

# VICTORIA THEATER REDEVELOPMENT PROJECT

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Final Environmental Impact Statement



**Lead Agency:**

Empire State Development

**Project Sponsor:**

Harlem Community Development Corporation

**Applicant:**

Danforth Development Partners, LLC

**Prepared by:**

AKRF, Inc.

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February 2013

**VICTORIA THEATER REDEVELOPMENT PROJECT  
FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)**

**Project Location:** 237 West 125th Street  
New York, NY 10027  
Block 1931, Lot 17  
Manhattan Community District 10

**Lead Agency:** Empire State Development  
633 Third Avenue, 34th Floor  
New York, NY 10017

**Lead Agency Contact:** Rachel Shatz  
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**Project Sponsor:** Harlem Community Development Corporation

**Project Applicant:** Danforth Development Partners, LLC

**Preparer:** AKRF, Inc.  
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New York, NY 10016

## Foreword\*

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This Final Environmental Impact Statement (FEIS) for the Victoria Theater Redevelopment Project responds to all substantive comments made on the Draft Environmental Impact Statement (DEIS) that was accepted as complete by Empire State Development (ESD) as lead agency under the State Environmental Quality Review Act (SEQRA).

A DEIS was prepared for the proposed project, and a notice of completion for the DEIS was issued and the DEIS was distributed on July 18, 2012. A joint public hearing on the DEIS and General Project Plan (GPP) was held on December 10, 2012 at the Adam Clayton Powell, Jr. State Office Building located at 163 West 125th Street New York, New York. Notice of the Public Hearing was published in the New York Amsterdam News and the New York Daily News, and posted on the web sites of HCDC and ESD. The public comment period remained open until January 10, 2013. All comments received at the hearing and submitted in writing have been considered in the preparation of this FEIS.

Subsequent to the issuance of the DEIS, in the process of refining the architectural design for the project, certain changes were made to the conceptual design of the proposed project. These changes are evaluated as part of the proposed project in this FEIS. The changes included:

- Increasing the building height by ten feet, from approximately 290 feet to approximately 300 feet, excluding rooftop mechanical space. This change was made to accommodate structural design considerations and clear ceiling heights required for the proposed theater spaces and the hotel ballroom.
- Eliminating the vehicular driveway which would have entered the site from West 126th Street. This has been replaced by a proposed curb-side hotel loading and drop-off zone on West 126th Street.
- Reorganizing program elements on the project's lower floors, including moving some of the retail space to the ground floor, creating a new mezzanine floor (now called the fourth floor), and relocating some of the theater support functions to the new mezzanine floor.

As a result of the above changes and the need to address fire and safety code compliance requirements, the overall gross square footage of the building has increased from approximately 360,000 square feet to approximately 385,000 square feet. The number of hotel rooms, residential units and parking spaces have not increased, and the size of the cultural program components remains the same as in the DEIS.

Other changes to the FEIS document include the following:

- The relevant portions of the FEIS have been updated to reflect that a Letter of Resolution (LOR) has been executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. The

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\* The Foreword is new to the FEIS.

LOR, included as Appendix B.3 of the FEIS, sets forth mitigation measures to address the adverse impact of demolishing the North Building.

- Where necessary, the analyses and text of the FEIS have been updated to account for changes in the proposed program or baseline background assumptions. Revisions made by the addition of new text are indicated by double underlines.
- Refinements were made to the traffic analysis to reflect comments from the New York City Department of Transportation (NYCDOT). The refinements focused on corrections to data inputs for right- and left-turning vehicles and updating the analysis. These changes resulted in a reduction in the number of traffic locations projected to experience significant impacts from eight locations in the DEIS to five locations in the FEIS.
- As a result of the increase in the height of the proposed building, incremental shadows from the proposed project would reach the Metropolitan Baptist Church, a historic resource with sunlight-sensitive features. Therefore, Chapter 6, “Shadows,” has been revised to reflect the increase in building height and to consider the church in the analysis.
- Chapter 26, “Response to Comments” has been prepared to address all relevant oral and written comments on the DEIS and GPP. Appendix C, “Comments on the DEIS and GPP,” has also been added to the FEIS. \*

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### 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 385,000 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**).

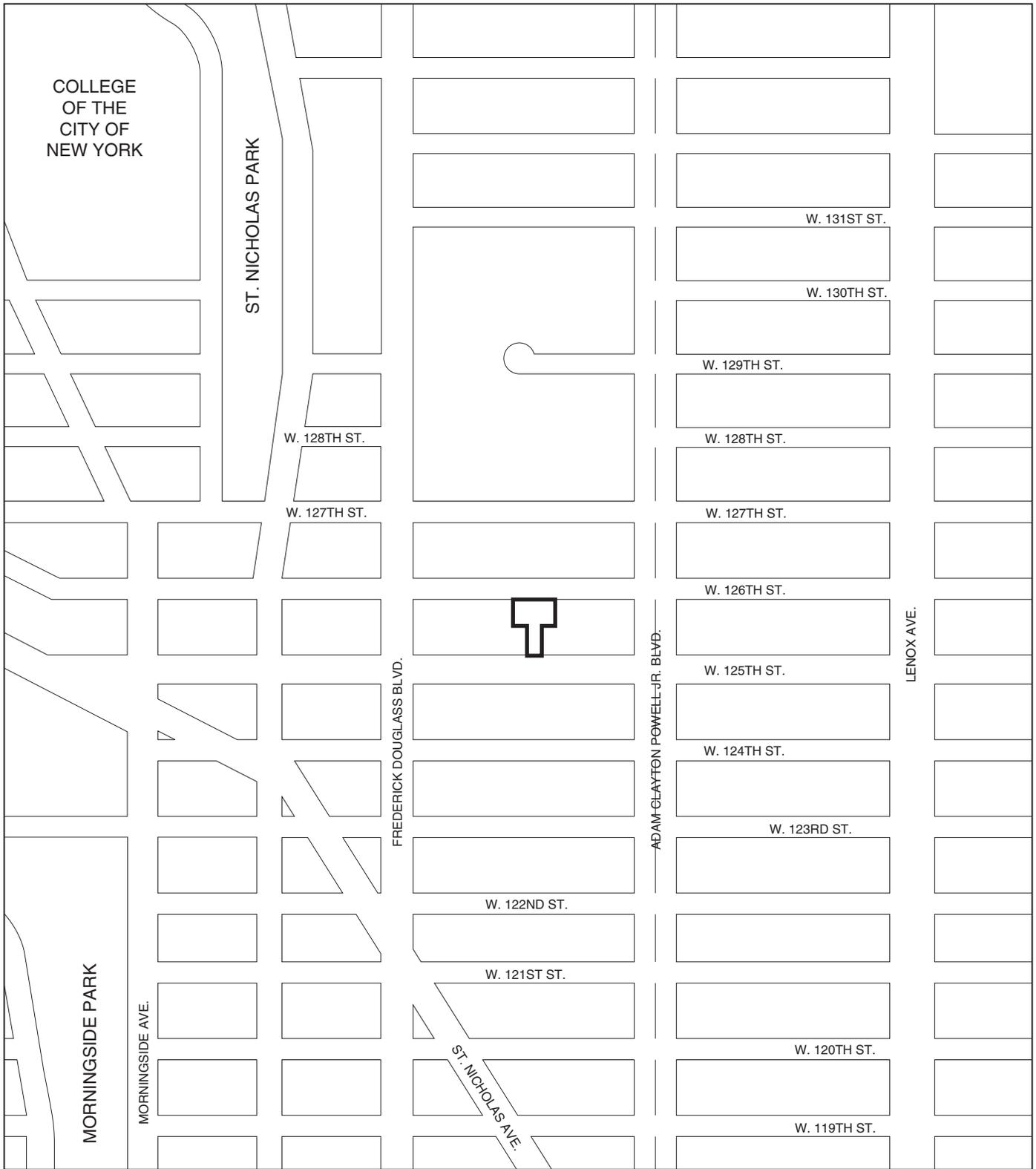
The project site is owned by the Harlem Community Development Corporation (HCDC), a subsidiary of the New York State Urban Development (UDC), a public benefit corporation of New York State doing business as Empire State Development (ESD).

The proposed project includes a 27-story building (approximately 300 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.

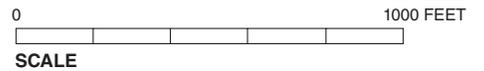
The proposed project is subject to environmental review under State Environmental Quality Review Act (SEQRA). ESD is the SEQRA lead agency for this proposal. The proposed project requires adoption and affirmation of a General Project Plan (GPP) by ESD and HCDC and other discretionary actions subject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

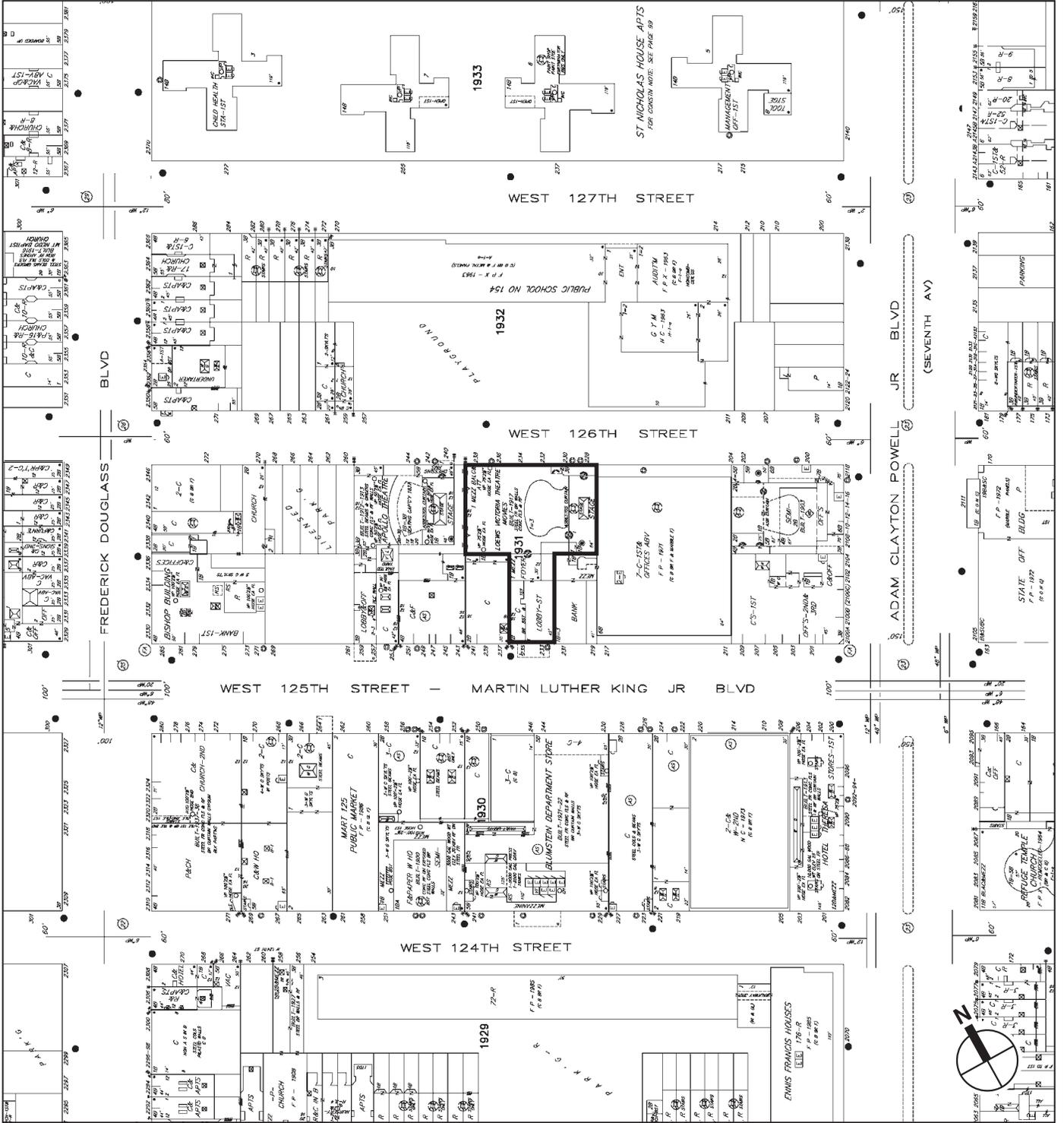
#### SITE HISTORY AND CONDITIONS

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 Boundary





 Project Site



## Victoria Theater

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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 27 stories and a total height of approximately 300 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, would include the residential entrance, additional retail, gallery 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*

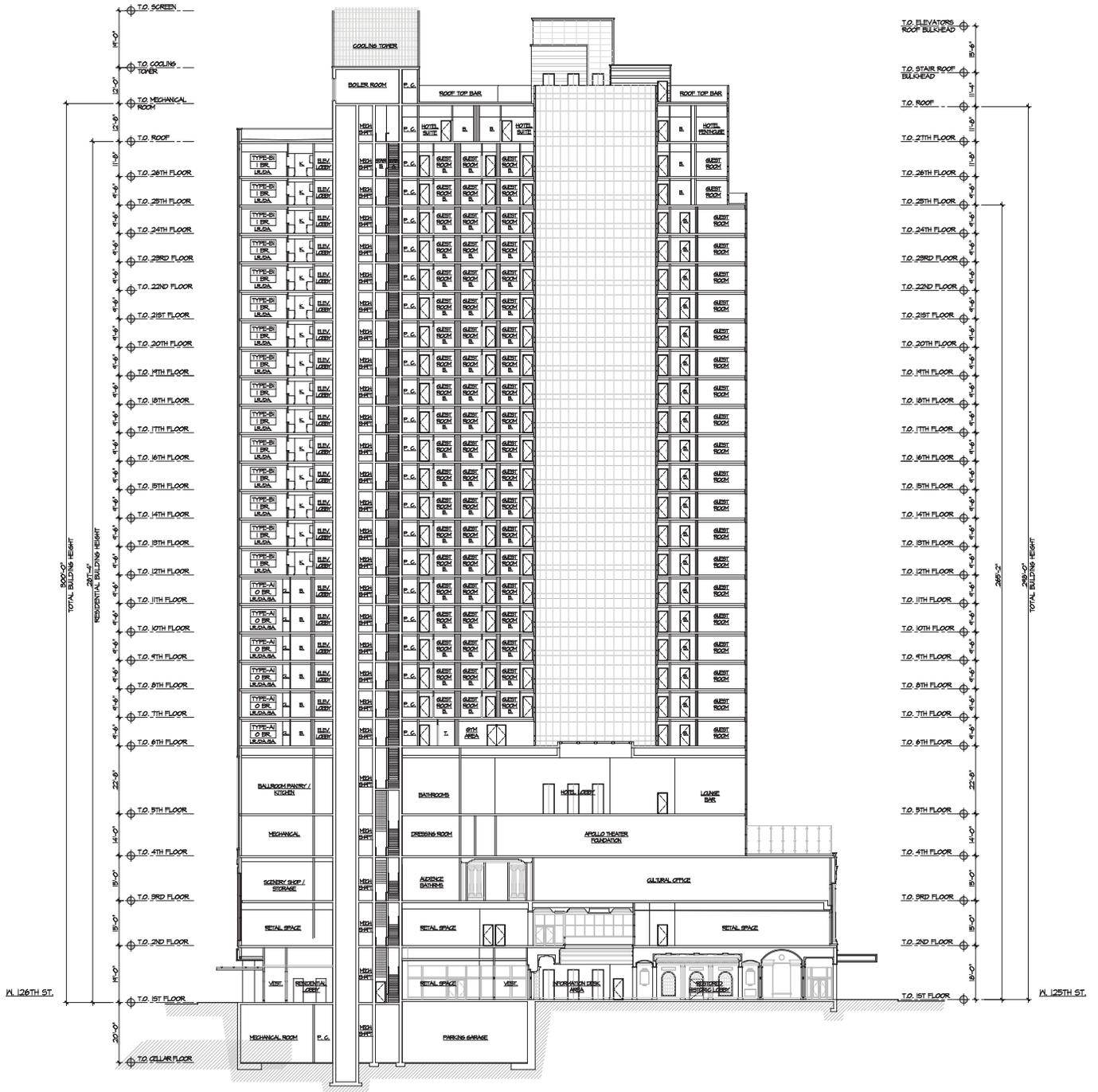
The cultural programming is an integral part of the proposed project. The proposed project would have approximately 25,000 gross square feet of cultural arts space, including a 199-seat black box theater and a smaller 99-seat performing arts space. These flexible spaces would include movable seating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

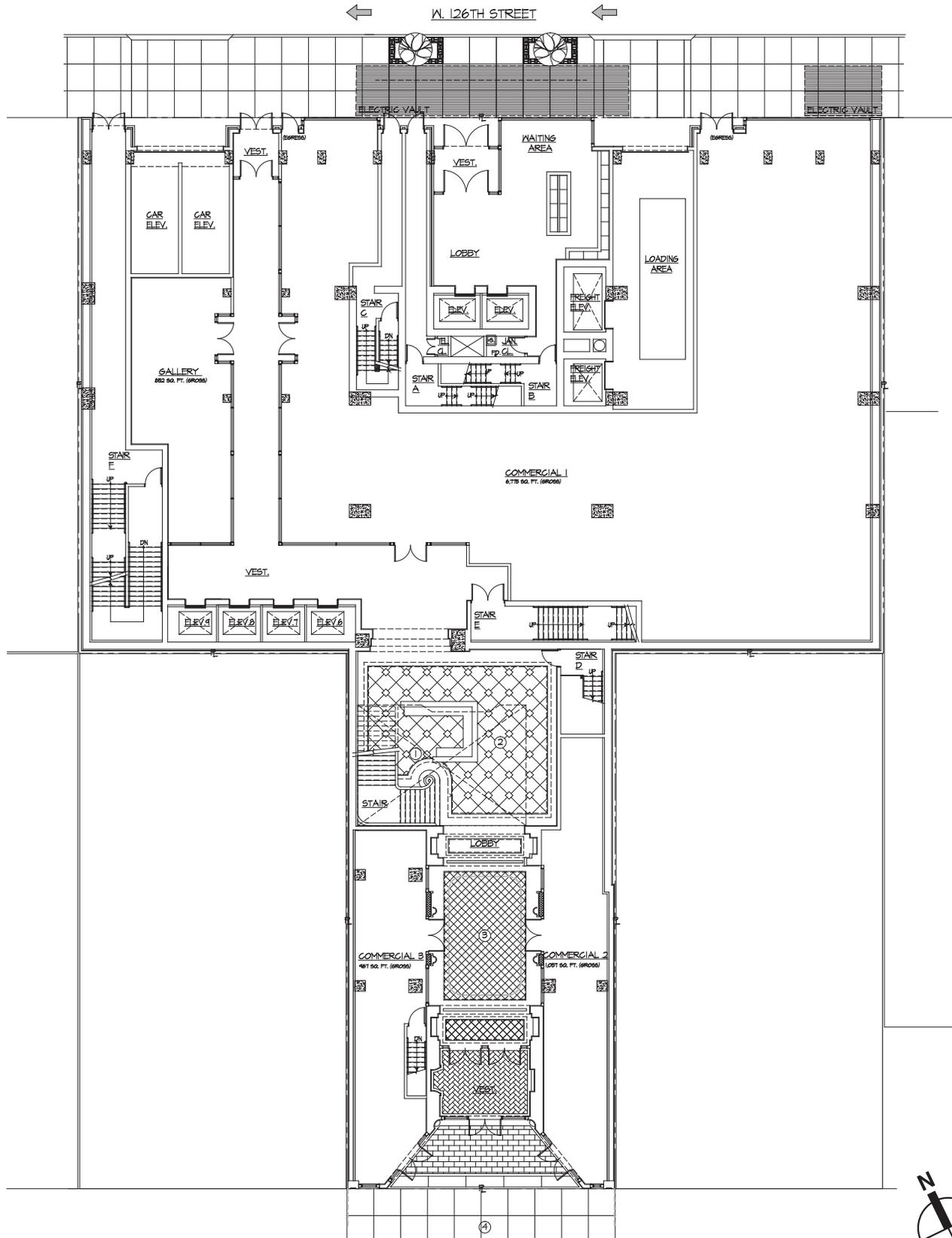
This component of the proposed project would include approximately 210 rooms in a select-service hotel. Working in conjunction with the ground floor lobby, the fifth floor of the building would include a dedicated hotel lobby as well as other hotel-related uses such as a



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. There would also be ground-floor commercial space along West 126th Street and accessible through the shared ground floor lobby. On both the north and south portions of the project site, the second floor would be devoted to retail space. Most of the proposed retail is intended to support other uses in the building, by serving hotel guests and visitors to the cultural programs, as well as those living and working in the building. Taken together, the proposed project would include approximately 27,000 gross square feet of retail space.

### *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

## **Victoria Theater**

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- 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 Theater 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 <sup>1</sup>	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:** <sup>1</sup> 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

## Victoria Theater

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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. Similarly, there would be some incremental shadow falling on the southern façade of the Memorial Baptist Church at the end of the March 21/September 21 analysis day, but the limited extent and short duration (24 minutes) of incremental shadow would not result in a significant adverse shadow impact.

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. 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.

Mitigation measures are set forth in a Letter of Resolution (LOR) that has been executed among the developer, 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

## Victoria Theater

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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 67,228 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 five 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.

## **Victoria Theater**

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- The eastbound approach at the signalized intersection of West 125th Street and Seventh Avenue during the midday, PM and Saturday peak hours.
- The westbound approach at the signalized intersection of West 125th Street and Seventh Avenue during the Saturday 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 5,860 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year. Of that amount, 3,055 metric tons of CO<sub>2</sub>e 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 are set forth in a Letter of Resolution (LOR) that has been executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. As described in the LOR, 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, five 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						
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:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:33/3/2 Ped (LPI): 7 EB/WB:40/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2
<b>Notes:</b> 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)	LOS
<b>West 126th Street and Eighth Avenue – Saturday peak hour</b>												
Westbound	LTR	1.08	110.7	F	LTR	1.30	192.6	F+	LTR	1.08	104.6	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		57.6	E	Intersection		35.2	B
<b>West 126th Street and Seventh Avenue – Saturday peak hour</b>												
Westbound	LTR	1.00	73.4	E	LTR	1.05	87.4	F+	LTR	1.01	76.2	E
Northbound	LT	0.59	15.2	B	LT	0.63	15.9	B	LT	0.64	16.7	B
Southbound	TR	0.34	11.9	B	TR	0.35	12.0	B	TR	0.36	12.6	B
	Intersection		24.3	C	Intersection		27.3	C	Intersection		25.9	C
<b>West 125th Street and Eighth Avenue – AM peak hour</b>												
Eastbound	LTR	<u>0.99</u>	<u>60.2</u>	E	LTR	<u>1.00</u>	<u>62.9</u>	E	LTR	<u>0.96</u>	<u>52.7</u>	D
Westbound	LTR	<u>0.93</u>	<u>47.0</u>	D	LTR	<u>0.98</u>	<u>56.5</u>	E+	LTR	<u>0.94</u>	<u>47.9</u>	D
Northbound	TR	<u>0.28</u>	16.4	B	TR	0.28	<u>16.5</u>	B	TR	0.29	<u>17.2</u>	B
Southbound	TR	<u>0.53</u>	<u>19.8</u>	B	TR	<u>0.57</u>	<u>20.5</u>	C	TR	<u>0.58</u>	<u>21.5</u>	C
	Intersection		<u>39.2</u>	D	Intersection		<u>42.6</u>	D	Intersection		<u>37.5</u>	D
<b>West 125th Street and Eighth Avenue – PM peak hour</b>												
Eastbound	LTR	<u>0.95</u>	<u>53.1</u>	D	LTR	<u>0.97</u>	<u>58.1</u>	E	LTR	<u>0.90</u>	<u>42.7</u>	D
Westbound	LTR	<u>1.01</u>	<u>64.4</u>	E	LTR	1.07	82.2	F+	LTR	<u>1.01</u>	<u>63.3</u>	E
Northbound	TR	<u>0.46</u>	<u>18.8</u>	B	TR	0.47	18.9	B	TR	0.49	20.6	C
Southbound	TR	<u>0.43</u>	<u>18.3</u>	B	TR	0.46	18.6	B	TR	<u>0.50</u>	<u>20.6</u>	C
	Intersection		<u>40.9</u>	D	Intersection		43.8	D	Intersection		<u>38.5</u>	D
<b>West 125th Street and Eighth Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.04</u>	<u>66.8</u>	E	LTR	<u>1.05</u>	<u>70.6</u>	E	LTR	<u>0.99</u>	<u>51.8</u>	D
Westbound	LTR	<u>1.03</u>	<u>64.9</u>	E	LTR	<u>1.08</u>	<u>81.7</u>	E+	LTR	<u>1.01</u>	<u>59.8</u>	E
Northbound	TR	0.45	24.6	C	TR	0.46	24.7	C	TR	0.49	26.7	C
Southbound	TR	0.55	26.3	C	TR	0.60	27.3	C	TR	0.64	29.8	C
	Intersection		<u>51.1</u>	D	Intersection		<u>57.3</u>	E	Intersection		<u>45.5</u>	D
<b>West 125th Street and Seventh Avenue – Midday peak hour</b>												
Eastbound	LTR	<u>0.90</u>	<u>42.4</u>	D	LTR	<u>1.02</u>	<u>67.0</u>	E+	LTR	<u>0.92</u>	<u>42.3</u>	D
Westbound	LTR	<u>0.88</u>	<u>38.0</u>	D	LTR	<u>0.92</u>	<u>43.0</u>	D	LTR	0.82	<u>31.2</u>	C
Northbound	LTR	<u>0.50</u>	<u>21.4</u>	C	LTR	<u>0.51</u>	<u>21.7</u>	C	LTR	<u>0.56</u>	<u>24.4</u>	C
Southbound	LTR	<u>0.52</u>	<u>21.8</u>	C	LTR	<u>0.53</u>	<u>21.9</u>	C	LTR	<u>0.58</u>	<u>24.8</u>	C
	Intersection		<u>30.2</u>	C	Intersection		<u>37.4</u>	D	Intersection		<u>30.3</u>	C
<b>West 125th Street and Seventh Avenue – PM peak hour</b>												
Eastbound	LTR	<u>0.91</u>	<u>43.4</u>	D	LTR	<u>0.96</u>	<u>52.7</u>	D+	LTR	<u>0.90</u>	<u>39.8</u>	D
Westbound	LTR	<u>0.88</u>	<u>36.5</u>	D	LTR	<u>0.90</u>	<u>38.8</u>	D	LTR	<u>0.85</u>	<u>32.6</u>	C
Northbound	I	<u>0.82</u>	<u>28.3</u>	C	I	<u>0.83</u>	<u>29.0</u>	C	I	<u>0.88</u>	<u>33.2</u>	C
Southbound	R	<u>0.26</u>	<u>19.7</u>	B	R	<u>0.27</u>	<u>19.9</u>	B	R	<u>0.29</u>	<u>21.6</u>	C
Southbound	TR	<u>0.47</u>	<u>20.9</u>	C	TR	<u>0.47</u>	<u>20.9</u>	C	TR	<u>0.50</u>	<u>22.6</u>	C
	Intersection		<u>30.8</u>	C	Intersection		<u>33.2</u>	C	Intersection		<u>31.8</u>	C
<b>West 125th Street and Seventh Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.09</u>	<u>89.8</u>	E	LTR	<u>1.12</u>	<u>101.4</u>	E+	LTR	<u>1.04</u>	<u>72.0</u>	E
Westbound	LTR	<u>1.12</u>	<u>101.7</u>	E	LTR	<u>1.14</u>	<u>110.0</u>	E+	LTR	<u>1.07</u>	<u>79.8</u>	E
Northbound	LTR	<u>0.63</u>	<u>23.5</u>	C	LTR	<u>0.64</u>	<u>23.8</u>	C	LTR	<u>0.68</u>	<u>25.9</u>	C
Southbound	LTR	<u>0.51</u>	<u>21.5</u>	C	LTR	<u>0.51</u>	<u>21.6</u>	C	LTR	<u>0.54</u>	<u>23.3</u>	C
	Intersection		<u>54.1</u>	D	Intersection		<u>58.5</u>	E	Intersection		<u>46.8</u>	D
<b>Notes:</b> 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. \*

**A. IDENTIFICATION OF THE PROPOSED PROJECT**

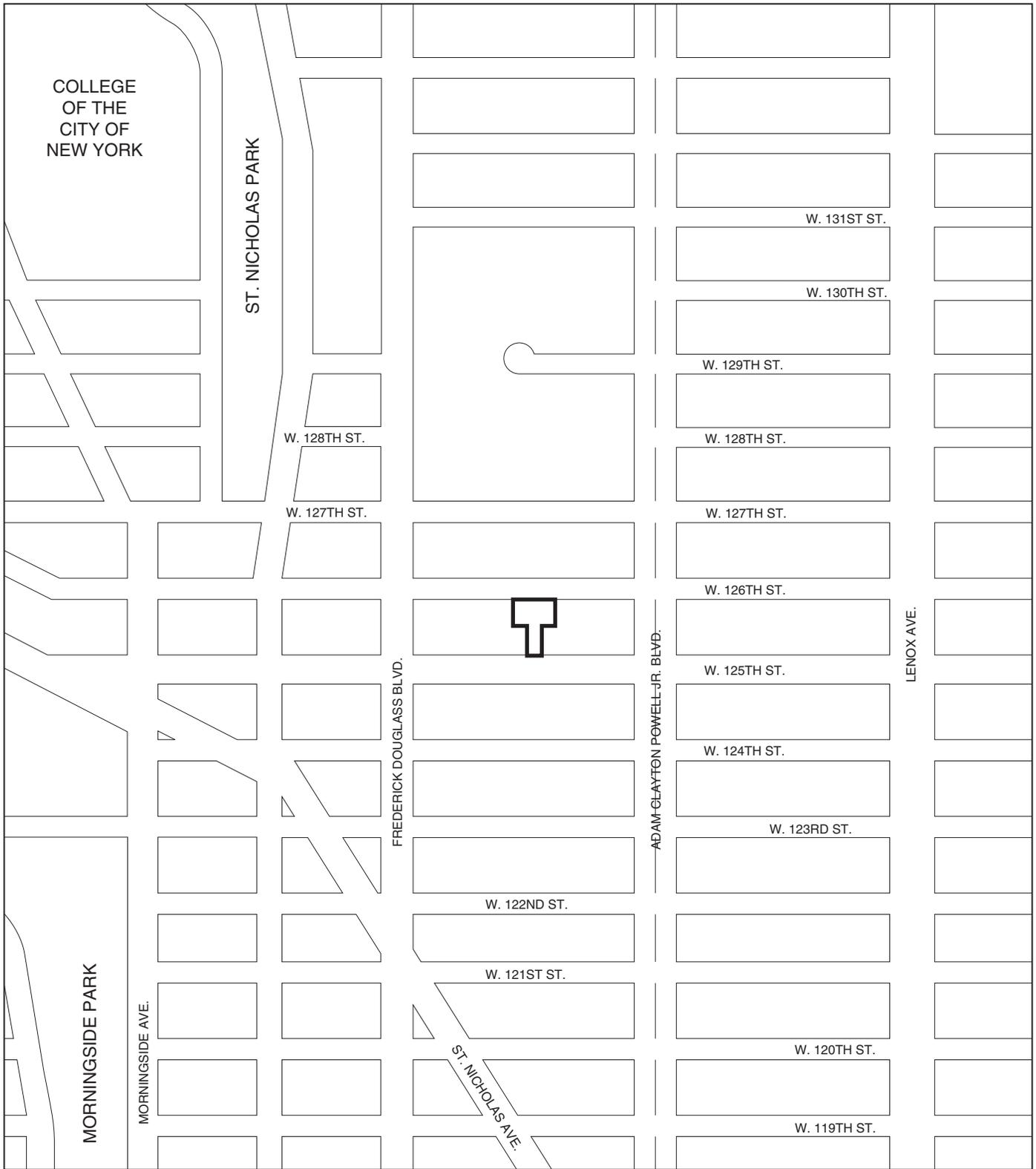
The proposed Victoria Theater Redevelopment Project (the “proposed project”) involves the redevelopment of the former Loews Victoria Theater with an approximately 385,000 gross square foot mixed-use cultural, residential, hotel and retail development. The project site is located at 237 West 125th Street in Harlem, on the north side of West 125th Street, midblock between Frederick Douglass Boulevard and Adam Clayton Powell, Jr. Boulevard (see **Figure 1-1**). 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 1-2**).

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). In 2007, Danforth Development Partners was conditionally designated by HCDC to develop and revitalize the Victoria Theater site. Danforth Development Partners intends to form with investor/development partners a single purpose entity that will be an affiliate of Danforth and whose sole purpose will be to undertake the development of the proposed project.

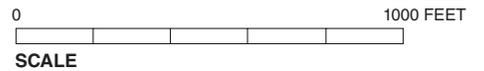
The proposed project would include a 27-story building (approximately 300 feet excluding rooftop mechanicals) with approximately 230 units of market rate and affordable housing, a hotel with approximately 210 rooms, approximately 27,000 square feet of commercial space for retail uses, and approximately 25,000 square feet of space for cultural uses.

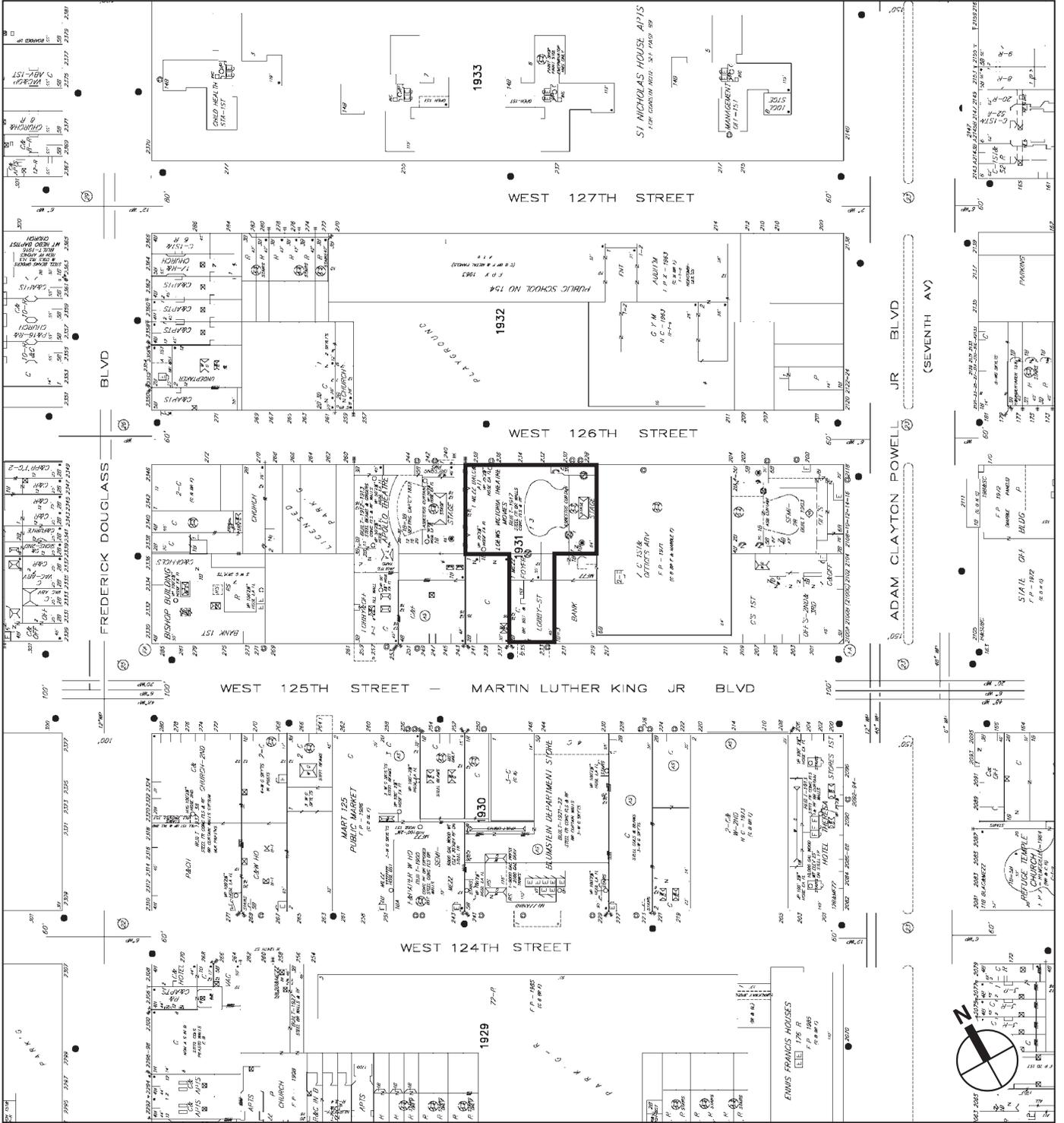
The existing building on the project site has undergone numerous alterations over the years, is in a deteriorated condition, and has been largely vacant for the past 15 years. The primary goal of the proposed project is to redevelop the project site in a manner that is beneficial to the local community and contributes to the ongoing revitalization of the area as an arts, entertainment, cultural, and commercial destination. The proposed project seeks to address the growing need for both market-rate and affordable housing and to meet the demand for hotel accommodations in Upper Manhattan. The proposed project also seeks to preserve and adaptively reuse, to the extent practicable, important historic elements of the Victoria Theater in the building’s design. Therefore, to achieve the proposed project’s goals and objectives, the north portion of the existing theater would be demolished to allow for new construction, while the south portion would be restored and adaptively reused.

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 in greater detail below in Section E, “Proposed Actions.”



**—** Project Site Boundary





Project Site



## **B. 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, the creation of new market-rate and affordable housing, the 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 Theater 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. Each of these groups is described below.

### *CLASSICAL THEATRE OF HARLEM*

The mission of the Classical Theatre of Harlem, founded in 1999, is to maintain a professional theatre company dedicated to presenting the "classics" in Harlem; to create employment and educational outreach opportunities in the theatre arts community; to create and nurture a new, young, and culturally diverse audience for the "classics"; and to heighten the awareness of theater and great art in Harlem.

### *THE HARLEM ARTS ALLIANCE*

The Harlem Arts Alliance is a not-for-profit arts service organization committed to nurturing the artistic growth and the development of artists and arts organizations based primarily in Harlem and its surrounding communities. Comprised of over 750 individual artists and arts organizations, HAA plays an essential role in building the resources, network, and capacity of its diverse membership. Counted among its members are young emerging artists as well as established and internationally recognized artists.

