

A. PROJECT DESCRIPTION

PROJECT IDENTIFICATION

The proposed Victoria Theater Redevelopment Project (the “proposed project”) involves the redevelopment of the former Loews Victoria Theater with an approximately 360,000 gross square foot mixed-use cultural, residential, hotel and retail development. The project site is located at 237 West 125th Street in Harlem, on the north side of West 125th Street, midblock between Frederick Douglass Boulevard and Adam Clayton Powell, Jr. Boulevard (see **Figure S-1**). The approximately 20,000 square foot project site (Manhattan Block 1931, Lot 17) is a through lot with approximately 50 feet of frontage along West 125th Street and 150 feet of frontage along West 126th Street (see **Figure S-2**).

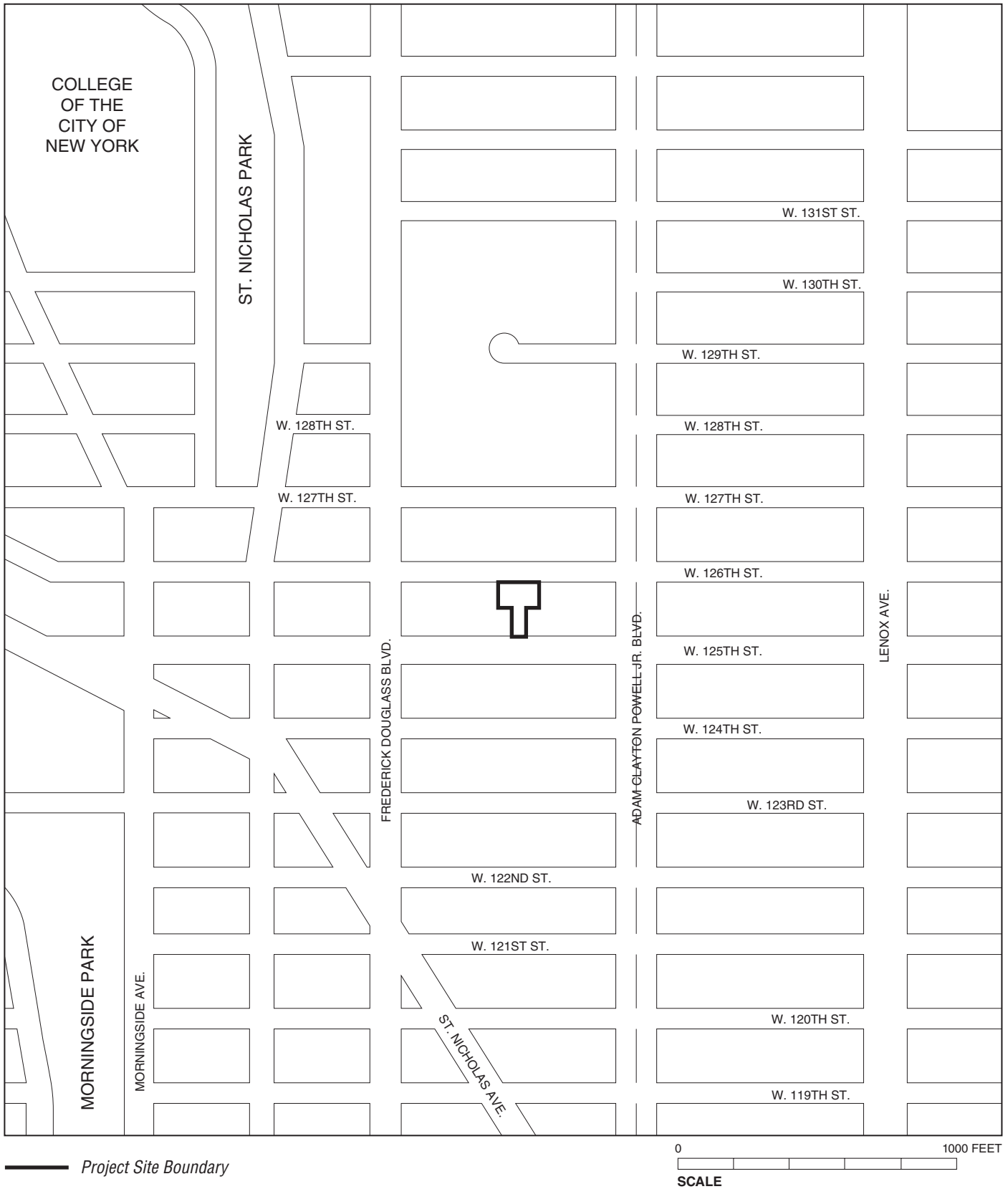
The project site is owned by the Harlem Community Development Corporation (HCDC), a subsidiary of the New York State Urban Development (UDC), a public benefit corporation of New York State doing business as Empire State Development (ESD).

