City Environmental Quality Review

STATEMENT

RECEIVED DEC 19 2008 OFFICE OF ENVIRONMENTAL COORDINATION
DEPARTMENT OF CITY PLANNING RECEIVED 2008 DEC 19 PM 12:01 ENVIRONMENTAL REVIEW DIV.

Received by Central Intake on December 19, 2008

DEPARTMENT OF CITY PLANNING

08DCP019M

Reference Numbers

1. CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY) | BSA REFERENCE NO. IF APPLICABLE

ULURP REFERENCE NO. IF APPLICABLE | OTHER REFERENCE NO. (S) IF APPLICABLE (e.g., Legislative Intro, CAPA, etc.)

Lead Agency & Applicant Information

PROVIDE APPLICABLE INFORMATION

2a. LEAD AGENCY	2b. APPLICANT INFORMATION
New York City Planning Commission	401 Commercial LP 401 Hotel REIT LLC
NAME OF LEAD AGENCY	NAME OF APPLICANT
Robert Dobruskin, Director Department of City Planning—Environmental Assessment and Review Division	Karen L. Mintzer, Kramer Levin Naftalis & Frankel LLP
NAME OF LEAD AGENCY CONTACT PERSON	NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON
22 Reade Street, Room 4E	1177 Avenue of the Americas
ADDRESS	ADDRESS
New York NY 10007	New York NY 10036
CITY STATE ZIP	CITY STATE ZIP
212-720-3423 212-720-3495	(212) 715-7775 (212) 715-8291
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EMAIL ADDRESS	EMAIL ADDRESS

Action Description

SEE CEQR MANUAL SECTIONS 2A & 2B

3a. NAME OF PROPOSAL: **15 Penn Plaza**

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

See page 1a

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

See page 1b

Required Action or Approvals

4. **CITY PLANNING COMMISSION** ■ Yes ☐ No

☐ Change in City Map ☐ Zoning Certification ☐ Site Selection – Public Facility

■ Zoning Map Amendment ☐ Zoning Authorization ☐ Disposition – Real Property ☐ Franchise

■ Zoning Text Amendment ☐ Housing Plan & Project ☐ UDAAP ☐ Revocable Consent ☐ Concession

☐ Charter 197-a Plan

■ Zoning Special Permit, specify type: **81-541 and 74-634 for a floor area bonus of up to 20 percent of the basic maximum floor area ratio permitted on the zoning lot in exchange for a Subway Station and Rail Mass Transit Facility Improvement.**

■ Modification of: **Bulk regulations, pedestrian circulation space, and certain Mandatory District Plan Elements of the Special Midtown District**

☐ Renewal of:

☐ Other:

5. **UNIFORM LAND USE PROCEDURE (ULURP)** ■ Yes ☐ No

6. **BOARD OF STANDARDS AND APPEALS** ☐ Yes ■ No

☐ Special Permit ☐ New ☐ Renewal Expiration Date

☐ Variance ☐ Use ☐ Bulk

Specify affected section(s) of Zoning Resolution

7. **DEPARTMENT OF ENVIRONMENT PROTECTION** ☐ Yes ■ No

☐ Title V Facility ☐ Power Generating Facility ☐ Medical Waste Treatment Facility

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S)

The applicants, 401 Commercial LP and 401 Hotel REIT LLC, propose to redevelop the current site of the Hotel Pennsylvania (Block 808, Lots 1001 and 1002) on Seventh Avenue between West 32nd and West 33rd Streets adjacent to Penn Station in Manhattan with a new commercial office building—a redevelopment project known as 15 Penn Plaza (see **Figure 1**). This site is referred to as the "development site." The development site shares the same block as the Manhattan Mall site (Block 808, Lot 40). The development site and the Manhattan Mall site are located on the same "project site" (see **Figure 2**). The three zoning lots that comprise the project site will be merged into one zoning lot. The development site is located partly within a C6-6 zoning district and partly within a C6-4.5 zoning district (see **Figure 3**). It is also located partially within the Penn Center Subdistrict of the Special Midtown District (see **Figure 4**).

To provide the applicants with the flexibility to respond to market conditions, two options are proposed for the development site—a Single Tenant Office Scenario and a Multi-Tenant Office Scenario. No changes would occur on the Manhattan Mall site. Both scenarios would consist of new commercial office space located above retail use, and both scenarios would include new below-grade mass transit improvements. Both scenarios would be constructed within a maximum building envelope allowing for design flexibility.

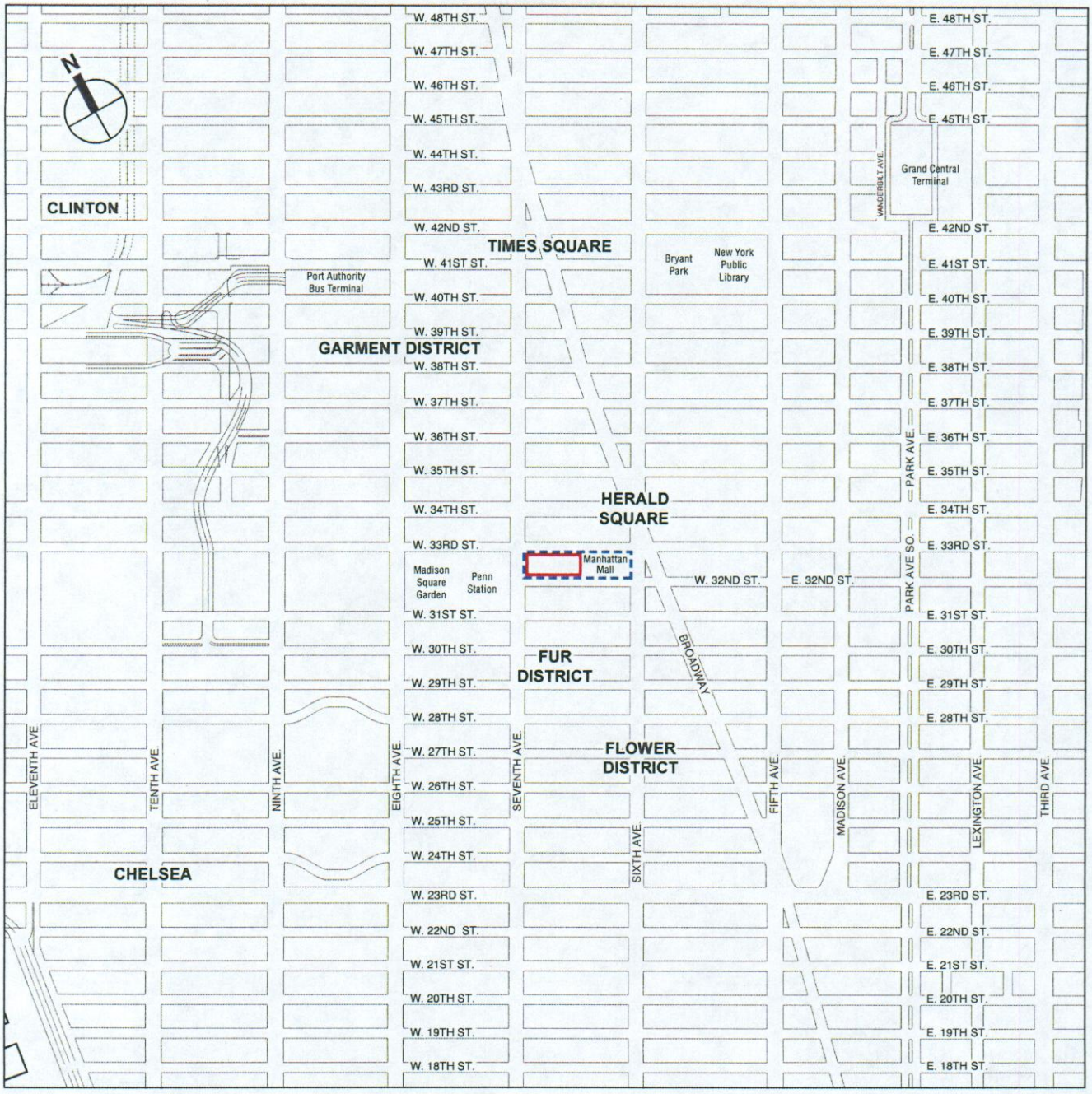
Table 1 provides a summary of both the Single Tenant Office and Multi-Tenant Office Scenarios.

