DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

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ENVIRONMENTAL COORDINATION

July 18, 2008

NOTICE OF MINOR MODIFICATION
125TH STREET REZONING AND RELATED ACTIONS
FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)
TECHNICAL MEMORANDUM

Project Identification
Special 125th Street District – Core Subdistrict
Zoning Text Amendment
CEQR No. 07DCP030M
ULURP No. N 090031 ZRM
SEQRA Classification: Type I

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin
(212) 720-3423

The New York City Department of City Planning ("DCP") is proposing a zoning text amendment to the Special 125th Street District – Core Subdistrict. The Special 125th Street District and related rezoning action (N 080100(A) ZRM, C 080099(A) ZMM) was approved by the New York City Council ("the City Council") on April 30, 2008. The requested action is a follow-up corrective action that responds to concerns expressed throughout the public review process by the public and elected officials regarding building height in the C4-7 zoning district within the Core Subdistrict (generally located along the north side of 125th Street between Frederick Douglass Blvd and a point 545 feet east of Lenox Ave/Malcolm X Blvd). The proposed zoning text amendment responds to specific concerns regarding the allowed maximum height for buildings within this portion of the corridor as well as the desire to establish an appropriate mix of densities for commercial, residential and community facility uses.

The zoning text amendment would amend Sections 97-411, 97-422 and 97-442 of the Zoning Resolution, to modify height and bulk regulations within the C4-7 zoned portion of the Core Subdistrict of the Special 125th Street District. DCP filed the ULURP No. N090031ZRM on July 18, 2008. The attached Technical Memorandum assesses whether the proposed text amendment would have the potential to cause any significant adverse environmental impacts not previously identified in the Final Environmental Impact Statement ("FEIS") for the 125th Street Rezoning and Related Actions, and as modified in two subsequent Technical Memorandums described further below.

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Technical Memorandum dated July 18, 2008 and filed in conjunction with the ULURP application No. N 090031 ZRM.

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has reviewed the Technical Memorandum. The Technical Memorandum represents a minor modification and does not alter the conclusions of our earlier review. Therefore, the Notice of Completion of the Final Environmental Impact Statement issued on February 29, 2008 remains valid.

Robert Dobruskin

Robert Dobruskin, A.I.C.P., Director
Environmental Assessment and Review Division
Department of City Planning

7/19/09
Date

DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Amanda M. Burden, FAICP, *Director*
Department of City Planning

To: Recipients of the 125th Street Rezoning and Related Actions Final Environmental Impact Statement (FEIS)

From: Robert Dobruskin

Date: July 18, 2008

Re: Technical Memorandum: 125th Street Rezoning and Related Actions
Special 125th Street District – Core Subdistrict Zoning Text Amendment
CEQR No. 07DCP030M
ULURP No. N 090031 ZRM
SEQRA Classification: Type 1

A. INTRODUCTION

The New York City Department of City Planning ("DCP") is proposing a zoning text amendment to the Special 125th Street District – Core Subdistrict. The Special 125th Street District and related rezoning action (N 080100(A) ZRM, C 080099(A) ZMM) was approved by the New York City Council ("the City Council") on April 30, 2008. The requested action is a follow-up corrective action that responds to concerns expressed throughout the public review process by the public and elected officials regarding building height in the C4-7 zoning district within the Core Subdistrict (generally located along the north side of 125th Street between Frederick Douglass Blvd and a point 545 feet east of Lenox Ave/Malcolm X Blvd). The proposed zoning text amendment responds to specific concerns regarding the allowed maximum height for buildings within this portion of the corridor as well as the desire to establish an appropriate mix of densities for commercial, residential and community facility uses.

The zoning text amendment would amend Sections 97-411, 97-422 and 97-442 of the Zoning Resolution, to modify height and bulk regulations within the C4-7 zoned portion of the Core Subdistrict of the Special 125th Street District. DCP filed the ULURP No. N090031ZRM on July 18, 2008.

The Final Environmental Impact Statement ("FEIS") for the 125th Street Rezoning and Related Actions was certified as complete on February 29, 2008 by the City Planning Commission ("CPC") acting as lead agency. The attached Technical Memorandum assesses whether the proposed text amendment would have the potential to cause any

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significant adverse environmental impacts not previously identified in the FEIS, and as modified in two subsequent Technical Memorandums described further below.

The analysis in this Technical Memorandum concludes that the proposed text amendment, in combination with the previously approved modifications, would not result in any significant adverse environmental impacts not already identified in the FEIS.

B. DESCRIPTION OF PROPOSED MODIFICATION

OVERVIEW

The FEIS examined a proposed rezoning of portions of the 125th Street corridor in Harlem, Manhattan Community Board Districts 9, 10 and 11. The area rezoned is generally bounded by 124th Street, 126th Street, Broadway and Second Avenue. The adopted changes are part of a comprehensive City initiative to support the ongoing revitalization of 125th Street, Harlem's Main Street. The rezoning proposal created a new special district, the Special 125th Street District, within the rezoning area and changed the area's underlying zoning to R6A, R7-2, R7A, C4-4A, C4-4D, C6-3, and C4-7, as modified by the special district. In addition to the zoning map and text amendments, the proposed action included the disposition of City-owned property, an Urban Renewal Plan amendment, a CPC certification pursuant to the Special TA (transit land use) District, and Urban Development Action Area Project ("UDAAP") designation and project approval (a non-ULURP action) in connection with a known development on a site within the rezoning area.