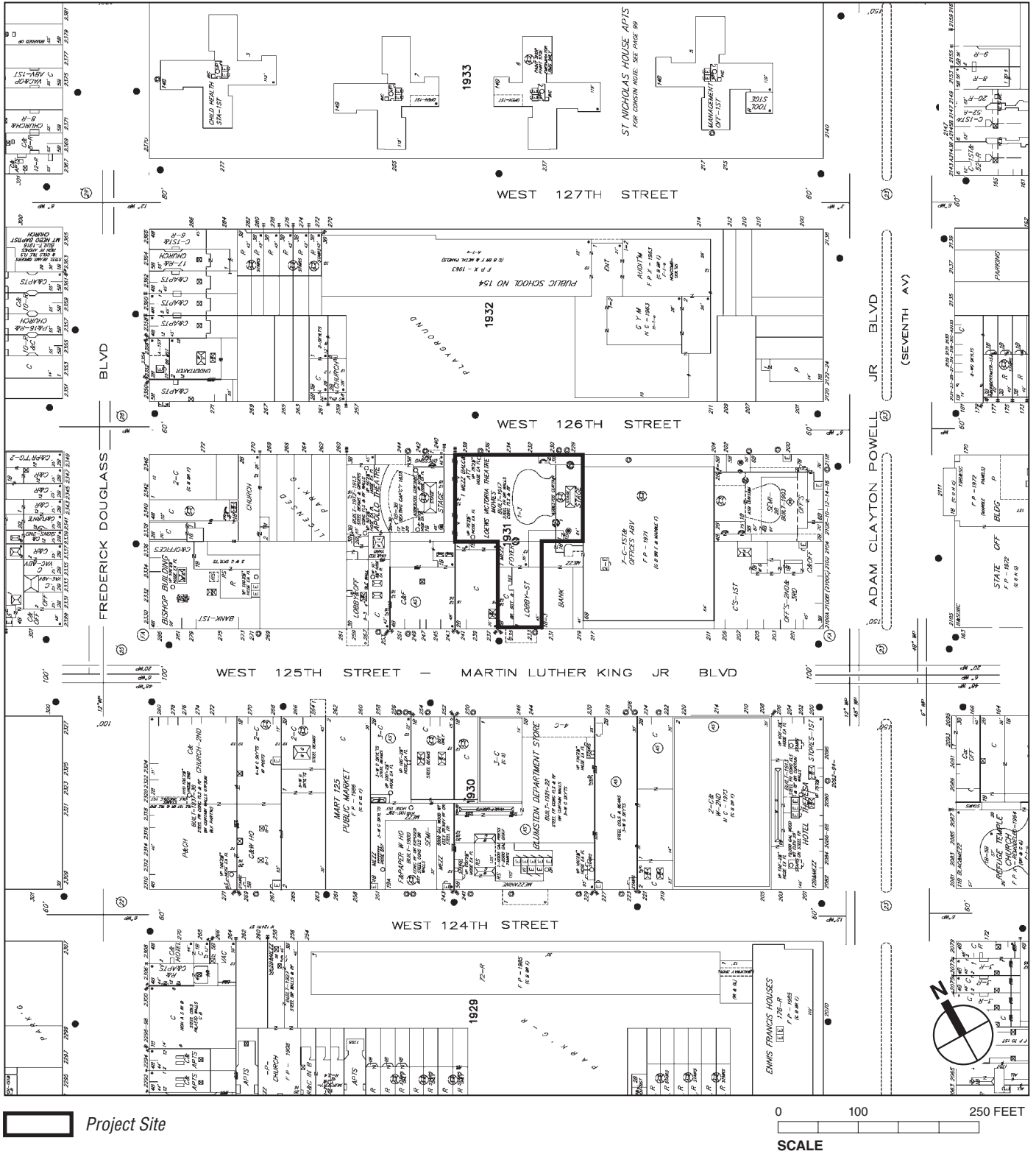
The proposed project includes a 26-story building (approximately 290 feet excluding rooftop mechanicals) with approximately 230 units of market rate and affordable housing, a hotel with approximately 210 rooms, approximately 27,000 square feet of commercial space for retail uses, and approximately 25,000 square feet of space for cultural uses. The proposed project is expected to be constructed and operational by 2014.

The proposed project is subject to environmental review under State Environmental Quality Review Act (SEQRA). ESD is the SEQRA lead agency for this proposal. The proposed project requires adoption and affirmation of a General Project Plan (GPP) by ESD and HCDC and other discretionary actions subject to SEQRA. The actions necessary to implement the proposed project are described below. The analyses conducted for this Draft Environmental Impact Statement (DEIS) follow the guidelines and methodology of the 2012 *City Environmental Quality Review (CEQR) Technical Manual*.

SITE HISTORY AND CONDITIONS

The Victoria Theater, designed by Thomas W. Lamb, was originally constructed as a vaudeville house in 1917. It was one of four contiguous vaudeville houses on West 125th Street—Harlem’s main business, shopping and cultural corridor. Together, the Victoria, along with the Apollo Theater, the Harlem Opera House, and the Alhambra Theater, became known as Harlem’s “Opera Row.” Originally built with more than 2,000 seats, it continued in use as a film theater until 1977, when the building was put up for sale. The Harlem Urban Development Corporation (HUCD), the predecessor to HCDC, purchased the theater in the 1980s and its lessee converted the building into five film theaters. The theater was again renovated in the 1990s for use as live theater. The building has undergone numerous alterations over the years, is in a deteriorated condition, and the theater itself has been vacant since 1997.





Project Site

There was a prior design proposed for the project site—in 2007 Danforth Development Partners was conditionally designated by HCDC as the preferred developer for the site. An Environmental Assessment Form (EAF) was prepared for the project and ESD, acting as the lead agency for SEQRA review, issued a Positive Declaration and Draft Scope of Work for the preparation of an EIS, and held a public scoping meeting. The program proposed at that time was similar to the current proposal but was somewhat taller. In addition, the current program for the proposed project now contains a significantly larger affordable housing component than was part of the previous design, and whereas the earlier concept held open the option to construct affordable housing units off-site, the current proposal would build all units on-site.

PROPOSED PROJECT

The proposed project consists of a mixed-use development that would include residential apartments (half of which would be on-site affordable housing), a hotel, cultural uses, retail, and accessory parking. The proposed building would have 26 stories and a total height of approximately 290 feet (excluding rooftop mechanical space). (See **Figures S-3** and **S-4**)

Along West 125th Street, the ground floor of the building is planned to include the main entrance for the hotel and cultural uses, which would incorporate restored historic elements from the former Victoria Theater and references to its place in Harlem's cultural heritage. On either side of the entrance along West 125th Street, there would be retail space accessible from both the street and the ground floor lobby. The north side of the building, towards West 126th Street, will include a drive-through vehicular drop off area, the residential entrance, additional retail space, a loading dock, and an access point to the proposed below-grade parking garage (see **Figure S-5**). Each of the proposed program components is described below.

