 1 would not change.

7.9.12



Projected Development Site 1 Boundary

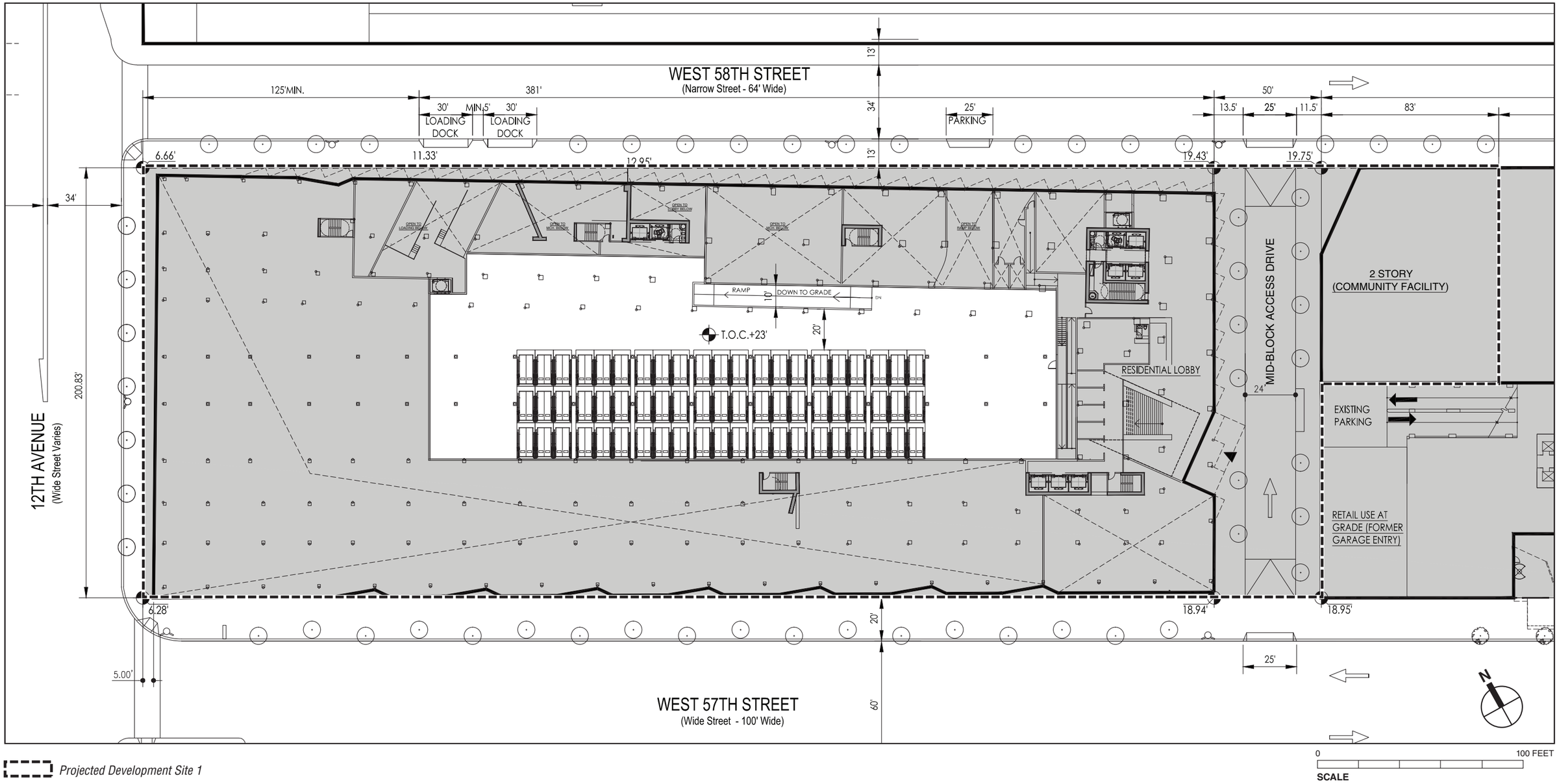
0 100 FEET

SCALE

625 WEST 57TH STREET

Projected Development Site 1-Ground Floor Plan

Figure 1-6a

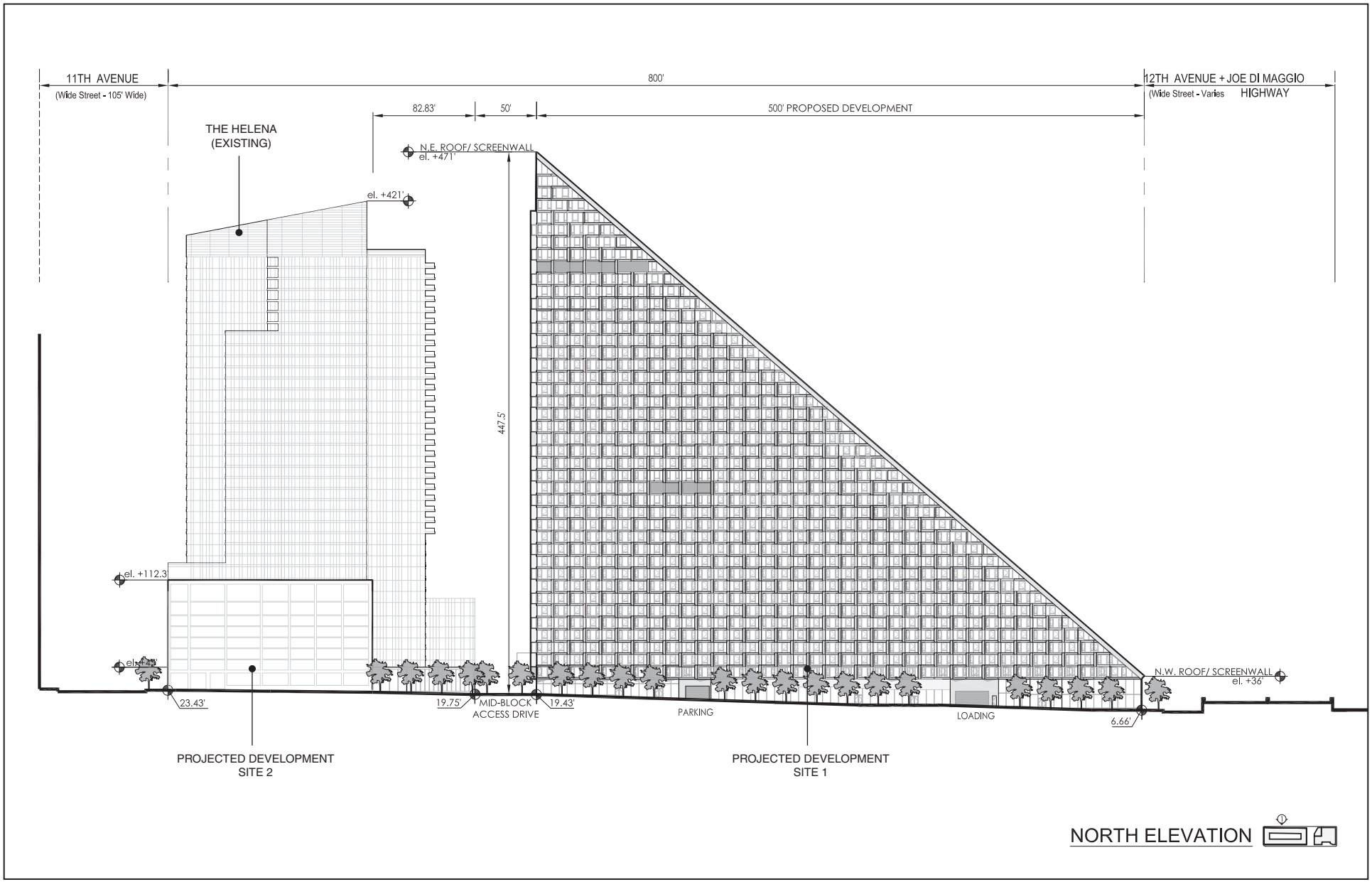


Projected Development Site 1

625 WEST 57TH STREET

Projected Development Site 1-Mezzanine Plan

Figure 1-6b

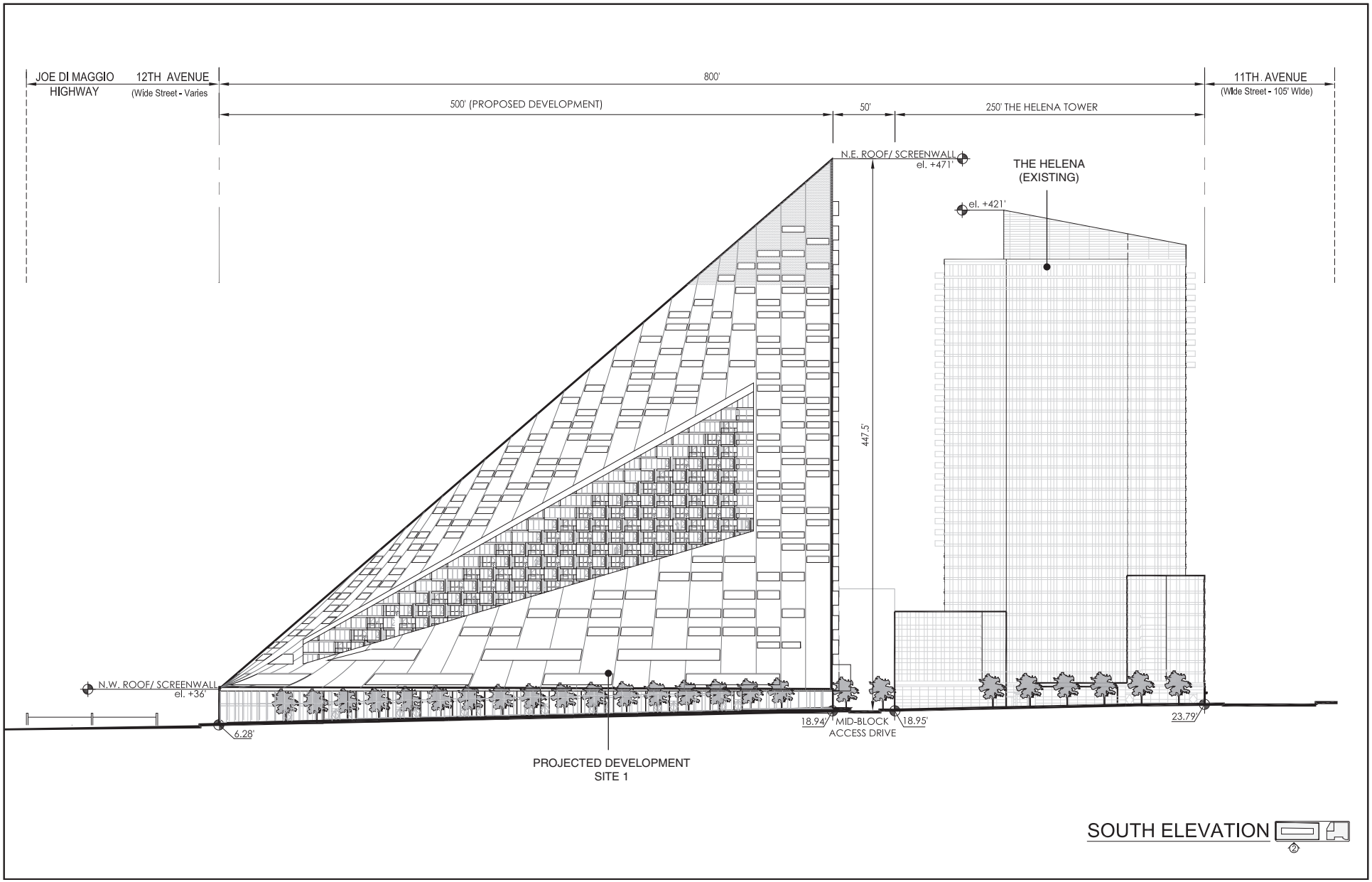


FOR ILLUSTRATIVE PURPOSES

Projected Development Site 1
North Elevation