Among the FEIS alternatives considered, a new alternative, the "Expanded Arts Bonus Alternative," was developed largely in response to public comments received during the land use review since the issuance of the Draft EIS, and was under particularly active consideration by the CPC. The Expanded Arts Bonus Alternative included a floor area bonus in the C4-7, C6-3, and C4-4D districts in exchange for the provision of visual and performing arts space, and represented a combination of aspects of both the Arts Bonus and the C4-4D Alternatives. The Expanded Arts Bonus Alternative was adopted by the CPC, with modifications, and by the City Council, with additional modifications. These modifications are described each in turn below.

The CPC proposed modifications, which were the subject of the Technical Memorandum dated March 10, 2008, enabled below-grade performance space to qualify for the arts bonus in the C4-7, C6-3, and C4-4D districts in exchange for the provision of core and shell space for visual and performing arts uses. The below-grade arts bonus modification was projected to be utilized by the three projected development sites identified in the FEIS as commercial sites, effectively increasing the potential density in the core by 30,126 sf of additional office space and 4,289 sf of additional hotel space above what was analyzed in the FEIS. Additional modifications raised the allowable height limit at Projected Development Site 21 and restricted residential entrances on 125th Street within the Core Subdistrict. These modifications, along with additional procedural and administrative modifications related to the arts bonus, were the subject of the previous

Technical Memorandum dated March 10, 2008, and were found to not result in any significant adverse environmental impacts not already identified in the FEIS.

The City Council modifications, which were the subject of the April 18th, 2008 Technical Memorandum, reduced the residential density in the Core Subdistrict, as well as enacted several changes to the arts bonus text. The reduction in residential density applied exclusively to the C6-3 zoning district within the Core Subdistrict, the modified residential FAR was reduced to a base FAR of 5.4, bonusable to a maximum FAR of 7.2 through the inclusionary housing program or the arts bonus. The modification affected seven (7) of the projected sites and five (5) of the potential development sites within the Core Subdistrict.

The City Council changes to the arts bonus text included the creation of a Bonused Space Local Arts Advisory Council. The arts bonus provisions were also modified so that eligibility for the bonus required that the proposed operator occupy the arts space under a lease having no less than a 15-year term, with two 5-year renewals. The list of arts uses that qualify for the arts bonus was expanded to include literary arts spaces and visual/media arts spaces. The changes to the arts bonus text were not expected to result in changes to the development projections identified before.

As mentioned above, the City Council modifications were the subject of the previous Technical Memorandum dated April 18, 2008, and were found to not result in any significant adverse environmental impacts not already identified in the FEIS.

SPECIAL 125TH STREET DISTRICT
– CORE SUBDISTRICT ZONING TEXT AMENDMENT

The proposed text amendment would reduce the allowed maximum building height and would modify the density (FAR) regulations for all uses as described below.

The existing zoning regulations for the C4-7 zoning district within the Core Subdistrict, as adopted by the City Council on April 30th, 2008, allow a maximum building height of 290 feet. The existing C4-7 zoning district density regulations allow a base commercial FAR of 10, bonusable up to a maximum FAR of 12 through the use of the arts bonus; a base residential FAR of 9, bonusable up to a maximum FAR of 12 through the use of the arts bonus or the Inclusionary Housing program; and a maximum FAR of 10 for community facility use.

The proposed changes to the building form regulations for the C4-7 zoning district within the Core Subdistrict would reduce the allowed building height to a maximum of 195 feet. The proposed changes would modify the density regulations for all uses establishing a base commercial FAR of 7.2, bonusable up to a maximum FAR of 8.65 through the use of the arts bonus; a base residential FAR of 5.4, bonusable up to a maximum FAR of 7.2 through the use of the arts bonus or the Inclusionary Housing program; and a maximum FAR of 7.2 for community facility use.

These changes would affect the development projections for three projected development sites (see attached Figure 1) analyzed in the FEIS and subsequent Technical Memorandums, as well as two potential development sites (sites 33 and 37). The sites affected are all located on the north side of 125th Street in the C4-7 district within the Core Subdistrict of the Special 125th Street District. The modifications did not change the number or location of the projected or potential development sites previously identified.

C. ANALYSES

The proposed modification represents a general reduction in residential and commercial density in the C4-7 district within the Core Subdistrict, through both a reduction in building height and reduction in the allowed FAR. The proposed modifications would not alter the assumptions, analysis, or conclusions contained the FEIS with respect to the Expanded Arts Bonus Alternative and the subsequent CPC and CC modifications. None of the proposed modifications would result in significant adverse environmental impacts not already identified in the FEIS.

The sites identified in the FEIS that would be affected by the proposed reduction in residential and commercial density in the C4-7 district within the Core Subdistrict are Projected Development Sites 6, 10 and 14.

The text amendment's affects on Projected Development Sites 6, 10 and 14 in relation to what was analyzed in the FEIS are shown in Table 1, below.