SPACE FOR CULTURAL PARTNERS

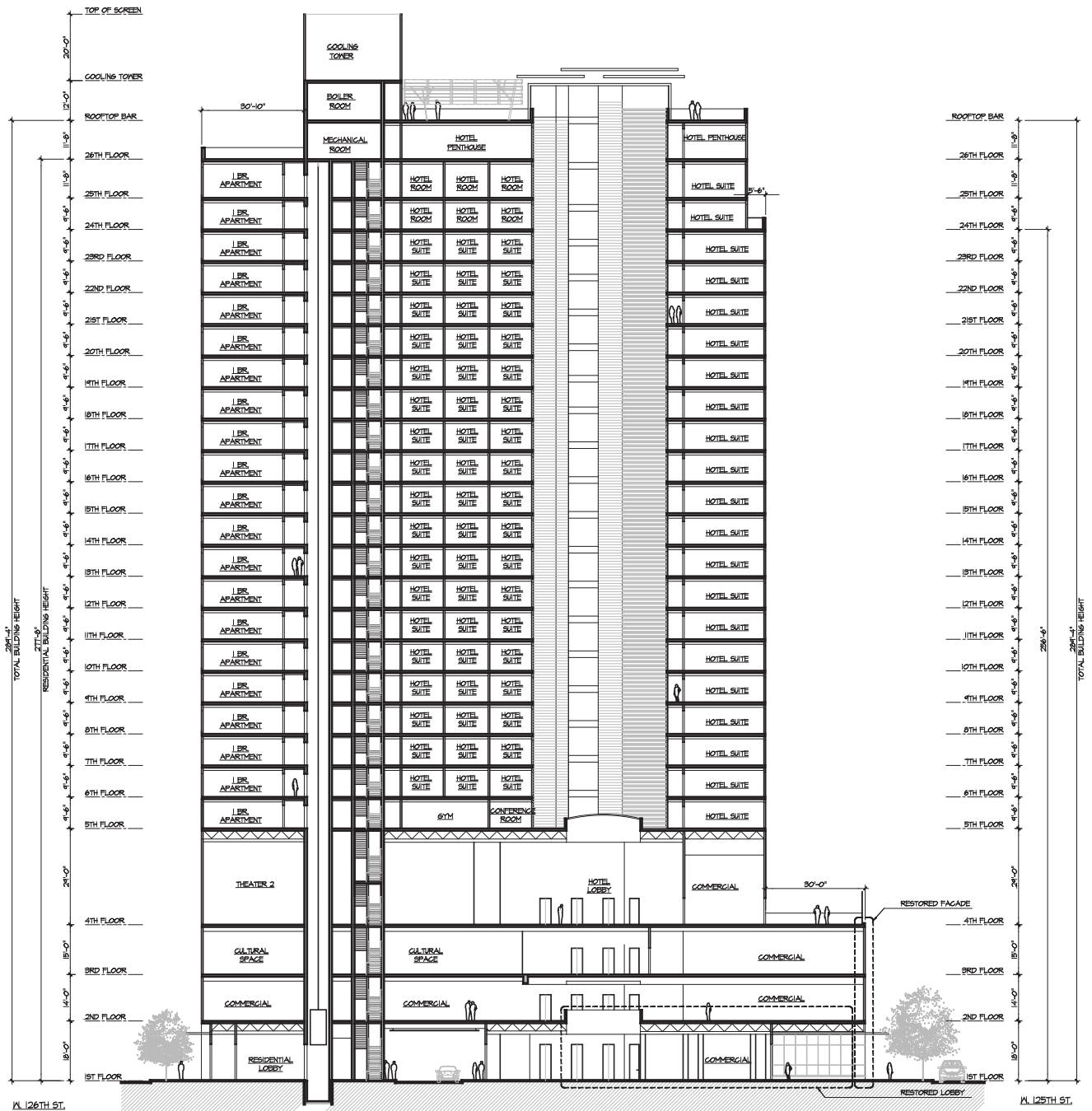
The cultural programming is an integral part of the proposed project. The proposed project would have approximately 25,000 gross square feet of cultural arts space, including a 199-seat black box theater and a smaller 99-seat performing arts space. These flexible spaces would include movable seating and allow for a variety of presentations. Support spaces for the cultural programming would include dressing rooms, rehearsal space, scenery and costume shops, and gallery and exhibition space. Office space would also be provided for the project's cultural partners.

RESIDENTIAL

The proposed residential uses would help meet the expected housing demand for Central Harlem and the city as a whole, and the density of the proposed project allows for a substantial number of affordable units to be included as part of the development program. The residential component of the proposed project, on the north side of the project site, would include approximately 230 apartments, with a mix of studios and 1 and 2-bedroom units. Residential amenities are expected to include a community space, gym for residents, outdoor area, and laundry room.

HOTEL

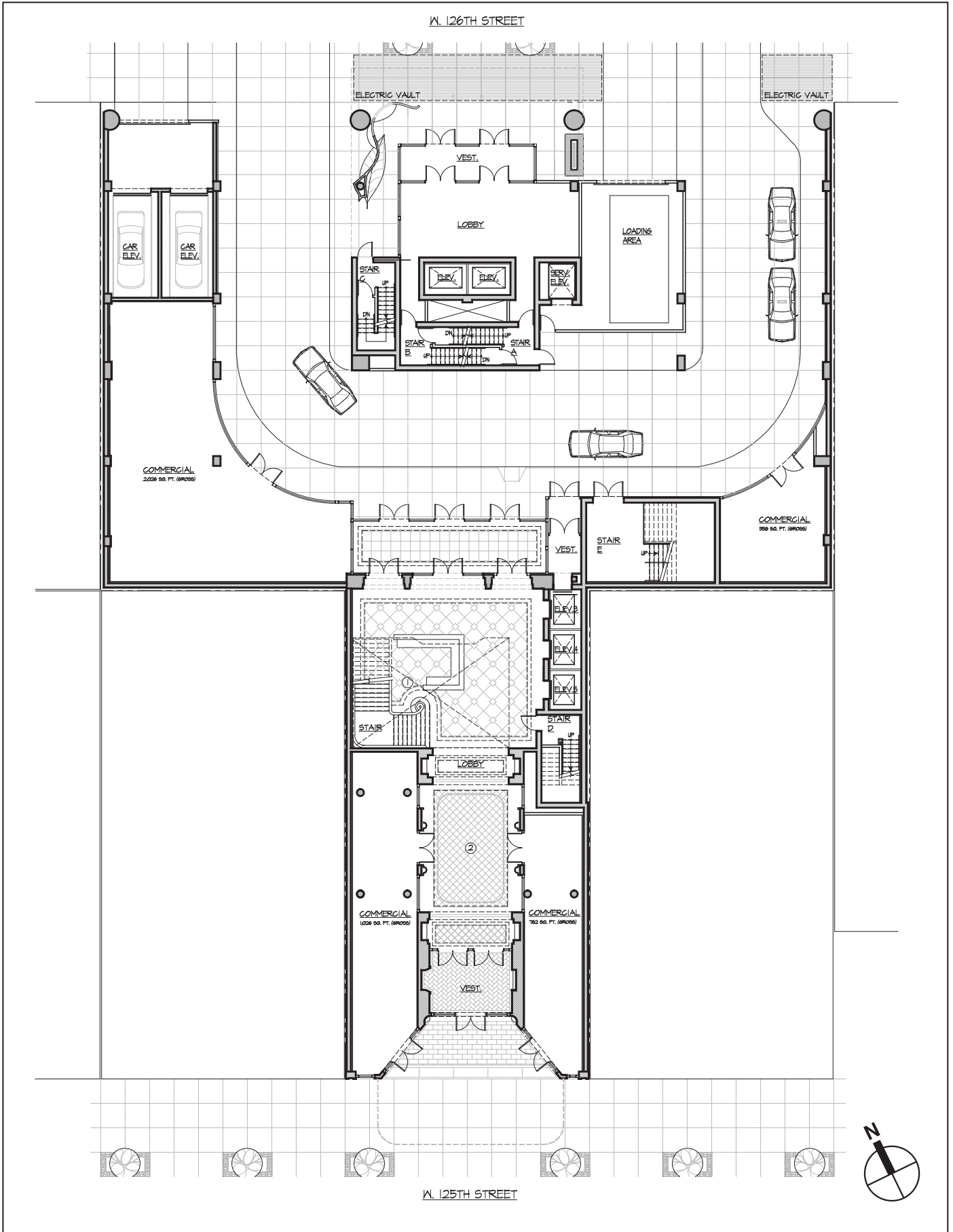
This component of the proposed project would include approximately 210 rooms in a select-service hotel. Working in conjunction with the ground floor lobby, the fourth floor of the building would include a dedicated hotel lobby as well as other hotel-related uses such as a



Illustrative North-South Building Section
Figure S-3



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



ballroom/event space and lounge/restaurant. Hotel rooms would be in the proposed building's south wing, with the remainder of the hotel space expected to include hotel support space, a conference area, business center, hotel gym, outdoor seating area, and rooftop bar.

