

A. INTRODUCTION

The purpose of an analysis of alternatives to the proposed project, as set forth in the *City Environmental Quality Review (CEQR) Technical Manual*, is to provide the decision makers with the opportunity to consider practicable alternatives that are consistent with the project's purpose, and that could potentially reduce or eliminate significant adverse environmental impacts identified in the EIS.

Consideration of a No Action Alternative is mandated by the State Environmental Quality Review Act (SEQRA) and CEQR, and is intended to provide the lead and involved agencies with an assessment of the consequences of not selecting the proposed actions. As described in the "Future without the Proposed Project" in Chapters 2 through 20 of this EIS, there are two No Action Alternatives—the Previously Approved Project and the Expanded Development Scenario. These alternatives also provide a baseline against which impacts of the proposed actions may be compared.

As described in Chapter 6, "Shadows," the proposed project has the potential to result in significant adverse shadow impacts on the Fifth Avenue Presbyterian Church. Therefore, this chapter also analyzes an alternative that would not result in those impacts. The No Unmitigated Impact Alternative is a design alternative that would reduce the bulk of the building on the development site to levels where there would be no significant adverse shadow impact on the Fifth Avenue Presbyterian Church.

B. PREVIOUSLY APPROVED PROJECT ALTERNATIVE**DESCRIPTION OF THE PREVIOUSLY APPROVED PROJECT ALTERNATIVE**

The Previously Approved Project Alternative assumes that the proposed actions would not be implemented and that no other discretionary actions would occur.

The Previously Approved Project would consist of a 250,000 gsf building on Lots 5, 6, 7, 8, 66, and 69 of Block 1269 and a smaller infill building on Lot 165 and a portion of Lot 58. Together, these buildings will contain 68,097 gsf of museum-related space, 180,000 gsf of commercial office use, and 10,000 gsf of ground-floor retail space. The larger building will be 285 feet in height with an office entrance on West 53rd Street and retail entrances on both West 53rd and 54th Streets. Access to the museum-related space will be provided through the existing MoMA entrances on the second, fourth, and fifth floors. The infill building will be a 6-story building that will link the existing MoMA space to the additional gallery space to be constructed in the larger building.

Under the Previously Approved Project Alternative, no special permit pursuant to Sections 74-79 and 81-212 of the New York City Zoning Resolution (ZR) to allow the transfer of development rights from the University Club to the project site for utilization on the development site would occur, and no special permit pursuant to Sections 74-711 and 81-277 in

connection with the use of excess development rights from St. Thomas Church would be required. In addition, Continuing Maintenance Programs for both the University Club and St. Thomas Church would not be necessary and would not be implemented.

The Previously Approved Project Alternative would not meet the goals and objectives of the proposed project. Specifically, the Previously Approved Project Alternative would not add to the Midtown Manhattan skyline and complement and enhance the architectural heritage represented on West 53rd Street, which is one of the applicant's goals and objectives for this project.

The technical chapters of this EIS describe the Previously Approved Project (referred to therein as "the Future without the Proposed Project") and use it—as well as the Expanded Development Scenario—as the basis to assess the potential impacts of the proposed actions. The effects of the Previously Approved Project Alternative in comparison to those of the proposed project are summarized below.

PREVIOUSLY APPROVED PROJECT ALTERNATIVE COMPARED WITH THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

The Previously Approved Project Alternative would have a different mix of land uses than the proposed project. Under this alternative, the development site would contain museum, office, and ground-floor retail uses that, like the proposed project's museum, hotel, and residential uses, would be consistent with the land uses in the surrounding area.

As indicated above, under the Previously Approved Project Alternative there would be no special permits to allow the transfer of development rights from the University Club to the project site and for the use of excess development rights from St. Thomas Church. There would also be no Continuing Maintenance Programs for either the University Club or St. Thomas Church.

Neither the Previously Approved Project Alternative nor the proposed project would result in significant adverse impacts to the area's land use, zoning, and public policy.

SOCIOECONOMIC CONDITIONS

Like the proposed project, this alternative would not result in either direct or indirect commercial and residential displacement impacts, and would not have any adverse effects on specific industries. Neither the proposed project nor the Previously Approved Project Alternative would result in significant adverse impacts to socioeconomic conditions.

COMMUNITY FACILITIES

Like the proposed project, the Previously Approved Project Alternative would not create a significant demand for community facility services (public schools, hospitals or health care facilities, libraries, day care facilities, or fire and police protection services) and neither would have significant adverse impacts on community facilities.

OPEN SPACE

The Previously Approved Project Alternative would not introduce any residents to the study area but would introduce more workers to the study area than the proposed project. In either case,

there would be small decreases to open space ratios but not such that there would be significant adverse impacts on open space.