Figure 1

SPECIAL 125th STREET DISTRICT
C4-7 TEXT AMENDMENT

Affected Development Sites

July 18, 2008

Affected projected development sites
Other projected development sites

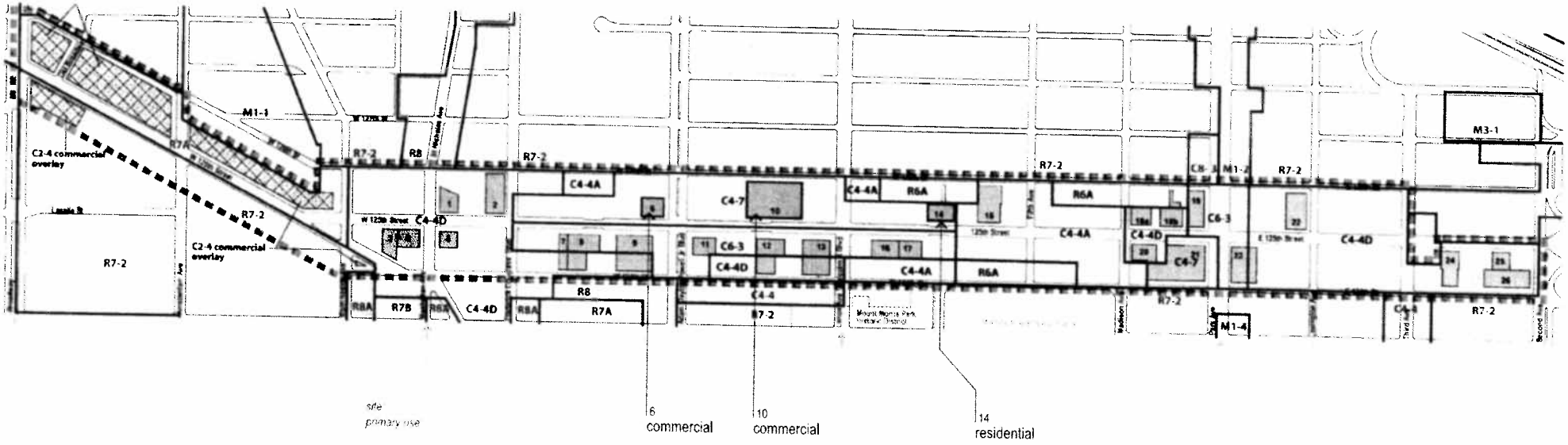


Table 1: Comparison of Projected Development Sites between the Expanded Arts Bonus Alternative and the Special 125th Street District – Core Subdistrict Zoning Text Amendment Scenario

Projected Development Site	**Development Scenario for With-Action Conditions** (in square feet, unless noted)			
	Expanded Arts Bonus		*Proposed Core Subdistrict Text Amendment*	*Difference*
Site 6 (Commercial)	Retail	21,250	21,250	No reduction
	Office	122,500	86,875	-35,625
	Arts Space	6,250	4,531	-1,719
	Total	150,000	112,656	-37,344
Site 10 (Commercial)	Retail	150,630	156,630	No reduction
	Office	542,268	370,550	-171,718
	Arts	30,126	21,841	-8,285
	Total	723,024	549,021	-180,003
Site 14 (Residential)	Retail	27,176	27,176	No reduction
	Housing Units	183 (of which 37 are affordable units)	97 (of which 19 are affordable units)	-86 (of which 18 are affordable units)

Note: Site 6 was increased by approximately 6,250 sf under the CPC modifications, and Site 10 was increased by approximately 30,126 sf under the CPC modifications (Site 14 was not affected by the CPC modifications), as analyzed in the Technical Memorandum dated March 10th, 2008. However as noted previously, the analysis for the CPC modifications showed no potential to alter the mitigation proposed in the FEIS, Expanded Arts Bonus Alternative, and consequently the baseline used for analysis in this Technical Memorandum is the Expanded Arts Bonus alternative in the FEIS.

In total across all the projected development sites, there would be 243,719 sf less of office space, 10,004 sf less of arts space, and 86 fewer residential units compared to what was analyzed in the FEIS and subsequent technical memorandums.

The proposed modification would reduce the allowable FAR for residential and commercial uses, and would reduce the allowable height on the north side of 125th Street within the Core Subdistrict. Reducing the height limit by 95 feet and reducing the allowable FAR on the north side of 125th Street within the Core Subdistrict represents a change in the allowable building form and a reduction in the total projected square footage of development along 125th Street, which would have the potential to affect the urban design and visual resources, traffic and parking, transit and pedestrians and air

quality analyses, as well as the shadows analysis through the reduction in building height and potential reduction in cast shadows. The proposed modification would not raise the potential for new significant impacts not identified in the FEIS with respect to the following impact areas and consequently do not require further analysis: land use, zoning and public policy; community facilities; socioeconomic conditions; historic resources; neighborhood character; natural resources; waterfront revitalization; hazardous materials; infrastructure; solid waste; energy; transit and pedestrians; parking; air quality (mobile source); noise; construction impacts, and public health. This Technical Memorandum addresses the proposed modification and incremental decrease in residential and commercial uses with respect to the following impact analysis areas: shadows, urban design and visual resources, traffic and air quality (stationary source). Mitigation is discussed, as appropriate, in the text for each impact area.

Shadows

The proposed modification to the building form regulations would not result in any significant adverse shadows impacts not previously identified in the FEIS or subsequent technical memorandums. The proposed modification would reduce the height of new buildings located on three projected and two potential development sites within the C4-7 district within the Core Subdistrict. New buildings on these development sites would achieve a maximum building height of 195 feet, which would be 95 shorter than the maximum height they could achieve under the current regulations (see Figure 2).