625 WEST 57TH STREET

Figure 1-7a

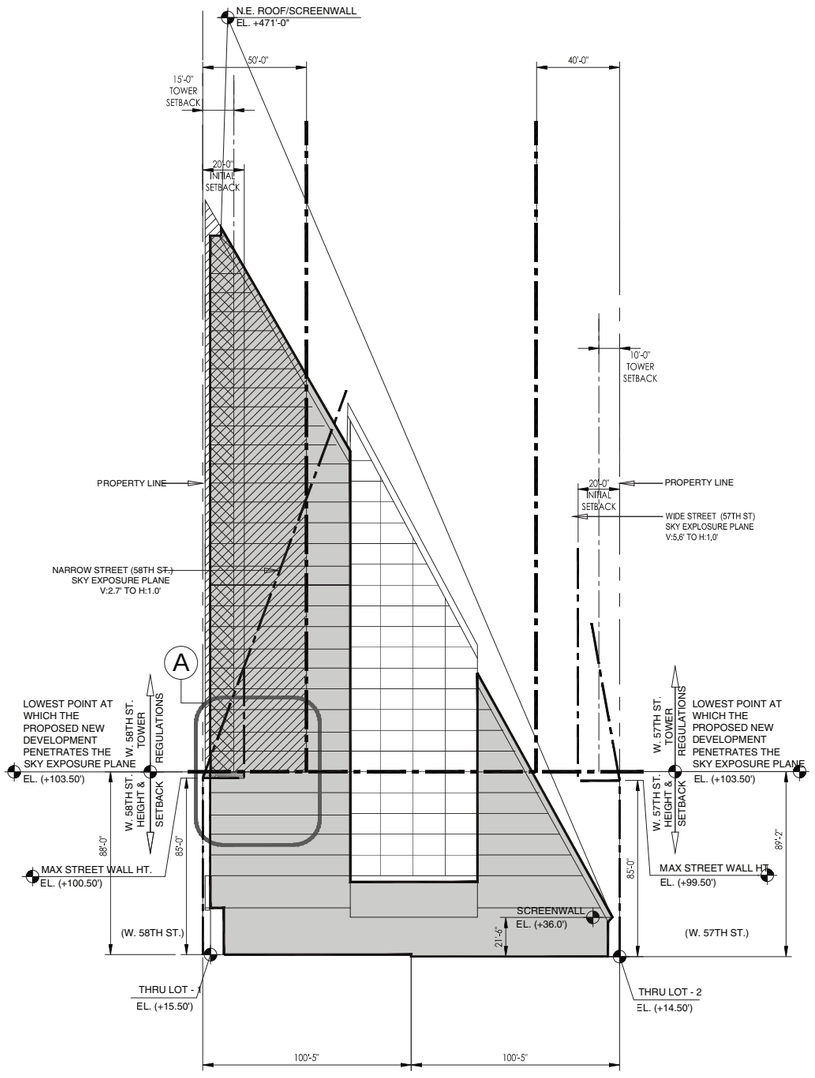


FOR ILLUSTRATIVE PURPOSES

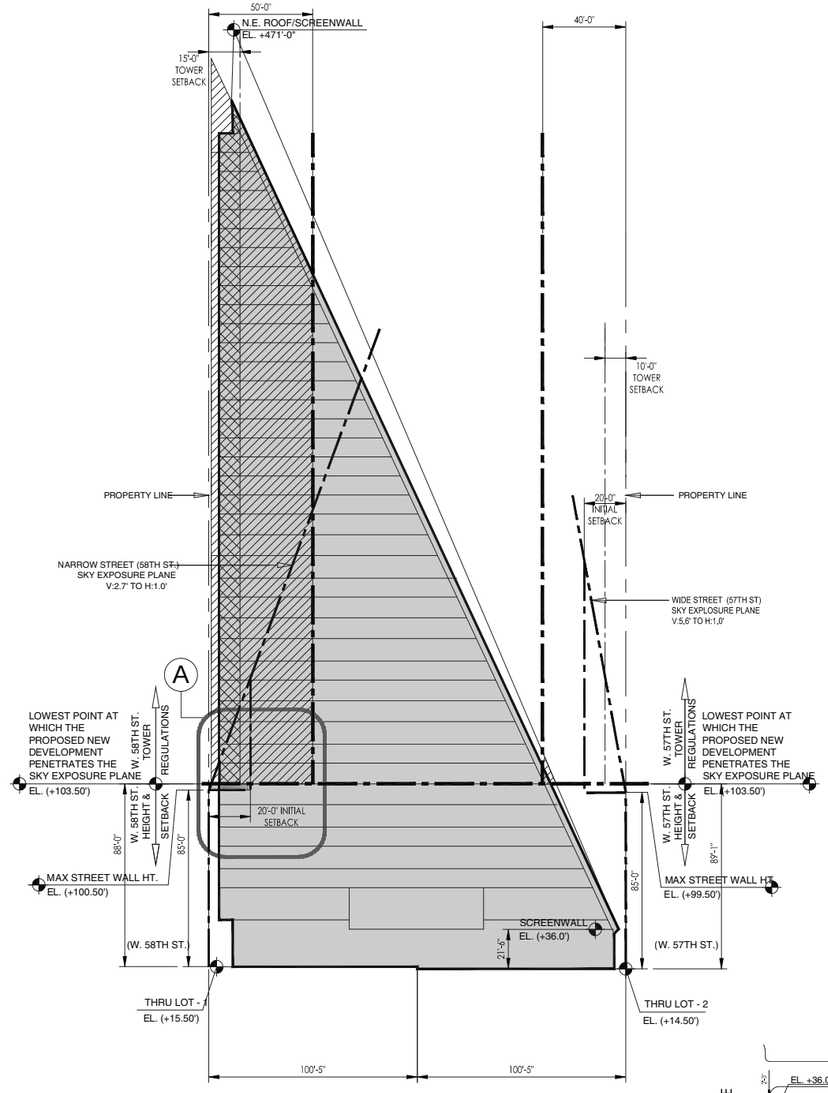
Project Development Site 1
South Elevation

625 WEST 57TH STREET

Figure 1-7b



3 NORTH / SOUTH SECTION
SCALE: 1"=25'



4 NORTH / SOUTH SECTION
SCALE: 1"=25'

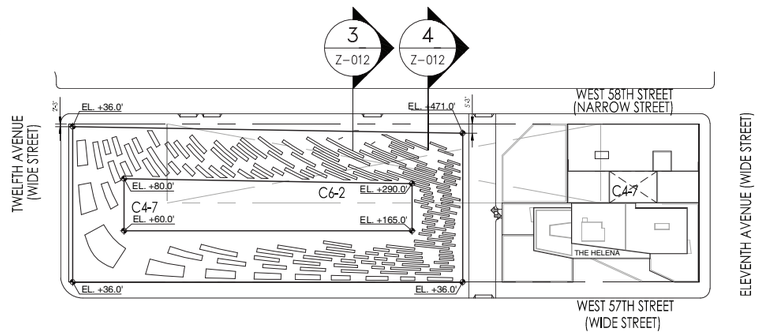
TOWER ENCROACHMENT CALCULATIONS (PURSUANT TO 33-45)			
FACADE	**PERMITTED**	**EXISTING/ PROPOSED**	**EXCESS AREA BEYOND PERMITTED**
12th Avenue (Wide)	1,600 sf within 40'	0 sf (existing (B)(C)) + 0 sf (prop. (A)) = 0 sf Total within 40'	0 sf
W 58th Street (Narrow)	1,875 sf within 50'	0 sf (existing (C)) + 26,022 sf (prop. (A)(B)) = 26,022 sf Total within 50'	24,147 sf
W 57th Street (Wide)	1,600 sf within 40'	3,527 sf (existing (C)) + 98 sf (prop. (A)) = 3,625 sf Total within 40'	2,025 sf
11th Avenue (Wide)	1,600 sf within 40'	3,995 sf (existing (C)) + 2,417 sf(prop. (B)) = 6,412 sf Total within 40'	4,812 sf