SHADOWS

The Previously Approved Project Alternative would be substantially shorter than the proposed project—285 feet tall with a smaller infill building of 6 stories. Therefore, this alternative would have less incremental shadow than the proposed project. As a result, this alternative would not have the significant adverse shadow impacts to the Fifth Avenue Presbyterian Church that are expected from the proposed project.

HISTORIC RESOURCES

Unlike the proposed project, the Previously Approved Project Alternative would not require special permits, and therefore is not subject to the review and approval of LPC. Because the proposed project would require special permits pursuant to ZR Sections 74-79, 74-711, 81-212, and 81-277, it is subject to the review and approval of LPC. In order to meet the requirements of the special permits, LPC must find that the proposed bulk and use modifications of the proposed project would relate harmoniously to St. Thomas Church and the University Club, and that the proposed transfer of air rights would not adversely affect these architectural resources. In addition, the special permits require that a Continuing Maintenance Plan be established for the University Club and St. Thomas Church that will be legally enforceable by LPC under the provisions of a restrictive declaration. These continuing maintenance plans would ensure that the landmark structures will be restored to a sound, first-class condition. In the Previously Approved Project Alternative, the project sponsor will not be required to establish continuing maintenance programs for these buildings.

On May 13, 2008, LPC voted to issue favorable reports regarding the continuing maintenance programs for the University Club and St. Thomas Church and regarding the relationship between the landmarks and the proposed project. On October 22, 2008 and November 28, 2008, LPC issued reports to CPC in support of the project's application for these special permits (see Appendix B). Therefore, as with the Previously Approved Project Alternative, the proposed project would not have any adverse visual or contextual impacts on the University Club or St. Thomas Church.

Like the building in the Previously Approved Project Alternative, the proposed building is expected to alter the context of the architectural resources in the surrounding area. However, as described above, LPC voted to issue favorable reports regarding the relationship between the University Club and St. Thomas Church and the proposed project; therefore the project's design would also be considered compatible with other study area architectural resources.

The proposed building would be considerably taller than the Previously Approved Project Alternative building; however, there are already a number of tower structures in the study area and within this context the height of the tower structure would not be readily apparent, particularly at street level. Furthermore, the proposed building would be nearly 500 feet away from St. Thomas Church and the University Club. The proposed special permit to distribute floor area without regard to zoning district boundaries and to modify the alternative height and setback regulations, the requirements for pedestrian circulation space, and the rear yard equivalent requirements would lessen the tower's perceived height and bulk, particularly at the east and west elevations, and would allow the proposed building to move floor area away from the low-rise historic buildings on the north side of West 54th Street. The proposed building's

anticipated cladding materials (glass and aluminum) would be consistent with those of the Previously Approved Project Alternative building, as well as of other modern, non-landmarked structures in the area. Along West 54th Street, the materials, transparency, and modern, angular design of the proposed building would provide a strong contrast to the historic masonry structures on the north side of the street, including the Rockefeller Apartments as well as several historic rowhouses. However, this contrast would clearly identify the proposed building (as well as the previously approved building) as new, and the building would be consistent with the other modern buildings on the project block, including MoMA and the Financial Times Building, which also stand in contrast to the north side of the street. As in the Previously Approved Project Alternative, the proposed project would not block any important views of any architectural resources.

The Warwick Hotel, at 1340 Sixth Avenue, the CBS Building, and 41 West 54th Street are located within 90 feet of the development site. The CBS Building is a New York City Landmark, and in an LPC comment letter dated January 20, 2009, the Warwick Hotel and 41 West 54th Street were identified as appearing S/NR-eligible and NYCL-eligible. The proposed project would avoid potential adverse physical impacts on these architectural resources through the implementation of a construction protection plan developed in consultation with LPC. In comparison, no construction protection plan for these buildings is anticipated to be developed under the Previously Approved Project Alternative. None of the other architectural resources in the study area are close enough to be affected by ground-borne construction vibrations or other potential construction-related issues in either the Previously Approved Project Alternative or in the future with the proposed project.

In summary, neither the Previously Approved Project Alternative nor the proposed project would result in any adverse effects on archaeological or architectural resources.

URBAN DESIGN AND VISUAL RESOURCES

The proposed uses of the development site would be different in the Previously Approved Project Alternative compared to the proposed project, but in both scenarios they would be consistent with building uses that are prevalent in the surrounding study areas. The Previously Approved Project Alternative and the proposed project would enhance West 53rd and 54th Streets, enlivening them with additional pedestrian activity. Neither the Previously Approved Project Alternative nor the proposed project would alter topography, street pattern and hierarchy, block shapes, or natural features on the development site or in the study areas.