Of the three projected development sites that would be affected by the proposed modification, the FEIS identified projected development sites 6 and 10 as contributing incremental shadows to the Adam Clayton Powell Jr. State Office Building Plaza (Resource H) located at the north east corner of 125th Street and Adam Clayton Powell Jr. Blvd. The remaining development sites were not identified as contributing incremental shadows to any resources of concern.

As detailed below, the proposed modification to the maximum building height on projected development sites 6 and 10 would reduce the extent of incremental shadows on the plaza cast from these development sites, however, the proposed modification would not reduce the duration of the incremental shadows cast from these development sites on the plaza.

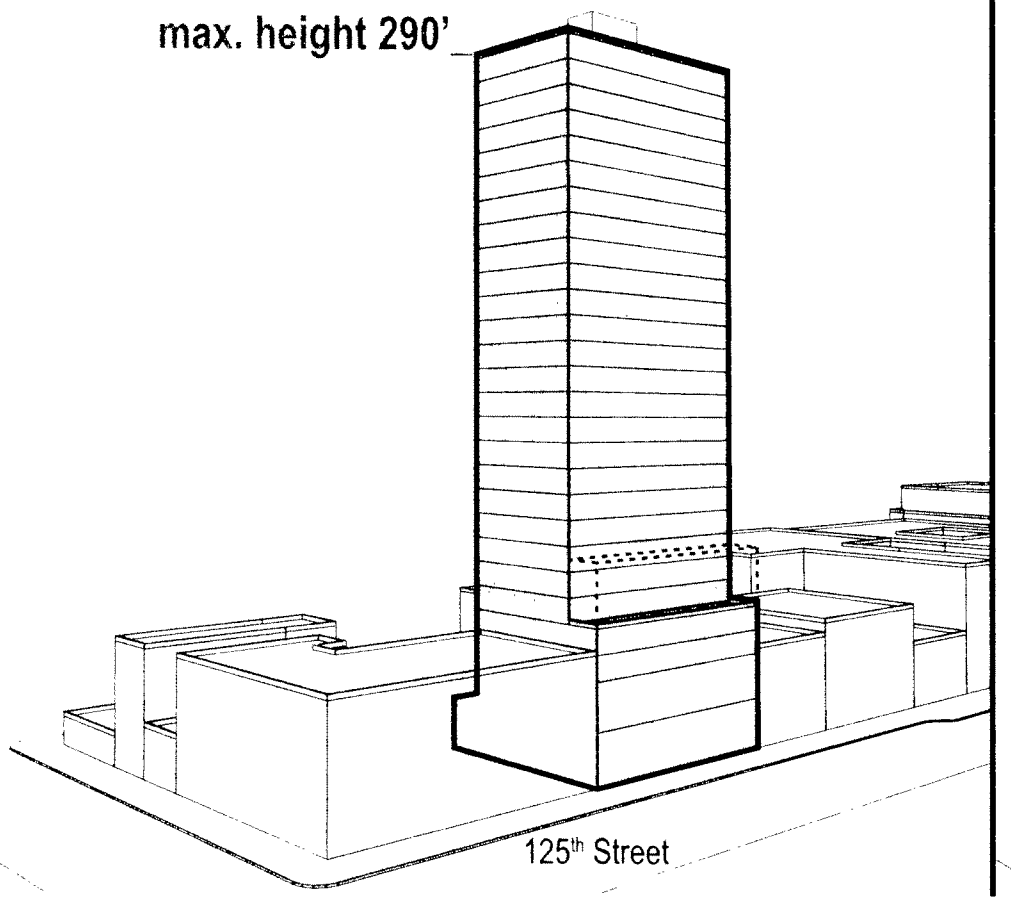
Projected development site 10 contributes incremental shadows to the plaza on the December 21st, June 21st, March 21st and May 6th analysis days. Projected development site 6 contributes incremental shadows to the plaza on the March 21st and May 6th analysis days.

On the December 21st analysis day incremental shadows from site 10 reach the plaza at the start of the analysis period at 8:46am and remain on the plaza until approximately 1:30pm. During this period of time the incremental shadows from site 10 on the plaza are small in extension and mixed with shadows from existing buildings and from other development sites not affected by the proposed modification. The proposed reduction in

