DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

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NOTICE OF COMPLETION OF
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Hudson Square Rezoning

Project Identification
CEQR No. 12DCP045M
ULURP Nos. 120380ZMM, 120381ZRM
SEQRA Classification: Type I

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to Uniform Land Use Review Procedures (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and will be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. PROJECT IDENTIFICATION

The Rector, Church-Wardens and Vestrymen of Trinity Church in the City of New York (the "Applicant") is seeking approval of a zoning text amendment to create a new Special Hudson Square District and a zoning map amendment to map the proposed Special District across approximately 18 blocks within Manhattan Community District 2 (collectively, the "Proposed Action"). Through the Proposed Action, the Applicant seeks to activate and enhance the area known as Hudson Square by permitting mixed-use development while preserving the area's commercial base and existing built character.

The Proposed Action would allow new residential development to occur in the Rezoning Area with incentives to provide affordable housing, while instituting provisions to limit conversions of non-residential buildings to residential use and retain certain commercial uses. As described in more detail

below, a reasonable worst-case development scenario (RWCDS) was developed to reflect a range of possible development under the Proposed Action. A total of 22 projected development sites (including 5 sites owned or controlled by the Applicant) and 17 potential development sites have been identified on which new buildings could be constructed or existing buildings converted to residential use and/or enlarged. (The 22 projected development sites include three projected enlargement sites; the 17 potential enlargement sites include 12 potential enlargement sites.)[1] In the Future With the Proposed Action (the With-Action condition), it is expected that the Applicant's projected development sites would contain a total of approximately 1.29 million gross square feet (gsf) of residential use (approximately 1,517 housing units, of which 274 are anticipated to be affordable pursuant to the Inclusionary Housing Program); 81,000 gsf of retail use; 440,000 gsf of office use; and a 75,000 gsf (444-seat) public school. Projected development sites not controlled by the Applicant are expected to contain a total of approximately 1.58 million gsf of residential use (approximately 1,835 housing units, of which 405 are anticipated to be affordable pursuant to the Inclusionary Housing Program); 143,000 gsf of retail use; and 237,000 gsf of office use. For environmental assessment purposes, a second RWCDS was also developed, which considers the potential development of community facility uses with sleeping accommodations (i.e., dormitories), rather than residential buildings, on certain development sites in the Rezoning Area. It should be noted that the Applicant does not intend to develop dormitory uses on its sites, but that these uses could be developed under the proposed zoning on sites not controlled by the Applicant.

Under RWCDS 1, on the projected development and projected enlargement sites, the Proposed Action could result in a net increase of 3,323 residential units (of which approximately 679 units, or 20 percent of the residential floor area, would be affordable pursuant to the Inclusionary Housing Program), approximately 139,583 gsf of retail use, 139,583 gsf of office use, 75,000 gsf of community facility (school) use, and 526 accessory parking spaces; as well as a net decrease of approximately 739,170 gsf of hotel use (approximately 1,126 hotel rooms), 382,010 gsf of other commercial space (including loft and storage space), and 63 public parking spaces. Assuming an average household size of 1.84 persons (the average household size in Manhattan Community District 2), the additional 3,323 dwelling units would add an estimated 6,113 residents to the Rezoning Area.

Under RWCDS 2, on the projected development and projected enlargement sites, the Proposed Action could result in a net increase of 2,977 residential units (of which approximately 598 units, or 20 percent of the residential floor area, would be affordable pursuant to the Inclusionary Housing Program), approximately 99,086 gsf of retail use, 139,583 gsf of office use, 329,896 gsf of community facility use (comprising approximately 75,000 gsf of school use and 254,896 gsf of dormitory use [approximately 773 dormitory beds]), and 456 accessory parking spaces; as well as a net decrease of approximately 739,170 gsf of hotel use (approximately 1,126 hotel rooms), 382,010 gsf of other commercial space (including loft and storage space), and 63 public parking spaces. Assuming an average household size of 1.84 persons (the average household size in Manhattan Community District 2) and 1 student per dormitory bed, the additional 2,977 dwelling units and 773 dormitory beds would add an estimated 6,249 residents to the Rezoning Area.

The Proposed Action would require a special permit from the Board of Standards and Appeals (BSA) for the development of eating and drinking establishments with a capacity of more than 200 persons, or establishments of any capacity with dancing (e.g., nightclubs). The Proposed Action would also require a special permit for hotels with more than 100 sleeping units (whether created through new construction or change of use in existing "qualifying buildings"). New hotel construction with more than 100 sleeping units would be permitted as-of-right only upon certification by the Chairperson of the CPC to the Commissioner of Buildings that the "residential development goal" (defined as at least 75 percent of the

[1] Projected development sites are those sites that are considered more likely to be developed in the foreseeable future (i.e., an approximately 10 year period following adoption of the Proposed Action). Potential development sites are considered less likely to be developed within a 10 year period.

new dwelling units projected in the With-Action condition, or 2,233 new residential units) has been met for the Special Hudson Square District. Therefore, the DEIS includes conceptual analyses to generically assess the potential environmental impacts that could result from the development of hotel uses and nightclubs within the Rezoning Area.

As a 10-year period is typically the length of time over which developers would act on areawide rezonings such as that proposed, 2022 was selected as the analysis year for the environmental impact analyses.

B. SUMMARY OF POTENTIAL SIGNIFICANT ADVERSE IMPACTS AND MITIGATION

As described below, the Proposed Action would result in significant adverse impacts with respect to community facilities, open space; shadows; historic resources; transportation (traffic and pedestrians); and construction impacts related to transportation (traffic and pedestrians). The significant adverse impacts and any potential mitigation measures are as follows:

- *Community Facilities*— The DEIS analysis finds that with the development of the proposed public elementary school on Projected Development Site 1 the Proposed Action would not result in any significant adverse impacts on community facilities. However, there is the potential for a significant adverse impact to public elementary schools if substantial residential development occurs in the Rezoning Area before the proposed public elementary school on Projected Development Site 1 is constructed. Between the Draft and Final EIS, the lead agency will consider additional feasible and practicable measures that would provide assurance that construction of the proposed public school would take place as early as possible relative to conditions which may otherwise result in a significant adverse elementary school impact.
- *Open Space*—The Proposed Action would result in a significant adverse impact to open space in the residential study area as a result of the decrease in the total open space ratio and active open space ratio. Within the residential study area, the total and active open space ratios would each decrease by approximately 9.1 percent and, as in existing conditions and the No-Action condition, would remain lower than the city's guidelines. Mitigation measures which could partially mitigate these impacts will be explored by the Applicant in consultation with the New York City Department of City Planning (DCP) and the New York City Department of Parks and Recreation (DPR) between the Draft and Final EIS.
- *Shadows*—The Proposed Action would result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square. Trump SoHo Plaza would receive from three hours to three hours and 40 minutes of new shadows in the spring, late summer, and fall. SoHo Square would receive from two hours and 20 minutes to two hours and 39 minutes of new shadows in the spring, summer and fall, and 30 minutes in the winter. Mitigation measures which could partially mitigate these impacts will be explored by the Applicant in consultation with DCP and DPR between the Draft and Final EIS.
- *Historic and Cultural Resources (Archaeological Resources)*—A Phase 1A Archaeological Documentary Study identified portions of six potential and projected development sites as archaeologically sensitive for resources associated with the 19th century occupation of the 20 historic lots included within those sites, and recommended Phase 1B archaeological testing for these sites. The lots identified as archaeologically significant include Block 477, Lots 44 and 76 (Projected Development Site 5), 66 (Projected Development Site 13), 73, 74, 75 (Potential Development Site 22); Block 578, Lots 77 and 79 (Potential Development Site 23); and Block 579, Lots 35 (Projected Development Site 12) and 44 (Projected Development Site 10). Since none of the six potential and projected development sites identified as archaeologically sensitive are under the Applicant's control, future development on these properties would be as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological field testing to determine the presence of archaeological resources (i.e., Phase 1B testing) or mitigation for any identified significant resources through avoidance or excavation and data recovery (i.e., Phase 2

or Phase 3 archaeological testing). Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action on properties not controlled by the Applicant could result in unmitigated significant adverse impacts on archaeological resources.

- *Historic and Cultural Resources (Architectural Resources)*—Construction of projected and potential development and enlargement sites not controlled by the Applicant could potentially result in construction-related impacts to 7 known or potential architectural resources due to their location within 90 feet of such development and enlargement sites. These potentially impacted resources are: one known resource which has not yet been designated—the proposed South Village Historic District (specifically, three buildings within this proposed historic district)—and six potential architectural resources, including 278 Spring Street, 341 Hudson Street, 78 Vandam Street, 431 Canal Street, 189 Varick Street, and 180 Varick Street. These resources would be afforded limited protection under New York City Department of Buildings regulations applicable to all buildings located adjacent to construction sites; however, since the resources are not New York City Landmarks (NYCL) or National Register-listed (NR-listed) properties, they are not afforded special protections under DOB Technical Policy and Procedure Notice #10/88 (*TPPN #10/88*). Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action on properties not controlled by the Applicant could result in unmitigated significant adverse construction-related impacts on architectural resources.
- *Transportation (Traffic)*—The Proposed Action would have the potential for significant adverse impacts at 17 intersections. Thirteen of the 17 intersections would be impacted during the weekday AM peak hour, 3 of the 17 intersections during the weekday midday peak hour, 13 of the 17 intersections during the PM peak hour, and 5 of the 17 intersections during the Saturday midday peak hour, as shown in **Table S-1,** below. Standard mitigation measures (including primarily signal timing changes and daylighting) would fully mitigate most significant adverse traffic impacts. Out of the 17 impacted traffic intersections, impacts at 11 intersections could not be fully mitigated during one or more analysis peak hours, including 2 intersections during the weekday AM peak hour, 10 intersections during the weekday PM peak hour, and 4 intersections during the Saturday midday peak hour.
- *Transportation (Pedestrian)*—The Proposed Action would have the potential for significant adverse impacts at the north crosswalk of Avenue of the Americas and Spring Street during the PM peak hour and the north crosswalk of Varick Street and Spring Street during the AM and PM peak hours. These significant adverse impacts could be fully mitigated with the following: widening of the north crosswalk of Avenue of the Americas and Spring Street from the existing 15 feet to 18 feet; widening of the north crosswalk of Varick Street and Spring Street from the existing 14 feet to 19 feet.
- *Construction (Traffic and Pedestrians)*—The cumulative operational and peak construction traffic increments would be lower than the full operational traffic increments associated with the Proposed Action in 2022. Nonetheless, because existing and No-Action traffic conditions at some of the study area intersections through which construction-related traffic would also travel were determined to operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some or many of these locations during construction. The construction traffic impacts could be mitigated with the same measures recommended to mitigate impacts associated with the operational traffic of the Proposed Action. However, there is potential for the same unmitigated adverse traffic impacts during construction as with the operation traffic (i.e., 2 intersections during the weekday AM peak hour, 10 intersections during the weekday PM peak hour, and 4 intersections during the Saturday midday peak hour).

Table S-1
Summary of Significant Adverse Traffic Impacts

Intersection		AM	Midday	PM	Saturday
EB/WB Street	NB/SB Street	Peak Hour	Peak Hour	Peak Hour	Peak Hour
Clarkson Street	West Street	SB-L		SB-L	
West Houston Street	West Street	WB-R	WB-R	WB-R	
Canal Street North	West Street	WB-LR WB-R			
King Street	Hudson Street	NB-TR			
Charlton Street	Hudson Street			WB-TR	
Canal Street	Hudson Street	WB-TR NB-LT (west lanes)		NB-LT (west lanes)	
West Houston Street	Varick Street	SB-TR (west lanes)		SB-TR (west lanes)	
King Street	Varick Street	SB-T (west lanes)		SB-T (west lanes)	SB-T (west lanes)
Charlton Street	Varick Street	SB-TR (west lanes)		WB-LT SB-TR (west lanes)	SB-TR (west lanes)
Vandam Street	Varick Street			SB-TR (west lanes)	
Spring Street	Varick Street	SB-LT (east lanes)	EB-R	EB-T EB-R SB-T (west lanes)	EB-TR EB-R SB-LT (east lanes)
Dominick Street	Varick Street			SB-TR (west lanes)	SB-TR (west lanes)
Broome Street	Varick Street		SB-TR (west lanes) SB-R (west lanes)	SB-TR (west lanes) SB-R (west lanes)	SB-TR (west lanes) SB-R (west lanes)
Canal Street	Varick Street	WB-LT		SB-L	
West Houston Street	Avenue of the Americas	NB-LTR			
Spring Street	Avenue of the Americas	EB-L			
Canal Street/Laight Street	Avenue of the Americas	NB-LTR		WB-TR	

Notes: EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound; L = Left Turn; T = Through; R = Right Turn

With respect to pedestrians, because the full build-out of the Proposed Action is expected to result in crosswalk impacts at two intersections—north crosswalk of Avenue of the Americas and Spring Street and north crosswalk of Varick Street and Spring Street, as discussed above, the same or lesser significant adverse pedestrian impacts could occur during construction prior to the full build-out of the Proposed Action. Accordingly, the same crosswalk widenings recommended to mitigate the pedestrian impacts for the Proposed Action could be advanced to mitigate the same impacts during construction.

- *Conceptual Analysis (Traffic)*—New hotel construction that could occur as-of-right after the "residential development goal" is met could result in unmitigated significant adverse traffic impacts. Under the hotel development scenario, the impacts identified at study area intersections along the Varick Street corridor would worsen (with those at Charlton, Vandam, Spring, and Dominick Streets likely realizing the greatest effects), and the impacts identified at three intersections along Hudson Street (at Canal, Charlton, and King Streets) would worsen. For intersections farther away from the sites selected for the hotel development scenario, the projected traffic increases would be more dispersed and would have lesser effects on the operating levels of these intersections.

C. DESCRIPTION OF THE PROPOSED ACTION

OVERVIEW

The Applicant seeks approval from CPC for a zoning text amendment and zoning map amendment to create a Special Purpose zoning district, the Special Hudson Square District (the "Special District"), over an underlying M1-6 District. The Special District would encompass an approximately 18-block area (the "Rezoning Area"), generally bounded by West Houston and Vandam Streets to the north, Avenue of the Americas and approximately 100 feet east of Varick Street to the east, Canal and Spring Streets to the south, and Hudson and Greenwich Streets to the west. A list of the affected properties is provided in **Table S-2**. The Applicant owns approximately 39 percent of the lot area within the proposed Rezoning Area. The Special District would contain two subdistricts: Subdistrict A and Subdistrict B. Subdistrict A is bounded by Grand Street, Avenue of the Americas, Canal Street, and Varick Street and includes all of tax block 227.

Subdistrict B is bounded roughly by Dominick Street to the north, midblock between Varick Street and Avenue of the Americas to the east, Watts Street to the South, and the Holland Tunnel entrance to the west, and includes portions of tax blocks 477, 491, and 578.

Table S-2
Affected Properties Within the Rezoning Area

Block	Lot
226	1, 21, 24
227	63, 69, 70, 76, 80
477	1, 11, 35, 42, 44, 57, 64, 66, 68, 71, 72, 73, 74, 75, 76, 7501
491	1, 3, 16, 26, 27, 29, 39, 46, 7501, 7502
505	1, 14, 16, 24, 26, 31, 35, 36
506	7501
519	70
520	1
578	1, 47, 61, 62, 63, 64, 67, 70, 71, 75, 77, 78, 79, 80
579	1, 2, 3, 5, 9, 11, 30, 35, 43, 44, 47, 60, 68, 70, 74
580	1, 11, 15, 19, 22, 39, 52, 60, 63, 65
581	1
597	1, 5, 7, 10, 12, 32, 33, 37, 38, 39, 45, 46, 50, 51, 52, 55, 62, 7501, 7502
598	42, 48, 58
599	64

The current M1-6 zoning district allows manufacturing and commercial uses, but prohibits residential, educational, and most cultural uses, and places no height restriction on buildings. The Proposed Action would allow new residential development to occur in the Rezoning Area with incentives to provide affordable housing, while instituting provisions to limit conversions of non-residential buildings to residential use and retain certain commercial uses. For development sites containing existing buildings with 70,000 zoning square feet (zsf) or more of non-residential floor area ("qualifying buildings"), new residential floor area would be permitted only upon certification by the Chairperson of the CPC that the non-residential floor area would be replaced at a one-to-one ratio with future non-residential uses on the zoning lot, a powerful disincentive to demolition.

Overall, the Proposed Action would create a unique set of use regulations that would (1) allow the full range of commercial and light manufacturing uses appropriate in a mixed-use environment; (2) provide protections for existing concentrations of commercial and light manufacturing uses; (3) allow infill residential development; (4) allow a broad range of community facility uses; (5) require ground-floor retail uses and transparency to enliven the street; and (6) require a special permit for hotels with more than 100 rooms (whether created through new construction or change of use in existing "qualifying buildings") to ensure that hotel development does not conflict with the goals of preserving existing commercial uses, creating a vibrant community, and encouraging residential uses and affordable housing.

Whereas the existing M1-6 zoning permits commercial and manufacturing uses at a floor area ratio (FAR) of 10, bonusable to 12 FAR with plaza or arcade, and does not include limits on building height, the Proposed Action would reduce the maximum permitted floor area in certain areas, and mandate building height limits and streetwall and setback regulations throughout the Rezoning Area. The Proposed Action would allow non-residential development (commercial, community facility, and light manufacturing) at 10 FAR and residential development at 9 FAR (bonusable to 12 FAR through the provision of affordable housing pursuant to the city's Inclusionary Housing Program). The plaza or arcade bonus under the existing M1-6 zoning would be eliminated. Under the Proposed Action, buildings containing residential uses would have a sliding scale base FAR from 9 FAR to 10 FAR depending on the extent of non-residential use, allowing an additional 0.25 total FAR for each 1.0 FAR of non-residential use (e.g., 9 FAR maximum for 0 FAR non-residential use, 9.25 FAR for 1 FAR non-residential use, 9.5 for 2 FAR non-residential use, 9.75 for 3 FAR non-residential use, 10 FAR for 4 FAR non-residential use).

The Proposed Action would mandate building height limits and streetwall and setback regulations throughout the Special District. On wide streets,[2] the Proposed Action would restrict building heights to 320 feet, require a base height of between 125 and 150 feet, and require a 10-foot setback above the base height. On narrow streets beyond 100 feet of their intersection with a wide street, the Proposed Action would restrict building heights to 185 feet, require a base height of between 60 and 125 feet, and require a 15-foot setback above the base height.

The proposed Special District also includes two subdistricts to respond to special conditions in certain areas of Hudson Square. In Subdistrict A, at the southernmost point of the proposed Special District, a unique location at the intersection of three neighborhoods (Hudson Square, SoHo, and Tribeca), the rezoning would allow the development of an architecturally distinct mixed-use building with a greater height limit (430 feet). The larger envelope would be appropriate to the Subdistrict's frontage on three wide streets (Canal Street, Varick Street, and Avenue of the Americas). Subdistrict A would also allow for the development of a public school to be exempt from the definition of floor area. Maximum FAR would be 9.0 for residential use and 10 for non-residential use. Within this subdistrict, floor space used for a public school would be exempt from the calculation of zoning floor area.