At approximately 1,250 feet, the proposed building would stand nearly as tall as the Empire State Building and would be considerably taller than the Previously Approved Project Alternative; however, there are already a number of tower structures in the primary study area, including the Museum Tower directly to the east (approximately 592 feet tall), the 40-story building directly to the west (approximately 496 feet tall), the landmarked CBS Building across West 53rd Street (approximately 498 feet tall), and the New York Hilton Hotel across Sixth Avenue (approximately 492 feet tall). The proposed building also would be similar in arrangement, bulk, and height to many of the large office and residential buildings found throughout the secondary study area, such as the 697-foot-tall McGraw-Hill Building at 1221 Sixth Avenue; the 720-foot-tall General Motors Building at 761 Fifth Avenue; the 769-foot-tall Equitable Life Assurance Building at 789 Seventh Avenue; the 723-foot-tall Metropolitan Tower at 146 West 57th Street; the 754-foot-tall Exxon Building at 1251 Sixth Avenue; the 858-foot-tall Carnegie Hall Tower at 152 West 57th Street; the 810-foot-tall CitySpire Center at 150 West

56th Street; and the 850-foot-tall GE Building at 30 Rockefeller Plaza. Some of these tall buildings have midblock locations. The nearest buildings of a similar height—the Empire State Building and the Bank of America tower—are beyond even the secondary study area. These buildings are not located in the midblock; however, it should be noted that in comparison to the buildings, the proposed building (as well as the previously-approved building) would occupy a much smaller floorplate and thus would have a substantially smaller overall bulk. It should also be noted that the development site is not a typical “midblock” location because it is located very close to Sixth Avenue, with approximately 43 percent of its total lot area located in the zoning district along Sixth Avenue, which allows for larger (higher) development. Furthermore, the proposed building’s tower would be faceted and would taper to a narrow point, lessening the tower’s perceived height and bulk, particularly at the east and west elevations.

In comparison to the Previously Approved Project Alternative building, the proposed building would be visible from more distant points, including from Central Park; however, only the tower of the building would be visible in these locations, and it would be part of the overall skyline of high-rise buildings in Midtown Manhattan. The proposed building’s anticipated cladding materials—glass and steel—would be consistent with those of the Previously Approved Project Alternative building, as well as those of other modern structures in the study areas. The building’s design, while modern, would not adversely affect the diverse mix of styles represented in this area of the city.

There are no visual resources located on the development site, and, as the site is privately-owned and not accessible to the public, there are no notable views from it. Therefore, the neither the Previously Approved Project Alternative nor the proposed project would have any adverse impacts to on-site visual resources or views from the development site to visual resources. Many sidewalk-level views in the primary study area closest to the development site would be altered by the proposed project, as the height and unique spire-shaped form of the proposed building would be more prominent in surrounding views than that of the Previously Approved Project Alternative building. Most notably, the proposed building would become an important feature of sidewalk-level views west on West 54th Street across the MoMA sculpture garden area and in sidewalk-level views east and west on the south side of West 53rd Street. It would be noticeable from Sixth Avenue in the vicinity of West 53rd and 54th Streets, especially due to the CBS Building being set back from Sixth Avenue and West 52nd and 53rd Streets. From this area, the proposed building, like the previously approved building, would create a new backdrop to views of the historic CBS Building. With the anticipated cladding materials, this new backdrop would be a reflective counterpoint to the historic building. The proposed building, like the Previously Approved Project Alternative building, also would be visible from West 52nd Street across the CBS Building plaza. It would be much taller and more slim than the many large-scale tower buildings in the area, and it would be unique in its shape and different in its use from the office towers. Nevertheless, these changes would not have an adverse impact on urban design and visual resources. In comparison to the Previously Approved Project Alternative building, it is also likely that the proposed building would be visible from the northern portion of Grand Army Plaza, as well as from multiple locations in Central Park, as one of the many tall buildings in the Midtown Manhattan skyline. Given its distance and its location behind many shorter but closer buildings, its height would be less apparent. Nevertheless, it would be the tallest of a number of tall buildings in the skyline in these views. The proposed building would not obstruct any views to visual resources in comparison to the Previously Approved Project Alternative. Further, the proposed project would be a new visual resource.

In summary, neither the Previously Approved Project Alternative nor the proposed project would result in any adverse effects to urban design or visual resources.

NEIGHBORHOOD CHARACTER

Development of the Previously Approved Project Alternative on the development site would transform this site from a vacant and underutilized parcel to a site containing a structure consistent with the mix of uses and building types found in the surrounding neighborhood. The Previously Approved Project Alternative would bring active uses to the site and result in moderately higher levels of pedestrian activity, traffic, and noise than the vacant site does now. However, these increases would be in keeping with the existing environment of the neighborhood, which is characterized by the noise and street life of a busy urban setting. Thus, like the proposed project, this alternative would not have a significant adverse impact on neighborhood character.

