Chapter 1: Project Description

A. PROJECT IDENTIFICATION

606 W. 57 LLC (the "applicant") proposes a rezoning of a portion (Lots 25, 29, 31, 36, 40, 44, and 55) of Manhattan block 1104, which is bounded by West 56th and West 57th Streets and Eleventh and Twelfth Avenues (the "affected area" or "project block"), along with related land use actions that include text amendments, a special permit and a zoning authorization. The affected area is located within the "Other Area" (Northern Subarea C1) in the Special Clinton District (described in more detail below) of Manhattan Community District 4 (see **Figure 1-1**). The proposed actions, which are described in detail below, would facilitate the development of a new, mixed use building of up to approximately 1.2 million gross square feet (gsf) on the parcels that are controlled by the applicant (the "proposed project site," or "development site 1").

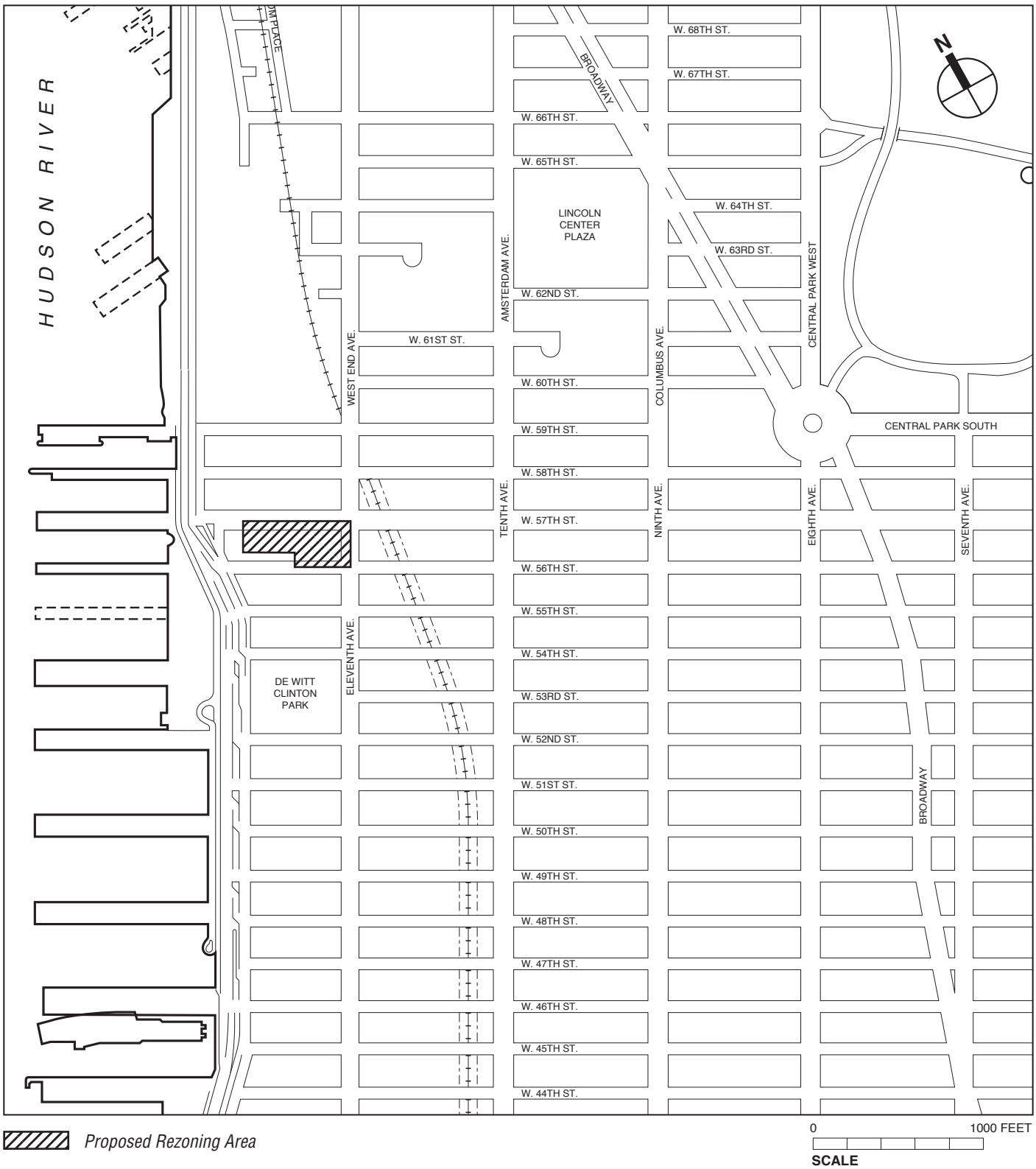
The proposed actions are being requested to facilitate the applicant's proposed development, which consists of a mixed-use building containing up to 42,000 gsf, and up to 500 below-grade parking spaces (or an alternate garage configuration that would provide up to 395 spaces). Twenty percent of residential units (up to 238 units) would be affordable housing. These uses would be housed on the proposed project site, which consists of Block 1104 Lots 31, 40, 44, and 55 ("development site 1"—see **Figure 1-2**).

The proposed actions are also expected to result in redevelopment of one additional site that is not applicant-controlled (Block 1104 Lots 25 and 29—"development site 2") with an approximately 117,612 gsf hotel.

It is anticipated that development would be complete by 2017.

Development of the proposed actions requires approvals from the City Planning Commission (CPC) for the following discretionary actions:

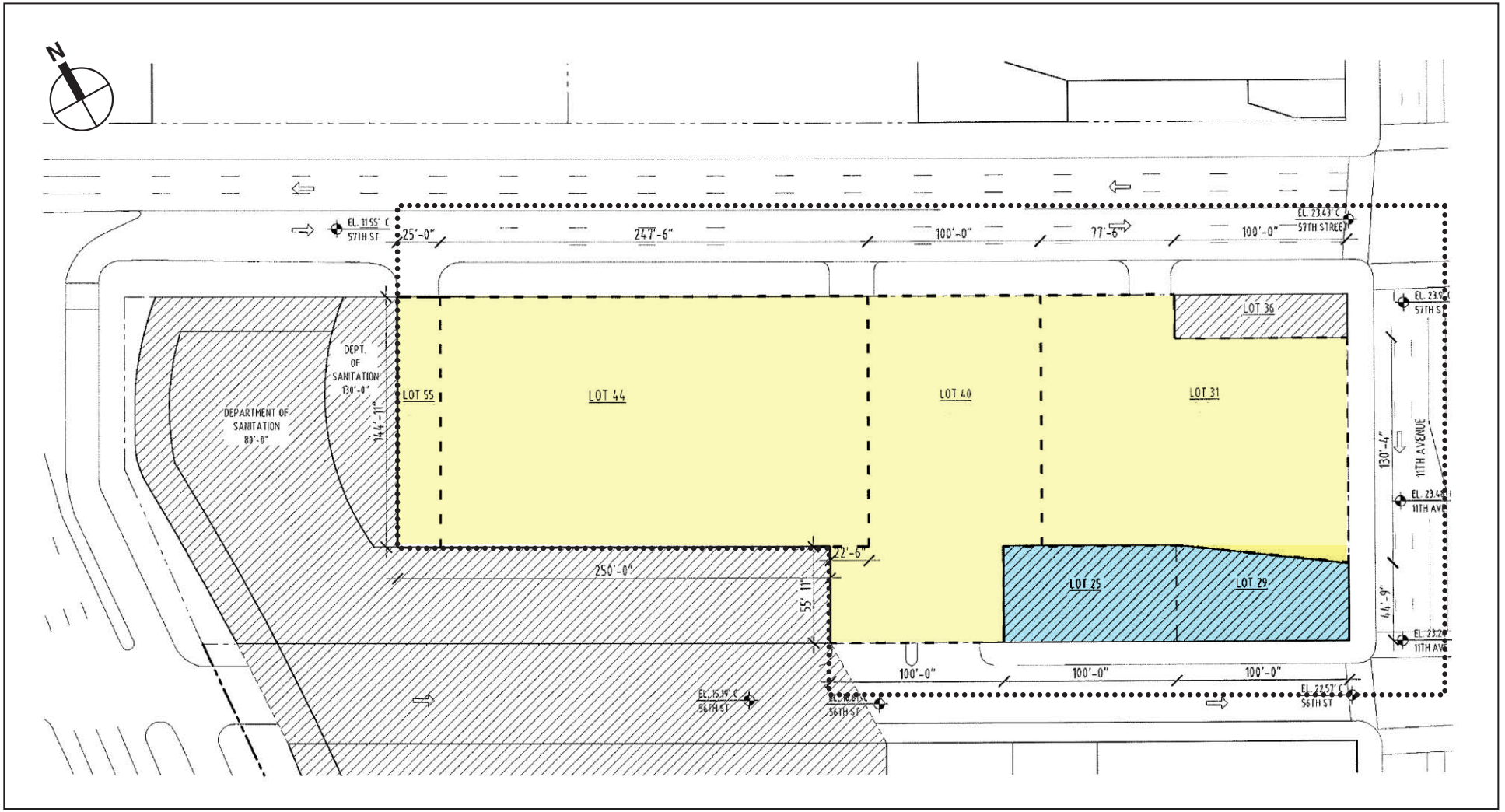
- Rezoning of a portion of the block bounded by West 56th Street, West 57th Street, Eleventh Avenue and Twelfth Avenue in Manhattan from the existing M2-3 and M1-5 districts to a C4-7 commercial district. The "rezoning area" includes Lots 25, 29, 31, 36, 40, 44 and 55 on Block 1104. It should be noted that Lots 31, 40 44, and 55 are applicant-owned ("development site 1"), while the applicant does not control the "outparcels" on Lots 25 and 29 ("development site 2") or lot 36.
- An amendment to Zoning Resolution (ZR) Appendix F to designate the rezoning area an Inclusionary Housing (IH)-designated area.
- A text amendment to ZR §96-34, applicable to the rezoning area in the "Other Area" (Northern Subarea C1) in the Special Clinton District, to provide that 20 percent of the residential floor area on the proposed project site be reserved for affordable housing to achieve the bonus which facilitates more than one floor of commercial uses, and to allow an automotive showroom with repairs, applicable to the rezoning area in the "Other Area"



Proposed Rezoning Area Location

606 WEST 57TH STREET

Figure 1-1



Proposed Project Site

Projected Development Site

Proposed Rezoning Area Boundary

Parcels Not Controlled by the Applicant

Lots Within the Proposed Rezoning Area

Figure 1-2

(Northern Subarea C1) in the Special Clinton District. A copy of the proposed zoning text is included as **Appendix A**.

- A special permit pursuant to ZR §13-45 for a public parking garage that would contain up to 500 spaces, or, depending on the ground floor uses, up to 395 spaces.
- Authorization pursuant to ZR §13-441 to permit a curb cut on a wide street in Manhattan Community District 4.

In addition, the applicant may apply for the New York State Housing Finance Agency's (HFA) "80/20" program to finance the affordable housing component.

These are discretionary actions that are subject to environmental review. The Department of City Planning (DCP), acting on behalf of CPC, is the lead agency for the environmental review. The environmental review will be coordinated with the New York City Department of Housing Preservation and Development (HPD), which will be responsible for reviewing and approving the applicant's Inclusionary Housing Program Affordable Housing Plan, and may be coordinated with HFA.

The lead agency has determined that the proposed actions may potentially result in significant adverse environmental impacts, and that an Environmental Impact Statement (EIS) is required.[1] This Draft Environmental Impact Statement (DEIS) has been prepared in accordance with Executive Order 91 of 1977, as amended, and New York City Environmental Quality Review (CEQR) Rules and Procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). The 2012 *CEQR Technical Manual* is generally used as a guide with respect to environmental analysis methodologies and impact criteria for evaluating the proposed actions, unless otherwise stated.

B. PROJECT DESCRIPTION

EXISTING CONDITIONS ON THE PROJECT BLOCK

PROPOSED PROJECT SITE (DEVELOPMENT SITE 1)

The proposed project site totals approximately 83,303 square feet of lot area and as previously mentioned consists of Block 1104, Lots 31, 40, 44 and 55. Lots 31 and 40 are currently developed with low-rise structures and open service areas (vehicle handling, pick-up, and short-term storage) that are used by Lexus and Acura for auto sales and service. Lot 44 is a four-story parking garage with a licensed capacity of 1,000 spaces. Lot 55 includes a one-story auto repair shop.

REMAINDER OF REZONING AREA

As stated above, there are three "outparcels" located within the affected area (Lots 25, 29, and 36) that are not controlled by the applicant. The two lots located at the southeast corner of the block (Lots 25 and 29—development site 2) are under common ownership, and total approximately 10,700 square feet; the two structures located on these lots effectively function as a single building which is used for office and support space, with a portion of the ground floor

[1] It is possible that new impacts, including new unmitigated significant adverse impacts, and new mitigation may be identified between Draft and Final EIS.

used as an automotive showroom. The third outparcel (Lot 36), located at the northeast corner of the block, is approximately 2,500 square feet and includes an existing 5-story office with a ground floor restaurant and bar.