Table 1
Proposed Building Program—Single-Tenant Office and Multi-Tenant Office Scenarios

Project Components	Single-Tenant Office Scenario		Multi-Tenant Office Scenario	
	zsf	gsf	zsf	gsf
Commercial Office	1,385,118	1,522,108	1,689,754	1,851,527
Trading Floor Use	325,677	357,886	--	--
Retail	9,745	10,709	313,180	380,447[1]
Mechanical Space	--	442,665	--	312,623
Lobby Area, Amenity Space, Service, and Loading Areas	332,127	512,072	49,733	109,420
Total Building Square Footage	2,052,667	2,845,440	2,052,667	2,654,017

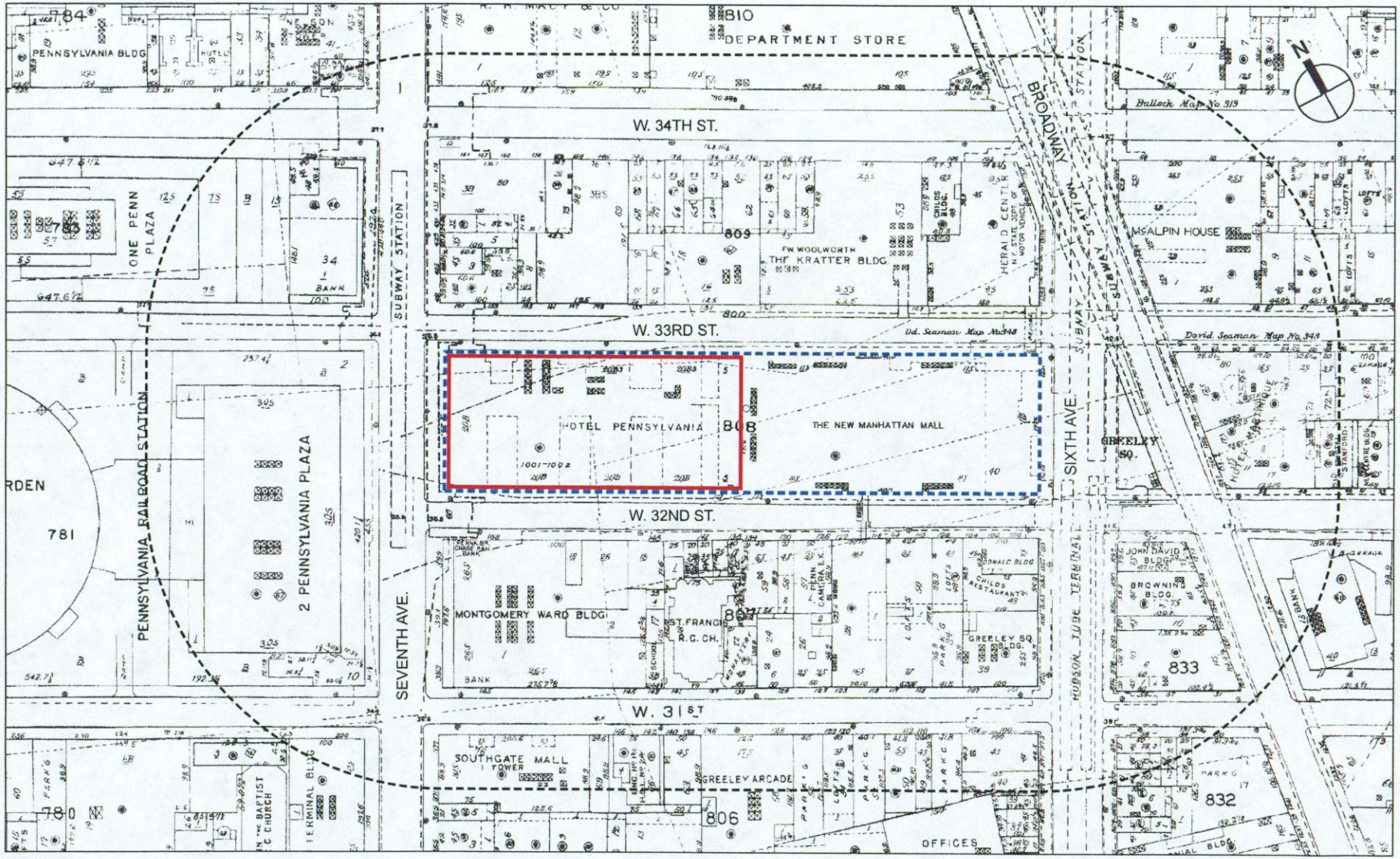
Notes: Both scenarios would include up to 100 accessory parking spaces in place of a portion of the below-grade service area.
1. In the Multi-Tenant Office Scenario, up to 228,114 sf of this retail space could be utilized for trading uses.
Source: Pelli Clarke Pelli Architects.

In order to develop the proposed project (either scenario), certain discretionary approvals are required from the New York City Planning Commission (CPC). Thus, the proposed project is subject to environmental review under the State Environmental Quality Review (SEQR) and City Environmental Quality Review (CEQR) regulations and guidelines. The New York City Department of City Planning (NYCDCP) will act as the CEQR lead agency for this proposal. Approvals from the Metropolitan Transportation Authority (MTA)/New York City Transit (NYCT), Port Authority of New York and New Jersey (PANYNJ), and Amtrak are required for the design and maintenance of the below-grade mass transit improvements. In addition, subsurface easements may be requested from Amtrak for building support columns.



Project Location
EAS Figure 1

12.10.08



Development Site

Project Site Boundary

Study Area Boundary (400-Foot Perimeter)