In Subdistrict B, an area containing Federal-style row houses in the southern portion of the rezoning area, the maximum permitted floor area would be reduced and the contextual height and setback regulations of C6-2A districts would apply, including a maximum building height of 120 feet. The proposed subdistrict regulations would serve to discourage demolition of existing buildings and preserve the lower scale of the existing built context. Within Subdistrict B, development would be permitted at a base FAR of 6.0 for commercial use and manufacturing use, 6.5 for community facility use, and 5.4 for residential use (bonusable to 7.2 FAR pursuant to the Inclusionary Housing Program), and building heights would be limited to 120 feet.

SPECIAL HUDSON SQUARE DISTRICT

Specifically, the proposed Special Hudson Square District would include the following zoning controls.

1. In the proposed Special District, the following would apply (except where modified within subdistricts):

a) Use—Residential, commercial, community facility, and light manufacturing uses permitted;

b) FAR—10 FAR for non-residential use; 9 FAR (bonusable to 12 FAR pursuant to the Inclusionary Housing Program) for residential use;

c) Building Height—Maximum 320 ft (wide street); maximum 185 ft (narrow street); and

d) Base Height and Setback—

On wide streets: base height minimum 125 ft and maximum 150 ft; streetwall required to be located at street line, with exceptions for vertical enlargements to existing buildings; above base height, setback minimum 10 ft; and

On narrow streets: base height minimum 60 ft and maximum 125 ft; streetwall required to be located at street line, with exceptions for vertical enlargements to existing buildings; above base height, setback minimum 15 ft.

2. For development sites containing existing buildings with 70,000 zoning square feet (zsf) or more, new residential floor area would be permitted only upon certification by the Chairperson of the CPC that

[2] Within the Special District, the following streets are subject to the floor area regulations applicable to wide streets: Greenwich Street, Hudson Street, Varick Street, Canal Street, and Avenue of the Americas.

the amount of non-residential floor area in the existing building would be replaced at a one-to-one ratio with future non-residential uses on the zoning lot. In conjunction with such certification, a restrictive declaration would be required to be executed and recorded, requiring the amount of pre-existing non-residential floor area in the existing building to be maintained on the zoning lot. Non-residential uses include office, retail, storage, community facility (except community facility uses with sleeping accommodations), warehouse, light and industrial manufacturing.

3. Ground floor retail would be permitted throughout the entire district, but to restrict so-called "big box" stores, retail would be limited to 10,000 zsf of floor area per establishment on the ground floor. Food stores would be permitted with no floor area limitation. Eating and drinking establishments with dancing would be permitted only by BSA special permit.

4. A special permit would be required for hotels with more than 100 sleeping units, whether created through new construction or change of use in existing qualifying buildings. (For new hotel construction, hotels with more than 100 sleeping units would be permitted as-of-right upon certification by the Chairperson of the CPC to the Commissioner of Buildings that at least 75 percent of the new dwelling units projected in the With-Action condition—the "residential development goal" (i.e., 2,233 new residential units)—have been constructed and issued certificates of occupancy.)

5. Buildings containing residential uses would have a sliding scale base FAR from 9 FAR to 10 FAR depending on the extent of non-residential use, allowing an additional 0.25 total FAR for each 1.0 FAR of non-residential use (e.g., 9 FAR maximum for 0 FAR non-residential use, 9.25 FAR for 1 FAR non-residential use, 9.5 for 2 FAR non-residential use, 9.75 for 3 FAR non-residential use, 10 FAR for 4 FAR non-residential use).

SUBDISTRICT A

Subdistrict A is bounded by Grand Street, Avenue of the Americas, Canal Street, and Varick Street and includes all of tax block 227. The following zoning controls would apply:

a) Use—Special Hudson Square District regulations (noted above) apply;

b) FAR—Maximum 9.0 FAR residential, 10 FAR non-residential. Floor space used by a public school exempt from definition of floor area;

c) Building Height—Maximum building height 430 ft;

d) Lot Coverage—below a height of 290 ft at least 30 percent required; above a height of 290 ft at least 20 percent required; and

e) Streetwall—Special Hudson Square District regulations (noted above) apply, with exceptions for lot lines coinciding with the boundary of a public park.

SUBDISTRICT B

Subdistrict B is bounded roughly by Dominick Street to the north, midblock between Varick Street and Avenue of the Americas to the east, Watts Street to the South, and the Holland Tunnel entrance to the west, and includes portions of tax blocks 477, 491, and 578. The following zoning controls would apply:

a) Use—Special Hudson Square District regulations (noted above) apply;

b) FAR—6.0 FAR for commercial use and manufacturing use, 6.5 FAR for community facility use, and 5.4 FAR for residential use (bonusable to 7.2 FAR with Inclusionary Housing); and

c) Building Height and Setback—C6-2A regulations apply: maximum building height 120 ft; base height minimum 60 ft and maximum 85 ft; above 85 ft, setback minimum 10 ft on a wide street or 15 ft on a narrow street.

OTHER ACTIONS

INCLUSIONARY HOUSING

It is expected that the Applicant and future developers of sites in the Rezoning Area not under the Applicant's control may seek financing from city or state agencies for the affordable housing component of the Proposed Action. However, no specific program has been selected by the Applicant or by owners of sites in the Rezoning Area not controlled by the Applicant and, therefore, the Proposed Action will not undergo coordinated review with agencies responsible for affordable housing financing programs.

PUBLIC SCHOOL

It is anticipated that the Proposed Action would include provision for a new public school (pre-kindergarten through fifth grades). Development of a new school would be subject to the approvals and requirements of the New York City School Construction Authority (SCA), including site selection for the school by SCA and site plan approval by the Mayor and City Council pursuant to the requirements of the New York City School Construction Authority Act. SCA will be an involved agency in this environmental review.

(E) DESIGNATIONS

The Proposed Action includes the placement of (E) designations (E-288) to avoid significant adverse impacts in these technical areas. An (E) designation is a mechanism that ensures no significant adverse impacts would result from a proposed action because of procedures that would be undertaken as part of the development of a rezoned site. An (E) designation for hazardous materials would be placed on all projected and potential development and enlargement sites. Also, (E) designations for air quality would be placed on 14 of the 19 projected development sites, all three projected enlargement sites, four of the five potential development sites, and 8 of the 12 potential enlargement sites. These air quality (E) designations would require a variety of measures, including fuel type and stack location restrictions, stack height requirements, use of low NO_x burners, use of Con Edison steam, and/or restrictions on operable windows and air intakes. Additionally, (E) designations for noise would be placed on 16 of the 19 projected development sites, all three projected enlargement sites, three of the five potential development sites, and seven of the 12 potential enlargement sites. The noise (E) designations would require the future building façades to meet certain noise attenuation requirements to avoid significant adverse noise impacts.

PURPOSE AND NEED

The Applicant is a progressive Episcopal church in Downtown Manhattan and one of the oldest institutions in New York City. The Applicant has played a vital role in the health and vitality of the city for more than 300 years. Beyond serving its own parishioners, the Applicant directs and supports substantial charitable efforts serving New Yorkers throughout the city, particularly in New York's seven most impoverished communities.

The Applicant owns commercial property throughout the Hudson Square neighborhood. The Applicant's commercial property is managed by its internal real estate division, Trinity Real Estate. As a division of a not-for-profit organization, Trinity Real Estate dedicates all net revenue derived from its land holdings (after paying property taxes and operational expenses) to support the Applicant and its charitable mission. Without any other significant sources of funding, the Applicant's charitable mission is dependent on the success of Trinity Real Estate's commercial operations in Hudson Square.

The purpose of the Proposed Action is to create a vibrant mixed-use neighborhood in Hudson Square by addressing the neighborhood's significant challenges while preserving its essential character. The Proposed Action would support this objective by encouraging Hudson Square's evolution from a

neighborhood with historically high retail vacancy rates and little street activity into a true mixed-use community where New Yorkers work and live. By allowing residential use and promoting local retail and cultural activity that responds to genuine community demand, Hudson Square would gain the street life and services it currently lacks. This transformed Hudson Square would help preserve and increase employment in the City of New York by enhancing the appeal of the Hudson Square neighborhood as a place where the creative industry's highly mobile workers and businesses want to locate. Protecting the neighborhood's large-scale manufacturing buildings will provide the infrastructure for the creative industry's growth, while helping to preserve Hudson Square's overall character. The Proposed Action would help sustain the Applicant's core mission by ensuring the long-term health of Hudson Square.

To preserve the character of the neighborhood, the proposal would:

- Prohibit the conversion to residential use of the larger buildings in the area that contain 70,000 square feet (sf) or more of floor area, unless such floor area is replaced on a one-for-one basis, thereby preserving the existing commercial and industrial buildings—and the uses within.
- Prohibit demolition of buildings with 70,000 sf or more unless the amount of non-residential floor area in the building is replaced on the zoning lot on a one-for-one basis, which will limit the likelihood that such existing large commercial buildings will be demolished.

The proposed rezoning would likewise make a series of changes that would, in the Applicant's view, allow the neighborhood to thrive responsibly. Specifically, it would:

- Impose a height limit that is in context for a mixed-use neighborhood;
- Incentivize the creation of new affordable housing alongside market rate housing to ensure diversity;
- Allow for a new school or schools to support the needs of existing and incoming residents;
- Restrict the size of retail establishments at the ground floor to encourage diversity of retail and street activity;
- Require a special permit for the development of eating and drinking establishments with a capacity of more than 200 persons, or establishments of any capacity with dancing; and
- Require a special permit for hotels with more than 100 sleeping units (whether created through new construction or change of use in existing "qualifying buildings") to provide controls on hotel development.

Under the proposed zoning, a "residential development goal" is defined for the Special Hudson Square District. The "residential development goal" will be considered to be met when certificates of occupancy have been issued for 2,233 new residential units (75 percent of 2,977 units, which is the amount of new residential development projected to occur under RWCDS 2, described below).

In sum, the Proposed Action seeks to allow Hudson Square to evolve into an active, mixed-use neighborhood without damaging its existing character. Such a neighborhood would meet the goals of the Applicant and its charitable mission, while assuring Hudson Square's vibrancy and contribution to the city's economy for decades to come.

D. FRAMEWORK FOR ENVIRONMENTAL ANALYSIS

An EIS analyzes the effects of a proposed action on its environmental setting. The Proposed Action would change the regulatory controls governing land use and development in the Rezoning Area, and would allow new development to occur over time. Since the Proposed Action, if approved, would lead to development taking place in the future, the environmental setting is not the current environment, but the environment as it would exist in the future at the time the Proposed Action would go into effect. Therefore, future conditions must be projected. A 10-year period is typically the length of time over which developers would act on areawide rezonings such as that proposed. Accordingly, 2022 was selected as the analysis year for the environmental impact analyses.

The future projected environmental setting is known as the "No-Action" condition, which characterizes the future baseline conditions likely to occur if the Proposed Action does not take place. The "With-Action" condition assumes that the Proposed Action is approved. For each technical analysis in the EIS, the assessment includes a description of "Existing Conditions" for 2011 and assessments of future conditions in 2022, in the No-Action and With-Action conditions. The With-Action condition is compared with the No-Action condition, to allow the project's incremental impacts to be evaluated. The incremental difference between the No-Action and With-Action conditions serves as the basis for the environmental impact analyses presented in this EIS.

REASONABLE WORST-CASE DEVELOPMENT SCENARIO

To assess the possible short- and long-term effects of the Proposed Action, two RWCDS were developed to reflect a range of possible development under the Proposed Action. To determine conditions in the No-Action and With-Action conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions as to what development would occur. These methodologies have been used to identify the amount, type, and location of future development.

THE FUTURE WITHOUT THE PROPOSED ACTION

The No-Action condition provides a baseline condition that is evaluated and compared with the incremental changes due to the Proposed Action for the same analysis year (2022). The No-Action condition uses existing conditions as a baseline and adds to it changes that are known or expected to be in place at various times in the future. It is anticipated that absent the Proposed Action, given the existing M1-6 zoning, the current trend of hotel development would continue in this area. The No-Action condition for this EIS consists of currently planned or ongoing development projects within the Rezoning Area, as well as the development that is expected to occur on certain sites controlled by the Applicant by 2022.

Absent the Proposed Action, it is expected that new construction would occur on four projected development sites owned the Applicant; new hotel development is projected to occur on two of these sites (see **Table S-3** and **Figure S-2**). Development in the No-Action condition is also expected to occur on four sites in the Rezoning Area not controlled by the Applicant.

It should be noted that although the No-Action condition projects redevelopment of certain sites within the Rezoning Area, it does not reflect the potential full build-out of the Rezoning Area under the current zoning; additional development could occur on other sites in the Rezoning Area in the No-Action condition. However, to provide a more conservative environmental analysis, such development is not assumed in the No-Action condition. Moreover, there is no height restriction under the current zoning in the Rezoning Area and future development in the No-Action condition could be constructed to heights as tall as or taller than the proposed 320-foot height limit for wide streets and the proposed 185-foot height limit for narrow streets under the Proposed Action.

Table S-3
Development in the No-Action Condition

Site No.	Block	Lot	Address	Development Type	Gross Floor Area (gsf)	Retail (sf)	Office (sf)	Hotel (sf)	Hotel Rooms	Other Commercial (sf)	Residential (sf)	Total DUs	Public Parking Spaces	Accessory Parking Spaces
APPLICANT'S PROJECTED DEVELOPMENT SITES														
Projected 1	227	63	417 Canal Street	Hotel above commercial base	366,815	16,409	0	299,740	419	50,666	0	0	0	80
	227	69	74 Varick Street											
	227	70	76 Varick Street											
	227	76	11 Grand Street											
	227	80	87 Avenue Of The Amer											
Projected 2	491	3	114 Varick Street	2-story commercial development	26,655	13,328	0	0	0	13,328	0	0	0	7
Projected 3	579	60	50 Vandam Street	Hotel above commercial base	370,885	12,100	0	272,569	381	86,216	0	0	0	82
	579	68	143 Varick Street											
	579	70	137 Varick Street											
	579	74	275 Spring Street											
Projected 4	598	42	551 Greenwich Street	2-story commercial development	43,868	21,934	0	0	0	21,934	0	0	0	11
	598	48	561 Greenwich Street											
OTHER PROJECTED DEVELOPMENT SITES														
Projected 5	477	35	94 Varick Street	Hotel w/ Ground-Floor Retail	109,890	2,750	0	107,140	202	0	0	0	0	0
	477	42	104 Varick Street											
	477	44	557 Broome Street											
	477	76	66 Watts Street											
Projected 17	597	5	523 Greenwich Street	Hotel	59,721	0	0	59,721	124	0	0	0	0	0
Projected 18[1]	491	75 02	145 Avenue Of The Americas	Commercial enlargement	5,032	0	5,032	0	0	0	0	0	0	0
Projected 19	597	39	537 Greenwich Street	Storage use	70,000	0	0	0	0	70,000	0	0	0	0
				Total, Projected and Potential Development Sites:	1,052,866	66,520	5,032	739,170	1,126	242,143	0	0	0	180
NO ACTION DEVELOPMENT ON OTHER SITES WITHIN REZONING AREA														
	580	1	330 Hudson Street	Commercial office conversion and expansion, ground-floor retail	350,000	20,000	330,000	0	0	0	0	0	0	0

Notes: See **Table 1-3** for additional information on each development site.
[1] The enlargement on Projected Development Site 18 was completed shortly before certification of the Draft EIS. Between the Draft and Final EIS, the analyses in this document will be updated to reflect the enlargement as an existing condition. This change would not affect the conclusions of the analyses presented in this EIS.
Sources: New York City Department of Buildings; Trinity Real Estate.

THE FUTURE WITH THE PROPOSED ACTION

Future development sites include anticipated new construction sites, and sites anticipated to convert and/or be enlarged as a result of the Proposed Action within the next 10 years. Future development sites in the Rezoning Area are divided into two categories: "projected development sites" and "potential development sites." The projected development sites are considered more likely to be developed within the foreseeable future because they are larger sites or are built to a relatively low density. Potential development sites are less likely to be developed within a 10-year period because they are not as easily assembled into single ownership, have an irregular shape, are in active use, reflect a significant amount of relatively recent renovation or alteration, or have some combination of these features.

In the Rezoning Area, a total of 22 projected development sites (including 5 sites owned or controlled by the Applicant) and 17 potential development sites have been identified on which new buildings could be constructed or existing buildings converted to residential use and/or enlarged. Of the 22 projected development sites, 16 are projected new construction sites, 3 are projected enlargement sites on which additional floors could be constructed above the existing structures, and 3 are projected conversion sites (2 of which would convert and enlarge). Of the 17 potential development sites, 2 are potential new construction sites and 15 are potential enlargement sites (3 of which would convert and enlarge).

The Proposed Action would permit a range of different types of development within the Rezoning Area. Therefore, two With-Action development scenarios—RWCDS 1 and RWCDS 2—have been developed to

represent potential development scenarios that could result from the Proposed Action for analysis purposes. Under RWCDS 1, it is assumed that the maximum permitted residential development would occur on each of the development sites. Under RWCDS 2, it is assumed that community facility uses with sleeping accommodations (i.e., dormitories), rather than residential buildings, would be developed on Projected Development Sites 6 and 16. It should be noted that the Applicant does not intend to develop dormitory uses on its sites, but that these uses could be developed under the proposed zoning on sites not controlled by the Applicant. The EIS identifies the maximum potential impacts of the Proposed Action based on these two scenarios.

New construction or enlargements are expected to occur on five sites owned by the Applicant by 2022. The type of development and uses assumed on the Applicant's sites is the same under both development scenarios (RWCDS 1 or RWCDS 2). On Projected Development Site 1 in Subdistrict A, an approximately 381,002-gsf mixed-use building containing residential use, a new 75,000-gsf public school (pre-kindergarten through fifth grades), and ground-floor retail would be constructed. On Projected Development Site 2, an approximately 267,386-gsf residential building with ground-floor retail use would be constructed. At Projected Development Site 3, an approximately 594,364-gsf development containing residential, office, and retail uses would be constructed. On Projected Development Site 4, an approximately 247,645-gsf residential building with ground-floor retail uses would be constructed. In addition, on Projected Enlargement Site 1, the existing building at 304 Hudson Street would be enlarged with a 15-story addition of approximately 162,151 gsf, which is expected to contain office uses.

INCREMENT FOR ANALYSIS

As discussed below under "Analysis Approach," for the projected new construction and conversion sites, the DEIS will assess all possible density-related impacts and site-specific impacts resulting from the incremental development expected to result from the Proposed Action. For the projected enlargement sites, the DEIS will assess all the possible density-related impacts and the potential for some site specific impacts, such as impacts on architectural resources, air quality and noise.