LEGEND

- TOWER REGULATION AGGREGATE SQ. FT. NON-COMPLIANCE WAIVER PURSUANT TO ZONING RESOLUTION 74-743 (a)(2)
- TOWER REGULATION INITIAL SETBACK ABOVE DATUM EL. +103.50' NON COMPLIANCE WAIVER PURSUANT TO ZONING RESOLUTION 74-743 (a)(2)
- HEIGHT & SETBACK REGULATION NON-COMPLIANCE WAIVER PURSUANT TO ZONING RESOLUTION 74-743 (a)(2)

GENERAL NOTES:

1. ALL ELEVATIONS ARE ABOVE MANHATTAN DATUM ELEV. 0.0'
2. AREA OF ENCROACHMENT NUMBERS REFLECT MAXIMUM ENCROACHMENT WITHIN THE TOWER ENVELOPE.
3. BUILDINGS TO OCCUPY NO MORE THAN 40% OF ZONING LOT WITHIN TOWER ENVELOPES, ABOVE MANHATTAN DATUM ELEV. +103.50'. (SEE Z-007 FOR CALCULATIONS)
4. PERMITTED OBSTRUCTIONS MAY EXCEED THE BULK ENVELOPE.



Projected Development Site 1-Section
Figure 1-8

The proposed project would also include 285 accessory parking spaces above grade on projected development site 1, in addition to the 100 accessory spaces currently in The Helena on the project block, resulting in a total of 385 accessory parking spaces on the project block. (As described above in "History of the Project Block," the 2001 approvals included special permits for a 239-space above grade public parking garage on the western portion of the block, and for a 399-space below grade public parking garage on the eastern and midblock portions of the block.) The Helena parking garage would be accessed from a midblock access drive that would extend between West 57th and West 58th Streets.

The proposed project on projected development site 1 would rise to an elevation of approximately 470 feet, or 35 stories. For the purposes of presenting a reasonable worst-case analysis, this DSEIS analyzes a building design with a closed condition on the top 77 feet of the building. However, between the DSEIS and the FSEIS, the proposed design may be modified on the top 77 feet of the building to have an open design with structural elements on all sides. The building would approximate a hexahedron shape around an interior courtyard, with the lowest portions along Twelfth Avenue and West 57th Street. The building would slope up toward the northeast, with the tallest point at the northeast corner. The midblock community facility use building would be one to two stories.

PROJECTED DEVELOPMENT SITE 2

In order to present a conservative analysis, it is assumed that the proposed actions would also facilitate conversion of the mini-storage facility; specifically, this would include demolition of the existing core, addition of three floors at the top of the existing building, renovation of the interior, and conversion to a mixed use building with ground floor retail, community facility, and residential above. For analysis purposes it is assumed that the building on the mini-storage site would be converted to up to 110 residential rental units (approximately 90,000 gsf residential), 15,000 gsf community facility use, and approximately 5,000 gsf of ground-floor retail. In the future with the proposed project, projected development site 2 would rise to an elevation of approximately 135 feet, or 9 stories. **Figures 1-9 and 1-10** show the illustrative ground-floor plan and building section for projected development site 2.

THE HELENA

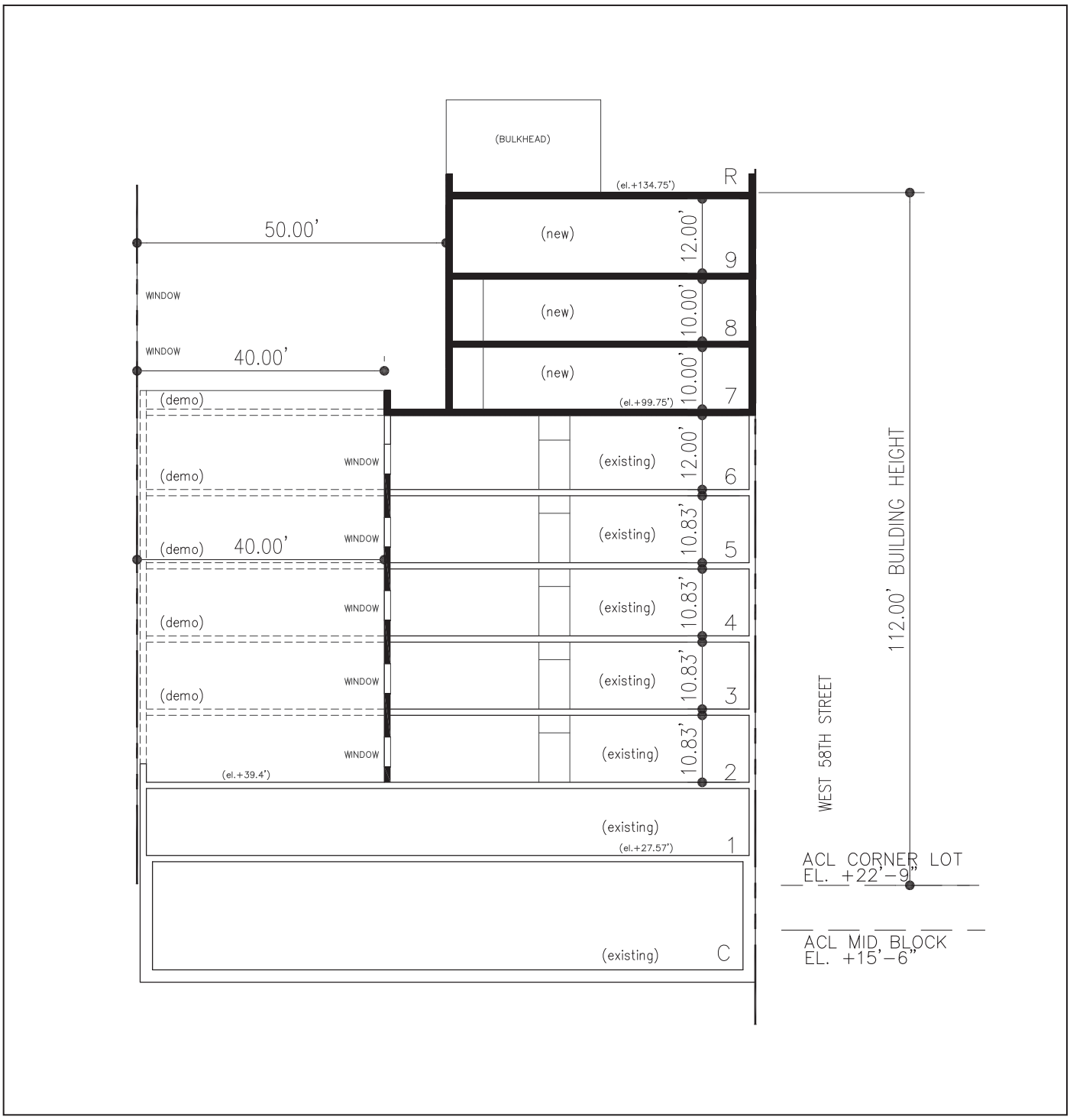
As part of the proposed project, the existing entrance to The Helena garage on West 57th Street would be relocated to the midblock access drive that would extend between West 57th and West 58th Streets and converted to approximately 2,000 gsf of new retail space.