### *THE APOLLO THEATER FOUNDATION*

The Apollo Theater, which adjoins the project site to the west, is considered a center of African-American culture and achievement. The Apollo Theater Foundation, a not-for-profit organization established in 1991, is dedicated to the preservation and development of the legendary Apollo Theater through world-class live performances and education programs that honor the influence and advance the contributions of African-American artists, while at the same time promoting emerging artists.

*JAZZMOBILE*

Jazzmobile is a not-for-profit art and culture organization founded almost 50 years ago whose mission is to “present, preserve, promote, and propagate jazz—America’s classical music.” Jazzmobile has numerous programs in service of its mission, including: free outdoor summer mobile concerts to bring great jazz to the public throughout the five boroughs of New York City and beyond; free jazz workshops for children from throughout New York City and the Tri-State area; free lectures/demonstrations focusing on the history and evolution of jazz for public elementary, junior high, and high schools; music festivals; and the Jazzmobile Vocal Competition.

**C. DEVELOPMENT HISTORY**

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 know 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.

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—it included cultural space, a hotel, residential uses, retail, and below-grade parking totaling approximately 360,000 gross square feet. However, the previously proposed building was somewhat taller, with a 33-story tower approximately 330 feet in height. The current program for the proposed project, developed in response to the needs of the community, now contains a significantly larger affordable housing component than was part of the previous design. Therefore, the proposed project contains a larger housing component in terms of both units and affordable units. Also, whereas the earlier concept held open the option to construct affordable housing units off-site, the current proposal would build all units, market rate and affordable, on-site.

**D. DESCRIPTION OF PROPOSED PROJECT**

**EXISTING CONDITIONS ON THE PROJECT SITE**

The T-shaped project site includes two buildings totaling approximately 90,000 gross square feet: the South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater; the North Building faces West 126th Street and contains the former auditorium and other accessory public spaces. The only active use on the project site is a nail salon that occupies one of two small retail spaces on West 125th Street; the other storefront and the remainder of the building are vacant.

## Victoria Theater

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As described in greater detail in Chapter 2, “Land Use, Zoning and Public Policy,” the project site is located within the Special 125th Street District Zoning area adopted by the New York City Council on April 30, 2008. The south portion of the lot fronting West 125th Street (approximately 5,000 square feet) lies within a C4-7 district, while the West 126th Street portion (approximately 15,000 square feet) lies within a C4-4A, contextual commercial zoning district.

### PROPOSED DEVELOPMENT PROGRAM

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 27 stories and a total height of approximately 300 feet (excluding rooftop mechanical space). (See **Figure 1-3**)

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, would include the residential entrance, additional retail, gallery space, a loading dock, and an access point to the proposed below-grade parking garage (see **Figure 1-4**). Each of the proposed program components is described below and shown in **Table 1-1**.

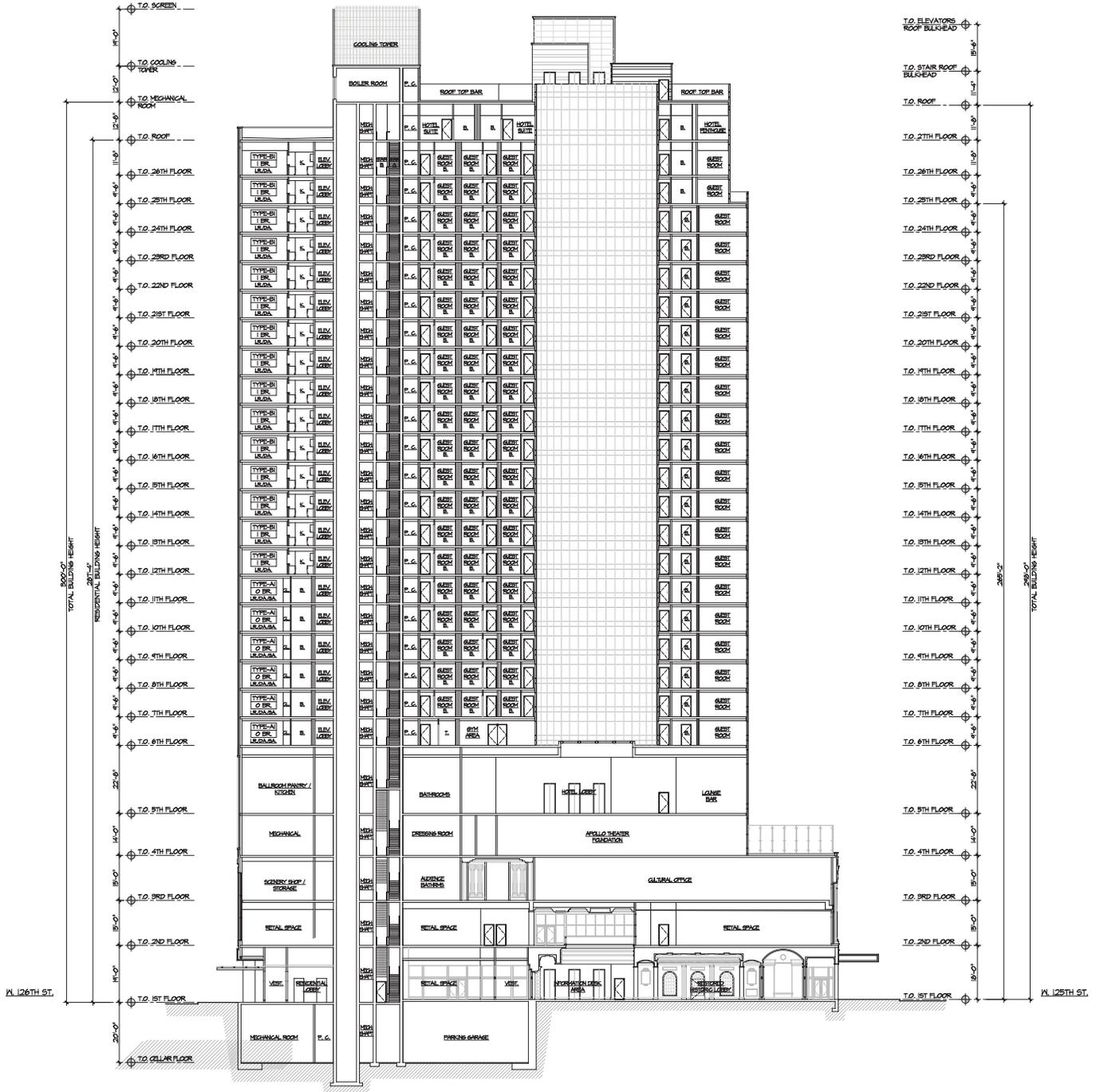
**Table 1-1**  
**Program Components for Analysis\***

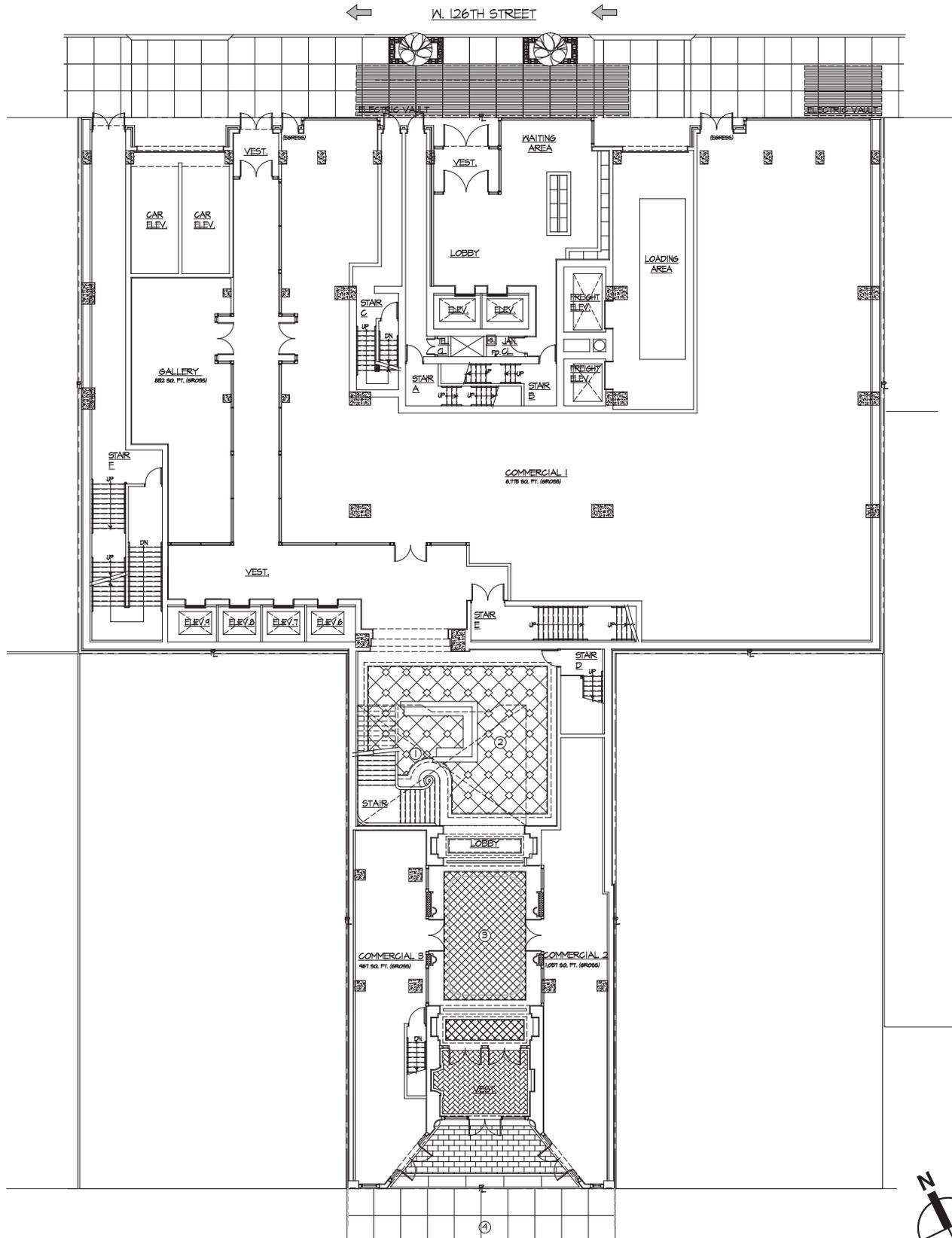
Use	Size
Residential	up to 230 units
Hotel	up to 210 Rooms
Cultural Space	25,000 GSF
Retail	27,000 GSF
Below-Grade Accessory Parking	90 Spaces

**Notes:**  
\* Estimate of areas assumed for analysis purposes. Based on calculations prepared by the project architects, the proposed project would total approximately 385,000 GSF.  
GSF—Gross Square Feet  
**Source:** ASAP Architecture and Planning

### *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 on its 1st, 3rd and 4th floors, 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 storage space. Office and gallery 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 in approximately 170,000 gross square feet of space. Apartments would include a mix of studios and 1 and 2-bedroom units on the sixth through 26th floors in the north wing of the proposed building. 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 fifth floor of the building would include a dedicated hotel lobby as well as other hotel-related uses such as a ballroom/event space and lounge/restaurant. Hotel rooms would be located on the sixth through 27th floors of the proposed building's south wing. The remainder of the hotel space is expected to include hotel support space, a conference area, business center, hotel gym, outdoor seating area, and rooftop bar.

Currently, Upper Manhattan is served by only one hotel, even though Harlem is the third most requested tourist destination in New York City. The proposed project's hotel would be designed to serve business travelers, tourists, and families, and would provide a convenient location for those attending events in the proposed cultural spaces, the adjacent Apollo Theater, and the surrounding neighborhood.

*RETAIL*

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. There would also be ground-floor commercial space along West 126th Street and accessible through the shared ground floor lobby. On both the north and south portions of the project site, the second floor would be devoted to retail space. Most of the proposed retail is intended to support other uses in the building, by serving hotel guests and visitors to the cultural programs, as well as those living and working in the building. Taken together, the proposed project would include approximately 27,000 gross square feet of retail space.

*PARKING*

Below grade, in addition to mechanical and support space, the proposed project would include attended 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. Parking would be accessory to the uses on the project site and would be attended.

**PROPOSED DESIGN AND RESTORATION**

The project site contains the Victoria Theater, which has been determined eligible for listing on the State/National Register of Historic Places (S/NR). Therefore, to both fully ascertain conditions and understand design parameters, the applicant team retained historic preservation consultants to undertake an extensive evaluation of the North and South Buildings, documenting

## Victoria Theater

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conditions both in terms of presence/absence and deterioration of original historic elements. These assessments have helped inform the planning and decision making process related to the proposed design. As discussed in greater detail in Appendix B, “Alternatives Analysis,” the building has been vacant since 1997 and is in a deteriorated condition, and meeting the project’s community and economic development goals and objectives through retention of the entire structure is not feasible. The alternatives analysis concluded that it is feasible to retain and restore the South Building as a major preservation component of the proposed project, but not feasible to retain and reuse the North Building. Upon review of the proposed project and the alternatives analysis, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) determined that there are no prudent and feasible alternatives to having an adverse impact on the North Building (letter dated April 23, 2012—see Appendix A). As such, this approach has been selected as the proposed development program for the project site.

The proposed project would provide for the retention, restoration and reuse of significant elements and spaces of the Victoria Theater. Measures to mitigate the demolition of the North Building, identified in this EIS as a significant adverse impact, have been developed in consultation with OPRHP and are documented in a Letter of Resolution (included as Appendix B.3). Mitigation measures identified in the LOR 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 and staircase (see **Figure 1-5**); 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; 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; 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.”

Careful consideration has also been given to the design of the proposed new construction as it relates to the historic context of the south building as well as the surrounding area. The new building would set back a minimum of 30 feet from the façade of the South Building on West 125th Street, with an outdoor garden created on the roof of the South Building. The setback is designed to respect the historic South Building and create a visual and physical distinction between the historic 125th Street façade and the new building. The façade of the new building, set back from West 125th Street, would be clad in glass curtain wall, designed to be light and transparent and as such, not compete visually with the historic South Building’s masonry façade (see **Figure 1-6**). In addition, an open atrium would be created along the west side of the new building, setting the bulk of the building away from the adjacent low rise buildings located to the west on West 125th Street, including the historic Apollo Theater.

Along West 126th Street (see **Figure 1-7**) there would be a glazed curtain wall with pedestrian entrances, allowing access to the residential uses and retail space, as well as an alternate entrance into the restored foyer and ground floor lobby and the cultural event spaces and hotel in the new building. The presence of retail, pedestrian activation of the street, and visually transparent wall along West 126th Street would enliven this portion of West 126th Street, which currently features the windowless brick façade of the North Building, the rear façade of the Apollo Theater immediately to the west, and the rear façade of a commercial building immediately to the east.



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

The design of the building, as it relates to entertainment and cultural programming, has been undertaken in coordination with the project's cultural partners to provide spaces that are appropriately sized and configured. Substantial outreach has been undertaken with representatives of Harlem's cultural groups to identify the uses and spaces that would meet their needs, and the proposed project has been designed to address their programming requirements.

## **E. PROPOSED ACTIONS**

The proposed project is expected to require the following 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 the following overrides of certain aspects of the NYC Zoning Resolution (ZR):
  - 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.

## **F. FRAMEWORK FOR ANALYSIS**

The following sections describe the approach to be taken in the environmental analyses of this EIS.

### **SCOPE OF ENVIRONMENTAL ANALYSIS**

As set forth in the Positive Declaration, the lead agency has determined that the proposed project may result in one or more significant adverse environmental impacts and, thus, preparation of this EIS is required. This document uses the methodologies and guidelines set forth in the *New York City Environmental Quality Review (CEQR) Technical Manual*, as appropriate. These are considered to be the most appropriate technical analysis methods and guidelines for environmental impact assessment of projects in the city.

For each technical analysis in the EIS, the assessment includes a description of existing conditions, an assessment of conditions in the future without the proposed project for the year that the action would be completed, and an assessment of conditions for the same year with the completion of the proposed project.

As noted in the Final Scope of Work prepared for the proposed project, based on the guidance, methodologies and thresholds of the *CEQR Technical Manual*, a number of environmental areas do not require detailed analysis in the EIS. For each of these areas a brief screening analysis is presented in this EIS.

## **ANALYSIS YEAR**

An EIS analyzes the effects of a proposed project on its environmental setting. Since typically a proposed project, if approved, would take place in the future, the action's environmental setting is not the current environment but the environment as it would exist at project completion, in the future. Therefore, future conditions must be projected. This prediction is made for a particular year, generally known as the "analysis year" or the "build year," which is the year when the proposed project would be substantially operational. For analysis purposes this EIS assumes a project build year of 2014. Therefore, conditions in the future without the proposed project have been evaluated against conditions in the future with the proposed project for the 2014 analysis year.

## **DEFINITION OF STUDY AREAS**

Study areas relevant for each analysis category are defined. These are the geographic areas most likely to be potentially affected by the proposed project for a given category. Appropriate study areas differ depending on the type of analysis, but generally follow the guidance of the *CEQR Technical Manual*. The specific methods and study areas are discussed in the individual technical analysis chapters.

## **DEFINING BASELINE CONDITIONS**

### *EXISTING CONDITIONS*

This EIS provides a description of "existing conditions" and assessments of future conditions without the proposed project ("future without the proposed project") and with the proposed project ("probable impacts of the proposed project"). The assessment of existing conditions establishes a baseline—not against which the proposed project is measured, but from which future conditions can be projected. The prediction of future conditions begins with an assessment of existing conditions because these can be measured and observed.

### *THE FUTURE WITHOUT THE PROPOSED PROJECT*

The future without the proposed project provides a baseline condition that is evaluated and compared with the incremental changes due to the proposed project for the 2014 analysis year.

The future without the proposed project condition uses existing conditions as a baseline and adds to it changes that are known or expected to be in place in the future. For many technical areas, the future without the proposed project condition incorporates known development projects that are likely to be built by the analysis year. This includes development currently under construction or that can be reasonably anticipated due to the current level of planning and public approvals. For some technical areas, the future without the proposed project may include a

background growth factor to account for a general increase in activity in addition to known projects, as appropriate.

The future without the proposed project in all technical chapters will assume that none of the discretionary approvals proposed as part of the proposed project are adopted. For the project site itself, this EIS assumes that the conditions currently present on the project site would remain.

## **G. ENVIRONMENTAL REVIEW PROCESS**

All state, county, and local government agencies in New York must comply with SEQRA. This EIS has been prepared using the guidelines set forth in the *CEQR Technical Manual*, where applicable. These are considered to be the most appropriate methodologies and guidelines for environmental impact assessment in New York City. The environmental review process allows decision-makers to systematically consider environmental effects of the proposed project, to evaluate reasonable alternatives, and to identify measures to mitigate significant adverse environmental effects. The process also facilitates public involvement in the process by providing the opportunity for public comment on the draft environmental impact statement (DEIS). The environmental review process is outlined below.

### **PROCESS OVERVIEW**

#### *ESTABLISHING A LEAD AGENCY*

Under SEQRA, the “lead agency” is the public entity responsible for conducting the environmental review. Usually, the lead agency is also the entity primarily responsible for carrying out, funding, or approving the proposed project. ESD is serving as lead agency for the environmental review of the proposed project. Other agencies with discretionary authority over portions of the proposed project are considered “involved” agencies under SEQRA.

#### *DETERMINATION OF SIGNIFICANCE*

The lead agency’s first charge is to determine whether the proposed project might have a significant adverse impact on the environment. To make this determination, ESD prepared an EAF. Based on the information contained in the EAF, ESD determined that the proposed project could have the potential to result in significant adverse environmental impacts and issued a Positive Declaration on November 10, 2008.

#### *SCOPING*

“Scoping,” or creating the scope of work, focuses the environmental impact analyses on the key issues to be studied. In addition to the Positive Declaration, ESD issued a draft Scope of Work for the EIS in 2008. This was made available to the general public, public agencies, and other interested groups. A public scoping meeting was held on December 15, 2008, at the Adam Clayton Powell Jr. State Office Building. Written comments were accepted through December 29, 2008, and a final Scope of Work, reflecting comments made during scoping, was issued on June 18, 2012.

#### *DRAFT ENVIRONMENTAL IMPACT STATEMENT*

Upon its determination that the DEIS document had fully analyzed the environmental effects of the proposed project, ESD certified the DEIS as being complete on July 18, 2012, issued a Notice of Completion, and circulated the DEIS for public review.

*PUBLIC REVIEW*

Publication of the DEIS and issuance of the Notice of Completion signal the beginning of the public review period. During this time, which must extend for a minimum of 30 days, the public may review and comment on the DEIS, either in writing or at a public hearing convened for the purpose of receiving such comments. The public hearing on the DEIS and GPP was held at 5 PM on December 10, 2012 at the Adam Clayton Powell, Jr. State Office Building located at 163 West 125th Street New York, New York. Notice of the Public Hearing was published in the New York Amsterdam News and the New York Daily News, and posted on the web sites of HCDC and ESD. The public comment period remained open until January 10, 2013.

*FINAL ENVIRONMENTAL IMPACT STATEMENT (FEIS)*

After the close of the public comment period on the DEIS, the lead agency prepares the FEIS. This document is the FEIS. All substantive comments received on the DEIS, at the hearing or during the comment period, become part of the SEQRA record and are summarized and responded to in Chapter 26, "Response to Comments." The hearing transcript and written comments are included as Appendix C. Once the lead agency determines that the FEIS is complete, it issues a Notice of Completion and circulates the FEIS.

*STATEMENT OF FINDINGS*

The lead agency and each involved agency must adopt a formal set of written findings based on the FEIS. In accordance with 6 NYCRR Part 617.11(d), the SEQRA Findings Statement issued in connection with a project approval must (i) consider the relevant environmental impacts, facts, and conclusions disclosed in the FEIS; (ii) weigh and balance relevant environmental impacts with relevant social, economic, and other considerations; (iii) provide the rationale for the agency's decision; (iv) certify that the requirements of 6 NYCRR Part 617 have been met; and (v) certify that, consistent with social, economic, and other essential considerations, and considering the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures identified as practicable. Each involved agency must make its own SEQRA findings prior to undertaking, approving, or funding the project.

**COORDINATION WITH OTHER REVIEW PROCESSES**

The SEQRA environmental process is intended to provide decision-makers with an understanding of the environmental consequences of actions undertaken by an agency. Often, the environmental review process is integrated and coordinated with other decision-making processes utilized by government agencies. Another key public process required to implement the proposed project is the review and approval of the GPP, described below.

*GENERAL PROJECT PLAN (GPP)*

The proposed project will require the approval of a GPP by ESD. The approval process for the GPP is set forth in the New York State Urban Development Corporation Act, Chapter 174 of the Laws of 1968 (the "UDC Act"). The procedure under the UDC Act is generally as follows: ESD initially adopts a GPP and makes it available for public review and comment, including a public hearing. After the hearing, the ESD Board may affirm, reject, or modify the GPP. ESD must make its SEQRA findings before it can take its final action regarding the GPP. \*

**A. INTRODUCTION**

The proposed project would result in the revitalization of a largely vacant, State-owned property in the heart of a major commercial corridor in Harlem. The proposed project would redevelop the site with residential, hotel, cultural and retail uses and would require discretionary land use and funding actions to develop the proposed project. In terms of zoning, implementation of the proposed development would be subject to the land use and design controls of a General Project Plan (GPP) to be administered by Empire State Development (ESD). This GPP would apply in lieu of local City zoning; as such, a discussion of the proposed project's compatibility with local zoning is considered as part of this analysis.

The analysis first characterizes existing conditions, then describes background conditions in 2014 absent the proposed project, and assesses the potential for the proposed project to result in significant adverse impacts on land use, zoning, and public policy as compared to conditions expected to occur without the proposed project. Using *CEQR Technical Manual* guidelines, the study area for the land use, zoning, and public policy analysis has been defined as the project site and the area within a 400-foot radius of the project site. This is the area where the proposed project is likely to have the greatest potential effects in terms of land use, zoning and public policy. Various sources were used to analyze land use, zoning, and public policy within the study area, including field surveys conducted by AKRF, Inc. in November 2011, land use and zoning maps, and data from the New York City Department of Buildings.

**PRINCIPAL CONCLUSIONS**

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 the goals of the 2008 rezoning of the 125th Street corridor and the mix of uses in the surrounding neighborhood. While the proposed project would require certain overrides of existing zoning, these 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.

**B. BACKGROUND AND DEVELOPMENT HISTORY**

The project site is located in what was historically known as Harlem's "Opera Row." This entertainment district comprised four contiguous vaudeville houses on West 125th Street: the Victoria Theater (originally opened as Loews Victoria), the Apollo Theater, the Harlem Opera

## Victoria Theater

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House, and the Alhambra Theater. Constructed as two Neoclassical-style buildings in 1917, the Victoria Theater continued in use as a film theater until 1977, when the building was put up for sale. The theater's lessee converted the building into five film theaters in the 1980s, and 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. The only active use on the project site is a nail salon that occupies one of two small retail spaces on West 125th Street; the other store front and the remainder of the building are vacant.

## C. EXISTING CONDITIONS

### LAND USE

#### *PROJECT SITE*

The project site comprises the former Victoria Theater (Block 1931, Lot 17), at 297 West 125th Street, midblock between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard (See **Figure 2-1**). The project site is a T-shaped through lot with approximately 50 feet of frontage on the north side of West 125th Street and 150 feet of frontage on West 126th Street.

As described above, the site contains the Victoria Theater, a historic building completed in 1917 that is largely vacant. Other than unused theater-related space, the building contains two ground floor retail storefronts facing West 125th Street, on either side of the theater entrance and marquee. The storefront on the east side of the building is currently vacant. The storefront on the west side of the building is currently occupied by a nail salon.

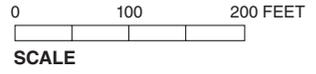
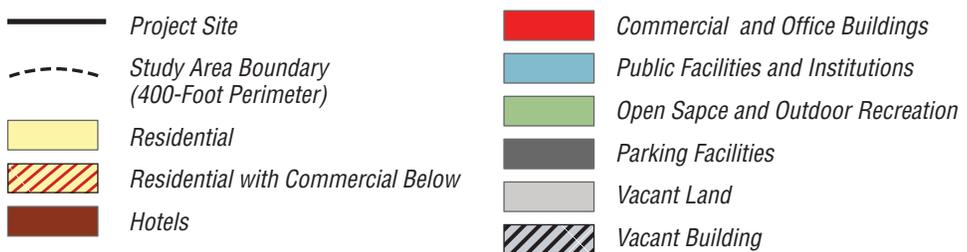
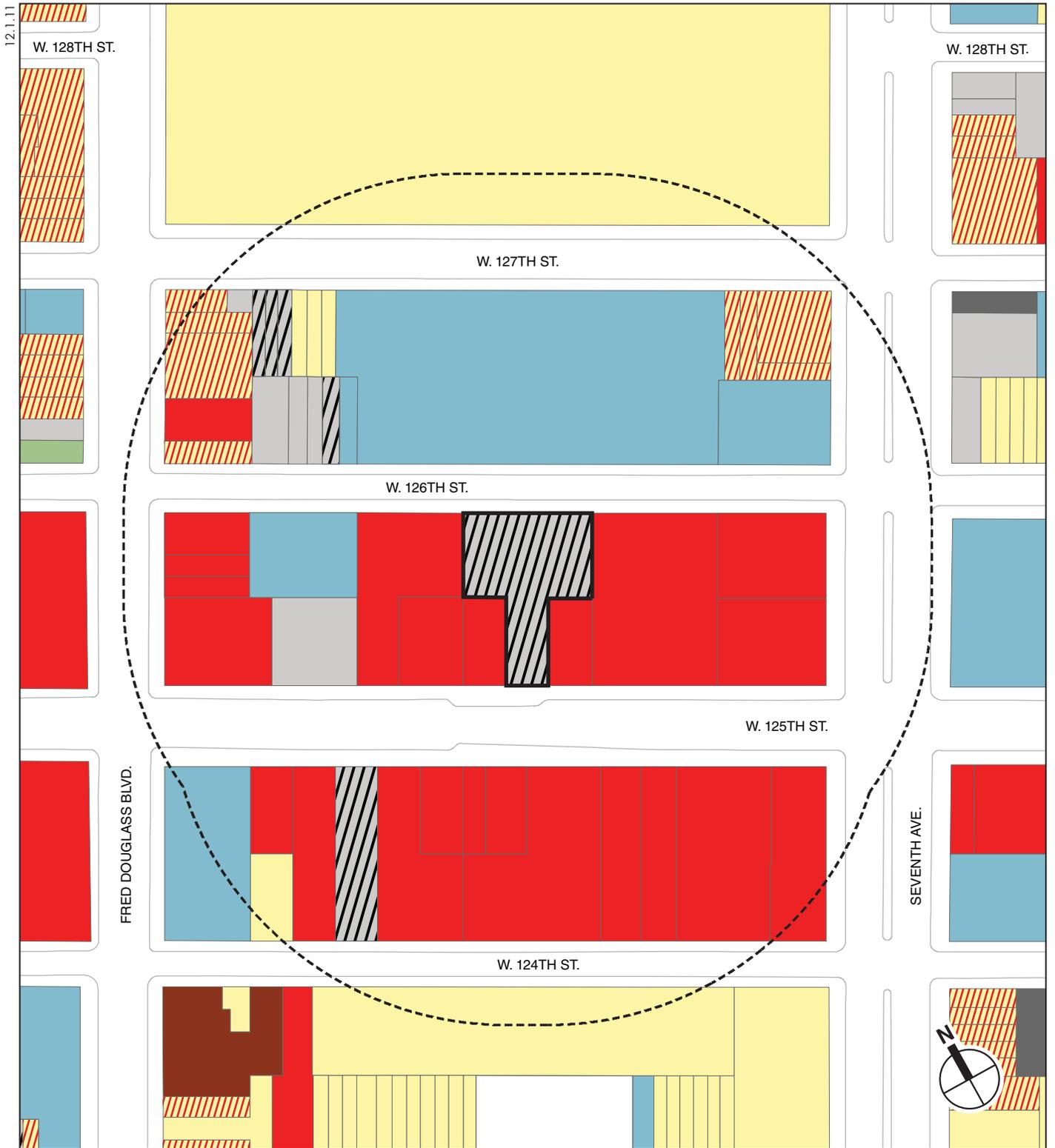
#### *STUDY AREA*

The 400-foot study area is roughly bounded by West 127th Street and West 124th Street to the north and south and Adam Clayton Powell Jr. Boulevard and Frederick Douglass Boulevard to the east and west. The study area is part of the Central Harlem neighborhood in Community District 10.

The study area is characterized by a mix of commercial, residential, and institutional uses. While Harlem has historically been and is still predominantly a residential community, the study area captures the heart of the 125th Street corridor. 125th Street, also known as Martin Luther King, Jr. Boulevard, contains a variety of cultural, commercial, and institutional uses, many of which are historically important to the Harlem neighborhood. Due to these assets, as well as the proximity to local and regional public transportation, the street has come to be known as Harlem's "Main Street." As described in detail in the discussion of zoning below, the corridor was rezoned in 2008 to increase residential and commercial density, reinforcing its importance as the heart of Harlem.

The portion of West 125th Street in the study area contains a variety of regional and local retail, ranging from small businesses to national chains. Commercial uses are dense along this strip; the vacancy rate is relatively low and many buildings contain retail or office space above the ground level. Non-profit organizations and government agencies occupy some of this office space.

South of the project site across West 125th Street is the Mart 125 building, a notable vacancy that is owned by the City. West of the project site on West 125th Street is the Apollo Theater, a



New York City landmark and tourist destination that has been renovated and functions as a performance venue. Immediately west of the Apollo is a large vacant lot at 261 West 125th Street. Most of the storefronts that face West 125th Street occupy through-block lots. As a result, there are few commercial storefronts along the south side of West 126th Street and the north side of West 124th Street, where many of these buildings have loading entrances.

There are several mixed use buildings in the study area, mostly fronting the north-south Avenues. Frederick Douglass Boulevard between West 126th Street and West 127th Street contains older mixed use buildings with smaller retail storefronts. There is also a recently constructed mixed use development on the northeast corner of West 127th Street and Adam Clayton Powell Jr. Boulevard. The building contains 46 condominium units above currently vacant ground floor retail space.

Residential uses in the study area are concentrated in the north and the south, separated from the dense commercial activity along West 125th Street. To the north, The St. Nicholas Houses public housing development occupies the superblock bounded by West 131st Street and West 127th Street to the north and south and Adam Clayton Powell Jr. Boulevard and Frederick Douglass Boulevard to the east and west. Under the jurisdiction of the New York City Housing Authority (NYCHA), the 15.63-acre development includes thirteen 14-story buildings surrounded by open space. Facing the St. Nicholas Houses on the south side of West 127th Street are six four-story brownstones built in 1910, three of which appear to be vacant. These houses are representative of the older, historic housing stock that surrounds the study area. There is one residential building in the southwest corner of the study area. The southern edge of the study area contains the former Ennis Francis Houses, a low-rise Section 8 apartment building that occupies the majority of the midblock between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard.

The study area also includes a variety of institutional uses, including a public school, religious academy, and two churches. The Harriet Tubman Learning Center (PS 154) is located at 257 West 126th Street, in a long, 1960s modern building just north of the project site. The school occupies most of the block between Adam Clayton Powell Jr. Boulevard and Frederick Douglass Boulevard and faces the St. Nicholas Houses public housing development across West 127th Street. The Allah School in Mecca is located at 2122 Adam Clayton Powell Jr. Boulevard, north and east of the project site. The school is housed in a small building with a large yard on the lot. The Thomas Memorial Wesleyan Church is located west of the project site, fronting the north side of the block at 260 West 126th Street. The Church is located on a lot that is also used for surface parking. The United House of Prayer for All People spans the east side of Frederick Douglass Jr. Boulevard between 124th Street and 125th Street (where it occupies space above ground floor retail). The Adam Clayton Powell State Office Building is another notable institutional use located just outside of the study area, on the east side of Adam Clayton Powell Jr. Boulevard.

## ZONING

### *Special 125th Street District*

The project site is located in the Special 125th Street District Zoning area. Adopted by the New York City Council on April 30, 2008 (Follow-Up Text Amendment on November 19, 2008), the District is roughly bounded by West 124th Street and West 126th Street to the north and south and extends beyond the study area to the east and west. The specific goals of the Special 125th Street District include promoting 125th Street as Harlem's "Main Street" and the premier mixed

## Victoria Theater

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use corridor for Upper Manhattan; expanding the retail and commercial character of the street; enhancing the presence of visual and performing arts space as a destination within the City; supporting mixed use development and providing incentives for affordable housing development; ensuring the continuity of building form and the built character of the corridor; and enhancing the pedestrian environment by regulating ground floor uses. In support of these goals, the special district allows an FAR bonus for arts and entertainment uses. Generally, the bulk regulations of the underlying zoning district apply except in C4-7 and C6-3 districts; the regulations of the C4-7 and C6-3 districts within the study area are described below. The district also has ground floor use regulations, transparency and security gate visibility requirements for most ground floor uses, and signage regulations.

### *PROJECT SITE*

An approximately 5,000-square foot portion of the project site that fronts West 125th Street lies within a C4-7 commercial district (see **Figure 2-2**). C4 districts in general are found in regional commercial centers located outside the central business districts. Most retail establishments are permitted, with the exception of uses that would interrupt the continuous retail frontage, such as home maintenance and repair service stores. C4-7 districts are found in densely built areas in Manhattan. The Special 125th Street District includes the Core Subdistrict area, which includes the C4-7 district in which the project site is located. On November 19, 2008, the City Council adopted the 125th Street Follow-Up Text Amendment, reducing the maximum allowable building height in the C4-7 zoning district within the Core Subdistrict from 290 feet to 195 feet. The Text Amendment also changed the density regulations to favor commercial development over residential. The base commercial FAR was reduced from 10 to 7.2, with a maximum FAR of 8.65 through the use of the arts bonus. The base residential FAR was reduced from 9 to 5.4, with a maximum FAR of 7.2 through the use of the arts or Inclusionary Housing Program bonuses. The maximum FAR for community facility use was reduced from 10 to 7.2. These changes related to density and building height were made in response to concerns that arose during the public review process.<sup>1</sup>

An approximately 15,000-square foot portion of the project site that fronts West 126th Street is within a C4-4A contextual commercial zoning district. C4-4A zoning districts allow a maximum FAR of 4.0 for residential and commercial uses, which can be increased for residential uses through the Inclusionary Housing Program. R7A zoning districts are the residential equivalents of C4-4A zoning districts. The maximum allowable base height for buildings in C4-4A districts is 65 feet and the maximum building height is 80 feet. In addition, there is a required setback of 15 feet above the base.