REASONABLE WORST-CASE DEVELOPMENT SCENARIO 1

PROPOSED PROJECT SITE (DEVELOPMENT SITE 1)

The proposed actions are being requested to facilitate the applicant's proposed actions—considered in this EIS as part of Reasonable Worst-Case Development Scenario (RWCDS) 1. Under RWCDS 1, development on the proposed project site (development site 1) would include a new mixed-use building (see **Figures S-3** through **S-5**) consisting of up to 1,189 residential apartments, ground-floor local retail uses up to 42,000 gsf, and a below-grade parking garage with up to 395 or 500 spaces. Twenty percent of residential units (approximately 238 units) would be affordable housing. Residential uses within the building would total approximately 987,250 gsf of space, with approximately 42,000 gsf for retail and the remainder for parking. It is assumed that all of the floor area available under the proposed zoning would be fully used.

The proposed actions would include a residential lobby near the center of the project site and accessed along West 57th Street (see **Figure 1-6**). The residential apartments would be located on the upper floors of the proposed building. The base of the building would include approximately 42,000 gsf of retail/commercial space, which would be accessed from the 11th Avenue and West 57th Street frontages. The proposed parking garage would include attended parking on three below-grade levels. Parking access and egress may be provided from both West 56th Street and West 57th Street, but alternately access and egress may be provided from West 57th Street only. West 56th Street would house a service area and loading dock.

From a design perspective, the proposed building is intended to include a number of distinct components or "building blocks" (see **Figures 1-7** and **1-8**). On the eastern half of the proposed project site would be two perpendicular towers, connected by a glass bridge. A "cube" would sit atop the two towers but be offset to create the appearance of a separate massing. At the top of the building there would be parapet enclosing mechanical equipment. A fourth building element would be a lower wing along West 57th Street, which itself would be distinguished from the rest of the building by another glass bridge.

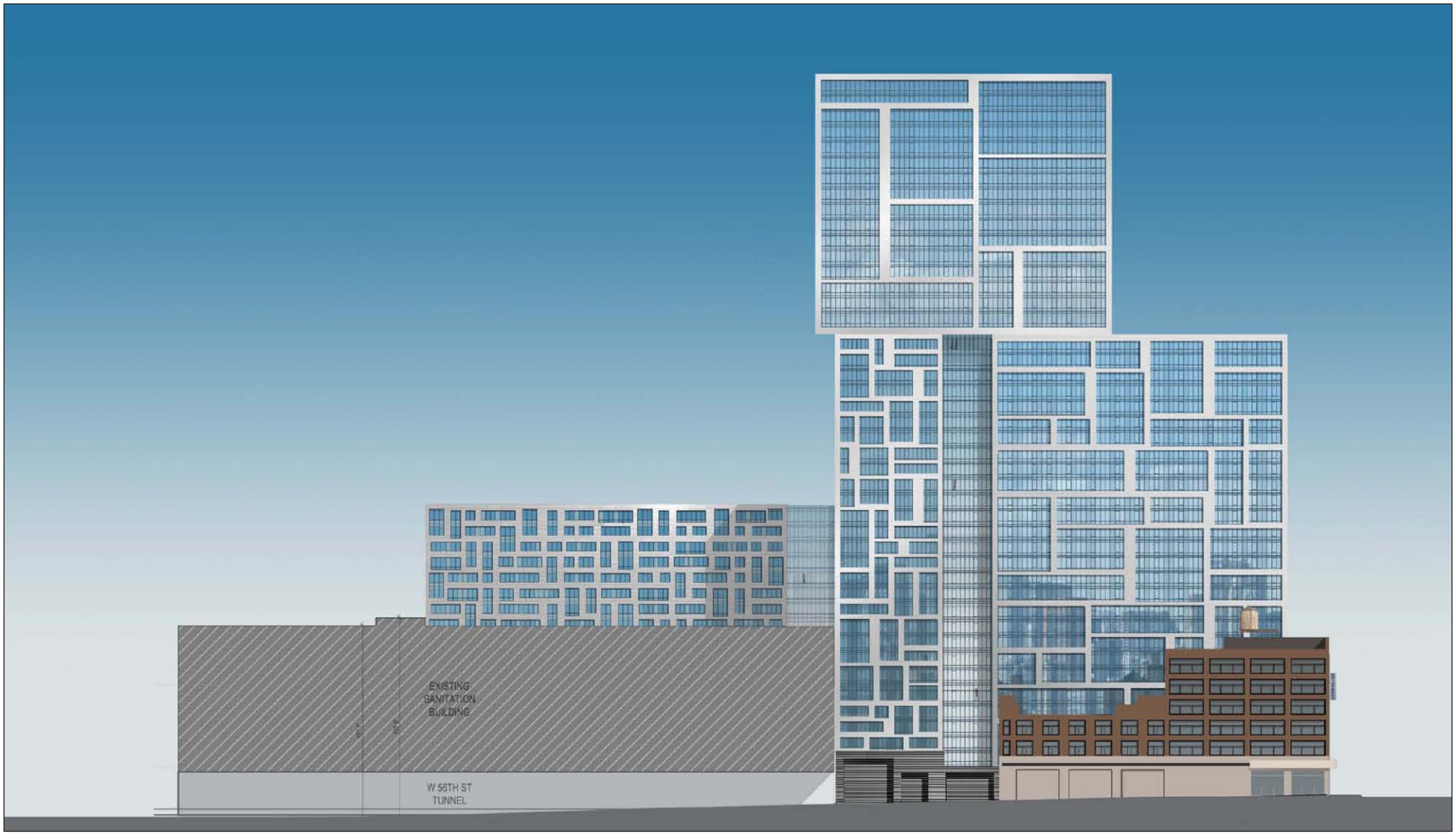
PROJECTED DEVELOPMENT SITE 2

It is assumed that the proposed actions would also result in the redevelopment of lots 25 and 29, which are in single ownership and collectively include 10,692 square feet. With an available commercial Floor-Area Ratio (FAR) of 10.0 under the proposed zoning, up to 106,920 square feet of floor area could be built on the site. While residential development is not considered to be feasible for this site, a hotel development would be possible and is therefore considered for all technical areas in this EIS. With an allowable FAR of 10.0 and accounting for mechanical and other zoning allowances, a new hotel building would have approximately 117,612 gsf. Assuming approximately 650 gsf per room, there would be approximately 181 hotel rooms.