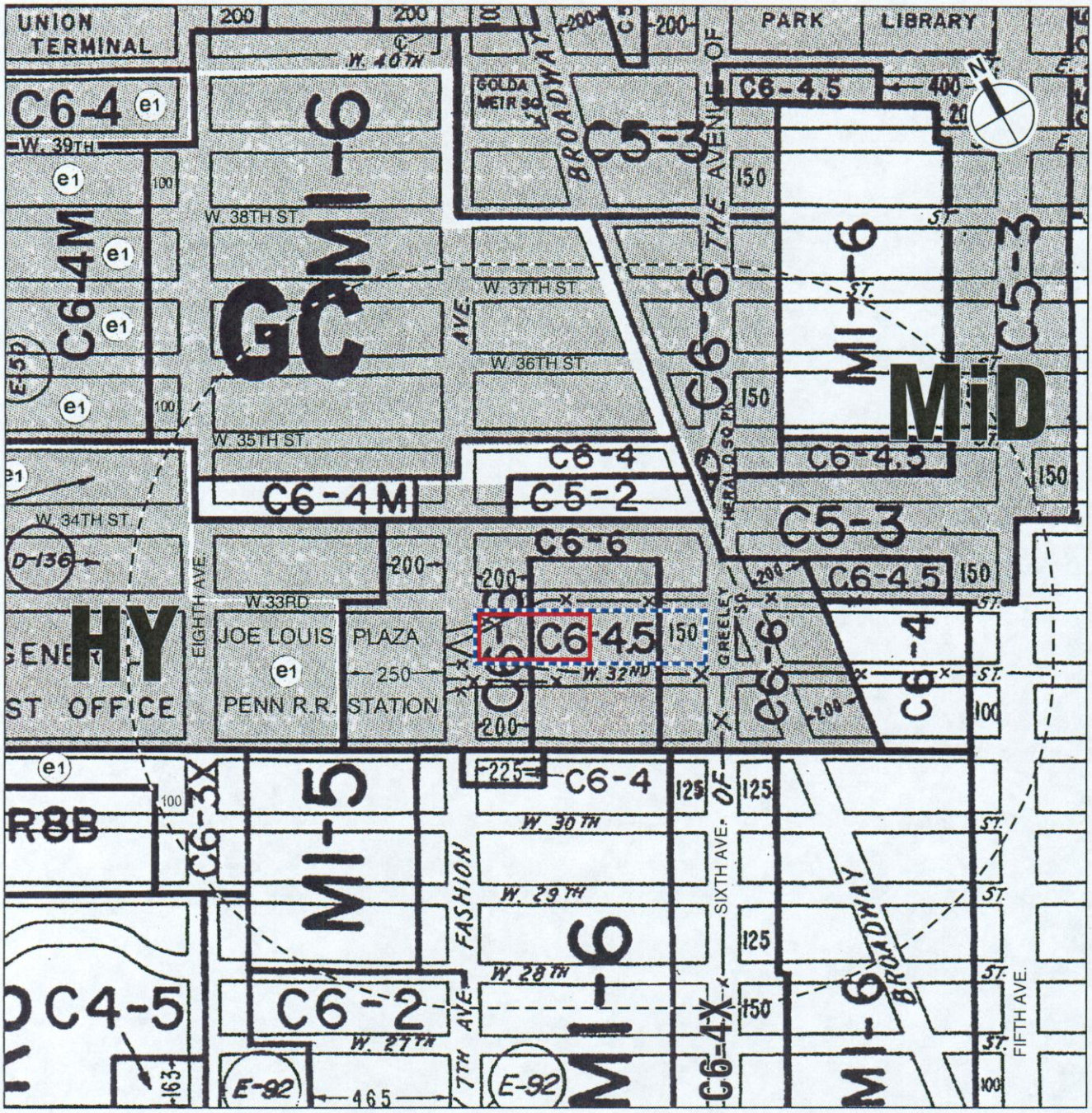
0 100 200 FEET

SCALE

Proposed Development Site

EAS Figure 2

12.10.08



Development Site

Project Site Boundary

1/4-Mile Perimeter

Zoning District Boundary

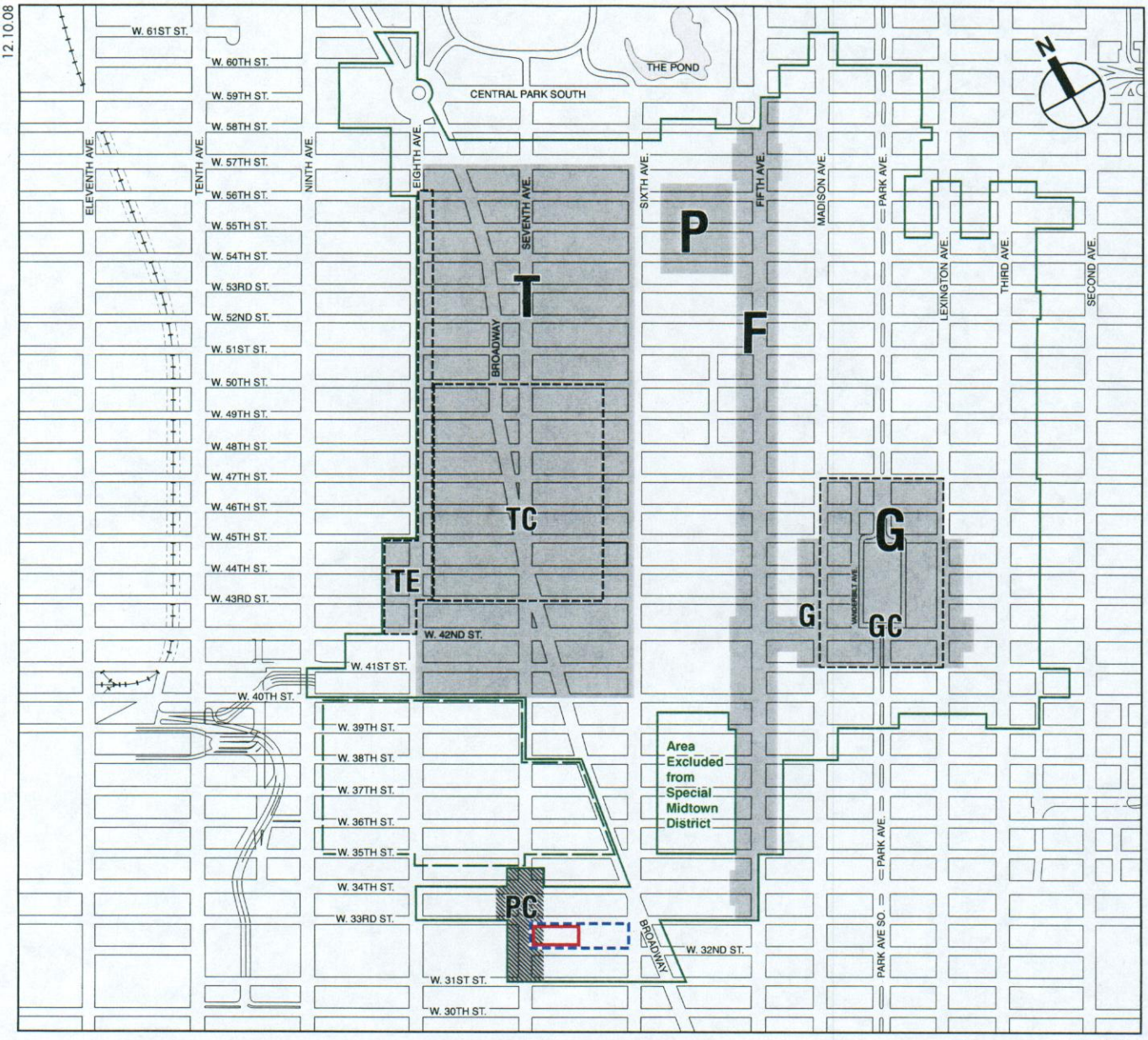
Special Purpose District

MiD *Special Midtown District*

HY *Special Hudson Yards District*

GC *Special Garment Center District*

Existing Zoning
EAS Figure 3



Special Midtown District
EAS Figure 4

The land use actions necessary to facilitate development of the proposed project are as follows:

Zoning Map Amendment

- Zoning map amendment to rezone C6-4.5 (MiD) zoning district to C6-6 (MiD) zoning district. The "rezoning area" consists of the midblock portion of the project site and would apply to the eastern half of the development site and the western half of the Manhattan Mall site (see **Figure 5**). Specifically, the rezoning area would cover the portion of the project site 200 feet east of Seventh Avenue to 150 feet west of Sixth Avenue. **Figure 6** shows the proposed zoning.

Zoning Text Amendments

- Zoning text amendment to the Special Midtown District that would allow, by special permit, the modification of height and setback regulations, pedestrian circulation space, and certain of the Mandatory District Plan Elements of the Special Midtown District. It is anticipated that the area affected by the amendment would be limited to zoning lots partially or fully within the Penn Center Subdistrict of the Special Midtown District.
- Zoning text amendment to revise the administrative process for obtaining approvals from the multiple transit operating entities involved in rail mass transit facility improvements in the Penn Center Subdistrict.
- A zoning text amendment to provide that any bonus floor area for completed mass transit improvements that is not utilized in the new office tower would be vested and available for use elsewhere on the zoning lot subject to any applicable review and approval process for such development or enlargement.

Because the zoning text amendments could potentially affect more than just the development site as the amendments would apply to sites located wholly or partially within the Penn Center Subdistrict, a conceptual analysis that will identify such sites and will assess the potential effects of the amendment will be undertaken, if appropriate (see Draft Scope of Work).

