NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Anita Laremont, *Director*
Department of City Planning

NYC Department of City Planning – Manhattan Office
c/o Edith Hsu-Chen
120 Broadway, 31st Floor
New York, NY 10271

| | |
|---|---|
| **Re:** | **SoHo/NoHo Neighborhood Plan** |
| CEQR No. | 21DCP059M |
| ULURP No(s). | C 210422ZMM, N 210423ZRM |
| SEQRA Classification: | Type I |
| Manhattan Community District: | MN02 |

Dear Edith Hsu-Chen,

Under City Environmental Quality Review, the lead agency is required to determine whether a proposed action may have a significant adverse impact on the environment. In accordance with this regulation, the City Planning Commission has determined that the proposed action would not have a significant adverse impact on the environment.

Enclosed is the Technical Memorandum for CEQR No. 21DCP059M, SoHo/NoHo Neighborhood Plan, in connection with the modifications being considered by City Council. The Technical Memorandum analyzes whether the proposed modifications would result in any significant adverse environmental impacts not already identified in the Final Environmental Impact Statement (FEIS) for the proposed actions. The Technical Memorandum concludes that the proposed modifications would not result in any significant adverse environmental impacts not already identified in the FEIS for the proposed actions, and was issued on December 14, 2021.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

December 14, 2021
Date

cc: Project File
Anita Laremont, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Gale Brewer, Manhattan Borough President
Manhattan Community Board MN02

# TECHNICAL MEMORANDUM 1
# POTENTIAL CITY COUNCIL MODIFICATIONS
# SoHo/NoHo NEIGHBORHOOD REZONING AND RELATED ACTIONS

## CEQR No. 21DCP059M
## ULURP Nos.: C 210422 ZMM and N 210423 ZRM
## December 14, 2021

## A. INTRODUCTION

The New York City Department of City Planning (DCP) is proposing zoning map and zoning text amendments (the "Proposed Actions") that would apply to an approximately 56-block, 146-acre area (the "Project Area") of the SoHo and NoHo neighborhoods of Manhattan, Community District 2. The Proposed Actions would establish the Special SoHo/NoHo Mixed-Use District (SNX) and are intended to create opportunities for new housing, including affordable housing, better reflect existing built conditions, strengthen the mixed-use character of the neighborhoods, including office and retail uses, and celebrate the unique architectural and creative legacies of SoHo and NoHo. The Proposed Actions were developed in response to neighborhood-wide planning challenges brought about by changing economic and demographic trends and informed by local and citywide stakeholders during the Envision SoHo/NoHo process, a public engagement initiative undertaken in 2019 by the Manhattan Borough President, the Council Member for City Council District 1, and DCP.

The Draft Environmental Impact Statement (DEIS) for the Proposed Actions was accepted as complete on May 17, 2021 by DCP, acting on behalf of the City Planning Commission (CPC) as lead agency. A public hearing on the DEIS was held on September 2, 2021, in conjunction with CPC's citywide public hearing pursuant to the Uniform Land Use Review Procedure (ULURP), and written comments on the DEIS were accepted until September 13, 2021. The Notice of Completion for the Final Environmental Impact Statement (FEIS) was issued on October 8, 2021 (CEQR No. 21DCP059M). The FEIS incorporated responses to the public comments received on the DEIS and additional analyses conducted after the completion of the DEIS.

The FEIS included a new alternative that analyzed potential modifications to the Proposed Actions that were under consideration by CPC in response to public comments. The new alternative, identified as the "CPC Modifications Alternative," analyzed modifications to the Proposed Actions that would lower the commercial density in Opportunity Areas 2 and 3 ("OA-2" and "OA-3," respectively) and require a CPC Chairperson Certification pertaining to additional review of a loading plan for Use Group (UG) 10A (Large Retail and Service Establishments) over 25,000 square feet (sf). The assessment contained in the CPC Modifications Alternative demonstrated that the CPC modifications would not result in any new or different significant adverse impacts not already identified in the FEIS. CPC voted to approve the Proposed Actions (with the modifications considered in the new alternative) on October 20, 2021 (the "Approved Actions") and referred the application to the City Council.

Since CPC's adoption of the Approved Actions, potential modifications have been identified as under consideration by the City Council. The potential City Council modifications (the "Potential Modifications") are summarized below. This technical memorandum examines whether the Potential Modifications would result in any new or different significant adverse environmental impacts not already identified in the FEIS as pertains to the Approved Actions. As set forth below, this technical memorandum concludes that the Potential Modifications by the City Council would not result in any new or greater significant adverse impacts not already identified in the FEIS.

# B. DESCRIPTION OF THE POTENTIAL MODIFICATIONS

## INTRODUCTION

The Potential Modifications would modify zoning map amendment (C 210422 ZMM) and zoning text amendment (N 210423 ZRM). The modifications would result in changes to the underlying proposed zoning districts within the SNX and the proposed zoning text that would establish the SNX and a Mandatory Inclusionary Housing (MIH) Area. The Potential Modifications would adjust the permitted uses in the SNX and reduce the densities and the maximum allowable building heights and base heights in certain subareas The potential modification to the proposed establishment of an MIH Area would strike MIH Option 2 (MIH Option 1 would remain). Additional details on the proposed map and text modifications are provided below.

## ZONING MAP AMENDMENTS

The Potential Modifications would change some of the underlying zoning districts in the SNX to lower density districts with lower height requirements. In addition to the M1-5/R7X, M1-5/R9X, and M1-6/R10 districts proposed under the Approved Actions, the Potential Modifications would map M1-5/R7D, M1-5/R9A, and M1-5/R10 districts (see **Table 1**). Similar to the zoning districts proposed under the Approved Actions, the zoning districts under the Potential Modifications would continue to respond to the varied mix of uses and bulk context within the Project Area.

The Potential Modifications would retain the SNX boundaries, which would continue to be coterminous with the Project Area; however, the boundaries of some of the underlying districts would be modified, as described below. The SNX would continue to modify certain aspects of the underlying use and bulk regulations, as well as establish special provisions for conversions, urban design, arts and culture and affordable housing. The zoning under the Potential Modifications is described by the subareas defined in the FEIS.

*OPPORTUNITY AREA 1 SUBAREA*

The Opportunity Area 1 (OA-1) subarea is generally bounded by Sixth Avenue and Thompson Street to the west, Watts and Broome Streets to the north, West Broadway to the east, and Canal Street to the south. The M1-6/R10 district would be retained in the portion of the subarea bounded by Watts Street, Thompson Street, Grand Street, and Sixth Avenue. The M1-6/R10 district would continue to permit a floor area ratio (FAR) of 12.0 for residential uses with MIH, 10.0 FAR for commercial uses, and 6.5 FAR for community facilities. The maximum permitted height of 275 feet, with a base height range of 125 feet to 155 feet, would be retained with the Potential Modifications.

**Table 1**
**Summary of Use and Density Regulations with the Potential Modifications**

| | **Broadway – Houston Street Subarea*** | | **Canal Street Subarea** | **SoHo Historic Core Subareas** | **NoHo Historic Core Subarea**** | **OA-1 Subarea** | **OA-2 Subarea***** | **OA-3 Subarea****** |
|---|---|---|---|---|---|---|---|---|
| *Approved Actions* | M1-5*/R9X<br><br>6 FAR for commercial/ manufacturing<br><br>9.7 FAR for residential with MIH<br><br>6.5 FAR for community facility | | M1-5/R9X<br><br>5 FAR for commercial/ manufacturing<br><br>9.7 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-5/R7X<br><br>5 FAR for commercial/ manufacturing<br><br>6 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-5/R7X<br><br>5 FAR for commercial/ manufacturing<br><br>6 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-6/R10<br><br>10 FAR for commercial/ manufacturing<br><br>12 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-6/R10<br><br>10 FAR for commercial/ manufacturing<br><br>12 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-6/R10<br><br>10 FAR for commercial/ manufacturing<br><br>12 FAR for residential with MIH<br><br>6.5 FAR for community facility |
| *Potential Modifications* | M1-5/R9A **(North of Houston Street)**<br><br>5 FAR for commercial/ manufacturing<br><br>8.5 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-5/R9X **(South of Houston Street)*****<br><br>5 FAR for commercial/ manufacturing<br><br>9.7 FAR for residential with MIH<br><br>6.5 FAR for community facility | No Change | M1-5/R7D **(2 Blocks within Eastern Side of SoHo Core)**<br><br>5 FAR for commercial/ manufacturing<br><br>5.6 FAR for residential with MIH<br><br>6.5 FAR for community facility | No Change (Zoning extended north to cover p/o two blocks) | M1-5/R10******<br><br>5 FAR for commercial/ manufacturing<br><br>12 FAR for residential with MIH<br><br>6.5 FAR for community facility | M1-5/R10<br><br>5 FAR for commercial/ manufacturing<br><br>12 FAR for residential with MIH<br><br>6.5 FAR for community facility | No Change |

**Notes:**
FAR = floor area ratio
* With the Potential Modifications, the area north of Houston Street would be rezoned M1-5/R9A while the area south of Houston Street would be rezoned M1-5/R9X.
** With the Potential Modifications, the NoHo Historic Core subarea would be extended north, up until Stable Court, bounded by the midblock between Bowery and Lafayette Streets.
*** Under the prior CPC Modifications, the OA-2 subarea was proposed to be rezoned to M1-6/R10, with a reduction in commercial FAR from 10 FAR to 8 FAR. This has been superseded by the M1-5/R10 zoning with the Potential Modifications.
**** Under the prior CPC Modifications, the commercial FAR in the OA-3 subarea was reduced from 10 FAR to 7 FAR.
***** M1-5/R9X would also be mapped on the southwestern quarter of the block bounded by Great Jones Street, Lafayette Street, East 4th Street, and the Bowery.
****** The block bounded by Watts Street, Sixth Avenue, Grand Street, and Thompson Street would remain mapped as M1-6/R10.

The Potential Modifications would map an M1-5/R10 district in the remaining portion of the subarea that would permit a maximum FAR of 12.0 for residential uses with MIH, a reduction in the maximum FAR for commercial uses (reduced from 10.0 FAR with the Approved Actions to 5.0 FAR with the Potential Modifications), and 6.5 FAR for community facility uses. The maximum permitted height of 275 feet, with base heights ranging between 125 feet and 155 feet, would remain unchanged.

*OPPORTUNITY AREA 2 SUBAREA*

The Opportunity Area 2 (OA-2) subarea is generally bounded by Lafayette Street to the west, Grand Street to the north, Baxter Street to the east, and Canal Street to the south. Under the Potential Modifications, the zoning in OA-2 would be changed from an M1-6/R10 district to an M1-5/R10 district. The proposed M1-5/R10 district would continue to permit a maximum FAR of 12.0 for residential use with MIH and 6.5 FAR for community facility uses, but would reduce the maximum FAR for commercial uses (from 8.0 FAR with the Approved Actions to 5.0 FAR with the Potential Modifications). The maximum permitted height of 275 feet, with base heights ranging between 125 feet and 155 feet, would remain unchanged.

*OPPORTUNITY AREA 3 SUBAREA*

Opportunity Area 3 (OA-3) subarea is generally located along the west side of the Bowery and Cooper Square between East 3rd and East 7th Streets. There are no Potential Modifications in this subarea. Like the Approved Actions, the zoning proposed in the subarea under the Potential Modifications would be an M1-6/R10 district. The M1-6/R10 district in the OA-3 subarea would permit a maximum FAR of 12.0 for residential uses with MIH, 7.0 FAR for commercial uses, and 6.5 FAR for community facility uses. The maximum permitted height of 275 feet, with base heights ranging between 125 feet and 155 feet, would be retained.

*CANAL STREET SUBAREA*

The Canal Street subarea is generally bounded by West Broadway to the west, Howard Street to the north, Lafayette Street to the east, and Canal Street to the south. The Potential Modifications would not change the zoning in the Canal Street subarea as compared to the Approved Actions. The zoning proposed to be mapped in the subarea would continue to be an M1-5/R9X district, which would permit a maximum FAR of 9.7 for residential uses with MIH, 5.0 FAR for commercial uses, and 6.5 FAR for community facility uses. The maximum permitted height of 205 feet, with base heights ranging between 85 feet and 45 feet, would be retained.

*BROADWAY AND HOUSTON STREET SUBAREA*

The Broadway and Houston Street subarea is generally bounded by Astor Place and Fourth Avenue to the north, Crosby Street to the east, Mercer Street to the west, and Howard Street to the south. The Potential Modifications would change the proposed zoning in most of the subarea located north of Houston Street. The M1-5/R9X district proposed under the Approved Actions for a portion of the block north of Great Jones Street and east of Lafayette Street would be retained, as it would in the subarea south of Houston Street. The M1-5/R9X district would allow a maximum FAR of 9.7 for residential use with MIH, 5.0 FAR for commercial uses[1], and 6.5 FAR for community facility uses. In much of the M1-5/R9X district, the maximum permitted height of 205 feet, with a base height ranging between 85 feet and 145 feet, would be retained. However, in the portion of the block at the northeast corner of Great Jones and Lafayette Streets, the maximum permitted height would be reduced from 205 feet to 195 feet. The range of allowable base heights would be reduced from 85 feet and 145 feet under the Approved Actions to 60 feet and 145 feet with the Potential Modifications.