Illustrative Rendering North Elevation

Figure 1-3



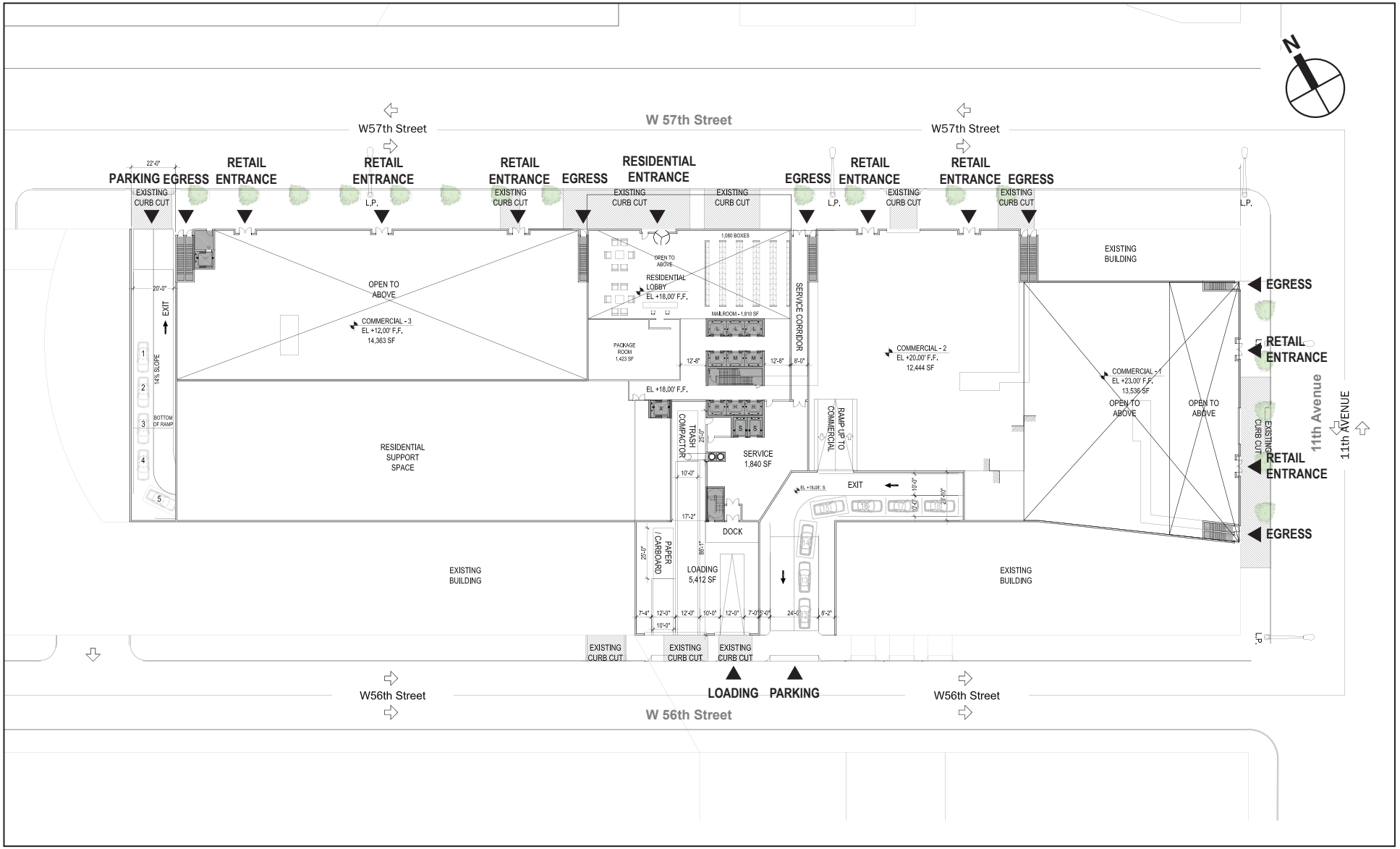
Illustrative Rendering South Elevation

Figure 1-4



Illustrative Renderings East/West Elevation

Figure 1-5



Illustrative Site Plan
Figure 1-6



Illustrative Rendering–
Looking East Along West 57th Street

Figure 1-7



Illustrative Rendering–
Looking Northwest From Eleventh Avenue

Figure 1-8

REASONABLE WORST-CASE DEVELOPMENT SCENARIO 2

PROPOSED PROJECT SITE (DEVELOPMENT SITE 1)

The proposed actions would permit a range of project characteristics, or development scenarios, to occur on development site 1 even though the actions are being sought in order to facilitate a specific development (identified under RWCDS1).Therefore, an additional RWCDS analysis framework ("RWCDS 2") has been identified that considers an alternate mix of uses on the site. Since a Restrictive Declaration is expected to control building massing and design on development site 1, the proposed development analyzed under RWCDS 2 differs from RWCDS1 in terms of the mix of land uses, but remains the same with regard to design and massing.

As with RWCDS 1, development site 1 would consist of a 1.2 million gsf mixed-use building under RWCDS 2. However, RWCDS 2 could include approximately 848 residential units (of which 170 would be affordable) and could include up to 500 parking spaces, along with approximately 185,000 gsf of hotel (285 rooms), 35,000 gsf of local retail, 75,000 gsf of destination retail, and 30,000 gsf of medical office space. Similar to RWCDS 1, under RWCDS 2 it is assumed that the floor area available under the proposed zoning would be fully maximized.

PROJECTED DEVELOPMENT SITE 2

Development assumed to occur on development site 2 for analysis purposes would be the same under RWCDS 1 and 2. As noted above, this would consist of a new hotel building with approximately 181 hotel rooms and totaling approximately 117,612 gsf.

Table 1-1, below, summarizes the total uses on the proposed project site under both analysis frameworks.

