Technical Memorandum 003
City Council Modifications
Midtown South Mixed-Use Plan
CEQR No. 24DCP094M

August 12, 2025
ULURP NOS.: C250166ZMM, N250167ZRM

A. INTRODUCTION

The New York City Department of City Planning (DCP) proposes a zoning map amendment and a zoning text amendment (the "Proposed Actions") to the New York City Zoning Resolution (ZR) that would foster a vibrant, mixed-use Midtown South neighborhood in the heart of Manhattan. The Proposed Actions would encourage the creation of critically needed housing in both new residential development and conversions, support critical commercial activity, respond to changing conditions in the wake of the COVID-19 pandemic and shifting work patterns, and affirm the area's architectural legacy and industrial character.

The area affected by the Proposed Actions (Affected Area) includes approximately 141 total acres, consisting of all or parts of 42 blocks of the Midtown South neighborhood, and is roughly bounded by 40th Street to the north, Fifth Avenue to the east, 23rd Street to the south, and Ninth Avenue to the west.

The Draft Environmental Impact Statement (DEIS) for the Proposed Actions was issued on January 17, 2025, by DCP, acting on behalf of the City Planning Commission (CPC) as the lead agency. A public hearing on the DEIS was held on May 7, 2025, in conjunction with the CPC's citywide public hearing pursuant to the Uniform Land Use Review Process (ULURP), and written comments on the DEIS were accepted until May 19, 2025. The Notice of Completion for the Final Environmental Impact Statement (FEIS) was issued June 6, 2025 (CEQR No. 24DCP094M). The FEIS incorporated responses to the public comments received on the DEIS and additional analyses conducted after the completion of the DEIS. A Technical Memorandum 002, issued on June 13, 2025, assessed the effects of the proposed modifications by CPC after the issuance of the FEIS. The CPC voted to approve the Proposed Actions on June 18, 2025.

Since the publication of the FEIS and subsequent technical memoranda, proposed modifications have been identified by the New York City Council. The proposed modifications (the "Proposed City Council Modifications") are summarized below. This technical memorandum examines the potential for the Proposed City Council Modifications to result in any new or different significant adverse environmental impacts not already identified in the FEIS or subsequent technical memoranda and concludes that the Proposed City Council Modifications would not result in any new or different significant adverse impacts that have not already been previously identified.

B. Description of the Proposed City Council Modifications

Zoning Map Amendments

Northwest Quadrant

Under the Proposed Actions, the Northwest Quadrant, which is the area generally bounded by Broadway and Seventh Avenue to the east, West 35th Street to the south, West 40th Street to

the north, and a line 100 feet west of Eighth Avenue to the west would be rezoned from M1-6 to M1-9A/R12. Under the Proposed City Council Modifications, a portion of the Northwest Quadrant would be zoned to only M1-9A and would not permit any residential uses in this area (refer to **Figure 1**). **Table 1** provides an overview of the zoning changes for the City Council Modification Area within the Northwest Quadrant.