In the remaining portion of the subarea north of Houston Street, the Potential Modifications would map an M1-5/R9A district that would permit a maximum FAR of 8.5 for residential use with MIH, 5.0 FAR for commercial uses, and 6.5 FAR for community facility uses, the maximum permitted height would be reduced from 205 feet to 175 feet, and the base heights would be reduced from 85 feet and 145 feet under the Approved Actions to 60 feet and 125 feet with the Potential Modifications. Additionally, the portion of the subarea north of Houston Street would be reduced in size—portions of two blocks generally between the Bowery and Great Jones, Lafayette, and East 5th Streets would be removed from the Broadway and Houston Street subarea and included in the NoHo Historic Core subarea (see discussion below).

[1] The Approved Actions in the FEIS contained a modified M1-5*/R9X in the Broadway and Houston Street subarea with a commercial floor area ratio (FAR) of 6.0. The Proposed Modifications would maintain M1-5/R9X with a reduced FAR of 5.0 for commercial uses.

*SOHO HISTORIC CORE SUBAREA*

The SoHo Historic Core subarea is bisected by Broadway and the Broadway-Houston Street subarea. The portion located west of Broadway is generally bounded by Thompson Street/West Broadway to the west, Houston Street to the north, Mercer Street to the east, and Grand Street to the south. East of Broadway, the subarea is generally bounded by Crosby Street to the west, Prince and Jersey Streets to the north, Mulberry and Lafayette Streets to the east, and Howard Street to the south. The Potential Modifications would not change the zoning in the portions of the subarea west of Mercer Street, a portion of the block east of Lafayette and north of Prince Streets, and the blocks east of Crosby and south of Broome Streets, including the proposed M1-5/R7X district with a maximum FAR of 6.0 for residential uses with MIH, 5.0 FAR for commercial uses, and 6.5 FAR for community facility uses. The maximum permitted height of 145 feet, with base heights ranging between 60 feet and 105 feet, would also remain.

The Potential Modifications would change underlying zoning in the balance of the subarea generally east of Crosby Street and north of Broome Street to an M1-5/R7D district, which would allow a maximum FAR of 5.6 for residential uses with MIH, 5.0 FAR for commercial uses, and 6.5 FAR for community facility uses. The maximum permitted height would be reduced from 145 feet to 115 feet while the allowable base heights ranging between 60 feet and 105 feet would be retained.

*NOHO HISTORIC CORE SUBAREA*

The NoHo Historic Core subarea is generally bounded by the Bowery to the east, Bleecker Street to the south, Lafayette Street to the west. The Potential Modifications would extend the northernmost boundary of the NoHo Historic Core subarea approximately two blocks to the north to encompass portions of the blocks west of the Bowery generally between Great Jones, Lafayette, and East 5th Streets. Under the Approved Actions, the affected blocks were part of the Broadway and Houston Street subarea. The Potential Modifications would not change the zoning proposed in the subarea as compared to the Approved Actions. The proposed M1-5/R7X district would remain unchanged, and as noted above, would be extended to two partial blocks north of Great Jones Street. The proposed M1-5/R7X would permit a maximum FAR of 6.0 for residential use with MIH, 5.0 FAR for commercial uses, and 6.5 FAR for community facility uses. The maximum permitted height of 145 feet, with base heights ranging between 60 feet and 105 feet, would be retained. In the newly extended portion of the NoHo Historic Core subarea, as compared with the previous M1-5*/R9X district, the maximum height would be substantially reduced from 205 feet, as would the allowable base heights, which ranged between 85 feet and 145 feet in this area under the Approved Actions.

*PROPOSED SPECIAL SOHO/NOHO MIXED-USE DISTRICT (SNX)*

With the Potential Modifications, the proposed SNX would continue to be mapped over the entire Project Area, encompassing 56 blocks, to establish special use and bulk regulations to address SoHo/NoHo's unique history, building typology, and the existing and anticipated mix of uses, and to support the planning goals detailed in the FEIS. The SNX and proposed zoning districts, as modified with the Potential Modifications, are shown in **Figure 1**.

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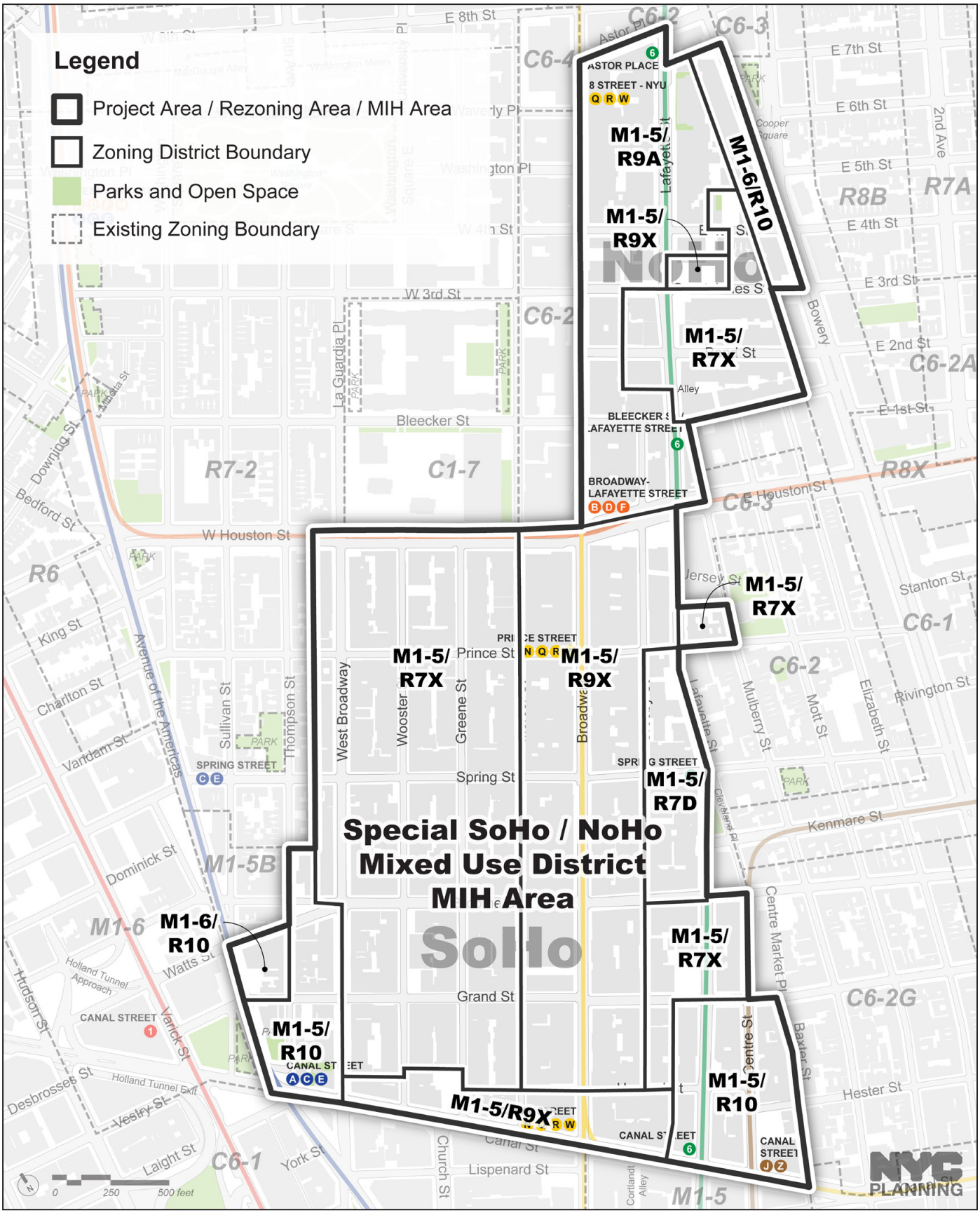


Proposed Zoning Map Changes with the Potential Modifications

## ZONING TEXT AMENDMENTS

*FLOOR AREA, HEIGHT, AND BULK REGULATIONS*

The Potential Modifications would decrease the allowable density in certain proposed underlying zoning districts shown in **Table 1**. The Potential Modifications would reduce the maximum allowable building heights in the proposed M1-5/R7D and M1-5/R9A districts. Maximum allowable building heights would also be reduced by up to 60 feet (see **Table 2**).

**Table 2**
**Maximum Building Heights and Base Heights with the Potential Modifications**

| | **Broadway – Houston Street Subarea*** | | | **Canal Street Subarea** | **SoHo Historic Core Subarea** | **NoHo Historic Core Subarea*** | **OA-1, OA-2, and OA-3 Subareas** |
|---|---|---|---|---|---|---|---|
| *Approved Actions* | 205 feet (Max)<br>85 feet - 145 feet (Base | | | 205 feet (Max.)<br>85 feet -145 feet (Base) | 145 feet (Max.)<br>60 feet – 105 feet (Base) | 145 feet (Max.)<br>60 feet – 105 feet (Base) | 275 feet (Max.)<br>125 feet – 155 feet (Base) |
| *Potential Modifications* | Area North of Houston Street (excluding p/o the block at the NE corner of Great Jones and Lafayette Streets)<br>175 feet (Max.)<br>60 feet – 125 feet (Base) | South of Houston Street<br>205 feet (Max.)<br>85 feet - 145 feet (Base) | Portion of the Block at the NE corner of Great Jones and Lafayette Streets<br>195 feet (Max.)<br>60 feet – 145 feet (Base) | 205 feet (Max.)<br>85 feet – 145 feet (Base) | Two Blocks within Eastern Side of SoHo Core<br>115 feet (Max.)<br>60 feet – 105 feet (Base) | 145 feet (Max.)<br>60 feet - 105 feet (Base) | 275 feet (Max.)<br>125 feet – 155 feet (Base) |

**Notes:**
* With the Potential Modifications, the M1-5/R9X district mapped on the southwestern quarter of the block bounded by Great Jones Street, Lafayette Street, East 4th Street, and the Bowery would have a maximum height of 195 feet.
** With the Potential Modifications, a portion of the Broadway and Houston Street subarea (with a height of 205 feet with the Approved Actions), would be integrated into the NoHo Historic Core subarea (for a maximum height reduction of 60 feet).

*NON-RESIDENTIAL FLOOR AREA RETENTION FOR QUALIFYING BUILDINGS*

Under the Approved Actions, for redevelopments, enlargements, and conversions of existing buildings containing at least 60,000 sf of floor area and in which at least 20 percent of the floor area was allocated to non-residential uses, new residential floor area would be permitted only upon certification by the CPC Chairperson that the amount of existing non-residential floor area would be retained 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 commercial (except hotels), community facility (except community facility uses with sleeping accommodations), warehouse, and light manufacturing (except Joint Live-Work Quarters for Artists [JLWQA]). Interim Multiple Dwellings (IMDs) and units currently undergoing residential legalization under the Loft Law would not be subject to the requirement.

With the Potential Modifications, a waiver through the existing Chairperson Certification would be created pursuant to ZR Section 143-14 "Non-Residential Retention for Qualifying Buildings."

An exemption of the non-residential floor area retention requirement would be allowed for buildings that provide 100 percent income-restricted residential units by Chairperson Certification.

*SOHO/NOHO ARTS FUND REPORTING*

The Approved Actions include the establishment of an Arts Fund where the SNX would allow for the conversion from Use Group 17D JLWQA to Use Group 2 residential use by requiring a onetime contribution to an Arts Fund that would be administered by the New York City Department of Cultural Affairs (DCLA) or a non-profit entity designated by the City. Such contribution would be authorized by a newly created CPC Chairperson Certification. The Arts Fund would provide resources for the arts and promote the public presence of the arts in SoHo/NoHo and the surrounding Lower Manhattan neighborhoods.

With the Potential Modifications, an annual reporting requirement by the Department of Cultural Affairs on the Arts Fund would be added pursuant to ZR Section 143-02 "Definitions SoHo-NoHo Arts Fund."

*RESTRICTIONS ON EATING AND DRINKING ESTABLISHMENTS*

Under the Approved Actions, the 5,000-sf restriction on eating and drinking establishments was eliminated. The Potential Modifications would reimpose restrictions on eating and drinking establishments (Use Groups 6A, 6C, 10A, or 12A) to allow no more than 8,500 sf per establishment.