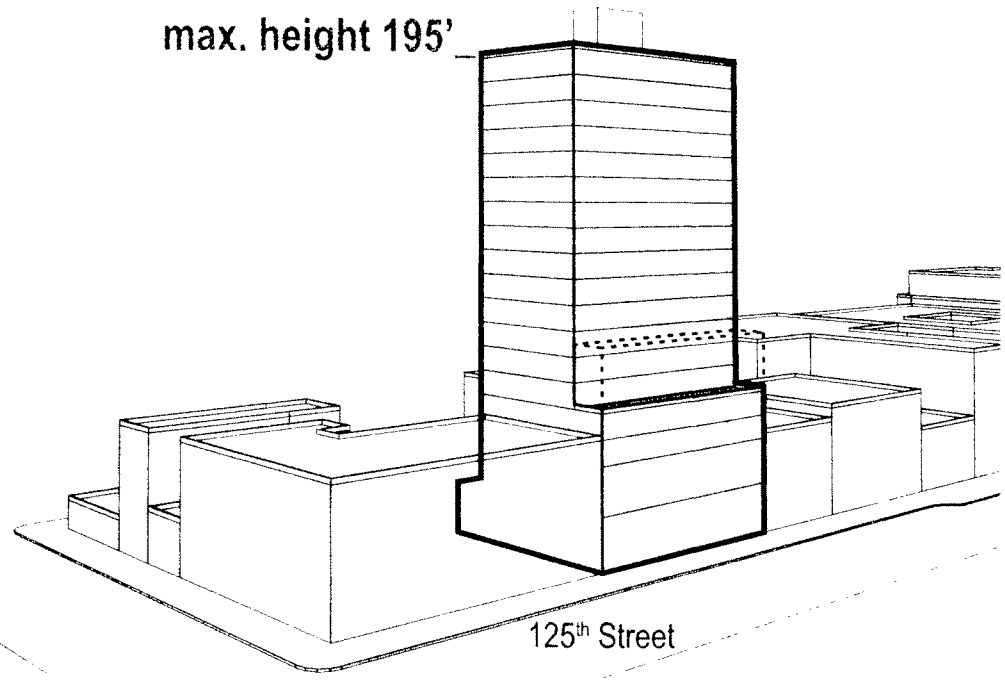
Figure 2

125th Street : C4-7 FUCA : **Modification to maximum building height in C4-7 district within the Core Subdistrict**

Existing 290' building height limit (as adopted on April 30th, 2008):



Proposed 195' building height limit:



the maximum building height for site 10 reduces the extent of the incremental shadow, however the duration of the incremental shadow remains as identified previously in the FEIS. Site 6 does not cast incremental shadows on the plaza on this analysis day.

On the June 21st analysis day incremental shadows from site 10 reach the plaza at the start of the analysis period at 6:54am and remain on the plaza until 1:30pm, on this analysis day no other development sites cast incremental shadows on the plaza. The reduction in the maximum building height for site 10 reduces the extent of the incremental shadow through out the analysis period, however the duration of the incremental shadow remains as identified previously in the FEIS. Site 6 does not cast incremental shadows on the plaza on this analysis day.

On the March 21st analysis day incremental shadows from site 10 reach the plaza at the start of the analysis period at 8:28am and remain on the plaza until 2:30pm when incremental shadows from other development sites not affected by the proposed modification enter the plaza and remain on it until 5:39pm, the end of the analysis period for this day. Similar to the June 21st analysis day, the reduction in the maximum building height for site 10 reduces the extent of the incremental shadow through out the analysis period, however the duration of the incremental shadow remains as identified previously in the FEIS. Site 6 contributes incremental shadows to the plaza on the March 21st analysis day for a short period of time between 5:00pm and the end of the analysis period at 5:39pm, the reduction in the maximum building height for this site would not affect the duration or extent of the incremental shadow on the plaza during this analysis day.

On the May 6th analysis day incremental from site 10 reach the plaza at the start of the analysis period at 7:19am and remain on the plaza until 1:30pm. Additional incremental shadows from other development sites enter the plaza after 2:40pm and remain on it until the end of the analysis period at 6:27pm. Site 6 contributes incremental shadows to the plaza on the May 6th analysis day during a short period of time towards the end of the analysis period between approximately 6:00pm and 6:27pm when the analysis period for this days ends. The duration of the incremental shadow from site 6 on the plaza is expected to be shorter with the proposed modification; however, the plaza would continue to receive incremental shadows on this analysis day from other development sites not affected by the proposed modification.

The proposed modification to the maximum building height would not reduce the duration of incremental shadows cast by development sites on the Adam Clayton Powell Jr. State Office Building Plaza (Resource H) and would not eliminate the significant adverse shadows impacts previously identified in the FEIS. Because the significant adverse impacts would not be eliminated with the proposed modification, the mitigation identified previously in the FEIS remains appropriate.

Urban Design and Visual Resources

As previously identified in the FEIS and subsequent technical memorandums, the proposed modification to the building form regulations would not result in any significant

adverse impacts on urban design or visual resources. The proposed modification would reduce the height of new buildings located in the C4-7 district within the Core Subdistrict. With the proposed modification new buildings in this district would be allowed to achieve a maximum building height of 195 feet, which would be 95 shorter than the maximum height they could achieve under the existing regulations (see Figure 2). The proposed modification would make new buildings more similar in height to existing tall buildings in the area, like the Adam Clayton Powell Jr. State Office Building approximately 250 feet tall and 55 W. 125th Street approximately 150 feet tall. The proposed reduction in the maximum allowed building height would not alter the FEIS conclusions that the project would not have any significant adverse impacts on urban design or visual resources.

Traffic and Parking

Traffic

The proposed modification would generate less commercial, residential and arts/performance space on projected development sites 6, 10, and 14. The reductions in commercial, residential and art/performance space on these three sites with the proposed modification, compared with the Expanded Arts Bonus Alternative are as follows:

- Site 6: Decrease in commercial office space by 35,625 square feet and in arts/performance space by 1,719 square feet.
- Site 10: Decrease in commercial office space by 171,718 square feet and in arts/performance space by 8,285 square feet.
- Site 14: Decrease in residential space by 86 units.