Table 1. Northwest Quadrant – Proposed City Council Modifications

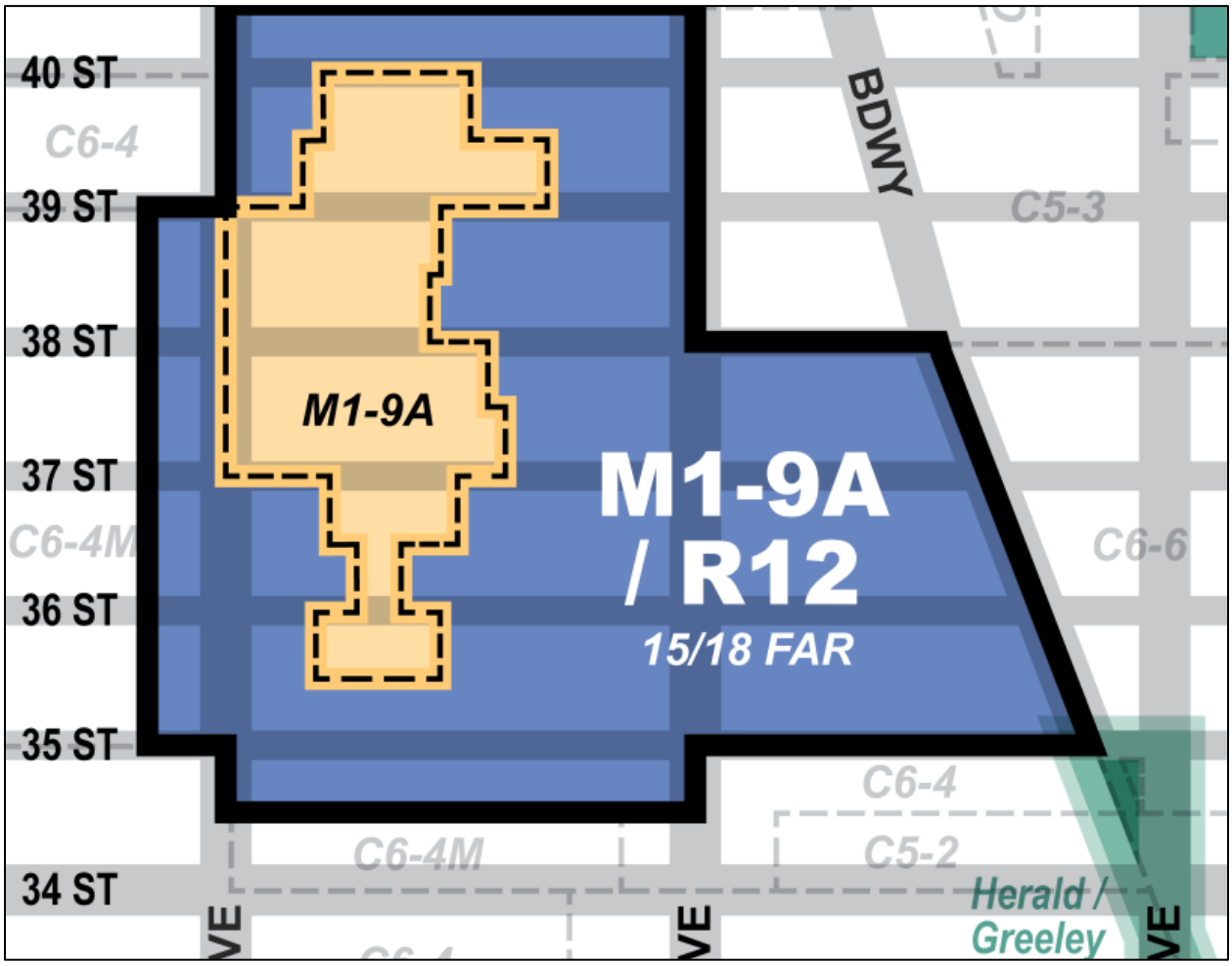
	Existing Conditions	CPC-Approved Proposal	Proposed City Council Modification[1]
Zoning District	**M1-6 (GC)**	**M1-9A/R12 (MSX)**	**M1-9A (MSX)**
Max. Res. FAR	N/A	18 FAR (MIH)	N/A
Max. Non-res. FAR	10 FAR	15 FAR	15 FAR
Min./Max. Base Height	85'-125' / 135'-155'	60'/155'	60'/155'
Max. Building Height	N/A (tower district)	N/A (tower district)	N/A (tower district)
Northwest Quadrant Dwelling Units (DUs)	3	1,696	1,620

[1]The zoning information depicted in this column would only be applicable to a portion of the Northwest Quadrant. Refer to **Figures 1** and **2**.

As shown in **Figure 2**, no projected development sites are in the Proposed City Council Modification Area in the Northwest Quadrant. One potential development (Site C), located in this area, would not be developed under the Proposed City Council Modifications since conversions of commercial floor area to residential uses would not be permitted (see **Figures 1** and **2)**. The removal of residential zoning from this portion of the Northwest Quadrant would result in the conversion of 76 less dwelling units (DUs) than what was analyzed in the FEIS and Technical Memorandum 002.[1]

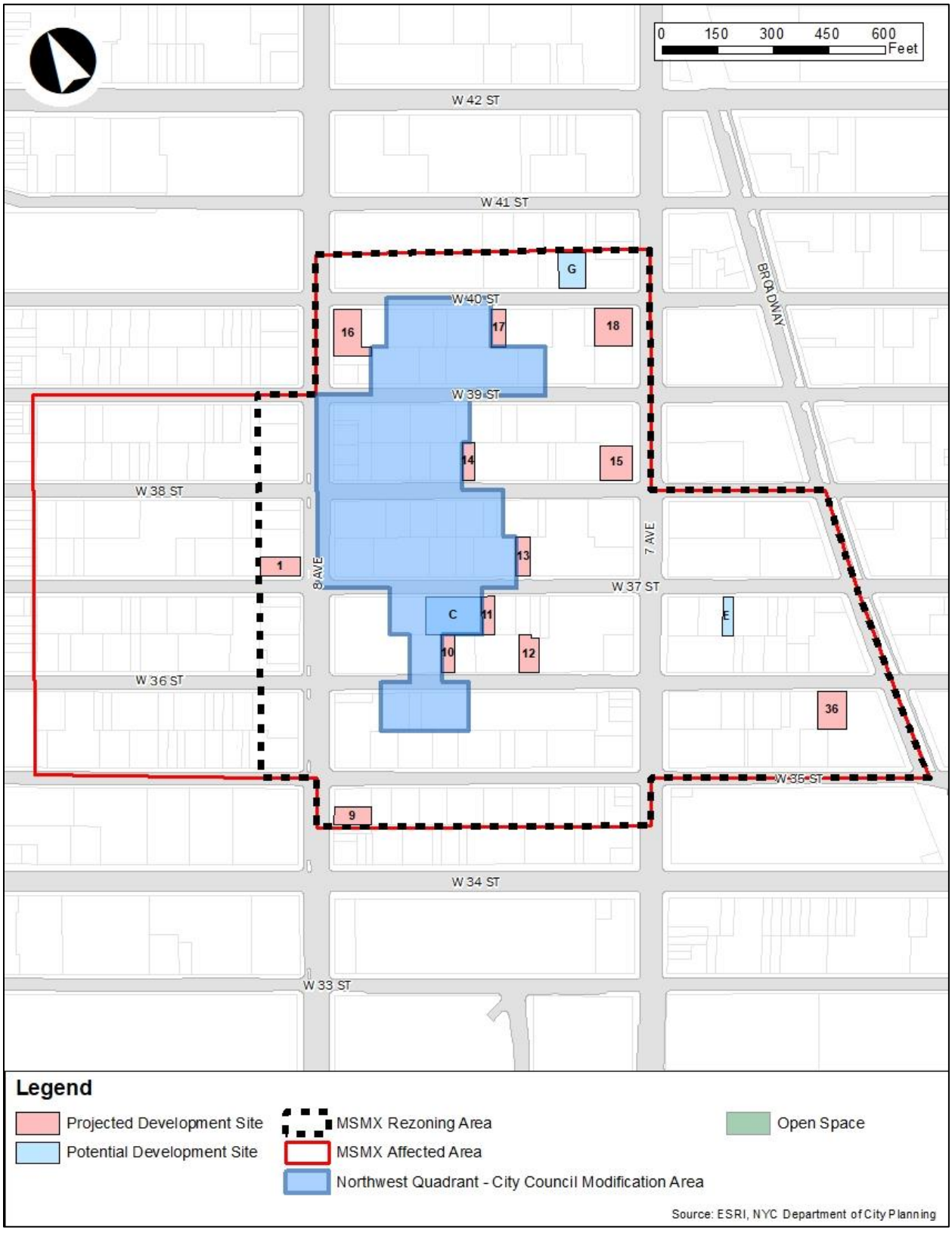
[1] 22 of these DUs would have been permanently affordable pursuant to Mandatory Inclusionary Housing (MIH).