PROPOSED ACTIONS

Development of the proposed project requires approvals from the CPC for the following discretionary actions:

- Rezoning of a portion of the project block from M1-5 to C6-2. The C6-2 district has a floor-area ratio (FAR) of 6.0 for all uses except community facility uses, which is a 6.5 FAR. This change would provide an adjusted FAR across the entire zoning lot of 8.63 with the 6.0 FAR and a maximum 8.8 FAR with the additional community facility FAR (given the maximum 10.0 FAR within the existing C4-7 district) (see **Figure 1-2**);
- Special permit pursuant to Section 74-743 of the New York City Zoning Resolution to allow, in a large-scale development, (1) floor area to be distributed across the entire zoning lot, (2) buildings

7.9.12



Projected Development Site 2
Building Section

625 WEST 57TH STREET

Figure 1-9

7.9.12



Projected Development Site 2

Projected Development Site 2
Illustrative Ground-Floor Plan

625 WEST 57TH STREET

Figure 1-10

to be located without regard for distance between building regulations, and (3) to permit the location of buildings without regard to height and setback regulations;

- Special permit pursuant to Section 13-561 of the New York City Zoning Resolution for a 285 space accessory parking garage;
- Modification of the Large Scale General Development site plan associated with the existing special permits (Amendment to ULURP No. C010151 ZSM); and
- Modification of the existing Restrictive Declaration (Amendment to Restrictive Declaration No. D-145 associated with ULURP No. C010148 ZMM).

The Restrictive Declaration currently encumbering the project block provides that the project site shall be developed in substantial conformity with the plans approved in connection with the 2001 large-scale permits as modified in 2004. As mentioned above, those plans specifically limit residential uses on the block to 520,800 zsf and further limit certain retail uses (use groups 6A, 6C and 10A, except radio or television studios) an aggregate of no more than 125,000 zsf, including no more than 78,000 zsf of Use Group 10A retail uses. As noted above, the eastern portion of the project block currently contains The Helena (the Eleventh Avenue tower in the 2001 *FEIS*). The Helena contains approximately 519,860 zsf of floor area and 597 residential units, which nearly maximizes the allowable residential use under the existing special permit. Therefore, the Restrictive Declaration and special permit would need to be modified to permit any additional residential uses on the zoning lot. The plans approved in 2001, as modified, also include, among other things, maximum envelopes for buildings on the project site, setback requirements from each of the streets, a through-block driveway near the western portion of the block, and other bulk limitations. Thus, modification of the Restrictive Declaration and special permit is also necessary for the proposed massing of the new buildings on the project site.

The proposed actions listed above would increase the total permitted residential floor area on the zoning lot to 1,386,554 zsf and the Restrictive Declaration would limit the number of residential units on the project block to 1,460. The 1,460 units would include the existing Helena with its existing 597 units, and up to 863 new units on the project block. The height, setback, floor area, and overall site plan size of the proposed buildings on projected development site 1 and projected development site 2 would be restricted by the special permit drawings (see **Figures 1-11** and **1-12**).

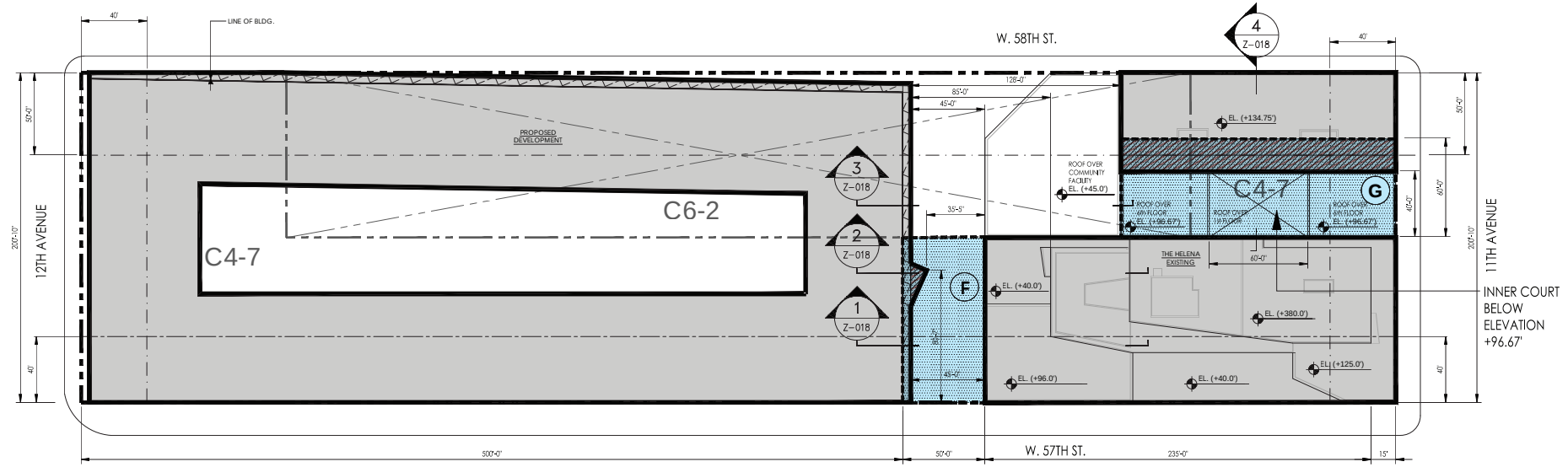
For the affordable housing component, it is expected that the proposed project would seek financing through the New York State HFA "80/20" program. The applicant will also seek to participate in the New York City Department of Housing Preservation and Development's 421-a Affordable Housing Program, as applied to a rental building with affordable units in which the applicant would receive property tax exemptions, in exchange for the reservation of 20 percent of the rental units on projected development site 1 as affordable housing. However, the applicant has not made a formal application to HFA and accordingly, the proposed project will not undergo coordinated review with HFA.