*RESTRICTIONS ON COLLEGES AND UNIVERSITIES*

The Potential Modifications would not allow colleges or universities (Use Group 3A) to locate within the SNX, including professional schools; however, business colleges or trade schools, college or school student dormitories, and fraternity or sorority student houses would be permitted. Such uses were permitted under the Approved Actions.

*RESTRICTIONS ON LARGE RETAIL*

Under the Approved Actions, a Chairperson Certification for large retail and service establishments (Use Group 10A) was required for establishments with more than 25,000 sf of floor area. The Approved Actions also required the submission of a loading plan to be reviewed in consultation with the New York City Department of Transportation (DOT) with findings related to loading needs and the public realm. The Potential Modifications would eliminate the Chairperson Certification and allow all Use Group 10A uses on an as-of-right basis provided that retail uses do not exceed the following size limitations:

- For establishments with a primary entrance along a wide street, 25,000 sf of floor area per establishment; and
- For all other establishments, 10,000 sf of floor area per establishment.

The Potential Modifications would retain the existing special permit to allow Use Group 10A retail in excess of 25,000 sf, pursuant to Section 143-31.

## C. REASONABLE WORST-CASE DEVELOPMENT SCENARIO

The Potential Modifications would result in changes to the Reasonable Worst-Case Development Scenario (RWCDS) presented in the FEIS used to assess the Approved Actions. Accordingly, a modified With Action condition was established (referred to as the "Modified With Action

condition"). Development under the Potential Modifications would occur on the same 84 development sites (26 projected and 58 potential) as identified for the Approved Actions. Of these, the Potential Modifications would affect six projected development sites and nine potential development sites that would decrease residential density and height, resulting in 22 fewer DUs and height reductions from 10 to 30 feet.

The program changes under the Potential Modifications are summarized in **Table 3**, and specific changes at the affected sites are shown in **Table 4**. Under the Potential Modifications, the total development on the 26 projected development sites would not significantly change as compared with the Approved Actions.

**Table 3**
**Incremental Difference Between Approved Actions and Potential Modifications**

| Use | Approved Actions | Potential Modifications | Difference |
|---|---|---|---|
| Commercial (gsf) | 346,495 | 346,495 | 0 |
| Community Facility (gsf) | 20,778 | 20,778 | 0 |
| Industrial (gsf) | (20,544) | (20,544) | 0 |
| Total Residential Dwelling Units (DUs) | 1,858 | 1,836 | (22) |
| Workers | 1,239 | 1,239 | 0 |
| Residents | 3,512 | 3,470 | (42) |

**Table 4**
**Modifications to Projected Development Sites**

| | Residential DU | | | Maximum Building Heights | | | Zoning | |
|---|---|---|---|---|---|---|---|---|
| Development Site | Approved Actions | Potential Modification | Increment | Approved Actions | Potential Modification | Building Height Increment | Approved Actions | Potential Modification |
| 2 | 212 | 212 | 0 | 185' | 185' | 0' | M1-5/*R9X | M1-5/R9X* |
| 3 | 31 | 27 | (4) | 115' | 105' | (10') | M1-5*/R9X | M1-5/R9A** |
| 12 | 44 | 31 | (13) | 205' | 175' | (30') | M1-5*/R9X | M1-5/R9A |
| 28 | 28 | 26 | (2) | 95' | 95' | 0 | M1-5/R7X | M1-5/R7D*** |
| 30 | 35 | 35 | 0 | 104' | 104' | 0 | M1-5*/R9X | M1-5/R9A |
| 31 | 42 | 39 | (3) | 115' | 115' | 0 | M1-5/R7X | M1-5/R7D |
| | | Total | (22) | | | | | |

**Notes:**
* In the M1-5/R9X district mapped along the block bounded by Great Jones Street, Lafayette Street, East 4th Street, and the Bowery, the maximum permitted height would be reduced from 205 feet to 195 feet.
** In the M1-5/R9A district, the maximum permitted height would be reduced from 205 feet to 175 feet.
*** In the M1-5/R7D district, the maximum permitted height would be reduced from 145 feet to 115 feet.

As described above, the Potential Modifications would affect the maximum building heights, base heights and residential floor area (DUs). Non-residential floor area would remain unchanged as compared to the Approved Actions. The Potential Modifications associated with use requirements would not affect the amount community facility and retail floor area assessed as part of the Approved Actions and would not result in any changes to the development program. The projected amount of large retail expected under the alternative would be the same amount expected under the Proposed Actions. The changes that comprise the Potential Modifications would not result in substantial changes to the RWCDS and would result in some minor reductions. The Potential Modifications would result in a height reduction of 30 feet in the M1-5/R9A and M1-5/R7D districts, a height reduction of 60 feet in the proposed M1-5/R7X portion of the NoHo Historic Core extension, and a height reduction of 10 feet in the proposed M1-5/R9X portion of the block bounded by Great Jones Street, Lafayette Street, East 4th Street, and the Bowery, while the

proposed building heights on the projected development sites would result in a height reduction of up to 30 feet (on Projected Development Site 12). The modifications to lower the maximum commercial floor area to 5.0 FAR throughout most of the SNX would not result in additional or different development. The reduction in residential densities would result in 22 fewer DUs, including five to seven fewer affordable DUs.

As detailed below, there would be no changes to the significant adverse impacts identified in the FEIS, nor would there be changes to the mitigation proposed to address the significant adverse impacts. The same (E) Designation requirements mapped in connection with **E-619** for hazardous materials and noise would apply with the Potential Modifications. Due to the height and density changes proposed under the Potential Modifications, the stationary source air quality requirements for some projected and potential development sites have been modified.

# D. ENVIRONMENTAL ASSESSMENT OF THE POTENTIAL MODIFICATIONS

## LAND USE, ZONING, AND PUBLIC POLICY

Like the Approved Actions, the Potential Modifications would not result in any significant adverse impacts and would generally result in the same effects to land use, zoning, and public policy. The Potential Modifications would not adversely affect surrounding land uses, nor would it generate land uses that would be incompatible with existing zoning and land uses. Furthermore, the Potential Modifications would not result in development that conflicts with adopted public policies. The Potential Modifications would generally result in the same mix of uses projected under the Approved Actions and would continue to provide opportunities for new housing, including substantial amounts of affordable housing, and create opportunities for new light industrial, commercial, arts-related, and community facility space. The slight decrease in residential floor area and units would be similar to uses projected throughout the Project Area, and would serve to strengthen the unique mix of uses found in SoHo and NoHo. Therefore, no significant adverse impacts to land use, zoning, or public policy are anticipated under the Potential Modifications.

## SOCIOECONOMIC CONDITIONS

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts due to changes in socioeconomic conditions. The Potential Modifications would result in the same effects as the Approved Actions with respect to direct residential and business displacement and, like the Approved Actions, would not adversely affect specific industries. The Potential Modifications would have virtually the same effects as the Approved Actions with respect to indirect residential and business displacement, as the Proposed Actions would introduce only 22 fewer DUs and would not change the amount of projected commercial development. The following summarizes the potential socioeconomic effects of the Potential Modifications.

### *DIRECT RESIDENTIAL DISPLACEMENT*

As with the Approved Actions, the Potential Modifications would not result in significant adverse impacts due to direct residential displacement. The Potential Modifications would result in the same amount of direct residential displacement, because the number and location of projected development sites would not change. Like the Approved Actions, under the RWCDS the Proposed Actions could directly displace an estimated 60 residents living in 32 DUs by 2031. The DUs that

would be displaced are located on Projected Development Sites 1, 7, and 20.[2] Based on 2020 *City Environmental Quality Review (CEQR) Technical Manual* guidelines, this level of potential direct residential displacement would not substantially alter the socioeconomic character of the neighborhood.

*INDIRECT RESIDENTIAL DISPLACEMENT*

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts due to indirect residential displacement. The Potential Modifications would introduce approximately 22 fewer DUs than the Approved Actions (1,836 DUs, as compared to 1,858 DUs with the Approved Actions), with the amount of affordable housing also being reduced in proportion to the selected MIH Option. As such, the slightly smaller population introduced under the Potential Modifications would have the same proportion of affordable units, and the same average household income as the population introduced by the Approved Actions.

As stated in the FEIS, most neighborhoods within the study area would have higher incomes than the population introduced by the Approved Actions, with the exception of two "Subareas" defined for the purposes of the socioeconomic conditions analyses: Subarea A,[3] roughly bounded by the Bowery to the west, Rivington Street to the south, First Avenue to the east, and East 9th and East 14th Streets to the north; and Subarea B[4], roughly bounded by the Bowery to the east, the Brooklyn Bridge approach to the south, Centre Street to the west, and East Houston Street to the north. These subareas have lower average household incomes than other parts of the study area.

The analysis of these Subareas found that while the Approved Actions would add a new higher-income population within or adjacent to Subareas A and B, the mixed-income composition of the new population would not cause substantial changes in the real estate market that would lead to significant indirect displacement of vulnerable renters in unprotected units. As detailed in the FEIS, the Subareas already are unaffordable to low-income households. Given the high rental housing costs, it is expected that most low-income renters in the subareas reside in protected rental units and would not be vulnerable to indirect residential displacement as a result of the Approved Actions. The Potential Modifications would not change the number of residential units introduced to Subarea A, and would reduce by 3 DUs (from 332 to 329 DUs) the number introduced in Subarea B. With the Potential Modifications, the incremental population within Subarea B is slightly reduced and therefore would have slightly less potential to alter demographics of the subarea populations. However, the Potential Modifications would introduce fewer affordable housing units, reducing opportunities for low-income households within the study area.

*DIRECT BUSINESS DISPLACEMENT*

As with the Approved Actions, the Potential Modifications would not result in significant adverse impacts due to direct business displacement. Projected development under the Potential Modifications would result in the same amount of direct business displacement: 57 businesses on projected development sites and an estimated 590 jobs associated with those businesses. The 57 businesses do not represent a majority of the study area businesses or employment for any given industry sector. While all businesses contribute to neighborhood character and provide value to

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[2] The addresses of the projected development sites that would experience direct residential displacement are as follows: Site 1: 350-352 Bowery, Site 7: 381-383 Canal Street, and Site 20: 356 West Broadway.

[3] Subarea A consists of Census Tracts 36.01, 26.02, 38, and 42.

[4] Subarea B consists of Census Tracts 29, 41, and 43.

the City's economy, there are alternative sources of goods, services, and employment provided within the socioeconomic study area. Therefore, the potential displacement of these businesses does not constitute a significant adverse impact on the socioeconomic conditions of the area as defined by CEQR. None of the potentially displaced businesses are within a category of business that is the subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect it. In addition, comparable services and employment opportunities to those provided by directly displaced retail businesses are expected as part of the development resulting from the Approved Actions. On the projected development sites, the Approved Actions would result in a net increase of 15,722 gross square feet (gsf) of neighborhood retail space, 21,348 gsf of destination retail space, and 33,608 gsf of supermarket space.

*INDIRECT BUSINESS DISPLACEMENT*

Similar to the Approved Actions, the Potential Modifications would not result in significant adverse impacts due to indirect business displacement. The Potential Modifications are expected to result the same amount of commercial space as the Approved Actions and only 22 fewer DUs. Neither the Approved Actions nor the Potential Modifications would introduce new economic activities to the projected development sites or to the study area, nor would they add to a concentration of a particular sector of the local economy enough to significantly alter or accelerate existing economic patterns.

Like the Approved Actions, the Potential Modifications would add substantial amounts of new housing for current and future residents. This would introduce a new residential population, but the demand for goods and services from existing residents has already established a strong commercial market such that the influence of new residents would not markedly increase commercial property values and rents throughout the study area. The SoHo/NoHo retail market is one of the most established and expensive retail markets in the City, and many retail businesses in the area tend to be flagship destination stores serving a regional trade area. In addition, the introduction of a new residential population would increase demand for the goods and services provided by existing businesses. Like the Approved Actions, the Potential Modifications would add an increment of 70,678 gsf of retail space (local and destination retail and supermarket). There is currently a trend of increasing development of retail space in the study area. The retail added under the RWCDS would not be enough to alter or accelerate ongoing trends.

As concluded for the Approved Actions, the Potential Modifications would not directly displace uses that provide substantial direct support for businesses in the area or that bring people into the area that form a substantial portion of the customer base for local businesses. Similar to the Approved Actions, the Potential Modifications would result in increasing economic activity as the new residents and workers would become new customers at many of the existing retail businesses in the Project Area and study area, and the mix of market-rate and affordable DUs resulting from the Potential Modifications would maintain a diverse customer base to shop at retail stores offering products at a range of price points.