Figure 1 – Northwest Quadrant – Proposed City Council Modifications Zoning Map



Source: NYC Department of City Planning

Figure 2 – Northwest Quadrant – Proposed City Council Modifications Projected and Potential Sites



Southeast Quadrant

Under the Proposed Actions, the Southeast Quadrant, which is defined as the midblocks bounded by a line 100 to 275 feet west of Fifth Avenue to the east, a line 125 to 150 feet east of Sixth Avenue to the west, West 23rd Street to the south, and West 31st Street to the north would be zoned M1-8A/R12. The M1-8A/R12 zoning district would permit a maximum non-residential FAR of 12 and a maximum residential FAR of 18. Under the Proposed City Council Modifications, the area south of West 27th Street would be zoned M1-8A/R11. The non-residential FAR would remain the same, however, the maximum residential FAR would be 15. **Table 2** provides an overview of the zoning changes for the Proposed City Council Modification Area within the Southeast Quadrant.

Table 2. Southeast Quadrant – Proposed City Council Modifications

	Existing	CPC-Approved Proposal	Proposed City Council Modification Area[1]
Zoning District	**M1-6**	**M1-8A/R12 (MSX)**	**M1-8A/R11 (MSX)**
Max. Res. FAR	N/A	18 FAR (MIH)	15 FAR (MIH)
Max. Non-res. FAR	10 FAR	12 FAR	12 FAR
Min./Max. Base Height	N/A./85'	60'/155'	60'/155'
Max. Building Height	N/A (tower district)	N/A (tower district)	N/A (tower district)
Southeast Quadrant Dwelling Units (DUs)	14	3,289	3,172

[1]The Proposed City Council Modifications would only be applicable to a portion of the Southeast Quadrant. The area north of West 27th Street would remain zoned M1-8A/R12 (MSX).