Special Permits

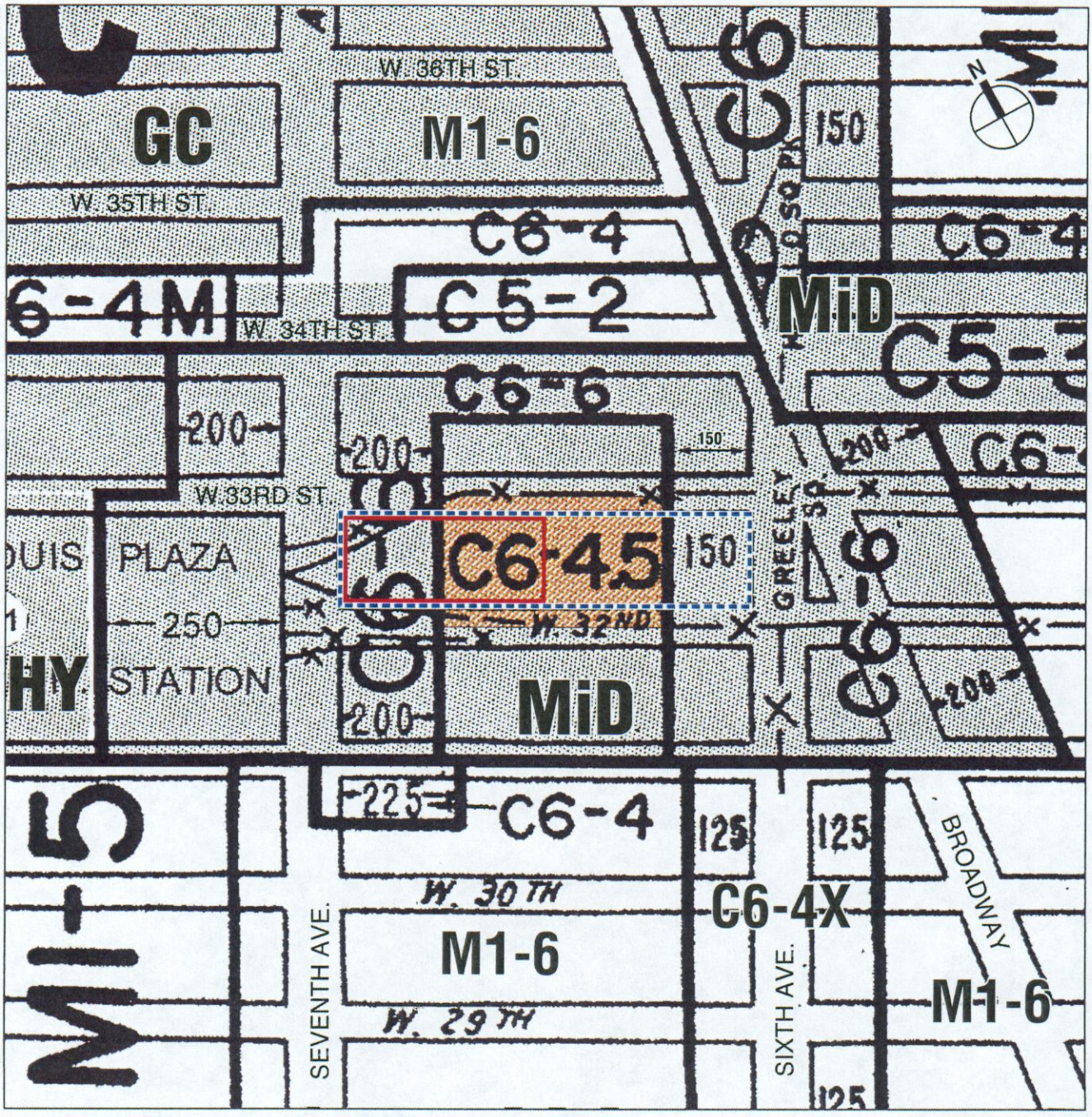
- Special permit to modify bulk regulations and Mandatory District Plan Elements (e.g., pedestrian circulation space, retail continuity and location of streetwall) pursuant to the proposed zoning text amendment described above.
- Special permit pursuant to Sections 81-541 and 74-634 of the Zoning Resolution for a floor area bonus of up to 20 percent of the basic maximum floor area ratio permitted on the project site in exchange for a Subway Station and Rail Mass Transit Facility Improvement. This 20 percent bonus for mass transit improvements would result in an additional 474,000 zoning square feet of development on the development site.

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S)

The proposed actions would facilitate the development of the proposed 15 Penn Plaza project. The development of either scenario would provide modern Class A commercial office space to accommodate Manhattan's long-term growth. Both scenarios would have large floorplates designed to attract major corporate tenants, and the podium portion of the building would feature even larger floorplates to accommodate trading uses. The availability of such space in a central Manhattan location well served by existing transit services will enhance significantly the likelihood of corporate office tenants remaining in or relocating to, and expanding in, New York City.

Development of the project (either scenario) would result in increased employment opportunities across all economic levels and increased tax revenues for the City and State. In addition to the