RWCDS 1

Under RWCDS 1, on the projected development and projected enlargement sites, the Proposed Action could result in a net increase of 3,323 residential units (of which approximately 679 units, or 20 percent of the residential floor area, would be affordable pursuant to the Inclusionary Housing Program), approximately 139,583 gsf of retail use, 139,583 gsf of office use, 75,000 gsf of community facility (school) use, and 526 accessory parking spaces; as well as a net decrease of approximately 739,170 gsf of hotel use (approximately 1,126 hotel rooms), 382,010 gsf of other commercial space (including loft and storage space), and 63 public parking spaces. Assuming an average household size of 1.84 persons (the average household size in Manhattan Community District 2), the additional 3,323 dwelling units would add an estimated 6,113 residents to the Rezoning Area.

RWCDS 2

Under RWCDS 2, on the projected development and projected enlargement sites, the Proposed Action could result in a net increase of 2,977 residential units (of which approximately 598 units, or 20 percent of the residential floor area, would be affordable pursuant to the Inclusionary Housing Program), approximately 99,086 gsf of retail use, 139,583 gsf of office use, 329,896 gsf of community facility use (comprising approximately 75,000 gsf of school use and 254,896 gsf of dormitory use [approximately 773 dormitory beds]), and 456 accessory parking spaces; as well as a net decrease of approximately 739,170 gsf of hotel use (approximately 1,126 hotel rooms), 382,010 gsf of other commercial space (including loft and storage space), and 63 public parking spaces. Assuming an average household size of 1.84 persons (the average household size in Manhattan Community District 2) and 1 student per dormitory bed, the additional 2,977 dwelling units and 773 dormitory beds would add an estimated 6,249 residents to the Rezoning Area.

ANALYSIS APPROACH

PROJECTED AND POTENTIAL DEVELOPMENT SITES

This EIS analyzes the RWCDS on the projected development sites as a whole and assesses development on the potential development sites for site-specific impacts. For the projected new construction and conversion sites, the DEIS assesses all possible density-related impacts (such as socioeconomic conditions, community facilities, open space, and traffic and parking, and transit and pedestrians) and all possible site specific impacts (such as shadows, historic resources, urban design, hazardous materials, air quality, and noise) resulting from the increment of the Proposed Action. The 3 projected enlargement sites, which would result in 58 new dwelling units, are included in the assessment for all possible density-related impacts, as well as for some site-specific impacts, including architectural resources, air quality, and noise impacts.

The potential development sites are assessed for site-specific impacts only, such as those related to shadows, historic resources, urban design, hazardous materials, air quality (stationary sources), and noise (building attenuation). The potential enlargement sites are assessed for some site specific impacts, including architectural resources, air quality and noise impacts.

RWCDS 1 AND RWCDS 2

For some technical areas, the Proposed Action may have different potential environmental impacts under the two RWCDS variations. Accordingly, each section of the EIS presents a full analysis of the RWCDS variation with the greater potential to cause significant adverse environmental impacts for that particular technical area, and a less-detailed analysis for the other development variation, when relevant. Each EIS section also describes, either in the section analysis or in a separate "mitigation" section, any mitigation required for both variations, highlights relevant differences between the development variations, and discusses ways in which the effects of the two differ from each other. This conservative methodology fully discloses any impacts, and describes any required mitigation that could be associated with either RWCDS variation.

TRANSPORTATION-RELATED ANALYSES

The transportation and transportation-related analyses in the DEIS (including traffic, parking, transit, pedestrians, air quality mobile sources, noise mobile sources, and construction traffic) were prepared based on a slight variation of the No-Action and With-Action RWCDS assumptions. As a result of recent new developments in the Rezoning Area, several changes were made to the No-Action and With-Action RWCDS assumptions. The changes to the RWCDS occurred shortly prior to certification of the DEIS, after substantial work had been completed on the transportation analyses. Because the RWCDS analyzed in the "Transportation" chapter analyzes a larger incremental development between the No-Action and With-Action conditions, the transportation and transportation-related analyses are conservative in that they present a larger potential for project-generated impacts. Between the Draft and Final EIS, the transportation and transportation-related analyses will be updated to reflect the final RWCDS.

E. CONCEPTUAL CONSTRUCTION SCHEDULE

At this time, there are no specific construction plans for any development (including new construction, enlargement, or conversion) that is projected to result from the Proposed Action. Although the Applicant controls five projected development or enlargement sites, there are no specific developer proposals on those sites. Market considerations will ultimately determine the demand for residential development. For the purposes of assessing potential construction impacts, a conceptual construction phasing and schedule for the RWCDS was developed with an experienced New York City construction manager to illustrate how development of the Rezoning Area could occur over the next 10 years, as shown in **Table S-4**.

Table S-4
Conceptual Construction Schedule

Site	Start Month	Finish Month	Approximate Duration (months)
Projected Development/Enlargement Sites Controlled by the Applicant:			
Projected Development Site 1	1st quarter 2014	2nd quarter 2016	27
Projected Development Site 2	1st quarter 2018	4th quarter 2019	24
Projected Development Site 3	2nd quarter 2015	4th quarter 2017	33
Projected Development Site 4	3rd quarter 2019	2nd quarter 2021	24
Projected Enlargement Site 1	2nd quarter 2015	1st quarter 2017	24
Other Projected Development/Enlargement Sites (not controlled by the Applicant):			
Projected Development Site 5	3rd quarter 2015	4th quarter 2016	18
Projected Development Site 6	1st quarter 2014	4th quarter 2015	24
Projected Development Site 7	3rd quarter 2016	1st quarter 2018	21
Projected Development Site 8	4th quarter 2018	1st quarter 2020	18
Projected Development Site 9	2nd quarter 2016	1st quarter 2018	24
Projected Development Site 10	1st quarter 2019	4th quarter 2020	24
Projected Development Site 11	1st quarter 2015	4th quarter 2017	24
Projected Development Site 12	1st quarter 2021	4th quarter 2022	24
Projected Development Site 13	1st quarter 2017	2nd quarter 2018	18
Projected Development Site 14	1st quarter 2019	4th quarter 2020	24
Projected Development Site 15	1st quarter 2021	4th quarter 2021	12
Projected Development Site 16	1st quarter 2014	2nd quarter 2015	18
Projected Development Site 17	4th quarter 2015	1st quarter 2017	18
Projected Development Site 18	4th quarter 2019	4th quarter 2020	15
Projected Development Site 19	1st quarter 2017	4th quarter 2018	24
Projected Enlargement Site 2	1st quarter 2015	4th quarter 2016	24
Projected Enlargement Site 3	2nd quarter 2021	1st quarter 2022	12
Source: Hunter Roberts Construction Group.			

F. ENVIRONMENTAL REVIEW PROCESS

CPC as lead agency in the environmental review has determined that the Proposed Action has the potential to result in significant environmental impacts and, therefore, pursuant to CEQR procedures, issued a positive declaration dated September 28, 2011 requiring that an EIS be prepared in conformance with all applicable laws and regulations, including SEQRA, the City's Executive Order No. 91, and CEQR regulations (August 24, 1977), as well as the relevant guidelines of the *CEQR Technical Manual.* The draft scope of work was prepared in accordance with those laws and regulations and the City's *CEQR Technical Manual.*

In accordance with SEQRA and CEQR, the Draft Scope of Work was distributed for public review and a public scoping meeting was held on October 27, 2011 at Spector Hall, Department of City Planning, 22 Reade Street, New York, NY, 10007; additional comments were accepted during a 10-day period that followed (thereafter, the city accepted additional comments). After the lead agency considered comments received during the public comment period, a Final Scope of Work dated August 17, 2012 was prepared to direct the content and preparation of a DEIS. As the next step in the process, the DEIS will be subject to public review, in accordance with the CEQR and Uniform Land Use Review Procedure (ULURP) processes with a public hearing and a period for public comment. A Final EIS (FEIS) will then be prepared to respond to those comments received on the DEIS. The lead agency will make CEQR findings based on the FEIS, before making a decision on project approval.

G. PROBABLE IMPACTS OF THE PROPOSED ACTION

LAND USE, ZONING, AND PUBLIC POLICY

Based on the results of the detailed analysis of land use, zoning, and public policy, no significant adverse impacts on land use, zoning, or public policy are anticipated in the With-Action condition in the primary

and secondary study areas. The Proposed Action would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the Proposed Action generate land uses that would be incompatible with land uses, zoning, or public policy in either the primary or the secondary study areas. The Proposed Action would not create land uses or structures that would be incompatible with the underlying zoning, nor would the Proposed Action cause any existing structures to become non-conforming. The Proposed Action would not result in land uses that conflict with public policies applicable to the primary or secondary study areas.

As compared with the No-Action condition, the Proposed Action would result in an increase in new residential, retail, and community facility development—and, in some cases, replacement of non-residential use with new development—and a decrease in certain commercial uses, such as transient hotels, in the Rezoning Area. The Proposed Action would incentivize the development of new affordable housing through the Inclusionary Housing Program, and would allow a greater range of cultural and community facility uses, as well as a new school, to support the expansion of residential use in the Rezoning Area.

The Proposed Action would preserve commercial uses and the built character of the Rezoning Area through the specific provisions regulating demolition and conversions of existing buildings. The Proposed Action would establish height limits, require that buildings be built to the street line, and require retail or other uses at the ground level to encourage street-level activity in the Special District. Thus, new development introduced by the Proposed Action would be consistent with the existing built context, would encourage the enhancement of the area as a mixed-use neighborhood with active street life, and would prevent an influx of new out-of-scale hotel development. The Proposed Action would not result in any significant adverse impacts to with respect to land use, zoning, or public policy. Rather, the Proposed Action would allow the Rezoning Area to evolve into an active, mixed-use neighborhood while preserving its existing built context and commercial uses.

SOCIOECONOMIC CONDITIONS

This analysis finds that the Proposed Action would not result in any significant adverse impacts in the five socioeconomic areas of concern prescribed in the *CEQR Technical Manual*. The following summarizes the conclusions drawn from the analysis. As discussed below, a screening-level assessment was conducted for direct residential displacement, preliminary assessments were conducted for direct and indirect business displacement and adverse effects on specific industries, and a detailed analysis was conducted for indirect residential displacement.

DIRECT RESIDENTIAL DISPLACEMENT

A screening-level assessment finds that the Proposed Action would not exceed the CEQR threshold warranting an analysis of direct residential displacement. Therefore, a detailed analysis was not conducted and the screening assessment is sufficient to conclude that the Proposed Action would not result in any significant adverse impacts due to direct residential displacement. The Proposed Action would result in the direct displacement of four residential units within two buildings on Projected Development Site 10 (282 Hudson Street, Block 579 Lot 1; and 284 Hudson Street, Block 579 Lot 2). Assuming an average household size of 1.84 persons (the average household size in Manhattan Community District 2), the Proposed Action would directly displace approximately 8 residents, which is well below the 500-resident threshold warranting an assessment under the *CEQR Technical Manual*. The direct residential displacement resulting from the Proposed Action would not be large enough to substantially alter the socioeconomic character of the neighborhood, and therefore the screening assessment is sufficient to conclude that there would be no significant adverse impacts due to direct residential displacement.

INDIRECT RESIDENTIAL DISPLACEMENT

The Proposed Action would not result in significant adverse impacts due to indirect residential displacement. According to the *CEQR Technical Manual*, indirect displacement of a residential

population most often occurs when an action increase property values, and thus rents, throughout a study area, making it difficult for some existing residents to continue to afford to live in the area.

The Proposed Action would introduce a total of between 2,977 (under RWCDS 2) and 3,323 (under RWCDS 1) new residential units to the study area, of which between 598 and 679 would be affordable units under the Inclusionary Housing Program, respectively, and between 2,379 (RWCDS 2) and 2,644 (RWCDS 1) would be new market-rate residential units. Residential rental rates and sales prices in the study area increased substantially from 2000 to 2010, indicating an existing trend of increasing property values in the study area. The rental rates and sales prices of new market-rate units in the Rezoning Area are expected to be comparable to other new developments expected to be completed by 2022 in the study area. However, it is possible that the estimated 4,865 residents who would be living in new market-rate residential units introduced under RWCDS 1 (which would introduce the higher number of market-rate residential units) would have incomes higher than the median in the study area. In addition, the Proposed Action would add a total of up to 6,249 residents to the study area (including residents in the market-rate and affordable housing units as well as students living in dormitory units introduced under RWCDS 2), meeting the CEQR threshold for a substantial new population. For these reasons, a detailed analysis was conducted to determine whether the Proposed Action would introduce or accelerate a trend of changing socioeconomic conditions that may potential displace a population of renters vulnerable to rent increases.

The detailed analysis finds that there is no substantial residential population in the study area that would be at risk of indirect residential displacement if rents were to increase as a result of the Proposed Action. According to the methodology described in the *CEQR Technical Manual*, while 2000 Census data indicate a relatively lower-income population living in smaller buildings in the study area, it is likely that most unregulated units in the study area were occupied at that time by higher-income households or have since turned over to higher-income households. While the number of market-rate units introduced by the Proposed Action would be substantial, and could introduce a population with incomes higher than the average for the ½-mile study area, the Proposed Action would not initiate a trend toward increased rents in the study area, nor does the data indicate the presence of a substantial population at risk of indirect residential displacement if rents were to increase. Therefore, the Proposed Action would not result in a significant adverse impact due to indirect residential displacement.

DIRECT BUSINESS DISPLACEMENT

The Proposed Action would not result in significant adverse impacts due to direct business displacement. Some of the businesses and employment located on projected development sites within the Rezoning Area would be displaced by future development in the No-Action condition. Not including displacement that would occur as a result of development in the No-Action condition, there are approximately 88 existing businesses that could be displaced by the Proposed Action. These businesses provide jobs for an estimated 629 people, making up approximately 0.6 percent of the total study area employment. By industry sector, Professional Service businesses represent the largest share of potentially displaced businesses (40 businesses, or 45.5 percent of the total businesses displaced), followed by Arts, Entertainment and Recreation businesses (accounting for 27 businesses or 30.7 percent of total businesses). Retail Trade (4 businesses), Information (5 businesses), Accommodation and Food Services (6), and Other Services account combined for approximately 22 percent of businesses.

The preliminary assessment finds that while these businesses are valuable individually and collectively to the city's economy, according to *CEQR Technical Manual* criteria, the displaced businesses do not provide products or services that would no longer be available to local residents or businesses, nor are they the subject of regulations or publicly adopted plans aimed at preserving, enhancing, or otherwise protecting them in their current location. The businesses are not unique to the ¼-mile study area, nor do they serve a user base that is dependent upon their location within the study area. It is expected that the potentially displaced businesses would be able to find comparable space within the study area or elsewhere within the city.

INDIRECT BUSINESS DISPLACEMENT

The preliminary assessment finds that the Proposed Action would not result in significant adverse impacts due to indirect business displacement. The ½-mile study area already has well-established commercial and residential markets, and therefore the Proposed Action would not be introducing new economic activities to the projected development sites or to the study area that would alter existing economic patterns. Commercial uses are common in the ½-mile study area, including more locally on Hudson and Varick Street, a north-south commercial corridor with a variety of commercial uses such as furniture stores, community retail stores, and restaurants and cafes. Based on the New York City Department of Finance Real Property Assessment Database (RPAD) estimates, in 2010 the ½-mile study area contained approximately 7.7 million gsf of retail space and approximately 31.0 million sf of office space. The retail and office uses introduced by the Proposed Action would not be of an amount that would alter or accelerate commercial market trends within the study area.

The Proposed Action would introduce new residential uses and possibly dormitory uses to the ½-mile study area. The ½-mile study area contains an estimated 34,852 residential units housing an estimated 57,885 residents. RWCDS 1 would result in an additional 6,113 residents in the study area, and increase the residential population by 9.78 percent, compared with the No-Action condition. RWCDS 2 would result in an additional 6,249 residents and students in the study area, and increase the residential population by 10.0 percent, compared with the No-Action condition. While this can be considered a substantial increase in residential uses within the study area, there is a strong existing trend toward residential development in the study area, and the residential units that would be introduced by the Proposed Action would represent a continuation of that existing trend.

The Proposed Action would directly displace 88 existing businesses, which consist mainly of professional services and arts and entertainment businesses, all of which are abundant within the study area, Manhattan and New York City. None of the potentially displaced businesses provide substantial direct support to other businesses in the study area, nor do they bring substantial numbers of people to the area that form a customer base for local businesses such that indirect business displacement would result. The goods and services offered by potentially displaced uses can be found elsewhere within the study area, and the proposed project would introduce similar uses. Therefore, according to *CEQR Technical Manual* criteria, the displacement of these retail businesses would not have adverse indirect effects on the remaining businesses or consumers in the study area.

Although the employees of the directly displaced businesses form a portion of the customer base of neighborhood service establishments (e.g., food and drink establishments, retail), the Proposed Action would introduce up to 6,249 new residents (under RWCDS 2), and would increase the overall employment in the Rezoning Area compared with the No-Action condition. The influx of residents and employees to the study area would add to the customer base of existing study area businesses compared to the No-Action condition.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

The preliminary assessment finds that the Proposed Action would not result in significant adverse impacts on specific industries. The assessment of adverse effects on specific industries focuses on the creative arts industry (film, printing, and art-related businesses), given the amounts of displacement projected for those sectors relative to others, as well as the hospitality and tourism industry, given the controls on hotel development that would be instituted in the proposed zoning text associated with the Proposed Action. With respect to the creative arts industry, the analysis finds that the potentially displaced businesses constitute only a small fraction of businesses in the creative arts industry sectors. With respect to the hospitality and tourism industry, the analysis finds that the proposed controls on hotel development would not affect the primary factors driving tourism in the city, nor would they adversely affect the hospitality industry because hotels do not have unique locational needs that require them to locate within the Rezoning Area. In addition, the analysis finds that the proposed controls on hotel development would not have the potential to result in extensive increased hotel development in adjacent neighborhoods. Overall,

the analysis finds that the Proposed Action would not result in any significant adverse impacts due to adverse effects on either the creative arts industry or the hospitality and tourism industry.

COMMUNITY FACILITIES

Based on a preliminary screening, the Proposed Action warrants detailed analysis for indirect effects to elementary, intermediate, and high schools; libraries; and child care centers.

INDIRECT EFFECTS ON PUBLIC SCHOOLS

The analysis of indirect effects on public schools concludes that the Proposed Action would not result in any significant adverse impacts on public intermediate, or high schools; with the development of the proposed public elementary school on Projected Development Site 1, the Proposed Action would not result in any significant adverse impacts on public elementary schools.

The Rezoning Area is located within Sub-district 2 of Community School District (CSD) 2. By 2022, it is anticipated that the Proposed Action would result in the incremental development of up to 3,323 residential units in the Rezoning Area, compared with the future without the Proposed Action (the No-Action condition). Based on student generation rates in the *CEQR Technical Manual*, school seat demand generated by the Proposed Action in the Rezoning Area by the year 2022 is anticipated to be approximately 399 elementary school seats, 133 intermediate school seats, and 199 high school seats.