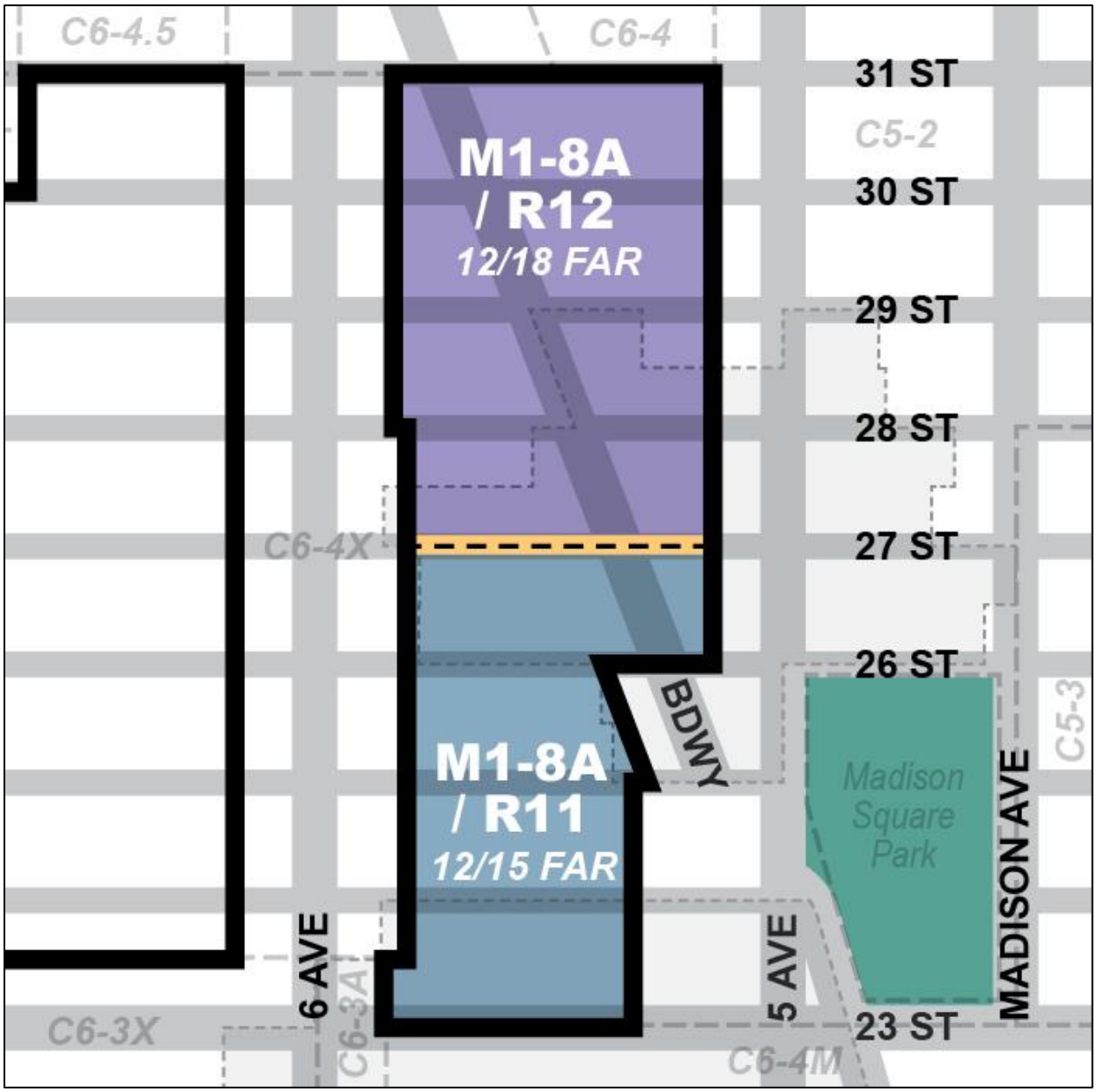
As shown in **Figure 4**, four projected development sites are in the Proposed City Council Modification Area in the Southeast Quadrant (projected development sites 37, 38, 39, and 40). No potential development sites are located in this area. Under the Proposed City Council Modifications, the area in the Southeast Quadrant south of West 27th Street would have a lower maximum residential FAR. The reduction in allowable residential FAR in this area would result in fewer DUs on projected development sites. This reduction would be approximately 117 less dwelling units (DUs) than what was analyzed in the CPC-Approved proposal.[2]

Zoning Text Amendment

Due to the elimination of residential zoning in a portion of the Northwest Quadrant, a zoning text amendment would be required to eliminate the MIH Area mapped over the Northwest Quadrant Proposed City Council Modifications Area.