Table 1-1
RWCDS 1 and RWCDS 2—Program Summary

Use	RWCDS 1		RWCDS 2	
	Description	**GSF**	**Description**	**GSF**
Development Site 1 (Proposed Project Site)				
Residential	1,189 Units	987,250	848 Units	704,250
Parking	395 or 500 Spaces	170,750	395 or 500 Spaces	170,750
Hotel	—	—	285 Rooms	185,000
Local Retail	—	42,000	—	35,000
Destination Retail	—	—	—	75,000
Medical Office	—	—	—	30,000
Development Site 1 Total GSF		**1,200,000**		**1,200,000**
Projected Development Site 2				
Hotel	181 Rooms	117,612	181 Rooms	117,612
Development Site 2 Total GSF		**117,612**		**117,612**

PROPOSED ACTIONS

CPC ACTIONS

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

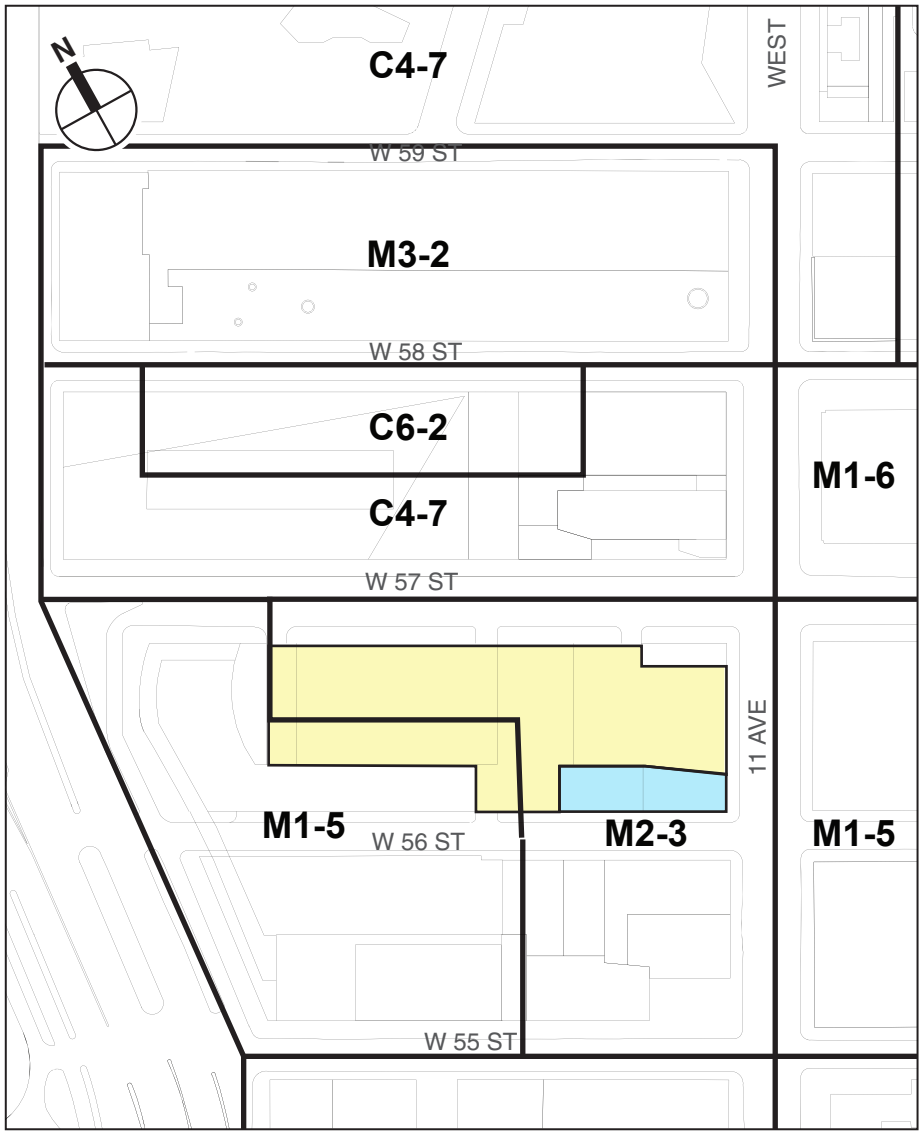
- Rezoning of a portion of the block bounded by West 56th Street, West 57th Street, Eleventh Avenue and Twelfth Avenue from the existing M2-3 and M1-5 districts to a C4-7 commercial district (see **Figure 1-9**). As noted above, the rezoning area includes Lots 25, 29, 31, 36, 40, 44 and 55 on Manhattan Block 1104. The current M1-5 zoning on the west and southwest portion of the project block, which is occupied by a Department of Sanitation garage and storage facility, would remain unchanged. The portion of the block to be rezoned C4-7 in the future with the actions would have a maximum available FAR of 9.0, which would increase to 12.0 pursuant to the Inclusionary Housing (IH) program described below.
- An amendment to Zoning Resolution (ZR) Appendix F to designate the rezoning area an IH-designated area. This proposed text amendment would allow the benefits of the IH program to be incorporated into the proposed actions. Through the provision of affordable housing the applicant would be permitted to build up to 12.0 FAR, rather than base 9.0 FAR (without the bonus).
- A text amendment to ZR §96-34, applicable to the rezoning area in the "Other Area" (Northern Subarea C1) in the Special Clinton District. The proposed text amendment would provide that 20 percent of the residential floor area on the proposed project site be reserved for affordable housing in order to achieve the IH bonus. This bonus would facilitate more than one floor of commercial uses.
- In addition, ZR §96-34 would be amended to allow an automotive showroom with repairs, applicable to the rezoning area in the "Other Area" (Northern Subarea C1) in the Special Clinton District. This proposed text amendment would allow automobile showrooms and automobile repair to be located below floors occupied by dwelling units.
- A special permit pursuant to ZR §13-45 for a public parking garage containing up to 500 spaces, or, depending on the configuration of ground-floor uses, up to 395 spaces. Pursuant to ZR §13-041(d), in C4-7 districts, the proposed parking garage requires a special permit from CPC.
- Authorization pursuant to ZR §13-441 to permit a curb cut on a wide street in Manhattan Community District 4. This authorization is being sought to accommodate ingress and egress from the proposed garage. An existing curb cut along West 57th Street would be extended by approximately 2 feet, 6 inches (currently along West 57th Street there are 6 existing curb cuts on the proposed project site, measuring between approximately 10 feet and 63 feet). The remaining five curb cuts would be eliminated.