Elementary Schools

The new elementary school seats that would be provided on Projected Development Site 1 in the With-Action condition would accommodate all demand for elementary school seats generated by the Proposed Action and would decrease the elementary school utilization rate by five percentage points (from 131 percent in the No-Action condition to 126 percent in the With-Action condition). Because the Proposed Action would not increase the elementary school utilization rate in CSD 2/Sub-District 2, the Proposed Action would not result in a significant adverse impact on elementary schools.

The Applicant has expressed a commitment to the development of a public elementary school on Projected Development Site 1 and has executed a letter of intent with the SCA. In accordance with the letter of intent, the Applicant is prepared to build out space (to core and shell) that would accommodate a 444-seat elementary school, along with an outdoor playground. However, the opening of a new public school requires the provision of adequate public funding within the SCA/Department of Education (DOE) budget to fit-out the space and operate the school, which is outside of the Applicant's control. In addition, in the event that Projected Development Site 1 is not among the early sites to be developed, there is the potential for a significant adverse impact to elementary schools in CSD 2/Sub-District 2 to occur until such time that the proposed elementary school is constructed and operational. Specifically, if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is operational, the Proposed Action would result in a significant adverse impact to elementary schools in CSD 2/Sub-District 2. Measures to mitigate this impact are described below under "Mitigation."

Intermediate Schools

CSD 2/Sub-District 2 would operate with surplus capacity at the intermediate school level in the With-Action condition. Therefore, the Proposed Action would not result in any significant adverse impacts on intermediate schools.

High Schools

In the With-Action condition, Manhattan high schools would operate with surplus capacity. As the Proposed Action would not result in a collective utilization rate equal to or greater than 100 percent at the borough level, the Proposed Action would not result in any significant adverse impacts on high schools.

INDIRECT EFFECTS ON LIBRARIES

The Proposed Action would not result in any significant adverse impacts to libraries. Five public libraries are located within ¾ mile of the Rezoning Area: the Hudson Square Library, the Jefferson Market Library, the Mulberry Street Library, the New Amsterdam Library, and the Battery Park City Library. Overall, the population of the library study area (defined as the collective ¾-mile catchment areas for each library) would increase two percent as a result of the Proposed Action. For the Jefferson Market, Mulberry Street, New Amsterdam, and Battery Park City branches, the catchment area population increases from the Proposed Action would be less than five percent, which would not result in a noticeable change in the delivery of library services. For the Hudson Park branch, the catchment area population increase would be seven percent, which may represent a significant adverse impact on library services according to the *CEQR Technical Manual.* However, many of the residents in the catchment areas for the Hudson Park library also reside within the catchment areas for other nearby libraries, such as the Jefferson Market branch (which is less than 0.5 miles from the Hudson Park branch), and would also be served by these libraries. Residents of the study area would have access to the entire New York Public Library (NYPL) system through the inter-library loan system and could have volumes delivered directly to their nearest library branch. In addition, residents would also have access to libraries near their place of work. Therefore, the population introduced by the Proposed Action would not impair the delivery of library services in the study area, and the Proposed Action would not result in any significant adverse impacts on public libraries.

INDIRECT EFFECTS ON CHILD CARE FACILITIES

The Proposed Action would not result in any significant adverse impacts on publicly funded child care facilities. The Proposed Action would introduce approximately 679 low- to moderate-income units by 2022. Based on the most recent child care multipliers in the *CEQR Technical Manual*, this development would generate approximately 78 children under the age of six who would be eligible for publicly funded child care programs. With the addition of these children, there would be a deficit of 23 slots in the study area by 2022 (101 percent utilization), and the Proposed Action would result in an increase in the utilization rate of 4.32 percentage points over the No-Action condition. Although child care facilities in the study area are projected to operate above capacity, the increase in utilization from the Proposed Action would be less than the CEQR threshold of five percentage points. Therefore, the Proposed Action would not result in a significant adverse impact on child care facilities.

POLICE AND FIRE PROTECTION SERVICES

The Proposed Action would not result in any significant adverse impacts to police or fire protection services, as it would not affect the physical operations of, or direct access to and from, a precinct house or fire station, nor would it create a sizeable new neighborhood where none existed before. In addition, the Proposed Action would not have the potential to significantly affect response times for the New York City Police Department (NYPD), Fire Department of the City of New York (FDNY), or emergency medical services (EMS).

OPEN SPACE

DIRECT EFFECTS

The Proposed Action would not result in any significant adverse impacts due to direct effects on publicly accessible open spaces. The Proposed Action would not remove or alter any existing publicly accessible open spaces, nor would it result in any significant adverse impacts on any open spaces due to noise or air quality. As described below under "Shadows," Projected Development Site 2 would result in up to approximately 2 to 4 hours of new shadows on Trump SoHo Plaza and SoHo Square in the Rezoning Area, which would result in significant adverse shadow impacts to these open spaces. However, the significant adverse shadow impacts on these open spaces would not result in a significant adverse open space impact because both Trump SoHo Plaza and SoHo Square would remain usable open spaces.

Neither of these open space resources includes sunlight-dependent amenities (i.e., spray showers, sunbathing lawns), and it is expected that they would continue to be utilized by local residents and workers in the With-Action condition. Users would be able to continue to utilize the passive open space features in each park as intended. Therefore, the significant adverse shadow impacts on Trump SoHo Plaza and SoHo Square would not constitute a significant adverse open space impact.

INDIRECT EFFECTS

A detailed analysis was conducted to determine whether there would be significant adverse impacts to open space due to indirect effects of the Proposed Action. The detailed analysis determined that the Proposed Action would result in a significant adverse impact to open space in the residential study area as a result of the decrease in the total open space ratio and active open space ratio.

The quantitative assessment of open space is based on ratios of usable open space acreage to the study area populations (the "open space ratios"). These ratios are assessed for existing conditions, the No-Action condition, and With-Action condition, and are compared with the city's open space guideline ratios of 0.15 acres per 1,000 workers in the non-residential study area and 2.5 acres of open space per 1,000 residents in the residential study area, comprising 2.0 acres of active open space and 0.5 acres of passive open space. The Proposed Action would decrease both the residential and non-residential open space ratios in the study area, although in some cases the ratios would remain above city's guideline open space ratios (see **Table S-5**).

Table S-5
With-Action Condition: Open Space Ratios Summary

Ratio	City Guideline	Open Space Ratios (acres per 1,000 people)			Percent Change No-Action to With-Action Condition
		Existing Conditions	No-Action Condition	With-Action Condition	
Non-Residential (¼-Mile) Study Area					
Passive/Workers	0.15	0.22	0.23	0.22	-0.6
Residential (½-Mile) Study Area					
Total/Residents	2.5	0.98	0.96	0.88	-9.1
Active/Residents	2.0	0.29	0.27	0.25	-9.1
Passive/Residents	0.5	0.69	0.69	0.63	-9.1

Within the non-residential study area, the ratio for passive open space in the non-residential study area would decrease by less than one percent. This decrease would fall below the 5 percent threshold for significant impacts according to CEQR, and the new ratio would still remain higher than the city's planning goal of 0.15 acres per 1,000 workers. Within the residential study area, the passive open space ratio would decrease by approximately 9.1 percent, but would remain above the city's planning goal of 0.5 acres per 1,000 workers. However, the total and active open space ratios would also each decrease by approximately 9.1 percent and, as in existing conditions and the No-Action condition, would remain lower than the city's guidelines. Despite the creation of publicly accessible open space adjacent to Projected Development Site 1, the availability of additional open space near the study area, and connections to networks of open space via Hudson River Park and the High Line, the project-generated residential population would exacerbate an existing deficiency of open space in the residential study area. Therefore, the Proposed Action would result in a significant adverse impact to open space in the residential study area due to the reduction in the total open space ratio and active open space ratio. Measures to mitigate this impact are described below under "Mitigation."

SHADOWS

Based on the results of the detailed shadows analysis, the Proposed Action would result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square, two open space resources in the Rezoning Area. A number of other sunlight-sensitive resources in or near the Rezoning Area would receive new shadows resulting from the Proposed Action, but none of large enough extent or duration to result in significant adverse shadow impacts.

Trump SoHo Plaza would receive from three hours to three hours and 40 minutes of new shadows in the spring, late summer, and fall, primarily from Projected Development Site 2. Given the long durations and the fact that all remaining sunlight would be eliminated for an hour or more in some seasons, and that the plaza already experiences periods of existing shadows, the Proposed Action would result in a significant adverse shadow impact to this resource.

SoHo Square would receive from two hours and 20 minutes to two hours and 39 minutes of new shadows in the spring, summer and fall, and 30 minutes in the winter, primarily from Projected Development Site 2. The incremental shadow would occur in the afternoons, when the square already would be in some existing shadows. On March 21/September 21 in particular, the incremental shadow would remove the remaining area of sunlight for about an hour. For these reasons, the Proposed Action would result in a significant adverse shadow impact to this resource.

It should be noted that although the RWCDS for the future without the Proposed Action (the No-Action condition) assumes a development on Projected Development Site 2 with a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area. Therefore, in the No-Action condition Projected Development Site 2 could be constructed to heights as tall or taller than the 320 foot height limit in the With-Action condition, which would result in similar shadows on Trump SoHo Plaza and SoHo Square.

Potential mitigation for these significant adverse impacts is discussed below under "Mitigation."

HISTORIC AND CULTURAL RESOURCES

Based on the results of the analysis of historic resources, construction-related activities associated with the Proposed Action could result in significant adverse impacts on archaeological and architectural resources, as discussed in more detail below.

ARCHAEOLOGICAL RESOURCES

A Phase 1A Archaeological Documentary Study was completed by AKRF in February 2012 for four projected development sites (Sites 5, 10, 12, and 13) and two potential development sites (Sites 22 and 23). The Phase 1A study identified portions of each of these six potential and projected development sites as archaeologically sensitive for resources associated with the 19th century occupation of the 20 historic lots included within those sites, and recommended Phase 1B archaeological testing for these sites. LPC concurred with the conclusions and recommendations of the Phase 1A study in a comment letter dated February 22, 2012.

Since none of the six potential and projected development sites identified as archaeologically sensitive are under the Applicant's control, future development on these properties could be as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological field testing to determine the presence of archaeological resources (i.e., Phase 1B testing) or mitigation for any identified significant resources through avoidance or excavation and data recovery (i.e., Phase 2 or Phase 3 archaeological testing). Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action could result in unavoidable significant adverse impacts on archaeological resources.

However, it should be noted that if any of these sites were to be developed through future discretionary actions that would be subject to review under CEQR, Phase 1B testing would be completed to confirm the presence or absence of archaeological resources as part of any future discretionary action. This testing would be completed in consultation with LPC. See also the discussion in "Mitigation," below.

ARCHITECTURAL RESOURCES

There are no known architectural resources located on any of the projected or potential development or enlargement sites. However, due to construction-related activities, the Proposed Action could result in adverse direct impacts on up to six known architectural resources in both the Rezoning Area and study

area, including 32-36 Dominick Street (three resources), 310 Spring Street, the Charlton-King-Vandam Historic District, and the proposed South Village Historic District.[3]

Resources that could experience accidental damage from adjacent construction would be offered some protection through New York City Department of Building (DOB) controls governing the protection of adjacent properties from construction activities. In addition, with the required measures of DOB Technical Policy and Procedure Notice (TPPN) #10/88 (*TPPN #10/88*) in place, there would be no significant adverse construction-related impacts on New York City Landmarks (NYCLs), New York City Historic Districts (NYCHDs), or properties listed on the State and National Registers of Historic Places (S/NR) that are located within 90 feet of development resulting from the Proposed Action. With these required measures, significant adverse construction-related impacts would not occur to 32-36 Dominick Street (three resources), 310 Spring Street, and the Charlton-King-Vandam Historic District. However, construction under the Proposed Action could potentially result in impacts to non-designated or unlisted resources, because they would not be afforded special protections under *TPPN #10/88*.

There are a total of 8 buildings that the New York City Landmarks Preservation Commission (LPC) has identified as potential architectural resources in a letter dated April 25, 2012. Of these, 6 are located in the Rezoning Area and 2 are located in the study area. Of the six potential architectural resources in the Rezoning Area, four are located within 90 feet of the applicant's projected development sites. With the preparation and implementation of a Construction Protection Plan (CPP) for the potential architectural resources including (#5) 278 Spring Street, (#6) 341 Hudson Street, (#9) 78 Vandam Street, and (#10) 431 Canal Street, the Proposed Action would not be expected to result in adverse impacts on these historic and cultural resources as a result of construction on the Applicant's projected development and enlargement sites.

However, the above noted resources are also located within 90 feet of projected and potential development and enlargement sites not controlled by the Applicant. Therefore, under the standards of the *CEQR Technical Manual*, construction related to development as a result of the Proposed Action could result in significant adverse construction-related impacts on these four resources, in addition to the one known resource—the proposed South Village Historic District (specifically, three buildings within this proposed historic district)—which has not yet been designated, and two additional potential resources—(#7) 189 Varick Street and (#8) 180 Varick Street. These seven resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites (C26-112.4); however, since the seven resources are not NYCLs or NR-listed properties, they are not afforded special protections under *TPPN #10/88*. See also the discussion in "Mitigation," below.

It is not anticipated that the Proposed Action would have adverse visual or contextual impacts on the majority of architectural resources because new development pursuant to the Proposed Action would not eliminate or screen publicly accessible views of a resource, introduce an incompatible visual, audible, or atmospheric elements to a resource's setting, or result in significant adverse shadow impacts on a historic resource with sun-sensitive features.

URBAN DESIGN AND VISUAL RESOURCES

Based on the results of the preliminary analysis a detailed analysis was not warranted and no significant adverse impacts related to urban design and visual resources would result from the Proposed Action for the 2022 analysis year. As described below, by limiting the maximum building height, new buildings constructed under the Proposed Action would be more consistent with the general mid- to high-rise character of the Hudson Square neighborhood than the No-Action condition and would eliminate the potential for future out-of-scale development. Due to the low scale predicted to remain along Greenwich Street in the No-Action Condition, a comparison of the No-Action condition with the With-Action

[3] The South Village Historic District has not yet been designated, but the LPC (letter dated August 27, 2009) and the Office of Parks, Recreation and Historic Preservation (OPRHP) (letter dated May 1, 1977) have determined that it is eligible for designation.

condition shows the greatest changes in building heights would occur on projected development and enlargement sites along Greenwich Street between King and Spring Streets. The introduction of new residential uses in the area and new buildings with street-level retail would enliven streetscapes in the Rezoning Area where vacant and underutilized properties currently exist and enhance the existing commercial character of the Rezoning Area, particularly along Greenwich Street where vacant and underutilized properties currently exist. The Proposed Action would also activate ground-floor uses along Hudson and Varick Streets, as well as the west side of Avenue of the Americas south of Vandam Street, which would enliven these streetscapes and enhance the pedestrian experience. Therefore, the Proposed Action would not result in significant adverse impacts on the urban design character of the Rezoning Area.

As new buildings that could be developed as a result of the Proposed Action would be structures of heights and bulk generally consistent with those urban design features of the area and built on existing blocks and lots, these new buildings would not block any significant view corridors or views of visual resources or limit access to any visual resources. The mandatory streetwall requirements of the Proposed Action would further define the Hudson and Varick Streets view corridors in the Rezoning Area, which are generally long due to the relative straightness of the north-south streets, flat topography, and the area's mid- to high-rise character. The proposed height limits would also help to preserve sky views in the area. Additionally, new advertising signage would be prohibited in the Rezoning Area as a result of the Proposed Action and the Proposed Action may result in the elimination of existing advertising signage on new development sites. Therefore, the Proposed Action would not result in significant adverse impacts on the visual resources and view corridors in the Rezoning Area.

HAZARDOUS MATERIALS

The Proposed Action would not result in any significant adverse impacts related to hazardous materials. The hazardous materials assessment identified potential historical and present sources of contamination within or near the proposed Rezoning Area. These included past or present manufacturing uses, printing facilities, filling stations, a dry cleaner, and/or petroleum storage tanks both within the Rezoning Area and near it. To reduce the potential of adverse impacts associated with projected and potential new construction resulting from the Proposed Action, further environmental investigations will be required at all of the projected and potential development and enlargement sites. To ensure that these investigations are undertaken, (E) designations would be placed on all projected and potential development and enlargement sites.

These (E) designations require the owner of the property to do the following: conduct a Phase I ESA in accordance with the American Society of Testing Materials (ASTM) E1527-05; prepare and implement a soil and groundwater testing protocol; and conduct remediation where appropriate, to the satisfaction of the Mayor's Office of Environmental Remediation (OER) before building permits for development involving soil disturbance or changes to more sensitive uses (e.g., from non-residential to residential) can be issued by DOB. If warranted by the findings of the subsurface investigation, site redevelopment would be conducted in accordance with an OER-approved Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP), with a closure report prepared following construction documenting compliance with the RAP/CHASP.

Following construction, if long-term monitoring (e.g., of groundwater quality) is required by OER, a Site Management Plan (SMP) would be prepared specifying the necessary and appropriate procedures for operation, maintenance, testing, and reporting that remediation efforts, if any, have been employed. With the implementation of these measures, the Proposed Action would not result in any significant adverse impacts with respect to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

Based on the results of the preliminary analysis, the Proposed Action would not result in any significant adverse impacts on the city's water supply, wastewater treatment or stormwater conveyance infrastructure.

WATER SUPPLY

The incremental water demand generated by the development that would occur in the With-Action condition compared with the No-Action condition is 699,173 gallons per day (gpd). This incremental water demand represents a 0.06 percent increase in demand on the New York City water supply system. Based on the projected incremental demand, it is expected that there would be adequate water service to meet the incremental water demand of the anticipated development that would occur as a result of the Proposed Action; therefore, there would be no significant adverse impacts on the city's water supply.

SANITARY SEWAGE

The incremental sanitary sewage generated by the development that would occur as a result of the Proposed Action compared to the No-Action condition is 358,738 gpd. This incremental volume of sanitary flow to the combined sewer system would represent approximately 0.15 percent of the average daily flow to the Newtown Creek Wastewater Treatment Plant (WWTP). This volume would not result in an exceedance of the Newtown Creek WWTP's capacity, and therefore would not create a significant adverse impact on the city's sanitary sewage conveyance and treatment infrastructure.

STORMWATER

The projected development that would occur as a result of the Proposed Action would increase the total amount of impervious surfaces at the projected development sites. However, with the incorporation of selected best management practices (BMPs) that will be required as a part of the New York City Department of Environmental Protection (DEP) site connection application process and are identified in BMP Concept Plan described below, the Proposed Action would not have a significant impact on the city's stormwater conveyance infrastructure.

SOLID WASTE AND SANITATION SERVICES

No significant adverse impacts on solid waste and sanitation services are anticipated as a result of the Proposed Action. Given that there is an extensive system of solid waste collection and disposal services available in the Rezoning Area provided by the New York City Department of Sanitation (DSNY) (for residential and institutional solid waste) and by private carters (for commercial/industrial solid waste), and that the net increments of solid waste under the Proposed Action would be a minimal addition to the city's solid waste stream, the Proposed Action would not result in a significant adverse impact on solid waste and sanitation services.