HAZARDOUS MATERIALS

Under the Previously Approved Project Alternative, subsurface disturbance of the development site will be required, and will be therefore be subject to the same legal requirements (including New York State Department of Environmental Conservation [NYSDEC] regulations) regarding off-site soil disposal, petroleum tank removal, and spill reporting, as well as the Restrictive Declaration for Lots 5 to 8 as in the future with the proposed project. Therefore, with both this alternative and the proposed project, the potential for hazardous materials impacts will be addressed by similar measures.

INFRASTRUCTURE

The Previously Approved Project Alternative would result in a demand for 44,624 gallons per day (gpd) of water and would generate an estimated 44,624 gpd of sanitary sewage. While this is an increase over existing conditions, as with the proposed project there would be no significant adverse impacts.

SOLID WASTE AND SANITATION SERVICES

The Previously Approved Project Alternative would generate an estimated 13,378 pounds per week of solid waste. As with the proposed project, this would represent a relatively small amount of solid waste, and there would not be a significant adverse impact with either the proposed project or the Previously Approved Project Alternative.

ENERGY

Under this alternative, total energy demand is estimated at 19,027 million BTUs per year. While this is an increase over existing conditions, as with the proposed project, no significant adverse impacts are anticipated.

TRAFFIC AND PARKING

The Previously Approved Project Alternative would result in 8, 21, and 2 fewer vehicle trips than the proposed project during the weekday AM, midday, and PM peak hours, respectively. As with the proposed project, this alternative would not result in any significant adverse traffic impacts.

TRANSIT AND PEDESTRIANS

The Previously Approved Project Alternative would result in 101 and 114 more person trips by subway in the AM and PM peak periods and 4 fewer person trips during the midday than the proposed project. This alternative would also result in 41, 36, and 53 more person trips by bus during the weekday AM, midday, and PM peak hours, respectively. However, as with the proposed project, this alternative would not result in any significant adverse transit and pedestrian impacts.

AIR QUALITY

With the Previously Approved Project Alternative, as with the proposed project, utility steam and electric chillers would be used for heating, ventilation, and air conditioning (HVAC) systems. The use of steam or electricity does not result in on-site emissions. Therefore, no significant adverse air quality impacts from stationary source would be expected with either this alternative or the proposed project.

As with the proposed project, this alternative would not have the potential to result in significant adverse impacts on air quality from mobile sources as neither would exceed the CEQR threshold of 75 peak hour trips at any intersection.

NOISE

Neither this alternative nor the proposed project would generate sufficient traffic to potentially cause a significant mobile source noise impact. In terms of noise attenuation, it is anticipated that similar levels of attenuation as those required with the proposed project would be needed for the Previously Approved Project Alternative to achieve acceptable interior noise levels.

CONSTRUCTION IMPACTS

As with the proposed project, construction of this alternative may be disruptive to the surrounding area for certain periods throughout the construction period, and short-term, temporary effects on land use, historic resources, hazardous materials, traffic and transportation, air quality, and noise would result. The construction that would occur on the development site with the Previously Approved Project Alternative would be similar to the construction activities associated with the proposed project, although it is likely that because the building to be constructed under this alternative would be smaller, the construction period would be of shorter duration than with the proposed project. There would be no significant adverse construction impacts as a result of the proposed project, and there would likewise be no significant adverse impacts with this alternative.

PUBLIC HEALTH

Neither the Previously Approved Project Alternative nor the proposed project would result in significant adverse impacts to public health. It is expected that under both this alternative and the proposed project, no air quality impacts as a result of increase vehicular traffic or emissions from stationary sources would result. Neither this alternative nor the proposed project would create a new source of noise or odors, and neither would result in significant hazardous materials impacts or other impacts that would adversely affect human health.

C. EXPANDED DEVELOPMENT SCENARIO ALTERNATIVE

DESCRIPTION OF THE EXPANDED DEVELOPMENT SCENARIO ALTERNATIVE

The Expanded Development Scenario Alternative assumes that the proposed actions would not be implemented and that no other discretionary actions would occur.

The Expanded Development Scenario Alternative would produce a 508,013 gsf building containing 68,097 gsf of museum-related space, 125,679 gsf of hotel use, and 314,236 gsf of residential space. It would be 1,089 feet tall, with an entrance on West 53rd Street. Access to the museum-related space will be provided through the existing MoMA entrances, with connections at the second, fourth, and fifth floors.

Under the Expanded Development Scenario Alternative, no special permit pursuant to ZR Sections 74-79 and 81-212 to allow the transfer of development rights from the University Club to the project site for utilization on the development site would occur, and no special permit pursuant to Sections 74-711 and 81-277 in connection with the use of excess development rights from St. Thomas Church would be required. In addition, Continuing Maintenance Programs for both the University Club and St. Thomas Church would not be necessary and would not be implemented.

