

Unavoidable significant adverse impacts are defined as those that meet the following two criteria:

- There are no reasonably practicable mitigation measures to eliminate the proposed action's impacts; and
- There are no reasonable alternatives to the proposed action that would meet its purpose and need, eliminate its impacts, and not cause other or similar significant adverse impacts.

As discussed in Chapters 6, 7, and 20, as compared with the Previously Approved Project, the proposed project would result in a significant adverse shadow impact on the Fifth Avenue Presbyterian Church, an historic resource, on the June 21 analysis day. (The proposed project would not result in any significant adverse shadows impacts as compared with the as-of-right Expanded Development Scenario which, unlike the proposed project, would not involve any waivers of setback requirements.)

On the June analysis day, incremental shadow would fall across one or more stained-glass windows of the Fifth Avenue Presbyterian Church for a total duration of an hour and 20 minutes. The extent and duration of the incremental shadow would be considered a significant adverse impact. Incremental shadows on this resource would not cause a significant adverse impact on the May 6 analysis day, and no incremental shadows would occur on the March 21, September 21, and December 21 analysis days.

Various measures to reduce or eliminate the project's shadow impacts—such as artificial lighting or other measures—have been explored. As discussed in Chapter 20, none of the mitigation measures explored were determined to be practicable. Therefore, the shadows impact on the Fifth Avenue Presbyterian Church on the June 21 analysis day is considered to be an unavoidable significant adverse impact of the proposed project. *