*ADVERSE EFFECTS ON SPECIFIC INDUSTRIES*

Similar to the Approved Actions, the Potential Modifications would not result in significant adverse impacts on specific industries. The Potential Modifications would result in the same amount of direct business displacement. For existing customers of those directly displaced businesses, there are alternative and comparable sources of goods and services available within the study area, and there are no regulations or plans to preserve, enhance, or otherwise protect them. In terms of indirect business displacement, the Potential Modifications would result in the

same amount of commercial space, and only slightly less residential space. As concluded for the Approved Actions, the Potential Modifications would not significantly affect business conditions in any particular industry or category of business.

## COMMUNITY FACILITIES AND SERVICES

The Potential Modifications, like the Approved Actions, would not result in any significant adverse impacts to community facilities and services. As compared to the Approved Actions, the Potential Modifications would result in slightly less demand on schools, libraries, and publicly funded early childhood programs and would have similar findings. The effects of the Potential Modifications on community facilities and services are discussed below.

### *SCHOOLS*

As compared to the Approved Actions, the Potential Modifications would result in a decrease of 22 residential units across six of the projected development sites. Based on the *CEQR Technical Manual* student generation rates, with a total increment of approximately 1,804 DUs, the Potential Modifications would generate up to approximately 69 elementary students (as compared to 70 elementary students with the Approved Actions) and 20 intermediate students (same as with the Approved Actions). There are no changes to the number of proposed residential units located in Subdistrict 2/Community School District (CSD) 2. Therefore, there would be no changes in enrollment, capacity, available seats, or utilization for Subdistrict 2/CSD 2 as compared to the Approved Actions. The reduction in units would occur on sites located in Subdistrict 1/CSD 2. Due to this reduction of dwelling units, approximately 55 elementary students and 16 intermediate students would be introduced in Subdistrict 1/CSD 2 under the Potential Modifications, which is one less elementary student and the same number of intermediate students as the Approved Actions. Therefore, like the Approved Actions, the Potential Modifications would not result in a significant adverse impact to elementary or intermediate schools. Similar to the Approved Actions, the Potential Modifications would not warrant an analysis of high schools and there would be no potential for significant adverse impacts to high schools.

### *LIBRARIES*

The Potential Modifications would result in an increment of approximately 1,804 DUs over the No Action condition. Using an average household size of 1.89 persons (as was used for the FEIS analysis), the Potential Modifications would result in an increment of approximately 3,410 residents over the No Action condition, a reduction of 42 residents as compared to the Approved Actions' increment (3,452 residents). With this overall reduction in population, the branch libraries would serve fewer residents and the holdings per resident ratios would increase with the Potential Modifications. Similar to the Approved Actions, each of the libraries with catchment area population increases attributable to the Potential Modifications are below the 5 percent threshold where a noticeable change in delivery of library services could occur, and this is not considered a significant adverse impact on library services. Many of the residents in the catchment areas for each of the affected libraries also reside in the catchment areas for other nearby libraries. Additionally, residents in the study area would have access to the entire New York Public Library (NYPL) system through the interlibrary loan system and could have volumes delivered directly to their nearest library branch. Residents would also have access to libraries near their place of work. Furthermore, it is anticipated that the trend toward increased electronic research, the SimplyE mobile application, and the interlibrary loan system would make space for increased patron capacity and programs to serve a growth in population. Therefore, like the Approved Actions, the

Potential Modifications would not result in a noticeable change in the delivery of library services and there would be no significant adverse impacts related to library services.

*EARLY CHILDHOOD PROGRAMS*

The Potential Modifications would introduce an increment of approximately 361 affordable DUs as compared to the No Action condition, which is five fewer than under the Approved Actions. Based on the *CEQR Technical Manual* early childhood program multipliers, the Potential Modifications would result in approximately 41 children under the age of six who would be eligible for publicly funded early childhood programs, one less than in the Approved Actions. As noted in the FEIS, the *CEQR Technical Manual* guidelines indicate that a demand for slots greater than the remaining capacity of early childhood program facilities and an increase in demand of five percentage points of the study area capacity could result in a significant adverse impact. Like the Approved Actions, the overall utilization rate would remain above 100 percent with the Potential Modifications but would not result in an increase in utilization of more than five percentage points over the No Action Condition. Therefore, like the Approved Actions, the Potential Modifications would not result in a significant adverse impact to publicly funded early childhood program facilities.

**OPEN SPACE**

Like the Approved Actions, the Potential Modifications would result in an indirect significant adverse open space impact as well as significant adverse shadows impacts on three publicly accessible open space resources (Grand Canal Court, the Greenstreet next to Grand Canal Court, and Petrosino Square) and a planned open space on East 4th Street west of Bowery that will be developed in connection with a City infrastructure project. However, some impacts would be slightly reduced as a result of the Potential Modifications.

The Potential Modifications would result in 22 fewer DUs as compared to the Approved Actions, which would reduce the residential population from 3,452 residents under the Approved Actions to 3,410 residents under the Potential Modifications, and cause a slight increase in the projected open space ratios. With the Potential Modifications, the total, active, and passive open space ratios would be 0.567, 0.208, and 0.360 acres per 1,000 residents, respectively (the same as under the Approved Actions). The total, active, and passive open space ratios would be reduced by 1.99 percent, 1.98 percent, and 1.99 percent, respectively, under the Potential Modifications as compared to 2.00 percent, 2.03 percent, and 2.02 percent with the Approved Actions (see **Table 5**). However, the Potential Modifications would continue to result in an indirect significant adverse impact to open space due to the added residential demand placed on active and passive open space in an area that has limited available open space resources.

**Table 5**
**Open Space Ratio Comparison**

| | Approved Actions | | Potential Modifications | |
|---|---|---|---|---|
| Ratio | With Action Open Space Ratio | Percent Change No Action to With Action | With Action Open Space Ratio | Percent Change No Action to With Action |
| Total | 0.567 | -2.00% | 0.567 | -1.99% |
| Active | 0.208 | -2.03% | 0.208 | -1.98% |
| Passive | 0.360 | -2.02% | 0.360 | -1.99% |

Reduced heights on Potential Development Site GG under the Potential Modifications would also reduce the length and duration of new shadow cast on Petrosino Square. However, as with the

Approved Actions, the significant adverse shadow impact to this open space resource would remain under the Potential Modifications due to the length and duration of new shadow that would occur in all seasons.

## SHADOWS

The Potential Modifications, like the Approved Actions, would result in significant adverse shadow impacts to six resources in total: two neighborhood parks (Grand Canal Court and Petrosino Square), a future planned park (on East 4th Street between Lafayette Street and the Bowery), a Greenstreets widened sidewalk (adjacent to Grand Canal Court), and two historic properties (the Most Precious Blood Church and the Merchant's House Museum rear garden).

With the Modified With Action scenario, the significant adverse shadow impacts would be the same, in terms of extent and duration of new shadow, with regard to four of the six resources: Grand Canal Court, the Greenstreets area adjacent to Grand Canal Court, the future planned park on East 4th Street, and the Most Precious Blood Church. With regard to Petrosino Square and the rear garden of the Merchant's House Museum, the extent and duration of new shadow on these two resources would be reduced with the Modified With Action scenario, as detailed below, compared with the Approved Actions, but would still be substantial enough to be significant, similar to the Approved Actions.

*PETROSINO SQUARE*

With the Approved Actions, new shadow primarily from Projected Development Site 28 (and to a lesser extent from Potential Development Site GG) would cast new shadow on this park in the afternoon for between 2½ and 3½ hours in the late spring and summer months, and for nearly half of that period the new shadow would eliminate the remaining sunlit area on the north side of the park. With the Modified With Action scenario, the top floor of Projected Development Site 28 would be set back from the street and the park, rather than extending to the streetwall like in the Approved Actions, and Potential Development Site GG would be reduced by one story compared with the Approved Actions. With the Modified With Action scenario, project-generated shadow would enter the park 10 minutes later compared to the Approved Actions, and during the first half of the affected period, would be a little smaller than with the Approved Actions. The Modified With Action scenario would eliminate the remaining sun on Petrosino Square for approximately an hour, a slightly shorter duration compared to the Approved Actions, but still long enough to represent a significant loss of sunlight.

*MERCHANT'S HOUSE MUSEUM REAR GARDEN*

With the Approved Actions, the west-adjacent Potential Development Site J would cast new shadow on the museum's rear garden in the late morning and early afternoon throughout the year, for approximately an hour up to an hour 45 minutes depending on the season, eliminating the remaining sunlight for much of the total duration. With the Modified With Action scenario, Potential Development Site J would be reduced in height by five stories. However, this modification would not result in any change to incremental shadow on the garden in fall, winter, or early spring, and only minor changes in the late spring and summer. In the late spring and summer, the total duration of incremental shadow would be the same compared to the Approved Actions, but the shadow would be smaller during the course of the initial 45 minutes to an hour (about half the total duration) and would eliminate the remaining sun for less time (45 minutes instead of 55 minutes on May 6 and August 6 and 45 minutes instead of an hour 10 minutes on June 21). The new shadow resulting from the Potential Modifications would be reduced compared

to the Approved Actions but still substantial enough to cause a significant adverse shadow impact to the Museum's garden.

The Potential Modifications would result in similar shadow effects as compared to the Approved Actions and would not result in new or greater impacts than previously disclosed in the FEIS.

## HISTORIC AND CULTURAL RESOURCES

The Potential Modifications would result in the same significant adverse impacts as the Approved Actions, with the same direct and indirect effects on cultural and historic resources occurring under the Potential Modifications.

The Potential Modifications, like the Approved Actions, would result in the same significant adverse archaeology impact as a result of projected and potential development on the same sites that were determined to be archaeologically sensitive for resources associated with the 19th century occupation of the Project Area.

The Potential Modifications would reduce the allowable building heights on six projected and potential development sites that contain historic architectural resources and one potential development site located immediately adjacent to a historic architectural resource. With the Potential Modifications, the allowable building height would be reduced on one projected development site—Projected Development Site 12—which would be reduced by 30 feet (from 205 feet to 175 feet). The Potential Modifications would also reduce the allowable building heights on Potential Development Site H by 10 feet (from 100 feet to 90 feet); Potential Development Site HHH by 20 feet (from 155 feet to 135 feet); Potential Development Site BB by 30 feet (from 200 feet to 170 feet); Potential Development Site F by 30 feet (from 150 feet to 120 feet); and Potential Development Site EEE by 30 feet (from 195 feet to 165 feet). In addition, on Potential Development Site J, which is located adjacent to the Old Merchant's House (NHL, S/NR-listed, NYCL, NYCL Interior) at 29 East 4th Street, the allowable building height would be reduced by 50 feet (from 145 feet to 95 feet). In addition to overall building height reductions, the Potential Modifications would result in changes in massing and setbacks on Potential Development Sites A and E. The changes to these potential and projected development sites with the Potential Modifications, compared to the Approved Actions, would result in building heights and forms more consistent with the context of the historic districts where these sites are located. The historic resources affected by the Potential Modifications are located within New York City Historic Districts (NYCHDs). As with the Approved Actions, with the Potential Modifications, the changes to buildings in the NYCHDs and individually designated New York City Landmarks (NYCLs), would be subject to the Landmarks Preservation Commission's (LPC's) review and approval. The building heights and massings allowable with the Potential Modifications have been refined since the Approved Actions in consideration of the historic context of these sites. With the Potential Modifications, like with the Approved Actions, the building heights and massings would be further determined in a manner appropriate to the historic character of NYCHDs and NYCLs and the immediate context without the need for separate land use actions. The bulk regulations under the Potential Modifications, like with the Approved Actions, would allow LPC to refine base heights further to allow for improved cornice alignment for developments within NYCHDs. The Potential Modifications would not result in the demolition of any additional buildings in historic districts in the Project Area that were not already identified under the Approved Actions. The Potential Modifications would include contextual zoning for the Project Area that preserves the historic character and provides flexibility to shape building forms appropriate to the NYCHDs.

The Potential Modifications, like the Proposed Actions, could have the potential to result in indirect significant adverse impacts to the Old Merchant's House. However, in contrast to the Approved Actions that would allow for the development of an approximately 145-foot-tall building on Potential Development Site J that would be approximately 80 feet taller than the historic resource, with the Potential Modifications, an approximately 95-foot-tall building could be developed on Potential Development Site J adjacent to the Old Merchant's House. The approximately 50-foot-shorter building that could be developed on Potential Development J with the Potential Modifications would be more consistent with the height of the approximately 65-foot-tall Old Merchant's House. As with the Approved Actions, the development with the Potential Modifications would replace a vacant site that is out of context with the high-density NoHo neighborhood and the new development would not obstruct publicly accessible views of the resource's primary façade on East 4th Street. In contrast to the Approved Actions, with the Potential Modifications, the development on Site J would be similar in height to buildings in the immediate vicinity. It would not introduce a building type that is incompatible with the neighborhood, which is characterized by a mix of larger buildings, including historic lofts and modern mid-rise buildings. Like the Approved Actions, with the Potential Modifications, because the Old Merchant's House is located within 90 feet of Potential Development Site J, the protections of the New York City Department of Buildings' (DOB's) *Technical Policy and Procedure Notice (TPPN) #10/88* would apply and a Construction Protection Plan (CPP) would be prepared. With the protective measures of a CPP in place, no significant adverse construction-related impacts would affect this resource.