12.10.08



Development Site

Project Site Boundary

Area to be Rezoned from C6-4.5 to C6-6

Zoning District Boundary

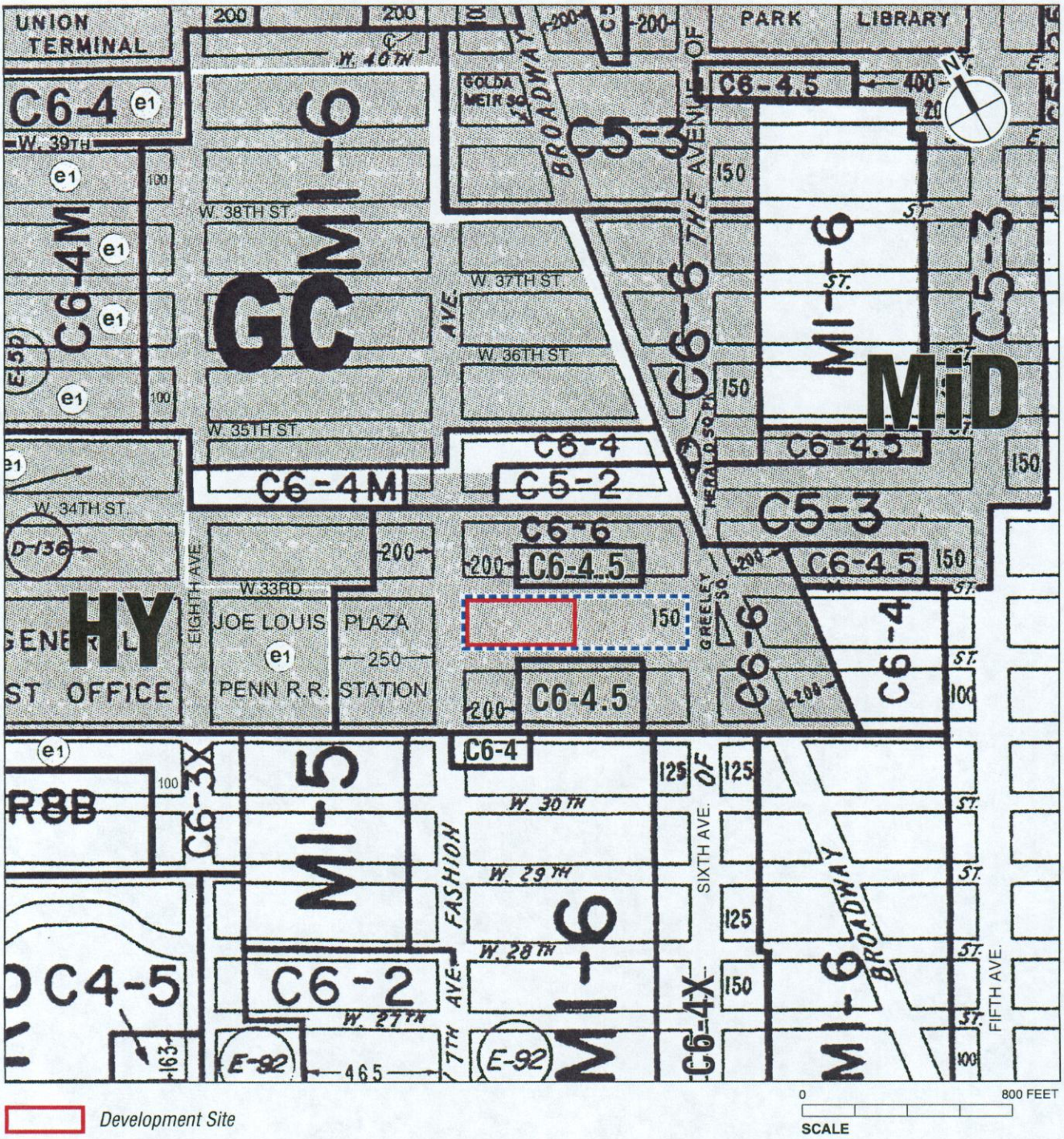
Special Purpose District

MiD *Special Midtown District*

HY *Special Hudson Yards District*

GC *Special Garment Center District*

Rezoning Area
EAS Figure 5



Development Site

Project Site Boundary

Zoning District Boundary

Special Purpose District

MiD Special Midtown District

HY Special Hudson Yards District

GC Special Garment Center District

Proposed Zoning
EAS Figure 6

economic growth associated with the commercial uses proposed for this site, both scenarios would result in substantial benefits for the public by providing a new mass transit improvement, specifically a passageway under the south side of 33rd Street would be re-opened and refurbished. The refurbished passageway would accommodate pedestrian flows between Penn Station/the Seventh Avenue subway lines (1, 2, and 3) and the Sixth Avenue subway lines (B, D, F, N, Q, R, V, and W) and the PATH station, improving pedestrian circulation on the street-level sidewalks. The passageway would provide an alternative to pedestrians traveling along the 33rd Street corridor.

PLEASE NOTE THAT MANY ACTIONS ARE NOT SUBJECT TO CEQR. SEE SECTION 110 OF TECHNICAL MANUAL.

8. OTHER CITY APPROVALS ☐ Yes ■ No

☐ Legislation ☐ Rulemaking: specify agency:

☐ Construction of Public Facilities ☐ Funding of Construction, Specify ☐ Funding of Programs, Specify

☐ Policy or plan ☐ Permits, Specify:

Other; explain:

9. STATE ACTIONS/APPROVALS/FUNDING ☐ Yes ■ No

If "Yes," identify

10. FEDERAL ACTIONS/APPROVALS/FUNDING ☐ Yes ■ No

If "Yes," identify

Action Type

11a. ☐ Unlisted; or ■ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended):

617.4(b)(6)(v): A non-residential project of more than 240,000 square feet of gross floor area that is located in a city having a population of more than 150,000 persons.

11b. ☐ Localized action, site specific ■ Localized action, change in regulatory control for small area ☐ Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: **2014**

Would the proposal be implemented in a single phase? ■ Yes ☐ No ☐ NA.

Anticipated period of construction: **4 years (2010 to 2014)**

Anticipated completion date: **2014**

Would the proposal be implemented in multiple phases? ☐ Yes ■ No ☐ NA.

Number of phases:

Describe phases and construction schedule:

Directly Affected Area

INDICATE LOCATION OF PROJECT SITE FOR ACTIONS INVOLVING A SINGLE SITE ONLY (PROVIDE ATTACHMENTS AS NECESSARY FOR MULTIPLE SITES)

13a. LOCATION OF PROJECT SITE

139 West 32nd Street

STREET ADDRESS

Western portion of the block bounded by Seventh Avenue to the west, West 33rd Street to the north, Avenue of the Americas to the east, and West 32nd Street to the south

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

C6-6, C6-4.5, Penn Center Subdistrict of the Special Midtown District **8d**

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY — ZONING SECTIONAL MAP NO.

Block 808, Lots 40, 1001, and 1002 **Manhattan** **5**

TAX BLOCK AND LOT NUMBERS — BOROUGH — COMMUNITY DISTRICT NO.

13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT

TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: **Development site: ±79,000 Project site: ± 158,080** SQ. FT.

GROSS FLOOR AREA OF PROJECT: **Single-Tenant Office Scenario: 2,845,440 Multi-Tenant Office Scenario: 2,654,017** SQ. FT.

***Including below-grade and mechanical areas**

IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED

IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE **N/A** % OF

DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE:

Maximum Building Envelope **±1,198** HEIGHT **±200 feet** WIDTH **±400 feet** LENGTH

LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: **±197 feet along Seventh Avenue; ±400 feet along West 32nd and West 33rd Streets**

13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:

N/A.

13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ■ Yes ☐ No

IF 'YES,' IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a. & 13b. ABOVE.

The rezoning area would affect a portion of the Manhattan Mall Site; however, no changes to this site would occur.

PART II, SITE AND ACTION DESCRIPTION

Site Description

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8 1/2 x 14 inches in size.

See Figures 2, 3, and 7

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): **Development site: ±79,000 Project site: ±158,080** Water surface area (sq. ft.): _____

Roads, building and other paved surfaces (sq. ft.): **Development site: ±79,000 Project site: ±158,080** Other, describe (sq. ft.): _____

3. **PRESENT LAND USE**

Residential **N/A**

Total no. of dwelling units _____ No. of low-to-moderate income units _____

No. of stories _____ Gross floor area (sq. ft.) _____

Describe type of residential structures:

Commercial

Retail: No. of bldgs. **1** Gross floor area of each building (sq. ft.): **Manhattan Mall: ±791,333**

Office: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Other: No. of bldgs. **1** Gross floor area of each building (sq. ft.): **±1.4 million (hotel)**

Specify type(s): No. of stories and height of each building: **22-story hotel**

The hotel occupies the development site. The remainder of the project site is occupied by the Manhattan Mall

Manufacturing/Industrial **N/A**

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Types of use(s): Open storage area (sq. ft.) _____

If any unenclosed activities, specify:

Community facility **N/A**

Type of community facility:

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Vacant Land

Is there any vacant land in the directly affected area? ☐Yes ■No

If yes, describe briefly:

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐Yes ■No

If yes, describe briefly:

Does the directly affected area include any mapped City, State or Federal parkland? ☐Yes ■No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐Yes ■No

If yes, describe briefly:

Other Land Use

No. of stories _____ Gross floor area (sq. ft.): _____

Type of use(s): _____



Existing Land Use
EAS Figure 7

4. EXISTING PARKING

Garages **N/A***

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Lots **N/A**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

*** In the early 1990s, a special permit was approved for a public parking garage on the development site; however, these spaces were never provided and the site contains no parking.**

5. EXISTING STORAGE TANKS

Gas or service station? ☐ Yes ■ No Oil storage facility? ☐ Yes ■ No Other? ☐ Yes ■ No

If yes, specify: _____

Number and size of tanks: _____ Last NYFD inspection date: _____

Location and depth of tanks: _____

6. CURRENT USERS

SEE CEQR TECHNICAL MANUAL CHAPTER III F., HISTORIC RESOURCES

No. of residents: **0** No. and type of businesses: **Hotel Pennsylvania (1,700 rooms)**

No. and type of workers by business: **Hotel: ±450*** No. and type of non-residents who are not workers: _____

***Hotel employee number based on information provided by the Hotel Pennsylvania. Additional commercial space, which is not associated with the Hotel Pennsylvania, is located on the development site. A substantial amount of this commercial space is unoccupied or partially occupied.**

7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)

Answer the following two questions with regard to the directly affected areas, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape of landscape features, or archaeological resource that:

(a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **NO**

(b) is within a designated New York City Historic District; **NO**

(c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **YES***

(d) is within a New York State or National Register Historic District; or **NO**

(e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **NO**

Identify any resource:

***As part of the environmental review for the 2004 Hudson Yards project, the Hotel Pennsylvania, located on the development site, was determined eligible for listing on the State and National Registers of Historic Places (S/NR-eligible) and eligible for designation as a New York City Landmark (NYCL-eligible) (*No. 7 Extension—Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement*). However, in early 2008, LPC responded to letters and supporting materials submitted to LPC by members of the public requesting an evaluation of the potential eligibility of the Hotel Pennsylvania for designation as a New York City Landmark; LPC made the following finding: "In response to the information you submitted concerning the property referenced above [the Hotel Pennsylvania], a senior staff committee of the Landmarks Preservation Commission has reviewed the property for consideration as a potential landmark. At this time, the property does not appear to meet the criteria for designation and will not be recommended to the full Commission for further consideration as a New York City Landmark."**

The Equitable Life Assurance Building, located at 383-399 Seventh Avenue south of the project site across West 32nd Street, was determined S/NR-eligible and NYCL-eligible.