The Expanded Development Scenario Alternative would not meet the goals and objectives of the proposed project. While this alternative would add to the Midtown Manhattan skyline, it would not complement and enhance the architectural heritage represented on West 53rd Street as well as the proposed project, which is one of the applicant's goals and objectives for this project. In addition, the Expanded Development Scenario Alternative would not ensure that the University Club and St. Thomas Church be renovated to a sound, first-class condition in accordance with LPC-approved Continuing Maintenance Plans.

The technical chapters of this EIS have described the Expanded Development Scenario (referred to therein as "the Future without the Proposed Project") and have used it—as well as the Previously Approved Project—as the basis to assess the potential impacts of the proposed actions. The effects of the Expanded Development Scenario Alternative in comparison to those of the proposed project are summarized below.

EXPANDED DEVELOPMENT SCENARIO ALTERNATIVE COMPARED WITH THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

Both the Expanded Development Scenario Alternative and the proposed project would transform the development site from a vacant site to a site containing museum, hotel, and residential uses, all of which are consistent with the land uses in the surrounding area.

As described above, under this alternative there would be no special permits to allow the transfer of development rights from the University Club to the project site and for the use of excess development rights from St. Thomas Church. There would also be no Continuing Maintenance Programs for either the University Club or St. Thomas Church.

Neither the Expanded Development Scenario Alternative nor the proposed project would result in significant adverse impacts to the area's land use, zoning, and public policy.

SOCIOECONOMIC CONDITIONS

Like the proposed project, this alternative would not result in either direct or indirect commercial and residential displacement impacts, and would not have any adverse effects on specific industries. Neither the proposed project nor the Expanded Development Scenario Alternative would result in significant adverse impacts to socioeconomic conditions.

COMMUNITY FACILITIES

Both the Expanded Development Scenario Alternative and the proposed project would result in the same number of residential units (up to 300), and would introduce a new population that would create a demand for community facility services (public schools, hospitals or health care facilities, libraries, day care facilities, or fire and police protection services). However, this new population would not exceed any of the preliminary screening analysis thresholds set forth in the *CEQR Technical Manual*. As such, neither this alternative nor the proposed project would result in significant adverse impacts on public schools, hospitals or health care facilities, libraries, day care facilities, or fire and police protection services.

OPEN SPACE

Both the Expanded Development Scenario Alternative and the proposed project would introduce new residents and workers to the study area and thereby generate demand for area open spaces; however, neither this alternative nor the proposed project would result in significant adverse impacts on open space. The passive open space ratio for residents would continue to remain well above the city's guideline values. Although the passive open space ratios for the total study area population and the active open space ratio for residents would continue to be below recommended levels, the *CEQR Manual* recognizes these goals are not feasible for many areas of the city.

SHADOWS

The building's massing in the Expanded Development Scenario Alternative would be approximately 161 feet shorter than the massing of the proposed project, but otherwise it would be generally similar, differing primarily in bulkiness and the shape of the massing in the upper portion of the tower. Unlike the proposed project, the Expanded Development Scenario Alternative would not include and waivers of setbacks required under the zoning resolution. Despite the difference in bulkiness between the two structures, there would be only minor differences in the shadows they would cast, and the general similarity of tower shape and location would lead to generally similar shadows. As with the proposed project, this alternative would result in significant adverse shadow impacts to the Fifth Avenue Presbyterian Church on the June 21 analysis day.

HISTORIC RESOURCES

Unlike the proposed project, the Expanded Development Scenario Alternative would not require special permits, and therefore is not subject to the review and approval of LPC (the proposed project would require special permits pursuant to ZR Sections 74-79, 74-711, 81-212, and 81-277, and is subject to the review and approval of LPC). In order to meet the requirements of the special permits, LPC must find that the proposed bulk and use modifications of the proposed project would relate harmoniously to St. Thomas Church and the University Club, and that the proposed transfer of air rights would not adversely affect these architectural resources. In

addition, the special permits require that a Continuing Maintenance Plan be established for the University Club and St. Thomas Church that will be legally enforceable by LPC under the provisions of a restrictive declaration. These continuing maintenance plans would ensure that the landmark structures will be restored to a sound, first-class condition. In the Expanded Development Scenario Alternative, the project sponsor will not be required to establish continuing maintenance programs for these buildings.

On May 13, 2008, LPC voted to issue favorable reports regarding the continuing maintenance programs for the University Club and St. Thomas Church and regarding the relationship between the landmarks and the proposed project. On October 22, 2008 and November 28, 2008, LPC issued reports to CPC in support of the project's application for these special permits (see Appendix B). Therefore, as with the Expanded Development Scenario Alternative, the proposed project would not have any adverse visual or contextual impacts on the University Club or St. Thomas Church.