Other changes with the Potential Modifications would not result in physical changes to building heights and massings but would include zoning changes that would affect density and use, as detailed in Section B, "Description of the Potential Modifications." Those changes would not result in any new or different significant adverse impacts to historic architectural resources not already identified under the Approved Actions.

**URBAN DESIGN AND VISUAL RESOURCES**

The Potential Modifications, like the Approved Actions, would not result in any significant adverse impacts to urban design and visual resources. With the Potential Modifications, in the historic cores, nine development sites would experience height reductions ranging from 10 feet to 50 feet and changes in massing to be more contextual with nearby buildings in the historic core. Consistent with the Approved Actions, the Potential Modifications would also maintain existing density while allowing conversions of existing buildings to new uses and mixed-use infill developments. Because changes to buildings and new construction in the NYCHDs are subject to LPC's review and approval, the new building forms allowed by the Potential Modifications, like the Approved Actions, would be determined in a manner appropriate to the historic character of these areas and the immediate context without the need for separate land use actions. The bulk regulations with the Potential Modifications, like the Approved Actions, would allow LPC to refine base heights further to allow for improved cornice alignment for developments within New York City-designated historic districts.

Beyond the historic cores, the Potential Modifications, like the Approved Actions, would support housing production in areas that can accommodate the most density due to the width of adjacent streets and the varying building heights and forms that characterize the periphery of the primary study area. The maximum allowable building heights, base heights, and floor area for residential development would be reduced with the Potential Modifications, compared to the Approved Actions, as detailed in Section B, "Description of the Potential Modifications." These changes to

the maximum allowable built form would not result in any significant adverse impacts to urban design or visual resources as the Project Area and surrounding study area are characterized by mixed-use residential and commercial buildings that would enhance the pedestrian experience and contribute to the vibrant urban design character of the primary study area.

In OA-1, OA-2, and OA-3, with the Potential Modifications, certain zoning map changes would be made but would continue to allow for residential, commercial, and community facility uses consistent with the Approved Actions. The maximum permitted heights would remain the same as under the Approved Actions, allowing substantially taller buildings at the edges of the primary study area. Like the Approved Actions, the buildings that would be developed on the projected and potential development sites under the Potential Modifications would be consistent with the urban design of the study areas.

The Potential Modifications would lower the maximum commercial floor area to 5.0 FAR throughout most of the SNX; this change would not result in additional or different development compared to what was analyzed under the Approved Actions. The reductions in residential FAR with the Potential Modifications would not result in a substantial reduction in the development of residential units. Further, the reduction in maximum allowable building heights with the Potential Modifications would result in buildings with heights and massings somewhat more consistent with some existing buildings in the Project Area and surrounding area, including in the historic cores. Views along view corridors and views including visual resources would not be adversely affected by the changes in building heights and massings with the Potential Modifications.

**NATURAL RESOURCES**

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts to Natural Resources, as summarized below.

*FLOODPLAINS*

Because the floodplain within New York City is controlled by astronomic tide and meteorological forces (e.g., nor'easters and hurricanes) and not by fluvial flooding, the projected development sites would not have the potential to adversely affect the floodplain or result in increased coastal flooding within or adjacent to the study area. Like the Approved Actions, development on sites within the southwest portion of the Project Area, which is in the 1-percent annual chance (100-year) and 0.2-percent annual chance (500-year) floodplain, would be required to comply with *Appendix G Flood-Resistant Construction* to the New York City Building Code.

*GROUNDWATER*

The Potential Modifications, as with the Approved Actions, would not result in significant adverse impacts to groundwater resources. Measures would be implemented to address any contaminated or hazardous materials conditions at each projected and potential development site.

*TERRESTRIAL RESOURCES*

The study area is located within the urban landscape of the SoHo and NoHo neighborhoods of Manhattan. Vegetation is limited to disturbance tolerant plants, street trees, and the landscaping of urban parks and gardens. Any development associated with the Potential Modifications, as with the Approved Actions, would result in the disturbance of paved road/paths, mowed lawns with trees, flower/herb garden, and urban structure exterior habitats. These ecological communities provide limited wildlife habitat apart from common urban wildlife and the loss of this vegetation would not result in significant impacts to populations of these urban wildlife species. As with the

Approved Actions, any buildings developed under the Potential Modifications would also need to comply with New York City Building Code requirements for the use of "bird-friendly glass," and as such, would not increase the potential for daytime bird collisions.

## HAZARDOUS MATERIALS

The Potential Modifications would not result in significant adverse impacts associated with hazardous materials. The effects with the Potential Modifications would be the same as the Approved Actions. Like the Approved Actions, the same projected and potential development sites identified under the Potential Modifications would be mapped with (E) Designations to preclude exposure to hazardous materials. Testing and remedial measures, if warranted, would be required through (E) Designation E-619. With these requirements, the Potential Modifications, like the Approved Actions, would not result in significant adverse impacts related to hazardous materials.

## WATER AND SEWER INFRASTRUCTURE

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts. The Potential Modifications would place a similar amount of demand on the City's water supply and wastewater treatment systems as the Approved Actions, and the Potential Modifications would result in generally the same effects as the Approved Actions related to stormwater drainage and management.

### *WATER SUPPLY*

As compared to the Approved Actions, the projected development sites under the Potential Modifications are expected to generate less water demand: with the decrease in demand from residential space, overall water demand would decrease by approximately 7,500 gallons per day (gpd) as compared to the Approved Actions (which would result in net water demand of approximately 0.67 million gallons per day [mgd] compared with the No Action condition, as discussed in the FEIS). As with the Approved Actions, projected development under the Potential Modifications would generate incremental water demand of less than 1 mgd, which is below the level of significance per *CEQR Technical Manual* guidelines. Therefore, development under the Potential Modifications would not result in significant adverse impacts on the City's water supply system.

### *WASTEWATER TREATMENT*

Under the Potential Modifications, the projected development sites would result in a decrease in sanitary sewage generation of approximately 4,000 gpd as compared to the projected sanitary sewage generation of the Approved Actions, as discussed in the FEIS (a total of approximately 413,892 gpd of sanitary sewage, which represents an increase of approximately 0.36 mgd over the No Action condition). The decrease in sanitary sewage generation is the result of the decrease in generation from residential uses. As with the RWCDS analyzed for the Approved Actions, the incremental increase in sanitary sewage would represent a minor increase in flows to the Newtown Creek Wastewater Resource Recovery Facility (WWRF), and the WRRF would continue to have reserve capacity. Therefore, the demand associated with the Potential Modifications would be well within the capacity of the affected treatment plant, and, similar to the Approved Actions, the Potential Modifications would not result in a significant adverse impact to the City's wastewater treatment services.

*STORMWATER AND DRAINAGE MANAGEMENT*

The Potential Modifications would generally result in reduced building heights on some of the Projected Development Sites, however they would not affect the applicable lot coverage regulations. Therefore, the surface areas on the Projected Development Sites are expected to be similar to the surface areas presented in the Approved Actions, and as a result, stormwater flows to the sewer system would be similar. As noted above, the Potential Modifications would result in slightly less sanitary sewage generation on the projected development sites, therefore overall flows to the combined sewer system during storm events would be similar to or slightly less than the flows under the Approved Actions in the FEIS.

As discussed in the FEIS, with the additional development facilitated by the Proposed Actions, combined sewer overflow (CSO) volumes would decrease as compared with the No Action condition despite the increase to sanitary flows from new development. This reduction in CSO volumes is attributable to the on-site stormwater management volume requirements under the City's pending Unified Stormwater Rule, which increases the total volume of water that must be managed on-site with new and redeveloped properties in CSO drainage areas, as well as improvements in the design requirements and performance standards for on-site stormwater management practices that must be implemented. Similar to the Approved Actions, under the Potential Modifications, each projected development site, regardless of lot size, will trigger Chapter 31 of the proposed Unified Stormwater Rule and will be required to implement slow-release drainage controls to meet updated on-site release rate and volume requirements. This ensures that redeveloped properties manage more total stormwater and manage it more efficiently than under pre-development (No Action) conditions. Therefore, as with the Approved Actions, the Potential Modifications would not result in significant adverse impacts related to the City's wastewater conveyance and treatment systems.

**SOLID WASTE AND SANITATION SERVICES**

Significant adverse impacts would not occur under the Approved Actions or the Potential Modifications. The Potential Modifications would cause slightly less demand in the City's Solid Waste Sanitation services as compared to the Approved Actions. While solid waste generated by the projected development sites would increase under both the Approved Actions and the Potential Modifications, the Potential Modifications would generate a similar amount of solid waste (a difference of less than one ton of waste per week) as compared with the Approved Actions. Like the Approved Actions, this would not overburden available waste management capacity and would not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the solid waste management plan (SWMP). Therefore, no significant impacts related to solid waste generation and sanitation services are anticipated under the Potential Modifications.

**ENERGY**

Significant adverse impacts related to energy systems would not occur under the Approved Actions or the Potential Modifications. The Potential Modifications would place somewhat less demand on energy as compared to the Approved Actions because it would result in fewer DUs.

The Potential Modifications would result in a negligible decreased demand of energy per year as compared with the Approved Actions, which would introduce just over 200,000,000 million British thermal units (MBTUs) of energy per year as compared to the No Action condition. The Potential Modifications would generate an incremental increase in energy demand that would be minor when compared with the overall demand within Consolidated Edison's (Con Edison's) New

York City and Westchester County service area. Therefore, no significant adverse energy impacts would occur.

Any new development resulting from the Potential Modifications would be required to comply with the New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with this code, new development must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance.

## TRANSPORTATION

With the Potential Modifications, the number of action-generated vehicle, transit, and pedestrian trips and the demand for on-street and off-street parking would be generally comparable to, or less than, the numbers of trips and the parking demand that would be generated by the Approved Actions. Based on the trip generation assumptions detailed in Chapter 14, "Transportation," in the FEIS, the Potential Modifications would generate approximately 18, 10, and 20 fewer incremental person trips in the weekday AM, midday, and PM peak hours, respectively, and 16 fewer trips in the Saturday peak hour (see **Table 6**). Compared with the Approved Actions, this represents a decrease of one percent or less in project-generated person trips in each peak hour. This reduction in travel demand is expected to result in conditions generally comparable to or slightly better than those disclosed for the Approved Actions in the FEIS. Like the Approved Actions, it is anticipated that the Potential Modifications would continue to result in significant adverse subway station and pedestrian impacts. Neither the Approved Actions nor the Potential Modifications would result in significant adverse impacts to traffic, transit bus conditions or parking; however, parking shortfalls would potentially occur under both scenarios.

**Table 6**
**Comparison of Incremental Peak Hour Person Trips by Mode**
**Approved Actions vs. Potential Modifications**

| Scenario | Auto | Taxi | Subway | Bus | Walk/ Other | Total |
|---|---|---|---|---|---|---|
| **Weekday AM** | | | | | | |
| Approved Actions | 72 | 59 | 835 | 47 | 807 | 1,820 |
| Potential Modifications | 72 | 59 | 826 | 45 | 800 | 1,802 |
| ***Difference*** | ***0*** | ***0*** | ***(9)*** | ***(2)*** | ***(7)*** | ***(18)*** |
| **Weekday Midday** | | | | | | |
| Approved Actions | 78 | 43 | 581 | 59 | 679 | 1,440 |
| Potential Modifications | 78 | 43 | 573 | 59 | 677 | 1,430 |
| ***Difference*** | ***0*** | ***0*** | ***(8)*** | ***0*** | ***(2)*** | ***(10)*** |
| **Weekday PM** | | | | | | |
| Approved Actions | 113 | 76 | 978 | 75 | 1,190 | 2,432 |
| Potential Modifications | 111 | 75 | 967 | 75 | 1,184 | 2,412 |
| ***Difference*** | ***(2)*** | ***(1)*** | ***(11)*** | ***0*** | ***(6)*** | ***(20)*** |
| **Saturday** | | | | | | |
| Approved Actions | 137 | 93 | 924 | 102 | 1,276 | 2,532 |
| Potential Modifications | 136 | 91 | 917 | 102 | 1,270 | 2,516 |
| ***Difference*** | ***(1)*** | ***(2)*** | ***(7)*** | ***0*** | ***(6)*** | ***(16)*** |

*TRAFFIC*

As shown in **Table 7**, the Approved Actions would generate an estimated 160, 109, 186 and 190 incremental vehicle (auto, taxi and truck) trips in the weekday AM, midday and PM peak hours,

and Saturday peak hour, respectively. As discussed in Chapter 14, "Transportation," in the FEIS, no intersection in proximity to the Project Area is expected experience a net incremental increase of 50 or more trips in any peak hour. Therefore, significant adverse traffic impacts are not expected to occur under the Approved Actions, and a detailed traffic analysis is not warranted based on *CEQR Technical Manual* guidance.