OTHER ACTIONS

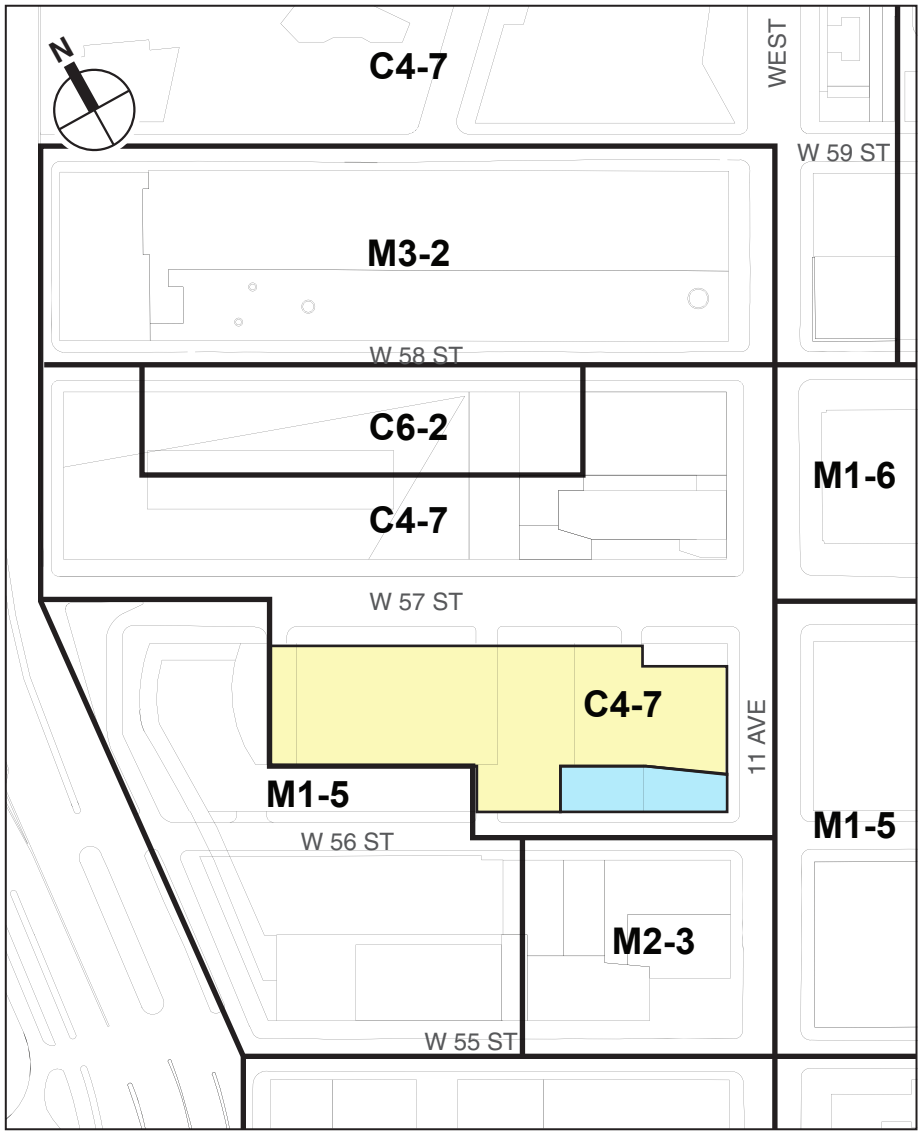
HFA Financing

The applicant may apply for HFA's "80/20" program to finance the affordable housing component. HFA offers tax-exempt financing to multifamily rental developments in which at least 20 percent of the units are set aside for low-income residents (based on the local "Area Median Income," adjusted for family size).

8.27.13



Existing Zoning



Proposed Zoning

Proposed Project Site

Projected Development Site

Zoning District Boundary

Existing and Proposed Zoning

Figure 1-9

(E) Designations

As discussed in greater detail in Chapter 9, "Hazardous Materials," Chapter 12, "Air Quality," and Chapter 14, "Noise," the proposed actions include the placement of (E) designations (E-324) to avoid significant adverse impacts in these technical areas. An (E) designation is a mechanism that ensures no significant adverse impacts would result from a proposed action because of procedures that would be undertaken as part of the development of a rezoned site.

As described in Chapter 9, "Hazardous Materials," to reduce the potential for human or environmental exposure to contamination during and following construction of the proposed project, remediation and monitoring of active-status Spill No. 0708204 on the proposed project site would continue in accordance with New York State Department of Environmental Conservation (NYSDEC) requirements, including implementation of a NYSDEC-approved Remedial Action Work Plan (RAWP) dated February 2013. An (E) designation would be assigned to the site to ensure that remedial activities would be undertaken prior to its redevelopment and to ensure that there are no significant adverse impacts related to hazardous materials.

As described in Chapter 12, "Air Quality," to ensure that there are no significant adverse impacts from the HVAC emissions, certain restrictions would be required. These restrictions would be mapped as (E) designations for development site 2. As part of the (E) designation for the proposed project site, any new development must utilize only natural gas in any fossil fuel-fired heating and hot water equipment and any heating and hot water equipment exhaust stack(s) must be located at least 450 feet above grade, to avoid any potential significant air quality impacts. As part of the (E) designation for development site 2, any new development must utilize only natural gas in any fossil fuel-fired heating and hot water equipment, and any heating and hot water equipment exhaust stack(s) must be located at least 323 feet above grade and no more than 44 feet away from the lot line facing 11th Avenue, and must be fitted with low NO_x burners with a maximum emission concentration of 30 ppm, to avoid any potential significant air quality impacts.

As described in Chapter 14, "Noise," (E) designations for noise would be placed on both the project site and projected development site 2. The noise (E) designations would require future building façades to meet certain noise attenuation requirements (ranging from 28 dBA to 35 dBA) to avoid significant adverse noise impacts.

Restrictive Declaration

In connection with the proposed project, a Restrictive Declaration would be recorded at the time all land use-related actions required to authorize the proposed project's development are approved. The Restrictive Declaration would provide for the implementation of and include, among other components, certain massing restrictions, design elements, "Project Components Related to the Environment" (i.e., certain project components which were material to the analysis of the environmental impacts in this EIS) and mitigation measures, substantially consistent with the EIS.

C. PROJECT PURPOSE AND NEED

The rezoning area is currently underdeveloped, and its designation for manufacturing uses reflects the former character of this part of Manhattan. The proposed actions would allow for development of a mixed-use building within a neighborhood currently following the citywide

trend towards redevelopment of former manufacturing areas into vibrant mixed-use communities.

The northern portion of the Clinton neighborhood is in the process of transitioning from a predominantly commercial and industrial area to a residential and commercial neighborhood. Redevelopment within the proposed rezoning area would complement the existing and ongoing revitalization trends within the area, contribute to the vitality of the streetscape and retail environment, and reinforce the character of 57th Street as a major mixed-use corridor running through the heart of Manhattan. The addition of ground floor retail would complement the planned retail directly across West 57th Street and contribute to the transformation of this portion of West 57th Street into a vibrant wide commercial street with retail uses on both sides.