Like the building in the Expanded Development Scenario Alternative, the proposed building is expected to alter the context of the architectural resources in the surrounding area. However, since the proposed project would require approval by LPC as being appropriate in relation to St. Thomas Church and the University Club, the project also would be considered compatible, in terms of design, with the architectural resources located within the study area. The proposed building would be approximately 161 feet taller than the Expanded Development Scenario building; however, there are already a number of tower structures in the study area and within this context the height of the tower structure would not be readily apparent, particularly at street level. Furthermore, the proposed building would minimize the visual impact on St. Thomas Church and the University Club by moving and utilizing their development rights on a site nearly 500 feet away. In comparison to the Expanded Development Scenario building's tower, which would set back at several stages but maintain a mostly rectangular configuration, the proposed building's tower would be faceted and would taper to a narrow point that would lessen the tower's perceived height and bulk, particularly at the east and west elevations. The proposed special permit to distribute floor area without regard to zoning district boundaries and to modify the alternative height and setback regulations, the requirements for pedestrian circulation space, and the rear yard equivalent requirements would allow the proposed building to move floor area away from the low-rise historic buildings on the north side of West 54th Street. The proposed building's anticipated cladding materials (glass and aluminum) would be consistent with those of the Expanded Development Scenario Alternative building, as well as of other, non-landmarked modern structures in the area. Along West 54th Street, the anticipated cladding materials, transparency, and modern, angular design of the proposed building would provide a strong contrast to the historic masonry structures on the north side of the street, including the Rockefeller Apartments as well as several historic rowhouses (as part of the Restrictive Declaration, certain design elements, including cladding materials, will be required to be as shown on the ULURP drawings). However, this anticipated contrast would clearly identify the proposed building (as well as the Expanded Development Scenario building) as new, and the building would be consistent with the other modern buildings on the project block, including MoMA and the Financial Times Building, which also stand in contrast to the north side of the street. As in the Expanded Development Scenario Alternative, the proposed project would not block any important views of any known or potential architectural resources.

The Warwick Hotel, at 1340 Sixth Avenue, the CBS Building, and 41 West 54th Street are located within 90 feet of the development site. The CBS Building is a NYCL, and in an LPC comment letter dated January 20, 2009, the Warwick Hotel and 41 West 54th Street were

identified as appearing S/NR-eligible and NYCL-eligible. The proposed project would avoid potential adverse physical impacts on these architectural resources through the implementation of a construction protection plan developed in consultation with LPC. In comparison, no construction protection plan for these buildings is anticipated to be developed under the Expanded Development Scenario Alternative. None of the other architectural resources in the study area are close enough to be affected by ground-borne construction vibrations or other potential construction-related issues in either the Expanded Development Scenario Alternative or in the future with the proposed project.

In summary, neither the Expanded Development Scenario Alternative nor the proposed project would result in any adverse effects on archaeological or architectural resources.

URBAN DESIGN AND VISUAL RESOURCES

The proposed uses of the development site would be the same in the Expanded Development Scenario Alternative compared with the proposed project, and in both scenarios they would be consistent with building uses that are prevalent in the surrounding study areas. The Expanded Development Scenario Alternative and the proposed project would enhance West 53rd and 54th Streets, enlivening them with additional pedestrian activity. The Expanded Development Scenario and the proposed project would comply with applicable streetwall regulations, which at this location require the maintenance of a consistent streetwall up to a height of 85 feet above the sidewalk. The active ground-floor uses of the Expanded Development Scenario and the proposed project would be compatible with those on the north side of West 54th Street, where some of the buildings are commercial and some have ground-floor retail. Neither the Expanded Development Scenario Alternative nor the proposed project would alter topography, street pattern and hierarchy, block shapes, or natural features on the development site or in the study areas.

The proposed building would stand nearly as tall as the Empire State Building and would be approximately 161 feet taller than the Expanded Development Scenario Alternative building. The proposed building, like the Expanded Development Scenario building, would be the tallest structure within the primary study area; however, there are already a number of tower structures this area, including on the north side of West 54th Street, which also includes low-scale structures. Tower structures in the primary study area include the 592-foot-tall Museum Tower, the 496-foot-tall, 40-story building directly to the west, the 498-foot-tall CBS Building across West 53rd Street, and the 492-foot-tall New York Hilton Hotel across Sixth Avenue. The proposed building also would be similar in arrangement, bulk, and height to many of the large office and residential buildings found throughout the secondary study area, such as the 697-foot-tall McGraw-Hill Building at 1221 Sixth Avenue; the 720-foot-tall General Motors Building at 761 Fifth Avenue; the 769-foot-tall Equitable Life Assurance Building at 789 Seventh Avenue; the 723-foot-tall Metropolitan Tower at 146 West 57th Street; the 754-foot-tall Exxon Building at 1251 Sixth Avenue; the 858-foot-tall Carnegie Hall Tower at 152 West 57th Street; the 810-foot-tall CitySpire Center at 150 West 56th Street; and the 850-foot-tall GE Building at 30 Rockefeller Plaza. Some of these tall buildings have midblock locations. The nearest buildings of a similar height—the Empire State Building and the Bank of America tower—are beyond even the secondary study area. These buildings are not located in the midblock; however, it should be noted that in comparison to the buildings, the proposed building (as well as the Expanded Development Scenario building) would occupy a much smaller floorplate and thus would have a substantially smaller overall bulk (see Figure 8-41). It should also be noted that the development site is not a typical “midblock” location because it is located very close to Sixth

Avenue, with approximately 43 percent of its total lot area located in the zoning district along Sixth Avenue, which allows for larger (higher) development.