The decrease in commercial, residential and arts/performance space presented by the proposed modification generate a reduction in the projected trip generation of the Expanded Arts Bonus Alternative analyzed as part of the 125th Street Corridor Rezoning and Related Actions FEIS. Exhibits A and B (see attachment) respectively compares the net person and vehicle trip generation estimates for the Expanded Arts Bonus Alternative with the trip generation estimates of the proposed modification. As Exhibits A and B show, the decreases in the total numbers of peak hour person and vehicle trips are as follows:

Person Trips

- Weekday AM Peak Hour - A net decrease of 518 person trips
- Weekday Midday Peak Hour - A net decrease of 593 person trips
- Weekday PM Peak Hour – A net decrease of 706 person trips
- Saturday Midday Peak Hour - A net decrease of 205 person trips

Vehicular Trips

- Weekday AM Peak Hour - A net decrease of 102 vehicle trips (93 in, 9 out)

- Weekday Midday Peak Hour - A net decrease of 40 vehicle trips (16 in, 24 out)
- Weekday PM Peak Hour – A net decrease of 129 vehicle trips (21 in, 108 out)
- Saturday Midday Peak Hour - A net decrease of 23 vehicle trips (13 in, 10 out)

As shown in Exhibit B, the proposed modification decreases vehicular trip generation estimates by approximately 12 percent in the weekday AM peak hour, 2 percent in the Midday, 6 percent in the PM and 1 percent in the Saturday Midday compared to the Expanded Arts Bonus Alternative.

Parking

The proposed modification would provide a similar number of parking spaces as would be provided by the Expanded Arts Bonus Alternative. There would be a reduction of 20 accessory parking spaces and an increase in 20 public parking spaces with the proposed modification as compared to the Expanded Arts Bonus Alternative. Under the proposed modification, the net decrease in demand on the public parking supply in the overall study area (i.e., demand not accommodated in accessory parking spaces) would total 493 and 356 in the weekday midday and overnight periods, respectively, compared to 688 and 405, respectively for the Expanded Arts Bonus Alternative. The utilization rate of the public parking system with the proposed modification would total 43 percent during the weekday midday compared to 90 percent in the No Action condition, and 31 percent during the overnight period compared to 77 percent in the No Action. (The utilization rates under the Expanded Arts Bonus Alternative would total 63 percent and 45 percent during the weekday midday and overnight periods, respectively.) As with the Expanded Arts Bonus Alternative, the proposed modification would improve the public parking system and, therefore, would not result in significant adverse parking impacts during the peak weekday midday and overnight periods.

Consequently, as discussed above, the proposed modification would not alter the analysis or conclusions contained in the FEIS, and would not result in any significant adverse environmental impact not already identified in the FEIS with respect to the Expanded Arts Bonus Alternative. The mitigation measures proposed for vehicular conditions for the Expanded Arts Bonus Alternative would be the same or reduced under this modification.

Transit and Pedestrians

Transit

The net decrease in office, residential and arts/performance space with the proposed modification would decrease transit and pedestrian demand compared to the Expanded Arts Bonus Alternative. Exhibit C (see Attachment) shows the net transit (subway, bus, Metro-North) and walk-only trips that would be generated with the proposed modification in each peak hour compared to the numbers of trips that would be generated by the Expanded Arts Bonus Alternative. As shown in Exhibit C, with the proposed modifications there would be a net total of 1,157 new subway trips in the AM peak hour,

1,001 in the midday and 1,917 in the PM peak hour (compared to 1,327, 1,187 and 2,124 trips, respectively, with the Expanded Arts Bonus Alternative). The proposed modification would also generate a net total of 304, 654 and 976 bus trips in the AM, midday and PM peak hours, respectively (compared to 366, 726 and 1,058, respectively, with the Expanded Arts Bonus Alternative). As discussed below, with this decrease in demand compared to the Expanded Arts Bonus Alternative, it is expected that subway station, subway line haul, local bus and pedestrian conditions would operate better with the proposed modification, and there would be no additional significant adverse impacts.

Subway Stations

As shown in Exhibit C, compared to the Expanded Arts Bonus Alternative, the proposed modification would reduce peak hour demand at analyzed subway stations by an estimated 170 net subway trips in the AM peak hour and 207 net subway trips in the PM peak hour compared to the Expanded Arts Bonus Alternative. With this reduction in demand, all analyzed subway elements at the analyzed subway stations would continue to operate as they would under the Expanded Arts Bonus Alternative or better in both the AM and PM peak hours, and there would be no new significant adverse impacts at these stations with the proposed modification.

In summary, as with the Expanded Arts Bonus Alternative, the proposed modification would not result in any significant adverse impacts at any of the three analyzed subway stations in either the AM or PM peak hours.

Subway Line Haul

As shown in Exhibit C, with the proposed modification there would be a net total of approximately 1,157 new subway trips in the AM peak hour (170 less than the Expanded Arts Bonus Alternative), and 1,917 new trips in the PM peak hour (207 less than the Expanded Arts Bonus Alternative). As with the Expanded Arts Bonus Alternative, these trips would be distributed among the various subway routes serving the proposed rezoning area. The decreased demand would result in line haul conditions similar or better at the maximum load points, compared to the Expanded Arts Bonus Alternative. The proposed modification would, therefore, not result in any significant adverse impacts to subway line haul conditions.