By allowing for the construction of a new residential and commercial building, the proposed actions would contribute toward the preservation and strengthening of the existing residential character of the community while complementing the existing and ongoing revitalization of the area. The proposed actions would facilitate the development of new residential uses that work toward the goals of creating both affordable and market-rate housing in Manhattan and throughout the City—residential uses are not permitted in the current M2-3 and M1-5 manufacturing zones.

Other C4-7 zones exist near the proposed rezoning area, including a portion of the block directly to the north, the block bounded by West 59th Street and West 61st Street between Tenth and Eleventh Avenues, and a number of blocks both north and south of Lincoln Center between Ninth Avenue and Tenth Avenue. The block north of the rezoning area, which also includes a C6-2 district, is expected to be built with residential, retail, and community facility uses and already includes the Helena, with 597 residential units. The southernmost portion of the Riverside South Development between West 59th Street to West 61st Street is also zoned C4-7. These blocks include residential uses with additional residential, commercial and community facility uses planned for the area between West 59th and 61st Street. Another new nearby residential building is currently being constructed at 770 Eleventh Avenue, between West 53rd Street and West 54th Street.

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The *CEQR Technical Review Manual* serves as a general guide on the methodologies and impact criteria for evaluating the potential effects of the proposed actions on the various environmental areas of analysis. In disclosing impacts, the EIS considers the proposed project's potential for significant adverse impacts on the environmental setting. It is anticipated that the proposed actions would be in place and that redevelopment on development sites 1 and 2 would be complete by 2017. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives first assess "Existing Conditions" and then forecast these conditions to 2017 ("Future Without the Proposed Actions") for the purposes of determining potential impacts in the future with the proposed actions ("Probable Impacts of the Proposed Actions").

THE FUTURE WITHOUT THE PROPOSED ACTIONS

It is assumed that in the future without the proposed actions (also referred to as the "No Action" condition), the affected area will remain in its existing condition. For each technical analysis in the EIS, the No Action condition also incorporates approved or planned development projects

within the appropriate study area that are likely to be completed by the respective analysis years. Additional growth within the study area may occur as a result of a planned redevelopment project being undertaken by the New York City Department of Housing Preservation and Development (HPD) on the two blocks bounded by West 53rd Street, Tenth Avenue, West 51st Street, and Eleventh Avenue. This project includes the rehabilitation of a building located at 556-560 West 52nd Street and the construction of two new buildings located at 530-548 West 53rd Street and 525 West 52nd Street with affordable housing (including units intended for low-, moderate-, and medium-income households). These sites were previously identified as Site 7 within the expired Clinton Urban Renewal Area (URA), discussed above. This HPD project, which was identified as a potential background project just prior to certification of this DEIS, has not yet entered the public review process. It is discussed as a potential project where relevant in this EIS and for informational purposes. For certain technical areas of this EIS it is considered when that approach would result in a more conservative analysis. For others, the project may be included if more information becomes available after the issuance of the DEIS.

THE FUTURE WITH THE PROPOSED ACTIONS

For each of the technical areas of analysis identified in the *CEQR Technical Manual*, conditions with the proposed actions are compared to the No Action condition. As described below, the EIS considers the potential impacts of the entire rezoning area and not just the site-specific redevelopment of the property under the applicant's control.

As previously noted, while the building program for the proposed actions (RWCDS 1, described above and summarized in **Table 1-1**) reflects what is currently contemplated by the project sponsor, the proposed actions would not preclude a different mix of uses from being developed under the proposed zoning. Thus, RWCDS 2 has been identified and analyzed. In addition, since portions of the affected area are not under the control of the applicant, consideration is given in the EIS to the redevelopment potential of those parcels that are not under the control of the applicant.

The section below identifies and discusses the analysis framework analyzed in the EIS and considered for potential significant adverse impacts.

PROPOSED PROJECT SITE—DEVELOPMENT SITE 1

The Proposed Actions—RWCDS 1

With the proposed actions the redevelopment of development site 1 would include a mixed-use building containing up to 1,189 residential apartments, ground-floor local retail uses up to 42,000 gsf, and either 395 or 500 below-grade parking spaces.

RWCDS 2

As described above, under RWCDS 2, development site 1 would include a new mixed-use building containing 1.2 million gsf and including approximately 848 residential units (of which 170 would be affordable) and either 395 or 500 parking spaces, along with approximately 185,000 gsf of hotel (285 rooms), 35,000 gsf of local retail, 75,000 gsf of destination retail, and 30,000 gsf of medical office space. RWCDS 2 is analyzed in technical areas where this second analysis framework could result in greater significant adverse impacts compared with RWCDS 1. These technical areas include transportation, mobile source air quality, greenhouse gas emissions, and water and sewer infrastructure.

RWCDS 1 and RWCDS 2 in the EIS

Each technical area in this EIS considers RWCDS 1, RWCDS 2, or both. The analysis framework that has the greatest potential to result in significant adverse impacts is used to determine project impacts for a particular technical analysis area. For example, the traffic analysis considers RWCDS 2 since its development program has a greater potential to result in significant adverse impacts compared with RWCDS 1. As another example, the community facilities analysis considers RWCDS 1 for analysis purposes, since its development program is likely to generate more new residents that would utilize community facilities and services (such as schools) when compared with RWCDS 2. For each technical area, the EIS identifies which analysis framework is considered to determine potential significant adverse impacts. In certain cases it may be appropriate to consider both scenarios.

The bulk and overall design of the building on development site 1 is substantially the same under RWCDS 1 and 2; therefore, for areas such as shadows that depend on building bulk or design, no distinction is be made between the two analysis frameworks. Similarly, for site-specific analyses, such as hazardous materials, conditions are the same for either scenario and no distinction is made between RWCDS 1 or 2.

REMAINDER OF REZONING AREA

As noted above, there are three "outparcels" within the rezoning area (Lots 25, 29, and 36) that are not controlled by the applicant.

Lots 25 and 29—Projected Development Site 2

As described above and shown in **Table 1-1**, Lots 25 and 29 are considered for the purposes of this EIS (for both RWCDS 1 and 2) to be redeveloped as a hotel under the proposed actions. With an allowable FAR of 10.0 and accounting for mechanical and other zoning allowances, a new hotel building would have approximately 117,612 gsf, with approximately 181 hotel rooms.