In comparison to the Expanded Development Scenario Alternative building's tower, which would set back at several stages but maintain a mostly rectangular configuration, the proposed building's tower would be faceted and would taper to a narrow point. This would lessen the tower's perceived height and bulk, particularly at the east and west elevations. Both the Expanded Development Scenario Alternative building and the proposed building would be visible from more distant points, including from Central Park; however, only the towers of the buildings would be visible in these locations, and they would be part of the overall skyline of high-rise buildings in Midtown Manhattan. The proposed building's anticipated cladding materials—glass and steel—would be consistent with those of the Expanded Development Scenario Alternative building, as well as those of other modern structures in the study areas. The building's design, while modern, would not adversely affect the diverse mix of styles represented in this area of the city.

There are no visual resources located on the development site, and as the site is privately owned and not accessible to the public, there are no notable views from it. Therefore, neither the Expanded Development Scenario Alternative nor the proposed project would have any adverse impacts to on-site visual resources or views from the development site to visual resources. Many sidewalk-level views in the primary study area closest to the development site would be altered by the proposed project as well as the Expanded Development Scenario Alternative. Both would be noticeable from Sixth Avenue in the vicinity of West 53rd and 54th Streets, especially as seen past the CBS Building, which is set back from Sixth Avenue between West 52nd and 53rd Streets. The building in the Expanded Development Scenario Alternative also would be prominent in these views. The proposed building, like the Expanded Development Scenario Alternative building, also would be visible from West 52nd Street across the CBS Building plaza. From this area, the proposed building, like the Expanded Development Scenario building, would create a new backdrop to views of the historic CBS Building. With the anticipated cladding materials (glass and metal), this new backdrop would be a reflective counterpoint to the historic building. Both the Expanded Development Scenario Alternative and the proposed project would be much taller and more slim than the many large-scale tower buildings in the area; however, the proposed project would be unique in its shape and different in its use from office towers in the area. The change in views between the Expanded Development Scenario and the proposed project would not be considered adverse. As with the Expanded Development Scenario Alternative building, it is also likely that the proposed building would be visible from the northern portion of Grand Army Plaza, as well as from multiple locations in Central Park, as one of the many tall buildings in the Midtown Manhattan skyline. Given the distance and location behind many shorter but closer buildings, the height of either the Expanded Development Scenario Alternative or the proposed project would be less apparent. Nevertheless, either one would be the tallest of a number of tall buildings in the skyline in these views. The proposed building would not obstruct any views to visual resources in the study area in comparison to the Expanded Development Scenario Alternative.

In summary, neither the Expanded Development Scenario Alternative nor the proposed project would result in any adverse effects to urban design or visual resources.

NEIGHBORHOOD CHARACTER

Like the proposed project, this alternative would not result in any significant adverse impacts to historic resources, urban design and visual resources, socioeconomics, traffic, air quality, or noise. As with the proposed project, this alternative would be compatible with surrounding uses, which include museums, residential uses, commercial office buildings, and retail uses. The Expanded Development Scenario Alternative would bring active uses to the site and result in moderately higher levels of pedestrian activity, traffic, and noise than the vacant site does now. However, these increases would be in keeping with the existing environment of the neighborhood, which is characterized by the noise and street life of a busy urban setting. Thus, like the proposed project, this alternative would not have a significant adverse impact on neighborhood character.

HAZARDOUS MATERIALS

Under the Expanded Development Scenario Alternative, subsurface disturbance of the development site will be required, and will be therefore be subject to the same legal requirements (including NYSDEC regulations) regarding off-site soil disposal, petroleum tank removal, and spill reporting, as well as the Restrictive Declaration for Lots 5 to 8 as in the future with the proposed project. Therefore, with both this alternative and the proposed project, the potential for hazardous materials impacts will be addressed by similar measures.

INFRASTRUCTURE

The Expanded Development Scenario Alternative would result in a demand for 103,214 gallons per day (gpd) of water and would generate an estimate 103,214 gpd of sanitary sewage. While this is an increase over existing conditions, as with the proposed project, no significant adverse impacts are anticipated.

SOLID WASTE AND SANITATION SERVICES

The Expanded Development Scenario Alternative would generate an estimated 12,814 pounds per week of solid waste. As with the proposed project, this would represent a relatively small amount of solid waste, and there would not be a significant adverse impact with either the proposed project or this alternative.