Bus Service

As shown in Exhibit D, with the proposed modifications there would be a net total of approximately 304 new bus trips in the AM peak hour (62 less than with the Expanded Arts Bonus Alternative), and 976 new trips in the PM peak hour (82 less than with the Expanded Arts Bonus Alternative), with these trips distributed among the various bus routes serving the proposed rezoning area. The decreased demand with the proposed modification would make conditions better at the maximum load points on some routes, and there would be no additional significant adverse impacts to any route compared to conditions under the Expanded Arts Bonus Alterative. As standard practice, MTA New York City Transit monitors bus ridership and increases service where operationally and fiscally feasible.

Pedestrians

As shown in Exhibit E, compared to the Expanded Arts Bonus Alternative, the proposed modification would generate 94 less walk-only trips in the AM peak hour, 107 in the midday and 167 in the PM peak hour. These reductions in walk-only trips, along with decreased pedestrian demand associated with trips to and from area subway stations and bus stops, would be distributed along sidewalks, corner areas and crosswalks in the pedestrian study area in proximity to sites affected by the proposed modifications. With this decrease in pedestrian demand under the proposed modifications, all analyzed pedestrian's elements would continue to operate similar or better in all periods to those with the Expanded Arts Bonus Alternative. Therefore, there would be no additional significant adverse sidewalks, crosswalks or corner areas impacts compared to the Expanded Arts Bonus Alternative based on *CEQR Technical Manual* criteria.

Consequently, as discussed above, the proposed modification would not alter the analysis or conclusions contained in the FEIS, and would not result in any significant adverse environmental impact not already identified in the FEIS with respect to the Expanded Arts Bonus Alternative. The mitigation measures proposed for transit and pedestrian conditions for the Expanded Arts Bonus Alternative would be the same or reduced under this modification.

Air Quality – Stationary Source

The proposed reduction in residential and commercial density within the Core Subdistrict will lead to no new stationary source air quality impacts. Indeed, the shorter building heights, and the attendant reduction in overall building areas, will create developments with less potential HVAC emissions and more range in HVAC stack locations. Thus, the (E) designation contained in the FEIS for the Expanded Arts Bonus Alternative for Projected Development Site 10 is to be revised as follows:

> Block 1910, Lots 1, 7501 (Projected Development Site 10)
> **Any new residential and/or commercial development on the above-referenced properties must ensure that the heating, ventilating and air conditioning stack(s) are located at least 95 feet and 39 feet for Oil No. 4 and Oil No. 2 from the lot lines facing Adam C. Powell Jr. Boulevard or use Natural Gas as the type of fuel for space heating and hot water (HVAC) systems, to avoid any potential significant adverse air quality impacts.**

Consequently, as discussed above, the proposed modification would not alter the analysis or conclusions contained in the FEIS, and would not result in any significant adverse environmental impact not already identified in the FEIS with respect to the CPC and City Council approved Expanded Arts Bonus Alternative.

EXHIBIT A

Comparison of Estimated Peak Hour Net Person Trip Generation Characteristics
Expanded Arts Bonus Alternative Estimates Vs. Proposed Modification

Scenario	Weekday			Saturday
	AM Peak Hour Total	MD Peak Hour Total	PM Peak Hour Total	MD Peak Hour Total
Expanded Arts Bonus*	6,653	24,411	21,210	27,156
Proposed Modification	6,135	23,818	20,504	26,951
Incremental Decrease	518	593	706	205

* As contained in the 125th Street Corridor Rezoning and Related Actions FEIS.

EXHIBIT B

Comparison of Estimated Peak Hour Net Vehicle Trip Generation Characteristics
Expanded Arts Bonus Alternative Estimates Vs. Proposed Modification

Scenario	Weekday			Saturday
	AM Peak Hour Total	MD Peak Hour Total	PM Peak Hour Total	MD Peak Hour Total
Expanded Arts Bonus*	841	1,675	2,208	1,974
Proposed Modification	739	1,635	2,079	1,951
Incremental Decrease	102	40	129	23

* As contained in the 125th Street Corridor Rezoning and Related Actions FEIS.

EXHIBIT C

Comparison of Estimated Peak Hour Net Subway Trip Generation Characteristics
Expanded Arts Bonus Alternative Estimates Vs. Proposed Modification

Scenario	Weekday		
	AM Peak Hour Total	MD Peak Hour Total	PM Peak Hour Total
Expanded Arts Bonus*	1,327	1,187	2,124
Proposed Modification	1,157	1,001	1,917
Incremental Decrease	170	186	207

* As contained in the 125th Street Corridor Rezoning and Related Actions FEIS.

EXHIBIT D

Comparison of Estimated Peak Hour Net Bus Trip Generation Characteristics
Expanded Arts Bonus Alternative Estimates Vs. Proposed Modification

Scenario	Weekday		
	AM Peak Hour Total	MD Peak Hour Total	PM Peak Hour Total
Expanded Arts Bonus*	366	726	1,058
Proposed Modification	304	654	976
Incremental Decrease	62	72	82

* As contained in the 125th Street Corridor Rezoning and Related Actions FEIS.