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource.

8. WATERFRONT REVITALIZATION PROGRAM

SEE CEQR TECHNICAL MANUAL CHAPTER III K., WATERFRONT REVITALIZATION PROGRAM

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ☐ Yes ■ No

(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

Project Description

THIS SUBPART SHOULD GENERALLY BE COMPLETED ONLY IF YOUR ACTION INCLUDES A SPECIFIC OR KNOWN DEVELOPMENT AT PARTICULAR LOCATIONS

9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement? ☐ Yes ■ No

If yes, describe briefly:

Absent approval of the proposed actions, the Hotel Pennsylvania will be demolished and an as-of-right, or No Build building, of 1.15 million zsf (1.6 million gsf) containing commercial office development will be constructed on the development site. No modifications would be made to the Manhattan Mall site.

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? ■ Yes ☐ No

If yes, describe briefly:

The proposed project would require in-ground construction for the below-grade portion of the proposed building, including mass transit improvements.

10. PROPOSED LAND USE

This section provides information for the development site; no changes would occur on the Manhattan Mall site.

Residential **N/A**

Total no. of dwelling units _____ No. of low-to-moderate income units _____ Gross floor area (sq. ft.) _____

No. of stories _____

Describe type of residential structures:

Commercial

Retail: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

Office: No. of bldgs. **1*** Gross floor area of each building (sq. ft.): _____

Other: No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: **62 floors; ±1,119 feet**

* **The Single-Tenant Office Scenario would contain approximately 1.52 million gsf of office space and five floors within the building's podium base that would accommodate trading floor use totaling 357,886 gsf; 10,709 gsf of retail space, 512,072 gsf of building amenity, lobby, service and loading area space; and approximately 442,665 gsf of mechanical space. The Multi-Tenant Office Scenario would include approximately 1.82 million gsf of commercial office use, 380,447 gsf of retail use (228,114 sf of which could alternately be used for trading uses), 312,623 gsf of mechanical space, 109,420 gsf of building amenity, lobby, and service and loading area space. Both scenarios would utilize a portion of below service space for up to 100 below-grade accessory parking spaces.**

Manufacturing/Industrial

No. of bldgs. _____ Gross floor area of each building (sq. ft.) _____

No. of stories and height of each building: _____

Type of use(s): _____ Open storage area (sq. ft.): _____

If any unenclosed activities, specify:

Community facility

Type of community facility: _____

No. of bldgs. _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? ☐ Yes ■ No

If yes, describe briefly:

Publicly accessible open space

Is there any publicly accessible open space in the directly affected area? ☐ Yes ■ No

If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? ☐ Yes ■ No

If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ■ No

If yes, describe briefly:

Other Land Use

No. of stories _____ Gross floor area (sq. ft.): _____

Type of use(s):

11. PROPOSED PARKING

This section provides information for the development site; no changes would occur on the Manhattan Mall site.

Garages

No. of public spaces: **0** No. of accessory spaces: **up to 100**

Operating hours: **24 hours/7 days** Attended or non-attended? **Attended**

As noted above, both scenarios would include up to 100 accessory parking spaces in place of a portion of the below grade area.

Lots **N/A**

No. of public spaces: _____ No. of accessory spaces: _____

Operating hours: _____ Attended or non-attended? _____

Other (including street parking) – please specify and provide same data as for lots and garages, as appropriate.

No. and location of proposed curb cuts:

12. **PROPOSED STORAGE TANKS**

This section provides information for the development site; no changes would occur on the Manhattan Mall site.

Gas or storage stations? ☐ Yes ■ No Oil storage facility? ☐ Yes ■ No

Other? ■ Yes ☐ No

If yes, specify: **Up to eight 10,000-gallon fuel tanks for emergency generators**

Number and size of tanks: _____ Location and depth of tanks: _____

13. **PROPOSED USERS**

This section provides information for the development site; no changes would occur on the Manhattan Mall site.

No. of residents: **0** No. and type of businesses? **Either scenario would contain commercial office uses and space suitable for trading operations. Some ground-floor retail would also be included in the Single-Tenant Scenario with substantially more retail use in the Multi-Tenant Scenario.**

No. and type of workers by businesses: **Single-Tenant Office Scenario: 9,874 employees**
Multi-Tenant Office Scenario: 8,674 employees*

No. and type of non-residents who are not workers: _____

***Based on 1 employee per 250 gross square feet of office space, 1 employee per 300 gross square feet of retail space, and 750 traders per floor.**

14. **HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? ☐ Yes ■ No

If yes, describe briefly:

Absent the proposed project, the Hotel Pennsylvania will be demolished, and a commercial office building will be constructed on the project site.

SEE CEQR TECHNICAL MANUAL CHAPTER III B., SOCIOECONOMIC CONDITIONS

15. **DIRECT DISPLACEMENT**

Will the action directly displace specific businesses or affordable and/or low income residential units? ☐ Yes ■ No

SEE CEQR TECHNICAL MANUAL CHAPTER III C., COMMUNITY FACILITIES & SERVICES

16. **COMMUNITY FACILITIES**

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals, and other health care facilities, day care centers, police stations, or fire stations? ☐ Yes ■ No

If yes, describe briefly:

Zoning Information

17. What is the zoning classification(s) of the directly affected area?

Commercial C6-4.5 and C6-6; Penn Central Subdistrict of Special Midtown District.

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning? Describe in terms of bulk for each use.

69,160 square feet lot area x 15 Floor Area Ratio (FAR) (C6-6) + 88,920 square feet lot area x 12 FAR (C6-4.5) = 2,104,440 square feet of commercial or community facility use.

69,160 square feet lot area x 12 FAR (C6-6) + 88,920 square feet lot area x 12 FAR (C6-4.5) = 1,896,960 square feet of residential use.

19. What is the proposed zoning of the directly affected area?

The portion of the project site currently zoned C6-4.5 would be rezoned to C6-6 (see Figure 6). The portion currently zoned C6-6 would not be affected.

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning? Describe in terms of bulk for each use.

158,080 square feet lot area x 15 FAR (C6-6) = 2,371,200 square feet of commercial or community facility use.
158,080 square feet lot area x 12 FAR (C6-6) = 1,896,960square feet of residential use.

21. What are the predominant land uses and zoning classifications within a ¼-mile radius of the proposed action?

The predominant land uses within a ¼-mile radius are office, retail, transportation, hotel and residential. The zoning classifications within a ¼-mile radius of the project site include: C5-2, C5-3, C6-3X, C6-4, C6-4.5, C6-4M, C6-4X, C6-6 (commercial); and M1-5, M1-6 (manufacturing). The Special Garment Center District, the Special Hudson Yards District, and the Special Midtown District are also located with ¼ mile of the project site.

Additional Information

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable):

See page 7a.

a.	LAND USE, ZONING, AND PUBLIC POLICY	See CEQR Technical Manual Chapter III.A.
b.	SOCIOECONOMIC CONDITIONS	See CEQR Technical Manual Chapter III.B.
c.	COMMUNITY FACILITIES AND SERVICES	See CEQR Technical Manual Chapter III.C.
d.	OPEN SPACE	See CEQR Technical Manual Chapter III.D.
e.	SHADOWS	See CEQR Technical Manual Chapter III.E.
f.	HISTORIC RESOURCES	See CEQR Technical Manual Chapter III.F.
g.	URBAN DESIGN/VISUAL RESOURCES	See CEQR Technical Manual Chapter III.G.
h.	NEIGHBORHOOD CHARACTER	See CEQR Technical Manual Chapter III.H.
i.	NATURAL RESOURCES	See CEQR Technical Manual Chapter III.I.
j.	HAZARDOUS MATERIALS	See CEQR Technical Manual Chapter III.J.
k.	WATERFRONT REVITALIZATION PROGRAM	See CEQR Technical Manual Chapter III.K.
l.	INFRASTRUCTURE	See CEQR Technical Manual Chapter III.L.
m.	SOLID WASTE AND SANITATION SERVICES	See CEQR Technical Manual Chapter III.M.
n.	ENERGY	See CEQR Technical Manual Chapter III.N.
o.	TRAFFIC AND PARKING	See CEQR Technical Manual Chapter III.O.
p.	TRANSIT AND PEDESTRIANS	See CEQR Technical Manual Chapter III.P.
q.	AIR QUALITY	See CEQR Technical Manual Chapter III.Q.
r.	NOISE	See CEQR Technical Manual Chapter III.R.
s.	CONSTRUCTION IMPACTS	See CEQR Technical Manual Chapter III.S.
t.	PUBLIC HEALTH	See CEQR Technical Manual Chapter III.T.