ENERGY

The Proposed Action would not result in a significant adverse impact on energy systems. The Proposed Action would create an increased demand on energy systems including electricity and gas. However, relative to the current and future capacity of these systems within New York City and the city's energy requirements, this increase in energy demand would be minor.

TRANSPORTATION

Detailed analyses of traffic conditions, station elements at two area subway stations, and pedestrian conditions were conducted. As discussed below, the Proposed Action would result in significant adverse traffic and pedestrian impacts.

TRAFFIC

Traffic conditions were evaluated at 22 intersections for the weekday AM, midday, and PM peak hours and at 18 intersections for the Saturday midday peak hour. Under the With-Action condition, there would be the potential for significant adverse impacts at 17 intersections—13 of the 17 intersections during the weekday AM peak hour, 3 of the 17 intersections during the weekday midday peak hour, 13 of the 17

intersections during the PM peak hour, and 5 of the 17 intersections during the Saturday midday peak hour, as follows:

Weekday AM Peak Hour

- West Street and Clarkson Street – southbound left-turn;
- West Street and West Houston Street – westbound right-turn;
- West Street and Canal Street North – westbound left-turn/right-turn and westbound right-turn;
- Hudson Street and King Street – northbound approach;
- Hudson Street (east and west lanes) and Canal Street – westbound through/right-turn and northbound left-turn/through (west lanes);
- Varick Street (east and west lanes) and West Houston Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and King Street – southbound through (west lanes);
- Varick Street (east and west lanes) and Charlton Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and Spring Street – southbound left-turn/through (east lanes);
- Varick Street and Canal Street – westbound approach;
- Avenue of the Americas and West Houston Street – northbound approach;
- Avenue of the Americas and Spring Street – eastbound left-turn; and
- Avenue of the Americas and Canal Street/Laight Street – northbound approach.

Weekday Midday Peak Hour

- West Street and West Houston Street – westbound right-turn;
- Varick Street (east and west lanes) and Spring Street – eastbound right-turn; and
- Varick Street (east and west lanes) and Broome Street – southbound through/right-turn (west lanes) and southbound right-turn (west lanes).

Weekday PM Peak Hour

- West Street and Clarkson Street – southbound left-turn;
- West Street and West Houston Street – westbound right-turn;
- Hudson Street and Charlton Street – westbound approach;
- Hudson Street (east and west lanes) and Canal Street – northbound left-turn/through (west lanes);
- Varick Street (east and west lanes) and West Houston Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and King Street – southbound through (west lanes);
- Varick Street (east and west lanes) and Charlton Street – westbound approach and southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and Vandam Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and Spring Street – eastbound through, eastbound right-turn, and southbound through (west lanes);
- Varick Street (east and west lanes) and Dominick Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and Broome Street – southbound through/right-turn and southbound right-turn (west lanes); and
- Varick Street and Canal Street – southbound left-turn; and
- Avenue of the Americas and Canal Street/Laight Street – westbound approach.

Saturday Midday Peak Hour

- Varick Street (east and west lanes) and King Street – southbound through (west lanes);
- Varick Street (east and west lanes) and Charlton Street – southbound through/right-turn (west lanes);
- Varick Street (east and west lanes) and Spring Street – eastbound through/right-turn, eastbound right-turn, and southbound left-turn/through (east lanes);
- Varick Street (east and west lanes) and Dominick Street – southbound through/right-turn (west lanes); and
- Varick Street (east and west lanes) and Broome Street – southbound through/right-turn (west lanes) and southbound right-turn (west lanes).

Table S-6 provides a summary of the above 17 impacted locations by analysis time periods. Some of these significant adverse impacts could be mitigated with standard traffic engineering measures while others could not be mitigated during one or more analysis time periods. Measures to mitigate these impacts are described below under "Mitigation." Additional intersections may be analyzed between the Draft and Final EIS. These intersections will be selected in consultation with DCP and the New York City Department of Transportation (NYCDOT). The analysis of these additional intersections may identify additional significant adverse traffic impacts, for which mitigation measures would be identified. If feasible measures are not available to fully mitigate these impacts, they would be identified as unmitigated in the Final EIS.

Table S-6
Summary of Significant Adverse Traffic Impacts

Intersection		AM	Midday	PM	Saturday
EB/WB Street	NB/SB Street	Peak Hour	Peak Hour	Peak Hour	Peak Hour
Clarkson Street	West Street	SB-L		SB-L	
West Houston Street	West Street	WB-R	WB-R	WB-R	
Canal Street North	West Street	WB-LR WB-R			
King Street	Hudson Street	NB-TR			
Charlton Street	Hudson Street			WB-TR	
Canal Street	Hudson Street	WB-TR NB-LT (west lanes)		NB-LT (west lanes)	
West Houston Street	Varick Street	SB-TR (west lanes)		SB-TR (west lanes)	
King Street	Varick Street	SB-T (west lanes)		SB-T (west lanes)	SB-T (west lanes)
Charlton Street	Varick Street	SB-TR (west lanes)		WB-LT SB-TR (west lanes)	SB-TR (west lanes)
Vandam Street	Varick Street			SB-TR (west lanes)	
Spring Street	Varick Street	SB-LT (east lanes)	EB-R	EB-T EB-R SB-T (west lanes)	EB-TR EB-R SB-LT (east lanes)
Dominick Street	Varick Street			SB-TR (west lanes)	SB-TR (west lanes)
Broome Street	Varick Street		SB-TR (west lanes) SB-R (west lanes)	SB-TR (west lanes) SB-R (west lanes)	SB-TR (west lanes) SB-R (west lanes)
Canal Street	Varick Street	WB-LT		SB-L	
West Houston Street	Avenue of the Americas	NB-LTR			
Spring Street	Avenue of the Americas	EB-L			
Canal Street/Laight Street	Avenue of the Americas	NB-LTR		WB-TR	

Notes: EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound; L = Left Turn; T = Through; R = Right Turn

TRANSIT

The screening assessment concluded that a detailed examination of subway and bus line-haul conditions is not warranted. However, detailed analyses of station elements at two area subway stations—the Spring Street station (C/E lines) and the Houston Street station (No.1 line)—were prepared. The analysis results show that the Proposed Action would not result in any significant adverse transit impacts during any analysis peak periods.

PEDESTRIANS

Weekday and Saturday peak period pedestrian conditions were evaluated at key sidewalk, corner reservoir, and crosswalk elements at 11 area intersections. Under the RWCDS, significant adverse impacts were identified for the north crosswalk of Avenue of the Americas and Spring Street and the north crosswalk of Varick Street and Spring Street.

Table S-7 provides a summary of these impacted locations by analysis time periods. Measures to mitigate these impacts are described below under "Mitigation."

Table S-7
Summary of Significant Adverse Pedestrian Impacts

Intersection	Pedestrian Element	2022 With-Action			
		AM Peak Hour	Midday Peak Hour	PM Peak Hour	Saturday Peak Hour
Avenue of the Americas and Spring Street	North Crosswalk			X	
Varick Street and Spring Street	North Crosswalk	X		X	
Notes: X = Impacted					

VEHICULAR AND PEDESTRIAN SAFETY

Accident data for the study area intersections were obtained from the New York State Department of Transportation (NYSDOT) for the time period between March 31, 2008 and March 31, 2011. During this period, a total of 864 reportable and non-reportable accidents, zero fatalities, 380 injuries, and 92 pedestrian/bicyclist-related accidents occurred at the study area intersections. A rolling total of accident data identifies two study area intersections as high pedestrian accident locations in the 2008 to 2011 period. These intersections are Varick Street at West Houston Street and Avenue of the Americas at West Houston Street.

With the Proposed Action, the intersection of Varick Street and West Houston Street would experience moderate increases in vehicular and pedestrian traffic. The net incremental vehicular and pedestrian levels at this intersection would be above the CEQR analysis threshold of 50 peak hour vehicle trips while the net incremental pedestrian levels would be below the CEQR analysis threshold of 200 peak hour pedestrian trips. The intersection of Varick Street and West Houston Street would incur significant adverse impacts during the AM and PM peak hours. However, the predicted impacts at this intersection could be fully mitigated during the weekday AM peak hour with standard traffic engineering measures; however, the impact during the weekday PM peak hour could not be fully mitigated. Because the incremental vehicle trips at this intersection during the weekday PM peak hour would mostly be on the Varick Street southbound through movement and the incremental increase in pedestrian trips from the Proposed Action at this intersection's crosswalks would not be substantial, the potential for additional vehicular-pedestrian conflicts, which mostly occur with vehicular turning movements through crosswalks, is expected to be minimal. Therefore, the Proposed Action is not anticipated to exacerbate any of the current causes of pedestrian-related accidents. Nonetheless, additional safety measures such as the installation of signs warning turning vehicles to yield to pedestrians in the crosswalk on the southbound and westbound approaches and the installation of countdown timers at all crosswalks, can be implemented to improve pedestrian safety at this intersection.

With the Proposed Action, the intersection of Avenue of the Americas and West Houston Street would experience moderate increases in vehicular and pedestrian traffic. The net incremental vehicular and pedestrian levels at this intersection would be above the CEQR analysis threshold of 50 peak hour vehicle trips while the net incremental pedestrian levels would be below the CEQR analysis threshold of 200 peak hour pedestrian trips. The intersection of Avenue of the Americas and West Houston Street would incur significant adverse impacts during the AM peak hour. However, the predicted impact at this intersection could be fully mitigated with standard traffic engineering measures. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents.

Nonetheless, additional safety measures, such as the installation of pedestrian safety signs (i.e., School Advance Warning assemblies on the northbound approach) and restriping the west crosswalk into a high-visibility crosswalk, can be implemented to improve pedestrian safety at this intersection.

PARKING

The Proposed Action would displace existing public parking spaces and include new off-street accessory parking spaces. In the With-Action condition, expected future development projects (in the No-Action and With-Action condition) are expected to displace 10 public parking facilities, for a total displacement of approximately 809 parking spaces. The Proposed Action is expected to include a total of up to 640 off-street accessory parking spaces. Accounting for the displacement of the public parking spaces, the addition of the accessory parking spaces, and the parking demand generated from background growth, No-Action condition, and the Proposed Action, the With-Action public parking supply and utilization analysis shows that there would be a parking shortfall during the weekday midday period within the ¼-mile off-street parking study area. However, based on the magnitude of available and total parking spaces within ½-mile of the rezoning boundaries (minimum of 2,000 out of approximately 9,000 spaces), it is anticipated that the excess demand could be accommodated with a slightly longer walking distance beyond the ¼-mile radius. Furthermore, as stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

SUMMARY OF MITIGATION ANALYSIS

Most of the significant adverse impacts summarized above could be mitigated with readily implementable measures, such as signal retiming, changes to parking regulations, and crosswalk widening. Out of the 17 impacted traffic intersections, impacts at 11 intersections could not be fully mitigated during one or more analysis peak hours. The two crosswalk impacts could be fully mitigated. The specific measures that would be feasible to mitigate these significant adverse impacts are further discussed below under "Mitigation." These measures would be subject to the review and approval by NYCDOT.

AIR QUALITY

A screening level analysis was performed to analyze potential air quality impacts from parking facilities that would be developed with the Proposed Action, and a detailed microscale analysis was performed to evaluate potential air quality impacts at traffic intersections in the study area. Screening and refined analyses were performed to evaluate potential air quality impacts associated with the Proposed Actions' stationary sources of emissions. A refined analysis was performed to evaluate potential air quality impacts at certain development and enlargement sites from existing sources of emissions. In addition, an industrial analysis was performed to evaluate potential emissions of toxic air contaminants at development and enlargement sites from existing industrial sources. The analyses conducted for the Proposed Action concluded there would be no significant adverse air quality impacts, with the implementation of the proposed (E) designations.

As determined by the air quality analyses for the Proposed Action, the maximum predicted increase in concentrations from mobile sources with the Proposed Action would be below applicable National Ambient Air Quality Standards (NAAQS) and the city's current interim guidance criteria for particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). The parking facilities assumed to be developed as a result of the Proposed Action would also not result in any significant adverse air quality impacts.

The stationary source analysis determined that at certain projected and potential development or enlargement sites, environmental requirements would be necessary to ensure that emissions from heat and hot water systems would not result in a significant adverse impact. It was found that (E) designations would be assigned to the affected sites as part of the Proposed Action to address the potential effects of specific pollutants, if applicable, to ensure that the developments would not result in any significant air quality impacts from heat and hot water systems emissions due to individual or groups of development sites.

Four existing buildings—201 Varick Street, 233 Spring Street, 345 Hudson Street, and 75 Varick Street—were found to have potential significant adverse air quality impacts on development that would occur with the Proposed Action (at Projected Development Sites 1, 4, 6, 16 and 19; Potential Development Site 24; and Projected Enlargement Site 2), based on their potential emissions. Restrictions would be necessary for these seven affected development and enlargement sites with respect to the placement of operable windows and air intakes. An (E) designation would be assigned to the affected sites as part of the Proposed Action to enforce the restrictions on these projected and potential sites.

Zoning Resolution Section 11-15, "Environmental Requirements, " and Chapter 24 of Title 15 of the Rules of the City of New York (the E-Rule) allow for the modification of the measures required under an (E) designation based on new information or technology, additional facts or updated standards that are relevant at the time the site is ultimately developed. Since the air quality analyses are based on conservative assumptions due to the absence of information on the actual design of buildings that would be constructed, the actual design of the buildings may result in modification of the (E) designation measures under these procedures.

Nearby existing sources from manufacturing or processing facilities were also analyzed for their potential impacts on the projected and potential development sites. The results of the industrial source analysis demonstrated that there would be no significant adverse air quality impacts resulting from these existing sources on the Proposed Action.

GREENHOUSE GAS EMISSIONS

Based on the greenhouse gas emissions consistency assessment, the Proposed Action would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*. The building energy use and vehicle use associated with the Proposed Action would result in approximately 39,683 metric tons of carbon dioxide equivalent (CO_2e) emissions per year. Of that amount, 18,612 metric tons of CO_2e would be generated by the Applicant's Projected Development Sites (Projected Sites 1 through 4 and Projected Enlargement Site 1). Other projected and enlargement sites would generate 17,470 metric tons of CO_2e, and potential sites and potential enlargement sites would generate 3,601 metric tons of CO_2e.

The proximity of the Rezoning Area to public transportation and energy-efficient building design are all factors that contribute to energy efficiency of the proposed development. The Proposed Action seeks to facilitate new mixed-use development and enlargement of existing buildings in a developed area with excellent access to public transit. As such, the Proposed Action is consistent with sustainable land-use planning and smart-growth strategies, which aim to reduce the carbon footprint of new development. Furthermore, the Applicant commits to designing all new development on projected development sites under the Applicant's control (Projected Development Sites 1 through 4, and to the extent practicable, the Applicant's Projected Enlargement Site 1) to meet current standards for the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification. As such, specific measures would be incorporated into the design and construction of each new development to qualify for the LEED Silver rating, which would decrease the potential GHG emissions. Based on these project components and efficiency measures, the Proposed Action would be consistent with the city's emissions reduction goal, as defined in the *CEQR Technical Manual*.

NOISE

The analysis finds that the Proposed Action would not result in any significant adverse noise impacts due to operations of the future development on projected and potential development and enlargement sites.

A detailed mobile source noise analysis was not required since the Proposed Action would not generate sufficient traffic to have the potential to cause a significant adverse noise impact.

The building attenuation analysis concludes that in order to meet *CEQR Technical Manual* interior noise level requirements, up to 35 dBA of building attenuation would be required for the Applicant's projected development and enlargement sites and up to 38 dBA of building attenuation would be required for other projected and potential development and enlargement sites. Because these specifications would be

required by Restrictive Declarations and/or (E) designations, there would be no significant adverse noise impact with respect to building attenuation.

NEIGHBORHOOD CHARACTER

The preliminary assessment of neighborhood character concludes that the Proposed Action would not have a significant adverse impact on neighborhood character in the Rezoning Area or surrounding area. Rather, it is anticipated that the Proposed Action would create a vibrant mixed-use neighborhood in Hudson Square while preserving the essential character of the area. The Rezoning Area, which is entirely within the Hudson Square neighborhood, is defined by a concentration of commercial uses in buildings that historically formed the center of the publishing and graphic arts industries in New York City. While the nearby neighborhoods of SoHo and North Tribeca have experienced residential growth in recent decades that has spurred mixed-use development, the Rezoning Area has remained primarily commercial in character, with limited local services and retail, and an inactive street life.

The Proposed Action would preserve the existing large manufacturing and warehouse buildings that define the Rezoning Area while introducing complementary infill development. The Proposed Action would introduce new residential, community facility, and retail uses, which would be compatible with existing uses, and would serve to activate the area, especially after work hours and on weekends. The Proposed Action would regulate future development to reflect the bulk and height of existing commercial and manufacturing buildings that contribute to the existing neighborhood character. Though the Proposed Action would result in significant adverse impacts to open space, the area is currently underserved by open space and would remain so in both the No-Action and With-Action conditions, and therefore open space is not a defining element of the area's character. In addition, the Proposed Action would result in significant adverse shadow impacts on two open space resources, Trump Soho Plaza and Soho Square, but these open spaces are not defining features of the neighborhood and these impacts would not constitute neighborhood character impacts. Similarly, any resulting traffic conditions would be similar to those in the high activity urban neighborhoods defining the traffic study area and would not be out of character with the surrounding neighborhoods. Though there could potentially be significant adverse construction-related impacts to a small number of potential historic architectural resources and to archaeological resources, these impacts would not result in adverse impacts to neighborhood character. Moreover, the Proposed Action would not have any adverse visual or contextual impacts on the majority of architectural resources in the area, nor would it result in any significant adverse impacts to any New York City Landmarks (NYCLs) or properties listed on the State/National Registers of Historic Places (S/NR). Overall the Proposed Action would allow residential development while preserving the existing commercial and light manufacturing character of the area, enlivening the streetscape, introducing height limits, and creating a vibrant mixed-use neighborhood in the Rezoning Area.

CONSTRUCTION

Because construction activity associated with the RCWDS for the Proposed Action would occur on multiple development sites within the same geographic area, such that there is the potential for several construction timelines to overlap, a preliminary screening assessment of potential construction impacts was prepared in accordance with the guidelines of the *CEQR Technical Manual*. However, it is estimated that most of the projected development or enlargement sites entailing new construction would generally take 24 months or less to complete construction, and would therefore be considered short-term, per the *CEQR Technical Manual*. Only Projected Development Sites 1 and 3 have anticipated construction durations of greater than 24 months (estimated at 27 and 33 months, respectively).