EXHIBIT E

Comparison of Estimated Peak Hour Net Walk (Only) Trip Generation Characteristics
Expanded Arts Bonus Alternative Estimates Vs. Proposed Modification

Scenario	Weekday		
	AM Peak Hour Total	MD Peak Hour Total	PM Peak Hour Total
Expanded Arts Bonus*	162	2,439	2,210
Proposed Modification	68	2,332	2,043
Incremental Decrease	94	107	167

* As contained in the 125th Street Corridor Rezoning and Related Actions FEIS.

C4-7 FUCA – Special 125th Street District

Matter in underline is new, to be added
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in 12-10 or
* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE IX
SPECIAL PURPOSE DISTRICTS

* * *

Chapter 7
Special 125th Street District

* * *

97-411
Maximum floor area ratio in C4-4D, C4-7 and C6-3 Districts

In C4-4D, C4-7 or C6-3 Districts, the maximum permitted #floor area ratios# for new #developments# or #enlargements# shall be as listed in the following table for #residential#, #commercial# and #community facility uses and may only be increased pursuant to Section 97-42 (Floor Area Bonuses).

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR) FOR RESIDENTIAL, COMMERCIAL AND COMMUNITY FACILITY USES						
	OUTSIDE THE CORE SUBDISTRICT			WITHIN THE CORE SUBDISTRICT		
District	#Residential floor area ratio#	Commercial #floor area ratio#	Community Facility #floor area ratio#	#Residential floor area ratio#	Commercial #floor area ratio#	Community Facility #floor area ratio#
C4-4D	5.4	4.0	6.0	5.4	4.0	6.0
C4-7	9.0	10.0	10.0	~~9.0~~ 5.4	~~10.0~~ 7.2	~~10.0~~ 7.2
C6-3	6.0	6.0	6.0	5.4	6.0	6.0

* * *

97-422
Floor area bonus for visual or performing arts uses

In C4-4D, C4-7 or C6-3 Districts within the #Special 125th Street District#, for a new #development# or #enlargement# with frontage on 125th Street , the maximum #floor area ratio# otherwise permitted for #residential# or #commercial uses# listed in Section 97-411 may be increased up to the maximum #floor area ratio# specified in the following table, provided that for every four square feet of bonused #floor area#, an amount of space equivalent to one square foot of such bonused #floor area# shall be used for those visual or performing arts #uses# designated in paragraph (b) of Section 97-11 (Special Arts and Entertainment Uses). Such bonused #floor area# shall be permitted only upon certification by the Chairperson of the City Planning Commission to the Commissioner of Buildings that the conditions set forth in Section 97-423 have been met.

MAXIMUM PERMITTED FLOOR AREA RATIO (FAR)
FOR RESIDENTIAL AND COMMERCIAL USES WITH
FLOOR AREA BONUS FOR VISUAL OR PERFORMING ARTS USES

	OUTSIDE THE CORE SUBDISTRICT				WITHIN THE CORE SUBDISTRICT			
District	#Residential floor area ratio		Commercial #floor area ratio#		#Residential floor area ratio		Commercial #floor area ratio#	
	Base	Maximum	Base	Maximum	Base	Maximum	Base	Maximum
C4-4D	5.4	7.2	4.0	5.4	5.4	7.2	4.0	5.4
C4-7	9.0	12.0	10.0	12.0	~~9.0~~ 5.4	~~12.0~~ 7.2	~~10.0~~ 7.2	~~12.0~~ 8.65
C6-3	6.0	8.0	6.0	8.0	5.4	7.2	6.0	8.0

* * *

97-442
Height and setback regulations for C4-7 and C6-3 Districts

The following modifications of the underlying district regulations shall apply for C4-7 and C6-3 Districts within the Special District:

(a) The minimum and maximum base height of the #street wall# and the maximum height of a #development# or #enlargement# shall be modified, as set forth in the following table:

MINIMUM BASE HEIGHT, MAXIMUM BASE HEIGHT AND MAXIMUM BUILDING HEIGHT			
District	Street Wall Height (in feet)		Maximum Building Height (in feet)
	Minimum Base Height	Maximum Base Height	
C4-7	60	85	~~290~~ 195
C6-3	60	85	160

All portions of buildings that exceed a height of 85 feet in C4-7 and C6-3 Districts shall be set back at least 15 feet from the #street line#, except that such setback depth may include the depth of any permitted recess in the #street wall#, according to the provisions of 97-433 (Street wall location).

(b) Special regulations for certain C4-7 Districts

(1) For the area located within 50 feet of the 126th Street frontage and between 200 feet east of Adam Clayton Powell Boulevard and 150 feet west of Lenox Avenue/Malcolm X Boulevard, the height of any portion of a #development# or #enlargement# shall be limited to 80 feet.

(2) For #zoning lots# bounded by 125th Street, Park Avenue and 124th Street, the maximum #building# height shall be 330 feet.

(3) For Lots 1 and 7501 on #Block# 1910, the requirements of City Environmental Quality Review (CEQR) Environmental Designation number (E-201) have been modified, as set forth in the Technical Memorandum to the Final Environmental Impact Statement for CEQR Number 070DCP030M, dated July 18, 2008.

(c) In C6-3 Districts, the maximum length of any #story# located above a height of 85 feet shall not exceed 150 feet. Such length shall be measured by inscribing within a rectangle the outermost walls at the level of each #story# entirely above a height of 85 feet. No side of such rectangle shall exceed a width of 150 feet.

* * *