RETAIL

On West 125th Street there would be retail space accessible from both the street and the ground floor lobby. On the north side of the project site there would also be ground-floor commercial space flanking the vehicular drop-off area. There would also be retail space on the second floor, as well as a portion of the third floor.

PARKING

Below grade, in addition to mechanical and support space, the proposed project would include attended accessory parking for approximately 90 cars, using vehicle stackers. Cars would enter the building at grade from West 126th Street and access the below-grade garage using elevators.

PROPOSED ACTIONS AND APPROVALS

The proposed project is expected to require the following actions and approvals:

- Disposition of the project site from HCDC to the developer. The disposition would initially be through a ground lease; when the project is complete and a temporary certificate of occupancy is issued the title would be transferred to the developer.
- ESD and HCDC adoption and affirmation of a General Project Plan, including possible overrides of certain aspects of the NYC Zoning Resolution (ZR), including:
 - Floor Area (ZR 97-42, ZR 97-421, ZR 97-422, ZR 23-145, ZR 34-112)
 - Floor Area Ratio (ZR 97-42; ZR 97-421, ZR 97-422, ZR 23-145, ZR 34-112)
 - Maximum Number of Units (ZR 23-22)
 - Maximum Building Height (ZR 35-24, ZR 94-442)
 - Maximum Base Height (ZR 35-24)
 - Minimum [C4-7] Base Height and Streetwall (ZR 94-442, ZR 97-443)
 - Initial Setback Above Base Height (35-24)
 - Clearance when lot line is adjacent to neighboring rear lot line (ZR 33-303)
 - Minimum Square feet per car in an attended parking facility (ZR25-62)
- Public Authorities Control Board (PACB) approval.
- New York City Industrial Development Agency (NYCIDA) bond funding for the hotel component.
- Possible approvals and/or funding for the proposed affordable housing component from the following:
 - New York City Department of Housing Preservation and Development
 - New York City Housing Development Corporation
 - New York State Housing and Community Renewal.

PROJECT PURPOSE AND NEED

The purpose of the proposed project includes a number of key objectives, including reactivation and revitalization of the project site, providing important cultural programming space for local organizations, creation of new market-rate and affordable housing, creation of a new hotel to help address the demand for accommodations in Upper Manhattan, and recognition of the Victoria Theater's rich history through the restoration, preservation and adaptive reuse of portions of the Theater. More specifically, the proposed development program seeks to:

- Create an economically viable development that will complement the ongoing revitalization of the neighborhood, create jobs, contribute to the vitality of the streetscape and retail environment, reinforce 125th Street as a major mixed-use corridor, and enhance tourism;
- Redevelop an underutilized, vacant, and deteriorated site into a vibrant mixed-use building;
- Create new residential apartments to address the needs of the community, including affordable and market-rate housing;
- Provide hotel space to serve growing market demand;
- Preserve and/or adaptively reuse, to the extent practicable, important historic elements of the Victoria Theatre in the building's design; and
- Create a venue for cultural programming, event space, and support space for the project's four cultural partners. It is currently contemplated that the cultural partners will include the Classical Theatre of Harlem, the Harlem Arts Alliance, the Apollo Theater Foundation, and Jazzmobile.

B. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

The proposed project would not have any significant adverse impacts on land use, zoning, or public policy. The proposed project would add new, active uses to a site that has been underutilized and largely vacant for several years. These uses would be compatible with goals of the 2007 rezoning of the 125th Street corridor and the mix of uses in the surrounding neighborhood. While the proposed project would not conform to existing zoning, the proposed zoning overrides are necessary to achieve key goals of the project, including the provision of 50 percent affordable housing, the creation of new market-rate housing, and the retention of important elements of the historic Victoria Theater. The proposed project would rehabilitate a building that would again become an important part of Harlem's center of arts and culture and would add to the ongoing redevelopment of the area. The proposed project would be consistent with and in support of policies and initiatives intended to spur investment in the area, create housing, and create new opportunities for employment. It would also be consistent with the City's goals and strategies for sustainability as set forth in PlaNYC.

SOCIOECONOMIC CONDITIONS

The proposed project would not result in direct displacement of a residential population; would not result in direct displacement of more than 100 employees or an unusually important or unique business; would not introduce substantial new development that would result in indirect displacement; and would not affect conditions within a specific industry (such as a citywide

regulatory change). Therefore, the proposed project would not have a significant adverse impact on socioeconomic conditions.

COMMUNITY FACILITIES AND SERVICES

According to the *CEQR Technical Manual*, a community facilities analysis is needed if there would be potential direct or indirect effects on a facility. The proposed project would not have a direct effect on any community facility and would not result in significant indirect effects on public schools, libraries, health care facilities, child care centers, or police and fire protection. Therefore, the proposed project would not have a significant adverse impact on community facilities and services.

OPEN SPACE

DIRECT EFFECTS

The proposed project would not remove or alter any existing publicly accessible open spaces, nor would it result in any significant adverse shadow, noise, or air quality impacts on any open spaces.

INDIRECT EFFECTS

Based on the methodology of the *CEQR Technical Manual*, a preliminary analysis of the proposed project's indirect effects on open space was conducted to determine the need for a detailed analysis. The preliminary analysis concluded that the proposed project would not result in a significant adverse impact on open space and that a detailed analysis was not necessary.

Table S-1 provides a comparison of open space ratios in the future without and with the proposed project. For the residential population, the total open space ratio, as well as both active and passive open space ratios, would decrease by less than one percent. The open space ratios for both the future without and with the proposed project would continue to fall short of the City's recommended open space ratio guidelines, but the effects of the project would not be considered a substantial change. It is recognized that the City guidelines are not feasible for many areas of the city, and they are not considered impact thresholds.

