

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning, acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Air Quality and Noise

An (E) designation (E-572) for air quality and noise has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. With these measures in place, the proposed actions would not result in significant adverse impacts to air quality or noise.

Land Use, Zoning, and Public Policy

The EAS includes a detailed analysis of Land Use, Zoning, and Public Policy and that analysis determined that no significant adverse impacts would occur. A significant adverse impact would occur if a proposed action would generate a land use incompatible with the surrounding area. The proposed actions include a zoning text amendment and a special permit that would facilitate the rehabilitation of the existing Cort Theatre on Block 1000, Lot 49, including by horizontally enlarging the Theatre with a new five-story Annex, and provide bonus floor area for a hotel development on the southern portion of the zoning lot (Block 1000, Lot 11) within the Theater Subdistrict of the Special Midtown District in Manhattan, Community District 5. As such, the proposed actions would not introduce a new land use, nor affect the existing mixed-use character of the area, which represent the thresholds of impact significance as defined in the CEQR Technical Manual (TM). Furthermore, the proposed actions would have no adverse effect on zoning or public policy.

Shadows

The EAS includes a detailed shadows analysis, which focuses on incremental shadows cast on three sunlight-sensitive resources; 1211 Avenue of the Americas Privately Owned Public Space (POPS), the McGraw-Hill POPS, and 1221 Plaza. The CEQR TM states that a significant adverse shadow impact could occur on a sunlight sensitive resource if that resource would receive less than four to six hours of direct sunlight per day during the growing season as a result of incremental shadow. The detailed analysis finds that the development on the Annex Parcel in the With Action condition would not cast incremental shadow on the 1211 Avenue of the Americas POPS, the McGraw-Hill POPS, or the 1221 Plaza. Furthermore, the Annex Parcel is flanked by significantly taller buildings that cast existing shadows on these nearby resources. As such, the proposed actions would not result in a significant adverse shadows impact to nearby sunlight sensitive resources.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Rachel Antelmi at (212) 720-3621.

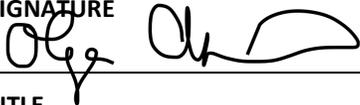
TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning, acting on behalf of the City Planning Commission 120 Broadway, 31 st Fl. New York, NY 10271 (212) 720-3493
NAME Olga Abinader	DATE July 31, 2020

Project Name: Cort Theatre Text Amendment and Rehabilitation Special Permit

CEQR #: 20DCP003M

SEQRA Classification: Type I

EAS FULL FORM PAGE 13

SIGNATURE 	
TITLE Chair, City Planning Commission	
NAME Marisa Lago	DATE August 3, 2020
SIGNATURE	

Project Name: Cort Theatre Text Amendment and Rehabilitation Special Permit

CEQR #: 20DCP003M

SEQRA Classification: Type I

Determination of Significance Appendix: (E) Designation (E-572)

Air Quality

To ensure that there would be no significant adverse air quality impacts associated with the proposed project, an E designation (E-572) will be placed on the project site as follows:

Block 1000, Lot 49:

Any new development and/or enlargement for residential, theater, amenity, and/or commercial office use on the above-referenced property must ensure that the exhaust stacks for the heating and hot water systems are located at least 79 feet above grade, and at least 10 feet and no greater than 13 feet from the lot line facing Sixth Avenue, and at least 31.25 feet and no greater than 34.25 feet from the lot line facing West 47th Street, to avoid any potential significant adverse air quality impacts.

Noise

To ensure that there would be no significant adverse noise impacts associated with the proposed project, an E designation (E-572) will be placed on the project site as follows:

Block 1000, Lot 49:

To ensure an acceptable interior noise environment, future development must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all façades to maintain an interior noise level not greater than 45 dBA for residential and theater uses or not greater than 50 dBA for auxiliary theater, amenity, and commercial office uses. To maintain a closed G-5 Cort Theatre Text Amendment and Rehabilitation Special Permit window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning. Block 1000, Lot 49: To ensure an acceptable interior noise environment, future development must provide a closed window condition with a minimum of 31 dBA window/wall attenuation on all façades to maintain an interior noise level not greater than 45 dBA for residential and theater uses or not greater than 50 dBA for auxiliary theater, amenity, and commercial office uses. To maintain a closed G-5 Cort Theatre Text Amendment and Rehabilitation Special Permit window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.