There would be temporary inconvenience and disruption arising from the construction of projected development and/or enlargement sites. Given that the 19 projected development and 3 projected enlargement sites are distributed over approximately 18 blocks, no one location within the Rezoning Area would be under construction for the full nine years. As detailed below, construction of the projected development and enlargement sites identified in the RWCDS for the Proposed Action would result in

significant adverse construction impacts related to transportation and historic architectural and archaeological resources. Measures to mitigate these impacts are described below under "Mitigation."

TRANSPORTATION

Construction in the With-Action condition is expected to result in significant adverse traffic and pedestrian impacts during peak construction, as summarized below. For purposes of the construction traffic analysis, two periods were assessed—the second quarter of 2016 (peak construction traffic is expected to occur during this quarter) and the fourth quarter of 2019 (substantially more operational activities as compared to 2016). The Proposed Action is not expected to result in any significant adverse transit or parking impacts during construction; however, as with the analysis results presented for the future without the Proposed Action (the No-Action condition) and With-Action operational conditions, a parking shortfall during construction within ¼-mile of the Rezoning Area is also likely to occur.

The construction-related transportation analyses reflect a slight variation of the No-Action and With-Action RWCDS assumptions that would yield more conservative impact findings. Between the Draft and Final EIS, the construction transportation analyses will be updated to reflect the final RWCDS.

Traffic

During peak construction, completed projects within the Rezoning Area would generate incremental traffic to the study area in addition to the traffic anticipated to be generated by on-going construction activities. However, the cumulative operational and peak construction traffic increments for 2016 and 2019 would be lower than the full operational traffic increments associated with the Proposed Action in 2022. Therefore, the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts for the With-Action condition. Measures to mitigate the 2022 operational traffic impacts were recommended for implementation at 17 intersections during weekday peak hours. These measures would entail primarily signal timing adjustments and other operational measures, all of which could be implemented early at the discretion of NYCDOT to address actual conditions experienced at that time. However, as with the With-Action condition, there could also be significant adverse traffic impacts at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour during construction that cannot be fully mitigated. Specifically, during the construction period, West Street at West Houston Street and Hudson Street at Canal Street could have unmitigated significant adverse impacts during the weekday AM peak hour and Hudson Street at Canal Street and Varick Street at West Houston, King, Charlton, Vandam, Spring, Dominick, Broome, and Canal Streets and Avenue of the Americas at Canal Street/Laight Street could have unmitigated significant adverse impacts during the weekday PM peak hour. During the Saturday midday peak hour, Varick Street at King, Charlton, Dominick, and Broome Streets could have unmitigated significant adverse impacts.

Maintenance and Protection of Traffic (MPT) plans would be developed, reviewed, and approved by NYCDOT's Office of Construction Mitigation and Coordination (OCMC) for curb lane and sidewalk closures as well as equipment staging activities. It is expected that traffic and pedestrian flow along all surrounding streets would be maintained throughout the entire construction period.

Parking

Because of the displacement of existing public parking facilities that would occur during the No-Action and With-Action conditions, both conditions would result in parking shortfalls of 46 and 392 spaces, respectively, within ¼-mile of the Rezoning Area. Although the parking demand associated with construction workers commuting via auto would contribute minimally to the overall parking demand in the area, it can be expected that a parking shortfall may still occur during construction of development sites under both the No-Action and With-Action conditions within ¼-mile of the Rezoning Area. However, as with the analysis results presented for the No-Action and With-Action operational conditions, based on the magnitude of available and total parking spaces within a ½-mile of the Rezoning Area, it is anticipated that the excess demand could be accommodated with a slightly longer walking

distance beyond the ¼-mile radius. Furthermore, as stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

Transit

The study area is well served by public transit, including the No. 1 subway line at the Houston Street and Canal Street stations; the C/E lines at the Spring Street station; and the A/C/E lines at the Canal Street station. There are also several local bus routes, including the M5, M20, and M21. The projected construction worker trips made by transit would be substantially less than the operational peak hour transit trips associated with development in the With-Action and No-Action conditions. Furthermore, these construction worker trips would occur outside of peak periods of transit ridership and be distributed to the nearby transit facilities mentioned above. Therefore, like the operational With-Action condition, travel by construction workers would not result in any significant adverse transit impacts.

Pedestrians

The projected construction worker pedestrian trips traversing the area's sidewalks, corners, and crosswalks would have minimal effects on pedestrian operations during peak commuter hours (typically 8 to 9 AM and 5 to 6 PM). However, because the full build-out of the Proposed Action is expected to result in crosswalk impacts at two intersections—north crosswalk of Avenue of the Americas and Spring Street and north crosswalk of Varick Street and Spring Street, the same or lesser significant adverse pedestrian impacts could occur during construction prior to the full build-out of the Proposed Action. Accordingly, the same crosswalk widenings recommended to mitigate the pedestrian impacts for the Proposed Action could be advanced to address the same impacts during construction.

AIR QUALITY

Construction under the Proposed Action is not projected to result in substantial increases in vehicle volumes, lane or roadway closures, or traffic diversions. Construction trip increments during the 2016 construction weekday AM peak hour (6AM to 7AM) would not exceed the applicable CEQR screening levels for carbon monoxide (CO) and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) (170 auto trips and 23 truck trips at peak hour, respectively) at any intersections. Therefore, construction activities under the Proposed Action would not cause significant changes in air quality related to vehicular traffic, and further mobile-source analysis is not required. With respect to potential impacts to air quality during construction at specific development sites, the Applicant would commit to implement a variety of emissions control measures to the extent practicable and feasible during construction of its projected development and enlargement sites to ensure that the construction results in the lowest practicable diesel particulate matter (DPM) emissions. In addition, it is expected that similar emissions control measures to those committed to by the Applicant would likely be implemented during construction of the other projected development and enlargement sites not controlled by the Applicant, to the extent practicable and feasible. Ultra-low sulfur diesel (ULSD) and construction equipment rated Tier 2 or higher is now readily available; diesel particle filters (DPFs) are commonly found on construction equipment used in New York City; and the New York City Air Pollution Control Code regulates construction-related dust emissions. However, there would be no mechanism under CEQR to provide for a commitment to implement any of the above emission reduction measures on sites not controlled by the Applicant. As discussed below, most of the construction induced by the Proposed Action at any given development site would be short-term and the Rezoning Area and adjacent area contains very few existing residential uses, and consequently very few air quality sensitive receptor sites.

The Rezoning Area and adjacent area contains very few existing residential uses, and consequently very few air quality sensitive receptor sites. Nonetheless construction activities induced by the Proposed Action may occur immediately adjacent to the few existing sensitive receptors and others that would be introduced as projected development sites are completed. However, the overall construction in the Rezoning Area would be gradual, taking place over an anticipated nine-year period.

In terms of air pollutant emissions, the most intense construction activities are demolition, excavation and foundation (D/E/F) work, where a number of large non-road diesel engines would be employed. However, these activities are only expected to take a total of between 3 and 15 months per development site. Projected Development Sites 1 and 3 are the only projected development or enlargement sites with anticipated overall construction durations of greater than 24 months (estimated at 27 and 33 months, respectively), but D/E/F activities would only take 6 and 15 months, respectively. It is important to note that Projected Development Sites 1 and 3 would both have No-Action condition construction durations of 27 months (with D/E/F activities of 6 and 12 months, respectively), and the air pollutant emissions experienced during construction of the Proposed Action would be similar to or lower than the No-Action condition, due to the air quality control measures that would be implemented during construction of the Applicant's projected development and enlargement sites. Air pollutant emissions would also be similar between the No-Action condition and With-Action condition for other sites where development would occur in the No-Action condition, specifically Projected Development Sites 2, 4, 5, and 17.

Based on the sizes of the development sites and the nature of the construction work involved, construction activities under the Proposed Action would not be considered out of the ordinary in terms of intensity, although emissions would be lower due to the emission control measures that would be implemented during construction of the Applicant's projected development and enlargement sites, and may be implemented during construction of the other projected development and enlargement sites. Although multiple projected development sites within the Rezoning Area may be constructed at the same time, except for a cluster between Vandam and Spring Streets, which consists of Projected Development Site 3 and Projected Enlargement Sites 1 and 2, it is anticipated that these construction activities would occur on development sites that are not adjacent to each other and would therefore not have a cumulative effect on adjacent sensitive receptor locations. The cluster identified above is not located immediately adjacent to any sensitive receptors (Projected Development Site 16, which is adjacent to Enlargement Site 2, would be completed in the 3rd quarter of 2015, by which time the D/E/F activities for Projected Enlargement Site 2, which would generally be activities occurring within the existing building, would be concluding); the D/E/F activities would only overlap for a period of nine months, and would therefore not affect any nearby sensitive receptors for an extended "long-term" period of time.

Therefore, based on analysis of all of the factors affecting construction emissions, construction activities under the Proposed Action would not result in any significant adverse impact on air quality.

NOISE AND VIBRATION

Noise

The Applicant has committed to employing a wide variety of feasible and practicable measures that exceed standard construction practices to minimize construction noise and reduce potential noise impacts associated with the construction of their development sites. These measures will be described in the noise mitigation plan required as part of the New York City Noise Control Code. At projected and potential development and enlargement sites not controlled by the Applicant, noise control measures, as required by the New York City Noise Control Code, would be employed to lessen potential noise increases resulting from construction. Furthermore, construction of all but two individual development or enlargement sites would be expected to last 24 months or less. Therefore, no significant adverse noise impacts would be expected at any sensitive receptor locations due to construction of the Proposed Action.

Vibration

The buildings and structures of most concern with regard to the potential for structural or architectural damage due to vibration are known architectural resources in the vicinity of the projected development and enlargement sites, specifically 32-36 Dominick Street, 310 Spring Street, the Charlton-King-Vandam Historic District, and the proposed South Village Historic District. As known architectural resources, these sites would require the application of the more stringent vibration criteria described above for such (the LPC criteria of 0.50 inches/second PPV). However, as a result of the distance of the nearby sensitive structures from the construction sites, vibration levels at these buildings and structures, as well as other

less-sensitive nearby structures, would not be expected to exceed the 0.50 inches/second PPV limit. In addition, as discussed below, the Charlton-King-Vandam Historic District is a designated NYCHD and therefore would be afforded additional protection under DOB *TPPN #10/88*.

With respect to potential vibration levels that would be perceptible and annoying, the two pieces of equipment that would have the most potential for producing levels which exceed the 65 vibration decibels (VdB) limit are pile drivers and vibratory rollers. They would produce perceptible vibration levels (i.e., vibration levels exceeding 65 VdB) at receptor locations within a distance of approximately 230 feet. However, the operation would only occur for limited periods of time at a particular location and therefore would not result in any significant adverse impacts. Any blasting that may occur would be expected to produce vibrations less perceptible than those from the operation of the three pieces of equipment cited above. In no case are significant adverse impacts from vibrations expected to occur.

OTHER TECHNICAL AREAS

Archaeological Resources

None of the six potential and projected development sites discussed above and identified as archaeologically sensitive are under the Applicant's control, and future construction for the development of these properties would be undertaken as as-of-right development. Since there are no mechanisms available through CEQR to require that such development undertake archaeological field testing to determine the presence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery, construction activities related to as-of-right development that could occur as a result of the Proposed Action could result in unavoidable significant adverse impacts on archaeological resources.

Architectural Resources

As discussed previously, construction-related activities could result in adverse direct impacts on up to six known architectural resources in both the Rezoning Area and historic resources study area, which are located within 90 feet of proposed construction activities, close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, subsidence, collapse, or damage from construction machinery. These are 32-36 Dominick Street (three resources); 310 Spring Street; the Charlton-King-Vandam Historic District; and the proposed South Village Historic District. The Proposed Action could also result in adverse direct construction-related impacts on up to six potential architectural resources in both the Rezoning Area and historic resources study area.

Resources that could experience accidental damage from adjacent construction would be offered some protection through DOB controls governing the protection of adjacent properties from construction activities. With the required measures of *TPPN #10/88* in place, there would be no significant adverse construction-related impacts on NYCLs or properties listed on the S/NR that are located within 90 feet of development resulting from the Proposed Action. However, construction under the Proposed Action could potentially result in impacts to non-designated or unlisted resources, because they would not be afforded special protections under *TPPN #10/88*. Specifically, under the standards of the *CEQR Technical Manual*, construction under the Proposed Action on sites not controlled by the Applicant could result in significant adverse construction-related impacts on up to one known architectural resource (specifically, three buildings within the proposed South Village Historic District) and six potential architectural resources because they are not NYCLs or NR-listed properties and are not afforded special protections under *TPPN #10/88*.

Four potential architectural resources are located within 90 feet of the Applicant's projected development sites. With the preparation and implementation of a CPP for these potential architectural resources, construction activities on the Applicant's projected development and enlargement sites resulting from the Proposed Action would not be expected to result in adverse impacts on these historic and cultural resources.

Hazardous Materials

The assessment of potential hazardous materials impacts performed for the projected and potential development sites where ground disturbance from construction activities could occur as part of the anticipated future development identified potential historical and existing sources of contamination within or near the Rezoning Area. To reduce the potential for adverse impacts associated with projected and potential new construction resulting from the Proposed Action, further environmental investigations will be required. To ensure that these investigations are undertaken, E-designations would be placed on all projected and potential development and enlargement sites.

Following construction, if long-term monitoring (e.g., of groundwater quality) is required by OER, an SMP would be prepared specifying the necessary and appropriate procedures for operation, maintenance, testing, and reporting that remediation efforts, if any, have been employed. With the implementation of these measures, the Proposed Action would not result in any significant adverse impacts with respect to hazardous materials.

Open Space

There are no publicly accessible open spaces on any of the projected or potential development sites, and no open space resources would be used for staging or other construction activities. The Rezoning Area contains three publicly accessible open spaces—one privately owned publicly accessible open space, the Trump Organization's Trump SoHo Plaza, and two public open spaces, Soho Square and Duarte Square. In addition, two public open spaces—Grand Canal Court, and Albert Capsouto Park—are adjacent to the Rezoning Area boundary near Projected Development Site 1. At limited times, activities such as excavation and foundation construction at Projected Development Sites 1 and 2 may generate noise that could impair the enjoyment of nearby open space users, but such noise effects would be temporary. Within the Rezoning Area, under both the No-Action and With-Action conditions, development on Projected Development Site 1 would include the improvement of the open space easement located adjacent to the site based on commitments from a prior approval, which would create an additional 0.20 acres of passive open space—with landscaping, trees, and seating areas—in the Rezoning Area and study area. For construction at Projected Development Sites 1 and 2, construction fences around these sites would shield the nearby or adjacent parks from construction activities. Construction under the With-Action condition would not limit access to these parks or other open space resources in the vicinity of the Rezoning Area. Therefore, construction under the With-Action condition would not result in significant adverse impacts on open space.

Socioeconomic Conditions

Construction could, in some instances, temporarily affect pedestrian and vehicular access on street frontages immediately adjacent to the projected development sites. However, lane and/or sidewalk closures are expected to be of very limited duration, and are not expected to occur in front of entrances to any existing or planned retail businesses, construction activities would not obstruct major thoroughfares used by customers or businesses, and businesses would not be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities, because of the MPT measures required by NYCDOT. Utility service would be maintained to all businesses, although very short-term interruptions may occur when new equipment is put into operation. Overall, construction resulting from the Proposed Action is not expected to result in any significant adverse impacts on surrounding businesses.

Construction would result in expenditures on labor, materials, and services, and expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the city and state, including those from personal income taxes.

Community Facilities

Construction activities related to the Proposed Action would not physically displace or alter any existing community facilities. No community facilities would be directly affected by construction activities for an extended duration. The construction sites would be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the proposed buildings would not block or restrict access to any facilities in the area, and would not materially affect emergency response times. NYPD and FDNY emergency services and response times would not be materially affected as a result of the geographic distribution of the police and fire facilities and their respective coverage areas.

Land Use and Neighborhood Character

Construction activities would affect land use on the various projected development sites within the Rezoning Area, but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. There would also be noise, sometimes intrusive, from building construction as well as trucks and other vehicles backing up, loading, and unloading. These disruptions would be temporary in nature and would have limited effects on land uses within the study area, particularly as most construction activities would take place within each of the projected development sites or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to these sites. Throughout construction, access to surrounding residences, businesses, and institutions in the area would be maintained. In addition, measures would be implemented to control noise, vibration, emissions, and dust on construction sites, including the erection of construction fencing incorporating sound-reducing measures. Overall, while the construction at the various development sites within the Special District would be evident to the local community, the limited duration of construction at each of the sites would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

Rodent Control

Construction contracts for the sites controlled by the Applicant would include provisions for a rodent (mouse and rat) control program. Similarly, such controls would be expected to be provided by developers of the other projected development sites within the Rezoning Area, as standard construction practice. Coordination would be maintained with appropriate public agencies. The contractors would be required to perform rodent control programs in a manner that avoids hazards to persons, domestic animals, and non-target wildlife.

PUBLIC HEALTH

The Proposed Action would not result in significant unmitigated adverse impacts in any of the technical areas related to public health. Therefore, an assessment of potential impacts on public health is not necessary, and the Proposed Action would not result in any significant adverse impacts on public health.

H. MITIGATION

Where significant adverse impacts have been identified—in the areas of community facilities, open space, shadows, historic resources, transportation, and construction—measures have been examined to minimize or eliminate the anticipated impacts.

COMMUNITY FACILITIES

As discussed above, the Applicant has expressed a commitment to the development of a public elementary school on Projected Development Site 1 and has entered into a letter of intent with SCA. However, if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is operational, the Proposed Action would result in a significant adverse impact to elementary schools in CSD 2/Sub-District 2 unless and until the proposed elementary school is operational. Between the Draft and Final

EIS, the lead agency will consider additional feasible and practicable measures that would provide assurance that construction of Projected Development Site 1 would take place as early as possible relative to conditions which may otherwise result in a significant adverse elementary school impact.

OPEN SPACE

With respect to open space, potential mitigation measures will be explored by the Applicant in consultation with the lead agency, the DCP, and the DPR between the Draft and Final EIS. If feasible mitigation is found, the impacts will be considered partially mitigated. Absent the implementation of such measures, the Proposed Action could have an unmitigated significant adverse impact on open space. Likewise, to offset the significant adverse shadow impacts to the users of Trump SoHo Plaza and SoHo Square, the Applicant will consult with DPR and DCP with respect to potential mitigation measures between the Draft and Final EIS. If feasible mitigation is found, the impacts will be considered partially mitigated. In the absence of feasible mitigation, the Proposed Action would result in unmitigated significant adverse shadow impacts on Trump SoHo Plaza and SoHo Square.

HISTORIC AND CULTURAL RESOURCES

Portions of four projected development sites (Sites 5, 10, 12, and 13) and two potential development sites (Sites 22 and 23) were identified as archaeologically sensitive for resources associated with the 19th century occupation of the 20 historic lots included within those sites. None of the sites identified as archaeologically sensitive are under the Applicant's control. Future development on these properties could include as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological testing to determine the presence or absence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery (i.e., Phase 2 or Phase 3 archaeological testing). Therefore, the as-of-right development that is anticipated to occur as a result of the Proposed Action could result in unmitigated significant adverse impacts on archaeological resources. Likewise, as-of-right development that is anticipated to occur as a result of the Proposed Action on properties not controlled by the Applicant could result in unmitigated significant adverse construction-related impacts on architectural resources.