Table S-1
2014 Future With the Proposed Project: Open Space Ratios Summary

Ratio ¹	City Guideline	Open Space Ratios			Percent Change Future Without to Future With the Proposed Project
		Existing Conditions	Future Without the Proposed Project	Future With the Proposed Project	
Total/Residents	2.5	0.1854	0.1841	0.1824	-0.92%
Active/Residents	2.0	0.1111	0.1103	0.1093	-0.92%
Passive/Residents	0.5	0.0744	0.0738	0.0732	-0.92%
Notes: ¹ Ratios in acres per 1,000 residents.					

In addition, some open space needs of the study area population would be met by open spaces located within ½-mile of the project site but not included in the quantitative analysis, including Morningside Park, St. Nicholas Park, and Marcus Garvey Memorial Park. While these three parks are located within the ½-mile of the project site, they are not considered in the quantitative analysis because, in accordance with the *CEQR Technical Manual*, at least 50 percent of their census tract areas do not fall within the study area. Nonetheless, these major parks provide both passive and active open space recreational amenities for residents in the study area. Although

open space ratios would continue to fall below city guidelines and would decrease slightly with the proposed project, the proposed project would not result in a significant adverse indirect impact on open spaces in the study area.

While private open space and recreational facilities are not considered in the quantitative analysis, the proposed development would provide new open space for use by the proposed project's residents and users, which is considered in the qualitative assessment. As currently planned, the proposed project would include separate open spaces and gym facilities for residents and hotel visitors. Thus, the proposed project is expected to include active and passive private open space and recreation amenities for use by building occupants, helping to meet project-generated demand for open space.

SHADOWS

The shadows analysis concludes that the proposed building would cast new shadows on certain landscaped areas, walkways and benches located around and between the buildings of the St. Nicholas Houses superblock for about two hours at the end of the March 21/September 21 analysis day and for most of the December 21 analysis day. The analysis concludes that these new shadows would not result in significant adverse impacts. In addition, incremental shadows from the proposed project would fall on a portion of the Adam Clayton Powell Jr. Malls at the end of the spring, summer and fall analysis days but would not result in significant adverse impacts on these resources.

Although it is not considered a publicly accessible open space according to the methodology of the *CEQR Technical Manual*, the schoolyard of Public School (P.S.) 154 (Harriet Tubman School), which is located on West 126th Street across from the site of the proposed project, is also considered in the shadows analysis. The proposed building would cast shadows on the P.S. 154 schoolyard for approximately four hours in the winter and early summer and up to six hours and ten minutes in the spring and fall. However, shadows would move across the schoolyard and at no time would it be fully covered by new incremental shadow. In addition, the schoolyard is not available for use by the general public and the times that the schoolyard is in active use are limited. Therefore, the proposed project would not result in a substantial reduction in the usability of this open space as a result of increased shadow and there would not be a significant adverse impact.

The shadows analysis concludes that the proposed project would not result in significant adverse shadow impacts.

HISTORIC AND CULTURAL RESOURCES

ARCHAEOLOGICAL RESOURCES

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has reviewed the archaeological sensitivity of the project site. In a letter dated February 13, 2012, OPRHP indicated that they have no concerns regarding potential impacts on archaeological resources. Therefore, the proposed project would have no adverse impact on such resources.

ARCHITECTURAL RESOURCES

The proposed project would retain, restore, and reuse the South Building as part of the proposed project and demolish the North Building to construct a new building with cultural, commercial,

residential and hotel uses. Demolition of the North Building would constitute an adverse impact on historic resources, requiring that mitigation measures be developed among the project sponsors, the Harlem Community Development Corporation (HCDC), Empire State Development (ESD), and OPRHP. An Alternatives Analysis was provided to OPRHP on February 17, 2012, along with reports that were prepared documenting the conditions of the North and South Buildings. Based upon the review of these materials, OPRHP concurred in a letter dated April 23, 2012 that there are no prudent or feasible alternatives to having an adverse impact on the Victoria Theater.

Proposed mitigation measures would be set forth in a Letter of Resolution (LOR) to be executed among the project sponsors, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. Mitigation measures that have been identified through the Section 14.09 process include the retention, restoration, and reuse of the South Building, specifically the restoration of the West 125th Street façade, and restoration or replication of the front entrance doors, vertical blade sign, horizontal marquee, lobby, and foyer; the possible salvage and reuse of the north canvas mural from the balcony level of the auditorium and possible salvage and reuse of the water fountain mosaics located in the North Building; potential salvage and reuse of other architectural elements in the North Building; the use of new lighting that is referential to the theater's original (1917) design; recreation of the theater's former ticket booth on West 125th Street to serve as a signage element; and the installation of educational materials within the proposed project concerning the theater's history and its role as part of Harlem's "Opera Row."

To avoid potential inadvertent construction-related impacts on the South Building and Apollo Theater during project demolition and construction activities, a Construction Protection Plan (CPP) would be prepared by the project sponsors. The CPP would describe the measures to be implemented during project demolition, excavation, and construction activities to protect the South Building and Apollo Theater and would be developed in consultation with OPRHP and implemented by a professional engineer.

The proposed project would not have any contextual effects to study area architectural resources that would result in significant adverse impacts on those resources. The project would not adversely affect the context or setting of architectural resources or alter the qualities for which they have been determined significant. The project would also not obstruct views to architectural resources or introduce significant new shadows on architectural resources that have sunlight-dependent features.

URBAN DESIGN

The proposed project would not result in any changes to natural features, open spaces, or streets in the study area. It would maintain the streetwalls of West 125th and 126th Streets, and the footprint and lot coverage of the project site building would not change. The proposed development would be considerably larger—in terms of both bulk and height—than what currently exists on the site and what is permitted by zoning, but would be consistent with City goals to encourage new mixed-use development, to expand cultural uses, and to develop housing (including affordable housing) along the 125th Street corridor.

The new building on the North Building site would set back a minimum of 30 feet from the façade of the South Building on West 125th Street. The proposed setback is designed to respect and reflect the height of the historic South Building. The façade of the new building would be clad in glass curtain wall, designed to be light and transparent and as such, not compete visually

with the South Building's historic masonry façade. An open atrium would be created along the west side of the building, setting the bulk of the structure away from the adjacent low-rise buildings located to the west on West 125th and 126th Streets, including the historic Apollo Theater.

The views along significant corridors are expected to remain substantially the same, although views toward the project site would now include a new, tall building. From within the study area—as well as from more distant viewpoints—the proposed new building would join the Hotel Theresa, St. Nicholas Towers, and Adam Clayton Powell Jr. State Office Building as prominent features of the study area's skyline, above the surrounding lower-scale development. The proposed project would not obstruct any views to important visual resources, or eliminate any existing view corridors.