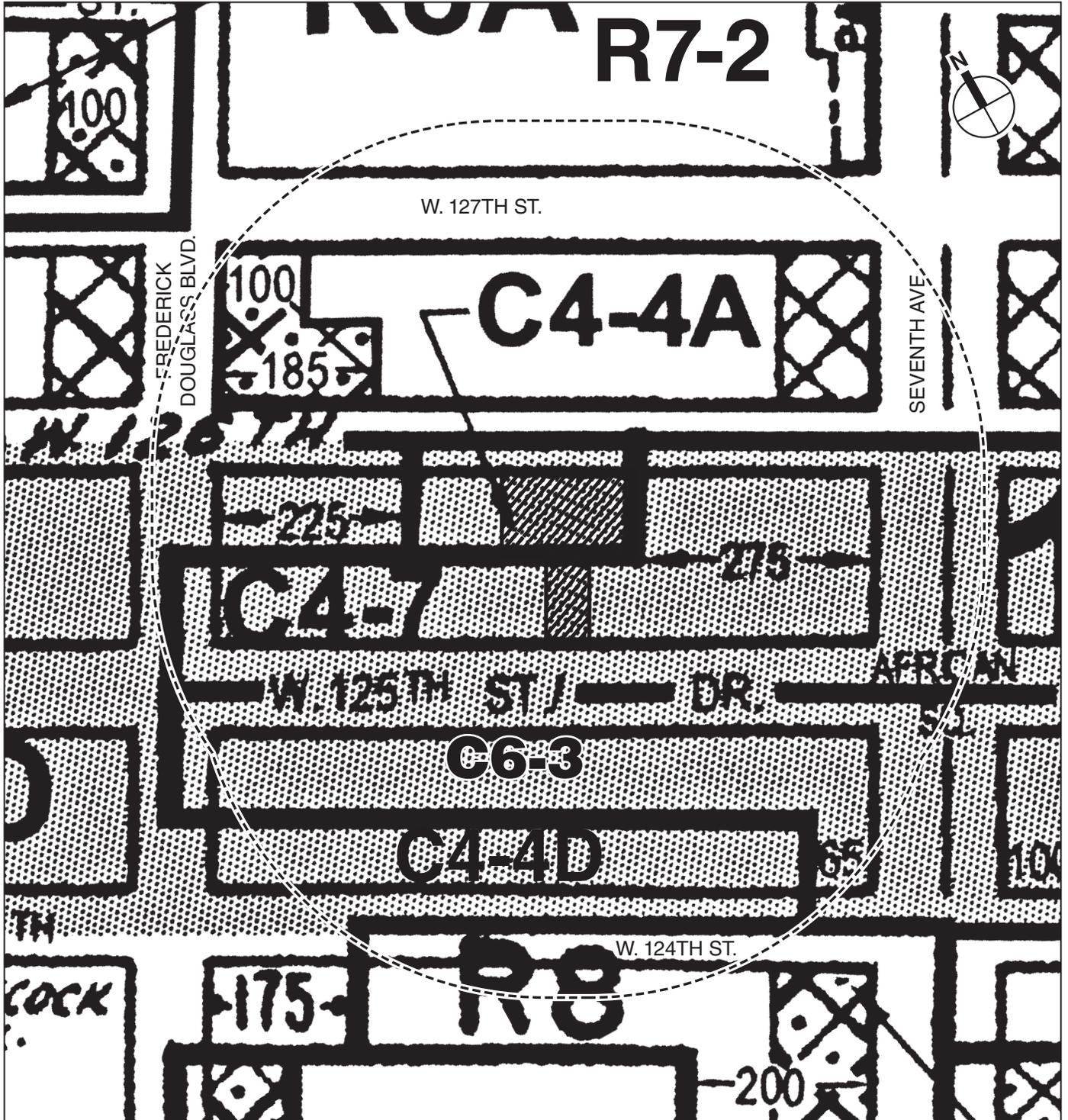
### *STUDY AREA*

The Special 125th Street District extends throughout the majority of the 400-foot study area. The study area also includes underlying residential and commercial zoning districts, which are summarized in **Table 2-1**.

The C4-4A district that is mapped on the project site also contains a portion of the through-block lot adjacent to the project site to the west. The remainder of the northwest portion of the block is in a C4-4D contextual district, which allows a higher residential FAR and restricts the

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<sup>1</sup> NYC Department of City Planning; <http://www.nyc.gov/html/dcp/html/125th/125th10.shtml>



-  Project Site
-  Study Area Boundary (400-Foot Perimeter)
-  Zoning District Boundary
-  Special Purpose District
-  C1-4 Overlay
-  C2-4 Overlay



commercial FAR to 3.4. The C4-7 district containing the project site covers the block to the east as well as the southwest portion.

**Table 2-1  
Study Area Zoning Districts**

Zone	Allowable Floor Area Ratio (FAR)	Use
R7-2	0.87 to 3.44 residential; 6.5 community facility	Medium density residential, community facility district.
R8	0.94-6.02 residential; 6.5 community facility	Higher density residential district
C1-4	2.0 commercial; residential FAR dependent on residential zoning	Local retail overlay in a residential district
C2-4	2.0 commercial; residential FAR dependent on residential zoning	Local retail overlay in a residential district
C4-4A	4.0 commercial; 4.0 residential	Contextual commercial district with maximum building heights; residential and community facility
C4-4D	3.4 commercial; 6.02 residential <sup>1</sup>	Contextual commercial district with maximum building heights; residential and community facility
C4-7	<i>Within the Core Subdistrict of the Special District:</i> 7.2 commercial (8.65 with arts bonus); 5.4 residential (7.2 with arts or Inclusionary Housing bonus); 7.2 community facility.	High-density regional commercial district; residential and community facility allowed
C6-3	6.0 commercial <sup>2</sup> ; 0.99-7.52 residential; 10.0 community facility <sup>2</sup>	High-density general central commercial district; residential and community facility allowed
<b>Notes:</b>	1. Can be increased with Inclusionary Housing bonus. 2. Can be increased with 20% public plaza bonus. Within the Core Subdistrict residential FAR can increase from 5.4 to 7.2 and commercial FAR can increase from 6.0 to 8.0.	
<b>Source:</b>	<i>New York City Zoning Resolution</i> ; <a href="http://www.nyc.gov">http://www.nyc.gov</a>	

To the north of the Special 125th Street District, the study area is entirely within an R7-2 zoning district. R7-2 zoning districts are medium-density apartment house districts that encourage lower buildings on smaller lots and taller buildings with less coverage on larger lots. Off street parking is required for 50 percent of the units or may be waived if there are less than 15 spaces required.

On the east and west ends of the block north of the project site, the residential zoning is modified by C1-4 and C2-4 commercial overlay districts. The C1-4 district is mapped on the east side of the block along Adam Clayton Powell Jr. Boulevard, while the C2-4 district is mapped on the west side along Frederick Douglass Boulevard. These districts are typically found on streets that serve local retail needs and include mixed commercial and residential buildings. Because these commercial overlays are mapped in an R7-2 residential district, the residential FAR is regulated by the residential zoning, and the maximum commercial FAR for both the C1-4 and the C2-4 districts is 2.0. The two differ in that the C1-4 district requires more off-street parking.

The block south of the project site is in a C6-3 zoning district on its north side and along Adam Clayton Powell Jr. Boulevard. C6-3 zoning districts are high-density commercial districts typically mapped outside of central business cores. Within the Special 125th Street District, C6-3 districts have a minimum base height requirement of 60 feet, a maximum base height of 85 feet, and a maximum building height of 160 feet. Along the southern side of the block there is a C4-4D contextual district, the same zoning district mapped on the northwest corner of the project block.

Two blocks south of the project site, the portion of the block within the study area (containing the former Ennis Houses) is zoned R8. R8 zoning districts are high density residential districts where apartment buildings range from mid-rise to tall buildings set back from the street.

## **PUBLIC POLICY**

### *EMPIRE STATE DEVELOPMENT*

Empire State Development (ESD) is New York State's chief economic development agency. ESD aims to promote a vigorous and growing economy, encourage the creation of new job and economic opportunities, increase revenues to the State and its municipalities, and achieve stable and diversified local economies. ESD pursues these goals through leveraging private investment with loans, grants, tax credits and other types of financial assistance, assisting with site assemblage, and providing legal and regulatory relief for targeted projects, programs and initiatives. Among other approvals, the proposed project requires adoption and affirmation of a GPP by ESD (and HCDC, described below).

### *HARLEM COMMUNITY DEVELOPMENT CORPORATION*

The project site is owned by the Harlem Community Development Corporation (HCDC). Created in 1995, HCDC is a subsidiary of ESD that serves the greater Harlem community, including Manhattan Community Districts 9, 10, 11, and 12. HCDC aims to strengthen Harlem's economic stability and cultural vitality through the redevelopment of vacant or underutilized property, in order to attract new businesses, create opportunities for existing businesses, and expand access to homeownership. HCDC also works to empower community-based organizations to engage in economic development projects by providing technical assistance and facilitating access to state financial resources.

### *UPPER MANHATTAN EMPOWERMENT ZONE*

The Upper Manhattan Empowerment Zone is one of nine empowerment zones established in 1994 to revitalize distressed communities by using public funds and tax incentives as catalysts for private investment. The empowerment zone began operations on February 14, 1995, and made its first round of grants and loans in October 1996. Its mission is to sustain the economic revitalization of all the communities of Upper Manhattan through job creation, corporate alliances, strategic investments and small business assistance. It focuses on lending, grants, job creation and technical assistance for small businesses and non-profit organizations in the neighborhoods north of 96th Street, including the project site, land use study area and most of Central Harlem.

### *NEW YORK CITY INDUSTRIAL DEVELOPMENT AGENCY*

The mission of the New York City Industrial Development Agency (IDA) is to encourage economic development throughout the five boroughs, and to assist in the retention of existing jobs, and the creation and attraction of new ones. IDA programs are discretionary and provide companies with access to triple tax-exempt bond financing and/or tax benefits to acquire or create capital assets, such as purchasing real estate, constructing or renovating facilities, and acquiring new equipment.

### *NEW YORK CITY ECONOMIC DEVELOPMENT CORPORATION*

New York City Economic Development Corporation's (EDC) mission is to encourage economic growth throughout New York City by strengthening the City's competitive position and facilitating investments that build capacity, generate prosperity, and catalyze the economic vibrancy of City life. Created in 1991, EDC assumed services previously undertaken by other

quasi-public corporations, including the sale and lease of City-owned properties, the administration of financing and loan programs, and the economic development of the City's ports. EDC also administers the programs of IDA, described above.

*NYC DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT AND  
NYC HOUSING DEVELOPMENT CORPORATION*

The NYC Department of Housing Preservation and Development (HPD) is the nation's largest municipal housing preservation and development agency. Its mission is to promote quality housing and viable neighborhoods for New Yorkers through education, outreach, loan and development programs and enforcement of housing quality standards.

The Housing Development Corporation (HDC) seeks to increase the supply of Multi-family housing, stimulate economic growth, and revitalize neighborhoods by financing the creation and preservation of multi-family affordable housing throughout New York City. HDC provides a variety of financing options, including a Mixed-Income Program. Under that program 20 percent of apartments in a multi-family rental building are restricted for low-income tenants, 30 percent are reserved for middle-income tenants and the remaining are rented at market rates. According to HDC, this approach allows a deeper level of affordability across many different economic levels.

In partnership together, HPD and HDC work to implement the City's *New Housing Marketplace Plan* to finance the creation or preservation of 165,000 affordable housing units by the end of the 2014 fiscal year.

*125TH STREET BUSINESS IMPROVEMENT DISTRICT (BID)*

The project site is included in the boundaries of the 125th Street Business Improvement District BID (BID). BIDs were established in New York City in the 1980s as organizations of property and business owners dedicated to promoting business development and improving their neighborhoods. BIDs typically provide supplemental sanitation and maintenance, public safety and visitor services, marketing and promotional programs, and beautification services within their districts. More specifically, the 125th Street BID seeks to develop a community-based vision to maintain the heritage of 125th Street, to help secure future cultural presentation and production in Harlem, and to encourage the ongoing revitalization of 125th Street as a premier art, culture and entertainment destination. The boundary of the 125th Street BID generally includes properties along 125th Street from Morningside Avenue to Fifth Avenue. As with other BIDs, the 125th Street BID is primarily funded by an additional tax assessment collected from property owners in the district.

*NEW YORK STATE DIVISION OF HOUSING AND COMMUNITY RENEWAL*

The New York State Division of Housing and Community Renewal (DHCR) is part of a larger state agency, New York State Homes and Community Renewal, which includes all of the state's integrated housing and community renewal agencies and programs. DHCR is responsible for the supervision, maintenance, and development of affordable low- and moderate-income housing. As part of its mission, DHCR oversees and regulates public and publicly assisted rental housing, administers rent regulations and protection of rent regulated tenants, and manages housing development and community preservation programs for the State of New York. These programs include State and Federal grants and loans for the financing of construction and renovation of affordable housing.

*NEW YORK CITY REGIONAL ECONOMIC DEVELOPMENT COUNCIL*

The New York City Regional Economic Development Council is one of the 10 Regional Councils that cover all of New York State. The Regional Economic Councils were created to stimulate economic development and improve the business climate throughout the state. More specifically, the New York City Regional Economic Development Council seeks to reinforce the City's historic status as the business and financial capital of America, generate quality of life improvements for New York City residents through job creation, and to better leverage the City's academic and corporate assets in the technology industry. The Council's five-year strategic plan is focused on accelerating economic growth and job creation by building on the city's many strengths, while ensuring that economically distressed communities and populations have greater opportunities to participate in the benefits of growth. The strategic plan identifies 125th Street as an "opportunity zone" and specifically references the proposed project as contributing to the further economic resurgence of Upper Manhattan.

*PlaNYC 2030*

In April 2007, the Mayor's Office of Long Term Planning and Sustainability released *PlaNYC: A Greener, Greater New York*. An update to PlaNYC in April 2011 built upon the goals set forth in 2007 and provided new goals and strategies. PlaNYC includes policies to address challenges related to population growth, aging infrastructure, economic competitiveness, air and water quality, and global climate change. The PlaNYC goals relevant to the proposed project include:

- Create capacity for new housing;
- Create new housing in existing neighborhoods;
- Foster the creation of Greener, Greater Communities;
- Promote walkable destinations for retail and other services;
- Activate the streetscape;
- Increase energy efficiency;
- Reduce emissions from buildings;
- Promote the use of cleaner-burning heating fuel; and
- Implement green building practices.

This chapter considers the consistency of the project with the goals outlined above.

**D. THE FUTURE WITHOUT THE PROPOSED PROJECT**

**LAND USE**

*PROJECT SITE*

Absent the proposed project, the Victoria Theater site is expected to remain largely vacant, deteriorated, and under the jurisdiction of the State. The State would continue to expend resources for the upkeep of the property, insurance, and to meet building and fire code requirements. The tenant occupying the storefront on the west side of the building would be expected to remain in the building. As it would be only minimally occupied, the project site would remain an underutilized part of the West 125th Street commercial corridor. The site

would continue to stand in contrast to the vibrant mix of active uses that characterize much of the study area.

### *STUDY AREA*

Though several new developments are expected to be completed in Central Harlem by the 2014 analysis year, none fall within the 400-foot study area. Nonetheless, if market conditions improve and financing is available, other sites could be redeveloped given the higher density of residential and commercial uses allowed along 125th Street.

There are several developments assumed to occur outside of the study area by the 2014 analysis year. Though these background developments are not considered in the assessment of land use, zoning, and public policy since they are outside the land use study area, they do help to describe the context of the proposed project in the surrounding area and are taken into account in other parts of the EIS, such as the traffic, noise, and open space analyses.

#### *2014 Background Developments Outside of the 400-foot Study Area*

- The site at 2329 Frederick Douglass Blvd (Block 1952, Lot 29) is being developed as a shopping center with approximately 60,000 sf of retail.
- The Harlem Village Academy High School is nearing completion at 32 West 125th Street (Block 1722, Lot 51). Upon completion, the school will accommodate 400 students and include a retail component.
- The vacant lot at 5 West 125th Street (Block 1723, Lot 31) has been proposed for redevelopment with a four story building including 3,975 sf of office space and 118,739 sf of retail.
- Promise Academy is currently being constructed at 245 West 129th Street (Block 1933, Lot 20), on the super block occupied by the St. Nicholas Houses, just north of the study area. The charter school will be operated by Harlem Children's Zone and accommodate approximately 1,300 students. The five-story, 120,000 sf building, surrounded by the St. Nicholas Houses, is nearing completion.
- The vacant, City-owned lot located at 2135-2139 Adam Clayton Powell Jr. Blvd (Block 1911, Lots 61 and 62) has been proposed for a 10-story mixed use development, including 49 units of affordable housing, 13 units of supportive housing and 17,000 sf of program and administrative space for Harlem Dowling, a not-for-profit child welfare agency. The development is assumed for analysis purposes to be completed by late 2014.
- EDC is leading a project to create the Harlem Incubator, which could include space for technology, media, or service sector startup businesses, and/or co-working space for freelancers, entrepreneurs, small businesses, and startups. While it is expected to be sited along or near 125th Street, the specific location has not yet been determined.

### **ZONING AND PUBLIC POLICY**

Absent the proposed project, there are no changes to zoning or public policy expected on the project site or elsewhere in the study area by the 2014 analysis year.

In the future without the proposed project, the goal of promoting commercial and residential development along the 125th Street corridor would not be realized on the project site. As described above, the 125th Street rezoning aims, among other things, to support mixed use development along 125th Street, expand the retail and commercial character of the street, and to

promote the street as a destination for visual and performing arts within the city. In addition, the project site would not be used in fulfillment of an important city-wide goal to create both affordable and market rate housing. In the future without the proposed project, the project site would remain occupied by a deteriorated State-owned asset that could otherwise advance these goals.

Absent the proposed project, none of the public policies identified above would be advanced through redevelopment of the project site. Economic revitalization in New York City and State and in Upper Manhattan—reflected in the policies and programs of the Upper Manhattan Empowerment Zone, IDA, the 125th Street BID, HCDC, EDC, and the Regional Council—would not be advanced through job creation and economic redevelopment on the project site. The goal of creating both market-rate and affordable housing that is reflected in the policies of HPD, HDC, and DHCR would also be unrealized, as the project site would not be redeveloped. Finally, the goals of PlaNYC that would be addressed by the proposed project would not be met in the future without the proposed project, including those related to housing creation in existing neighborhoods; creating walkable destinations for retail and other services; activating the streetscape; promoting the use of cleaner-burning heating fuel; and implementing green building practices.

## **E. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

### **LAND USE**

As described in greater detail in Chapter 1, “Project Description,” the largely vacant building on the project site would be redeveloped with mixed residential, hotel, cultural and retail uses. Thus, the proposed project would result in a major change in land use on the project site. However, the new land uses that would be introduced to the project site are permitted under zoning and would be compatible with land uses in the surrounding study area. The proposed residential development, with its primary entrance on West 126th Street, would reflect other residential uses found on the blocks to the north and south of the project block. Residential use would also complement and be supportive of other uses found throughout the study area, including community facilities and retail shops. The proposed commercial uses, including the hotel and retail, would also be compatible with the surrounding land uses—West 125th Street is the main commercial thoroughfare through Harlem and includes a wide range of retail and office uses. While the hotel component would be a new land use in the study area, it would be compatible with the other uses in the study area and would address growing market demand for an underserved area.

Cultural and entertainment uses proposed for the project site have a long history on both the project site and the surrounding area and would be compatible with the surrounding neighborhood—both the Victoria Theater and Apollo Theater are nearly 100 years old. In addition, the cultural programming envisioned for the project would be available for the education and enjoyment of area residents and schools and would be consistent with the overall mix of uses in the area.

Compared to conditions absent the proposed project, the proposed project would restore active uses and vitality to the project site and surrounding area. The proposed project would not have a significant adverse impact on land use.

## GENERAL PROJECT PLAN AND ZONING

The proposed project would require ESD and HCDC adoption and affirmation of a GPP to support the proposed mixed-use development. This plan, which would be administered by ESD, would govern all development on the site, including site planning, land uses, and densities. As part of the GPP, the proposed project would require overrides by ESD of certain aspects of the *New York City Zoning Resolution* (ZR), as described below.

- Floor Area (ZR 97-42, ZR 97-421, ZR 97-422, ZR 23-145, ZR 34-112) and Floor Area Ratio (ZR 97-42; ZR 97-421, ZR 97-422, ZR 23-145, ZR 34-112). For the residential portion of the proposed project, the allowable floor area is 95,923 (of which 59,952 is permitted within the C4-4 district and 35,971 is permitted within the C4-7 district). For the commercial portion of the proposed project, the allowable floor area is 103,167 (of which 59,952 is permitted within the C4-4 district and 43,215 is permitted within the C4-7 district, which takes into account the arts bonus).

To accommodate the programmatic needs of the proposed project such that the goals and objectives of the project are realized, an override of floor area and FAR is being sought. The additional floor area will allow for an economically viable development that will create jobs, provide hotel space to serve increased market demand, and create a venue for cultural programming. At the same time, the proposed project would redevelop an underutilized and deteriorated site with much-needed housing to address the needs of the community. The uses proposed would activate the streetscape, improve the vitality of the streetscape and retail environment, reinforce 125th Street as a major mixed-use corridor, and enhance tourism.

- Maximum Number of Units (ZR 23-22). The maximum allowable number of residential units on the project site is 134; the proposed number of residential units is approximately 230. This override is necessary to accommodate the proposed housing, which would include 50 percent affordable units. There is an acute need for housing in New York City that is expected to increase as the population continues to grow, and the new market-rate and affordable housing units proposed to be created on the project site are a critical component of the proposed project that would address this need.
- Maximum Building Height (ZR 35-24, ZR 94-442). Along west 126th Street, the maximum allowable building height is 80 feet, and along West 125th Street it is 195 feet. To allow for the amount of program area needed while retaining and restoring the South Building, the proposed maximum building height is approximately 300 feet. The proposed building has been designed to keep the overall height of the building as low as possible while meeting the programmatic needs of the project. The strategy of building two connected towers (with one for residential uses and one for the hotel) as opposed to stacking the uses is meant to minimize the height of the building—a stacked scheme would result in a building approximately 14 stories taller. As described in Chapter 8, “Urban Design and Visual Resources,” while the new building would be taller than the maximum height limit allows, the overall bulk and height of the proposed building would be in context with the other tall buildings in the area, including the Adam Clayton Powell Jr. State Office Building (approximately 251 feet) and the Lionel Hampton Houses (244 feet).
- Maximum Base Height (ZR 35-24). The maximum base height along West 126th Street is 65 feet. The proposed project has been designed to set back a minimum of 30 feet from the façade of the South Building on West 125th Street to respect both the historic 125th Street façade of the Victoria Theater and the predominantly low-scale nature of the buildings along this block of West 125th Street. To accommodate a design that achieves the required

programmatic floor area while retaining the existing South Building and its distinct volume, the massing of the building has been shifted away from West 125th Street towards the middle and north side of the project site. Therefore, along West 126th Street the building would rise to a height of 287 feet before setting back.

While much of the building bulk would be along West 126th Street, the design of the proposed project would activate this side of the building and provide transparency. At ground level the façade would accommodate retail space and the entrance to the residential portion of the new building. A visually transparent, glazed curtain wall with pedestrian entrances —intended to reduce the bulkiness of the building at the ground floor—would be located along West 126th Street, allowing access to the retail space, and an alternate entrance into the restored foyer and lobby. The presence of ground-floor retail uses would further activate this portion of West 126th Street.

- Initial Setback Above Base Height (ZR 35-24). The Zoning Resolution requires a 15 foot setback above the base of the building along West 126th Street. As noted in the preceding bullet, the proposed building would not comply with base height requirements as the streetwall would rise straight up along West 126th Street. Therefore, there would not be a setback until 287 feet.

The proposed project would provide a series of 3 foot recesses at the 11th floor level in order to vary the surface of the building. However, providing a full street wall setback along West 126th street is not feasible taking into consideration the goals of the proposed project. A building with the required 15 foot setback would reduce residential space by approximately 2,015 square feet per floor for every floor above the 65 foot base. This would result in residential floor plates of approximately 5,627 square feet compared to the proposed 7,642 square feet. To achieve the proposed residential floor area with these smaller floor plates would require a total of approximately 33 floors compared to the 27 stories proposed.

If the entire building were to be shifted back 15 feet from West 126th Street toward West 125th Street, there would be two fewer hotel rooms per floor and the new building would encroach further on the historic West 125th Street façade of the theater. The reduction in hotel rooms would result from shifting the floorplates south such that the legally required windows and natural ventilation could not be provided for the two rooms per floor proposed for the project. Under the proposed project, the hotel rooms that would be built on the site of the North Building would have east- or west-facing windows. Shifting the building south would push two hotel rooms per floor onto the narrower lot of the South Building, where they would be contiguous to the side lot lines of the adjoining parcels. Since the building code does not permit lot line windows as the only means of natural ventilation to a habitable space, the southernmost hotel rooms could not be built.

- Minimum [C4-7] Base Height and Streetwall (ZR 94-442, ZR 97-443). The minimum base height and streetwall requirement along West 125th Street is 60 feet. However, since the existing building (which is already non-complying) would be retained, the base height and streetwall would continue to be approximately 44 feet.
- Clearance when lot line is adjacent to neighboring rear lot line (ZR 33-303). A 20 foot rear yard is required under zoning. As with the non-complying condition that exists today, the proposed project would be flush with the neighboring properties, which are also built to the property line.

- Minimum Square feet per car in an attended parking facility (ZR 25-62). For an attended parking garage, a minimum of 200 square feet per space is required under zoning. With the proposed project, there would be approximately 111 square feet per space. This is due to the fact that the proposed project would include vehicle stackers that effectively double the amount of cars that can be parked in the same amount of square footage.

While the proposed project would not comply with these aspects of the Zoning Resolution and would be considerably taller and denser than what is permitted, the zoning overrides would collectively facilitate the development of the proposed project by allowing for the construction of the proposed building to house hotel, cultural, residential and retail uses as well as accessory parking, while also preserving and restoring historic components of the Victoria Theater. The goals and objectives of the proposed project—including the creation of an economically viable development that create jobs and affordable and market-rate housing; provides hotel space to serve market demand; and creates a venue for cultural programming—cannot be achieved while strictly meeting all zoning requirements. The proposed zoning overrides would apply to the project site only and would not affect zoning within the larger study area.

While the proposed project would not strictly comply with all zoning requirements, the proposed project would meet certain goals of the Special 125th Street District, which include promoting 125th Street as Harlem’s “Main Street,” expanding its retail and commercial character, increasing the presence of visual and performing arts space, supporting mixed use development and affordable housing, and enhancing the pedestrian environment. The proposed project would create a venue on 125th Street for cultural programming, event space, and support space for the project’s cultural partners, with approximately 25,000 square feet of cultural arts space on its 1st, 3rd and 4th floors, including a black box theater and a smaller performing arts space. The proposed project would preserve and celebrate the heritage of the Victoria Theater and its role in the history of 125th Street, contribute to the ongoing revitalization of 125th Street as a premier cultural and commercial district, and create a new mixed use development with market-rate and affordable housing. Therefore, the zoning overrides that would be employed for the proposed project would not have a significant adverse impact with respect to zoning.

## **PUBLIC POLICY**

The proposed project would be consistent with the public policy goals identified above. The proposed project would advance the policies and programs of the Upper Manhattan Empowerment Zone, IDA, the 125th Street BID, ESD and HCDC, EDC, and the Regional Council that are aimed at economic revitalization, jobs creation, increased tax revenue, employment training, and revitalization of the 125th Street corridor, and support for non-profit organizations in the neighborhood. The proposed project would create new jobs during its construction and operation, including those associated with the hotel and retail components of the project. As described above, there would be outreach and training for the employment of local residents in the proposed hotel. In addition to providing jobs, the proposed hotel would provide a greatly needed hotel in Upper Manhattan. While Harlem is the third most requested tourist destination in New York City, Upper Manhattan is currently served by only one hotel property. The proposed project’s hotel would serve business travelers, tourists, and families and provide a convenient location for those attending events in the proposed cultural spaces, the adjacent Apollo Theater, and the surrounding neighborhood. A new marketplace for goods and services would be created, and residents would be added that would patronize existing local businesses. With the proposed project, a significantly underutilized property at the heart of the 125th Street corridor would be returned to productive and economically active use. For these

## Victoria Theater

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reasons, the proposed project would be consistent with policies that encourage economic development and the creation of new opportunities for employment in the State, City, and Harlem.

The proposed project would be consistent with and support the goal to create market rate and affordable housing that is reflected in the policies of HPD, HDC, DHCR—half of the proposed units of new housing would be affordable apartments on the project site for low- and middle-income tenants.

The proposed project would also be consistent with goals identified in PlaNYC. As noted above, the proposed project would create 230 units of new housing in an existing neighborhood, on a site that is underutilized and substantially vacant; it would encourage sustainable neighborhoods by locating residents, jobs, retail and other services within walking distance from one another and in a mixed-use neighborhood that is well-served by transit; it would revitalize the streetscape by creating new active uses on the site and enhancing the pedestrian experience; and 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, resulting in increased energy efficiency and reduced emissions (specific energy efficiency and emissions reduction measures are described in Chapter 16, "Green House Gas Emissions"). It is anticipated that the proposed project will also use natural gas for heating fuel, consistent with PlaNYC's goal to encourage the use of cleaner-burning heating fuels.

For these reasons, the proposed project would be consistent with and in support public policy and would not have significant adverse public policy impacts. \*

According to the *CEQR Technical Manual*, a socioeconomic assessment should be conducted if a project may reasonably be expected to create substantial socioeconomic changes that would otherwise not occur in the absence of the project. The following circumstances would typically require a socioeconomic assessment:

- The project would directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered.
- The project would directly displace more than 100 employees.
- The project would directly displace a business that is unusually important because its products or services are uniquely dependent on its location.
- The project would result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood, such that indirect displacement may occur.
- The project would add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the area (projects with less than 200,000 square feet of retail on a single site would not typically result in impacts).
- The project is expected to affect conditions within a specific industry. For example, a citywide regulatory change that would adversely affect the economic and operational conditions of certain types of businesses or processes.

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, a detailed analysis of socioeconomic conditions is not warranted and the proposed project would not have a significant adverse impact on socioeconomic conditions. \*

According to the *CEQR Technical Manual*, a community facilities analysis is needed if there would be potential direct or indirect effects on a facility. For indirect effects, whether the project would have a potential impact is based on the likelihood that the project would create demand for services greater than the ability of existing facilities to provide those services. The following provides guidance in determining whether an assessment is necessary for specific community facilities:

- **Schools:** The *CEQR Technical Manual* specifies that if a proposed action introduces more than 50 elementary and/or intermediate school students or 150 or more high school students who are expected to attend public schools, there may be a significant impact to educational facilities. The proposed project would not generate the 310 residential units necessary (in Manhattan) to reach the threshold for elementary and/or intermediate school students or the 2,492 units to reach the threshold for high school students. Therefore, no further analysis is warranted.
- **Libraries:** The *CEQR Technical Manual* recommends an analysis of potential impacts to libraries if an action would increase the service population by more than 5 percent. For this to occur, a project would need to result in 901 residential units in Manhattan. The proposed project would result in substantially fewer units and would therefore not exceed the CEQR threshold for libraries. Therefore, no further analysis is warranted.
- **Health Care Facilities:** The *CEQR Technical Manual* recommends an analysis of potential indirect impacts on public health care facilities if an action would introduce a sizeable new neighborhood. The proposed action would not create a sizeable new neighborhood. Therefore, no further analysis is warranted.
- **Child Care Facilities:** The *CEQR Technical Manual* recommends an analysis of potential impacts to publicly funded group child care and Head Start centers if an action would generate more than 20 eligible children under age 6 living in low/moderate-income residential units. While the proposed project would have an affordable housing component, it would not meet or exceed the CEQR threshold of 170 low- or moderate-income residential units requiring detailed analysis. Therefore, no further analysis is warranted.
- **Police and Fire Protection:** According to the *CEQR Technical Manual* an analysis of police and fire protection is required only when a proposed action would result in the direct displacement of a police or fire station or would introduce a sizeable new neighborhood. The proposed project would have no direct effects and would not result in a sizeable new neighborhood. Therefore, no further analysis is necessary.

As described above, 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. \*

**A. INTRODUCTION**

The proposed project would introduce new residents to the project, creating new demands for open space in the area. Because the proposed project would add a new residential population, this chapter examines the potential impacts of the proposed project on open space resources in accordance with the *CEQR Technical Manual*. This chapter examines potential direct effects of the proposed project on nearby publicly accessible open spaces (e.g., additions or reductions in open space, shadows, noise increases) as well as indirect effects created by changes in demand for and use of the area's open spaces. The analysis inventories the condition and use of open spaces within a ½-mile radius of the project area and addresses impacts on open space facilities both quantitatively and qualitatively.

**PRINCIPAL CONCLUSIONS**

*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 5-1** 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.

**Table 5-1**  
**2014 Future With the Proposed Project: Open Space Ratios Summary**

Ratio <sup>1</sup>	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:** <sup>1</sup> Ratios in acres per 1,000 residents.

Although these ratios would continue to fall short of City open space planning guidelines, they 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. 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 outdoor terraces (passive) 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.

For these reasons, the proposed project would not result in any significant adverse impacts on open space.

## **B. METHODOLOGY**

### **DIRECT EFFECTS ANALYSIS**

According to the *CEQR Technical Manual*, a proposed action would have a direct effect on an open space if it causes the physical loss of public open space because of encroachment onto the space or displacement of the space; changes the use of an open space so that it no longer serves the same user population; limits public access to an open space; or causes increased noise or air pollutant emissions, odors, or shadows that would affect its usefulness, whether on a permanent or temporary basis. This chapter uses information from Chapter 6, "Shadows," Chapter 15, "Air Quality," and Chapter 17, "Noise," to determine whether the proposed project would directly affect any open spaces near the project area (in addition, although the schoolyard of P.S. 154 is not publicly accessible, the effects of the project's shadows on this space are discussed in Chapter 6, "Shadows"). A proposed project can also directly affect an open space by enhancing its design or increasing its accessibility to the public. The direct effects analysis is included in the "Probable Impacts of the Proposed Project" portion of Section C, "Preliminary Assessment."

### **INDIRECT EFFECTS ANALYSIS**

Following the methodology of the *CEQR Technical Manual*, indirect open space impacts may occur when a proposed action would add enough population (either residents or non-residents) to noticeably diminish the ability of an area's open space to serve the existing or future population.

Typically, an assessment of indirect effects is conducted when a project would introduce 200 or more residents or 500 or more workers to an area; however, the thresholds for assessment are

slightly different for areas of the city that have been identified as either underserved or well-served by open space. Because the project area is within an area that has been identified as well-served in terms of open space based on the *CEQR Technical Manual*, a threshold of 350 residents and 750 workers was applied in this analysis. Based on the assumption that approximately 230 units would be built, the proposed project would introduce approximately 495 new residents to the project area.<sup>1</sup> The proposed project would also increase the number of workers in the project area, but the increase would be less than 750 employees. Because the proposed project would introduce more than 350 new residents, a preliminary analysis was conducted to assess its potential indirect effects on residential users of the area's open space resources. The purpose of a preliminary assessment is to clarify the degree to which an action would affect open space and the need for further analysis. If the preliminary assessment indicates the need for further analysis, a detailed analysis of open space should be performed.

Because the proposed project would result in less than 750 additional employees compared to the future without the proposed project, an analysis of potential impacts on non-residential users of open space is not warranted.

Using the methodology of the *CEQR Technical Manual*, the adequacy of open space in the study area is assessed quantitatively using a ratio of usable open space acreage to the study area population—the open space ratio. This quantitative measure is then used to assess the changes in the adequacy of open space resources in the future, both with and without the proposed project. In addition, qualitative factors are considered in making an assessment of a proposed action's effects on open space resources.

#### *STUDY AREA*

The *CEQR Technical Manual* recommends establishing study area boundaries as the first step in an open space analysis. Residents use both passive and active open spaces and are assumed to travel up to ½-mile to reach neighborhood recreational spaces. Thus, for a project that would add substantial residential populations, there should be an analysis of the project's effects on active and passive open spaces located within ½-mile of the project area. Therefore, as recommended in the *CEQR Technical Manual*, a ½-mile residential study area is used in this analysis.

The study area for the proposed project includes all census tracts that fall at least 50 percent within a ½-mile radius around the project area. **Figure 5-1** shows all census tracts included in the residential study area.

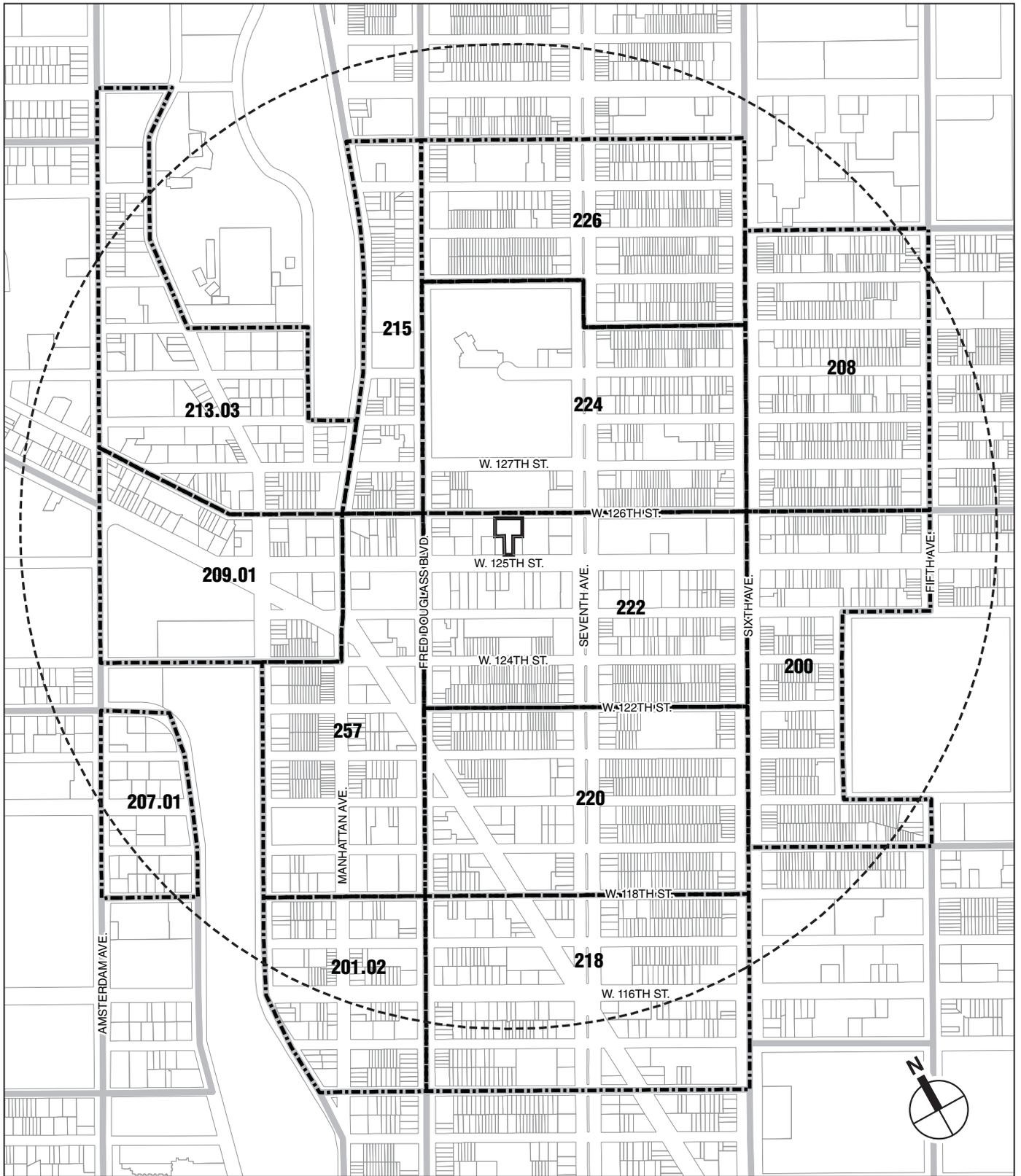
#### *OPEN SPACE USER POPULATIONS*

##### *Existing Conditions*

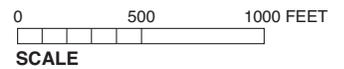
Census data were used to identify potential open space users within the study area. For this analysis, the open space user group is area residents. To determine the number of residents within the study area, data were compiled from the 2010 Census for the tracts in the study area.