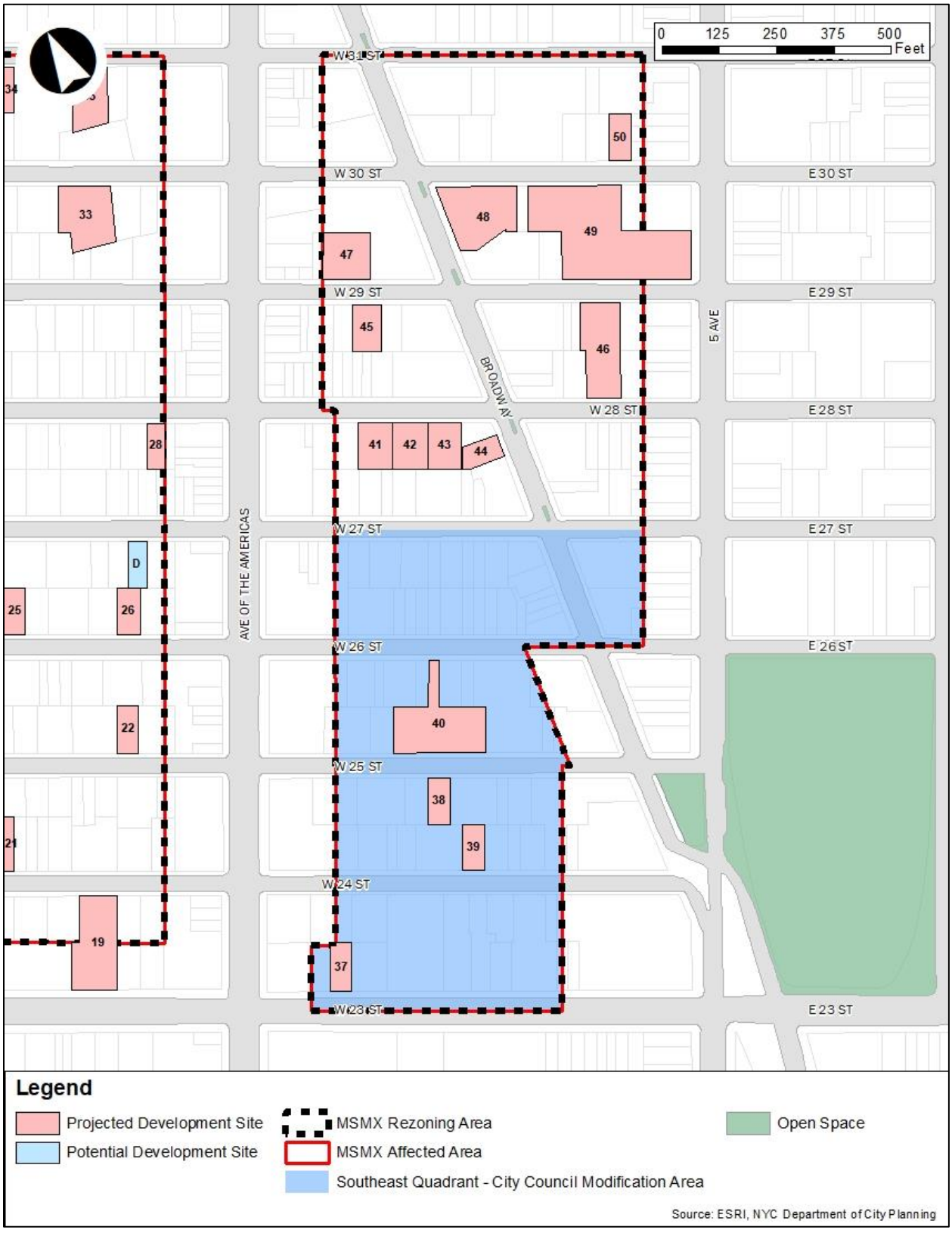
[2] 35 of these DUs would have been permanently affordable pursuant to Mandatory Inclusionary Housing (MIH).

Figure 3 – Southeast Quadrant – Proposed City Council Modifications Zoning Map



Source: NYC Department of City Planning

Figure 4 – Southeast Quadrant – Proposed City Council Modifications Projected and Potential Sites



C. Environmental Assessment of the Proposed City Council Modifications

As discussed above in Section B, the Proposed City Council Modifications are expected to result in 193 less DUs than what was analyzed in the FEIS and Technical Memorandum 002. The following section assesses this change through the technical areas described in the 2021 *CEQR Technical Manual*.

Land Use, Zoning, and Public Policy

Like the Proposed Actions, the Proposed City Council Modifications would not result in any significant adverse impacts and would generally result in the same effects to land use, zoning, and public policy as described in the FEIS and Technical Memorandum 002. The Proposed City Council Modifications would not generate additional land uses that would be incompatible with zoning and existing and future land uses generated under the Proposed Actions. The Proposed City Council Modifications would lead to a reduction of 193 DUs in the Affected Area. The zoning map and text amendments proposed under the Proposed City Council Modifications, like the Proposed Actions, would not conflict with any public policy. Therefore, no significant adverse impacts to land use, zoning and public policy are anticipated under the Proposed City Council Modifications.

Socioeconomic Conditions

Similar to the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to socioeconomic conditions.

Direct Residential Displacement

The Proposed City Council Modifications would not result in significant adverse impacts due to direct residential displacement. The Proposed City Council Modifications would result in the same amount of direct residential displacement, because the number and location of projected development sites would not change. Similar to what was described in the FEIS for the Proposed Actions, the Proposed City Council Modifications would directly displace approximately 54 DUs, or approximately 91 residents. Therefore, the Proposed City Council Modifications would not result in impacts to direct residential displacement.

Indirect Residential Displacement

As described above, the Proposed City Council Modifications would reduce the project-wide development by 193 DUs (324 fewer residents) than the FEIS analyzed.[3] This reduction of 324 residents would have slightly less potential to alter the demographics of the study area population. As the decrease in DUs would include a proportionate decrease of affordable MIH units, the overall average income would remain similar to what was disclosed in the FEIS. The reduced residential population under the Proposed City Council Modifications Action would not result in impacts to indirect residential displacement.

Direct Business Displacement

Similar to the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to direct business displacement. The Proposed City Council Modifications would not change the number of projected development sites to be developed and would reduce the amount of non-residential floor area to be converted to residential use. As such,

[3] Assumes 1.68 persons per DU for residential units in Manhattan Community Districts 4 and 5.

the Proposed City Council Modifications would not increase the amount of business displacement compared to the Proposed Actions. The Proposed City Council Modifications would reduce the area residential conversions are permitted in the Northwest Quadrant thereby reducing the potential for direct business displacement as compared to the CPC-Approved proposal. Therefore, no significant adverse impacts to direct business displacement would occur as a result of the Proposed City Council Modifications.