The proposed project would improve the pedestrian experience of the study area, be in keeping with the developing mixed-use character of the study area, and would support the needs of the community, including a hotel for the underserved Upper Manhattan market, affordable housing, and multi-purpose performing arts space. Overall, this analysis concludes that the proposed project would not have any significant adverse impacts related to urban design and visual resources.

NATURAL RESOURCES

The project site and surrounding area are in a fully developed part of Manhattan and are substantially devoid of natural resources, as defined by the *CEQR Technical Manual*. In addition, the study area does not contain “built resources” that are known to contain or may be used as habitat by a protected species, and the disruption of the subsurface of the project site would not affect the function or value of natural resources. Therefore, the proposed project would not have a significant adverse impact on natural resources.

HAZARDOUS MATERIALS

A Phase I Environmental Site Assessment (ESA) conducted for the project site identified potential sources of contamination, including: historical and/or existing petroleum storage tanks on the project site; historical and/or current uses in the surrounding area (including a contractor's yard and a commercial-manufacturing building west-adjacent to the project site, and a dry cleaner and an undertaker on the north-adjacent block); and hazardous waste generators (including dry cleaners) and petroleum storage facilities.

To further evaluate the potential for human or environmental exposure to known or unexpectedly encountered contamination during and following the proposed project, a Subsurface (Phase II) Investigation including the collection of soil and groundwater samples for laboratory analysis would be performed prior to soil disturbance. Based on the results of the Phase II investigation, the developer may be required to prepare a project-specific Remedial Action Plan (RAP) and would be required to prepare a Construction Health and Safety Plan (CHASP) to be implemented during construction of the proposed project. The plans would set out appropriate procedures to be followed to safely address any identified contamination, historical fill materials, etc. and would provide measures to protect both the workers and the community. All excavated soil would be handled and disposed of in accordance with applicable regulatory requirements and measures to control dust during excavation would be implemented to protect both the workers and the community. Should contaminated soil and/or petroleum tanks be encountered, applicable regulatory requirements (e.g., those relating to spill reporting

and tank registration) would be followed to address removal of the tanks and any associated soil or groundwater contamination.

Lead-based paint, asbestos-containing materials (ACM), and polychlorinated biphenyl (PCB) containing electrical equipment and fluorescent lighting fixtures, may be present at the project site. Regulatory requirements pertaining to these hazardous materials would be followed.

With the measures described above, the proposed project would not result in any significant adverse impacts related to hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The proposed project would not have an exceptionally large demand for water and does not meet any of the *CEQR Technical Manual* criteria for analysis. Therefore an analysis of water supply is not warranted. The proposed project would not have a significant adverse impact on water supply.

Similarly, the proposed project does not meet the thresholds for an analysis of wastewater and stormwater conveyance and treatment, and the proposed project would not result in significant adverse impacts.

SOLID WASTE AND SANITATION

The proposed project would be expected to produce approximately 23,145 pounds or 11.57 tons of waste per week. In accordance with the guidance of the *CEQR Technical Manual*, a detailed assessment of solid waste and sanitation services is not warranted and no impacts on solid waste or sanitation services are expected with the proposed project.

ENERGY

It is expected that the proposed project, when operational, would consume approximately 60,661 million British Thermal Units (BTUs) per year. This would not be considered a significant demand for energy and the project site would be served by available energy suppliers. The proposed project would comply with the New York State Energy Conservation Code and would not affect the transmission or generation of energy. Therefore, the proposed project would not result in significant adverse impacts to the consumption or supply of energy.

TRANSPORTATION

The proposed project would not result in any significant adverse pedestrian, transit, or parking impacts. However, project-generated vehicle trips are expected to result in significant adverse traffic impacts at the following eight approaches/lane groups:

- The westbound approach at the signalized intersection of West 126th Street and Eighth Avenue during the Saturday peak hour.
- The westbound approach at the signalized intersection of West 126th Street and Seventh Avenue during the Saturday peak hour.
- The westbound approach at the signalized intersection of West 125th Street and Eighth Avenue during the AM, PM, and Saturday peak hours.
- The eastbound approach at the signalized intersection of West 125th Street and Seventh Avenue during the midday and PM peak hours.

- The westbound approach at the signalized intersection of West 125th Street and Seventh Avenue during the Saturday peak hour.
- The eastbound approach at the signalized intersection of West 125th Street and Lenox Avenue during the midday peak hour.
- The eastbound approach at the signalized intersection of West 124th Street and Seventh Avenue during the PM peak hour.
- The eastbound approach at the signalized intersection of West 124th Street and Lenox Avenue during the PM peak hour.

These impacts can be mitigated with minor adjustments to existing signal timings, as discussed below under “Mitigation.”

AIR QUALITY

The proposed project would not significantly alter traffic conditions; therefore, the proposed project would not cause significant adverse impacts from mobile source emissions and no further analysis of on-street mobile source emissions is warranted.

Based on the stationary source analyses, there would be no potential significant adverse stationary source air quality impacts from emissions of nitrogen dioxide, sulfur dioxide, and particulate matter from the proposed fossil fuel-fired HVAC systems of the proposed project.

Therefore, the proposed project would not have significant adverse air quality impacts.

GREENHOUSE GAS EMISSIONS

The energy use and vehicle use associated with the proposed project would result in approximately 5,604 metric tons of carbon dioxide equivalent (CO₂e) emissions per year. Of that amount, 2,798 metric tons of CO₂e per year would result from building operational energy use, and the rest from mobile sources.

The proximity of the project site to public transportation and the energy-efficient design of the building are all factors that would contribute to the energy efficiency of the proposed development. The proposed project would result in new mixed-use development and reuse of an existing building in a developed area with excellent access to public transit. As such, the proposed project is consistent with sustainable land-use planning and smart-growth strategies that aim to reduce the carbon footprint of new development. Furthermore, the proposed project will be designed to meet the standards for the United States Green Building Council’s (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification. As such, specific measures would be incorporated into the design and construction of the proposed project that would decrease potential GHG emissions. Based on these project components and efficiency measures, the proposed project would be consistent with New York City’s GHG reduction goal.

NOISE

A detailed mobile source noise analysis is not warranted because the proposed project would not generate sufficient traffic to have the potential to cause a significant adverse noise impact. The building attenuation analysis concludes that in order to meet CEQR interior noise level requirements, up to 35 dBA of building attenuation would be required for the proposed project. Because the proposed project would be designed to satisfy these specifications, there would be

no significant adverse noise impact with respect to building attenuation. The noise analysis concludes that the proposed project would not result in any significant adverse noise impacts.