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<sup>1</sup> The Community District 10 average household size of 2.15 persons per household was applied to the expected number of units for the proposed project.



-  Project Site
-  Half-Mile Perimeter
-  Census Tract Boundary
- 201.02** Census Tract Number



*The Future Without the Proposed Project*

As discussed in Chapter 2, “Land Use, Zoning, and Public Policy” a number of new developments are expected to be constructed in the ½-mile study area by 2014.<sup>1</sup> To estimate the population expected in the study area in the future without the proposed project, an average household size of 2.15 persons per household was applied to the number of new housing units expected in the area.

*Probable Impacts of the Proposed Project*

The population introduced by the proposed project was estimated by multiplying the maximum number of units by an average household size of 2.15 persons per household.

*INVENTORY OF OPEN SPACE RESOURCES*

All publicly accessible open spaces and recreational facilities located within the study area were inventoried. The inventory of open spaces was compiled based on field visits conducted in January 2012 and information from the New York City Department of Parks and Recreation (DPR). Published environmental impact statements (EISs) for recent projects in or near the study area were also consulted.

The *CEQR Technical Manual* defines a publicly accessible open space as one “that is accessible to the public on a constant and regular basis or for designated daily periods.” Open spaces that are not available to the public on a regular basis or are available only to a limited set of users are considered private open space and are not included in the quantitative open space analysis. There are several community gardens located in the study area, however, only community gardens open to the general public at least four days a week were included in the quantitative analysis.

The character and condition of the publicly accessible open spaces and recreational facilities within the study area were determined during field visits. Active and passive amenities were noted at each open space. Active facilities are intended for vigorous activities, such as jogging, field sports, and children’s active play. Such facilities might include basketball and handball courts, jogging paths, ball fields, and playground equipment. Passive facilities encourage such activities as strolling, reading, sunbathing, and people watching. Passive open spaces are characterized by picnic areas, walking paths, or gardens. Certain areas, such as lawns or public esplanades, can serve as both active and passive open spaces.

In addition, major open spaces located within ½-mile of the project site but technically outside the study area—such as Marcus Garvey Memorial Park, Morningside Park, and St. Nicholas Park—are considered qualitatively since they provide additional open space resources available to the study area population.

*ADEQUACY OF OPEN SPACE RESOURCES*

*Comparison to City Guidelines*

The adequacy of open space in the study area was quantitatively assessed using a ratio of useable open space acreage to the study area population (the “open space ratio”). The open space ratio

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<sup>1</sup> Chapter 2, “Land Use, Zoning, and Public Policy,” notes that while none of the new developments expected to be completed by the 2014 analysis year fall within the 400-foot study area used for the land use analysis, several are located within the ½-mile study area used for the open space analysis.

was compared to City open space planning guidelines. The following guidelines are used in this type of analysis:

- For non-residential populations, 0.15 acres of passive open space per 1,000 non-residents is typically considered adequate.
- For residential populations, two guidelines are used. The first is a citywide median open space ratio of 1.5 acres per 1,000 residents. In New York City, local open space ratios vary widely, and the median ratio at the Community District level is 1.5 acres of open space per 1,000 residents. The second is an open space planning goal established for the City of 2.5 acres per 1,000 residents—2.0 acres of active and 0.5 acres of passive open space per 1,000 residents—for large scale plans and proposals. However, these goals are often not feasible for many areas of the city, and they are not considered an impact threshold. Rather, they are used as benchmarks to represent how well an area is served by its open space resources.

#### *Impact Assessment*

Impacts are based on how a project would change the open space ratios in the study area. According to the *CEQR Technical Manual*, if a proposed project would reduce an open space ratio and consequently result in overburdening existing facilities, or if it would substantially exacerbate an existing deficiency in open space, it may result in a significant impact on open space resources. In general, if a study area's open space ratio falls below city guidelines, and a proposed action would result in a decrease in the ratio of more than five percent, it could be considered a substantial change and a detailed analysis is warranted. However, in areas that are extremely lacking in open space, a reduction as small as 1 percent may be considered significant, depending on the area of the City.

In addition to the quantitative factors cited above, the *CEQR Technical Manual* also recommends consideration of qualitative factors in assessing the potential for open space impacts. These include the availability of nearby destination resources, the beneficial effects of new open space resources provided by the project, and the comparison of projected open space ratios with established city guidelines.

### **C. PRELIMINARY ASSESSMENT**

A preliminary assessment of open space consists of calculating total population, tallying the open space acreage within the area, and comparing the open space ratios for existing conditions and the future without and with the proposed project.

#### **EXISTING CONDITIONS**

##### *STUDY AREA POPULATION*

Based on the 2010 Census, the study area has a population of approximately 52,585 residents (see **Table 5-2**).

**Table 5-2**  
**Existing Residential Population**

Census Tract	Population
226	3,778
213.03	5,619
215	3,068
224	6,247
208	4,591
209.01	3,673
222	2,644
200	2,581
207.01	3,329
257	3,876
220	5,370
201.02	3,865
218	6,617
<b>Total Population</b>	<b>52,585</b>
<b>Sources: U.S. Census Bureau, 2010 Census.</b>	

*STUDY AREA OPEN SPACE INVENTORY*

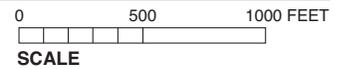
There are 24 public open space and recreational resources located within the ½-mile study area (see **Figure 5-2**). These open spaces include publicly accessible open spaces and privately owned spaces that are open to the public. Altogether, the open space resources in the study area total 9.75 acres, of which 5.84 acres is active and 3.91 acres is passive open space (see **Table 5-3**). The study area open spaces include numerous small and mid-size playgrounds and community gardens open to the public four days a week or more. Larger parks such as Morningside Park, St. Nicholas Park, and Marcus Garvey Memorial Park are also located within ½-mile of the project site but have not been included in the quantitative analysis based on the methodology of the *CEQR Technical Manual*, but they are considered in the qualitative discussion.

The largest open space in the study area is located around the General Grant Houses. Collectively, the open spaces around the General Grant Houses contain a variety of amenities for active and passive use including benches, basketball courts, children’s playgrounds, and tree-shaded areas. The multiple parks and open spaces scattered throughout the site of the General Grant Houses total 2.50 acres, of which 1.85 acres is considered active recreational open space and 0.65 acres is considered passive recreational space.

Other larger open spaces in the study area are the P.S. 125/Ralph Bunche Playground (located on the same superblock as the Grant Houses) and Annunciation Park. The P.S. 125/Ralph Bunche Playground has a variety of amenities for active and passive users including basketball courts, picnic tables, a children’s playground, benches, and trees. Of this park’s 1.69 acres, approximately 0.34 are considered passive recreational areas and 1.35 are considered active recreational areas. Annunciation Park is also equipped with active and passive recreational amenities, including a small running track, benches, a basketball court, and playground equipment.



-  Project Site
-  Half-Mile Perimeter
-  Census Tract Boundary
-  Open Space Resource



**Table 5-3**  
**Study Area Open Space Inventory**

Map ID No. <sup>1</sup>	Name	Location	Owner	Total Acres	Active	Passive	Amenities	Condition/Utilization
1	P.S. 125/Ralph Bunche Playground	Morningside Avenue between W. 123rd and W. 124th Sts	DPR	1.69	1.35	0.34	Playground, benches, tennis courts	Good/Light
2	Roosevelt Triangle	Bound by Morningside Avenue, W. 125th, and Hancock Place	DPR	0.07	0	0.07	Benches, landscaping	Excellent/Light
3	Clayton Williams Garden	W. 126th St, Frederick Douglass Blvd to St. Nicholas Avenue	MLT	0.19	0	0.19	Community garden	Excellent/Moderate
4	St. Nicholas Playground North	2400 Frederick Douglass Blvd	DPR	0.66	0.59	0.07	Basketball court, playground equipment, swings, benches	Fair/Moderate
5	St. Nicholas Playground South	2400 Frederick Douglass Blvd	DPR	0.67	0.54	0.13	Swings, basketball court, restrooms	Fair/Moderate
6	State Office Building Plaza	Corner of Adam Clayton Powell Jr. Blvd and 7th Avenue	New York State	0.5	0	0.5	Benches, plantings	Excellent/Moderate
7	General Grant Houses	1205 W. 123rd St	DPR	2.5	1.85	0.65	Playground equipment, benches	Excellent/Moderate
8	Unity Park/Gardens	53 West 128th Street	DPR	0.13	0	0.13	Community garden	Excellent/Light
9	Reverend Linette C. Williamson Memorial Park	128th St between Lenox and Fifth Avenues	DPR	0.06	0	0.06	Community garden	Good/Light
10	Courtney Callender Playground	Fifth Avenue between W. 130th and 131st Sts	DPR	0.65	0.62	0.03	Basketball court, playground equipment, benches	Excellent/Moderate
11	132nd Street Block Association Park	W. 132nd St from Lenox Avenue to Adam Clayton Powell Jr. Blvd	DPR	0.17	0	0.17	Community garden	Good/Light
12	Joseph Daniel Wilson Garden	W. 122nd St from Adam Clayton Powell Jr. Blvd to Frederick Douglass Blvd	DPR	0.06	0	0.06	Community garden	Fair/Light
13	Samuel Marx Triangle	Bound by St. Nicholas Avenue, Adam Clayton Powell Jr. Blvd, and W. 115th St	DPR	0.03	0	0.03	Landscaping, one bench	Good/Light
14	A. Phillip Randolph Square	Bound by St. Nicholas Avenue, Adam Clayton Powell Jr. Blvd, and W. 117th St	DPR	0.07	0	0.07	Trees, benches	Excellent/Moderate
15	Annunciation Park	Convent and Amsterdam Avenue between W. 134th and W. 135 Sts	DPR	1.24	0.62	0.62	Playground equipment, benches, small track, basketball court	Excellent/Moderate
16	Collyer Brothers Park	Corner of Fifth Avenue and E. 128th St	DPR	0.03	0	0.03	Benches, plantings	Excellent/Light
17	Garden of Love	302 West 116th Street	DPR	0.09	0	0.09	Community garden	Good/Light
18	P.S. 76 Community Playground	225 West 120th Street	DOE	0.37	0.27	0.1	Playground equipment, small track, trees, benches	Excellent/Heavy

**Table 5-3 (cont'd)**  
**Study Area Open Space Inventory**

Map ID No. <sup>1</sup>	Name	Location	Owner	Total Acres	Active	Passive	Amenities	Condition/Utilization
19	Harriet Tubman Memorial Park	Between Frederick Douglass, Manhattan, and St. Nicholas Avenues	DPR	0.03	0	0.03	Statue, seating, landscaping	Excellent/Light
20	Our Little Garden Acre/Garden Eight	275 West 122nd Street	DPR	0.05	0	0.05	Community garden	Good/Light
21	New 123rd Street Block Association Garden	112-116 West 123rd Street	DPR	0.14	0	0.14	Community garden	Good/Light
22	West 124th Street Community garden	West 124 Street between Lenox Avenue and 5th Avenue	DPR	0.05	0	0.05	Community garden	Fair/Light
23	Edward P. Bowman Park	52 West 129th Street	DPR	0.05	0	0.05	Community garden	Excellent/Light
24	Harlem Success Garden	116 West 134th Street	DPR	0.25	0	0.25	Community garden	Good/Light
<b>Study Area Total</b>				<b>9.75</b>	<b>5.84</b>	<b>3.91</b>		
<b>Notes:</b> <sup>1</sup> See Figure 5-2 for open space resources. DPR= New York City Department of Parks and Recreation DOE= New York City Department of Education NYCHA= New York City Housing Authority TPL= Trust for Public Land MLT= Manhattan Land Trust <b>Sources:</b> AKRF Field Surveys, January 2012; NYCHA open space acreage calculated using GIS data.								

There are numerous moderately sized playgrounds and community gardens scattered throughout the study area. Some of the most notable are the Harlem Success Garden at 116 West 134th Street, St. Nicholas Playground North and South located on Adam C. Powell Boulevard between West 127th and West 133rd Streets, the Courtney Callender Playground on Fifth Avenue between 130th and 131st Streets, and the P.S. 76 Community Playground at 225 West 120th Street. These open spaces provide a variety of both active and passive recreational amenities for study area residents including benches, chess tables, playground equipment, basketball courts, gardening areas, and a mini-track.

The remainder of the public open spaces consists of passive recreational resources in the form of small parks, gardens, plazas, and squares scattered throughout the study area. Plazas and small parks include open spaces such as Harriet Tubman Memorial Park, the plaza of the Adam Clayton Powell State Office Building, Roosevelt Triangle, and A. Philip Randolph Square. These open spaces provide passive amenities such as benches, landscaping, and tree-shaded areas. There are also a number of small community gardens in the study area, including the Garden of Love, the West 124th Street Community Garden, and Clayton Williams Garden. These open spaces provide passive recreational amenities such as benches and seating areas, and provide gardening and landscaping opportunities for the study area residents.

*ADEQUACY OF OPEN SPACES*

With a total of 9.75 acres of open space (5.84 for active use and 3.91 for passive use) and a total residential population of 52,585, the residential study area has an overall open space ratio of 0.185 acres per 1,000 residents (see **Table 5-4**). This is less than the City’s planning guideline of 2.5 acres of open space per 1,000 residents, and it falls short of the citywide community district median of 1.5 acres per 1,000 residents.

**Table 5-4  
Existing Conditions: Adequacy of Open Space Resources**

Residential Population	Open Space Acreage			Open Space Ratios per 1,000 People			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
52,585	9.75	5.84	3.91	0.185	0.111	0.074	2.5	2.0	0.50

The study area’s current residential passive open space ratio is 0.074 acres of passive open space per 1,000 residents, which is below the City’s goal of 0.5 acres per 1,000 residents. The area’s residential active open space ratio is 0.111 acres per 1,000 residents, which is below the City’s planning guideline of 2.0 acres per 1,000 residents.

*Qualitative Considerations*

As noted above, three major open spaces—including Morningside Park, St. Nicholas Park, and Marcus Garvey Memorial Park—are located within ½-mile of the project site but have not been included in the quantitative analysis. The portion of these parks located within ½ mile of the project site is 37.88 acres and together the three parks total more than 72 acres. Residents within walking distance of these parks seeking both passive and recreational opportunities are likely to make use of these larger parks. Marcus Garvey Memorial Park provides passive and active recreation space for residents in the eastern portion of the study area, while St. Nicholas Park and Morningside Park provide passive and active recreation space for residents in the northwest and southwest portions of the study area respectively.

**THE FUTURE WITHOUT THE PROPOSED PROJECT**

*STUDY AREA POPULATION*

Absent the proposed project, existing conditions on the project site would not change. No new employees or residents would be introduced to the site.

As described in Chapter 2, “Land Use, Zoning, and Public Policy,” several anticipated developments in the open space study area are planned or under construction, some of which are expected to be completed by 2014. These developments will increase the residential population. The projects planned or under way within the open space study area include approximately 171 residential units. Assuming a household size of 2.15 persons for these new units, it is anticipated that the population of the study area will increase by 368 residents for a total study area residential population of 52,953.

*STUDY AREA OPEN SPACES*

No study area open spaces are anticipated to be added or removed from the open space inventory.

*ADEQUACY OF OPEN SPACES*

In the future without the proposed project, the additional population introduced to the study area by expected developments will result in a small increase in the demand on the area’s open spaces. However, because the population increase is small compared to the total study area population, the open space ratios will be only minimally reduced. The overall open space ratio will decrease to 0.184 acres per 1,000 residents, and will remain considerably lower than the

city’s planning guideline of 2.5 acres of total open space per 1,000 residents and the citywide median of 1.5 acres per 1,000 residents (see **Table 5-5**). The passive ratio per 1,000 residents will remain 0.074 acres, well below the guideline ratio of 0.5 acres of passive space per 1,000 residents, and the active open space ratio will decrease to 0.110 acres per 1,000 residents and also remain well below the city’s planning guideline of 2.0 acres per 1,000 residents.

**Table 5-5  
Future Without the Proposed Project: Adequacy of Open Space Resources**

Residential Population	Open Space Acreage			Open Space Ratios per 1,000 People			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
52,953	9.75	5.84	3.91	0.184	0.110	0.074	2.5	2.0	0.50

*Qualitative Considerations*

As in existing conditions, in the future without the proposed project, residents will continue to have access to the major open space resources located within ½ mile of the project site but not included in the quantitative analysis, including Marcus Garvey Memorial Park, Morningside Park, and St. Nicholas Park.

**PROBABLE IMPACTS OF THE PROPOSED PROJECT**

*STUDY AREA POPULATION*

Based on the 230 new residential units and using an average household size of 2.15, the proposed project would introduce approximately 495 residents to the project area. In total, with the proposed project, the study area would have 53,448 residents.

*STUDY AREA OPEN SPACES*

The proposed project would not directly displace any public open spaces and would not add any publicly accessible open spaces.

*ADEQUACY OF OPEN SPACES*

With the proposed project, as in existing conditions and the future without the proposed project, all open space ratios in the residential study area would remain below City guideline levels. The total open space ratio in the residential study area would decrease by less than one percent to 0.182 acres per 1,000 residents (see **Table 5-6**). The passive and active open space ratios would also decrease by less than one percent—the passive open space ratio would decrease slightly to 0.073 acres per 1,000 residents and the active open space ratio would decrease slightly to 0.109 acres per 1,000 residents.

**Table 5-6  
Future With the Proposed Project: Adequacy of Open Space Resources**

Residential Population	Open Space Acreage			Open Space Ratios per 1,000 People			City Open Space Guidelines		
	Total	Active	Passive	Total	Active	Passive	Total	Active	Passive
53,448	9.75	5.84	3.91	0.182	0.109	0.073	2.5	2.0	0.50

*Qualitative Considerations*

Study area residents would continue to have access to major open space resources located within ½ mile of the project site but not included in the quantitative analysis, including Marcus Garvey Memorial Park, Morningside Park, and St. Nicholas Park. These major open space resources would help to meet the open space needs of some portions of the study area population, including the population that would be added by the proposed project.

While private open space and recreational facilities are not considered in the quantitative analysis, the proposed development is expected to provide both active and passive amenities for use by building occupants. The proposed project is planned to include both passive outdoor open spaces as well as gym facilities for exercise. These amenities, while not accessible to the general public, would serve the project-generated population who might otherwise use open spaces in the study area.

*IMPACT SIGNIFICANCE*

*Direct Effects*

As described earlier in the discussion of methodology, direct adverse effects on an open space occur when a proposed action would cause the physical loss of public open space; change the use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows that would affect its usefulness, whether on a permanent or temporary basis. The proposed project would not directly displace or affect any public open spaces and would not result in shadow, air quality, or noise impacts on any of the open spaces in the study area, or on the P.S. 154 schoolyard (see Chapter 6, “Shadows,” Chapter 15, “Air Quality,” and Chapter 17, “Noise”).

*Indirect Effects*

According to the *CEQR Technical Manual*, if the decrease in the open space ratio approaches or exceeds 5 percent, it is generally considered a substantial change warranting a more detailed analysis. However, the change in the open space ratio should be balanced against how well-served an area is by open space. If the study area exhibits a low open space ratio, even a small decrease may warrant a detailed analysis. Likewise, if the study area exhibits an open space ratio that approaches or exceeds the planning goal of 2.5 acres, a greater percentage of change in the ratio may be acceptable.

As with existing conditions and the future without the proposed actions, the open space ratios for the future with the proposed actions would continue to fall short of the City’s recommended open space ratio guidelines. The proposed project would result in a slight decrease in the total, active and passive open space ratios due to a modest increase in the study area residential population (see **Table 5-7**). The total open space ratio, as well as both the passive and active open space ratios, would decrease by less than one percent and would continue to fall short of City open space planning guideline ratios. This decrease would be less than 0.002 acres per 1,000 residents and would not be considered a substantial change.

**Table 5-7**  
**2015 Future With the Proposed Project: Open Space Ratios Summary**

Ratio <sup>1</sup>	City Guideline	Open Space Ratios			Percent Change Future Without to Future With the Proposed Projects
		Existing Conditions	Future Without the Proposed Projects	Future With the Proposed Projects	
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%
<b>Notes:</b>					
<sup>1</sup> Ratios in acres per 1,000 residents.					

It is recognized that the City guidelines are not feasible for many areas of the city, and they are not considered impact thresholds. In addition, some of the open space needs of the study area population would be met by nearby major parks that are not included in the calculations of the open space ratios, including Morningside Park, St. Nicholas Park, and Marcus Garvey Memorial Park. Furthermore, 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.

The proposed project would not result in significant adverse impacts on open space resources in the study area because open space ratios would remain substantially the same in the future with the proposed project; there are a number of major open spaces nearby that, while not included in the study area calculations of open space, would nonetheless serve the project population; and the proposed project would provide on-site open space and recreational amenities to at least partially offset new open space demand. \*

## A. INTRODUCTION

The proposed project would result in a new building reaching approximately 331 feet in height including rooftop mechanical structures. Therefore, this chapter examines whether the proposed building would cast new shadows on any publicly accessible sunlight-sensitive resources and assesses the potential effects of any such new shadows. Sunlight-sensitive resources can include parks, playgrounds, gardens and other publicly accessible open spaces; sunlight-dependent features of historic resources; and important natural features such as water bodies.

The 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. Similarly, there would be some incremental shadow falling on the southern façade of the Memorial Baptist Church at the end of the March 21/September 21 analysis day, but the limited extent and short duration (24 minutes) of incremental shadow would not result in a significant adverse shadow impact.

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 this 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, as described below, 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. With the exception of the northwest corner, the entire area is paved and none of the features of the space are considered sunlight-dependent. 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 area in the northwest corner, separated by fencing and containing trees, would not experience substantial new shadow on any analysis day, and there would not be significant shadow impacts on the vegetation in this space.

Overall, the analysis concludes that the proposed project would not result in significant adverse shadow impacts.

## B. DEFINITIONS AND METHODOLOGY

### DEFINITIONS

**Incremental shadow** is the additional, or new, shadow that a structure resulting from a proposed project would cast on a sunlight-sensitive resource.

**Sunlight-sensitive resources** are those resources that depend on sunlight or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Such resources generally include:

- *Public open space* (e.g. parks, beaches, playgrounds, plazas, schoolyards, greenways, landscaped medians with seating). Public open space is defined in the *CEQR Technical Manual* as "open space that is accessible to the public on a constant and regular basis." This includes open spaces that are available during designated daily periods, but does not include things such as outdoor schoolyards that are not made available to the public during non-school hours. Planted areas within unused portions of roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources.
- *Features of architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features need be considered, as opposed to the entire resource. Such sunlight-sensitive features might include: design elements that depend on the contrast between light and dark (e.g. recessed balconies, arcades, deep window reveals); elaborate, highly carved ornamentation; stained glass windows; historic landscapes and scenic landmarks; and features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as a historic landmark.
- *Natural resources* where the introduction of shadows could alter the resource's condition or microclimate. Such resources could include surface water bodies, wetlands, or designated resources such as coastal fish and wildlife habitats.

**Non-sunlight-sensitive resources** include:

- *City streets and sidewalks* (except Greenstreets);
- *Private open space* (e.g. front and back yards, stoops, vacant lots, and any private, non-publicly accessible open space);
- *Project-generated open space* cannot experience a significant adverse shadow impact from the project, according to the *CEQR Technical Manual*, because without the project the open space would not exist. However, a qualitative discussion of shadows on the project-generated open space should be included in the analysis.

A **significant adverse shadow impact** occurs when the incremental shadow added by a proposed project falls on a sunlight-sensitive resource and substantially reduces or completely eliminates direct sunlight, thereby significantly altering the public's use of the resource or threatening the viability of vegetation or other resources. Each case must be considered on its own merits based on the extent and duration of new shadow and an analysis of the resource's sensitivity to reduced sunlight.

### METHODOLOGY

First, a preliminary screening assessment must be conducted to ascertain whether a project's shadow could reach any sunlight-sensitive resources at any time of year. The preliminary screening assessment consists of three tiers of analysis. The first tier determines a simple radius

around the proposed building representing the longest shadow that could be cast. If there are sunlight-sensitive resources within this radius, the analysis proceeds to the second tier, which reduces the area that could be affected by project shadow by accounting for the fact that shadows can never be cast between a certain range of angles south of the project site due to the path of the sun through the sky at the latitude of New York City. If the second tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a third tier of screening analysis further refines the area that could be reached by project shadow by looking at specific representative days of the year and determining the maximum extent of shadow over the course of each representative day.

If the third tier of analysis does not eliminate the possibility of new shadows on sunlight-sensitive resources, a detailed shadow analysis is required to determine the extent and duration of the incremental shadow resulting from the project. The detailed analysis provides the data needed to assess the shadow impacts. The effects of the new shadows on the sunlight-sensitive resources are described, and their degree of significance is considered. The results of the analysis and assessment are documented with graphics, a table of incremental shadow durations, and narrative text.

### C. PRELIMINARY SCREENING ASSESSMENT

A base map was developed showing the location of the proposed project and the surrounding street layout. In coordination with the open space and historic and cultural resources assessments presented in other chapters of this EIS, potentially sunlight-sensitive resources were identified and are shown on the map.

#### TIER 1 SCREENING ASSESSMENT

For the Tier 1 assessment, the longest shadow that the proposed structure could cast is calculated, and, using this length as the radius, a perimeter is drawn around the project site. Anything outside this perimeter representing the longest possible shadow could never be affected by project generated shadow, while anything inside the perimeter needs additional assessment.

According to the *CEQR Technical Manual*, the longest shadow that a structure can cast at the latitude of New York City occurs on December 21, the winter solstice, at the start of the analysis day at 8:51 AM, and is equal to 4.3 times the height of the structure.

Therefore, at a maximum height of 331 feet above curb level, including rooftop mechanical structures, the proposed hotel and residential building could cast a shadow up to 1,423 feet in length ( $331 \times 4.3$ ). Using this length as the radius, a perimeter was drawn around the project site (see **Figure 6-1**). Since a number of sun-sensitive resources lay within the perimeter or longest shadow study area, the next tier of screening assessment was conducted.

#### TIER 2 SCREENING ASSESSMENT

Because of the path that the sun travels across the sky in the northern hemisphere, no shadow can be cast in a triangular area south of any given project site. In New York City this area lies between -108 and +108 degrees from true north. **Figure 6-1** illustrates this triangular area south of the project site. The complementing area to the north within the longest shadow study area represents the remaining area that could potentially experience new project generated shadow.



Several resources with sunlight-sensitive features are located within the remaining shadow study area. Therefore, additional assessment was conducted.

### **TIER 3 SCREENING ASSESSMENT**

The direction and length of shadows vary throughout the course of the day and also differ depending on the season. In order to determine if project generated shadow could fall on a sunlight-sensitive resource, three-dimensional computer mapping software is used in the Tier 3 assessment to calculate and display the proposed project's shadows on individual representative days of the year. A computer model was developed containing three-dimensional representations of the elements in the base map used in the preceding assessments, the topographic information of the study area, and a reasonable worst-case three-dimensional representation of the proposed project.

#### *REPRESENTATIVE DAYS FOR ANALYSIS*

Following the guidance of the *CEQR Technical Manual*, shadows on the summer solstice (June 21), winter solstice (December 21) and spring and fall equinoxes (March 21 and September 21, which are approximately the same in terms of shadow patterns) are modeled, to represent the range of shadows over the course of the year. An additional representative day during the growing season is also modeled, generally the day halfway between the summer solstice and the equinoxes, i.e. May 6 or August 6, which have approximately the same shadow patterns.

#### *TIMEFRAME WINDOW OF ANALYSIS*

The shadow assessment considers shadows occurring between one and a half hours after sunrise and one and a half hours before sunset. At times earlier or later than this window of analysis, the sun is down near the horizon and the sun's rays reach the Earth at very tangential angles, diminishing the amount of solar energy and producing shadows that are very long, move fast, and generally blend with shadows from existing structures until the sun reaches the horizon and sets. Consequently, shadows occurring outside the timeframe window of analysis are not considered significant under CEQR, and their assessment is not required.

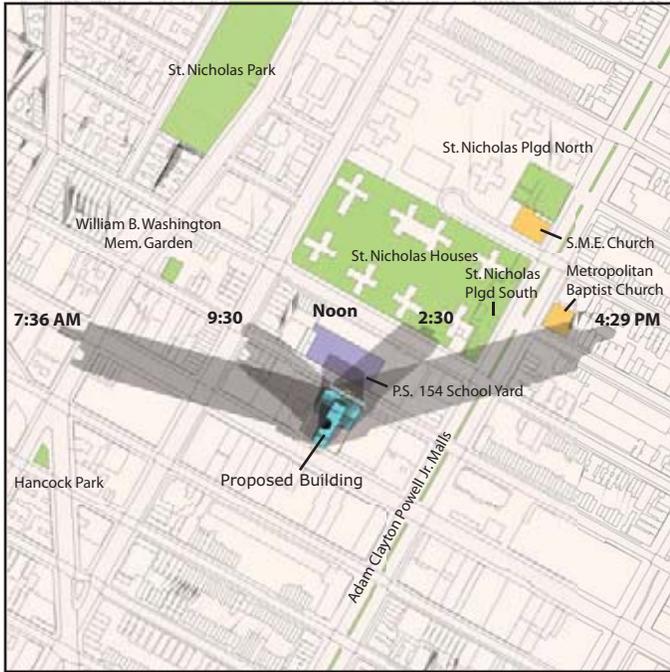
#### *TIER 3 SCREENING ASSESSMENT RESULTS*

**Figure 6-2** illustrates the range of shadows that would occur, in the absence of intervening buildings, from the proposed building on the four representative days for analysis. As they move east and clockwise over the landscape, the shadows are shown occurring approximately every two hours from the start of the analysis day (one and a half hours after sunrise) to the end of the analysis day (one and a half hours before sunset).

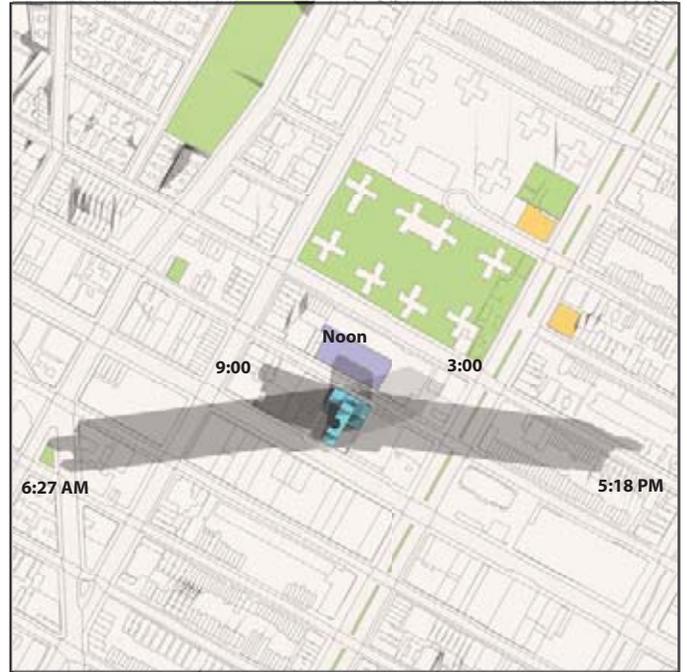
On the March 21/September 21 analysis day, the proposed building's shadow would be long enough to pass across the P.S. 154 schoolyard in the middle of the day, portions of the St. Nicholas Houses open spaces and the St. Nicholas Playground South in the afternoon, and the Adam Clayton Powell Jr. Malls in the late afternoon. At the very end of the analysis day the shadow would be long enough to reach the south façade of the Metropolitan Baptist Church.

On the May 6/August 6 analysis day the proposed building's shadow could reach the P.S. 154 schoolyard in the middle of the day and the Adam Clayton Powell Jr. Malls in the afternoon; no other resources could be affected on this analysis day.

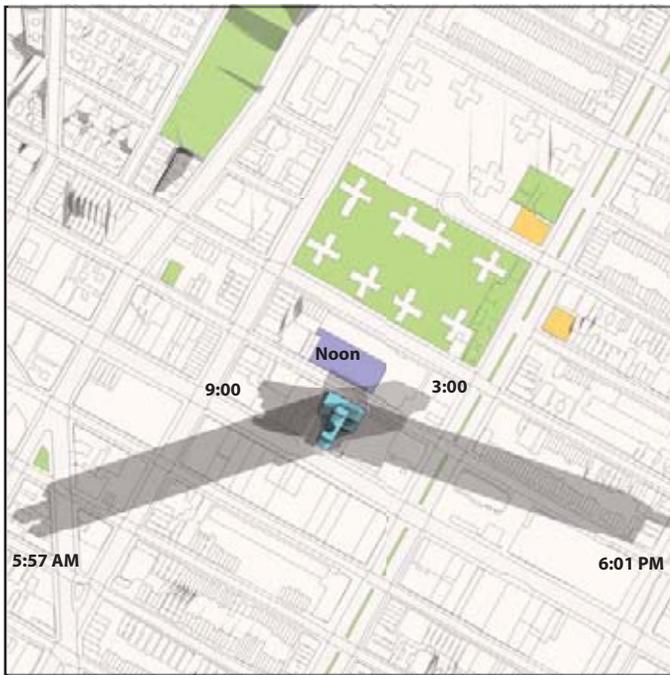
12.3.12



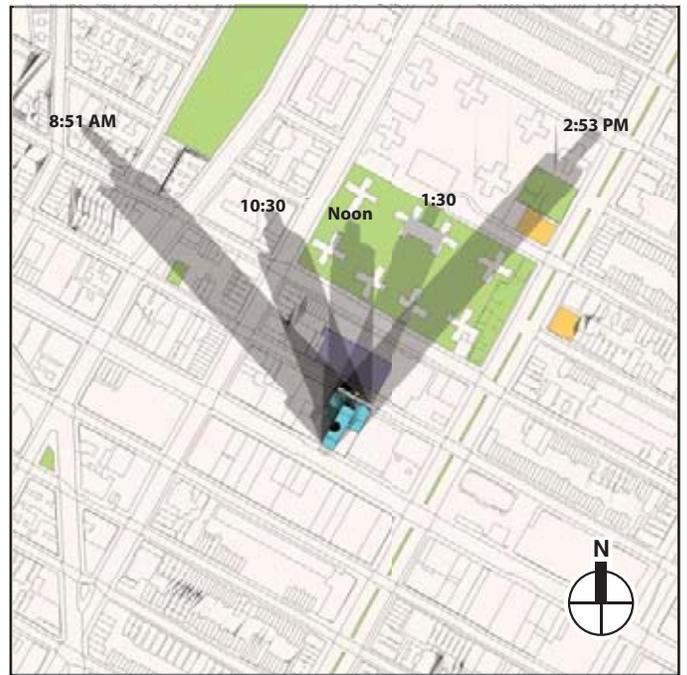
March 21/Sept. 21



May 6/August 6



June 21



December 21

Note: Daylight Saving Time not used.

- Publicly Accessible Open Space
- Historic Resource with Sunlight-Sensitive Feature
- P.S. 154 School Yard

Similarly, on the June 21 analysis day the proposed building's shadow could reach the P.S. 154 schoolyard in the middle of the day and the Adam Clayton Powell Jr. Malls in the afternoon.

On the December 21 analysis day the proposed building's shadow would be long enough to reach the William B. Washington Memorial Garden to the northwest, the P.S. 154 schoolyard, the St. Nicholas Houses open spaces, and at the end of the analysis day, the St. Nicholas Playground North and the south façade of the Salem Methodist Episcopal Church.

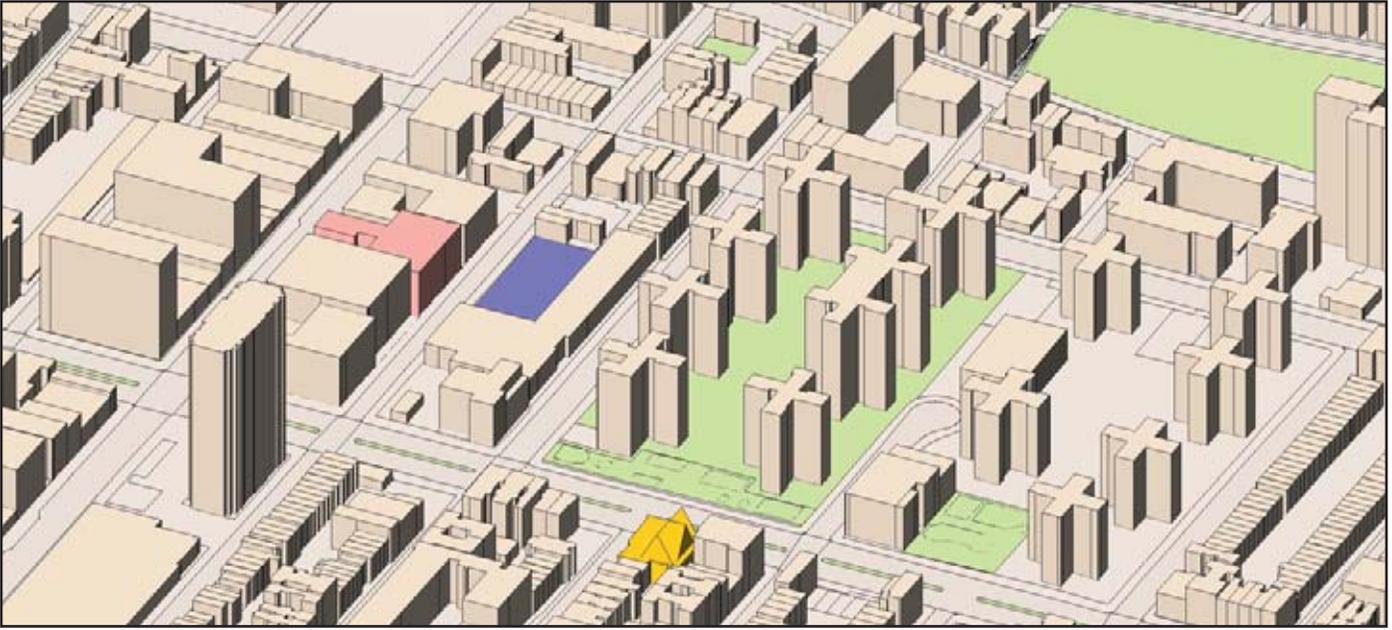
In summary, the Tier 3 screening assessment concluded that, in the absence of intervening buildings, shadows from the proposed building could reach the P.S. 154 schoolyard on all four analysis days, portions of the St. Nicholas Houses open spaces and the two associated playgrounds on Adam Clayton Powell Jr. Boulevard on the March 21/September 21 and December 21 analysis days, some of the Adam C. Powell Jr. Malls on three of the four analysis days, and the south façade of the Salem Methodist Episcopal Church briefly at the end of the December 21 analysis day. The Tier 3 assessment also concluded that the proposed building's shadow would be long enough to reach the south façade of the Metropolitan Baptist Church at the end of the March 21/September 21 analysis day. Therefore, following the methodology of the *CEQR Technical Manual*, further assessment is required for these resources.