Indirect Business Displacement

The Proposed City Council Modifications, like the Proposed Actions, would not result in significant adverse impacts to indirect business displacement. As described above, under the Proposed City Council Modifications, the projected and potential development sites would produce the same amount of non-residential area as the Reasonable Worst Case Development Scenario (RWCDS) analyzed in the FEIS. Therefore, no significant adverse impacts to indirect business displacement would occur as a result of the Proposed City Council Modifications.

Adverse Effects on Specific Industries

The Proposed City Council Modifications would result in the same effects as the Proposed Actions for direct residential and business displacement and affects to specific industries. The Proposed City Council Modifications would result in less direct business displacement and indirect business displacement. Therefore, the Proposed City Council Modifications would not significantly affect businesses conditions in any specific industry.

Community Facilities

Similar to the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts on community facilities. The reduction of 193 DUs in the Affected Area would slightly reduce demand for schools, libraries, and publicly funded childcare. The Proposed City Council Modifications would not change the capacity of public schools, local libraries, or publicly funded childcare centers. Therefore, the Proposed City Council Modifications would not result in significant adverse impacts on community facilities.

Open Space

Similar to the Proposed Actions, the Proposed City Council Modifications would result in indirect significant adverse impacts to total, active, and passive open space in the residential study area. Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts related to direct open space impacts or indirect impacts to the non-residential study area.

The Proposed City Council Modifications would result in 193 fewer DU (approximately 324 fewer residents). This reduction would slightly lessen the demand for publicly accessible open space resources compared to the Proposed Actions. Under both conditions, the residential study area's total, active, and passive open space ratios would remain below the City's open space planning goal ratios. Therefore, the Proposed City Council Modifications, like the Proposed Actions, would result in significant indirect adverse impacts to open space in the residential study area. Mitigation is described below.

Shadows

The Proposed City Council Modifications, like the Proposed Actions, would result in significant adverse shadows impacts to the privately owned public spaces (POPS) at 1185 Broadway, Marble Collegiate Church, St. John the Baptist Roman Catholic Church, St. Francis of Assisi Roman Catholic Church, and the Trinity Chapel Complex.

The Proposed City Council Modifications would reduce the density and height of four projected development sites in the Southeast Quadrant (projected development sites 37, 38, 39 and 40). Under the Proposed City Council Modifications, the development proposed at these four sites would have a lower building height, 70-feet lesser than what would occur under the Proposed Actions. Therefore, it is likely that incremental shadow coverage and duration would decrease under the Proposed City Council Modifications and no new impacts are likely to occur. However, as projected development site 40 is located adjacent to the Trinity Chapel Complex, and the reduction in height is not likely to change the impact determination presented in the FEIS. Therefore, the Proposed City Council Modifications would result in the same shadows impacts as what was disclosed in the FEIS. Mitigation is described below.

Historic and Cultural Resources

The Proposed City Council Modifications would result in the same significant adverse direct and indirect impacts to architectural resources and construction impacts as identified in the FEIS.

Architectural Resources

The Proposed City Council Modifications, similar to the Proposed Actions, would result in a significant adverse historic resources direct impact to the Garment Center Historic District listed on the State and National Register of Historic Places (S/NR). Eleven sites in this district would be redeveloped as a result of the Proposed City Council Modifications. Under the Proposed Actions, 12 sites would be redeveloped in this area. These sites contain contributing resources that are S/NR-Listed and would be directly impacted by construction.

Like the Proposed Actions, the Proposed City Council Modifications would result in one indirect significant adverse impact to a historic architectural resource. Development on one projected development site is anticipated to cause alterations to the setting and visual context of a historic resource, the Trinity Chapel Complex, a New York City Landmark (NYCL) and S/NR-Listed historic resources. Only projected development site 40 could eliminate or substantially obstruct significant public views of the Trinity Chapel Complex. Under the Proposed City Council Modifications, the maximum height of development on projected development site 40 would decrease by 70 feet when compared to the Proposed Actions. Similar to the Proposed Actions, under the Proposed City Council Modifications, no other projected/potential development sites are expected to alter the context of architectural resources, because all significant elements of these historic resources would remain visible in view corridors on public streets. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the Proposed Actions to any historic resource's setting. Mitigation is described below.

Construction

The Proposed City Council Modifications would result in the same construction impacts to historic resources that would occur under the Proposed Actions. The Proposed City Council Modifications would not alter the number of projected or potential development sites that would result in construction-related impacts described in the FEIS. Similar to the Proposed Actions, development at 15 projected and two potential sites under the Proposed City Council Modifications could potentially result in construction-related impacts to 16 S/NR-Eligible / Eligible New York City Landmarks (NYC-E) historic resources, located within 90 feet of the projected/potential development sites. Therefore, the Proposed City Council Modifications would result in the same construction impacts to historic resources as the Proposed Actions.

Urban Design and Visual Resources

Like the Proposed Actions, the Proposed City Council Modifications would not result in any significant adverse impacts to urban design and visual resources in the primary or secondary study areas. The Proposed City Council Modifications would slightly reduce the density/height in the Southeast Quadrant of the Affected Area due to the proposed zoning map amendments (refer to **Figure 3**).