ENERGY

Under this alternative, total energy demand is estimated at 68,454 million BTUs per year. While this is an increase over existing conditions, like with the proposed project, no adverse impacts are anticipated.

TRAFFIC AND PARKING

The Expanded Development Scenario would result in 10, 17, and 14 fewer vehicle trips than the proposed project during the weekday AM, midday, and PM peak hours, respectively. As with the proposed project, this alternative would not result in any significant adverse traffic impacts.

TRANSIT AND PEDESTRIANS

The Expanded Development Scenario Alternative would result in 6, 8, and 12 fewer person trips by subway in the AM, midday, and PM peak periods, respectively, than the proposed project.

This alternative would also result in 1, 3, and 2 fewer person trips by bus during the weekday AM, midday, and PM peak hours, respectively. As with the proposed project, this alternative would not result in any significant adverse transit and pedestrian impacts.

AIR QUALITY

With the Expanded Development Scenario Alternative, as with the proposed project, utility steam and electric chillers would be used for heating, ventilation, and air conditioning (HVAC) systems. The use of steam or electricity does not result in on-site emissions. Therefore, no significant adverse air quality impacts from stationary source would be expected with either this alternative or the proposed project.

As with the proposed project, this alternative would not have the potential to result in significant adverse impacts on air quality from mobile sources as neither would exceed the CEQR threshold of 75 peak hour trips at any intersection.

NOISE

Neither this alternative nor the proposed project would generate sufficient traffic to potentially cause a significant mobile source noise impact. It is anticipated that similar levels of building attenuation as those required with the proposed project would be needed for the Expanded Development Scenario Alternative to achieve acceptable interior noise levels. With either this alternative or the proposed project, there would not be significant adverse air quality impacts.

CONSTRUCTION IMPACTS

The construction that would occur on the development site with the Expanded Development Scenario Alternative would be similar to the construction activities associated with the proposed project. The overall construction period would be 37 months, or 7 months less than the proposed project. However, the excavation and foundation phase, which is generally the most disruptive period, would last the same 11 months as the proposed project and would involve the same number of trucks and workers and the same activities. As with most development in New York City, construction of the proposed project may be disruptive to the surrounding area for certain periods throughout the construction period, and short-term, temporary effects on land use, historic resources, hazardous materials, traffic and transportation, air quality, and noise would result. However, these would not be considered significant adverse impacts with either the proposed project or the Expanded Development Scenario Alternative.

PUBLIC HEALTH

Neither the Expanded Development Scenario Alternative nor the proposed project would result in significant adverse impacts to public health. It is expected that under both this alternative and the proposed project, no air quality impacts as a result of increase vehicular traffic or emissions from stationary sources would result. Neither this alternative nor the proposed project would create a new source of noise or odors, and neither would result in significant hazardous materials impacts.

D. NO UNMITIGATED ADVERSE IMPACT ALTERNATIVE

In this alternative, the building on the development site would be small enough to eliminate the shadow impacts associated with the proposed project. As described in Chapter 6, "Shadows,"

and Chapter 20, “Mitigation,” compared with the Previously Approved Project, the proposed project would result in a significant adverse impact on the Fifth Avenue Presbyterian Church on the June 21 analysis day.

To eliminate the shadow increments associated with the proposed project, the building would have to be no taller than 600 feet, which is 650 feet lower than the proposed project. This would eliminate the significant adverse impact on the Fifth Avenue Presbyterian Church. Alternative building configurations, such as repositioning the tower, would not be possible given the small size of the development site. Even with an as-of right-building such as the Expanded Development Scenario Alternative there would be similar significant adverse shadow impacts compared to the proposed project. With the exception of shadows, the impact conclusions for this alternative would be the same as those for the proposed project—there would not be significant adverse environmental impacts for any of the technical areas described in this EIS.

As with the other alternatives examined in this chapter, the No Unmitigated Impact Alternative would not have special permit pursuant to ZR Sections 74-79 and 81-212 to allow the transfer of development rights from the University Club to the project site for utilization on the development site would occur, and no special permit pursuant to Sections 74-711 and 81-277 in connection with the use of excess development rights from St. Thomas Church would be required. In addition, Continuing Maintenance Programs for both the University Club and St. Thomas Church would not be necessary and would not be implemented.

While this alternative would eliminate the shadow increment on the church, it would not substantially meet the goals of the applicant for this project. Specifically, it would not add to the Midtown Manhattan skyline and complement the architectural heritage represented on West 53rd Street, which is one of the applicant’s goals and objectives for this project. Furthermore, the No Unmitigated Adverse Impact Alternative would not ensure that the University Club and St. Thomas Church be renovated to a sound, first-class condition in accordance with LPC-approved Continuing Maintenance Plans. *