**Table 7**
**Comparison of Incremental Peak Hour Vehicle Trips by Mode Approved Actions vs. Potential Modifications**

| Scenario | Auto | Taxi | Truck | Total |
|---|---|---|---|---|
| **Weekday AM** | | | | |
| Approved Actions | 60 | 92 | 8 | 160 |
| Potential Modifications | 60 | 92 | 8 | 160 |
| ***Net Difference*** | ***0*** | ***0*** | ***0*** | ***0*** |
| **Weekday Midday** | | | | |
| Approved Actions | 55 | 54 | 0 | 109 |
| Potential Modifications | 55 | 54 | 0 | 109 |
| ***Net Difference*** | ***0*** | ***0*** | ***0*** | ***0*** |
| **Weekday PM** | | | | |
| Approved Actions | 86 | 100 | 0 | 186 |
| Potential Modifications | 84 | 98 | 0 | 182 |
| ***Net Difference*** | ***(2)*** | ***(2)*** | ***0*** | ***(4)*** |
| **Saturday** | | | | |
| Approved Actions | 82 | 108 | 0 | 190 |
| Potential Modifications | 81 | 104 | 0 | 185 |
| ***Net Difference*** | ***(1)*** | ***(4)*** | ***0*** | ***(5)*** |

Compared with the Approved Actions, the Potential Modifications would generate the same number of incremental vehicle trips during the weekday AM and midday peak hours, four fewer trips (a 2.2 percent reduction) in the PM peak hour, and five fewer trips (a 2.6 percent reduction) in the Saturday peak hour (see **Table 7**). It is therefore anticipated that, like the Approved Actions, no intersection in proximity to the Project Area would experience a net incremental increase of 50 or more vehicle trips in any peak hour, and the Potential Modifications are not expected to result in significant adverse traffic impacts based on *CEQR Technical Manual* criteria.

*TRANSIT*

*Subway*

As presented in **Table 6**, compared with the Approved Actions, the Potential Modifications would generate approximately 9 fewer incremental subway trips during the analyzed weekday AM peak hour and 11 fewer in the weekday PM peak hour (an approximately 1.1 percent reduction in each period).

*Subway Stations*

**Table 8** presents a comparison of the number of subway trips (inbound and outbound combined) that would be generated by the Approved Actions and by the Potential Modifications at analyzed subway stations—the Canal Street (A/C/E) station and the Canal Street (J/N/Q/R/W/Z/6) station complex. As shown in **Table 8**, in both the AM and PM peak hour, the Potential Modifications would generate the same number of trips as the Approved Actions at both subway stations.

**Table 8**
**Comparison of Incremental Peak Hour Subway Trips**
**at Analyzed Subway Stations**
**Approved Actions vs. Potential Modifications**

| Scenario | Total Subway Trips | Canal Street (J,N,Q,R,W,Z,6) Station Complex | Canal Street (A,C,E) Station |
|---|---|---|---|
| **Weekday AM** | | | |
| Approved Actions | 835 | 301 | 182 |
| Potential Modifications | 826 | 301 | 182 |
| ***Net Difference*** | ***(9)*** | ***0*** | ***0*** |
| **Weekday PM** | | | |
| Approved Actions | 978 | 360 | 216 |
| Potential Modifications | 967 | 360 | 216 |
| ***Net Difference*** | ***(11)*** | ***0*** | ***0*** |

**Note:** Trips shown are inbound and outbound combined.

As discussed in Chapter 14, Transportation," in the FEIS, the Approved Actions would result in significant adverse AM and PM peak hour impacts to street stair S6/M8 at the Canal Street (A/C/E) subway station. As there would be no change in the number of peak hour trips at both analyzed subway stations, there would be no new significant adverse stair or fare array impacts with the Potential Modifications. However, the significant adverse AM and PM peak hour impacts to street stair S6/M8 at the Canal Street (A/C/E) station under the Approved Actions would remain under the Potential Modifications.

*Subway Line Haul*

The Project Area is served by 15 New York City Transit (NYCT) subway routes. These include the No. 1 train operating along the Broadway-Seventh Avenue Line; the No. 6 train operating along the Lexington Avenue Line; A, C, and E trains operating on the Eighth Avenue Line; B, D, F, and M trains operating on the Sixth Avenue Line; J and Z trains operating on the Nassau Street Line; and N, Q, R, and W trains operating on the Broadway Line. Under the Approved Actions, no subway route operating at or over capacity would experience an average incremental increase of five or more passengers/car (the *CEQR Technical Manual* impact threshold) in the peak direction through their maximum load points in either of the weekday AM and PM peak hours. Therefore, the Approved Actions are not expected to result in significant adverse subway line haul impacts.

As shown in **Table 6**, compared with the Approved Actions, the Potential Modifications would generate 9 and 11 fewer subway trips in the weekday AM and PM peak hours, respectively. Therefore, significant adverse impacts to subway line haul conditions are also not expected to occur with the Potential Modifications.

*Bus*

The Approved Actions are expected to generate 47 incremental trips by transit bus in the weekday AM peak hour and 75 trips in the PM peak hour. Approximately seven NYCT bus routes operate within ¼-mile of projected development sites (the M1, M15, M15 SBS, M20, M21, M55, and M103), and the number of incremental trips in one direction on any one of these routes is not expected to reach the 50-trip *CEQR Technical Manual* analysis threshold for a detailed bus analysis. Therefore, significant adverse impacts to bus conditions are not anticipated under the Approved Actions.

As shown in **Table 6**, compared with the Approved Actions, the Potential Modifications would generate two fewer bus trips in the AM peak hour and the same number of trips in the PM peak hour. Therefore, the Potential Modifications are also not expected to result in significant adverse impacts to bus conditions.

*PEDESTRIANS*

As presented in **Table 9**, it is estimated that the Approved Actions would generate approximately 1,761, 1,397, 2,356, and 2,439 incremental pedestrian trips (walk-only plus pedestrians en route to/from subway stations and bus stops) in the weekday AM, midday, and PM peak hours and the Saturday peak hour, respectively. Compared with the Approved Actions, the Potential Modifications are expected to generate 18, 10, 19, and 14 fewer incremental pedestrian trips in each of these peak hours, respectively, a decrease of one percent or less in each period.

**Table 9**
**Comparison of Incremental Peak Hour Pedestrian Trips Approved Actions vs. Potential Modifications**

| Scenario | Total |
|---|---|
| **Weekday AM** | |
| Approved Actions | 1,761 |
| Potential Modifications | 1,743 |
| ***Net Difference*** | ***(18)*** |
| **Weekday Midday** | |
| Approved Actions | 1,397 |
| Potential Modifications | 1,387 |
| ***Net Difference*** | ***(10)*** |
| **Weekday PM** | |
| Approved Actions | 2,356 |
| Potential Modifications | 2,337 |
| ***Net Difference*** | ***(19)*** |
| **Saturday** | |
| Approved Actions | 2,439 |
| Potential Modifications | 2,425 |
| ***Net Difference*** | ***(14)*** |
| **Note:** Includes walk-only trips and trips en route to/from area transit services. | |

As discussed in Chapter 14, "Transportation," in the FEIS, the Approved Actions would result in a significant adverse impact to one sidewalk—the north sidewalk on Canal Street between Lafayette and Centre Streets—during the Saturday peak hour. This impact would occur at a point where pedestrian flow is constrained by the presence of a subway station elevator within the sidewalk. There would be no significant impacts to any corner areas or crosswalks in any peak hour.

As the Potential Modifications would generate fewer pedestrian trips in each peak hour, they would not result in any new significant adverse pedestrian impacts. However, the significant adverse impact to the north sidewalk on Canal Street between Lafayette and Centre Streets in the Saturday peak hour under the Approved Actions would remain under the Potential Modifications.

*VEHICULAR AND PEDESTRIAN SAFETY EVALUATION*

A review of DOT crash data for the three-year reporting period between January 1, 2016, and December 31, 2018 identified four intersections along the Canal Street corridor as high-crash locations. Under both the Approved Actions and the Potential Modifications, additional improvements to increase pedestrian/cyclist safety at these high crash locations could include modifications to traffic signal timings and phasing, improved street lighting, installation of raised medians (to provide a pedestrian refuge), and expanded deployment of Traffic Enforcement Agents (TEAs).

*PARKING*

Compared with the Approved Actions, the reduction in the number of dwelling units under the Potential Modifications would result in less incremental demand for off-street and on-street parking in proximity to projected development sites, especially during the overnight period. As shown in **Table 10,** development associated with the Potential Modifications would generate a net parking demand of approximately 280 spaces in the weekday midday (12–2 PM) period and 414 spaces in the overnight period. This compares with 286 spaces in the midday and 419 spaces in the overnight period under the Approved Actions.

In addition to generating new parking demand within the Project Area, new development on projected development sites under both the Approved Actions' RWCDS and the Potential Modifications' RWCDS would displace five existing off-street public parking facilities, all but one of which operates 24 hours daily. Capacity at these five facilities currently totals approximately 474 spaces during daytime hours and 421 spaces overnight. The total incremental parking demand attributable to the Potential Modifications (new demand plus displaced capacity) would therefore total approximately 754 spaces in the weekday midday and approximately 835 spaces overnight. This compares with approximately 760 spaces in the weekday midday and approximately 840 spaces overnight under the Approved Actions.

Under both the Approved Actions and the Potential Modifications, it is assumed that no projected development site would include accessory parking, and no new off-street public parking capacity would be developed. Therefore, under both scenarios, incremental demand would need to be accommodated in existing off-street public parking facilities or by on-street curbside parking. Consequently, like the Approved Actions, the Potential Modifications may potentially contribute to, or result in, off-street and on-street parking shortfalls in the weekday midday and overnight periods in the 2031 With Action condition.

Under *CEQR Technical Manual* guidance for projects located in Manhattan, the inability of a proposed project or the surrounding area to accommodate future parking demands would be considered a parking shortfall, but would generally not be considered significant due to the magnitude of available alternative modes of transportation. Therefore, under both the Approved Actions and the Potential Modifications, any project-related shortfalls in off-street and on-street parking spaces within the Project Area and its vicinity during the weekday midday and overnight periods would not be considered significant.

**Table 10**
**Net Incremental Weekday Hourly Parking Demand by Land Use—Potential Modifications**

| | Local Retail | Office | Residential | Destination Retail | Supermarket | Light Industrial | Warehouse | Medical Office | Community Center | Total Demand |
|---|---|---|---|---|---|---|---|---|---|---|
| 12-1 AM | 0 | 0 | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 414 |
| 1-2 | 0 | 0 | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 414 |
| 2-3 | 0 | 0 | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 414 |
| 3-4 | 0 | 0 | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 414 |
| 4-5 | 0 | 0 | 414 | 0 | 0 | 0 | 0 | 0 | 0 | 414 |
| 5-6 | 0 | 0 | 409 | 0 | 0 | 0 | 0 | 0 | 0 | 409 |
| 6-7 | 0 | 0 | 384 | 0 | 0 | 0 | 0 | 0 | 0 | 384 |
| 7-8 | 0 | -2 | 349 | 1 | 1 | -1 | 0 | 0 | 1 | 349 |
| 8-9 | 0 | -12 | 315 | 2 | 1 | -4 | 0 | 1 | 1 | 304 |
| 9-10 | -3 | -19 | 301 | 5 | 1 | -6 | 0 | 2 | 1 | 282 |
| 10-11 | -3 | -19 | 291 | 8 | 1 | -7 | 0 | 2 | 1 | 274 |
| 11-12 | -2 | -16 | 290 | 9 | 2 | -6 | 0 | 1 | 1 | 279 |
| 12-1 PM | -2 | -14 | 289 | 9 | 2 | -6 | 0 | 1 | 1 | 280 |
| 1-2 | -2 | -14 | 289 | 10 | 1 | -6 | 0 | 1 | 1 | 280 |
| 2-3 | -2 | -18 | 295 | 9 | 1 | -7 | 0 | 1 | 2 | 281 |
| 3-4 | -2 | -18 | 317 | 8 | 1 | -7 | 0 | 1 | 3 | 303 |
| 4-5 | -2 | -12 | 346 | 7 | 1 | -6 | 0 | 1 | 3 | 338 |
| 5-6 | -2 | -6 | 360 | 7 | 1 | -3 | 0 | 0 | 2 | 359 |
| 6-7 | -1 | 0 | 368 | 7 | 1 | -1 | 0 | 0 | 2 | 376 |
| 7-8 | 0 | 0 | 388 | 7 | 0 | 0 | 0 | 0 | 1 | 396 |
| 8-9 | 0 | 0 | 402 | 6 | 0 | 0 | 0 | 0 | 0 | 408 |
| 9-10 | 0 | 0 | 408 | 2 | 0 | 0 | 0 | 0 | 0 | 410 |
| 10-11 | 0 | 0 | 408 | 1 | 0 | 0 | 0 | 0 | 0 | 409 |
| 11-12 | 0 | 0 | 412 | 0 | 0 | 0 | 0 | 0 | 0 | 412 |

## AIR QUALITY

Like the Approved Actions, the Potential Modifications would not result in any significant adverse mobile or stationary source air quality impacts. With respect to stationary sources, in some cases, as described in greater detail below, the (E) Designation requirements for some projected and potential development sites have changed as a result of shorter building heights and/or less floor area. Like the Approved Actions, existing sources of air emissions would not result in significant adverse impacts to projected and potential development generated under the Potential Modifications.