The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are independent or occur within a discrete geographical area or time frame.

LAND USE ZONING, AND PUBLIC POLICY

Under New York City Environmental Quality Review (CEQR), a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if the action would result in a significant change in land use or would substantially affect regulation or policies governing land use.

Because the proposed project (either scenario) would require zoning text amendments and other land use approvals, a full land use analysis has been proposed for the Environmental Impact Statement (EIS) to analyze potential land use and zoning impacts and to provide baseline conditions for other analyses in the EIS to be completed for the proposed project (see Draft EIS Scope).

SOCIOECONOMIC CONDITIONS

The purpose of the socioeconomic assessment is to identify changes that would be created by the proposed project and identify whether they rise to a significant level. According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on a specific industry. CEQR guidelines state that commercial development of 200,000 square feet or less can potentially result in significant socioeconomic impacts. Since the proposed project would contain over 2.0 million square feet of commercial space, it has the potential to result in significant adverse impacts and a socioeconomic assessment will be provided (see Draft EIS Scope).

COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by the proposed action. According to the *CEQR Technical Manual*, a detailed community facilities analysis is conducted when a project would have a direct or indirect effect on a community facility. A direct effect would occur if a project would physically alter a community facility, whether by displacement of the facility or other physical change. Analysis of police and fire facilities is conducted only when a direct impact is expected. An analysis of public schools is required if the project would introduce more than 50 elementary/middle school or 150 high school students. An analysis of libraries is undertaken if the project would result in more than a 5 percent increase in the ratio of residential units to libraries in the borough. An analysis of health care facilities is undertaken with projects of more than 600 low-to moderate-income housing units, and an analysis of day care centers is necessary when a project would introduce more than 50 eligible children (357 low-income or 417 low-moderate-income residential units in Manhattan, as identified in Table 3C-4 of the 2001 *CEQR Technical Manual*). In accordance with the thresholds of the *CEQR Technical Manual*, the proposed commercial development would not require detailed analyses of potential impacts on schools, libraries, outpatient health-care facilities, or publicly funded day care centers. Therefore, it is anticipated that a screening-level analysis of police and fire protection facilities would satisfy *CEQR Technical Manual* requirements (see Draft EIS Scope).

OPEN SPACE

Based on the *CEQR Technical Manual*, an open space assessment is typically conducted if the proposed action would directly affect an open space or if the action would increase the population by more than 200 residents or 500 workers. The proposed project (either scenario) would introduce a sizable worker population in excess of 500 workers, thus increasing the demand for local open space. In accordance with CEQR, an assessment of whether the proposed project will affect the quantitative and qualitative measures of open space adequacy is warranted (see Draft EIS Scope).

SHADOWS

The *CEQR Technical Manual* criteria for a shadows assessment states that actions that result in new shadows long enough to reach a publicly accessible open space (except within an hour of sunrise and sunset), a historic landscape, a historic resource with sunlight dependent features, or an important natural feature warrant analysis. The proposed project would be of greater height and bulk than the No Build building that will be built on the development site in the future without the proposed project. Therefore, an analysis of the potential for the proposed project to result in significant adverse shadows impacts is warranted (see Draft EIS Scope).

HISTORIC RESOURCES

According to the *CEQR Technical Manual*, a historic resources assessment is warranted if there is the potential to affect either archeological or architectural resources. Actions that could affect archaeological resources and that typically require an assessment are those that involve in-ground disturbance or below-ground construction, such as excavation. Actions that trigger an architectural resource assessment include new construction, demolition, or significant alteration to any building, structure, or object; a change in scale, visual prominence, or visual context of any building, structure or object, or landscape feature; construction, including but not limited to, excavation, vibration, subsidence, dewatering, and the possibility of falling objects; additions to or significant removal, grading, or replanting or significant historic landscape features; screening or elimination of publicly accessible views; and the introduction of significant new shadows or significant lengthening of the duration of existing shadows over a historic landscape or on a historic structure with sunlight-dependent features (see "Shadows" above).

The New York City Landmarks Preservation Commission (LPC) was consulted to determine whether archaeological resources are of concern for the development site. In a letter dated August 21, 2008, LPC determined that the development site does not have the potential to contain archaeological resources. Therefore, no further analysis is warranted.

The development site is currently occupied by the Hotel Pennsylvania, a 22-story hotel building with a basement level. The Hotel Pennsylvania was designed by McKim, Mead & White and built in 1918. As part of the environmental review for the 2004 Hudson Yards project, the Hotel Pennsylvania was determined eligible for listing on the State and National Registers of Historic Places (S/NR-eligible) by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). As part of the same environmental review, the hotel was determined eligible for designation as a New York City Landmark (NYCL-eligible) (*No. 7 Extension—Hudson Yards Rezoning and Development Program Final Generic Environmental Impact Statement)*. However, in early 2008, LPC responded to letters and supporting materials submitted to LPC by members of the public requesting an evaluation of the potential eligibility of the Hotel Pennsylvania for designation as a New York City Landmark, LPC made the following finding: "In response to the information you submitted concerning the property referenced above [the Hotel Pennsylvania], a senior staff committee of the Landmarks

Preservation Commission has reviewed the property for consideration as a potential landmark. At this time, the property does not appear to meet the criteria for designation and will not be recommended to the full Commission for further consideration as a New York City Landmark." Absent the proposed project, the Hotel Pennsylvania will be demolished, and an as-of-right commercial office building will be constructed (the No Build building). The development site is also located across West 32nd Street from the former Equitable Life Assurance building (S/NR-eligible and NYCL-eligible). Therefore, an analysis of the project's potential to affect architectural resources is warranted (see Draft EIS Scope).

URBAN DESIGN AND VISUAL RESOURCES

According to the *CEQR Technical Manual*, a detailed assessment of urban design and visual resources is undertaken when a proposed action would result in a building or structure substantially different in height, bulk, form, setbacks, size, scale, use, or arrangement than exists; when an action would change block form, demap an active street, map a new street, or would affect the street hierarchy, street wall, curb cuts, pedestrian activity, or other streetscape elements; or when an action would result in an area that includes significant visual resources.

Development of either scenario would result in a new building containing over 2.0 million square feet of floor area and rising over 1,000 feet; therefore, an analysis of the project's effects on urban design and visual resources is warranted (see Draft EIS Scope).

NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of buildings, the presence of notable landmarks, and a variety of other features. According to CEQR criteria, a neighborhood character assessment is conducted if the action would result in a significant impact in the areas land use, zoning, public policy; urban design; visual resources; historic resources; socioeconomic conditions; traffic; or noise. In addition, if the action falls below these thresholds but would result in moderate changes in the elements that contribute to neighborhood character, thereby resulting in a significant impact, an analysis of neighborhood character is warranted. The proposed project (either scenario) would involve a change in the scale of development on the site and would change the visual character of the development site. These factors and others could contribute to a change in the character of the neighborhood; therefore, an analysis of neighborhood character is warranted (see Draft EIS Scope).

NATURAL RESOURCES

A natural resources assessment is conducted when a natural resource is present on or near the development site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources including piers and other waterfront structures. The development site is located in a fully developed area in Manhattan. A screening analysis will be presented in the EIS identifying whether the proposed action would result in significant impacts to natural resources, and if warranted, detailed analysis will be provided.