#### **D. DETAILED SHADOW ANALYSIS**

The purpose of the detailed analysis is to determine the extent and duration of new incremental shadows that fall on a sunlight-sensitive resource as a result of the proposed project. To evaluate the extent and duration of new shadow that would be added to a sunlight-sensitive resource as a result of the proposed project, the detailed shadows analysis establishes a baseline condition (future No Build) to which the future condition with the proposed project (future Build) is compared. Because existing buildings may already cast shadows on a sun-sensitive resource, the proposed project may not result in additional, or incremental, shadows upon that resource.

In order to carry out the detailed shadow analysis, the three-dimensional computer model used for the Tier 3 screening assessment was augmented by adding the existing buildings in the study area. **Figure 6-3** shows views of the computer model used in the detailed analysis. Shadow analyses were performed for each of the representative days and analysis periods indicated in the Tier 3 assessment.

**Table 6-1** summarizes the results of the detailed analysis. It shows the entry and exit times and total duration of project-generated incremental shadow on each affected resource. **Figures 6-4 through 6-14** document the results of the analysis by providing graphic representations or "snapshots" of times when incremental shadow would fall on a sun-sensitive resource. The figures illustrate the extent of additional, incremental shadow at that moment in time, highlighted in red, and also show existing shadow and remaining areas of sunlight.



- Existing Building on Project Site
- Publicly Accessible Open Space
- P.S. 154 School Yard
- Metropolitan Baptist Church

Future No Action Condition  
View Southwest



- Proposed Building
- Publicly Accessible Open Spaces
- P.S. 154 School Yard
- Metropolitan Baptist Church

Future with Proposed Project  
View Southwest

Three-Dimensional Computer Model  
for Detailed Analysis  
Figure 6-3



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



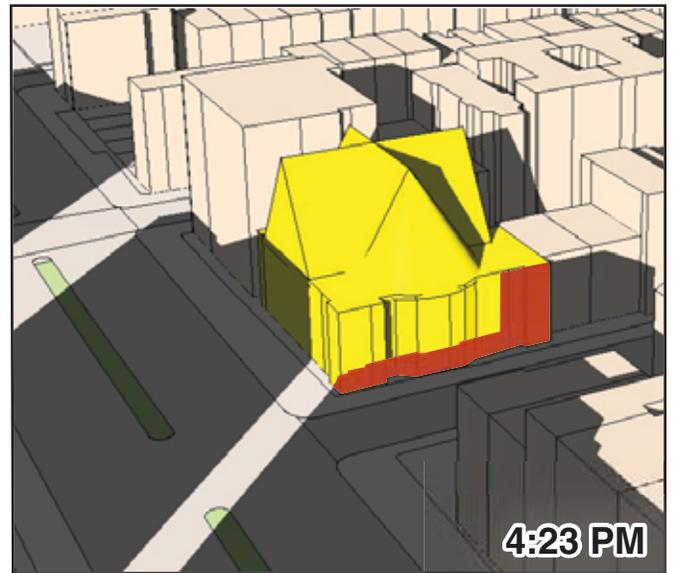
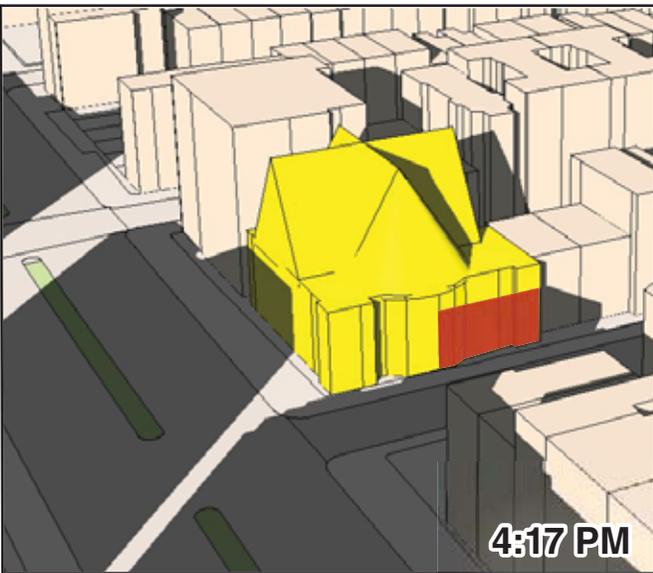
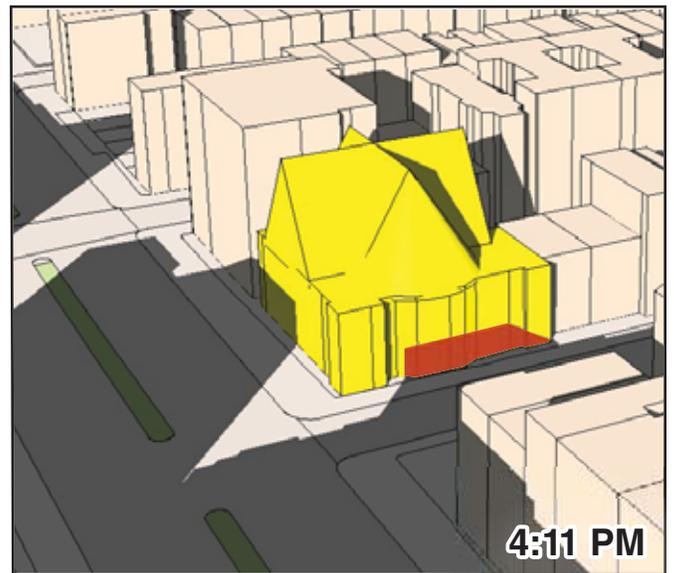
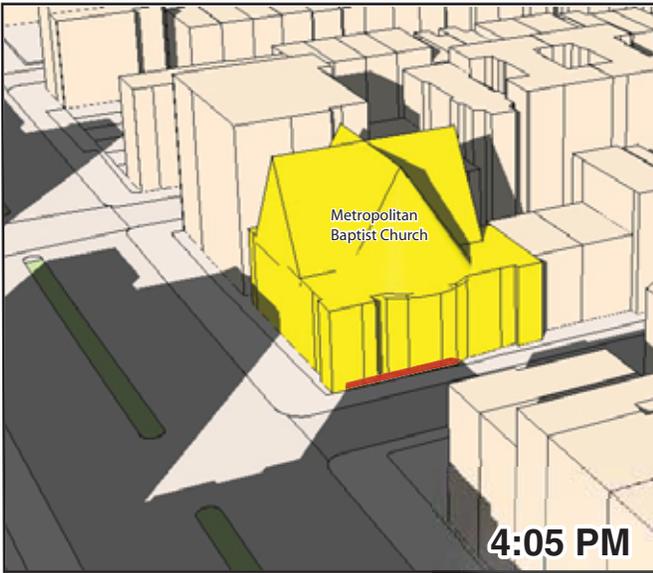
Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

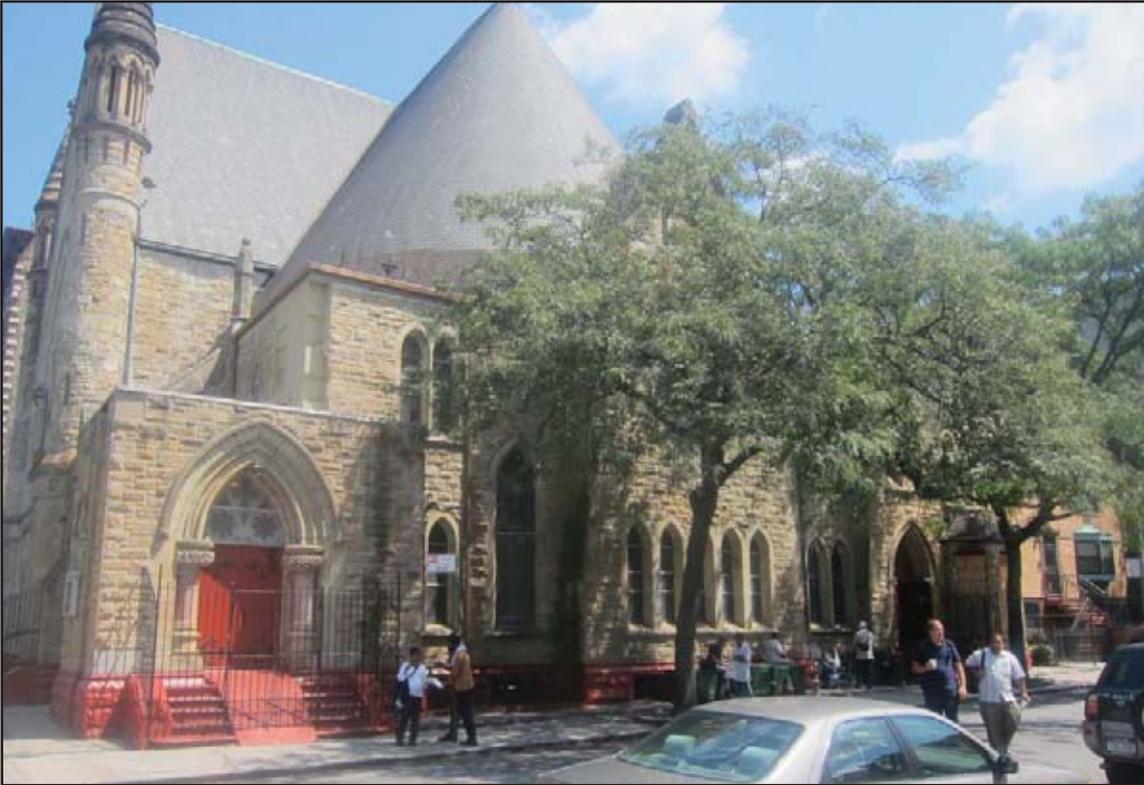
- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

Metropolitan Baptist Church

Incremental Shadow on Southern Facade





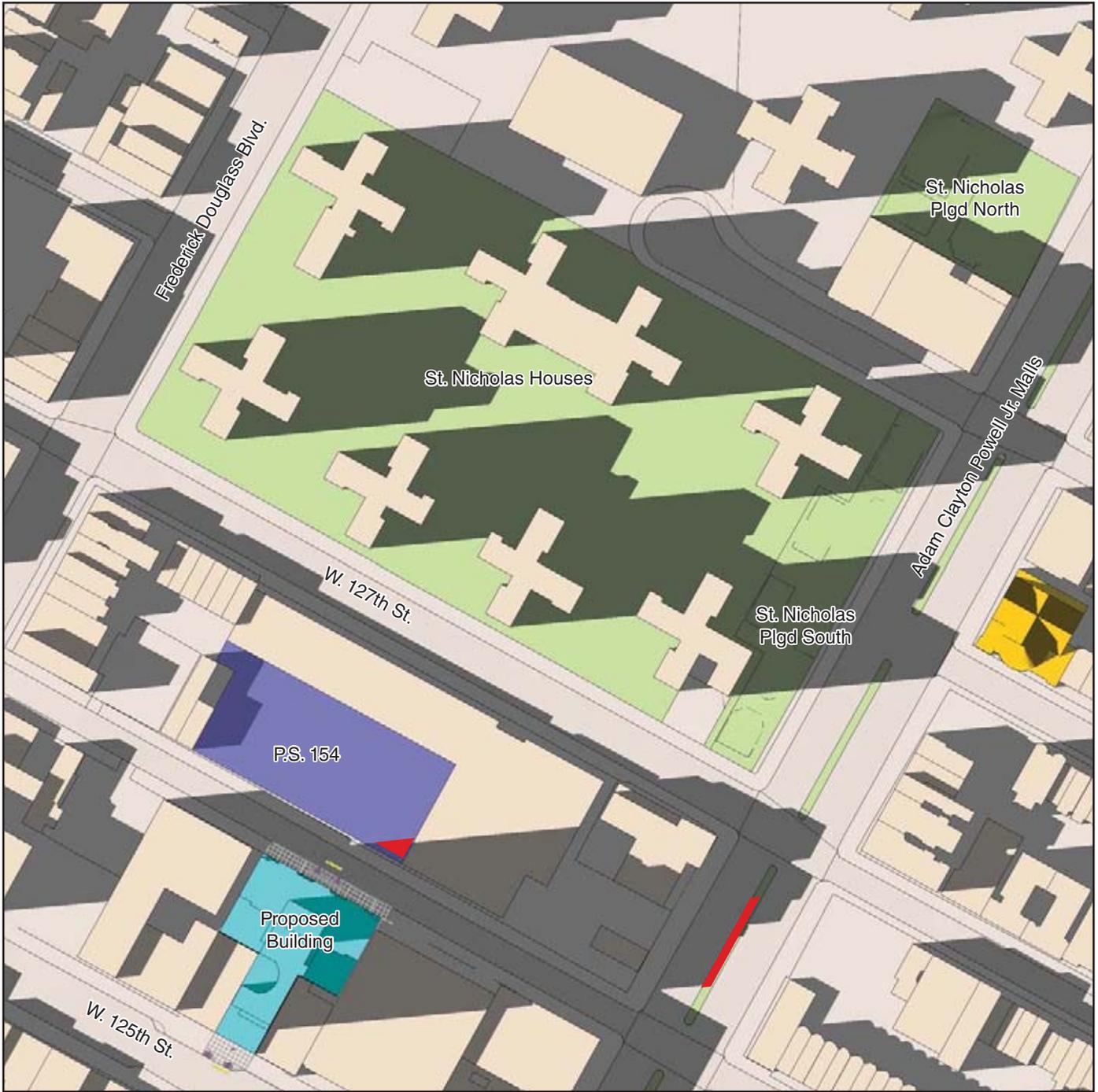
Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church

**Table 6-1  
Incremental Shadow Durations**

	<b>March 21 / Sept. 21 7:36 AM-4:29 PM</b>	<b>May 6 / August 6 6:27 AM-5:18 PM</b>	<b>June 21 5:57 AM-6:01 PM</b>	<b>December 21 8:51 AM-2:53 PM</b>
<b>Open Space Resources</b>				
St. Nicholas Houses open spaces	2:15 PM–4:00 PM Total: 1 hr 45 min	—	—	10:10 AM–2:53 PM Total: 4 hr 43 min
St. Nicholas Houses – Playground South	3:10 PM–4:29 PM Total: 1 hr 19 min	—	—	—
St. Nicholas Houses – Playground North	—	—	—	2:30 PM–2:53 PM Total: 23 min
Adam Clayton Powell Jr. Malls	3:45 PM–4:29 PM Total: 44 min	3:45 PM–5:18 PM Total: 1 hr 33 min	4:05 PM–6:01 PM Total: 1 hr 56 min	—
<b>Historic Resources</b>				
<u>Metropolitan Baptist Church</u>	<u>4:05 PM – 4:29PM</u> <u>Total: 24 min</u>	—	—	—
<b>Schoolyard</b>				
P.S. 154 schoolyard	9:50 AM–4:00 PM Total: 6 hr 10 min	10:45 AM–4:20 PM Total: 5 hr 35 min	11:35 AM–4:00 PM Total: 4 hr 25 min	9:30 AM–1:20 PM Total: 3 hr 50 min
<b>Notes:</b> Table indicates entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource. Daylight saving time is not used—times are Eastern Standard Time, per <i>CEQR Technical Manual</i> guidelines. However, in reality, Eastern Daylight Time is in effect for the March/September, May/August and June analysis periods. Therefore, add one hour to the given times to determine the actual clock time.				

**RESOURCES OF CONCERN**

The **St. Nicholas Houses** are a New York City Housing Authority (NYCHA) housing development comprising 13 residential 14-story buildings and publicly accessible open space areas and playgrounds on a superblock between West 127th and West 131st Streets, and Frederick Douglass and Powell Boulevards. **St. Nicholas Playground South** is on the east side of the superblock along Powell Boulevard between West 127th and 129th Streets, and contains paved basketball, handball and other ball courts. The smaller **St. Nicholas Playground North**, at Powell Boulevard and West 130th Street, has playground equipment and a water feature. The southern side of the superblock along West 127th Street has fenced-off landscaped areas and walkways with benches in some spots. The large open interior area of the southern half of the superblock has two playground areas and an area with seating and trees.

The **Adam Clayton Powell Jr. Malls** are planted medians in the Boulevard. They do not have benches at the intersections.

The **Metropolitan Baptist Church** is located at 151 West 128th Street at the corner of 7th Avenue. The church, which combines Romanesque- and Gothic-style designs, became a New York City Landmark in 1981 and was listed on the National Register of Historic Places in 1982. The building’s windows are considered to be a sunlight-sensitive feature of a historic resource. Since shadows from the proposed project would reach only the south façade of the building,

those windows are taken into account in this analysis. The southern facade of the church is articulated by stained glass lancet windows that are raised several feet above sidewalk level. In addition, at the eastern end of the south facade there is a curved bay that includes window openings. Overall, the windows are in varying condition; some windows contain stained glass and some do not. The window openings in the curved bay contain plywood. However, this analysis conservatively accounts for all of the south-facing windows that could be affected by the proposed project, and assumes that damaged or missing fenestration could be repaired or replaced.

The schoolyard of **P.S. 154 (Harriet Tubman School)** is located on West 126th Street midblock between Fredrick Douglass Boulevard and Adam Clayton Powell Boulevard, directly north across West 126th Street from the proposed building. The schoolyard has ball court areas and two clusters of playground equipment; it is completely paved and has no vegetation except for a small area in the northwest corner (fenced off from the main area) that has some plantings. The schoolyard is not available for use by the general public and is accessible only from the rear of the school—a high fence along West 126th Street includes gated entrances that are locked. It is primarily used by the school on days when school is in session, weather permitting. Based on field observations, peak activity occurs between 10:30 AM and 12:30 PM, with much lower or no utilization at other times.

#### **RESOURCES THAT WOULD NOT EXPERIENCE INCREMENTAL SHADOW**

Due to existing shadow from intervening buildings (accounted for in the detailed analysis but not in the screening-level analyses) the analysis concluded that the William B. Washington Memorial Garden and the south-facing windows of the Salem Methodist Episcopal Church would not receive project-generated incremental shadow.

#### **MARCH 21/SEPTEMBER 21**

Shadow from the proposed building would move onto the southwest corner of the P.S. 154 schoolyard at 9:50 AM. Shadows would move clockwise and eastward and by noon the incremental shadow would fall across the center of the schoolyard, leaving the eastern and western portions of the space in direct sunlight (see **Figures 6-4, 6-5 and 6-6**). The shadow would continue to move eastward, falling across more than half of the space by 1:00 PM (see **Figure 6-7**). By about 2:00 PM about a third of the schoolyard would be in shadow from the proposed building, on the eastern side, while the western two thirds would be in sun. By 3:00 PM only the eastern quarter of the space would be in incremental shadow while most of the rest of the space would be in sun. From 3:00 PM to 4:00 PM the area of incremental shadow would shrink and finally move off the eastern edges of the space, merging with lengthening existing shadows (see **Figure 6-8**).

The fenced-off portion of the schoolyard in the northwest would experience about an hour and a half of new shadow, between 11:30 AM and 1:00 PM, though each individual tree would experience less than that total duration as the shadow moved across that space.

From 2:15 PM to 4:00 PM shadow from the upper portion of the proposed building would pass across an area containing walkways, benches and fenced-off lawn and trees near the southeasternmost building of the St. Nicholas Houses. The new shadow would fall on a small area and other sunlit areas of benches and landscaped areas would remain nearby (see **Figure 6-8**). New shadow from the upper portion of the proposed building would also fall across a

## Victoria Theater

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portion of one of the Adam Clayton Powell Jr. Malls, between West 127th and 128th Streets, for the final 44 minutes of the analysis day.

From 4:05 PM to 4:29 PM shadows from the proposed project would skim the lowest portions of the stained glass windows of the Metropolitan Baptist Church's southern façade. Most of these incremental shadows would fall on the easternmost portion of the southern façade (see **Figure 6-9**). The windows affected most by the incremental shadow are those set within a projecting bay along the easternmost portion of the façade that have been removed completely and replaced with plywood (see **Figure 6-10**).

### **MAY 6/AUGUST 6**

On the May 6/August 6 analysis day, shadows are shorter than in March and September; the proposed building's shadow would move across the P.S. 154 schoolyard from 10:45 AM to 4:20 PM but would not cover as large an area as it did earlier in the spring and in September. Moving clockwise, the incremental shadow would enter the schoolyard from the south and pass across the southern portion of the space (see **Figure 6-11** and **6-12**). By 12:30 PM the shadow would fall across the southeastern part of the schoolyard, covering about a third of the space (see **Figure 6-12**). At 2:30 PM about a quarter of the space, in the southeastern section, would still be in incremental shadow. After 3:30 PM the area of new shadow would be very small, finally exiting at 4:20 PM (see **Figure 6-13**).

On May 6 and August 6, the proposed building's shadow would not be long enough to reach the St. Nicholas Houses open spaces or playgrounds or the Metropolitan Baptist Church.

For the final hour and 18 minutes of the analysis day, from 4:00 PM to 5:18 PM, new shadow would fall on a portion of the Adam Clayton Powell Jr. Mall between West 126th and 127th Streets (see **Figure 6-13**).

### **JUNE 21**

Shadow patterns on June 21 are similar to those on May 6/August 6; shadows are even shorter, but fall further to the south at the beginning and end of the analysis day.

The proposed building's shadow would not enter the southern edge of the P.S. 154 schoolyard until 11:35 AM. It would then move across the southeastern portion of the space during the early afternoon, never covering even a quarter of the total space (see **Figure 6-14**). It would exit the southeast corner at 4:00 PM. The proposed building's shadow would never reach the area in the northwest corner with the trees.

The proposed building's shadow would not reach the Metropolitan Baptist Church on this analysis day.

For the final hour and 51 minutes of the analysis day, from 4:10 PM to 6:01 PM, new shadow would fall on a portion of the Adam Clayton Powell Jr. Mall between West 126th and 127th Streets (see **Figure 6-15**).

### **DECEMBER 21**

On December 21, shadows are longest, but move more quickly than in other seasons. The southern and eastern portions of the P.S. schoolyard are already in existing shadows throughout the day, and most of the northern portion as well in the afternoon. The proposed building's



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church

shadow would move west to east across the northern portion of the schoolyard between 9:30 AM and 1:20 PM, covering a large area for most of this period but leaving an area of remaining sunlight in the northern part (see **Figures 6-16 and 6-17**).

The proposed building's shadow would move across the southern portions of the St. Nicholas Houses open spaces for most of the analysis day. The shadow would enter the southwest corner of the superblock at 10:10 AM and move eastward over the course of the late morning and early afternoon across the landscaped areas, walkways and benches along West 127th Street and between the St. Nicholas buildings comprising the southernmost row of the development (see **Figures 6-16 and 6-17**). In the early afternoon incremental shadow would fall between the St. Nicholas buildings onto interior open space within the development (see **Figures 6-18 and 6-19**). For the final 23 minutes of the analysis day the proposed building's shadow would fall on a small portion of the St. Nicholas Playground North.

The proposed building's shadow would not reach the Metropolitan Baptist Church on this analysis day.

## E. CONCLUSIONS

The proposed building would cast new shadows on the P.S. 154 schoolyard in the middle of the day throughout the year, ranging in duration from approximately four to six hours depending on the season. Incremental shadows would also fall on a small section of the St. Nicholas Houses superblock containing landscaped areas, walkways and benches for an hour and 35 minutes in the late afternoon of the March 21/September 21 analysis day. For the final hour and 20 minutes of the March 21/September 21 analysis day a small area of new shadow would fall on the St. Nicholas Playground South. Additionally, in the last minutes of the of the March 21/September 21 analysis day, a shadow would move across the windows on the southern façade of the Memorial Baptist Church. On the December 21 analysis day when shadows are longest the proposed building's shadow would sweep west to east across the southern half of the St. Nicholas Houses superblock for most of the day, falling intermittently on different areas containing landscaping, benches, walkways and playgrounds. Finally, incremental shadows from the proposed project would fall on one of the Adam Clayton Powell Jr. Malls for the final 45 minutes of the March 21/September 21 analysis day, and on another one of the Malls for about an hour and 20 minutes on May 6/August 6 and about two hours on June 21.

According to the *CEQR Technical Manual*, a significant shadow impact generally occurs when an incremental shadow of 10 minutes or longer falls on a sunlight sensitive resource and results in one of the following:

### *Vegetation*

- A substantial reduction in sunlight available to a sunlight-sensitive feature of the resource to less than the minimum time necessary for its survival (when there was sufficient sunlight in the future without the proposed project).
- A reduction in direct sunlight exposure where the sensitive feature of the resource is already subject to substandard sunlight (i.e., less than minimum time necessary for its survival).

### *Historic and Cultural Resources*

- A substantial reduction in sunlight available for the enjoyment or appreciation of the sunlight sensitive features of a historic or cultural resource.



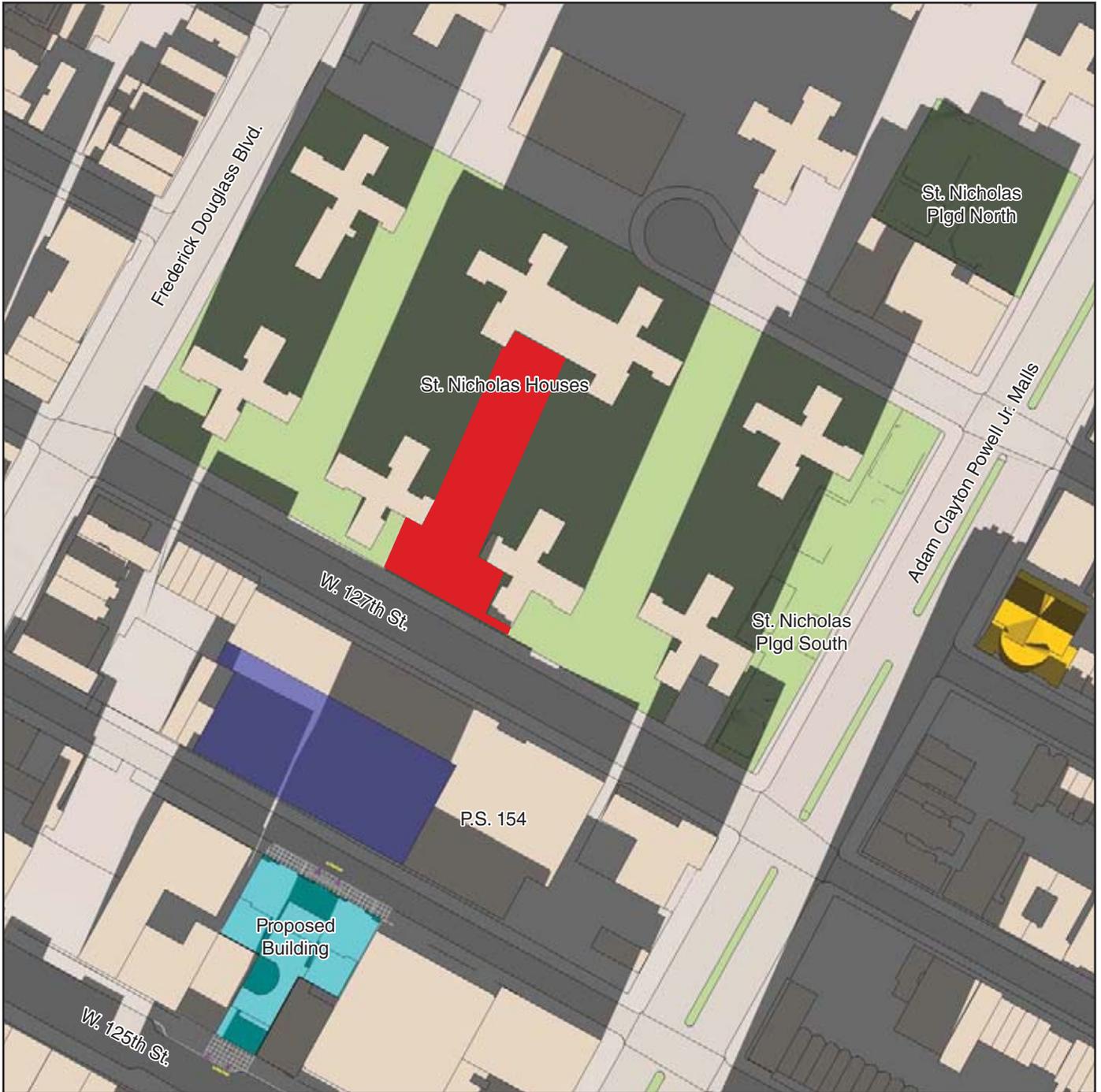
Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



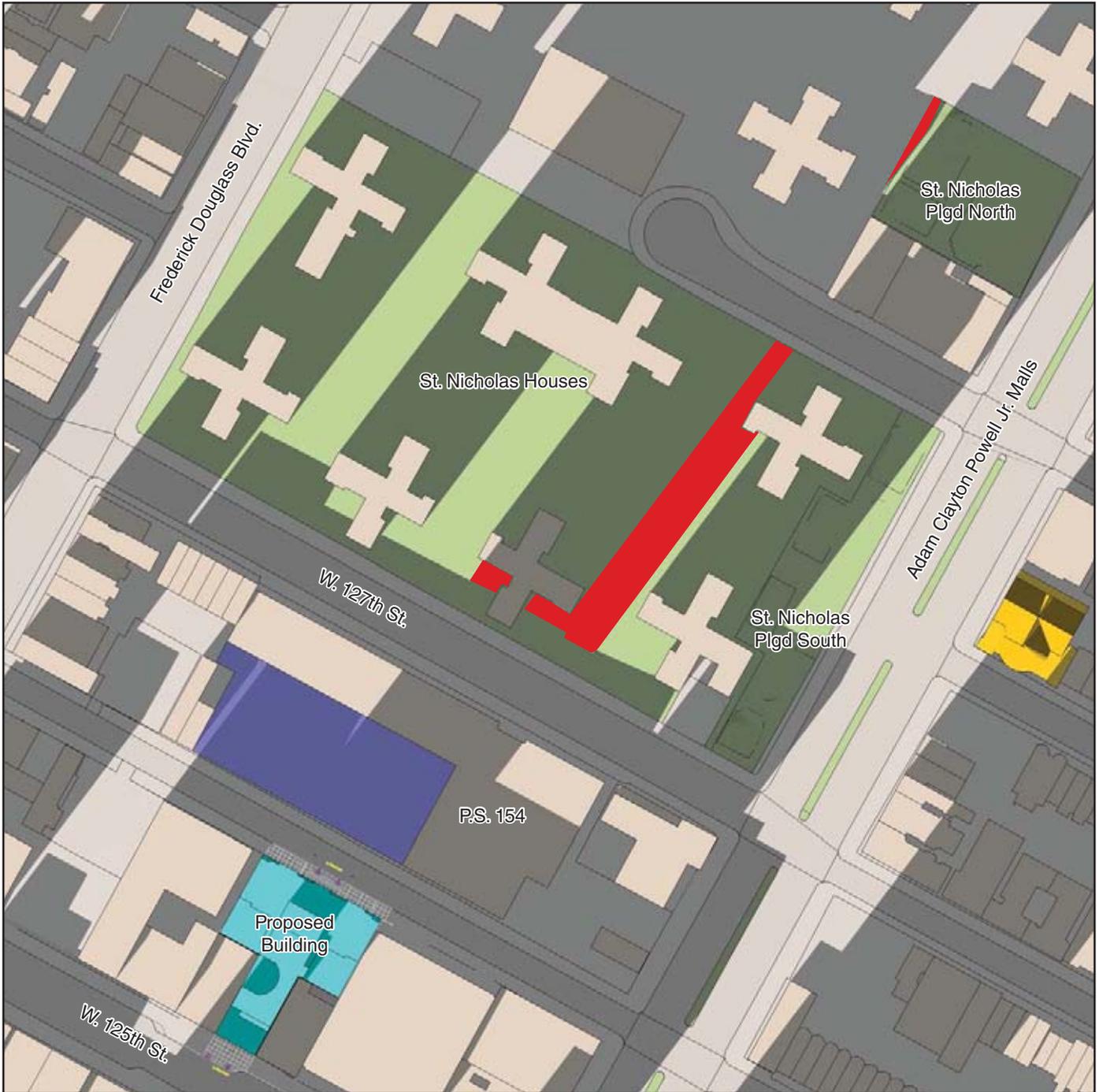
Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church



Note: Daylight Saving Time not used.

- Publicly-Accessible Open Space
- Incremental Shadow
- P.S. 154 School Yard
- Metropolitan Baptist Church

*Open Space Utilization*

- A substantial reduction in the usability of open space as a result of increased shadow (should cross reference with information provided in the Open Space analysis, regarding anticipated new users and the open space's utilization rates throughout the affected time periods).

*For Any Sunlight-Sensitive Feature of a Resource*

- Complete elimination of all direct sunlight on the sunlight-sensitive feature of the resource, when the complete elimination results in substantial effects on the survival, enjoyment, or, in the case of open space or natural resources, the use of the resource.

The area in the southeast corner of the St. Nicholas Houses superblock that would experience an hour and 20 minutes of new project-generated shadows in the afternoon of the March 21/September 21 analysis day would be in direct sunlight for virtually the entire remainder of the analysis day. Therefore, the new shadow would not cause significant adverse impacts on the vegetation there. For users wanting to sit in sun on the benches, there would be other sunlit areas containing benches adjacent to this area during the period when incremental shadow would fall there. Therefore, the new shadow would not cause significant impacts on the use of the space. Similarly, when new shadow would fall on a portion of the St. Nicholas Playground South for an hour and nine minutes at the end of the March 21/September 21 analysis day, other portions of the playground, and other nearby playgrounds, would be in sun.

The two Adam Clayton Powell Jr. Malls that would be shaded by the project in the late afternoons in the spring, summer and fall would be in direct sunlight for most of the remaining portion of those analysis days. The plantings would receive plenty of sunlight on these days, and therefore the project would not cause significant adverse impacts on these resources.

The incremental shadow falling on the southern façade of the Memorial Baptist Church would last for only 24 minutes at the end of the March 21/September 21 analysis day. For this analysis, this would represent the worst-case condition for the entire year. Even with the incremental shadow from the proposed project, portions of the façade that include stained glass windows would still receive direct sunlight for the majority of the March 21/September 21 day, and no shadows from the proposed project would reach the church at any other times of the year. The limited extent and short duration of incremental shadow would not result in a substantial reduction in sunlight. Therefore, the proposed project would not have a significant adverse shadow impact on this historic resource.

New project-generated shadows would fall on the P.S. 154 schoolyard for four hours in the winter and early summer, and for approximately five to six hours in the spring and fall. The detailed analysis shows that although the extent of new shadow would be large at times, 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. For the milder-weather analysis days (March/September and May) and times of day when the space experiences peak activity (between 10:30 AM and 12:30 PM) sunlight would continue to fall on portions of the schoolyard. With the exception of the northwest corner, the entire play area is paved and none of the features of the space are considered sunlight-dependent. 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 area in the northwest corner, separated by fencing and containing trees, would not experience substantial new shadow

on any analysis day, and there would not be significant shadow impacts on the vegetation in this space.

For these reasons the proposed project would not result in significant adverse shadows impacts.\*

**A. INTRODUCTION**

This chapter considers the potential of the proposed project to affect architectural and archaeological resources on the project site and in the surrounding area. The proposed project would result in redevelopment of the Victoria Theater site, which contains a vacant State-owned theater that has been determined eligible for listing on the State and National Registers of Historic Places. The Victoria Theater comprises two buildings. The South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater. The North Building is located on West 126th Street and contains the former auditorium and other accessory public spaces. The proposed project would retain, restore, and reuse the South Building as part of the proposed project and redevelop the site of the North Building with residential, hotel, commercial, and cultural uses in a new building. Among the objectives of the proposed project is to preserve and foster Harlem's cultural heritage through the retention and restoration, to the extent practicable, of significant elements of the Victoria Theater.

The historic and cultural resources analysis has been prepared in accordance with the State Environmental Quality Review Act (SEQRA) and under Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. This technical analysis follows the guidance of the 2010 *CEQR Technical Manual*.

**PRINCIPAL CONCLUSIONS***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. In comments dated June 21, 2012, LPC concurred that the project site has no archaeological significance (see Appendix A, "Correspondence"). Therefore, the proposed project would have no adverse impact on such resources.

*ARCHITECTURAL RESOURCES**Project Site*

Due to the historic significance of the Victoria Theater, the project sponsors have evaluated the potential for retaining and reusing the Victoria Theater in its entirety. As discussed in greater detail in Appendix B, "Historic Resources," meeting the project's cultural, community, and economic development goals and objectives through retention of the entire structure, with or without a new tower built above it, is not feasible. For reasons explained more fully in the alternatives analysis, it was determined that it is feasible to retain and restore the South Building as a major preservation component of the proposed project, but not feasible to retain and reuse

## Victoria Theater

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the North Building. Therefore, the project proposes to 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. The 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.

Mitigation measures are set forth in a Letter of Resolution (LOR) that has been executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law (the LOR is included in Appendix B.3). As detailed in the LOR, 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 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 would be developed in consultation with OPRHP and implemented by a professional engineer.

### *Study Area*

To avoid potential inadvertent construction-related impacts on the Apollo Theater, which is adjacent to the project site, the CPP to be prepared for the project would include measures to protect this resource.