*MOBILE SOURCES*

Compared to the Approved Actions, the Potential Modifications would result in slightly fewer vehicle trips. Therefore, like the Approved Actions, the Potential Modifications would not result in significant adverse air quality impacts from mobile sources.

*STATIONARY SOURCES*

With the Potential Modifications, square footage and/or building heights for 15 developments (6 projected and 9 potential development sites) would change. Therefore, a screening analysis was performed to assess air quality impacts associated with emissions from heat and hot water systems for the 15 affected development sites (see **Table 11**) using the methodology described in the FEIS.

**Table 11**
**Affected Projected and Potential Development Sites with the Potential Modifications**

| Development Site | Height (Feet) under Approved Actions | Height (Feet) under Potential Modifications |
|---|---|---|
| **Projected Development Sites** | | |
| 2 | 185 | 185 |
| 3 | 115 | 105 |
| 12 | 205 | 175 |
| 28 | 95 | 95 |
| 30 | 104 | 104 |
| 31 | 115 | 115 |
| **Potential Development Sites** | | |
| A | 95 | 95 |
| BB | 200 | 170 |
| E | 85 | 85 |
| EEE | 195 | 165 |
| F | 150 | 120 |
| GG | 100 | 90 |
| H | 100 | 90 |
| HHH | 155 | 135 |
| J | 145 | 95 |

The screening analysis determined that the Potential Modifications' RWCDS program for Projected Development Sites 2, 3, 12, 30, and 31; and Potential Development Sites A, E, EEE, F, H, HHH, and J would not change the conclusions presented in the FEIS for air quality impacts. Of these sites, those that were found to not require an (E) Designation under the Approved Actions would likewise not require an (E) Designation for air quality under the Potential Modifications, and those for which an (E) Designation for air quality was proposed under the Approved Actions would have the same restrictions under the Potential Modifications. For Projected Development Site 28 and Potential Development Site BB, burning No. 2 fuel oil or natural gas would not result in potential significant adverse air quality impacts because the proposed buildings would be below the maximum development size shown in Figures 17-5 and 17-7 of the Air Quality Appendix of the *CEQR Technical Manual*, respectively. Therefore, the proposed (E) Designations identified in the FEIS for these sites would not be required.

Potential Development Site GG failed the screening analysis for both No. 2 fuel oil and natural gas. Therefore, under the Potential Modifications, this site would require additional air quality restrictions as compared to the Approved Actions, to avoid significant adverse air quality impacts, as described below.

Site GG: With the Potential Modifications, Potential Development Site GG would be shorter in height than Projected Development Site 28 and Potential Development Site A. Under the Approved Actions, an (E) Designation was proposed to require fossil-fuel-fired heating and hot water equipment to utilize natural gas and stack located at least 15 feet away from the lot line facing Spring Street. Under the Potential Modifications, an (E) Designation would be placed on Potential Development Site GG to require fossil-fuel-fired heating and hot water equipment to utilize natural gas, a minimum stack height of 103 feet above grade, and stack(s) located at least 15 feet away from the lot line facing Spring Street.

In addition, due to the changes in buildings heights and reductions in floor area to projected and potential development sites with the Potential Modifications, one of the two building clusters that were analyzed under the Approved Actions was re-analyzed, as two sites would be affected by the

Potential Modifications (Projected Development Site 28 and Potential Development Site GG). The analysis determined that the same (E) Designation restrictions that were proposed for the building clusters analyzed for the Approved Actions would be required with the Potential Modifications to ensure no air quality impacts.

A summary of the proposed (E) Designations for heating and hot water systems is presented in **Appendix A**. Overall, the Potential Modifications would not result in any significant adverse air quality impacts.

## GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts associated with greenhouse gas (GHG) emissions and climate change. Following the methodology described in the FEIS, and per *CEQR Technical Manual* guidance, projected GHG emissions presented in this section for the Potential Modifications were estimated, followed by a qualitative discussion of potential measures for reducing GHG emissions and consistency of the Potential Modifications with the City's policy for GHG emissions reduction. All differences between the GHG emissions quantified for the Potential Modifications and for the Approved Actions are due to the reduction in projected residential development. The building floor area, emission intensity, and resulting GHG emissions from the projected uses in the Potential Modifications are presented in detail in **Table 12**. Compared to the Approved Actions, the Potential Modifications would result in a minor decrease of GHG emissions from annual building operations by approximately 123 annual metric tons—representing a decrease of less than 1 percent.

**Table 12**
**Annual Building Operational Emissions— Potential Modifications RWCDS**

| Source Use | Building Area (gsf) | GHG Intensity (kg $CO_2e$/gsf/yr) | Annual GHG Emissions (metric tons $CO_2e$) |
|---|---|---|---|
| Residential | 1,810,296 | 6.59 | 11,930 |
| Office | 160,765 | 9.43 | 1,516 |
| Local Retail | 130,774 | 9.43 | 1,233 |
| Destination Retail | 21,348 | 9.43 | 201 |
| Supermarket | 33,608 | 9.43 | 317 |
| Community Facility (Medical Office) | 11,868 | 11.42 | 136 |
| Community Facility (Arts & Cultural) | 8,910 | 11.42 | 102 |
| | | **Total** | **15,435** |

**Notes:** Totals may not sum due to rounding.
Per *CEQR Technical Manual* guidance, electricity emissions are representative of existing conditions in 2012 and not the analysis year (2031). Future emissions are expected to be lower.
Representative emission intensity for existing buildings are higher than new and future construction, and do not include the specific energy efficiency measures.
**Sources:** 2020 *CEQR Technical Manual.*

Similarly, the projected annual vehicle miles traveled and subsequent mobile-source-related GHG emissions under the Potential Modifications are summarized in **Tables 13 and 14**, respectively. Compared to the Approved Actions, the Potential Modifications would result in a minor decrease of annual mobile source GHG emissions of approximately 44 metric tons of annual mobile source emissions—representing a decrease of less than 1 percent.

Overall, the Potential Modifications would result in a minor decrease of approximately 168 metric tons of annual GHG emissions—representing an overall decrease of less than 1 percent.

**Table 13**
**Vehicle Miles Traveled per Year—Potential Modifications**

| Use Type | Passenger | Taxi | Truck |
|---|---|---|---|
| Residential | 1,892,691 | 305,307 | 1,237,684 |
| Office | 705,325 | 17,814 | 516,583 |
| Local Retail | 3,078,355 | 198,383 | 474,629 |
| Destination Retail | 273,656 | 62,505 | 75,793 |
| Supermarket | 118,119 | 91,345 | 121,976 |
| Community Facility (Medical Office) | 17,238 | 19,996 | 47,737 |
| Community Facility (Arts & Cultural) | 43,622 | 0 | 35,839 |
| **Total** | **6,129,006** | **695,351** | **2,510,240** |

**Table 14**
**Annual Mobile Source Emissions—Potential Modifications**
**(metric tons $CO_2e$, 2031)**

| Use | Passenger Vehicle | Taxi | Truck | Total |
|---|---|---|---|---|
| Residential | 987 | 143 | 2,560 | 3,691 |
| Office | 368 | 8 | 1,069 | 1,445 |
| Local Retail | 1,606 | 93 | 982 | 2,681 |
| Destination Retail | 143 | 29 | 157 | 329 |
| Supermarket | 62 | 43 | 252 | 357 |
| Community Facility (Medical Office) | 9 | 9 | 99 | 117 |
| Community Facility (Arts & Cultural) | 23 | 0 | 74 | 97 |
| **Total** | **3,198** | **325** | **5,192** | **8,716** |

*CONSISTENCY WITH CITYWIDE GHG REDUCTION GOALS*

Similar to the Approved Actions, since development under the Potential Modifications involve zoning changes that would primarily affect privately owned properties, decisions regarding construction and building design for those sites, which would affect energy use and GHG emissions, would be made by property developers in accordance with the City's building code requirements in effect at the time. The Potential Modifications would follow the same requirements as under the Approved Actions. Therefore, the Potential Modifications would be consistent with citywide GHG reduction goals.

*RESILIENCE TO CLIMATE CHANGE*

As with the Approved Actions, some developments with the Potential Modifications would be subject to current and future flood risks, with flood depth increasing in the future as sea levels rise and flood hazard areas expand. Current flood hazards are addressed under the requirements of the building code. No specific requirements would be incorporated to address future flood risk.

The Potential Modifications, as with the Approved Actions, would not affect resilience in the area or other environmental effects as they may be affected by climate change. As with the Approved Actions, the Potential Modifications would not result in any development in the water or on the waterfront, and therefore other considerations identified in Waterfront Revitalization Program (WRP) Policy 6.2 are not relevant. The Potential Modifications would also not adversely affect other resources (including ecological systems, public access, visual quality, water-dependent uses, infrastructure, and adjacent properties) due to climate change.

## NOISE

Similar to the Approved Actions, the Potential Modifications would not result in any significant adverse impacts due to noise. The noise effects with the Potential Modifications would be equal to or less than the Approved Actions. With the incorporation of noise attenuation requirements set forth in (E) Designation (E-619) applicable to projected and potential development sites, the Potential Modifications would not result in any significant adverse noise impacts. The same window-wall attenuation requirements required under the Approved Actions would be applicable under the Potential Modifications. Like the Approved Actions, the projected and potential development sites assessed in the Potential Modifications would require up to 35 dBA window/wall attenuation to meet applicable *CEQR Technical Manual* interior noise level requirements, as stipulated in (E) Designation (E-619). With these attenuation measures, the Potential Modifications like the Approved Actions would not result in significant adverse impacts related to noise.

## PUBLIC HEALTH

Neither the Approved Actions nor the Potential Modifications would result in significant adverse public health impacts. Like the Proposed Actions, the Potential Modifications would not result in unmitigated significant adverse impacts in the areas of air quality, operational noise, water quality, or hazardous materials. While the Proposed Actions could result in unmitigated construction noise impacts as defined by *CEQR Technical Manual* thresholds, a public health assessment was conducted, and it was determined that the construction noise impact would not generate a significant adverse public health impact.

## NEIGHBORHOOD CHARACTER

Like the Approved Actions, the Potential Modifications would not result in significant adverse impacts to neighborhood character. The changes resulting from the Potential Modifications, like the changes expected under the Approved Actions, would generally result in similar effects in the following technical areas that are considered in the neighborhood character assessment pursuant to the *CEQR Technical Manual*: land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; and noise. Although the same significant adverse impacts would occur with respect to open space, shadows, historic resources, and transportation under the Potential Modifications, like the Approved Actions, these impacts would not result in a significant change to one of the determining elements of neighborhood character.

Like the Approved Actions, the Potential Modifications would facilitate development that would enhance the mixed-use and historic character of SoHo/NoHo. The Potential Modifications would replace outdated manufacturing zoning and rigid use restrictions, including ground floor use restrictions that do not allow retail and other storefront uses, with new zoning that promotes a greater mix of uses. The broad range of uses would support existing businesses in SoHo/NoHo as they continue to operate, grow, and evolve, while allowing a greater range of commercial, cultural, and civic activities within the existing highly adaptable loft buildings and new mixed-use developments.

Within the SoHo–Cast Iron Historic District and Extension and the NoHo Historic District and Extension, the Potential Modifications, like the Approved Actions, would maintain existing density while allowing mixed-use infill developments and conversions that would be consistent with the height and form of existing historic buildings. In the Broadway and Houston Street and Canal Street subareas, wide corridors that are generally within historic districts and better served

by transit, the Potential Modifications would increase density and facilitate building forms that are comparable to the taller and bulkier buildings that characterize these corridors. At the periphery of the Project Area and generally outside of historic districts, the Potential Modifications would allow the greatest increases in density and allow the largest and tallest buildings. OA-1, OA-2, and OA-3—peripheral areas that are framed by wide streets and characterized by excellent transit access and a varied built context—would accommodate the most density. In these areas, the Potential Modifications, like the Approved Actions, would support housing production, including the provision of permanently affordable housing, and serve to better transition the historic districts in SoHo and NoHo with the adjacent neighborhoods beyond the Project Area.