TRANSPORTATION

TRAFFIC

Traffic conditions were evaluated at 22 intersections for the weekday AM, midday, and PM peak hours, and at 18 intersections for the Saturday midday peak hour. The Proposed Action would result in significant adverse traffic impacts at 13 intersections during the weekday AM peak hour, 3 intersections during the weekday midday peak hour, 12 intersections during the weekday PM peak hour, and 3 intersections during the Saturday midday peak hour. With the implementation of standard mitigation measures (including primarily signal timing changes and daylighting), all significant adverse traffic impacts identified above could be fully mitigated except at 11 intersections—two of the 11 intersections during the weekday AM peak hour, ten of the 11 intersections during the weekday PM peak hour, and four of the 11 intersections during the Saturday midday peak hour.

As discussed above, additional intersections may be analyzed between the Draft and Final EIS. These intersections will be selected in consultation with DCP and NYCDOT. The analysis of these additional intersections may identify additional significant adverse traffic impacts, for which mitigation measures would be identified. If feasible measures are not available to fully mitigate these impacts, they would be identified as unmitigated in the Final EIS. In conjunction with the updates to the transportation-related analyses between the Draft and Final EIS, the mitigation analysis as it relates to transportation will be further refined and the implementation timing of the proposed mitigation measures will also be assessed.

In addition, new hotel construction that could occur as-of-right after the "residential development goal" is met could result in unmitigated significant adverse traffic impacts. Under the hotel development scenario,

the impacts identified at study area intersections along the Varick Street corridor would worsen (with those at Charlton, Vandam, Spring, and Dominick Streets likely realizing the greatest effects), and the impacts identified at three intersections along Hudson Street (at Canal, Charlton, and King Streets) would worsen. For intersections farther away from the sites selected for the hotel development scenario, the projected traffic increases would be more dispersed and would have lesser effects on the operating levels at these intersections.

PEDESTRIANS

The Proposed Action would also result in significant adverse pedestrian impacts at two crosswalk locations: the north crosswalk of Avenue of the Americas and Spring Street during the weekday PM peak period, and the north crosswalk of Varick Street and Spring Street during the weekday AM and PM peak periods. These impacts could be fully mitigated with crosswalk widenings.

CONSTRUCTION (TRAFFIC AND PEDESTRIANS)

With respect to construction, the Proposed Action could result in significant adverse construction traffic and pedestrian impacts. These impacts could be mitigated using the same measures identified for the operational significant adverse traffic and pedestrian impacts. However, there could also be significant adverse construction traffic impacts at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour during construction that cannot be fully mitigated.

I. ALTERNATIVES

This EIS considers the following alternatives:

- A **No-Action Alternative** that is mandated by CEQR and the New York State Environmental Quality Review Act (SEQRA) and is intended to provide the lead and involved agencies with an assessment of the expected environmental impacts of no action on their part;
- A **No Subdistrict B Alternative**, which would eliminate the Subdistrict B regulations from the proposed Special District zoning text and would instead apply the general Special District bulk regulations to the lots previously subject to Subdistrict B regulations under the Proposed Action;
- A **Midblock Special Permit Alternative**, in which the proposed Special District text would include a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth;
- A **No Subdistrict B with Midblock Special Permit Alternative**, which would eliminate the Subdistrict B regulations from the proposed Special District zoning text, and would include a special permit to allow height and setback waivers for midblock sites located on blocks with narrow north-south street-to-street depth;
- A **Modified Midblock Site Alternative**, which considers a proposal to allow for a taller building on a midblock through-lot site in exchange for the provision of public open space;
- A **Lower Height Alternative**; and
- A **No Unmitigated Significant Adverse Impact Alternative**, which considers development that would not result in any identified significant, unmitigated adverse impacts.

NO-ACTION ALTERNATIVE

The No-Action Alternative assumes that the Proposed Action would not be implemented (i.e., none of the discretionary approvals proposed as part of the Proposed Action would be adopted). The No-Action Alternative considers development that would occur on the development sites if the Proposed Action were not approved. It is expected that in the future without the Proposed Action, new construction would occur on four projected development sites owned by the Applicant, and on four sites in the Rezoning Area not controlled by the Applicant. It is expected that the Applicant's sites would be developed with two new

hotels (453 feet and 492 feet in height) and two two-story commercial buildings. Development on sites not controlled by the Applicant would include two additional hotels (222 feet and 166 feet in height), the re-tenanting of a vacant building with storage uses, and the completion of an approximately 5,000 gsf commercial enlargement. Overall, the No-Action Alternative projects new construction development on six sites in the Rezoning Area, with new buildings ranging in height from approximately 30 feet to 492 feet. However, it should be noted that there is no height restriction under the current zoning in the Rezoning Area and future development could be constructed to heights as tall as or taller than the proposed 320-foot height limit for wide streets and the proposed 185-foot height limit for narrow streets under the Proposed Action.

This alternative would avoid the Proposed Action's significant adverse impacts related to open space, traffic, pedestrians, and construction traffic and pedestrians. With respect to shadows, unlike the Proposed Action, the No-Action Alternative would not result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square, two open space resources in the Rezoning area, because this alternative assumes a two-story, approximately 30-foot tall development on certain Applicant-owned development sites. However, as noted above, there is no height restriction under the current zoning in the Rezoning Area and therefore these development sites could be constructed to heights as tall as or taller than the proposed 320-foot height limit, a scenario that would result in similar shadows on Trump SoHo Plaza and SoHo Square, although for the purposes of a conservative analysis such development has not been assumed in the RWCDS. Like the Proposed Action, this alternative could result in significant adverse impacts to archaeological resources, although not to the same extent as the Proposed Action because this alternative is projected to result in development (and subsequent subsurface disturbance) on fewer archaeologically significant sites than the Proposed Action. With respect to architectural resources, the No-Action Alternative could result in significant adverse construction-related impacts to 4 potential architectural resources located within 90 feet of development under the alternative. In comparison, under the standards of the *CEQR Technical Manual*, the Proposed Action could result in significant adverse construction-related impacts to one known resource (the proposed South Village Historic District) and 6 potential architectural resources, due to their locations within 90 feet of sites that may be developed under the Proposed Action. Specifically, one projected development site (Projected Development Site 13) and one potential enlargement site (Potential Enlargement Site 5 on Block 505, Lot 26) in the Rezoning Area are located approximately 90 feet from three buildings—110 Avenue of the Americas, 176-184 Avenue of the Americas, and 207 Spring Street—within the proposed South Village Historic District. Under the construction of the No-Action Alternative, there would be no assurance that construction would include the use of equipment with the extensive emissions controls and noise abatement measures that would be provided with the Proposed Action on the Applicant's projected development and enlargement sites.

The No-Action Alternative would not meet one of the primary goals and objectives of the Proposed Action: to create a vibrant mixed-use neighborhood in Hudson Square by addressing the neighborhood's significant challenges while still preserving its essential character. Unlike the Proposed Action, the No-Action Alternative would not allow for residential development, nor would it institute zoning controls designed to limit conversions of non-residential buildings to residential use and retain certain commercial uses. Under the No-Action Alternative, the Rezoning Area's unique large-scale commercial and manufacturing building stock—which, in the Applicant's view, contains the creative commercial tenants that are so important to the city's economic diversity—would not be protected from demolition or conversion as it would be under the Proposed Action. In addition, the No-Action Alternative would not institute the mandatory streetwall requirements and height limits of the Proposed Action, nor would it require special permits for future hotel development with more than 100 sleeping units. Without these zoning requirements, new buildings could be constructed to heights much greater than the existing, predominantly mid-rise character of the Rezoning Area, and out-of-context hotel development could be expected to continue as the most viable development option for area property owners in the future.

The No-Action Alternative would also not support the goal of creating a vibrant mixed-use neighborhood in Hudson Square. Specifically, the No-Action Alternative would not allow the development of residential uses in the Rezoning Area. The continued prohibition of residential uses would not allow for the introduction of a critical mass of residents to support local retail, cultural activity, and street life, nor

would it allow for the creation of affordable residential units. In addition, the No-Action Alternative would not include the development of a new school to meet the needs of existing and future residents in the area.

NO SUBDISTRICT B ALTERNATIVE

Subdistrict B has been included as part of the Proposed Action to discourage demolition of existing buildings and preserve the lower scale of the existing built context within the proposed Subdistrict B boundaries. Based on public scoping comments requesting the elimination of Subdistrict B from the proposed Special Hudson Square District, a No Subdistrict B Alternative has been analyzed. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., FAR, building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A.

The elimination of Subdistrict B would increase the development potential within that area, as compared with that of the Proposed Action. Applying the same set of specific development site criteria and assumptions as assumed under the RWCDS for the Proposed Action, the No Subdistrict B Alternative would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23 within the Rezoning Area. Overall, on the projected development sites, the No Subdistrict B Alternative would result in an increase of 179 residential units, including 42 affordable units; 5,343 gsf of retail use; and 11 accessory parking spaces as compared with the Proposed Action. As with the Proposed Action, the No Subdistrict B Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

The No Subdistrict B Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, the No Subdistrict B Alternative would result in significant adverse impacts in the areas of open space, shadows, historic resources, traffic, pedestrians, and construction traffic and pedestrians. In addition, it may also result in a significant adverse impact on a street-level stairway connecting to one of the area's subway stations. As with the Proposed Action, the No Subdistrict B Alternative could result in unmitigated impacts in the areas of open space, shadows, historic resources, traffic, and construction traffic.

Under the No Subdistrict B Alternative, the air quality (E) designation for Potential Development Site 22 as specified under the Proposed Action would no longer be required, and the (E) designations for Projected Development Site 5 and Potential Development Site 23 as specified under the Proposed Action would remain the same. At Projected Development Site 15, the (E) designation would only require the restriction on the use of fuel to natural gas. With respect to noise, under this alternative, attenuation requirements for Block 578 Lot 71 (a portion of Projected Development Site 15 under this alternative) would be 31 dBA on all façades. As with the Proposed Action, if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the No Subdistrict B Alternative would result in a significant adverse impact to public elementary schools.

In general, the No Subdistrict B Alternative would meet the goals and objectives of the Proposed Action in that it would create a vibrant mixed-use neighborhood in Hudson Square while preserving its essential character. Like the Proposed Action, the No Subdistrict B Alternative would introduce a critical mass of residential uses with affordable housing while also seeking to limit hotel uses and instituting height limits and streetwall requirements, and would also include provisions to limit the demolition or conversion of the Rezoning Area's large-scale commercial and manufacturing building stock. However, this alternative would not preserve the essential character of the Rezoning Area to the same extent as the Proposed Action because it would not institute contextual height, setback, and floor area regulations in the lower scale area bounded by Watts, Hudson, and Dominick Streets and Avenue of the Americas. Thus, the No Subdistrict B Alternative would not preserve the lower-scale urban design character within this area, as is intended by the Proposed Action.

MIDBLOCK SPECIAL PERMIT ALTERNATIVE

The Midblock Special Permit Alternative proposes modification to the proposed Special District text to include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. The special permit would allow waivers of height and setback regulations only; there would be no change to the permitted uses, FAR, location of the streetwall or rear yard requirements in the proposed Special District text. Under this alternative, the special permit would not be available to sites located within either Subdistrict A or Subdistrict B. The special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action. Like the Proposed Action, this alternative would also institute zoning controls designed to limit conversions of non-residential buildings to residential use and retain certain commercial uses and would require special permits for future hotel development with more than 100 sleeping units. As with the Proposed Action, the Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of the SCA.

The Midblock Special Permit Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under the Midblock Special Permit Alternative, only one development site (Projected Development Site 12) could utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. This would result in an increase of 24 residential units, including 6 affordable units, and 4 accessory parking spaces as compared with the Proposed Action.

The Midblock Special Permit Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, the Midblock Special Permit Alternative would result in significant adverse impacts in the areas of open space, shadows, historic resources, traffic, pedestrians, and construction traffic and pedestrians. As with the Proposed Action, the Midblock Special Permit Alternative could result in unmitigated impacts in the areas of open space, shadows, historic resources, traffic, and construction traffic. Furthermore, as with the Proposed Action, if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the Midblock Special Permit Alternative would result in a significant adverse impact to public elementary schools.

NO SUBDISTRICT B WITH MIDBLOCK SPECIAL PERMIT ALTERNATIVE

The No Subdistrict B With Midblock Special Permit Alternative would include the same changes as under both the No Subdistrict B Alternative and the Midblock Special Permit Alternative. Under this alternative, the only subdistrict in the Special District would be Subdistrict A. The zoning regulations (i.e., FAR, building height, base heights, etc.) proposed for wide and narrow streets in the Rezoning Area (not including Subdistricts A and B) would extend throughout the entire Rezoning Area, except for Subdistrict A (as described in more detail in under the "No Subdistrict B Alternative").

In addition, under this alternative the Special District text would include a special permit to allow height and setback waivers for midblock sites (i.e., sites on narrow streets beyond 100 feet of their intersection with a wide street) located on blocks with narrow north-south street-to-street depth (i.e., 180 feet or less). All blocks south of Spring Street in the Rezoning Area (Blocks 226, 227, 477, 491, 578, and 579) have a narrow north-south street-to-street depth. As discussed under the "Midblock Special Permit Alternative,"

the special permit would allow a waiver of the currently proposed 185-foot building height limit that applies to narrow streets, but it is expected that such waiver would not allow buildings taller than 210 feet. The special permit would also allow a waiver of the currently proposed base height before setback (minimum 60 feet and maximum 125 feet) that applies to narrow streets; however, this alternative would maintain the streetwall requirement at the street line, as required under the Proposed Action. Under this alternative, the special permit would not be available within Subdistrict A. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative would include construction of a new 444-seat public elementary school on Projected Development Site 1, subject to approvals and requirements of SCA.

Under this alternative, the elimination of Subdistrict B and the inclusion of a midblock special permit would allow for greater development potential in the Rezoning Area compared to the Proposed Action. The elimination of Subdistrict B under this alternative would increase the development potential within that area, which would result in changes to the anticipated development on Projected Development Sites 5 and 15 and Potential Development Sites 22 and 23. The midblock special permit under this alternative could facilitate different base and building heights on certain projected and potential development and enlargement sites than what has been assessed for the Proposed Action. Under this alternative, it is assumed that two development sites (Projected Development Site 12 and Potential Development Site 23) could each utilize the special permit waiver for height and setback to construct a building or buildings up to 210 feet in height and achieve the full 12.0 FAR on the site. On the projected development sites, the No Subdistrict B With Midblock Special Permit Alternative would result in an increase of 203 residential units, including 48 affordable units; 5,343 gsf of retail use; and 15 accessory parking spaces as compared with the Proposed Action.

The No Subdistrict B With Midblock Special Permit Alternative would result in similar significant adverse impacts as the Proposed Action, including the same unmitigated impacts. Like the Proposed Action, this alternative would result in significant adverse impacts in the areas of open space, shadows, historic resources, traffic, pedestrians, and construction traffic and pedestrians. In addition, it may result in a significant adverse impact on a street-level stairway connecting to one of the area's subway stations. As with the Proposed Action, the No Subdistrict B With Midblock Special Permit Alternative could result in unmitigated impacts in the areas of open space, shadows, historic resources, traffic, and construction traffic.

Under the No Subdistrict B With Midblock Special Permit Alternative, the air quality (E) designations for Projected Development Sites 5 and 12 and Potential Development Site 23 as specified under the Proposed Action would remain the same, and the (E) designation Development Site 22 as specified under the Proposed Action would no longer be required. At Projected Development Site 15, the (E) designation would only require the restriction on the use of fuel to natural gas. With respect to noise, under this alternative, attenuation requirements for Block 578 Lot 71 (a portion of Projected Development Site 15 under this alternative) would be 31 dBA on all façades.

As with the Proposed Action, if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is constructed, the No Subdistrict B With Midblock Special Permit Alternative would result in a significant adverse impact to public elementary schools.

MODIFIED MIDBLOCK SITE ALTERNATIVE

The Modified Midblock Site Alternative proposes to allow for a taller building in exchange for the provision of public open space. This alternative is being considered in response to comments provided during the public review of the Draft Scope of Work for the DEIS. This alternative would include an incentive for creating new public open space that would help offset the Proposed Action's significant adverse impact on open space. Under this alternative, the Special Hudson Square District text would be modified to allow the maximum height on a midblock through-lot site with narrow street-to-street depth (i.e., 175 feet or less) to exceed the proposed 185-foot height limit in the event that publicly accessible open space is provided.

While the Modified Midblock Site Alternative would provide a small amount of additional open space in the Rezoning Area, it would not be consistent with the Proposed Action's urban design policy goals with respect to building height, continuous streetwalls, and the preservation of lower-scale midblock areas. Moreover, although this alternative would provide a small amount of additional open space, this open space would only partially alleviate the Proposed Action's significant adverse open space impact and would compromise the urban design elements of the Proposed Action that are intended to provide for a more vibrant street life to support and enhance the creative commercial character of the neighborhood and to preserve the existing contextual character of the neighborhood.

Thus, this alternative would not be consistent with the Proposed Action's urban design goals and objectives.

LOWER HEIGHT ALTERNATIVE

In response to public scoping comments requesting lower height limits within the Rezoning Area, a Lower Height Alternative has been analyzed. Under this alternative, the maximum building heights and base heights mandated in the Special Hudson Square District text would be reduced along wide streets (building height reduced from 320 feet to 180 feet, base height would remain 150 feet), narrow streets (building height reduced from 185 feet to 120 feet, base height reduced from 125 feet to 85 feet) and in Subdistrict A (building height reduced from 430 feet to 240 feet, base height would remain 150 feet); the proposed height limits in Subdistrict B would be the same as with the Proposed Action. Under the Lower Height Alternative, only the maximum building heights and maximum base heights would be modified; there would be no change to the permitted uses, FAR, setbacks, rear yard requirements, or other bulk requirements in the proposed Special District text. Like the Proposed Action, this alternative would also institute zoning controls designed to preserve Hudson Square's essential character and would prevent out-of-scale hotel development.

The Lower Height Alternative would result in the same projected and potential development, conversion, and enlargement sites as the RWCDS for the Proposed Action. However, as a result of the lower height limits, approximately half of the projected development sites would not be able to reach the maximum permitted FAR of 12.0 and there would be a reduction in development program on the majority of projected development and enlargement sites as compared to the Proposed Action. Overall, the Lower Height Alternative would result in a net decrease of up to 886 dwelling units (including a decrease of 404 affordable units) compared to the 3,352 dwelling units (including 679 affordable units) that would be generated under the Proposed Action. This would represent a 27 percent reduction in the number of projected dwelling units and a 59 percent reduction in the number of affordable units. In addition, with the substantial reductions in the height limit under the Lower Height Alternative, the Applicant would not utilize the floor area exemption that is available for the development of a public school in Subdistrict A, and a new 444-seat public elementary school would not be developed on Projected Development Site 1.