Lot 36

At approximately 2,500 square feet and measuring approximately 25 feet from north to south, this site is limited in terms of the amount of development that can take place on it. It currently is developed with a building approximately 60 feet high. Because of setback requirements (10 feet at the 60 to 85 feet height, on a wide street), redevelopment of this site is not anticipated. In addition, it is not part of a larger potential assemblage of property (as there are no other adjoining potential development sites), and the building is in active use and is fully tenanted. Enlargement of the existing building is also not considered likely due to structural reasons. Therefore, this site is considered unlikely to be developed within the foreseeable future and its redevelopment or enlargement with the proposed actions is not considered in the EIS.

SUMMARY OF CONDITIONS FOR ANALYSIS IN THE EIS

Table 1-2 presents a summary of the existing conditions, conditions in the future without the proposed actions, and conditions with the proposed actions that are assumed for analysis in this EIS. As noted above, in the No Action condition, it is assumed the entire affected area would retain their existing uses. Under both analysis frameworks (RWCDS 1 and 2), it is assumed that development site 2 would be developed with an approximately 117,612 gsf hotel.

E. LAND USE AND ENVIRONMENTAL REVIEW

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

UNIFORM LAND USE REVIEW PROCEDURE

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

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

ENVIRONMENTAL REVIEW

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

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

- Establish a Lead Agency. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. The lead agency is typically the agency with primary responsibility for the proposed action. Because CPC is the agency primarily responsible for zoning actions and special permits, DCP, on behalf of CPC, is the lead agency for this proposal.
- Determine Significance. The lead agency's first decision is to determine whether the proposed action may have a significant impact on the environment. This is based on an Environmental Assessment Statement (EAS). After review of the EAS, DCP, on behalf of CPC, determined that this proposal could have a significant adverse effect on the environment, requiring an EIS be prepared. DCP issued a Positive Declaration on March 21, 2013.
- Scoping. Once the lead agency has issued a Positive Declaration, it then issues a Draft Scope of Work for the EIS. "Scoping" is the process of establishing the type and extent of the

environmental impact analyses to be studied in the EIS. The lead agency issued a Draft Scope of Work on March 21, 2013. A public scoping meeting was held for the proposed actions on April 25, 2013 at the Department of City Planning, Spector Hall, located at 22 Reade Street in Manhattan. Written comments were accepted through May 6, 2013, and a final scope of work, reflecting comments made during scoping, was issued on October 18, 2013.

- DEIS. In accordance with the final scope of work, a Draft EIS is prepared. The lead agency reviews all aspects of the document, calling on other City agencies to participate as it deems appropriate. Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review. When a DEIS is required, it must be certified as complete before the ULURP application can proceed.
- Public Review. Publication of the Notice of Completion of the DEIS initiates a public review period. During this period, which must extend for a minimum of 30 days, the public may review and comment on the DEIS either in writing or at a public hearing. As noted above, when the CEQR process is coordinated with ULURP, the hearings are typically held jointly. The lead agency must publish a notice of the hearing at least 14 days before it takes place, and must accept written comments for at least 10 days following the close of the hearing. All substantive comments become part of the CEQR record and must be summarized and responded to in the Final EIS.
- FEIS. After the close of the public comment period for the DEIS, the lead agency prepares a FEIS. This document must include a summary restatement of each substantive comment made about the Draft EIS with a response. Once the lead agency determines that the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.
- Findings. The lead agency adopts a formal set of written findings, reflecting its conclusions about the potential significant adverse environmental impacts of the proposed actions, potential alternatives, and mitigation measures. The findings may not be adopted until 10 days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions.

Table 1-2
Summary of Existing, No Action, and With Action Assumptions for Analysis

	Existing			No Action[1]			With Action—RWCDS 1			With Action—RWCDS 2		
	Development Site 1 (Lots 31, 40, 44, and 55)	**Development Site 2 (Lots 25 and 29)**	**Remainder of Rezoning Area (Lot 36)**	**Development Site 1 (Lots 31, 40, 44, and 55)**	**Development Site 2 (Lots 25 and 29)**	**Remainder of Rezoning Area (Lot 36)**	**Development Site 1 (Lots 31, 40, 44, and 55)**	**Development Site 2 (Lots 25 and 29)**	**Remainder of Rezoning Area (Lot 36)**	**Development Site 1 (Lots 31, 40, 44, and 55)**	**Development Site 2 (Lots 25 and 29)**	**Remainder of Rezoning Area (Lot 36)**
Residential												
Total dwelling units	0	0	0	0	0	0	±1,189	0	0	±848	0	0
Affordable units	0	0	0	0	0	0	20 Percent (238)	0	0	20 Percent (170)	0	0
Approximate GSF	N/A	N/A	N/A	N/A	N/A	N/A	±987,250	N/A	N/A	±704,250	N/A	N/A
Commercial												
Use	Auto Sales and Service	Office, Auto Sales and Service	Office, Food + Drink	Auto Sales and Service	Office, Auto Sales and Service	Office, Food + Drink	General Retail	Hotel (±181 rooms[3])	Office, Food + Drink	Retail, Hotel (± 285 rooms[3])	Hotel (±181 rooms[3])	Office, Food + Drink
No. of bldgs	3	2	1	3	2	1	1 (partial)	1 (partial)	1	1 (partial)	1 (partial)	1
Approximate GSF	±21,800 (Lot 31); ±39,000 (Lot 40); ±3,525 (Lot 55)	±16,200 (Lot 25); ±30,670 (Lot 29)	±10,801 Office; ±1,907 Food + Drink[2]	±21,800 (Lot 31); ±39,000 (Lot 40); ±3,525 (Lot 55)	±16,200 (Lot 25); ±30,670 (Lot 29)	±10,801 Office; ±1,907 Food + Drink	±42,000 retail	±117,612	±10,801 Office; ±1,907 Food + Drink	±185,000 Hotel, 110,000 Retail	±117,612	±10,801 Office; ±1,907 Food + Drink
Community Facility												
Type	None	None	None	None	None	None	None	None	None	Medical office	None	None
Approximate GSF	0	0	0	0	0	0	0	0	0	±30,000	0	0
Parking Garages												
No. of spaces	1,000 (Lot 44)	0	0	1,000 (Lot 44)	0	0	395 or 500	0	0	395 or 500	0	0

Notes: [1] Absent the proposed actions, development site 1 and remainder of the rezoning area are assumed to remain in active use with existing development.
[2] Approximately 75 percent of the ground floor of Lot 36 is devoted to food and drink; the remaining space is used to access the offices on the upper floors.
[3] Assuming 1 hotel room per 650 gsf.
Sources: Dept. of City Planning, PLUTO/ZoLa; NYC Department of Finance; Arquitectonica Architects; AKRF, Inc, field surveys.