C. PROJECT PURPOSE AND NEED

GOALS AND OBJECTIVES OF THE PROPOSED PROJECT

The project development sites are currently underdeveloped, with a large portion zoned for manufacturing use reflecting the former nature of this part of Manhattan. The proposed rezoning, along with the new and modified special permits, would allow for a mixed-use building with

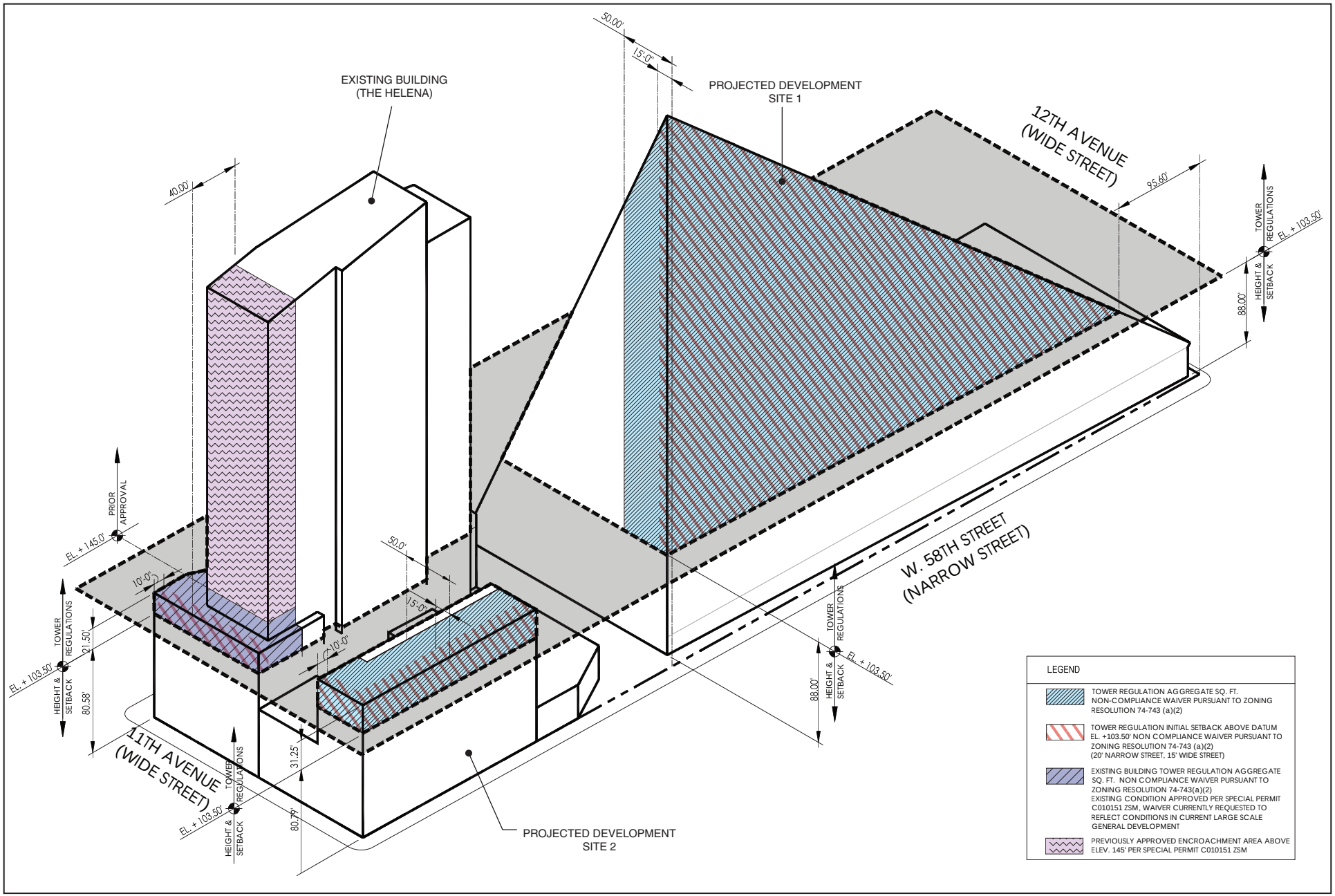
LEGEND			
Minimum distance between buildings non-compliance waiver pursuant to Zoning resolution (74-743(a)(2)	(F)	Distance provided 45'-0" @ Section 1 Distance provided 35'-5" @ Section 2	Minimum distance between buildings non-compliance waiver pursuant to Zoning resolution (74-743(a)(2)
Minimum distance between buildings required	(G)	Distance provided 40'-0" @ Section 4	



Minimum Distance Between Buildings Diagram

625 WEST 57TH STREET

Figure 1-11



Tower Regulations Isometric Diagram

Figure 1-12

residential, commercial office, retail, community facility, and parking uses. This development would provide new rental residential uses—including affordable housing units—in the neighborhood, complement the existing residential use on the eastern portion of the block and in the surrounding area, and revitalize the vacant portions of the project block. Furthermore, the applicant has been unsuccessful in attracting tenants for either commercial or light manufacturing development of the size permitted each under the previously approved project, and therefore the change in the development program from the previously approved project to the proposed project would allow the applicant to maximize the development potential of the project site.

The proposed rezoning from M1-5 to C6-2 would facilitate development of the new mixed-use building with predominantly residential uses, ground floor retail, and office space and community facility uses, to be located on the western and mid-block portion of the block.

The new and modified special permits would allow the new development to be designed to enhance the relationship between the proposed project, adjacent streets, and surrounding development and to enliven and enhance the West 57th Street corridor.

The proposed special permit pursuant to ZR § 74-743(a)(2), to permit the location of buildings without regard to height and setback regulations, is being sought because the proposed buildings do not comply with, among other things, the setback distance requirements along West 58th Street. The proposed special permit pursuant to ZR § 74-743(a)(1) is also being sought to permit distribution of the allowable floor area from the portion of the building in the C4-7 zoning district to the C6-2 zoning district within the zoning lot.

The project will require a special permit pursuant to ZR § 13-561 for a 285 space accessory garage.

Modification of the existing Restrictive Declaration and special permits are needed to permit the new bulk configuration on the lot, as well as to allow more residential and retail uses, and to allow construction in accordance with the revised plans. The Restrictive Declaration will also include provisions for the implementation of "Project Components Related to the Environment" (i.e., certain project components which were material to the analysis of environmental impacts in this SEIS) and mitigation measures, substantially consistent with this SEIS.