## CONSTRUCTION

As discussed above, the total amount of residential development would be slightly reduced under the Potential Modifications, with a decrease of 22 DUs overall on the projected development sites. Therefore, the Potential Modifications are expected to result in the same construction noise and archaeological resources impacts that would occur with the Approved Actions (also see above discussion under "Historic and Cultural Resources"). However, as the total amount of new construction under the Potential Modifications would be slightly less as compared with the Approved Actions, the Potential Modifications would not generate as much temporary construction disruption near the six projected development sites that would be affected by the Potential Modifications. Neither the Approved Actions nor the Potential Modifications would result in significant adverse construction impacts with respect to land use and neighborhood character, socioeconomic conditions, community facilities, open space, hazardous materials, transportation, air quality, or vibration.

## MITIGATION MEASURES REQUIRED FOR THE POTENTIAL MODIFICATIONS

The Potential Modifications would result in the same significant adverse impacts as the Approved Actions in the areas of open space. shadows, historic and cultural resources (architectural and archaeological resources), transportation (transit and pedestrian conditions) and construction (noise), requiring the same mitigation measures identified in the FEIS for the Approved Actions. As discussed in Chapter 21, "Mitigation" of the FEIS, DCP, as lead agency, determined that no feasible mitigation measures were identified for the significant adverse impacts. Like the Approved Actions, the significant adverse impacts with the Potential Modifications would remain unmitigated.

## UNAVOIDABLE ADVERSE IMPACTS

The Potential Modifications would result in the same significant adverse impacts as the Approved Actions in the areas of open space. shadows, historic and cultural resources (architectural and archaeological resources), transportation (transit and pedestrian conditions) and construction (noise), requiring the same mitigation measures identified in the FEIS for the Approved Actions. As discussed in Chapter 21, "Mitigation" of the FEIS, DCP, as lead agency, determined that no feasible mitigation measures were identified for the significant adverse impacts. Like the Approved Actions, the significant adverse impacts with the Potential Modifications would constitute unavoidable adverse impacts of the project because no mitigation measures were identified to address the impacts. ✷

## Appendix A: Proposed Air Quality (E) Designations

# A. INTRODUCTION

Under the proposed zoning, (E) Designations are proposed to avoid impacts on privately owned parcels on projected or potential development sites with respect to air quality (heating and hot water systems and potential industrial uses). A description of the requirements of those (E) Designations follows. A list of the sites, blocks, and lots affected by the (E) Designations is presented in **Tables A-1** through **A-2**.

# B. PROPOSED (E) DESIGNATIONS

### HEATING AND HOT WATER SYSTEM (E) DESIGNATIONS

Under the Approved Actions, for each of the 84 projected and potential development sites (26 projected and 58 potential development sites) development sites that failed the heating and hot water system screening analysis, a refined analysis was performed utilizing the AERMOD dispersion model. The results indicated that all but two of the 44 sites that failed the screening analysis for No. 2 oil also failed the refined analysis, and all of the 37 sites that failed the screening analysis for natural gas also failed the refined analysis.[1]

To preclude the potential for significant adverse air quality impacts on other projected and potential developments from the heating and hot water system emissions, an (E) Designation would be incorporated into the proposed zoning for each of the affected sites. The descriptions and requirements of the proposed (E) Designations for these sites with respect to heating and hot water systems are presented in **Tables A-1 and A-2**.

**Table A-1**
**(E) Designations for Projected Development Sites**
**(Heating and Hot Water System Restrictions)**

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| 1 | 531 | 41, 42, 43, 44 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |
| 3 | 522 | 41, 43 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |

[1] For the initial natural gas AERMOD runs some refinements were made for either stack locations or stack heights based upon the location and/or height of the receptor building.

**Table A-1 (cont'd)**
**(E) Designations for Projected Development Sites**
**(Heating and Hot Water System Restrictions)**

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| 6 | 227 | 6, 7 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, and ensure that the heating and hot water systems stack(s) is located at least 10 feet away from the lot line facing Grand Street, to avoid any potential significant air quality impacts. |
| 7 | 227 | 1, 2 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, to avoid any potential significant air quality impacts. |
| 9 | 208 | 13, 19, 20 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that the heating and hot water system stack(s) is located no greater than 47 feet away from the lot line facing Canal Street and at least 65 feet away from the lot line facing Centre Street, to avoid any potential significant air quality impacts. |
| 15 | 510 | 33 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 30 feet away from the lot line facing Jersey Street, to avoid any potential significant air quality impacts. |
| 22 | 476 | 1 | Any new commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 223 feet above grade, and that heating and hot water system stack(s) is located at least 30 feet away from the lot line facing Watts Street, to avoid any potential significant air quality impacts. |
| 23 | 475 | 61 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 98 feet above grade, to avoid any potential significant air quality impacts. |
| 24 | 235 | 29 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, to avoid any potential significant air quality impacts. |
| 25 | 208 | 4 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that the heating and hot water systems stack(s) is located at least 28 feet away from the lot line facing Centre Street, and ensure that heating and hot water system stack(s) is located at least 173 feet above grade, to avoid any potential significant air quality impacts. |
| 26 | 208 | 1 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 165 feet above grade, to avoid any potential significant air quality impacts. |
| 27 | 207 | 20 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, to avoid any potential significant air quality impacts. |

## Table A-1 (cont'd)
## (E) Designations for Projected Development Sites
## (Heating and Hot Water System Restrictions)

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| 30 | 522 | 28 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems and ensure that the heating and hot water system stack(s) is located at least 110 feet above grade, to avoid any potential significant air quality impacts. |
| 31 | 496 | 40 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that the heating and hot water systems stack(s) is located at least 51 feet away from the lot line facing Prince Street, and that heating and hot water systems stack(s) is located at least 125 feet above grade, to avoid any potential significant air quality impacts. |
| 32 | 472 | 28 | Any new residential and/or commercial development must ensure that heating and hot water stack(s) is located at least 93 feet above grade, to avoid any potential significant air quality impacts. |

**Table A-2**
**(E) Designations for Potential Development Sites**
**(Heating and Hot Water System Restrictions)**

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| AA | 488 | 30 | Any new residential and/or commercial development must be fitted with low $NO_X$ (30ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water systems stack(s) is located at least 30 feet away from the lot line facing Thompson Street and at least 10 feet away from the lot line facing Broome Street, to avoid any potential significant air quality impacts. |
| B | 515 | 7 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |
| BBB | 487 | 28, 29 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that the heating and hot water system stack(s) is located at least 30 feet away from the lot line facing Broome Street, 10 feet away from the lot line facing West Broadway, and ensure that heating and hot water stack(s) is located at least 81 feet above grade, to avoid any potential significant air quality impacts. |
| CCC | 475 | 1, 3, 4 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that the heating and hot water systems stack(s) is located at least 10 feet away from the lot line facing Broome Street, and ensure that heating and hot water system stack(s) is located at least 95 feet above grade, to avoid any potential significant air quality impacts. |
| EE | 516 | 34, 35 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water systems stack(s) is located at least 10 feet away from the lot line facing Prince Street, and ensure that heating and hot water stack(s) is located at least 103 feet above grade, to avoid any potential significant air quality impacts. |
| F | 545 | 14 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water stack(s) is located at least 10 feet away from the lot line facing Astor Place, and ensure that heating and hot water stack(s) is located at least 165 feet above grade, to avoid any potential significant air quality impacts. |
| G | 475 | 19 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |

## Table A-2 (cont'd)
## (E) Designations for Potential Development Sites
## (Heating and Hot Water System Restrictions)

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| GG | 482 | 26 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems and ensure that heating and hot water stack(s) is located at least 15 feet away from the line facing Spring Street and ensure that heating and hot water stack(s) is located at least 103 feet above grade, to avoid any potential significant air quality impacts. |
| HH | 499 | 6 | Any new residential and/or commercial development must be fitted with low NOx (20 ppm) burners firing only natural gas for heating and hot water systems, **EITHER** ensure that the heating and hot water system stack(s) is located at least 21 feet away from the lot line facing Prince Street **OR** ensure that heating and hot water system stack(s) is located at least 168 feet above grade, to avoid any potential significant air quality impacts. |
| HHH | 529 | 69 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, **EITHER** ensure that the heating and hot water system stack(s) is located at least 26 feet away from the lot line facing Broadway, and ensure that the heating and hot water system stack(s) is located at least 170 feet above grade **OR** ensure that heating and hot water system stack(s) is located at least 60 feet away from the lot line facing Broadway, and ensure that heating and hot water system stack(s) is located at least 165 feet above grade, to avoid any potential significant air quality impacts. |
| I | 229 | 15 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |
| II | 230 | 44 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems and ensure that heating and hot water stack(s) is located at least 10 feet away from the line facing Canal Street and at least 20 feet away from the line facing Greene Street, to avoid any potential significant air quality impacts. |
| JJ | 513 | 33 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that the heating and hot water system stack(s) is located at least 10 feet from away the lot line facing Prince Street, and ensure that heating and hot water stack(s) is located at least 113 feet above grade, to avoid any potential significant air quality impacts. |

**Table A-2 (cont'd)**
**(E) Designations for Potential Development Sites**
**(Heating and Hot Water System Restrictions)**

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| K | 514 | 4 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Prince Street, to avoid any potential significant air quality impacts. |
| MM | 474 | 14 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Grand Street, and ensure that heating and hot water stack(s) is located at least 105 feet above grade, to avoid any potential significant air quality impacts. |
| N | 530 | 31 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Bowery, to avoid any potential significant air quality impacts. |
| NN | 514 | 24 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing West Houston Street, to avoid any potential significant air quality impacts. |
| O | 474 | 7501 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Broome Street, and ensure that the heating and hot water system stack(s) is located at least 102 feet above grade, to avoid any potential significant air quality impacts. |
| OO | 513 | 39 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 45 feet away from the lot line facing Mercer Street, and ensure that the heating and hot water system stack(s) is located at least 112 feet above grade, to avoid any potential significant air quality impacts. |

## Table A-2 (cont'd)
## (E) Designations for Potential Development Sites
## (Heating and Hot Water System Restrictions)

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| P | 514 | 1 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Prince Street, and ensure that the heating and hot water system stack(s) is located at least 100 feet above grade, to avoid any potential significant air quality impacts. |
| Q | 516 | 36, 37 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing West Houston Street, and ensure that heating and hot water stack(s) is located at least 103 feet above grade, to avoid any potential significant air quality impacts. |
| QQ | 474 | 19 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Broome Street to avoid any potential significant air quality impacts. |
| RR | 501 | 32 | Any new residential and/or commercial development must be fitted with low NOx (20 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 15 feet away from the lot line facing Prince Street and no more than 13 feet away from the lot line facing Wooster Street, to avoid any potential significant air quality impacts. |
| SS | 475 | 22 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, to avoid any potential significant air quality impacts. |
| U | 473 | 5 | Any new residential and/or commercial development must **EITHER** exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Broome Street, and ensure that heating and hot water stack(s) is located at least 169 feet above grade **OR** must be fitted with low $NO_x$ (30 ppm) burners firing natural gas for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 166 feet above grade, and that heating and hot water system stack(s) is located at least 20 feet away from the lot line facing Broome Street, to avoid any potential significant air quality impacts. |

## Table A-2 (cont'd)
## (E) Designations for Potential Development Sites
## (Heating and Hot Water System Restrictions)

| Development Site | Block | Lots | Proposed (E) Designation |
|---|---|---|---|
| UU | 473 | 7 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Grand Street, and ensure that heating and hot water stack(s) is located at least 167 feet above grade, to avoid any potential significant air quality impacts. |
| V | 228 | 111 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, and ensure that heating and hot water stack(s) is located at least 133 feet above grade, to avoid any potential significant air quality impacts. |
| W | 498 | 1 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 17 feet away from the lot line facing Broadway and at least 55 feet away from the lot line facing Spring Street, to avoid any potential significant air quality impacts. |
| WW | 483 | 14 | Any new residential and/or commercial development must exclusively use natural gas as the type of fuel for heating and hot water systems, ensure that heating and hot water system stack(s) is located at least 40 feet away from the lot line facing Crosby Street, and ensure that heating and hot water stack(s) is located at least 173 feet above grade, to avoid any potential significant air quality impacts. |
| ZZ | 230 | 3,4 | Any new residential and/or commercial development must be fitted with low NOx (30 ppm) burners firing only natural gas for heating and hot water systems, and ensure that heating and hot water system stack(s) is located at least 10 feet away from the lot line facing Greene Street to avoid any potential significant air quality impacts. |

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