The proposed project would not have any direct, physical or 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.

The Metropolitan Baptist Church—a historic resource located well outside of the 400-foot historic resources study area—would experience incremental shadows from the proposed project on its south-facing windows, as discussed in Chapter 6, "Shadows." However, the analysis shows that shadows would be of limited extent and short duration (24 minutes) on only the March 21/September 21 analysis day, and that there would be no shadows at other times of the year. Due to the limited extent and short duration of incremental shadow, the proposed project would not have a significant adverse impact on this resource.

## B. METHODOLOGY

### ARCHAEOLOGICAL RESOURCES

The study area for archaeological resources is defined as the area where subsurface disturbance would occur. For this project, the study area for archaeological resources is the site of the Victoria Theater. The North Building is proposed to be demolished and replaced with a new structure, and it is possible that subsurface excavation also could occur in the area of the South Building, which would be retained and restored. Specifically, the area below the basement of the South Building could be excavated to create more usable space at the basement level.

An initial assessment regarding archaeological concerns for this study area was requested from OPRHP. In a letter dated February 13, 2012, OPRHP indicated that they have no concerns regarding potential impacts on archaeological resources.

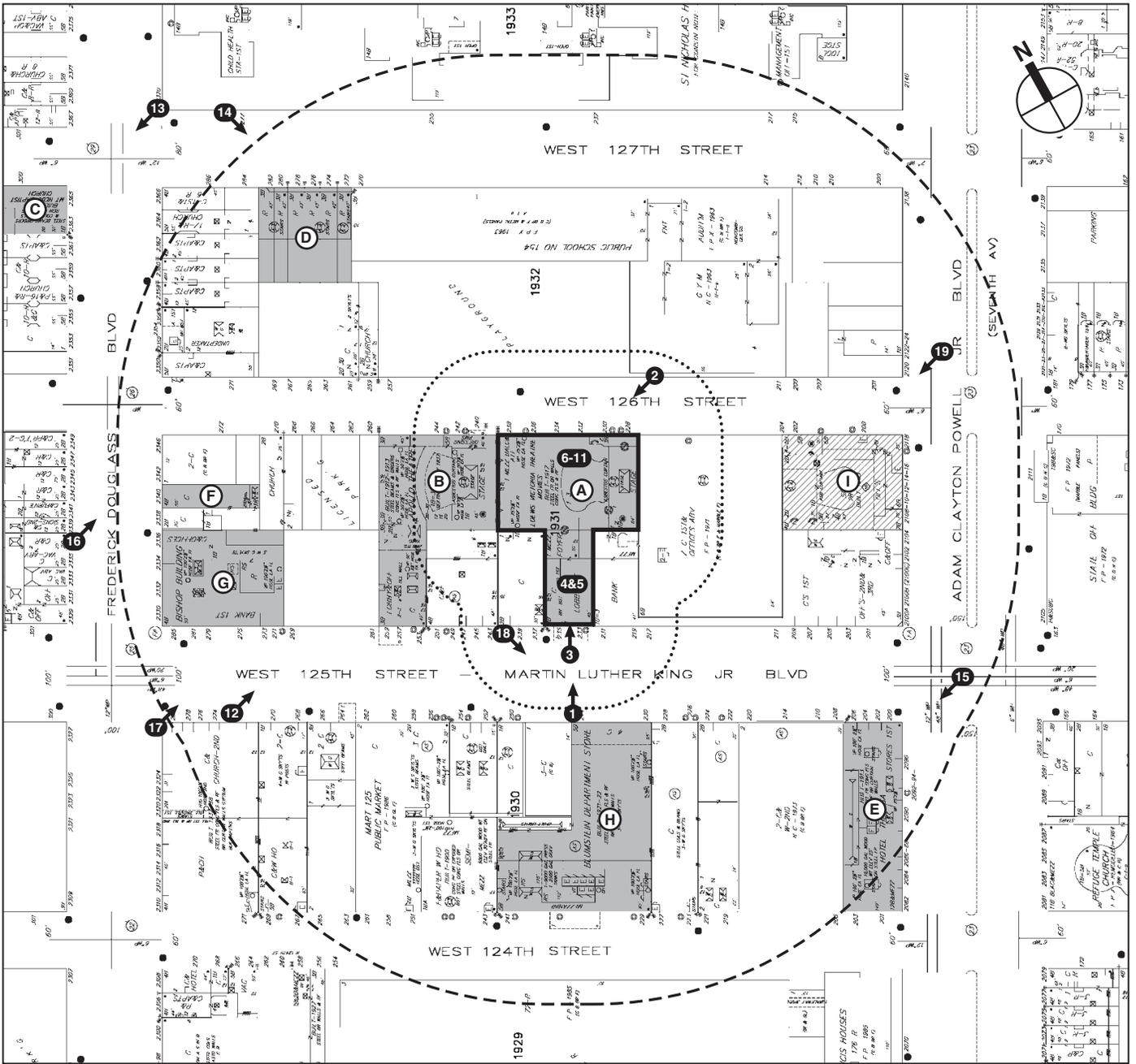
### ARCHITECTURAL RESOURCES

Study areas for architectural resources are determined based on an area of potential effect for construction-period impacts, such as ground-borne vibrations, and on the area of potential effect for visual or contextual effects, which is usually a larger area. The study area for this analysis has been defined as the project site and the area within 400 feet of the project site's boundaries (see **Figure 7-1**). This study area is consistent with the *CEQR Technical Manual's* methodology in developing study areas to assess an action's potential impacts on architectural resources, which indicates that the size of the study area should be directly related to the anticipated extent of the action's impacts.

To assess the potential impacts of the proposed project, an inventory of architectural resources in the study area was compiled. In accordance with CEQR guidelines, the inventory includes all officially recognized architectural resources. These resources ("known architectural resources") are defined as National Historic Landmarks (NHLs); properties or districts listed on the State and National Registers of Historic Places (S/NR), or previously determined to be eligible for such listing; New York City Landmarks (NYCLs) and Historic Districts (NYCHDs); and properties that have been considered for designation ("heard") by the New York City Landmarks Preservation Commission (LPC) at a public hearing, calendared for consideration at such a hearing ("pending" NYCLs), or found by LPC to appear eligible for designation.

In addition to identifying known architectural resources, an evaluation of the study area was undertaken to identify any "potential architectural resources;" that is, other buildings in the study area that could warrant recognition as architectural resources (properties that could be eligible for S/NR listing or NYCL designation). Properties were evaluated based on site visits by an architectural historian. Identification of potential architectural resources was based on criteria for listing on the National Register as found in the Code of Federal Regulations, Title 36, part 60, and the LPC criteria for NYCL/NYCHD designation.

Once the architectural resources in the study area were identified, the proposed project was assessed for its potential to have direct, physical impacts and/or indirect visual or contextual impacts on architectural resources. Direct impacts can include demolition of a resource or alterations to a resource that cause it to become a different visual entity. A resource could also be physically damaged from adjacent construction, either from vibration (i.e., from construction blasting or pile driving), or from falling objects, subsidence, collapse, or damage from construction machinery. Adjacent construction is defined as any construction activity that would



- Project Site Boundary
- Architectural Resources Study Area (400-Foot Perimeter)
- Resources to be Protected by CPP (90-Foot Perimeter)
- Photograph View Direction and Reference Number
- Known Architectural Resource
- Potential Architectural Resources

**Known Architectural Resources**

- (A) Victoria Theater (S/NR-eligible)
- (B) Apollo Theater (NYCL-interior and exterior, S/NR-listed)
- (C) Former Provident Loan Society of New York Branch Office (S/NR-eligible)
- (D) Rowhouses at 272-282 West 127th Street (S/NR-eligible)
- (E) Hotel Theresa (NYCL, S/NR-listed)
- (F) Amsterdam News Building (S/NR-eligible)
- (G) Bishop Building (S/NR-eligible)
- (H) Blumstein's Department Store (S/NR-eligible)

**Potential Architectural Resources**

- (I) The Alhambra



## Victoria Theater

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occur within 90 feet of an architectural resource, as defined in the New York City Department of Building's (DOB) *Technical Policy and Procedure Notice (TPPN) #10/88*.<sup>1</sup>

Indirect impacts are contextual or visual impacts that could result from project construction or operation. As described in the *CEQR Technical Manual*, indirect impacts could result from blocking significant public views of a resource; isolating a resource from its setting or relationship to the streetscape; altering the setting of a resource; introducing incompatible visual, audible, or atmospheric elements to a resource's setting; or introducing shadows over a historic landscape or an architectural resource with sun-sensitive features that contribute to that resource's significance (e.g., a church with stained-glass windows).

The setting of each architectural resource, including its visual prominence and significance in publicly accessible views, whether it has sun-sensitive features, and its visual and architectural relationship to other architectural resources, was taken into consideration for this analysis.

## C. EXISTING CONDITIONS

### ARCHAEOLOGICAL RESOURCES

As detailed above, OPRHP has reviewed the archaeological sensitivity of the project site and indicated that they have no concerns regarding potential impacts on archaeological resources.

### ARCHITECTURAL RESOURCES

#### *PROJECT SITE*

The project site is occupied by the Victoria Theater, which has been determined eligible for S/NR listing by OPRHP. LPC indicated that the Victoria Theater did not appear eligible for LPC designation in correspondence dated August 10, 2012. The theater comprises two Neoclassical-style buildings, constructed in 1917 and designed by noted theater architect Thomas W. Lamb (see **Figures 7-2** through **7-7**). The South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater. The North Building is along West 126th Street and contains the former auditorium and other accessory public spaces.

The Victoria Theater is historically and architecturally significant under National Register Criteria A and C, as one of Harlem's surviving vaudeville and motion picture theater buildings.<sup>2</sup> It is one of the few theaters of Lamb's early career remaining in New York City. Originally opened as Loews Victoria, the theater served as a vaudeville and movie house with over two

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<sup>1</sup> TPPN #10/88 was issued by DOB on June 6, 1988, to supplement Building Code regulations with regard to historic structures. TPPN #10/88 outlines procedures for the avoidance of damage to historic structures resulting from adjacent construction, defined as construction within a lateral distance of 90 feet from the historic resource.

<sup>2</sup> **Criterion A:** Properties that possess integrity and are associated with events that have made a significant contribution to the broad patterns of our history. **Criterion C:** Properties that possess integrity and embody distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.



Victoria Theater—South Building, view from West 125th Street 1



Victoria Theater—North Building, view from West 126th Street 2



Recessed Entrance on West 125th Street 3



View south within South Building Lobby to W. 125th Street 4



View north in the South Building to the balcony in the foyer. Water infiltration has resulted in the collapse of the ceiling finishes above and below the balcony **5**



View within Theater 2 in the North Building, showing stamped metal ceiling of balcony above and original columns, as well as partition walls and new seating dating to the 1980s partitioning of the auditorium **6**



7 Auditorium ceiling at the balcony level, obscured by drop ceiling. Anchors for the drop ceiling have been inserted through the historic plaster.



8 Hallway constructed in the 1980s leading from the foyer to Theater 5 (located in the former backstage area of the auditorium). Water infiltration has resulted in the deterioration of wall and ceiling surfaces.



View within Theater 5 in the former backstage area of the auditorium showing partitions and new seating installed in the 1980s during the partitioning of the auditorium. Water damage has resulted in the collapse of ceiling finishes.

9



South hallway on the second floor of the North Building. Water infiltration has led to the collapse of historic and modern finishes.

10



South wall of the auditorium in the location of Theater 3 at the balcony level. The south mural has been removed and a large section of modern wall and ceiling finishes have fallen with the original finishes damaged beneath. **11**

thousand seats. For roughly half a century, it was one of the most celebrated theatres in the area. The Victoria Theater was one of four contiguous vaudeville houses on West 125th Street, along with the Apollo Theater, the Harlem Opera House, and the Alhambra Theater. Together, the four theaters were known as Harlem's "Opera Row." Along with its neighboring theaters, the Victoria contributed to the reputation of 125th Street and Harlem as a world-class entertainment district.

The Victoria Theater continued in use as a film theater until 1977, when Loews determined it was no longer economically viable to operate the theater and put the building up for sale. The Harlem Urban Development Corporation (HUDC), 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. It has been vacant since 1997. Following is a description of the buildings' existing conditions, which are summarized from a conditions assessment report prepared by Building Conservation Associates, Inc. in 2011<sup>1</sup> (see Attachment A of the Victoria Theater Alternatives Analysis study, contained as Appendix B.1 of this EIS). This report constituted an update of conditions that were documented in a conditions report prepared by Page Ayres Cowley Architects in 2008<sup>2</sup> (see Appendix B.2 of this EIS).

#### *South Building*

The South Building has an approximately 5,000-square-foot footprint and is three stories tall. As described above, it contains the main façade of the Victoria Theater fronting on West 125th Street. Above the first floor the façade retains its original white glazed terra-cotta. The façade has three large window bays separated by Ionic pilasters, a frieze, and a denticulated cornice (see View 1 of **Figure 7-2**). The façade is capped with a balustrade parapet. The windows are original wood sash but are deteriorated beyond repair. The terra-cotta cladding also is deteriorated, with cracks, discrete elements missing, and with the steel rod and hook attachments to the structural wall corroded. A number of the balusters at the parapet are also missing and a flag pole, originally centered on the roof, has been removed. The original 1917 marquee has been altered. The vertical blade sign has been removed, and the current marquee is hung from the frame of the original horizontal marquee, with portions of the original marquee's steel frame concealed within the current marquee.

The building has a recessed entrance, vestibule, lobby, and a foyer with a grand staircase that provides access to a balcony lobby. The walls of the recessed entrance and vestibule were modernized in the Art Deco style, most likely in the 1930s (see View 3 of **Figure 7-3**). The original ticket booth—a circular free-standing element centered in the recessed entrance—and a show window to the east of it have been removed. The existing ticket booth, rolling gates, entrance doors, tiled walls and tile floor at the entrance are alterations to the original structure.

The lobby and foyer have had some historic elements removed, though historic finishes have been uncovered beneath contemporary wall and floor treatments. The lobby has a decorative Adamesque ceiling (see View 4 of **Figure 7-3**). The original flooring in the lobby has been removed. Arches containing mirrors were originally located on both the east and west walls; the arches remain behind the current wall cladding, though the mirrors have been removed. The

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<sup>1</sup> *Victoria Theater Conditions Assessment Update*, prepared by Building Conservation Associates, Inc., December 2011.

<sup>2</sup> *Victoria Theater, 233 West 125th Street, Harlem, NY Existing Condition Report*, prepared by Page Ayres Cowley Architects, October 10, 2008.

## Victoria Theater

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historic doors leading from the lobby to the vestibule and the foyer have been removed; the doors leading to the foyer were of copper with leaded panes. The foyer is a two-story space that retains the original marble staircase, though some of the stair treads and railing balusters have been replaced with wooden elements. The original terrazzo flooring is present beneath the carpeting and much of the imitation stone wall treatment is also assumed to be extant. At the east end of the foyer, a fireplace has been removed. Commercial spaces along West 125th Street flank the lobby to the east and west. While a retail space was originally present west of the lobby, the area east of the lobby was originally a tunnel leading from the interior (and extant) courtyard.

The ceilings at the recessed entrance, vestibule, lobby, foyer, and balcony hallway have been altered through the removal of illuminating panels. The ceiling materials have largely collapsed in the balcony hallway (see View 5 of **Figure 7-4**).

The second and third floors possess little or no historic materials due to previous alterations, and are in very poor condition, with wall and ceiling surfaces having largely collapsed.

### *North Building*

The North Building has an approximately 15,000-square-foot footprint and is primarily occupied by the auditorium, an approximately three-story-high space. The North Building presents a plain brick façade with a fire escape on West 126th Street. Within this building, the auditorium is oriented east-west, with the proscenium at the east end of the building. The auditorium was designed with mezzanine and balcony levels, and the auditorium walls and ceiling were highly ornamented. The auditorium had theater boxes on the north and south walls near the proscenium and two large canvas murals at the balcony level. The 1985 renovations created three cinemas on the ground (orchestra) floor, two in the auditorium (theaters 1 and 2) and one in the stage/backstage area (theater 5), and two on the second (first mezzanine) floor (theaters 3 and 4). See View 6 of **Figure 7-4**, View 9 of **Figure 7-6**, and View 11 of **Figure 7-7**). At that time, the walls were covered in gypsum wallboard and ceilings obscured by dropped ceilings bolted to the original plaster ceiling above. Original fluted columns and the underside of the balcony, which is of stamped metal, are still visible in theaters 1 and 2 (see View 6 of **Figure 7-4**). The theater boxes and first mezzanine seating have been removed and the south mural is no longer extant. Probes undertaken on the north wall of the auditorium indicate that the north mural exists, though it has been damaged by water and metal wallboard anchors and is sagging. Probes also revealed that the decorative plaster ceiling of the auditorium is present but has been damaged by the anchors for the dropped ceiling (see View 7 of **Figure 7-5**).

At the west end of the building on the second floor (the first mezzanine level) is a central oval foyer flanked to the north and south by smaller stair foyers accessed by sets of stairs at the northwest and southwest corners of the building. Though the oval foyer has been substantially altered, it retains a higher degree of integrity than the auditorium. These alterations include the removal of a central opening in the floor (to the floor below) that was surrounded by a balustrade (shown on the original drawings for the theater, though it is not clear if the oval foyer was built with this configuration), removal of a central medallion that had a decorative ventilation grille in the center of the ceiling (replaced by the existing circular portrait), and removal of a small anteroom located on the west side of the oval foyer with access originally provided from this room. This small room also had a fireplace that has been removed. The opening from the oval foyer to the west anteroom was blocked up and this room was incorporated into expanded bathroom facilities. New entries to the bathrooms were created along the west wall in the locations where niches previously contained water fountains. The wall mosaics currently

existing in the north and south stair foyers that compose backdrops for the present water fountains were relocated from these niches. In their original locations in the oval room, the mosaics served as backdrops to free-standing water fountains. The mosaics have been altered through the addition of stone basins affixed to the mosaics. The stair foyers have decorative plaster cove ceilings, containing Adamesque motifs. The staircases retain their original decorative metal balustrades.

Alterations to other spaces in the North Building have taken place, including the removal of windows in the west promenade on the third floor, creation of a projection booth in the balcony, construction of bathrooms, removal of the rear portion of the seating on the first floor to create offices, and construction of hallways to access the ground floor cinemas (see photo 8 of **Figure 7-5**).

In general, the wall and ceiling surfaces in the North Building exhibit varying degrees of deterioration (see photo 8 of **Figure 7-5**, **Figure 7-6** and **Figure 7-7**). These include the loss and collapse of wall and ceiling surfaces due to water infiltration and the presence of mold. In particular, the south hallway on the second floor (first mezzanine level) has sustained substantial ceiling collapse and the metal framing above is corroded, rendering passage through this area impossible (see View 10 of **Figure 7-6**). A large section of the wall and ceiling finishes on the south wall at the auditorium balcony level have also fallen (see View 11 of **Figure 7-7**).

#### *STUDY AREA*

##### *Known Resources*

As described below, there are seven known architectural resources in the study area.

The **Apollo Theater** (S/NR-listed, NYCL-interior and exterior) is located at 253 West 125th Street between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard, immediately adjacent to the project site (see View 12 of **Figure 7-8**). Designed in 1913 by George Keister, the three-story four-bay building has a Neoclassical façade clad in white glazed terra-cotta dominated by pilasters, large windows, and a marquee. Originally known as Hurtig & Seamon's New (Burlesque) Theater, the structure contained a café and cabaret in the basement, a burlesque theater and store on the ground floor, a restaurant on the second floor, and meeting rooms on the third floor. Despite remodeling campaigns from the 1930s-1970s, the building retains much of its historic character, including interior features such as its large auditorium with classical ornamentation and rare two-tiered balcony.

The Apollo Theater is significant for its role as a prominent theater in New York City and an important center for African-American culture. According to its S/NR nomination form, the building "became the premier performance hall for black American performers and a symbol of the movement to promote black cultural awareness in the 1930s. Its contribution as a nurturing force and a showcase of black talent ranks it as one of the country's most significant cultural resources." According to former LPC Chairman Kent L. Barwick, the Apollo "is unparalleled in shaping both the careers of major black performers and a variety of forms of American entertainment." The Apollo is still in use today as a performance venue.

The former **Provident Loan Society of New York branch office** (S/NR-eligible) located on the southwest corner of Frederick Douglass Boulevard and West 127th Street, is a one story, Neoclassical style, yellow brick building featuring large windows with decorative terra-cotta pediments and surrounds (see View 13 of **Figure 7-8**). The building is surmounted by a wide bracketed and denticulated cornice. The firm of Renwick, Aspinwall & Tucker designed the



Apollo Theater, view north from West 125th Street 12



Former Provident Loan Society of New York branch office 13

## Victoria Theater

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structure, which was built in 1916. The Provident Loan Society of New York was founded in 1894 in their original location on what is now East 25th Street and Park Avenue South. Provident opened many branches throughout the city from the 1910s through the 1930s, and most of these branches were designed by this firm.

This building, like many of the other Provident branch offices, was sold and adapted for another purpose. The entity that bought this building from Provident in 1943 was the Mount Neboh Baptist Church. Since then the building has served as a house of worship, mostly for the Mount Neboh Baptist congregation; currently, the building houses the congregation of the Greater Zion Hill Baptist Church.

The row of six brownstone-clad rowhouses at **272-282 West 127th Street** (S/NR-eligible), along the south side of the street between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard, was built ca. 1880 (see View 14 of **Figure 7-9**). Originally part of a rowhouse development that occupied both sides of West 127th Street between Seventh and Eighth Avenues, these residences were typical of the high-style rowhouse developments that proliferated in Harlem during the last two decades of the 19th century. The rowhouses exhibit elements of the Anglo-Italianate and Renaissance Revival styles. Each residence is three-and-a-half stories in height and three bays wide with a high stoop leading to an off-set entryway. Substantial door and window surrounds with bracketed pediments are decorated with incised ornament. The main doorways are occupied by wood double-doors. The windows have been retrofitted with one-over-one-light double-hung sash. The buildings are surmounted with a heavy bracketed cornice. A projecting full-height bay distinguishes 282 West 127th Street, the westernmost residence. Three of the six rowhouses appear to be vacant, including one rowhouse that has been boarded up with plywood.

The **Hotel Theresa** (NYCL, S/NR-listed), at 2090 Adam Clayton Powell, Jr. Boulevard, was constructed in 1912-1913. It is one of the most prominent buildings in Harlem and a major work by the designing firm of George and Edward Blum. Erected as Harlem's most prestigious hotel, the building's white brick and terra-cotta façades are adorned with distinctive geometric ornament (see View 15 of **Figure 7-9**). The Theresa Hotel was a segregated establishment until 1940, when the discriminatory policy was dropped and it began hosting black celebrities and the social events of Harlem's African-American community. The building also contained at one time the offices of A. Philip Randolph's March on Washington Movement and Malcolm X's Organization of Afro-American Unity. In 1960, Fidel Castro stayed at the hotel while he was in New York for the opening session of the United Nations. The building currently has retail uses on the ground floor and mainly office uses above.

Located at 2340 Frederick Douglass Boulevard between West 125th and 126th Streets, the structure now known as the **Amsterdam News Building** (S/NR-eligible) is a four-story four-bay brick rowhouse designed in the Neo-Romanesque style (see View 16 of **Figure 7-10**). The ground story of the main façade consists of a simple glass frontage surmounted by a full-width sign bearing the words "New York Amsterdam News" in antique lettering. There are four round-arch windows on the second story, while the upper story windows have wide flat sills and lintels. Multiple bands of stone and corbelled brick create a textured façade. The building is surmounted by a heavy bracketed cornice.

Built in the late 19th century, the building was most likely constructed as a mixed-use commercial-residential building. The association of the building with the important African-American newspaper, the *Amsterdam News*, began in 1938. The *Amsterdam News* was founded in 1909 by James Henry Anderson. Anderson began printing the paper with almost no capital,



Rowhouses at 272-282 West 127th Street 14



Hotel Theresa, view southwest from West 125th Street and Adam Clayton Powell, Jr. Boulevard 15



Amsterdam News Building, view northeast from Frederick Douglass Boulevard 16



Bishop Building, view north from West 125th Street 17

out of the basement of his home on West 65th Street, “with six sheets of paper, a lead pencil, and a dressmaker’s table” belonging to his wife. The *Amsterdam News* relocated its headquarters and production space to 2293 Seventh Avenue (Adam Clayton Powell Jr. Boulevard) in 1916. Following financial troubles that ensued after a labor strike, the owners sold the paper in 1936 to C. B. Powell and William M. H. Savory, and the new owners relocated the newspaper in 1938 to the present headquarters. At the height of its circulation in the 1960s, the circulation of the *Amsterdam News* was roughly 100,000; it became known as one of the four most important black newspapers in the United States, along with the *Chicago Defender*, the *Pittsburgh Courier*, and the *Afro-American*. In the 1970s, the newspaper was sold to a group of African-American businessmen including Borough President Percy Sutton, financier Clarence Jones, and Wilbert A. Tatum. Historic photographs indicate that the building’s vertical marquee has been moved from the north side to the south side of the building, and the shopfront has been altered slightly. The building is still in use by the *Amsterdam News*.

The **Bishop Building** (S/NR-eligible) is a four-story brick office and retail building located on the northeast corner of West 125th Street and Frederick Douglass Boulevard, west of the project site (see View 17 of **Figure 7-10**). The structure was built in 1906 and designed by prominent architect Ernest Flagg in an understated expression of the Beaux Arts style. It has twelve bays on the west façade and fifteen bays on the south façade, with shop fronts along the ground-story. The second story has large windows arranged in groups of three or six and united under projecting stone lintels. The upper two stories of the building have windows arranged in groups of two with simple stone sills and brick lintels with pronounced stone keystones. The windows contain retrofitted one-over-one-light double-hung sash. The structure has a simple projecting stone cornice surmounted by a shallow brick parapet. The easternmost three bays of the building on the south façade are distinguished from the rest of the building under a peaked parapet with a flat stone cap; at cornice level, this section is flanked with small round medallions bearing the letter ‘B’ for ‘Bishop’ and ornamented with garlands and other decorative features.

Cortlandt Field Bishop was an art collector and automobile enthusiast who lived in New York City. In 1905, Bishop traveled to France to pursue his interest in flying balloons. In the same year, he helped found the Aero Club America (ACA) and became the organization’s European agent. After returning to New York, Bishop became the president of the ACA and threw the weight of his organization into supporting the Wright Brother’s efforts to develop their “flying machine.” Bishop constructed the building at 2330 Frederick Douglass Boulevard as a commercial and office building, the use in which it remains today. While many of Flagg’s best known commissions are more ornate, his use of restrained Beaux-Arts detailing and functional design in the Bishop Building is characteristic of his often utilitarian approach to both tenement and office buildings. Along with the Scribner Bookstore and the Little Singer Building, the Bishop Building appears to be one of Flagg’s few surviving commercial/office-use commissions in New York City. Currently, the building has retail uses on the ground floor and office space (currently vacant) above.

**Blumstein’s Department Store** (S/NR-eligible and NYCL eligible), located across West 125th Street from the project site, between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard, is a five-story, eleven-bay building, designed by Robert D. Kohn and Charles Butler in what Christopher Gray of the *New York Times* describes as “an odd amalgam of late Art Nouveau and early Art Deco” styles (see View 18 of **Figure 7-11**). Completed in 1923, the building has a tripartite façade faced in limestone. The three middle stories are ornamented with extensive and intricate copper detailing and surmounted by a copper awning. The window openings are occupied by one-over-one-light double-hung metal sash. As Gray describes,



Former Blumstein's Department Store, view south from West 125th Street 18



The Alhambra, view southwest from Adam Clayton Powell Jr. Boulevard 19

## Victoria Theater

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“Instead of the usual cornice at the roof, the architects installed two flagpoles on bases, reminiscent of the work of the Secessionist movement in Germany and Austria around 1910.” The flagpoles are no longer extant. Historic renderings show that a nameplate “L.M. Blumstein” was originally located on the shallow parapet between the two bronze flagpole bases. This was removed and replaced, probably in the 1940s with the current large vertical marquee appended on the east side of the façade bearing the name “Blumstein” in neon block letters. This vertical marquee is currently covered by signage for Touro College, the tenant of the building’s upper floors. The ground story originally had large display windows surmounted by an awning; today it is occupied by four different retailers, each of which has a separate modern storefront.

While Blumstein’s Department Store is architecturally distinguished, the building is most important as the largest and most prominent store in Harlem through most of the 20th century and as the setting for several significant events in New York City’s civil rights history. During the Depression, Blumstein’s was singled out as a target of the “Buy-Where-You-Can Work” boycott, as one of the most important businesses in Harlem. The success of the boycott led to the organization of the Greater New York Coordinating Committee for Employment, and in 1938 an agreement for non-discriminatory hiring practices was achieved with several major businesses including Woolworth’s, Kress, and A.S. Beck. By the late 1940s, Blumstein’s had reversed its reputation for discriminatory hiring practices and began to distinguish itself as a model for equal employment practices. Under the ownership of Jack Blumstein in 1948, the department store was the first to warrant a “seal of approval” from the Consumer Arbitration Board for fair practices in the sale of merchandise and the employment of African-Americans. It has also been recognized as the first store to have custom-designed black mannequins in its display windows, as well as the first to have black Santa Clauses receiving children at Christmas. In 1958, Blumstein’s once again made national news when it became the site for the stabbing of Dr. Martin Luther King, Jr., during a book signing for *Stride Toward Freedom*. The Blumstein Building was sold by the family in 1976.

### *Potential Resources*

One potential architectural resource has been identified within the project’s study area.

The **Alhambra Theatre** (2108 Adam Clayton Powell Jr. Boulevard, at the southwest corner of West 126th Street and Adam Clayton Powell Jr. Boulevard) opened in 1903 as the Harlem Auditorium. Starting in 1905, it was operated as the Alhambra Theatre by B.F. Keith with mainly vaudeville shows until 1913 when it turned to movies. As described above, the Alhambra was one of four contiguous vaudeville theaters—along with the Apollo Theater, Harlem Opera House, and the Victoria Theater—that became known as Harlem’s “Opera Row.” The Alhambra later operated as the RKO Alhambra Theatre, the main showcase for RKO movies in the Harlem area. RKO closed the theater from 1931-1934 during the Depression. The building included a dance/music hall (originally called Paradis de Danse) as well as a theater and was the location of performances by Bessie Smith, Jelly Roll Morton, Billie Holliday, and Nina Simone, among others. As of 1965, it was reported to be the new home of the Most Worshipful King Solomon Grand Lodge, AF & AM; however, an article from 1987 notes that the building had been closed for 30 years. In 1988, it was reported that the Lodge was undertaking a renovation of the entire building and would occupy a portion of the structure, and the Department of Motor Vehicles would open a branch office in the basement and bottom two floors of the building. The Department of Motor Vehicles operated a branch office in the building until at least 1996 and possibly as late as 2004. A restaurant that recently operated on the first floor has closed.

Currently, a bowling alley operates on the third and fourth floors of the building, and the former dance hall is in use as an event space on the uppermost floors.

The Alhambra Theatre was designed by theater architect John B. McElpatrick. It is faced with red brick above the 2nd floor and masonry below, with neoclassical stone detail (see View 19 of **Figure 7-11**). As of 1913, the building's main entrance was a one-story rectangular element which extended out from the center point of the Seventh Avenue (now Adam Clayton Powell Jr. Boulevard) façade. At that time the building also had a vertical marquee spelling out "Alhambra" and two signs projecting above and below this marquee, all centered above the main entrance. The building appears to have had significant alterations since 1913. A rooftop addition has been developed—possibly as part of the ca. 1988 renovations undertaken by the Lodge—that incorporates a former decorative parapet above the sixth floor. The rooftop addition includes what appears to be an elevator bulkhead along the Adam Clayton Powell Jr. Boulevard. A large cornice above the fifth floor and a smaller cornice above the sixth floor have been removed, as have the vertical marquee and two projecting signs and the projecting main entrance element. Building entrances on both façades, and windows on the secondary (West 126th Street) façade have been removed or altered, and the ground floor has been refaced. The theater lobby was renovated ca. 1948, while the building still included that use, and the building's ca. 1988 renovations for the Lodge and DMV use are likely to have removed other original material from the interior of the building. The current bowling alley use on the upper floors also is likely to have removed original interior building elements, and there are three new projecting signs for this use on the upper levels of the building's façades.

## **D. THE FUTURE WITHOUT THE PROPOSED PROJECT**

### **PROJECT SITE**

Absent the proposed project, the Victoria Theater is expected to remain in a vacant and deteriorated state, and there would be no subsurface excavation on the project site. In any case, OPRHP has determined that the site is not sensitive for archaeological resources.

### **STUDY AREA**

None of the developments under construction or planned within the project's neighborhood are within the 400-foot study area for this analysis.

## **E. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

### **ARCHAEOLOGICAL RESOURCES**

OPRHP has determined that the proposed project would not impact archaeological resources on the project site. Therefore, the proposed project would have no adverse impacts on archaeological resources, and no further analysis of such resources is warranted.

### **ARCHITECTURAL RESOURCES**

#### *PROJECT SITE*

As described above, 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,

## Victoria Theater

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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. Every 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.

The proposed project would involve the demolition of the North Building and the restoration of the South Building. Since the demolition of the North Building would constitute an adverse impact to a S/NR-eligible property, alternatives to the proposed project were explored that would retain all or portions of the Victoria Theater. This alternatives analysis is provided in Appendix B.

### *Summary of Alternatives Analysis*

The alternatives analysis explored the potential for the Victoria Theater to be retained and reused in its entirety without overbuild; overbuilding the Victoria Theater with new construction, to accommodate the proposed development program; and retaining a small portion of the auditorium or dividing it into smaller spaces. The alternatives analysis concluded that the retention and reuse of the Victoria Theater in its entirety to avoid significant adverse impacts on the historic resource is not feasible due to multiple factors. There is no viable projected use for the auditorium; the size and configuration of the auditorium does not meet the needs of Harlem's cultural community and the space would not be readily adaptable for another use; and the Victoria Theater does not contain sufficient floor area to fit the proposed program. Overbuilding the Victoria Theater with new construction to accommodate the proposed development program was also determined to be infeasible. Any overbuild would require selective demolition within the North Building to accommodate structural supports, which would damage and remove historic architectural elements and also dramatically increase construction costs. Furthermore, the retention of the auditorium, for which no viable use has been identified, the impact its retention would have on the Project's ability to provide essential services for a mixed-use development that includes residential and hotel uses, in addition to the cost premiums associated with the structural overbuild, would render this alternative infeasible. Retention of a small portion of the auditorium or dividing it into smaller spaces would have little preservation value, would not meet the needs of the cultural partners, and would also result in significant additional costs to retain and overbuild the space. In summary, retention and reuse of the South Building and demolition of the North Building has been determined the only feasible and prudent alternative that would meet the project's cultural, community, and economic development goals and objectives while respecting Harlem's cultural heritage and retaining an important component of West 125th Street's historic streetscape.

Demolition of the North Building would constitute a significant adverse impact on historic resources. The 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. Therefore, mitigation measures have been developed among the project sponsors, HCDC, ESD, and OPRHP. These mitigation measures are set forth in the LOR that has been executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law (the executed LOR is included in Appendix B.3). As detailed in the LOR, 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 and staircase; 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.”

*Proposed Project Design*

The North Building would be replaced with a new 26-story building containing primarily cultural, hotel, and residential uses (see **Figures 7-12** and **7-13**). The South Building would be retained, with the façade, certain first floor spaces, and marble staircase restored to their 1917 appearance (see **Figures 7-14** and **7-15**). This would include recreation of the original vertical blade sign and restoration of the horizontal marquee to its historic appearance. The restored lobby and foyer of the South Building would serve as the public entryway to the cultural events and the hotel. In this manner, the project would retain the original historic purpose of the lobby as the entryway to an entertainment venue.

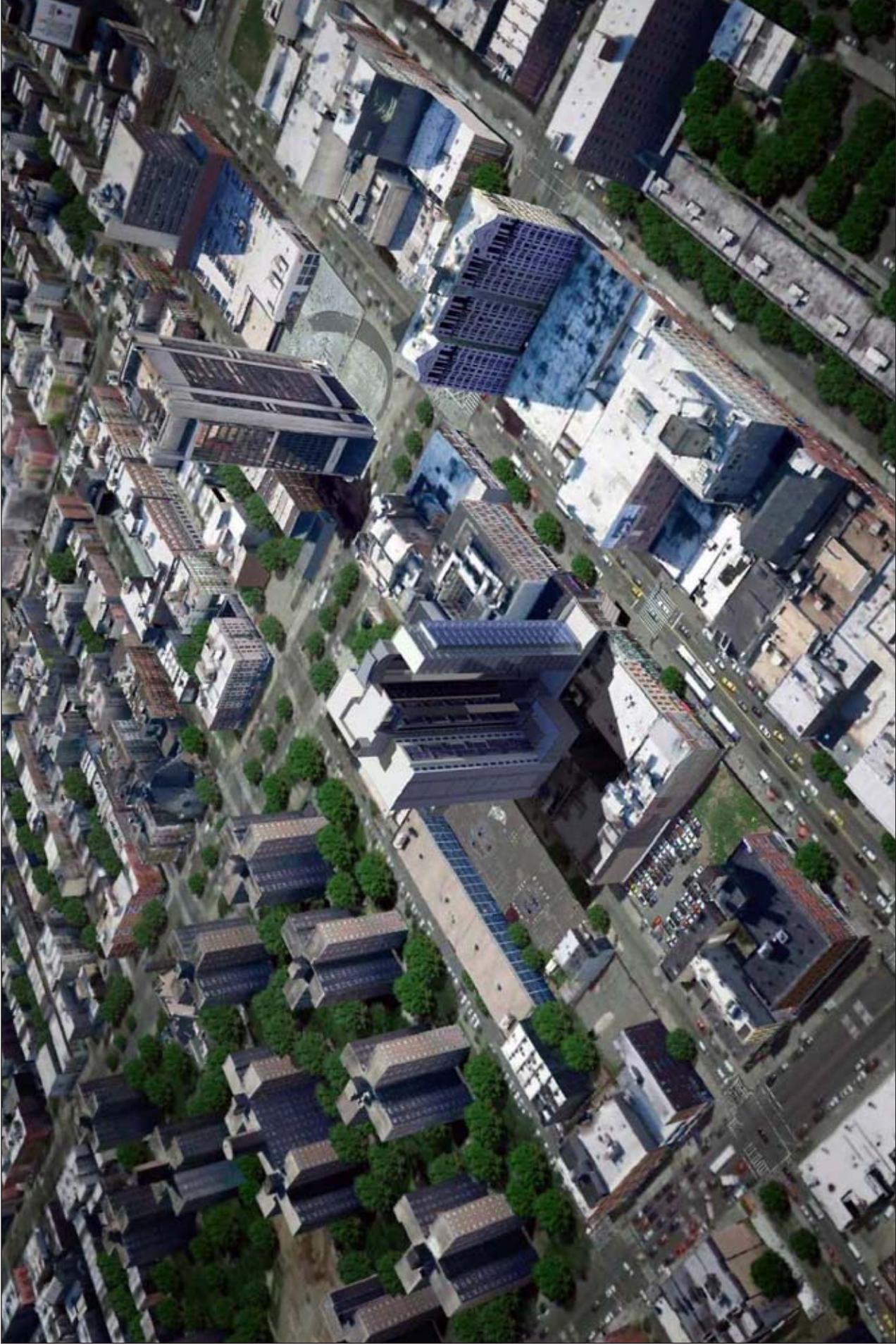
To meet the cultural programming needs of the Harlem community, cultural program space would be included in the proposed project. This would include a 199-seat black box theater and a flexible 99-seat performing arts space to be located in the new building. These adaptable spaces would include movable seating and allow for a variety of presentations, including in the round. Support spaces would include rehearsal space, dressing rooms, and scenery and costume shops. Office space would also be provided for the four cultural partners. There would also be gallery and exhibition space. Retail spaces would be located on the ground floor of the South Building on either side of the historic lobby (in the locations of the current retail spaces, one of which is vacant), as well as on the second floor. The new building on West 126th Street would also include retail on its ground and second floors.