PUBLIC HEALTH

According to the *CEQR Technical Manual*, for most proposed projects a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. The proposed project would not result in significant unmitigated adverse impacts in these technical areas and therefore would not have a significant adverse impact on public health.

NEIGHBORHOOD CHARACTER

The proposed project would have potential significant adverse impacts in two of the technical areas contributing to neighborhood character: historic and cultural resources (which would be partially mitigated), and transportation (which would be fully mitigated). Through the creation of a new building that complements existing area land uses, and the revitalization and restoration of the South Building on the project site, the proposed project would be consistent with the key components of the area's character and would, overall, result in beneficial effects on neighborhood character. The proposed project would provide important space for local cultural organizations, create much-needed affordable and market-rate housing, generate new sources of employment and economic activity, and create a new hotel for an underserved market. The proposed project would preserve and celebrate the heritage of the Victoria Theater and its role in the history of 125th Street, and contribute to the ongoing revitalization of 125th Street as a premier art, culture and entertainment district. Overall, the proposed project would not have the potential to adversely affect the defining features of the neighborhood's character, either through a significant adverse impact in a specific technical area or through a combination of moderate effects. Therefore, the proposed project would not result in a significant adverse impact on neighborhood character.

CONSTRUCTION

This assessment concludes that the proposed project would not result in significant adverse impacts during construction. The overall construction duration of the proposed project would be short-term (less than two years) and would include construction of a single building. According to the *CEQR Technical Manual*, where the duration of construction is expected to be short-term, any impacts resulting from construction generally do not require detailed assessment. The proposed project would not result in significant adverse impacts on transportation, noise, air quality, hazardous materials, or other relevant technical areas. Therefore, no significant adverse impacts are expected to occur as a result of construction.

As discussed above, a CPP would be prepared to avoid potential inadvertent construction-related impacts on the South Building and Apollo Theater during project demolition and construction activities.

ALTERNATIVES

Two alternatives are compared to the proposed project: a No Action Alternative, which assumes none of the proposed discretionary actions would occur, and the project site would continue to remain primarily unoccupied; and a No Unmitigated Significant Adverse Impact Alternative,

which considers two scenarios that would avoid the proposed project's significant adverse impact on historic resources.

The conclusion of the alternatives analysis is that, while either of the alternatives may reduce or eliminate the significant adverse impacts on historic and cultural resources, neither of the alternatives considered could achieve the goals and objectives of the project sponsor.

MITIGATION

HISTORIC AND CULTURAL RESOURCES

The proposed project involves discretionary actions by the State of New York, and thus is subject to review under Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law. Under this law, it is the responsibility of state agencies to avoid or mitigate adverse impacts of their actions to properties listed or determined eligible for listing on the State and National Registers of Historic Places (S/NR). Every State agency with regulatory authority over the project is required to fully explore all feasible and prudent alternatives and give due consideration to feasible and prudent plans which avoid or mitigate adverse impacts on such property.

While a significant adverse impact cannot be entirely avoided considering the goals and objectives of the proposed project, certain mitigation measures would be implemented to address project impacts, as described below.

Summary of Proposed Mitigation Measures

Mitigation measures would be set forth in a Letter of Resolution (LOR) to be executed among the project sponsors, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. Proposed mitigation measures include the following:

- The South Building will be retained with its 125th Street façade and certain first floor spaces restored to their 1917 appearance. Specifically, elements to be restored or replicated include the front entrance doors, vertical blade sign, horizontal marquee, lobby, and foyer and staircase. In addition, the theater's former ticket booth on West 125th Street will be recreated to serve as a signage element. New lighting will also be designed to be referential to the theater's original (1917) design.
- The project architect and historic preservation consultants, in consultation with HCDC and ESD, will identify selected historic ornamental features in the North Building that are able to be salvaged and will consult with OPRHP as to how they will be reused in the proposed project. At a minimum, the north canvas mural from the balcony level of the auditorium and the water fountain mosaics located in the stair foyers of the North Building shall be considered for salvage and reuse, contingent upon the feasibility of salvage and removal. Other architectural elements in the North Building will be identified that can be salvaged and reused or that can be referenced and used to inform and influence the design of new spaces in the North Building.
- Within the proposed project, educational materials will be installed concerning the historic Victoria Theater and in its larger context as part of Harlem's Opera Row. Development of these materials, which may include text, photographs, interactive exhibits and salvaged architectural elements, will be undertaken in consultation with OPRHP.

- A Construction Protection Plan (CPP) will be developed that will address how the South Building and the Apollo Theater will be protected during project demolition and construction. The CPP shall meet the requirements specified in the New York City Department of Buildings (NYCDOB) Technical Policy and Procedure Notice #10/88 and will be implemented by a licensed professional engineer. The CPP will be submitted to OPRHP for review and approval prior to implementation.

With the implementation of these measures, the proposed project would minimize significant adverse impacts on historic resources to the extent feasible.

TRAFFIC MITIGATION

As described above, the proposed project would not result in significant adverse transit, pedestrians, or parking impacts. However, for vehicular traffic, eight approaches/lane groups are predicted to experience significant adverse traffic impacts in the Build condition. **Table S-2** summarizes the proposed mitigation measures, which would involve only changes to signal timing and would not require any physical improvements to the roadway network such as restriping or the removal of parking. With these mitigation measures in place, there would be no significant traffic impacts as a result of the proposed project. **Table S-3** compares the LOS conditions for the 2014 No Build, Build, and Build with Mitigation conditions. These proposed mitigation measures are subject to review and approval by NYCDOT.