Similar to the Proposed Actions, the Proposed City Council Modifications would facilitate the construction and conversion of new-mixed use buildings to encourage residential uses in the Affected Area. The Proposed City Council Modifications not negatively alter any viewsheds of visual resources in the Affected Area or secondary study area. Therefore, the Proposed City Council Modifications would not result in a significant adverse impact related to urban design and visual resources.

Hazardous Materials

The Proposed City Council Modifications would not result in new significant adverse impacts related to hazardous materials. The Proposed City Council Modifications would continue to establish (E) Designation (E-830), which would avoid the potential for significant adverse impacts related to hazardous materials during construction within the projected and potential development sites. Under the Proposed City Council Modifications, the (E) Designation (E-830) would no longer apply to Block 786, Lot 68 (potential development site C) since this site would no longer be considered a development site. In addition, similar to the Proposed Actions, the Proposed City Council Modifications would not preclude significant adverse hazardous materials impacts for potential conversions from non-residential use to residential use. Under the Proposed City Council Modifications, there would be a reduction in conversion sites in the Northwest Quadrant, reducing the potential impact in this area. Therefore, the Proposed City Council Modifications would result in the same significant adverse impacts as what is disclosed in the FEIS.

Water and Sewer Infrastructure

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts on water and sewer infrastructure. The Proposed City Council Modifications would result in 193 fewer DUs and would slightly reduce the total demand on the City's water supply and sewer infrastructure as described in the FEIS. Therefore, the Proposed City Council Modifications would not result in impacts to water and sewer infrastructure.

Solid Waste and Sanitation Services

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to solid waste and sanitation services. The reduction of 193 DUs would slightly reduce the generation of solid waste and would not result in noticeable changes to the analysis presented in the FEIS. Likewise, the Proposed City Council Modifications would not overburden existing waste management capacity, nor would it conflict with the City's solid waste management policies. Therefore, the Proposed City Council Modifications would not result in significant adverse impacts to solid waste and sanitation services.

Energy

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to energy. The reduction of 193 DUs as a result of the Proposed City Council Modifications would slightly reduce demand for energy. Any new development resulting from the Proposed Actions with the Proposed City Council Modifications would be required to comply with

the New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with this code, new development must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance. Therefore, the Proposed City Council Modifications would not result in any significant adverse impact on energy.

Transportation

Like the Proposed Actions, the Proposed City Council Modifications would result in significant adverse impacts to traffic (29 intersections) and pedestrians (17 sidewalks, three corners, and six crosswalks). As a result of the reduction of 193 DUs under the Proposed City Council Modifications, the number of action-generated vehicle, transit, and pedestrian trips would be generally comparable, or slightly less than the number of trips generated under the Proposed Actions. Therefore, the significant adverse impacts identified in the FEIS would continue to be realized, and mitigation is described below.

Air Quality

Mobile Sources

Under the Proposed City Council Modifications, vehicle trips would slightly decrease due to the reduction of 193 DUs. This small change would not change the conclusions of the mobile source air quality analysis presented in the FEIS. Therefore, like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to air quality from mobile sources.

Stationary Sources

The Proposed City Council Modifications would not increase the height or density of any projected and potential development sites. Therefore, the Proposed City Council Modifications are not expected to increase emissions from heat and hot water systems compared to what was analyzed in the FEIS under the Proposed Actions.

As described above, the City Council Modifications would rezone a portion of the Northwest Quadrant (Figure 1) to M1-9A instead of the M1-9A/R12 paired district in the CPC-Approved proposal. The only development site located in this area is potential site C (Block 786, Lot 68). Under the City Council Modifications, potential site C does not have any available as-of-right residential floor area, and therefore, is no longer viable as a RWCDS development site. Therefore, there would no longer be significant adverse air quality impacts on this site due to ambient Cadmium concentrations higher than NYSDEC DAR-1 annual guideline concentration (AGC). E-830, which was placed on the site to avoid stationary source impacts from heating and hot water impacts, will be removed.

The Proposed City Council Modifications would reduce the permitted density and height south of 27th Street in the Southeast Quadrant (**Table 2, Figure 3**). Projected development sites 37, 38, 39 and 40 are in the Southeast Quadrant (**Figure 4**). As such, additional air quality impact analysis for fossil fuel-fired heating and hot water systems was performed for projected development sites 37, 38, 39, and 40 based on the modified building total square footage and building heights.

The analysis results indicate that the air quality (E) Designation (E-830) requirements for projected sites 37, 39, and 40 would remain the same as in the CPC-Approved application but the air quality (E) Designation requirements for Site 38 would be modified as follows:

(E) Designation (E-830) Block 826, Lot 61 (Projected Development Site 38):

> Any new residential and/or commercial development on the above-reference property must ensure the heating and hot water system stack location to be at least 24 feet from the east lot line facing 5th Avenue and at least 60 feet from the south lot line facing West 24th Street to avoid any potential significant adverse air quality impact.