The entrance to the residential portion of the new building would be provided on West 126th Street (see **Figures 7-16** and **7-17**). A visually transparent, glazed curtain wall with pedestrian entrances would also allow access to the retail space and provide an alternate entrance into the restored foyer and lobby and the cultural events spaces and hotel located in the new building. The presence of ground-floor retail use and the visually transparent wall along West 126th Street would activate and significantly improve the streetscape and pedestrian environment on this portion of the street.

The new building 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 new building, setting the bulk of the building away from the adjacent low-rise buildings located to the west on West 125th Street, including the historic Apollo Theater.



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



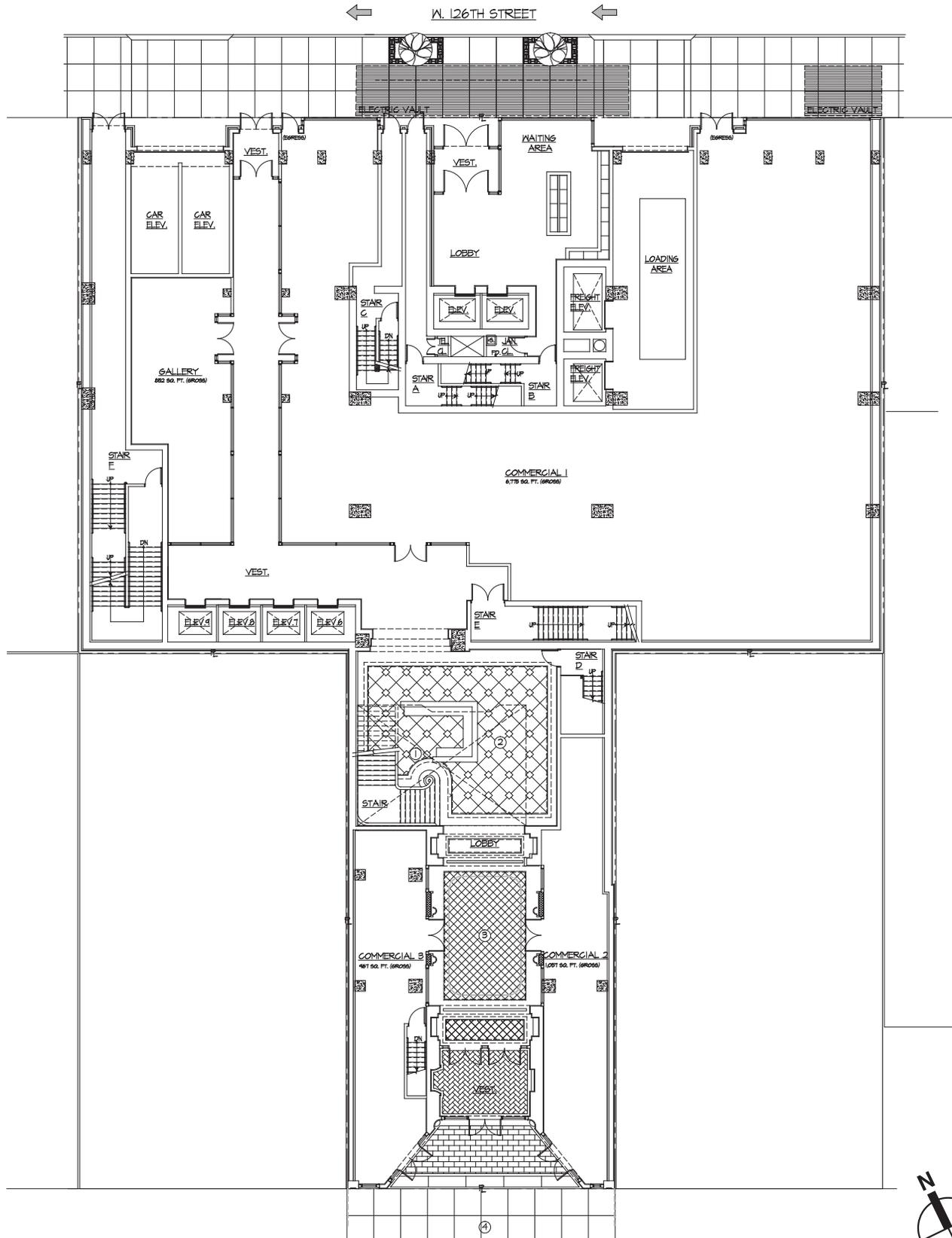
Illustrative Rendering of Proposed Project, Birdseye View  
Figure 7-13



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY





NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

## Victoria Theater

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### *Construction Protection Plan*

Since the proposed project would result in new construction and renovation activities at the Victoria Theater, the proposed project would comply with LPC's *Guidelines for Construction Adjacent to a Historic Landmark* as well as the guidelines set forth in section 523 of the *CEQR Technical Manual* and the procedures set forth in DOB's TPPN #10/88. This includes a CPP that will be prepared prior to construction activities and submitted to OPRHP for review and approval.

### *STUDY AREA*

The proposed project would result in construction activities within 90 feet of the Apollo Theater. Therefore, the CPP to be prepared for the proposed project would include measures to ensure that the Apollo Theater is not affected by ground-borne construction vibrations or other potential construction-related activities. None of the other architectural resources in the study area are close enough—within 90 feet—to experience direct, physical impacts from construction of the proposed project.

The proposed redevelopment of the Victoria Theater site would not adversely affect the historic context of architectural resources in the study area. The façade of the South Building—and thus the theater's main entrance and public viewing point, on West 125th Street—would be restored to its 1917 appearance. This would have a positive effect as it would restore and revitalize an important historic component of West 125th Street. Construction on the site of the North Building would remove the back-of-house façade of the theater on West 126th Street. As described above, this side of the building presents a plain brick façade with a fire escape and is adjacent to the similarly plain back-of-house façade of the Apollo Theater. As the principal façade and entrance of the Apollo Theater are also on West 125th Street, it is not expected that the removal of the North Building would adversely impact the Apollo Theater. There is also no visual relationship between the façade of the North Building and the other architectural resources in the study area (aside from the Apollo Theater described above).

The proposed project would not isolate any architectural resources from or significantly alter their setting or visual relationship with the streetscape, and would not introduce incompatible visual, audible, or atmospheric elements to the setting of any architectural resource. As described in greater detail in Chapter 8, "Urban Design and Visual Resources," the architectural resources in the study area exist in a built context that includes both short and older structures as well as more recently constructed and taller buildings, including the 19-story State Office Building at the southeast corner of Adam Clayton Powell Jr. Boulevard and the St. Nicholas Houses north of West 127th Street. The project has been designed to step back from West 125th Street, which would respect both the historic 125th Street façade of the Victoria Theater and the low-scale nature of the architectural resources on West 125th Street, including the Apollo Theater. The project would not alter any character-defining features of the architectural resources in the study area. In addition, the proposed project would not eliminate or screen publicly accessible views of any architectural resource.

The Metropolitan Baptist Church—a historic resource located well outside of the 400-foot historic resources study area—would experience incremental shadows from the proposed project on its south-facing windows, as discussed in Chapter 6, "Shadows." However, the analysis shows that shadows would be of limited extent and short duration (24 minutes) on only the March 21/September 21 analysis day, and that there would be no shadows at other times of the

year. Due to the limited extent and short duration of incremental shadow, the proposed project would not have a significant adverse impact on this resource.

Overall, the project would 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 affordable performing arts space. As detailed above, the proposed project would not result in any significant adverse impacts on architectural resources in the study area. \*

**A. INTRODUCTION**

This chapter considers the effects of the proposed project on urban design and visual resources. The proposed project would result in redevelopment of the Victoria Theater site, which includes a vacant State-owned theater that has been determined eligible for listing on the State and National Registers of Historic Places. The Victoria Theater comprises two buildings. The South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater. The North Building is located on West 126th Street and contains the former auditorium and other accessory public spaces. The proposed project would retain, restore, and reuse the South Building as part of the proposed project and redevelop the site of the North Building. The total project would comprise approximately 385,000 square feet (sf) of residential, hotel, retail, parking, and cultural uses in a new building.

Under the *CEQR Technical Manual*, urban design is defined as the totality of components that may affect a pedestrian's experience of public space. These components include streets, buildings, visual resources, open spaces, natural resources, and wind. An urban design assessment under CEQR must consider whether and how a project may change the experience of a pedestrian in a project area. The *CEQR Technical Manual* guidelines recommend the preparation of a preliminary assessment of urban design and visual resources, followed by a detailed analysis, if warranted based on the conclusions of the preliminary assessment. The analysis provided below addresses urban design characteristics and visual resources for existing conditions and the future without and with the proposed project.

**PRINCIPAL CONCLUSIONS**

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 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.

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.

Overall, this analysis concludes that the proposed project would not have any significant adverse impacts related to urban design and visual resources.

### **B. PRELIMINARY ASSESSMENT**

Based on the *CEQR Technical Manual*, a preliminary assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. Examples include projects that permit the modification of yard, height, and setback requirements, and projects that result in an increase in built floor area beyond what would be allowed ‘as-of-right’ or in the future without the proposed project.

To facilitate the redevelopment of the project site, a number of discretionary actions would be required, including zoning overrides for total floor area, Floor Area Ratio (FAR), maximum building height, maximum base height, permitted number of residential units, and required square footage per parking space. Therefore, as the proposed project would be expected to result in physical alterations beyond those allowed by existing zoning, it meets the threshold for a preliminary assessment of urban design and visual resources.

The *CEQR Technical Manual* guidelines state that if the preliminary assessment shows that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed analysis is appropriate. Examples include projects that would potentially obstruct view corridors, compete with icons in the skyline, or make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings. Detailed analyses also are generally appropriate for area-wide rezonings that include an increase in permitted floor area or changes in height and setback requirements, general large-scale developments, or projects that would result in substantial changes to the built environment of a historic district or components of a historic building that contribute to the resource’s historic significance. Conditions that merit consideration for further analysis of visual resources include when the project partially or totally blocks a view corridor or a natural or built visual resource and that resource is rare in the area or considered a defining feature of the neighborhood; or when the project changes urban design features so that the context of a natural or built visual resource is altered (i.e., if the project alters the street grid so that the approach to the resource changes; if the project changes the scale of surrounding buildings so that the context changes; or if the project removes lawns or other open areas that serve as a setting for the resource).

Compared to the future without the proposed project, the proposed project could potentially make noticeable alterations to the streetscape of the surrounding area by noticeably changing the

scale of buildings and would remove a portion of the Victoria Theater, a historic building. Therefore, the proposed project would meet the threshold for a detailed assessment of urban design and visual resources. This analysis is provided below.

### C. METHODOLOGY

As defined in the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian’s experience of public space. This detailed assessment considers the effects of the proposed project on the experience of a pedestrian in the study area. The assessment focuses on those project elements that have the potential to alter the built environment, or urban design, of the project area, which is collectively formed by the following components:

- Streets—the arrangement and orientation of streets define location, flow of activity, street views, and create blocks on which buildings and open spaces are arranged. Other elements including sidewalks, plantings, street lights, curb cuts, and street furniture also contribute to an area’s streetscape.
- Buildings—a building’s size, shape, setbacks, pedestrian and vehicular entrances, lot coverage and orientation to the street are important urban design components that define the appearance of the built environment.
- Visual Resources—visual resources include significant natural or built features, including important view corridors, public parks, landmark structures or districts, or otherwise distinct buildings.
- Open Space—open space includes public and private areas that do not include structures including parks and other landscaped areas, cemeteries, and parking lots.
- Natural Features—natural features include vegetation, and geologic and aquatic features that are natural to the area.

The *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions for projects that would result in the construction of large buildings at locations that experience high wind conditions (such as along the waterfront, or other location where winds from the waterfront are not attenuated by buildings or natural features), which may result in an exacerbation of wind conditions due to “channelization” or “downwash” effects that may affect pedestrian safety. The project site is not on the waterfront and is not in a location that experiences high wind conditions. Therefore, a pedestrian wind conditions analysis is not warranted.

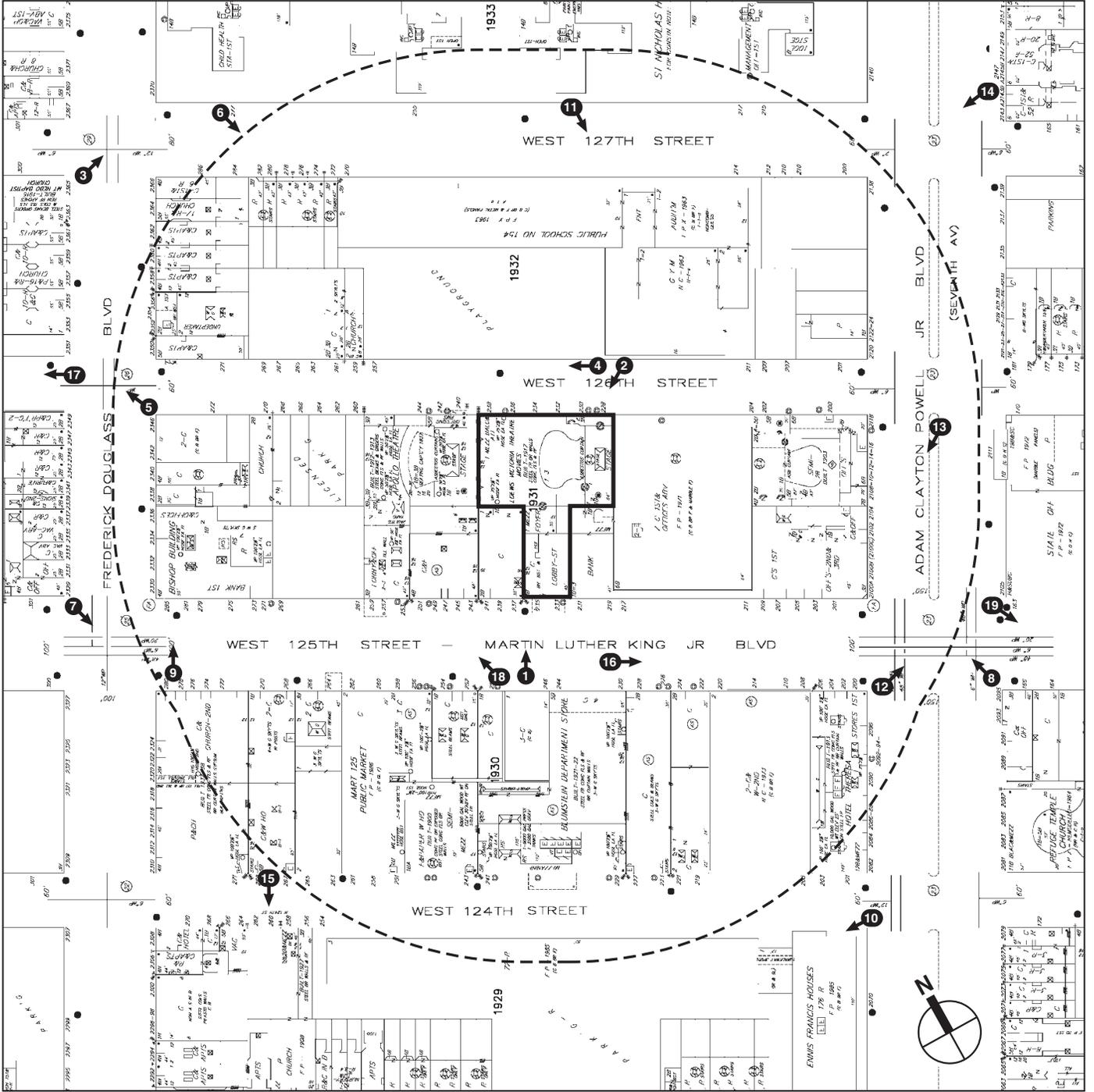
The study area for the urban design and visual resources analysis has been defined as the area within 400 feet of the project site (see **Figure 8-1**). This study area roughly extends from West 127th Street to the north, West 124th Street to the south, Adam Clayton Powell Jr. Boulevard to the east, and Frederick Douglass Boulevard to the west. Views to taller buildings outside the study area that are available within the study area’s viewshed are also considered.

### D. EXISTING CONDITIONS

#### URBAN DESIGN

##### *PROJECT SITE*

The project site is composed of the Victoria Theater, which is located on the north side of West 125th Street midblock between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard (See Views 1 and 2 of **Figure 8-2**). The project site is a T-shaped through lot with approximately 50 feet of frontage on the north side of West 125th Street and 150 feet of frontage



-  Project Site Boundary
-  Study Area (400-Foot Perimeter)
-  Photograph View Direction and Reference Number



Urban Design and Visual Resources Reference Map  
Figure 8-1



Victoria Theater—South Building, view from West 125th Street 1



Victoria Theater—North Building, view from West 126th Street 2

Photographs of Project Site,  
Views 1 and 2  
Figure 8-2

## Victoria Theater

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on the south side of West 126th Street. The Victoria Theater comprises two Neoclassical-style buildings. The South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater. It has a footprint of approximately 5,000 sf and is three stories (approximately 45 feet) tall. The North Building is located on West 126th Street and contains the former auditorium and other accessory public spaces. It has a footprint of approximately 15,000 sf and is three stories (approximately 78 feet) tall. The North Building presents a plain brick façade with a fire escape on West 126th Street. The South Building contains two ground floor retail storefronts facing West 125th Street, under the theater's marquee. The storefront on the east side of the building is currently vacant. The storefront on the west side of the building is currently occupied by a nail salon. The Victoria Theater fully covers its lot. The project site is currently underbuilt relative to its allowable FAR under current zoning, at a built FAR of approximately 4.5 and an allowable FAR of 5.16.

### *STUDY AREA*

The street pattern in the study area generally follows the typical Manhattan grid, with wide (100-150 foot) avenues running north-south and narrow (60-80 foot) cross streets running east-west, creating long, wide blocks. West 125th Street, at 100 feet wide, is an exception to this pattern. Just north of the study area, the street pattern is interrupted by a superblock bounded by West 127th and 131st Streets and Frederick Douglass and Adam Clayton Powell Jr. Boulevards. This superblock, approximately 15.63 acres in size, contains the New York City Housing Authority (NYCHA) St. Nicholas Houses, which includes thirteen 14-story (120-foot-tall), X-plan buildings set back from the streetlines within a landscaped campus (see View 3 of **Figure 8-3**). West 129th Street extends west partially into this site, which also contains surface parking lots, play yards, meandering pedestrian paths, basketball courts, and the red-brick, decorative Salem Methodist Episcopal Church at the northwest corner of West 129th Street and Adam Clayton Powell Jr. Boulevard.

The major pedestrian and vehicular thoroughfares in the study area are West 125th Street, Adam Clayton Powell Jr. Boulevard, and Frederick Douglass Boulevard. West 125th Street is Harlem's main retail and commercial artery, and thus the wide sidewalks along this busy two-way, 100-foot-wide corridor are typically filled with shoppers. Adam Clayton Powell Jr. Boulevard is a 150-foot-wide, north-south oriented, two-way street with a landscaped median; Frederick Douglass Boulevard is 100 feet wide, north-south oriented, and carries traffic in both directions. The other streets in the area are one-way and narrower (60-80 feet wide). During field visits, very few pedestrians were observed along West 124th, 126th, and 127th Streets, where there are no retail storefronts.

The topography of the area is generally flat, with a very slight rise from east to west. There are no natural features in the study area. Open space within the study area is limited to the Clayton Williams Community Garden at the northwest corner of West 126th Street and Frederick Douglass Boulevard; the paved play yard of the Harriet Tubman Learning Center (P.S. 154, described below), facing the north side of the project site on West 126th Street is also in the study area but is not accessible to the general public (see Views 4 and 5 of **Figure 8-4**). At the northern edge of the study area, the St. Nicholas Houses, as described above, have open spaces, play equipment, and basketball courts for residents. Due to the small number of open spaces in the area, vegetation is mainly limited to street trees and the landscaped median on Adam Clayton Powell Jr. Boulevard. Thus, the study area is distinctly urban in its visual character, with streets flanked by concrete sidewalks. Parked cars are located on most streets; along the north side of West 127th Street between Frederick Douglass and Adam Clayton Powell Jr. Boulevards, cars



St. Nicholas Houses, view northeast from West 127th Street and Frederick Douglass Boulevard 3



P.S. 154 play yard, view west from West 126th Street 4



Clayton Williams Community Garden, view west from Frederick Douglass Boulevard 5

Photographs of Study Area,  
Views 4 and 5  
Figure 8-4

are parked perpendicular, rather than parallel, to the street. There are typical street furniture elements (e.g., bus shelters, newspaper bins) and modern lampposts throughout the study area, and some large signage on the sides and façades of buildings. Along West 125th Street, the lampposts are a unique, rectangular design in brown-painted metal, reflecting the special status of this corridor. A number of New York City Transit (NYCT) bus routes run along West 125th Street, as well as Frederick Douglass and Adam Clayton Powell Jr. Boulevards, and thus there are a number of bus stops and shelters located at regular intervals along these streets.

Within the study area, building heights, footprint sizes, and lot coverages vary. Some buildings—predominantly the older buildings built as residential or mixed-use structures—have small footprints, are less than 6 stories tall, are located on small, narrow lots (no more than 25 feet wide), and occupy only the front portion of their lot, leaving the rear yard areas open (see Views 6 and 7 of **Figure 8-5**). Others, including P.S. 154, the Adam Clayton Powell Jr. State Office Building, and the St. Nicholas Houses, are taller and/or have large footprints, and occupy very large, through-block sites but only cover a portion of their lot, with the remaining portions reserved for play yard, public plaza, or open space uses. Most of the commercial buildings in the study area have medium-sized footprints, are located on medium-size lots, and fully cover their lot (see Views 8 and 9 of **Figure 8-6**). Footprint shapes are mostly rectangular but also include the X-shaped St. Nicholas Houses. Late 19th- and early 20th-century buildings are typically clad in brick, with more contemporary structures faced with a mix of concrete, cast stone, brick, and glass.

Above the ground-floor level, many buildings along West 125th Street contain retail or office space, some of which is occupied by non-profit organizations and government agencies. In addition, most of the storefronts that face West 125th Street occupy block-through lots. As a result, the south side of West 126th Street and the north side of West 124th Street include the rear of these buildings, which function as service areas—many of these buildings have curb cuts and loading entrances on these frontages (see View 10 of **Figure 8-7**). The lack of storefronts or other pedestrian-related uses on these streets contributes to the low levels of observed pedestrian activity. In addition to retail uses, West 125th Street contains a variety of cultural and institutional uses, many of which are historically important to the Harlem neighborhood, including the Apollo Theater and the Studio Museum in Harlem. As described in more detail in Chapter 2, “Land Use, Zoning, and Public Policy,” the West 125th Street corridor was rezoned in 2008 to increase residential and commercial density. This rezoning established urban design controls that reflect the special context of West 125th Street. Specifically, the maximum allowable building height in the C4-7 zoning district within the Core Subdistrict (where the project site is located) was set at 195 feet, to reflect concerns that arose through the public review process.

Other major developments in the study area include P.S. 154, which as noted above is located midblock between West 126th and 127th Streets and Frederick Douglass and Adam Clayton Powell Jr. Boulevards. P.S. 154 is a Modernist-style, 3-story building clad in concrete with large blue panels and constructed in 1963. The long, rectangular structure has its main entrance on West 127th Street, facing the St. Nicholas Houses (see View 11 of **Figure 8-8**). Its paved play yard is enclosed by chain link fencing on West 126th Street (see View 4, above). At the eastern edge of the study area is the Adam Clayton Powell State Office Building, a 19-story (251-foot-tall) building clad in concrete and dark glass. The building is sited at the northwest corner of its lot, set back from West 125th Street (see View 12 of **Figure 8-9**). It is surrounded to the south and east by a paved plaza that includes a colorful mural attached to adjacent buildings and a statue of Powell. The Hotel Theresa, at the southwest corner of West 125th Street and Adam



View east on West 127th Street, from Frederick Douglass Boulevard 6



South side of West 125th Street, view from Frederick Douglass Boulevard 7

Photographs of Study Area,  
Views 6 and 7  
Figure 8-5



View to northwest corner of Adam Clayton Powell Jr. Boulevard and West 125th Street 8



View north on West 125th Street, near Frederick Douglass Boulevard 9

Photographs of Study Area,  
Views 8 and 9  
Figure 8-6



View west on West 124th Street from Adam Clayton Powell Jr. Boulevard 10



P.S. 154, main entrance on West 127th Street 11

Adam Clayton Powell Jr. State Office Building,  
view north from West 125th Street

12



Clayton Powell Jr. Boulevard, is one of the most prominent buildings in Harlem, both culturally and architecturally. It is 13 stories (172 feet in height), and its gleaming white brick and terracotta façades are adorned with distinctive geometric ornament (see View 13 of **Figure 8-10**). The study area also includes a new 7-story residential building at the southwest corner of West 127th Street and Adam Clayton Powell Jr. Boulevard, clad in brick, concrete, and metal panels, and a mixed-use building that hosts the Aloft Hotel at the southeast corner of West 124th Street and Frederick Douglass Boulevard (see Views 14 and 15 of **Figure 8-11**). The Aloft Hotel building is 12 stories tall (six stories of hotel, six stories of residential use) and clad in red brick.

At 19 stories (251 feet) in height, the Adam Clayton Powell State Office Building is the tallest building in the study area, followed by the St. Nicholas Houses at 14 stories (120 feet) and the Hotel Theresa at 13 stories (172 feet). Other tall residential buildings in Harlem that are within the study area's viewshed include, looking north from West 125th Street and Adam Clayton Powell Jr. Boulevard, the Esplanade Gardens Cooperative, a series of four towers topping out at 27 stories (246 feet) in height, located at Adam Clayton Powell Jr. Boulevard and West 147th Street; and the NYCHA Drew Hamilton Houses, a series of five 21-story (181-foot-tall) buildings on a site at West 141st Street and Adam Clayton Powell Jr. Boulevard. Looking east from this location, two of the four 35-story (328-foot-tall) buildings of the Taino Towers complex at East 122nd to 123rd Streets between Second and Third Avenues can be seen in the distance, as can the 32-story (321-foot-tall) 1990 Lexington Avenue tower. Taller commercial buildings in Harlem that can be seen looking east from West 125th Street and Adam Clayton Powell Jr. Boulevard include the 14-story (184-foot-tall) 55 West 125th Street; the Koch Building (described below) and the 10-story (132-foot-tall) Harlem Center building at West 125th Street and Malcolm X Boulevard. Looking west along West 125th Street and Frederick Douglass Boulevard, the 10-story Hotel Trades Union Building can be seen, as well as the NYCHA Grant Houses in the distance (described below) and the newly constructed 12-story (119-foot-tall) Balton Houses at West 127th Street between Frederick Douglass Boulevard and St. Nicholas Avenue. Looking south from West 125th Street and Frederick Douglass Boulevard, the new 12-story (120-foot-tall) residential building at 2280 Frederick Douglass Boulevard can be seen just south of the Aloft building, and looking north from this location the top levels of the 29-story (244-foot-tall) Lionel Hampton Houses can be seen, located approximately six blocks north of the project site, as well as the Drew Hamilton complex.

### **VISUAL RESOURCES**

Visual resources are an area's unique or important public view corridors, vistas, or natural or built features. These can include historic structures, parks, natural features (such as rivers), or important views.

#### *PROJECT SITE*

While the West 125th Street façade of the Victoria Theater is considered a visual resource, due to its low scale and siting (flush with adjacent buildings) it is not particularly prominent or distinct in surrounding views, except in close proximity on West 125th Street. From the sidewalks adjacent to the project site, the main façade, vertical sign, and marquee of the adjacent Apollo Theater can be viewed, as can Blumstein's Department Store at 230 West 125th Street on the south side of West 125th Street. Views west along West 125th Street end with the 13-story (131-foot-tall) NYCHA Grant Houses in the distance. Views east along the street include the Adam Clayton Powell Jr. State Office Building and the Hotel Theresa in the near distance, and one of the East River anchorages for the Triborough (now the Robert F. Kennedy) Bridge in the far distance (see View 16 of **Figure 8-12**).

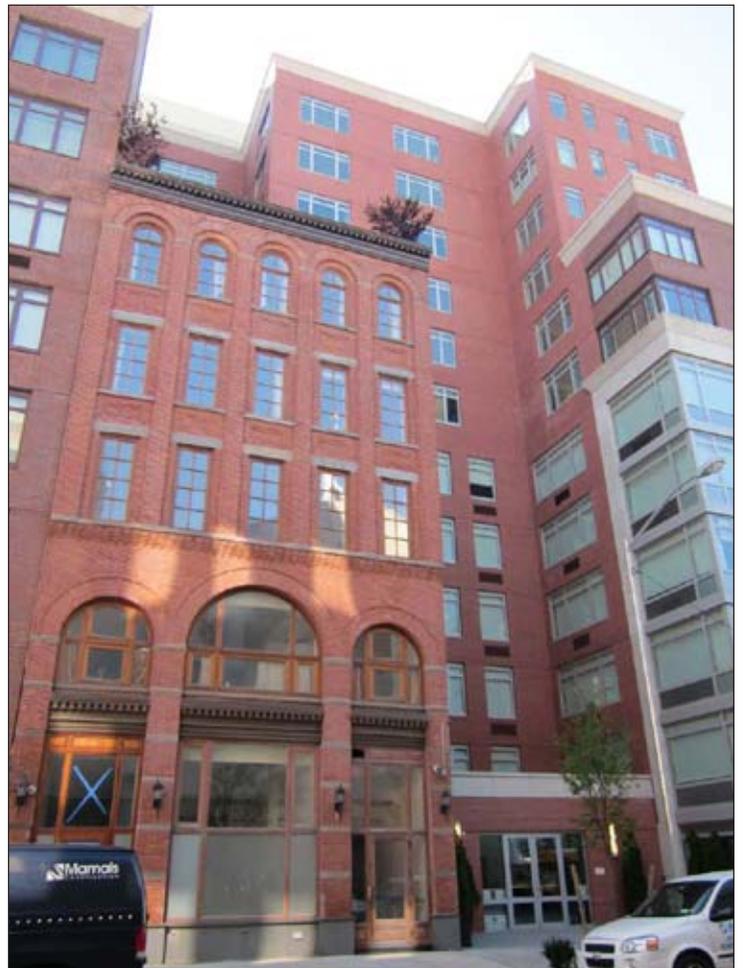
Hotel Theresa, view south from  
Adam Clayton Powell Jr. Boulevard

13



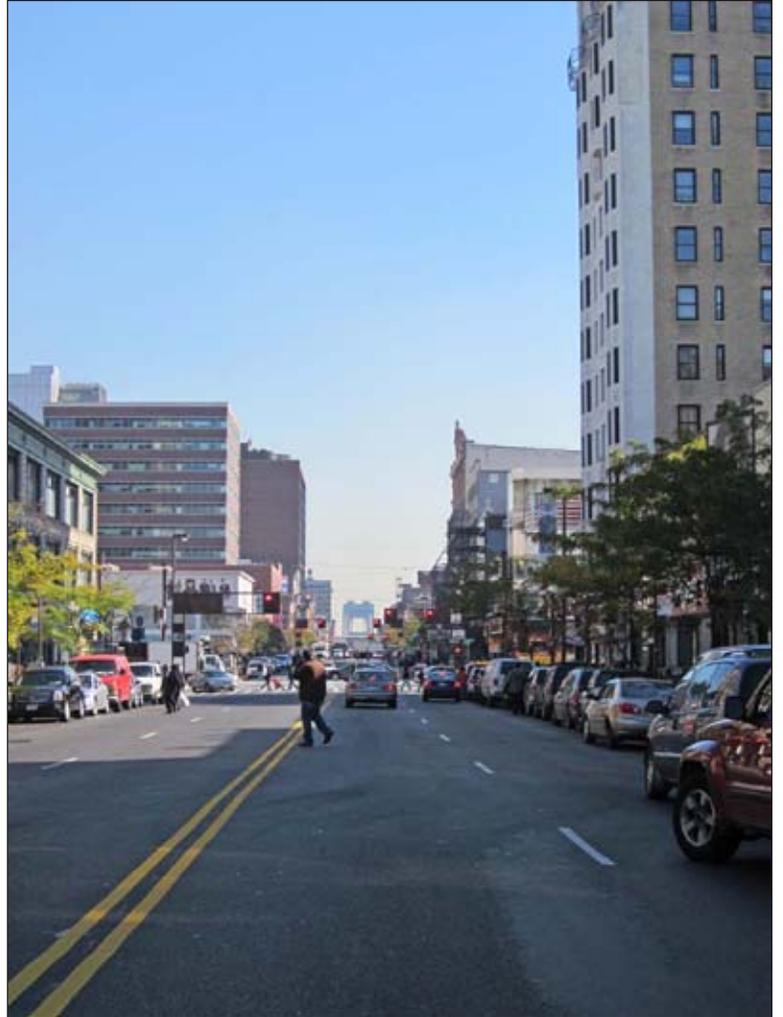


New condominium at southwest corner of West 127th Street and Adam Clayton Powell Jr. Boulevard 14



Aloft Hotel, view from West 124th Street 15

Photographs of Study Area,  
Views 14 and 15  
Figure 8-11



View east on West 125th Street 16

### *STUDY AREA*

Within the study area, views north and south along Frederick Douglass Boulevard continue for long distances but do not contain any distinctive features. Because it is surrounded by lower-scale development, the Adam Clayton Powell Jr. State Office Building is visible throughout much of the study area. The Hotel Theresa's bright white brick and terra-cotta façade and height relative to lower-scale surrounding development make this building also notable in views from Adam Clayton Powell Jr. Boulevard and portions of West 125th Street. Views west on West 124th, 125th, and 126th Streets terminate at the NYCHA Grant Houses, as West 125th Street angles to the north west of Morningside Avenue around the superblocks containing that development (see View 17 of **Figure 8-13**). Views west on West 126th Street also include the decorative façade of P.S. 157, located on St. Nicholas Avenue (see View 18 of **Figure 8-14**). Views east on West 124th and 127th Streets continue for long distances, with no distinctive elements; views east from West 126th Street include the Adam Clayton Powell Jr. State Office Building. From West 126th Street looking north, the towers of the St. Nicholas Houses can be seen above low-scale P.S. 154. From the north side of the intersection of West 125th Street and Adam Clayton Powell Jr. Boulevard, the decorative façade of the 6-story H.C.F. Koch and Company Building at 132 West 125th Street on the south side of West 125th Street can be seen (see View 19 of **Figure 8-15**). As described above, taller residential and commercial buildings within Harlem also are visible from within the study area.

## **E. THE FUTURE WITHOUT THE PROPOSED PROJECT**

### **PROJECT SITE**

Absent the proposed project, the Victoria Theater site is expected to remain largely vacant and could continue to deteriorate. The tenant occupying the storefront on the west side of the building would be expected to remain in the building. As it would be only partially occupied, the project site would remain an underutilized part of the West 125th Street commercial corridor.

### **STUDY AREA**

None of the developments under construction or planned within the project's Central Harlem neighborhood are located within the 400-foot study area for this analysis. There are developments expected to occur outside of the study area, however, that could result in more prominent structures that would be visible from the study area including a new 10-story mixed-use building at 2135-2139 Adam Clayton Powell Jr. Boulevard and a new shopping center at 2329 Frederick Douglass Blvd that is nearing completion.