Table S-2
Recommended Traffic Mitigation Measures

Intersection	AM Peak Hour		Midday Peak Hour		PM Peak Hour		Saturday Peak Hour	
	Existing Timing	Proposed Timing	Existing Timing	Proposed Timing	Existing Timing	Proposed Timing	Existing Timing	Proposed Timing
West 126th Street and Eighth Avenue	No Changes		No Changes		No Changes		NB/SB:58/3/2 WB: 22/3/2	NB/SB:54/3/2 WB: 26/3/2
West 126th Street and Seventh Avenue	No Changes		No Changes		No Changes		NB/SB:49/3/2 WB: 31/3/2	NB/SB:48/3/2 WB: 32/3/2
West 125th Street and Eighth Avenue	NB/SB:40/3/2 Ped (LPI): 7 EB/WB:33/3/2	NB/SB:39/3/2 Ped (LPI): 7 EB/WB:34/3/2	No Changes		NB/SB:40/3/2 Ped (LPI): 7 EB/WB:33/3/2	NB/SB:38/3/2 Ped (LPI): 7 EB/WB:35/3/2	NB/SB:31/3/2 Ped (LPI): 7 EB/WB:42/3/2	NB/SB:29/3/2 Ped (LPI): 7 EB/WB:44/3/2
West 125th Street and Seventh Avenue	No Changes		NB/SB:40/3/2 EB/WB:40/3/2	NB/SB:39/3/2 EB/WB:41/3/2	No Changes		NB/SB:40/3/2 EB/WB:40/3/2	NB/SB:39/3/2 EB/WB:41/3/2
West 125th Street and Lenox Avenue	No Changes		NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:35/3/2 Ped (LPI): 7 EB/WB:38/3/2	No Changes		No Changes	
West 124th Street and Seventh Avenue	No Changes		No Changes		NB/SB:46/3/2 EB:34/3/2	NB/SB:45/3/2 EB:35/3/2	No Changes	
West 124th Street and Lenox Avenue	No Changes		No Changes		NB/SB:55/3/2 EB:25/3/2	NB/SB:54/3/2 EB:26/3/2	No Changes	
Notes: Signal timings = green/amber/red listed in seconds NB = northbound, SB = southbound, EB = eastbound, WB = westbound LPI = leading pedestrian interval								

Table S-3
2014 No Build, Build, and Build with Mitigation Conditions
Level of Service Analysis

Intersection/ Approach	No Build				Build				Build with Mitigation			
	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LO S
West 126th Street and Eighth Avenue – Saturday peak hour												
Westbound	LTR	1.08	110.7	F	LTR	1.31	198.4	F+	LTR	1.09	108.4	F
Northbound	LT	0.33	7.8	A	LT	0.34	7.8	A	LT	0.36	9.9	A
Southbound	TR	0.26	7.2	A	TR	0.26	7.2	A	TR	0.28	9.1	A
	Intersection		32.9	C	Intersection		59.6	E+	Intersection		36.5	B
West 126th Street and Seventh Avenue – Saturday peak hour												
Westbound	LTR	1.00	73.4	E	LTR	1.05	88.8	F+	LTR	0.98	67.8	E
Northbound	LT	0.59	15.2	B	LT	0.64	16.0	B	LT	0.67	17.7	B
Southbound	TR	0.34	11.9	B	TR	0.35	12.0	B	TR	0.37	13.2	B
	Intersection		24.3	C	Intersection		27.6	C	Intersection		25.2	C
West 125th Street and Eighth Avenue – AM peak hour												
Eastbound	LTR	0.98	58.2	E	LTR	0.99	61.1	E	LTR	0.95	51.3	D
Westbound	LTR	0.96	52.5	D	LTR	1.00	62.8	E+	LTR	0.96	52.4	D
Northbound	TR	0.27	16.4	B	TR	0.28	16.4	B	TR	0.28	17.1	B
Southbound	TR	0.51	19.5	B	TR	0.56	20.2	C	TR	0.57	21.1	C
	Intersection		40.2	D	Intersection		44.0	D	Intersection		38.5	D
West 125th Street and Eighth Avenue – PM peak hour												
Eastbound	LTR	0.77	32.8	C	LTR	0.79	33.8	C	LTR	0.76	31.3	C
Westbound	LTR	0.87	39.4	D	LTR	0.93	46.5	D+	LTR	0.90	41.7	D
Northbound	TR	0.46	18.8	B	TR	0.47	18.9	B	TR	0.48	19.7	B
Southbound	TR	0.41	18.0	B	TR	0.46	18.6	B	TR	0.47	19.4	B
	Intersection		28.1	C	Intersection		30.5	C	Intersection		28.9	C
West 125th Street and Seventh Avenue – Midday peak hour												
Eastbound	LTR	0.86	34.4	C	LTR	0.96	50.0	D+	LTR	0.93	43.3	D
Westbound	LTR	0.81	30.1	C	LTR	0.84	32.6	C	LTR	0.81	29.8	C
Northbound	LTR	0.45	18.2	B	LTR	0.46	18.4	B	LTR	0.47	19.2	B
Southbound	LTR	0.47	18.5	B	LTR	0.47	18.6	B	LTR	0.48	19.4	B
	Intersection		24.9	C	Intersection		29.5	C	Intersection		27.6	C
West 124th and Seventh Avenue – PM peak hour												
Eastbound	LTR	0.83	36.9	D	LTR	0.93	49.2	D+	LTR	0.90	43.9	D
Northbound	T	0.68	18.0	B	T	0.68	18.1	B	T	0.70	19.1	B
	R	0.09	11.8	B	R	0.10	11.8	B	R	0.10	12.4	B
Southbound	LT	0.42	14.5	B	LT	0.42	14.5	B	LT	0.43	15.2	B
	Intersection		20.6	C	Intersection		23.6	C	Intersection		23.1	C
West 124th and Lenox Avenue– PM peak hour												
Eastbound	LR	0.89	54.8	D	LR	0.93	62.5	E+	LR	0.82	43.3	D
Westbound	LR	0.19	26.0	C	LR	0.19	26.0	C	LR	0.16	23.4	C
Northbound	T	0.26	8.3	A	T	0.26	8.4	A	T	0.28	9.8	A
Southbound	T	0.50	10.8	B	T	0.50	10.9	B	T	0.53	12.8	B
	Intersection		18.6	B	Intersection		20.4	C	Intersection		18.0	B
Notes: L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service. + implies a significant adverse impact												

UNAVOIDABLE ADVERSE IMPACTS

The only significant adverse impact from the proposed project that could not be fully mitigated would be the demolition of the North Building. With the measures identified in “Mitigation” above, the significant adverse impact to this historic resource would be partially mitigated. However, there are no practicable and feasible measures that could fully eliminate the significant adverse impact and achieve the goals and objectives of the proposed project. Consequently this impact would be considered an unavoidable significant adverse impact.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The proposed project would not induce additional development in the surrounding area and would not expand infrastructure capacity. Proposed development would be limited to new and renovated space on the project site. The proposed project would be consistent with and complementary to existing land uses in the area, and the proposed zoning overrides and other approvals would apply to the project site only and would not be applicable to other sites. The proposed project would not result in direct or indirect residential displacement, direct or indirect business and institutional displacement, and would not have any adverse effects on specific industries. Therefore, the proposed project would not “induce” new growth in the surrounding area.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

The proposed project constitutes an irreversible and irretrievable commitment of the project site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term. These commitments of land resources and materials are weighed against the benefits of the proposed projects. The proposed project would bring new residential, hotel, and retail uses to the project site, which would remain largely vacant and underdeveloped without the proposed project. *