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The 2012 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the proposed project's potential effects on the various environmental areas of analysis. In disclosing impacts, the SEIS considers the proposed project's potential adverse impacts on the environmental setting. Because the proposed project would be operational in 2015, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to 2015 for the purposes of determining potential impacts.

Each chapter of the SEIS will first summarize the conclusions of the 2001 *FEIS* for that particular technical area. The SEIS will then provide a description of "Existing Conditions" for 2011 and assessments of future conditions in 2015 without the proposed project (Future Without the Proposed Project) and with the proposed project (Probable Impacts of the Proposed Project).

Based on the preliminary screening assessments outlined in the 2012 *CEQR Technical Manual* and as detailed in the Draft Scope of Work, the following environmental areas would not require

detailed analysis for the proposed project in this SEIS: natural resources; water and sewer infrastructure; solid waste and sanitation; and energy.

THE FUTURE WITHOUT THE PROPOSED PROJECT

The future without the proposed project in all technical areas assumes that none of the discretionary actions currently being sought are approved. In this case, absent those proposed actions, development will be constructed pursuant to the new building application that the applicant filed with the DOB for a development on the western and midblock portions of the project block. This development, which is described in more detail below, conforms to the existing zoning and approvals for the project block (the permitted building).

The permitted building will consist of new construction of approximately 331,300 gsf of office use and 67,500 gsf of retail uses and 239 public parking spaces on projected development site 1 (see **Table 1-2**). The permitted building would be five stories tall (95 feet) with office uses located on floors 3 through 5 and ground floor retail (see **Figures 1-13** and **1-14**). Parking would be located on the second floor. Parking would be accessed from a midblock access drive that would extend between West 57th and West 58th Streets. It is assumed that the mini-storage facility would remain in its current use in the future without the proposed project.

The permitted building would not maximize the allowable floor area, height, or bulk under the existing zoning and approvals because there has been no demonstrated market at this location for either commercial or light manufacturing development of the size permitted each under the previously approved project. Furthermore, as noted above the applicant has filed for a new building application with the DOB for the permitted building. Therefore, this analysis conservatively assumes a smaller office and retail building in the future without the proposed project than permitted under the previously approved project.

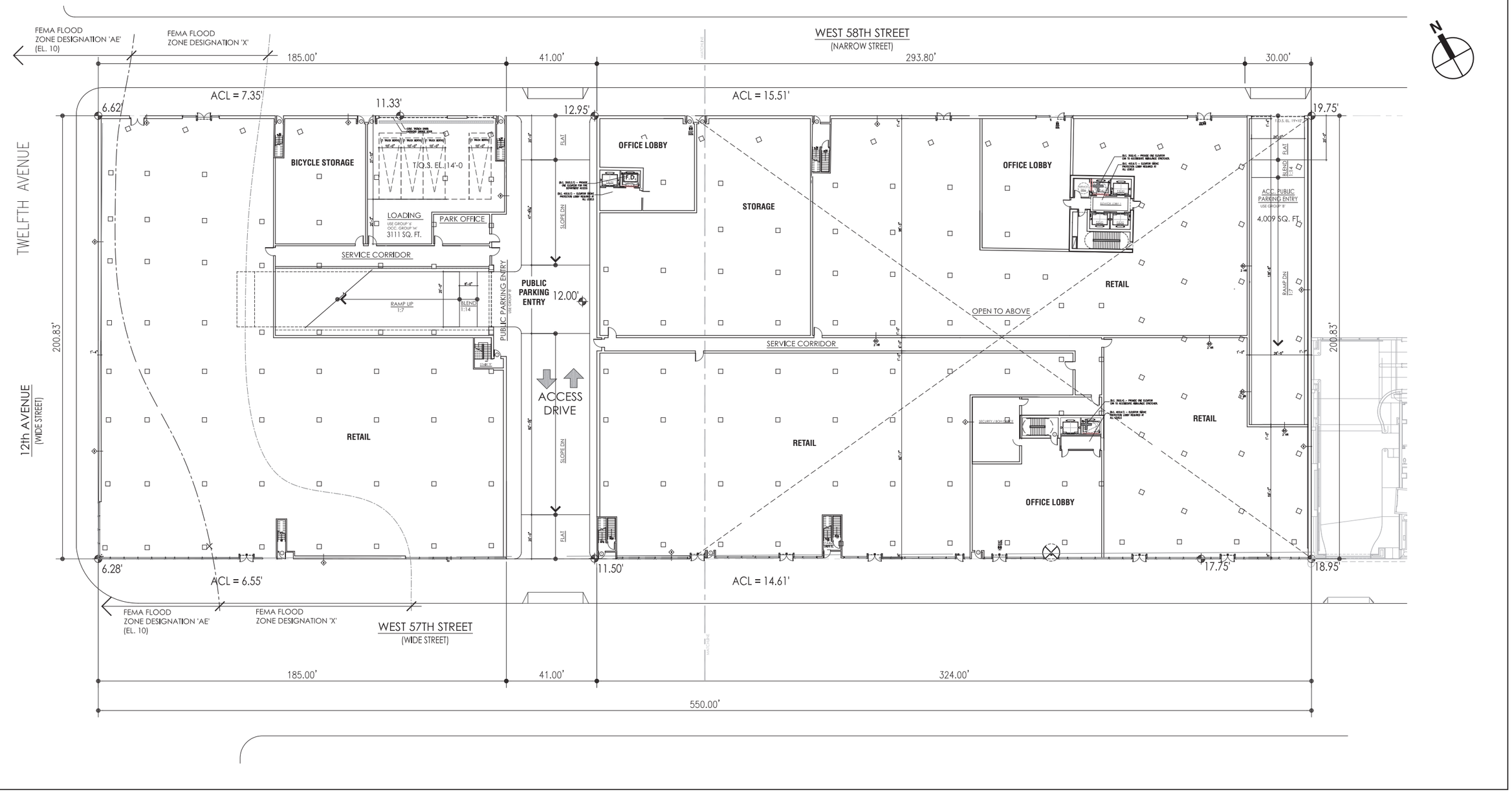
As discussed above, the previously approved office-residential scenario presented in the 2001 *FEIS* included approximately 511,500 gross square feet of office use in a building on the western portion of the project block; 270,000 gross square feet of light manufacturing uses in the midblock; 536,450 gsf of residential use in a building on the eastern portion of the block (600 residential units); and the remainder in retail, storage, and other uses, as well as a total of 638 public parking spaces. Compared with the previously approved office-residential scenario, the permitted building would introduce approximately 180,000 gross square feet less of commercial office, none of the previously approved light manufacturing uses, and fewer parking spaces. As noted above, the residential uses have been developed pursuant to the 2001 approvals.