Other than the update to E-830 for projected site 38 and the removal of E-830 for potential site C, the same requirements identified for the Proposed Actions in the CPC-Approved proposal would apply with the Proposed City Council Modifications. The same significant adverse impacts identified for development sites other than potential site C would continue to exist under the City Council Modifications. Like the CPC-Approved proposal, significant adverse air quality impacts cannot be precluded for the area modeled for residential conversion, but these impacts would no longer exist in the M1-9A area in the Northwest Quadrant. There would be no new significant adverse impacts related to air quality for any of the development sites or area modeled for residential conversion.

Greenhouse Gas Emissions and Climate Change

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts on greenhouse gas (GHG) emissions and climate change. With a slight reduction in vehicle trips due to the reduction of 193 DUs, the Proposed City Council Modifications would result in lower GHG emissions than the Proposed Actions. The Proposed City Council Modifications, like the Proposed Actions, would be consistent with citywide GHG reduction goals and resilience to climate change. Therefore, no significant impacts related to greenhouse gas emissions and climate change would occur under the Proposed City Council Modifications.

Noise

The Proposed City Council Modifications would not result in new significant adverse impacts due to noise. The Proposed City Council Modifications would continue to establish (E) Designation (E-830) which would provide window/wall attenuation levels required to avoid significant adverse impacts related to noise at the projected and potential development sites. As described above, the (E) Designation would no longer apply to Block 786; Lot 68 (potential development site C). Similar to the Proposed Actions, if residential conversion sites are located outside of the proposed Mixed Use Districts, residential conversion area could be located in areas with high ambient noise level and without appropriate attenuation measures to maintain CEQR interior noise target level. Therefore, significant adverse noise impacts cannot be precluded for the residential conversion area under the Proposed City Council Modifications.

The Proposed City Council Modifications would have a slight decrease in vehicle trips, compared to the Proposed Actions as a result of 193 fewer DUs. Therefore, like the Proposed Actions, the Proposed City Council Modifications would not result in a noise level increase above 3 dBA. The Proposed City Council Modifications would not result in new significant adverse impacts due to noise.

Public Health

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to public health. As described in the FEIS, the Proposed Actions would not result in unmitigated significant adverse impacts to water quality, or for any of the projected development sites for hazardous materials and operational noise. The potential for significant adverse impacts from hazardous materials, air quality, and noise, for areas converted from non-residential to residential use cannot be precluded. Furthermore, the potential for air quality impacts has been identified and is described above and in the FEIS. As described below, the Proposed Actions and

the Proposed City Council Modifications would result in temporary construction-related air quality and noise impacts. As described in the FEIS, the potential for these impacts to occur is expected to be limited and would not significantly affect public health. Therefore, similar to the Proposed Actions, the Proposed City Council Modifications would no result in significant public health impacts.

Neighborhood Character

Like the Proposed Actions, the Proposed City Council Modifications would not result in significant adverse impacts to neighborhood character. The changes resulting from the Proposed City Council Modifications would result in similar effects as the FEIS in the following technical areas considered in the neighborhood character assessment: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; transportation; and noise. The Proposed City Council Modifications would result in the same significant adverse impacts to open space, shadows, historic and cultural resources, transportation, and noise as the Proposed Actions as identified in the FEIS. These impacts would not result in significant adverse impacts to determining elements of neighborhood character.

Construction

Under the Proposed City Council Modifications, one less potential development site (site C) would be developed. The construction phasing, duration, and schedule for the other 67 projected/potential development sites under the Proposed City Council Modifications is expected to be the same as under the Proposed Actions. Neither the Proposed Actions nor the Proposed City Council Modifications would result in significant adverse construction impacts to land use and neighborhood character, socioeconomic conditions, community facilities, open space, hazardous materials, or vibration. Like the Proposed Actions, construction activities in the Proposed City Council Modifications would result in impacts on historic and cultural resources, transportation, air quality, and noise. Therefore, the Proposed City Council Modifications would result in the same temporary construction-related impacts as the Proposed Actions.

Mitigation

The Proposed City Council Modifications Action would result in similar significant adverse impacts to the Proposed Actions: open space; shadows; historic and cultural resources; hazardous materials; transportation; air quality; noise; and construction, and as such would not require any additional mitigation measures beyond what was identified in the FEIS.

Unavoidable Significant Adverse Impacts

Like the Proposed Actions, the Proposed City Council Modifications would result in unavoidable significant adverse impacts in open space, shadows, historic and cultural resources, hazardous materials, transportation, air quality, noise and construction. With the Proposed City Council Modifications, the impacts to these technical areas would not be greater than the impacts associated with the Proposed Actions.

Effects on Disadvantaged Communities

The Proposed City Council Modifications would not cause or increase a disproportionate pollution burden to disadvantaged communities (DAC). With the Proposed City Council Modifications, the degree and location of impact to these technical areas would not be greater or change compared to the impacts associated with the Proposed Actions. Therefore, the Proposed City Council Modifications would not cause or increase a disproportionate pollution burden to DAC.

D. Conclusion

This Technical Memorandum concludes that the Proposed City Council Modifications would not result in any new or different significant adverse impacts not already disclosed in the FEIS.