Although the Lower Height Alternative would have a smaller program, it would not avoid any of the significant adverse impacts of the Proposed Action. Like the Proposed Action, the Lower Height Alternative would result in significant adverse impacts in the areas of open space, shadows, historic resources, traffic, pedestrians, and construction traffic and pedestrians. As with the Proposed Action, the Lower Height Alternative could result in unmitigated impacts in the areas of open space, shadows, historic resources, traffic, and construction traffic. The Lower Height Alternative would also result in a significant adverse impact to elementary schools. In comparison, the Proposed Action would not result in a significant adverse impact to public elementary schools, as the Proposed Action would facilitate the proposed development of a public elementary school on Projected Development Site 1.

In general, although the Lower Height Alternative would meet a number of the goals and objectives of the Proposed Action, do so to a lesser degree than the Proposed Action because it would introduce fewer residential units (including fewer affordable units) to support an active mixed-use neighborhood and would not result in the development of a new public school. As with the Proposed Action, the Lower Height Alternative would allow the Rezoning Area to evolve into a more active, mixed-use neighborhood than under the existing zoning while preserving its existing built context and commercial uses, but the

extent of that increased activity would be lower. Because the Lower Height Alternative would result in a substantial reduction in the number of new dwelling units in the Rezoning Area as compared to the Proposed Action, it would not introduce the same substantial residential population needed to support local retail and active street life and attract and retain the variety of commercial uses that anchor the neighborhood. Therefore, this alternative would be less supportive of the goal of creating a vibrant mixed-use neighborhood in Hudson Square than the Proposed Action. In addition, the Lower Height Alternative would result in a substantial decrease in the number of affordable housing units to be developed in the Rezoning Area compared to the Proposed Action. The Lower Height Alternative would also not result in the development of a new public elementary school, and as stated above this alternative would result in a significant adverse impact to public elementary schools. Nonetheless, as with the Proposed Action, the Lower Height Alternative would allow the Rezoning Area to evolve into a more active, mixed-use neighborhood while preserving its existing built context and commercial uses.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative considers several modifications to the Proposed Action to eliminate its unmitigated impacts in the areas of open space, shadows, archaeological and architectural resources, traffic, and construction traffic and pedestrians. These modifications include reducing the number of projected residential units and reducing the height of Projected Development Site 2. To eliminate all unmitigated significant adverse impacts, the Proposed Action would have to be modified to a point where its principal goals and objectives would not be realized.

J. CONCEPTUAL ANALYSIS

The Proposed Action could result in the development of hotel uses with more than 100 sleeping units, either as new construction or change of use in existing qualifying buildings (i.e., existing buildings with 70,000 zoning square feet or more of non-residential floor area). In the case of new hotel construction, such development would be permitted as-of-right only upon certification by the Chairperson of the CPC to the Commissioner of Buildings that the residential development goal has been met (i.e., certificates of occupancy have been issued for 75 percent of the number of dwelling units projected to be developed in the Rezoning Area). Prior to the certification that the residential development goal has been met, construction of new hotels with more than 100 rooms would be permitted only by CPC special permit. Changes of use within existing qualifying buildings to hotel use with more than 100 sleeping units would be permitted only by CPC special permit, which may be granted upon the CPC making certain findings. Therefore, a conceptual analysis is provided to generically assess the potential environmental impacts that could result from the development of hotel uses within the Rezoning Area.

The conceptual analysis considers the following development scenarios: 1) construction of a new hotel with more than 100 sleeping units, in the event that the residential development goal has been met; 2) construction of a new hotel with more than 100 sleeping units before the residential development goal is met (i.e., with the issuance of a special permit), and 3) conversion of an existing qualifying building to a hotel use with more than 100 sleeping units (i.e., with the issuance of a special permit). New hotel construction would replace the residential development assumed under the RWCDS. The conceptual analysis conservatively considers the three hotel development scenarios described above in combination, rather than as separate scenarios occurring independently.

The conceptual analysis concludes that for most technical areas, the construction of and/or conversion to hotel use would not result in any additional significant adverse impacts as compared with the RWCDS analyzed for the Proposed Action. With respect to transportation, as compared with the total trip generation associated with the RWCDS, the hypothetical hotel development scenario would result in increases in the number of vehicle, pedestrian, and transit trips within the Rezoning Area during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, with the greatest increases occurring during the weekday midday peak hour. Under the hotel development scenario, the impacts identified at study area intersections along the Varick Street corridor would worsen (with those at Charlton, Vandam, Spring, and Dominick Streets likely realizing the greatest effects), and the impacts

identified at three intersections along Hudson Street (at Canal, Charlton, and King Streets) would worsen. For intersections farther away from the sites selected for the hotel development scenario, the projected traffic increases would be more dispersed and would have lesser effects on the operating levels at these intersections. For any new hotel construction or conversion that requires a special permit, any impacts that result from such construction or conversion would be assessed and disclosed to the public under and pursuant to a separate environmental review, and measures to mitigate any impacts would be presented, if warranted. If new hotel construction occurs after the residential development goal is met it could potentially result in unmitigated significant adverse traffic impacts. See also the discussion under "Mitigation."

The proposed Special Hudson Square District text also includes a provision to allow, subject to the approval of a special permit by the BSA, eating or drinking establishments with entertainment and a capacity of more than 200 persons or establishments of any capacity with dancing, provided that certain findings are made. It is not known which, if any, of the properties within the Rezoning Area may seek this special permit; however, such action would be subject to separate discretionary approval and any environmental impacts associated with such action would be assessed and disclosed to the public pursuant to a separate environmental review. Given the specified special permit findings that must be met prior to BSA approval, which relate to anticipated noise levels, vehicular or pedestrian traffic, and neighborhood character, the special permit is not expected to result in any additional significant adverse impacts.

K. UNAVOIDABLE ADVERSE IMPACTS

Unavoidable significant adverse impacts are those for which there are no reasonably practicable mitigation measures to eliminate the Proposed Action's impacts; or there are no reasonable alternatives to the Proposed Action that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts. The Proposed Action would result in significant adverse impacts for which there are no reasonable alternatives that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts. The following is a summary of those unavoidable adverse impacts.

COMMUNITY FACILITIES

The Proposed Action could result in a significant adverse impact on elementary schools in CSD 2/Sub-District 2 if construction of Projected Development Site 1 is not among the first sites to be developed and if 1,388 residential units or more are developed in the Rezoning Area before a public elementary school is operational. As discussed above, the Applicant has expressed a commitment to the development of a public elementary school on Projected Development Site 1 and has entered into a letter of intent with the SCA, but the opening of a new public school requires the provision of adequate public funding within the SCA/ DOE budget to fit-out the space and operate the school, which is outside of the Applicant's control.

Between the Draft and Final EIS, the lead agency will consider additional feasible and practicable measures that would provide assurance that construction of Projected Development Site 1 would take place as early as possible relative to conditions which may otherwise result in a significant adverse elementary school impact. Absent the implementation of such measures, the Proposed Action could result in an unavoidable significant adverse impact on public schools.

OPEN SPACE

Given the anticipated decrease in the active and total open space ratios in the residential study area and the fact that open space ratios in the study area would remain below the city guideline ratios, the Proposed Action would result in a significant adverse impact to active and total open space resources in the residential study area.

Mitigation measures for this significant adverse impact will be explored by the lead agency, DCP, in consultation with DPR between the Draft and Final EIS. Absent the implementation of such measures, the Proposed Action would result in an unavoidable significant adverse impact on open space.

SHADOWS

The incremental shadows cast by a future building on Projected Development Site 2 in the With-Action condition could result in significant adverse shadow impacts to Trump SoHo Plaza and SoHo Square. It should be noted that although the reasonable worst-case development scenario for the future without the Proposed Action (the No-Action condition) assumes a development on Projected Development Site 2 with a height of only 30 feet, there is no height restriction under the current zoning in the Rezoning Area. Therefore, in the No-Action condition Projected Development Site 2 could be constructed to heights as tall as or taller than the 320-foot height limit in the With-Action condition, which would result in similar shadows on Trump SoHo Plaza and SoHo Square.

At Trump SoHo Plaza during the spring, late summer and fall, the Proposed Action would result in long durations of incremental shadow. The plaza already experiences periods of existing shadows, and the new project-generated shadows would reduce and at times eliminate the remaining periods of sunlight. Therefore, the analysis concluded that the Proposed Action would result in significant adverse shadow impacts to the users of this open space resource.

At SoHo Square during the spring and fall (the March 21/September 21 analysis day), the incremental shadow would remove the remaining areas of sunlight within the open space for about an hour, which would result in a significant adverse shadow impact to the users of this resource.

To substantially reduce the extent of incremental shadows and eliminate the significant adverse shadow impact on Trump SoHo Plaza, Projected Development Site 2 would need to be limited to approximately 70 feet or less in height. Likewise, to substantially reduce the extent of incremental shadows and eliminate the significant adverse shadow impact on SoHo Square, Projected Development Site 2 would need to be limited to approximately 130 feet or less in height.

Between the Draft and Final EIS, the Applicant will consult with DPR and DCP with respect to potential mitigation measures to offset the significant adverse impact to the users of Trump SoHo Plaza and SoHo Square. However, these shadow impacts would not be completely eliminated. Therefore, the Proposed Action would result in unavoidable adverse shadow impacts on Trump SoHo Plaza and SoHo Square.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

Portions of four projected development sites (Sites 5, 10, 12, and 13) and two potential development sites (Sites 22 and 23) were identified as archaeologically sensitive for resources associated with the 19th century occupation of the 20 historic lots included within those sites. However, none of these six sites are under the Applicant's control. Future development on these properties could include as-of-right development, and there are no mechanisms available through CEQR to require that such development undertake archaeological testing to determine the presence or absence of archaeological resources or mitigation for any identified significant resources through avoidance or excavation and data recovery. Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action could result in unavoidable significant adverse impacts on archaeological resources.

ARCHITECTURAL RESOURCES

Construction of projected and potential development and enlargement sites not controlled by the Applicant could potentially result in construction-related impacts to 7 known or potential architectural resources due to their location within 90 feet of such development and enlargement sites. The resources would be afforded limited protection under DOB regulations applicable to all buildings located adjacent to construction sites (C26-112.4); however, since the resources are not NYCL or NR-listed properties, they are not afforded special protections under DOB *TPPN #10/88*. Additional protective measures afforded under *TPPN #10/88* would only become applicable if the resources are designated or listed in the future prior to the initiation of adjacent construction. If the resources are not designated or listed, they

would not be subject to *TPPN #10/88* and may, therefore, be adversely impacted by adjacent development resulting from the Proposed Action.

The *CEQR Technical Manual* identifies protective measures, such as construction monitoring, as a possible mitigation measure for construction-related significant adverse impacts to architectural resources. However, future development on properties not controlled by the Applicant could be as-of-right development, and there are no mechanisms available through CEQR to require that such protective measures are undertaken. Therefore, as-of-right development that is anticipated to occur as a result of the Proposed Action on properties not controlled by the Applicant could result in unavoidable significant adverse construction-related impacts on architectural resources.

TRANSPORTATION

Between the Draft and Final EIS, the transportation-related analyses will be updated to reflect the final RWCDS. Where impacts would continue to exist even with the smaller trip increments as a result of the updated No-Action and With-Action RWCDS assumptions, similar mitigation measures are likely to be warranted. At other locations, some impacts may be completely eliminated. Impacts determined to be unmitigatable under the current analysis may also become mitigatable by imposing standard mitigation measures.

TRAFFIC

Traffic conditions were evaluated at 22 intersections for the weekday AM, midday, and PM peak hours, and at 18 intersections for the Saturday midday peak hour. The Proposed Action would result in significant adverse traffic impacts at 13 intersections during the weekday AM peak hour, 3 intersections during the weekday midday peak hour, 12 intersections during the weekday PM peak hour, and 3 intersections during the Saturday midday peak hour. In comparison, a majority of the impacted lane groups/movements at the impacted intersections operate at congested levels (mid-LOS D or worse) under the existing and No-Action conditions, due in part to the high traffic volumes passing through the study area to access the Holland Tunnel. Some of the impacts could be mitigated through the implementation of traffic mitigation measures, including minor adjustments to signal timing in order to increase green time for impacted movements and changing parking regulations to prohibit parking near some intersections during certain peak time periods (known as "daylighting"), while others could not be mitigated during one or more analysis peak hours.

With the proposed mitigation measures in place, all significant adverse traffic impacts could be fully mitigated except at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour. Specifically, West Street at West Houston Street and Hudson Street at Canal Street would have unmitigated significant adverse impacts during the weekday AM peak hour and Hudson Street at Canal Street and Varick Street at West Houston, King, Charlton, Vandam, Spring, Dominick, Broome, and Canal Streets and Avenue of the Americas at Canal Street/Laight Street would have unmitigated significant adverse impacts during the weekday PM peak hour, and Varick Street at King, Charlton, Dominick, and Broome Streets would have unmitigated significant adverse impacts during the Saturday midday peak hour. Therefore, the Proposed Action would result in unavoidable significant adverse traffic impacts at these intersections.

As discussed above, additional intersections may be analyzed between the Draft and Final EIS. These intersections will be selected in consultation with DCP and NYCDOT. The analysis of these additional intersections may identify additional significant adverse traffic impacts, for which mitigation measures would be identified. If feasible measures are not available to fully mitigate these impacts, they would be identified as unmitigated in the Final EIS.

CONSTRUCTION

TRANSPORTATION

The potential traffic impacts during peak construction could be significant and adverse. Since existing and No-Action traffic conditions at some of the study area intersections through which construction-related traffic would also travel were determined to operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some or many of these locations during construction. In order to alleviate construction traffic impacts, measures recommended to mitigate impacts associated with the operational traffic of the Proposed Action could be implemented during construction before full build-out of the Proposed Action. However, as with the With-Action condition, there could also be significant adverse traffic impacts at two intersections during the weekday AM peak hour, ten intersections during the weekday PM peak hour, and four intersections during the Saturday midday peak hour during construction that cannot be fully mitigated. Therefore, construction under the Proposed Action would result in unavoidable significant adverse traffic impacts.

CONCEPTUAL ANALYSIS

The hotel development scenario could result in significant adverse traffic impacts. It is not known which, if any, of the many properties in the Rezoning Area would be converted to new hotel use or developed with new construction hotel use. However, for the purposes of the conceptual analysis, three sites were selected as representative of the type and amount of development that could occur under the hypothetical hotel development scenario. Compared with the total trip generation associated with the RWCDS, the hypothetical hotel development scenario would result in increases in the number of vehicle, pedestrian, and transit trips within the Rezoning Area during the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, with the greatest increases occurring during the weekday midday peak hour. (New hotel construction would replace the residential development assumed under the RWCDS.) Under the hotel development scenario, the impacts identified at study area intersections along the Varick Street corridor would worsen (with those at Charlton, Vandam, Spring, and Dominick Streets likely realizing the greatest effects), and the impacts identified at three intersections along Hudson Street (at Canal, Charlton, and King Streets) would worsen. For intersections farther away from the sites analyzed for the hotel development scenario, the projected traffic increases would be more dispersed and would have lesser effects on the operating levels at these intersections. For any hotel construction or conversion that requires a special permit, any impacts that result from such construction or conversion would be assessed and disclosed to the public under and pursuant to a separate environmental review, and measures to mitigate any impacts would be presented, if warranted. However, new hotel construction that occurs after the residential development goal is met could proceed as-of-right under the Special District text of the Proposed Action, and such development could potentially result in unavoidable significant adverse traffic impacts.

L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

There are a number of resources, both natural and built, that would be expended in the construction and operation of the development expected to result from the Proposed Action. These resources include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the project-generated development; and the human effort (time and labor) required to develop, construct, and operate various components of the project-generated development. They are considered irretrievably committed because their reuse for some purpose other than the project-generated development would be highly unlikely. The development of various sites within the Rezoning Area with new mixed-use development, including a new 444-seat school, constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. These commitments of resources and materials are weighed against the Proposed Action's goals of activating the Rezoning Area by permitting mixed-use development, including new affordable housing, while preserving the area's commercial base and existing built character. Furthermore, by introducing a

limited residential population and creating a demand for retail uses, the Proposed Action seeks to attract and retain commercial tenants that will contribute to the city's economy for decades to come.

M. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION

The term "growth-inducing aspects" generally refers to the potential for a proposed action to trigger additional development in areas outside of the project site (i.e., directly affected area) that would not experience such development without the proposed action. The *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the action:

- Adds substantial new land use, new residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or
- Introduces or greatly expands infrastructure capacity.

The purpose of the Proposed Action is to activate and enhance the Rezoning Area by permitting mixed-use development while preserving the area's commercial base and existing built character. The Proposed Action would allow for carefully controlled residential development, including new affordable housing, while protecting and strengthening the neighborhood's current commercial uses, and is expected to result in new development—including new construction, residential enlargements and/or conversion of existing buildings—on sites throughout the Rezoning Area.

As discussed above, there were two reasonable worst-case development scenarios developed to assess the possible short- and long-term effects of the Proposed Action. RWCDS 1 identifies a net increase of up to 3,323 dwelling units (including 679 affordable units); 99,086 gsf of retail use; 139,583 gsf of office use; 75,000 gsf of community facility (school) use; and 526 accessory parking spaces through the 2022 analysis year, as well as a net reduction of 739,170 gsf hotel use (approximately 1,126 hotel rooms); 382,010 gsf other commercial space (including loft and storage space); and 63 public parking spaces on 22 projected development and enlargement sites, as compared to the future without the Proposed Action (the No-Action condition).[4] There are also 17 potential development and enlargement sites on which growth could occur. The environmental consequences of this growth are the subject of this EIS.

It is anticipated that the consumer needs of the new residential and worker populations would largely be satisfied by the new neighborhood-scale ground-floor retail uses that are expected to be developed as a result of the Proposed Action. The Proposed Action is not expected to induce additional notable growth outside of Rezoning Area. The neighborhoods surrounding the Rezoning Area consist of thriving mixed-use neighborhoods, and many new residential projects are anticipated or under construction. This residential growth is anticipated to occur independent of the Proposed Action, and the new uses introduced by the Proposed Action would not trigger additional residential development outside of the Rezoning Area. The infrastructure in the study area is sufficiently well-developed and the Proposed Action would not result in a substantial expansion to infrastructure capacity in the surrounding area.

[4] Under RWCDS 2, it is assumed that two projected development sites would be developed with community facility uses with sleeping accommodations (i.e., dormitories) rather than residential buildings as projected in RWCDS 1. Thus, under RWCDS 2, a net increase of 2,977 dwelling units (including 598 affordable units); 254,896 gsf of dormitory use (approximately 773 dormitory beds); and 456 accessory parking spaces could result from the Proposed Action. The net increases and reductions associated with other uses would be the same as under RWCDS 1.

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