For each of the technical areas identified in the 2012 *CEQR Technical Manual*, the proposed project will be compared to the future without the proposed project.

Table 1-2
Permitted Building Program

Project Component	Projected Development Site 1 (gsf)
Commercial Office	331,275
Retail	67,505
Above-Grade Parking*	54,313
Lobbies, Storage, and Mechanical	58,961
Total*	**512,054**

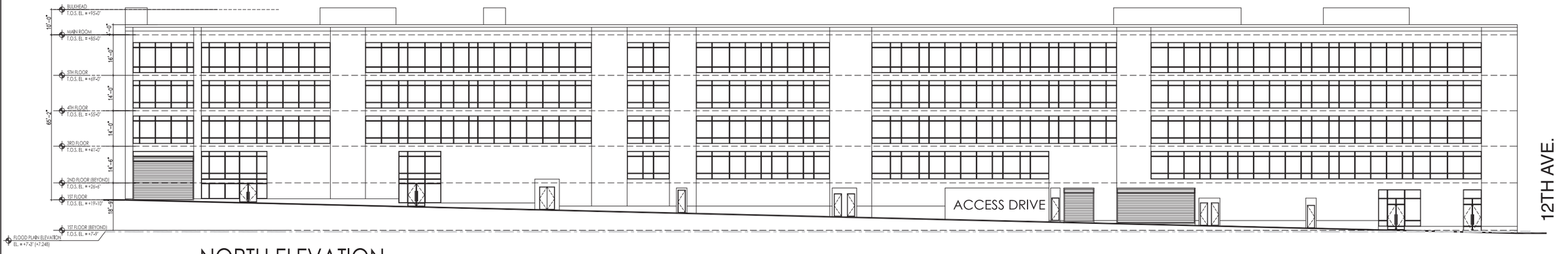
Notes: *The permitted building would include a 239-space public parking garage.
Projected development site 2 would remain in its current use.
Source: Durst Development L.L.C.; SLCE Architects.



Permitted Building Ground Floor Plan
Figure 1-13



SOUTH ELEVATION



NORTH ELEVATION

Permitted Building Elevation
Figure 1-14

E. ENVIRONMENTAL REVIEW

The proposed actions are subject to the City's land use and environmental review processes, described below.

UNIFORM LAND USE REVIEW PROCEDURE

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review at four levels: Community Board, Borough President, CPC, and City Council. The procedure sets time limits at each review with a maximum period of approximately 7 months.

The process begins with certification by the Department of City Planning (DCP) that the ULURP application is complete. The application is then referred to the Community Board in which the project takes place (for the proposed project, Manhattan Community Board 4). The Community Board has up to 60 days to review the proposal, hold a public hearing, and adopt a resolution regarding the proposal. Next, the Borough President has up to 30 days to perform the same steps. CPC then has up to 60 days, and during that time, a ULURP public hearing is held. When a DSEIS accompanies the ULURP application, as with this proposal, the CEQR public hearing is held jointly with the ULURP hearing. Comments made at the DSEIS public hearing are incorporated into a Final SEIS (FSEIS); the FSEIS must be completed at least 10 days before any action by the CPC on the ULURP application. CPC then forwards the application to the City Council. Following the Council's vote, the Mayor, at his discretion, may choose to veto the action. The City Council can override that veto.

ENVIRONMENTAL REVIEW

The lead agency is required to take a "hard look" at the environmental effects of a proposed action and, to the maximum extent practicable, avoid or mitigate adverse impacts on the environment, as consistent with social, economic, and other essential considerations. The EIS (SEIS, in this case) identifies and analyzes the significant environmental effects of a proposed action and how those effects could be avoided or minimized, providing a means for agencies to consider environmental factors and choose among alternatives in their decision-making processes.

The CEQR process provides a mechanism for decision makers to understand the environmental consequences, the alternatives, and the need for mitigating significant impacts. CEQR rules guide environmental review through the following steps:

- Establish a Lead Agency. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. The lead agency is typically the agency with primary responsibility for the proposed action. Because CPC is the agency primarily responsible for zoning actions and special permits, DCP, on behalf of CPC, is the lead agency for this proposal.
- Determine Significance. The lead agency's first decision is to determine whether the proposed action may have a significant impact on the environment. This is based on an Environmental Assessment Statement (EAS). After review of the EAS, DCP, on behalf of CPC, determined that this proposal could have a significant adverse effect on the environment, requiring an EIS (SEIS, in this case) be prepared. DCP issued a Positive Declaration on September 1, 2011.

- Scoping. Once the lead agency has issued a Positive Declaration, it then issues a Draft Scope of Work for the EIS (SEIS, in this case). "Scoping" is the process of establishing the type and extent of the environmental impact analyses to be studied in the SEIS. The lead agency issued a Draft Scope of Work on September 1, 2011. A public scoping meeting was held for the proposed actions on October 4, 2011 at the Department of City Planning, Spector Hall, located at 22 Reade Street in Manhattan. Written comments were accepted through October 17, 2011, and a final scope of work, reflecting comments made during scoping, was issued on July 11, 2012.
- DSEIS. In accordance with the final scope of work, a Draft EIS (DSEIS, in this case) is prepared. The lead agency reviews all aspects of the document, calling on other City agencies to participate as it deems appropriate. Once the lead agency is satisfied that the DSEIS is complete, it issues a Notice of Completion and circulates the DSEIS for public review. When a DSEIS is required, it must be certified as complete before the ULURP application can proceed.
- Public Review. Publication of the Notice of Completion of the DSEIS initiates a public review period. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DSEIS either in writing or at a public hearing. As noted above, when the CEQR process is coordinated with ULURP, the hearings are typically held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place, and must accept written comments for at least 10 days following the close of the hearing. All substantive comments become part of the CEQR record and must be summarized and responded to in the Final EIS (FSEIS, in this case).
- FSEIS. After the close of the public comment period for the DSEIS, the lead agency prepares a FSEIS. This document must include a summary restatement of each substantive comment made about the Draft EIS with a response. Once the lead agency determines that the FSEIS is complete, it issues a Notice of Completion and circulates the FSEIS.
- Findings. The lead agency adopts a formal set of written findings, reflecting its conclusions about the potential significant adverse environmental impacts of the proposed actions, potential alternatives, and mitigation measures. The findings may not be adopted until 10 days after the Notice of Completion has been issued for the FSEIS. Once findings are adopted, the lead and involved agencies may take their actions. ✷