HAZARDOUS MATERIALS

According to CEQR criteria, a hazardous material assessment is conducted when elevated levels of hazardous materials exist on a site, when an action would increase pathways to their exposures, either human or environmental, or when an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. An analysis

should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment of the property is anticipated. Therefore, an analysis warranted.

WATERFRONT REVITALIZATION PROGRAM

The development site is not within the City's coastal zone. Therefore, as described in the Draft EIS Scope, this chapter will include a map showing that the rezoning area is outside the boundaries of the coastal zone and a statement to that effect.

INFRASTRUCTURE

According to the *CEQR Technical Manual*, an analysis of an action's impact on New York City water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments (e.g., those that use more than 1 million gallons of water per day). In addition, actions located at the extremities of the water system should be analyzed.

According to the *CEQR Technical Manual*, the city is committed to adequately treating all wastewater generated in the city and to maintaining its wastewater treatment plants at or below the capacity permitted by applicable state and federal permits, orders, and decrees. Therefore, only unusual actions with very large flows could have the potential for significant impacts on sewage treatment.

In accordance with the *CEQR Technical Manual*, the EIS will disclose the proposed project's water demands and wastewater generation (see Draft EIS Scope).

SOLID WASTE AND SANITATION SERVICES

According to CEQR criteria, a detailed solid waste and sanitation services assessment is appropriate if an action enacts regulatory changes affecting the generation or management of the City's waste of if the action involves the construction, operation, or closing of any type of solid waste management facility. Therefore, in accordance with the *CEQR Technical Manual*, the EIS will disclose the action's solid waste generation (see Draft EIS Scope).

ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Therefore, in accordance with the manual, the EIS will simply disclose the proposed project's energy consumption (see Draft EIS Scope).

TRAFFIC AND PARKING

For this area of Manhattan, the *CEQR Technical Manual* specifies that if an action would result in development of more than 115,000 gsf of office use, quantified traffic and parking assessments may be warranted (see Table 3O-1 in the *CEQR Technical Manual*). In addition, the *CEQR Technical Manual* further specifies that if an action would result in more than 50 peak hour vehicle trips, quantified analyses are warranted. The scale of the proposed project (either scenario) substantially exceeds this threshold, indicating the need for quantified traffic and parking analyses (see Draft EIS Scope).

TRANSIT AND PEDESTRIANS

According to CEQR criteria, the transit and pedestrian analyses should be coordinated with the traffic and parking analyses. If an action results in fewer that 200 peak hour rail or bus transit

riders, further transit analyses are not typically required. Pedestrian analyses are typically conducted if an action would result in residential or office projects that are 50 percent greater than the levels identified in Table 3O-1 (see *CEQR Technical Manual* page 3O-2). The proposed project (either scenario) would result in a sizable development, and an analysis of transit and pedestrians is warranted (see Draft EIS Scope).

AIR QUALITY

CEQR criteria require an air quality assessment for actions that can result in either significant mobile source or stationary source air quality impacts. Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. Stationary source impacts could occur with actions that create new stationary sources or pollutants, such as emission stacks from industrial plants, hospitals, or other large institutional uses, or a building's boilers, that can affect surrounding uses; when they add uses near existing or planned future emission stacks, and these new uses might be affected by the emissions from the stacks; or when they add structures near such stacks, and these structures can change the dispersion of emissions from the stacks so that they begin to affect surrounding uses. An analysis of both stationary and mobile sources is warranted (see Draft EIS Scope).

NOISE

According to the *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required in an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, if an action is within 1 mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that receptor), if the action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would be located in an area with high ambient noise levels resulting from stationary sources. In addition, a noise assessment should be undertaken to determine the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements.

The proposed project would affect traffic which could result in a change in traffic noise levels in the area. In addition, an assessment to determine the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements is warranted (see Draft EIS Scope).

CONSTRUCTION IMPACTS

As recommended in the *CEQR Technical Manual*, construction-related impacts are typically analyzed to determine any disruptive or noticeable effects arising during a project's construction. Construction analyses for most new projects should include an assessment of at least traffic-related impacts, air quality, and noise, and an analysis of the potential for the proposed project to result in construction-period impacts is warranted (see Draft EIS Scope).

PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health comprises the activities that society undertakes to create and promote a community's wellness. Public health may be jeopardized by poor air quality resulting from traffic or stationary sources, hazardous materials in soil or groundwater used for drinking water, significant adverse impacts related to noise or odors, solid waste management practices that attract vermin and pest populations, and actions that result in exceedances in city, state, or federal standards (see Draft EIS Scope).

Applicant Certification

24.

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PREPARER NAME	PRINCIPAL
Senior Vice President, AKRF, Inc.	**Karen L. Mintzer, Esq.**
PREPARER TITLE	NAME OF PRINCIPAL REPRESENTATIVE
	Kramer Levin Naftalis & Frankel LLP
PREPARER SIGNATURE	TITLE OF PRINCIPAL REPRESENTATIVE
12/19/08	
DATE	SIGNATURE OF PRINCIPAL REPRESENTATIVE
	12/19/08
	DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

Impact Significance

PART III ENVIRONMENTAL ASSESSMENT AND DETERMINATION

TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	yes
SOCIOECONOMIC CONDITIONS	yes
COMMUNITY FACILITIES AND SERVICES	yes
OPEN SPACE	yes
SHADOWS	yes
URBAN DESIGN/VISUAL RESOURCES	yes
NEIGHBORHOOD CHARACTER	yes
NATURAL RESOURCES	yes
HAZARDOUS MATERIALS	yes
WATERFRONT REVITALIZATION PROGRAM	no
INFRASTRUCTURE	yes
SOLID WASTE AND SANITATION SERVICES	yes
ENERGY	yes
TRAFFIC AND PARKING	yes
TRANSIT AND PEDESTRIANS	yes
AIR QUALITY	yes
NOISE	yes
CONSTRUCTION IMPACTS	yes
PUBLIC HEALTH	yes

2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.

3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.

4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.

5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment

Lead Agency Certification

Celeste Evans
PREPARER NAME

Senior Project Manager, EARD
PREPARER TITLE

Celeste Evans
PREPARER SIGNATURE

December 19, 2008
DATE

Robert Dobruskin, AICP
NAME OF LEAD AGENCY REPRESENTATIVE

Director, EARD
TITLE OF LEAD AGENCY REPRESENTATIVE

Robert Dobruskin
SIGNATURE OF LEAD AGENCY REPRESENTATIVE

December 19, 2008
DATE

14. Traffic and Parking – The proposed actions would result in an increase in the number of vehicular trips. In addition, parking availability may be affected due to creation of new parking demand.

15. Transit and Pedestrians – The proposed actions may increase ridership on mass transit facilities. They also would affect pedestrian movements in the area due to the increased number of workers, and visitors.

16. Air Quality – Increased demand for heating, ventilation and air conditions (HVAC) and additional vehicular traffic introduced by the proposed actions may affect air quality.

17. Noise - The proposed actions would increase the volume of traffic in the area, which could result in additional traffic noise and may have the potential to result in stationary source noise impacts.

18. Construction - The proposed actions would result in a new development that would involve activities which may result in construction-related impacts.

19. Public Health - The proposed actions would result in new development which could potentially result in public health concerns.

20. The Draft Environmental Impact Statement (DEIS) to be prepared for the proposed actions will identify and describe any other potential effects on the environment.

Public Scoping:
The CEQR lead agency hereby requests that the applicant prepare or have prepared, at their option, a Draft Environmental Impact Statement (DEIS) in accordance with 6 NYCRR 617.9(b) and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review).

A public scoping meeting will be held on Tuesday, January 27, 2009 at 10am at the New York City Department of City Planning, Spector Hall, 22 Reade Street, New York, New York, 10007. Written comments will be accepted by the lead agency until Wednesday, February 11, 2009.

This determination has been prepared in accordance with Article 8 of the Environmental Conservation Law.

Should you have any questions pertaining to this Positive Declaration, you may contact the Project Manager, Celeste Evans, at (212) 720-3321.

Robert Dobruskin

Robert Dobruskin, AICP, Director
Environmental Assessment & Review Division
New York City Department of City Planning

12/19/08
Date