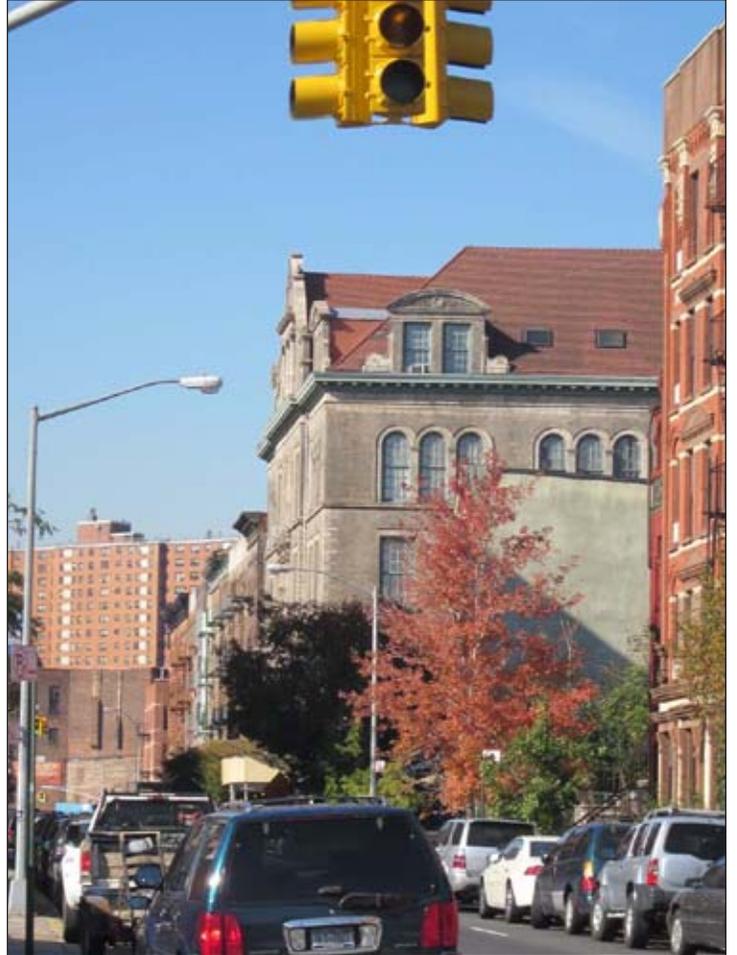
### **URBAN DESIGN**

#### *PROJECT SITE*

The proposed project would involve the demolition of the Victoria Theater's North Building and the restoration of the theater's South Building. The North Building would be replaced with a new 27-story, approximately 300-foot-tall (excluding rooftop mechanicals) building containing cultural, hotel, and residential uses, (see **Figures 8-16, 8-17 and 8-18**). The South Building would be retained with the façade restored to its 1917 appearance, including recreation of the original vertical blade sign and restoration of the horizontal marquee to its historic configuration. The lobby and foyer of the South Building would serve as the public entryway to the cultural events and the hotel. In total, the proposed project would be approximately 385,000 gsf in size and have a floor area ratio (FAR) of 17.9, compared to the existing building size of



View west on West 125th Street 17



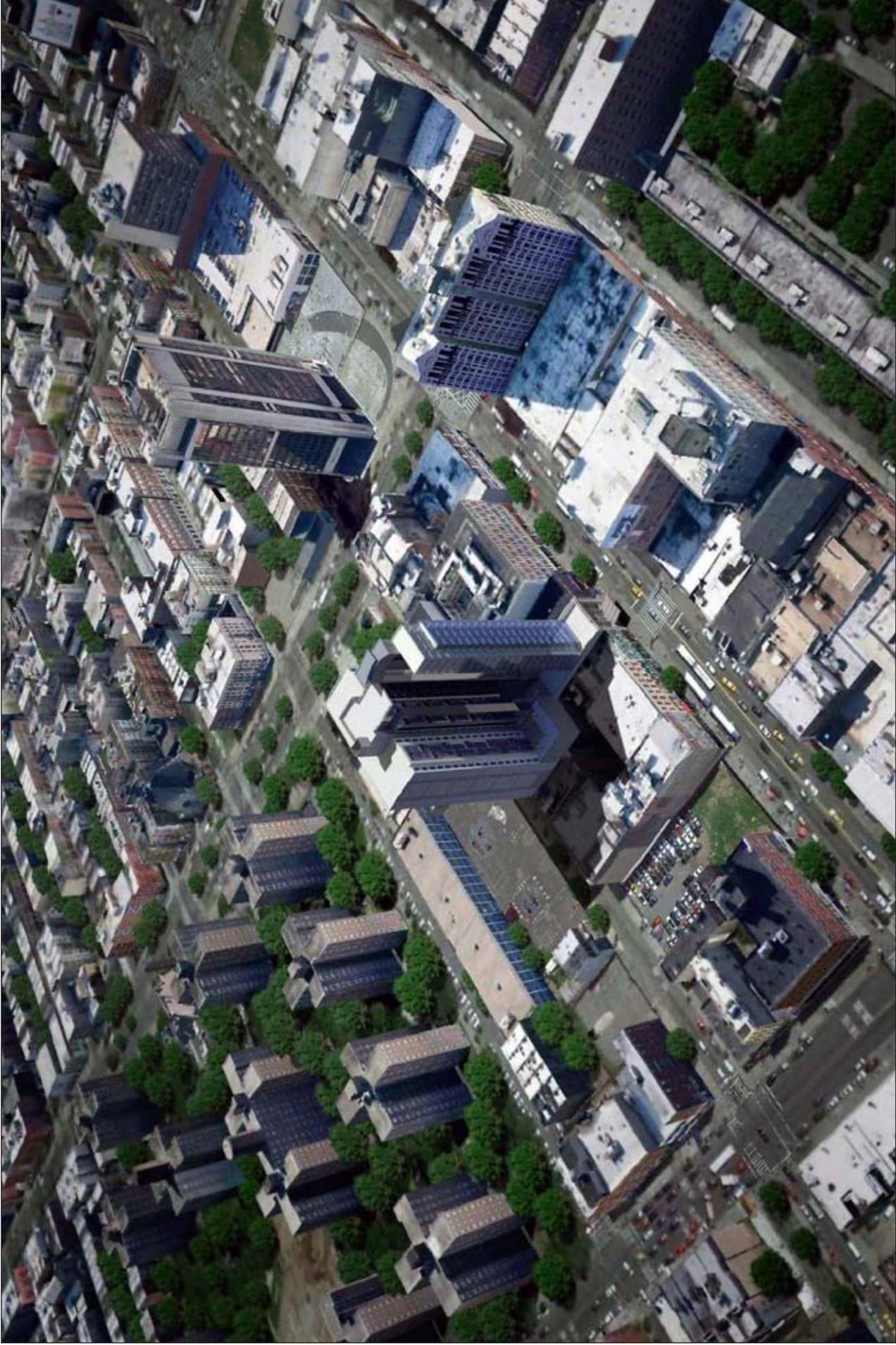
View west on West 126th Street, from Frederick Douglass Boulevard 18



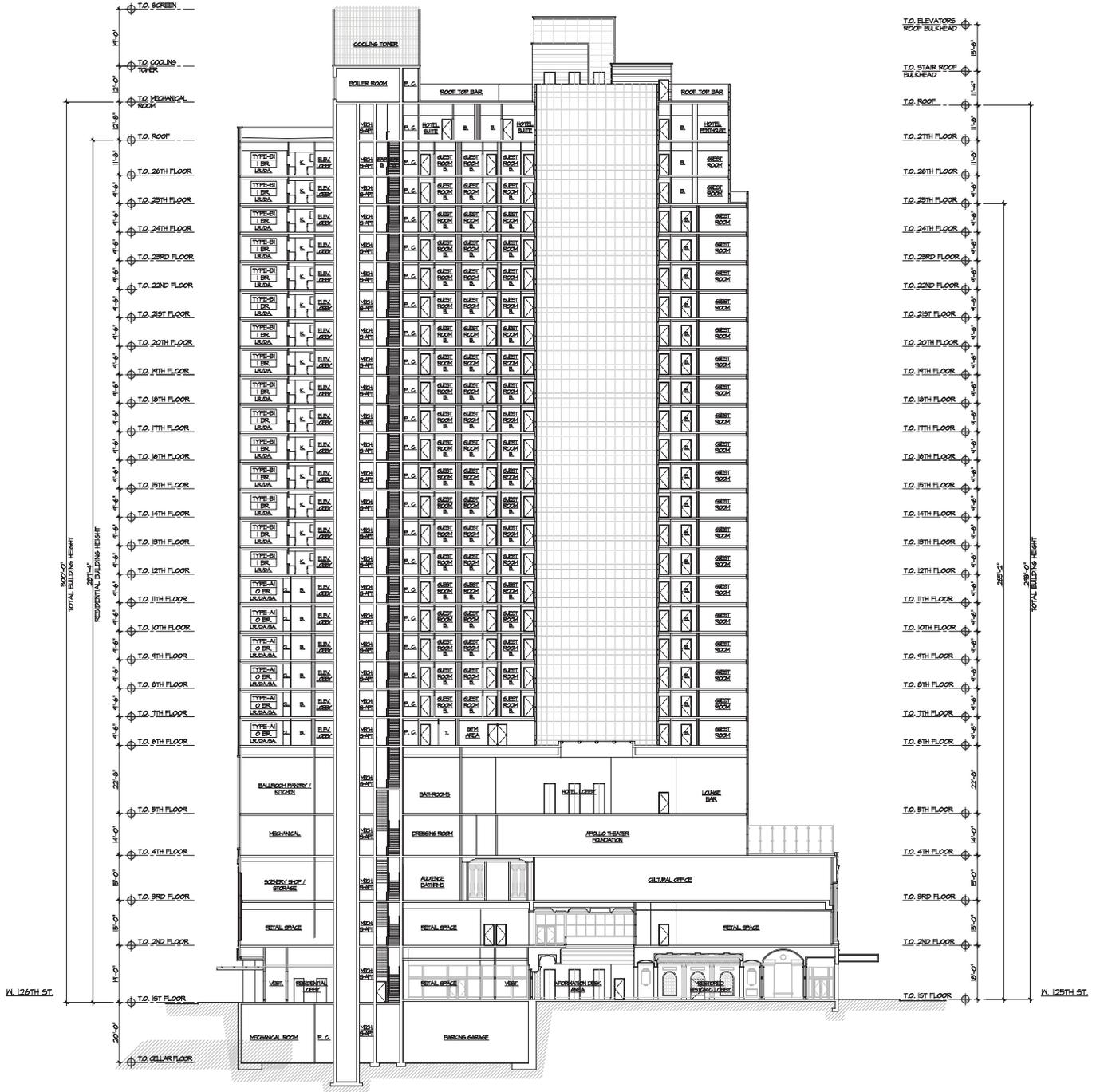
H.C.F. Koch and Company Building, view from Adam Clayton Powell Jr. Boulevard 19



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



Illustrative Rendering of Proposed Project, Birdseye View  
Figure 8-17



approximately 90,000 gsf and FAR of 4.5. 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. As described in Chapter 1, “Project Description,” to facilitate the redevelopment of the project site, a number of discretionary actions are proposed, including zoning overrides for total floor area, FAR, maximum building height, maximum base height, permitted number of residential units, and required square footage per parking space. The lot coverage of the site would continue to be at 100 percent, and the tower coverage on the site would be approximately 65 percent. The typical floorplate size of the tower would be approximately 13,000 sf.

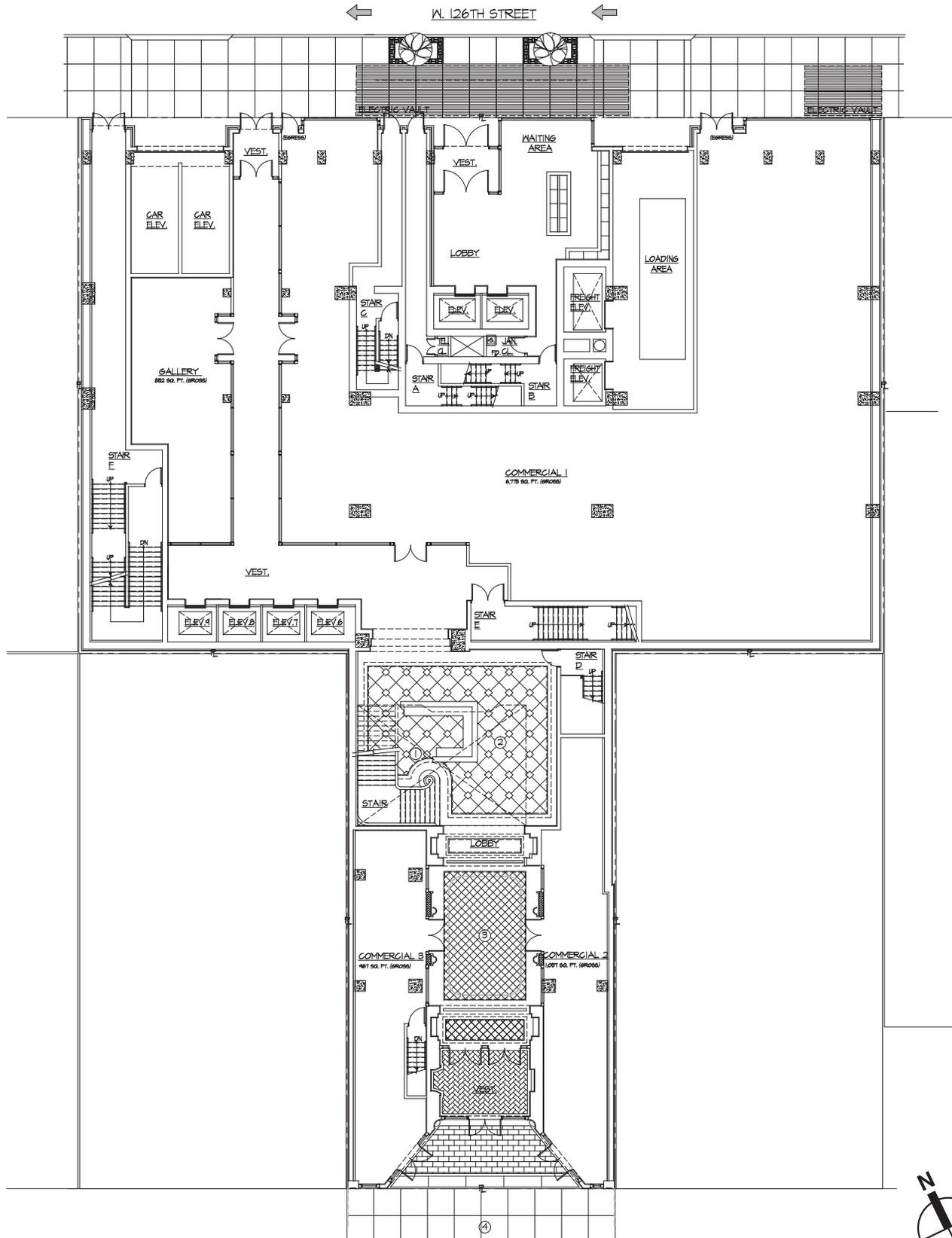
A visually transparent, glazed curtain wall would be provided on West 126th Street (see **Figures 8-19** and **8-20**). This would include pedestrian entrances to the residential portion of the new building, as well as an alternate entrance into the restored foyer and lobby with access to the cultural events spaces and hotel located in the new building. The presence of ground-floor retail space would also activate this portion of West 126th Street.

On West 125th Street, the use of the restored lobby and foyer of the South Building as the public entryway to the building’s cultural events and the hotel would enhance the visual appearance of the building and the pedestrian experience.

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 (see **Figure 8-16**, above). 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.

### *STUDY AREA*

As in the future without the proposed project, 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 as noted above 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 under 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. Although the proposed building would be taller and bulkier than the other buildings surrounding the project site, as described above the built context of the study area includes a mix of both shorter and older structures as well as more recently constructed and taller buildings. The proposed building would be 27 stories tall (approximately 300 feet, excluding rooftop mechanicals), and thus would exceed the maximum height limit established by the 2008 rezoning of West 125th Street. The proposed project would have a total FAR of 17.9, which would be well above the allowable FAR of 5.16. While the new building would be taller than the maximum height limit allows, the overall bulk and height of the proposed building would be in context with the taller buildings in the study area, including the approximately 251-foot-tall, 402,662 gsf Adam Clayton Powell Jr. State Office Building. Furthermore, the proposed development would not be out of context with the height of large residential and commercial developments in Harlem that are within the study area’s viewshed, which as noted above





NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

Illustrative West 126th Street Facade  
Figure 8-20

include the Esplanade Gardens Cooperative (246 feet), Taino Towers (328 feet), 1990 Lexington Avenue (321 feet), and Lionel Hampton Houses (244 feet).

As described above, the restoration of West 125th Street façade of the South Building would enhance its visual appearance, reactivate the building’s public entryways on this street, and improve the pedestrian experience on West 125th Street. 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. While the proposed new building would be of a more contemporary design than the historic theater, the surrounding area already includes buildings of contemporary design and materials. The project has been designed to step back from West 125th Street, which would respect both the historic 125th Street façade of the Victoria Theater and the predominantly low-scale nature of the buildings along this block of West 125th Street. As described above, the broader West 125th Street viewshed also includes the Adam Clayton Powell Jr. State Office Building, the Hotel Theresa, and a variety of taller residential and commercial buildings in Harlem.

The proposed project would introduce a different mix of uses to the project site compared with the future without the proposed project, but these uses would be compatible with existing and former uses on the project site and in the study area. Compared to future conditions without the proposed project with which the project site would remain largely vacant, the proposed project would revitalize a long-dormant site and introduce active uses, businesses and pedestrians. As described in Chapter 6, “Shadows,” the proposed project would not result in significant adverse impacts from new shadows on historic structures or landscapes with sunlight-dependent features.

The restoration of the South Building’s façade on West 125th would restore and revitalize an important historic component of West 125th Street, improving the appearance of the streetscape and the pedestrian experience of this area. Compared to the North Building—which currently presents a plain brick façade with a fire escape on West 126th Street—the new residential entrance, presence of ground-floor retail use, and visually transparent wall along West 126th Street would activate this portion of the street and enhance the pedestrian environment. The new curb cuts to be developed on West 126th Street would be consistent with the streetscape features currently encountered by pedestrians along this street as well as along West 124th Street within the study area.

Overall, the 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.

## **VISUAL RESOURCES**

### *PROJECT SITE*

As described above, while the West 125th Street façade of the Victoria Theater is considered a visual resource, due to its low scale and siting it is not particularly prominent or distinct in surrounding views, except in close proximity along West 125th Street. The project has been designed to step back from West 125th Street, which would respect the historic 125th Street façade of the Victoria Theater and allow it to be viewed as a distinct entity along this corridor. Existing views from sidewalks adjacent to the project site would not be altered with the proposed project.

## Victoria Theater

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### *STUDY AREA*

In the future with the proposed project, views along the corridors noted above 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 be anticipated to 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.

Overall, the proposed project would not have any significant adverse impacts on urban design and visual resources. \*

A natural resources assessment is conducted when a natural resource is present on or near the project site and when an action involves the disturbance of that resource. The *CEQR Technical Manual* defines natural resources as water resources, including surface water bodies and groundwater; wetland resources, including freshwater and tidal wetlands; upland resources, including beaches, dunes, and bluffs, thickets, grasslands, meadows and old fields, woodlands and forests, and gardens and other ornamental landscaping; and built resources, including piers and other waterfront structures.

The 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 as defined by regulations promulgated under the Federal Endangered Species Act (50 CFR 17) or the New York State Environmental Conservation Law (6 NYCRR Parts 182 and 193). The disruption of the subsurface of the proposed development sites would not affect the function or value of natural resources. Therefore, no further analysis is warranted and the proposed project would not have a significant adverse impact on natural resources. \*

**A. INTRODUCTION**

This chapter presents the findings of the hazardous materials assessment and identifies potential issues of concern with respect to workers, the community, and/or the environment during construction and after implementation of the proposed project. The proposed project would include partial demolition of the existing building, restoration of the remainder, and construction of a multistory hotel and residential building, which would entail excavation for one below-grade level.

The potential for hazardous material concerns was evaluated based on a February 2012 *Phase I Environmental Site Assessment* (ESA) prepared by AKRF, Inc. The Phase I ESA assessed the potential for hazardous materials to be present, based on a reconnaissance of the project site and surrounding area, a review of data on geology and hydrology of the area, an examination of historical Sanborn Fire Insurance maps, and a review of pertinent federal and state databases.

**PRINCIPAL CONCLUSIONS**

The Phase I ESA 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 these above-described measures, the proposed project would not result in any significant adverse impacts related to hazardous materials.

## **B. EXISTING CONDITIONS**

### **SUBSURFACE CONDITIONS**

Based on U.S. Geological Survey mapping, the project site lies at an elevation of approximately 30 feet above mean sea level, sloping down to the southeast. Bedrock depth in the vicinity of the project site is expected to be highly variable but likely more than 30 feet below grade. Based on surface topography, groundwater would be expected to be first encountered at approximately 25-30 feet below grade, and most likely flows in a southeasterly direction toward the East River approximately 4,000 feet away. However, actual groundwater flow can be affected by many factors including subsurface openings or obstructions such as nearby subway tunnels, basements and underground utilities, past filling, bedrock geology, and other factors beyond the scope of this assessment. Groundwater in Manhattan is not used as a source of potable water (the municipal water supply uses upstate reservoirs).

### **HAZARDOUS MATERIALS ASSESSMENT**

The Phase I ESA included a reconnaissance of the project site and surrounding area, a review of data on geology and hydrology of the area, an examination of historical Sanborn Fire Insurance maps, and a review of pertinent federal and state environmental databases. The Phase I ESA identified the following:

- In the early 20th century, the project site was developed with residential, commercial and office buildings. The existing building was built in 1917 as a large movie theater, which after becoming vacant was reused as five smaller theaters starting in 1985, but became vacant again in the mid-1990s. The southern portion once contained the theater's lobby, two ground-floor stores, a school on the second floor, and a showroom on the third floor.

No petroleum storage tanks were observed, and no tank registrations were identified in the databases. However, computerized NYC Buildings Department records identified two oil burner applications (dated 1950 and 1969) and a 1955 NYC Fire Department approval of a fuel oil installation. Interviews indicated that an abandoned aboveground storage tank (size unknown) may be located in an oil boiler room in a sub-basement in the northern portion of the building; however, this boiler room was not accessible during the reconnaissance due to a blocked entrance, and was viewed through an opening in the entranceway. Apparent historical oil boilers and a fuel oil-like odor were noted in the oil boiler room. Fuel tank fill ports were observed adjacent to the building on West 125th Street (in front of the former clothing store) and on West 126th Street (where a fuel tank vent pipe was also noted). An apparent groundwater monitoring well was located adjacent to the northwestern corner of the project site on West 126th Street. Although this well could have been installed for a prior environmental investigation, no records of any such investigation were identified.

- Land uses in the surrounding area historically included a contractor's yard and a commercial-manufacturing building west-adjacent to the project site, and a dry cleaner and an undertaker (which may have used embalming chemicals) located northwest of the project site on the north-adjacent block. Regulatory databases identified nearby hazardous waste generators (including dry cleaners) and petroleum storage facilities.
- Given the age of the building lead-based paint may be present. Painted surfaces within the theater were noted to be in poor condition, with chipped and peeling paint.

- Historical land use maps indicated an “asbestos curtain” in the building. This curtain was not observed, and was likely removed during the building’s conversion to a multiplex. Suspect asbestos-containing materials (ACM) noted on-site included roofing materials, suspended ceiling tiles, thermal pipe insulation, ventilation duct insulation, spray-on fireproofing, and plaster and sheetrock walls and ceilings. Significant damage to suspect ACM was noted throughout the theater space, and included fallen and/or damaged ceiling tiles, sheetrock and plaster. A portion of the roof which was not observed was also reportedly damaged. Debris consisting of building materials, which may contain ACM and lead-based paint, was noted throughout the theater space. Observed suspect ACM in the nail salon appeared to be in good condition.
- Electrical equipment and fluorescent lighting fixtures on the Property may include polychlorinated biphenyls (PCBs). In addition, fluorescent light bulbs may contain mercury.

### **C. THE FUTURE WITHOUT THE PROPOSED PROJECT**

In the future without the proposed project, the project site would remain in its current condition. No subsurface disturbance would occur, and thus there would be no significant potential for human exposure to any subsurface hazardous materials. Legal requirements relating to hazardous materials in the building (such as suspect ACM, lead-based paint, and PCBs), including requirements for identifying and repairing or removing damaged ACM, would need to be followed.

### **D. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

The proposed project would involve partial demolition of the existing building, restoration of the remainder, and construction of a multistory hotel and residential building, which would entail excavation at the below-grade level.

As noted above, based on the Phase I ESA, subsurface contamination and hazardous materials in buildings (such as ACM, PCBs and lead-based paint) may be present. Renovation, demolition and excavation activities could disturb these hazardous materials and potentially increase pathways for human or environmental exposure. Impacts would be avoided by performing the following procedures:

- A Subsurface (Phase II) Investigation would be conducted prior to soil disturbance to determine whether past or present, on or off-site activities have affected subsurface conditions. This would involve the collection and laboratory analysis of soil and groundwater samples. Based on the results of the Phase II investigation, the developer may be required to prepare a project-specific RAP and would be required to prepare CHASP to be implemented during excavation for 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. 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.
- 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

## Victoria Theater

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

- Although not anticipated, if dewatering is required for the proposed construction, testing would be performed to ensure that the water would meet New York City Department of Environmental Protection (DEP) sewer discharge requirements. If necessary, pretreatment would be conducted prior to discharge to the City's sewer system, per DEP permit/approval requirements.
- As in the future without the proposed project, unless information or test results exist to indicate that damaged suspect ACM do not contain asbestos, these materials would be sampled by a NYC-certified asbestos investigator to determine whether they are ACM, and any damaged ACM would be removed or repaired by a licensed asbestos abatement contractor in accordance with applicable regulations. Prior to renovation/demolition with the potential to disturb suspect ACM, an asbestos survey would be completed and all ACM that would be disturbed by the activity would be removed and disposed of in accordance with applicable regulatory requirements. Any remaining known and suspect ACM would be maintained in good condition in accordance with applicable regulatory requirements.
- Any renovation/demolition activities with the potential to disturb lead-based paint would be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62—Lead Exposure in Construction).
- Unless labeling or laboratory testing data indicates that suspect PCB-containing electrical equipment and fluorescent lighting fixtures do not contain PCBs, and that fluorescent lights do not contain mercury, disposal would be performed in accordance with applicable regulatory requirements.

With these measures, the proposed project would not result in any significant adverse impacts related to hazardous materials. \*

**A. WATER SUPPLY**

According to the *CEQR Technical Manual*, an analysis of an action's impact on the water supply system should be conducted only for actions that would have exceptionally large demand for water, such as power plants, very large cooling systems, or large developments (e.g., those that use more than 1 million gallons per day). In addition, actions located at the extremities of the water distribution system should be analyzed. The proposed project does not meet any of these criteria, and therefore an analysis of water supply is not warranted. The proposed project would not have a significant adverse impact on water supply.

**B. WASTEWATER AND STORMWATER CONVEYANCE AND TREATMENT**

According to the guidelines of the *CEQR Technical Manual*, a preliminary analysis of wastewater and stormwater conveyance and treatment is warranted if a project:

- Is located in a combined sewer area and would have an incremental increase above the No Action condition of 1,000 residential units or 250,000 square feet of commercial, public facility and institution and/or community facility space in Manhattan;
- Is located in a separately sewer area and would exceed certain incremental development thresholds;
- Is located in an area that is partially sewer or currently unsewered;
- Involves development on a site five acres or larger where the amount of impervious surface would increase;
- Would involve development on a site one acre or larger where the amount of impervious surface would increase and other criteria are met; or
- Would involve construction of a new stormwater outfall that requires federal and/or state permits.

While the project site is located in a combined sewer area in Manhattan, it would not have an incremental increase of 1,000 residential units or 250,000 square feet of commercial, public facility and institution and/or community facility space. The project area is not in a separately sewer, partially sewer, or unsewer area, and would not involve development on a site larger than one acre. Finally, the proposed project would not involve construction of a new stormwater outfall. Therefore, an analysis of wastewater and stormwater conveyance and treatment is not warranted, and the proposed project would not result in significant adverse impacts to wastewater or stormwater systems. \*

A CEQR solid waste and sanitation services assessment analyzes the proposed project’s effects on solid waste and sanitation services. According to the *CEQR Technical Manual*, a solid waste and sanitation services assessment determines whether a project has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City’s Solid Waste Management Plan (SWMP) or with state policy related to the City’s integrated solid waste management system.

Few projects have the potential to generate substantial amounts of solid waste (50 tons per week or more) and, therefore, most projects would not result in a significant adverse impact. However, it is recommended in the *CEQR Technical Manual* that the solid waste and service demand generated by a project be disclosed, based on standard waste generation rates. Therefore, this analysis discloses the proposed project’s anticipated solid waste generation.

**Table 12-1  
Estimated Solid Waste Generation**

<b>Use</b>	<b>Size</b>	<b>Generation Rate (lbs/week)</b>	<b>Total (lbs/week)</b>
Residential - Individual	97 individuals	17 per individual	1,649
Residential - Household	132 households	41 per household	5,412
Residential - Employees	9 employees <sup>1</sup>	13 per employee	117
Commercial/General Retail	68 employees <sup>2</sup>	79 per employee	5,372
Commercial/Dining	20 employees <sup>3</sup>	251 per employee	5,020
Hotel	70 employees <sup>4</sup>	75 per employee	5,250
Cultural/Community Facility	25 employees <sup>5</sup>	13 per employee	325
<b>Total</b>			<b>23,145</b>
<b>Notes:</b>			
<sup>1</sup> Employment estimate assumes 1 employee per 25 residential units. The solid waste generation rate for each employee was assumed to be comparable to the solid waste generation rate for office building employees.			
<sup>2</sup> Employment estimate assumes 1 employee per 400 sf.			
<sup>3</sup> Employment estimate assumes 1 employee per 333 sf.			
<sup>4</sup> Employment estimate assumes 1 employee per 3 rooms.			
<sup>5</sup> Employment estimate assumes 1 employee per 1000 sf. The solid waste generation rate for cultural/community facility uses was assumed to be comparable to the solid waste generation rate for office building uses.			
<b>Source of Generation Rates:</b> <i>CEQR Technical Manual</i>			

The proposed project would be expected to produce approximately 23,145 pounds equal to 11.57 tons of waste per week (see **Table 12-1**). Based on current plans, prior to collection, refuse and recycling material are expected to be stored in a dedicated space located on the cellar level. Each floor of the residential development would have a refuse and recycling area including a waste chute. 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 to solid waste or sanitation services are expected with the proposed project. \*

According to the *CEQR Technical Manual*, all new structures requiring heating and cooling are subject to the New York City Energy Conservation Code. Therefore, the need for a detailed assessment of energy impacts is limited to projects that may significantly affect the transmission or generation of energy. However, a project’s operational energy consumption is often calculated. Therefore, since the proposed project would not significantly affect the transmission or generation of energy, this chapter of the EIS presents an estimate of the proposed project’s energy consumption.

**Table 13-1  
Estimated Operational Energy Demand (million BTU per year)**

<b>Use</b>	<b>Area (SF)</b>	<b>BTU/sf<sup>1</sup></b>	<b>Total</b>
Large Residential (>4 family)	170,000	.1267	21,539
Commercial <sup>2</sup>	159,000	.216	34,344
Cultural/community facility <sup>3</sup>	25,000	.251	6,275
Shared Circulation	20,200	.251	5,070
<b>Total</b>			<b>67,228</b>
<b>Notes:</b>			
All areas are approximate.			
<sup>1</sup> BTUs expressed in millions per sf			
<sup>2</sup> Includes hotel and retail uses			
<sup>3</sup> The energy rate for cultural/community facility uses was assumed to be comparable to the energy rate for institutional uses.			
<b>Source:</b> <i>CEQR Technical Manual</i> Table 15-1			

It is expected that the proposed project, when operational, would consume approximately 67,228 million British Thermal Units (BTUs) per year (see **Table 13-1**). 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. \*

**A. INTRODUCTION**

The proposed project is the redevelopment of the Victoria Theater site located on the north side of West 125th Street, midblock between Eighth Avenue (Frederick Douglass Boulevard) and Seventh Avenue (Adam Clayton Powell, Jr. Boulevard) in Harlem. For the purposes of this analysis, the proposed project includes approximately 230 residential units, an approximately 210-room hotel, approximately 4,500 gross square feet (gsf) of local retail (retail with street access from West 125th Street), approximately 22,500 gsf of building support retail (retail accessed primarily through the building), and which is expected to be patronized by occupants of the hotel and residential components of the project, patrons of the arts and culture component of the project, and others in the area of the project site), and approximately 25,000 gsf of cultural/community space that includes a 199-seat performance theater and a 99-seat flexible use performance space. Pedestrian access to the project site would be provided on both West 125th Street and West 126th Street, with vehicle access to a curbside drop-off/pick-up area and underground parking garage provided on West 126th Street.

Following the completion of the DEIS, refinements were made to the traffic analysis to reflect comments from the New York City Department of Transportation (NYCDOT). The refinements focused on corrections to data inputs for right- and left-turning vehicles and updating the analysis. These changes resulted in a reduction in the number of traffic locations projected to experience significant impacts from eight locations to five locations.

**PRINCIPAL CONCLUSIONS**

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

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

## B. PROJECT TRIP GENERATION

### TRAVEL DEMAND FACTORS

Trip estimates were developed for the proposed project's residential, hotel, retail, and cultural/community spaces. Travel demand factors were based on information provided in the 2012 *CEQR Technical Manual* (New York City Mayor's Office of Environmental Coordination, January 2012), other established sources and approved studies, and guidance from NYCDOT, as presented in **Table 14-1**.

During the weekday AM, midday, and PM peak hours, the cultural/community space would primarily be used for exhibitions, rehearsals, and administrative uses. Given the intended uses for this space, the travel characteristics of a museum use presented in the *CEQR Technical Manual* were determined to be representative of the cultural/community space during the weekday AM (7:30 to 8:30 AM), midday (12:15 to 1:15 PM), and PM (4:30 to 5:30 PM) peak hours. During the Saturday peak hour (4:00 to 5:00 PM), performances at the 199-seat performance theater and the 99-seat performance theater would be the primary use of the cultural/community facility. Given the similarity in use between the proposed performance theater and the performance theater analyzed for the *Brooklyn Bridge Park FEIS* (2005), the trip rates for a performance theater from the *Brooklyn Bridge Park FEIS* (2005) were used to develop Saturday peak hour trip rates for the cultural/community space. To reflect the several nearby transit options available to patrons of the proposed project, modal splits provided by NYCDOT based on the 2005 Manhattan art exhibition survey were applied to the community/cultural facility.

### TRIP ESTIMATES

Travel demand factors presented in **Table 14-1** were applied to the proposed program to develop the Build weekday and Saturday peak hour trip estimates, as summarized in **Table 14-2**. The proposed project is estimated to generate approximately 436, 1023, 836, and 766 person trips and 92, 166, 155, and 114 vehicle trips during the weekday AM, midday, PM, and Saturday peak hours, respectively.

**Table 14-1  
Trip Generation Factors**

Land Use	Residential	Local Retail	Building Support Retail	Hotel	Cultural/Community Facility
<b>Person Trip:</b>					
Daily Trip Rate	8.075 (1)	205.0 (1)	129.0 (12)	(1)	(5)
Link Trip Credit	0%	25%	25%	9.4	27.0
Adj.Daily Trip Rate	8.075	153.8	96.8	0%	0%
<b>Temporal Distribution</b>					
In	AM 10% MD 5% PM 11% Saturday 8%	AM 3% MD 19% PM 10% Saturday 10%	AM 3% MD 19% PM 10% Saturday 10%	AM 8% MD 14% PM 13% Saturday 9%	AM 1% MD 16% PM 13% Saturday 10%
Out	15% 50% 70% 30% 50%	50% 50% 50% 50% 50%	50% 50% 50% 50% 50%	41% 68% 59% 41% 50%	61% 55% 29% 39% 45% 71% 100%
<b>Modal Split</b>					
Auto	13.1%	2%	2%	14%	19.5%
Taxi	1.8%	3%	3%	20%	10%
Bus	12.6%	5%	10%	3%	20%
Subway/Rail	60.3%	20%	5%	40%	20%
Walk	12.3%	70%	80%	23%	30.5%
	100%	100%	100%	100%	100%
<b>Vehicle Occupancy</b>					
Auto	(3) 1.09	(2) 1.60	(9) 1.60	(4) 1.60	(9) 1.60
Taxi	1.09	1.20	1.20	1.40	1.20
<b>Delivery Trip:</b>					
Daily Trip Rate	0.06 (1)	0.35 (1)	0.35 (7)	(4)	(6)
Delivery	AM 12% MD 9% PM 2% Saturday 9%	AM 8% MD 11% PM 2% Saturday 11%	AM 8% MD 11% PM 2% Saturday 11%	AM 12% MD 9% PM 0% Saturday 0%	AM 10% MD 11% PM 1% Saturday 0%
Temporal	50% 50% 50% 50%	50% 50% 50% 50%	50% 50% 50% 50%	50% 50% 50% 50%	50% 50% 50% 50%
In	50%	50%	50%	50%	50%
Out	50%	50%	50%	50%	50%

**Sources/Notes:**

- (1) 2012 CEQR Technical Manual
- (2) Proposed Manhattanville in West Harlem Rezoning and Academic Mixed-Use Development EIS (2007)
- (3) 2006-2010 American Community Survey
- (4) Harlem Park Development EAS (2004) – auto and taxi %'s reversed to account for site's proximity to area bridges and the LaGuardia Airport per NYCDOT guidance
- (5) Assumes museum trip making characteristics from 2012 CEQR Technical Manual with modal splits provided by NYCDOT based on 2005 Manhattan art exhibition survey
- (6) Webster Avenue Rezoning EAS, CEQR #10DCP035X for community space
- (7) Based on local retail travel characteristics per NYCDOT guidance
- (8) Proposed Manhattanville in West Harlem Rezoning and Academic Mixed-Use Development EIS (2007) with modified travel characteristics per NYCDOT guidance
- (9) Assumes same vehicle occupancy as local retail
- (10) Brooklyn Bridge Park FEIS (2005) – applied performance theater seat trip rate for Saturday peak hour and taxi occupancy modified based on NYCDOT guidance
- (11) Assumes all patrons leaving matinee show
- (12) Rates provided by NYCDOT based on Brooklyn Bridge Park FEIS (2005) destination retail use with ITE adjustment for Saturday trip rate

**Table 14-2  
Trip Generation Summary**

Peak Hour	In/Out	Person Trip						Vehicle Trip			
		Auto	Taxi	Bus	Subway	Walk	Total	Auto	Taxi	Delivery	Total
AM	In	14	15	10	47	53	139	10	11	2	37
	Out	35	23	27	137	75	297	28	17	2	55
	Total	49	38	37	184	128	436	38	28	4	92
Midday	In	49	53	47	139	279	567	33	39	2	88
	Out	33	32	42	97	252	456	23	24	2	78
	Total	82	85	89	236	531	1023	56	63	4	166
PM	In	48	40	40	164	171	463	35	30	0	82
	Out	38	33	36	104	162	373	26	25	0	73
	Total	86	73	76	268	333	836	61	55	0	155
Saturday	In	27	24	28	103	161	343	20	18	0	54
	Out	43	32	44	119	185	423	26	21	0	60
	Total	70	56	72	222	346	766	46	39	0	114

### C. CEQR SCREENING ANALYSES

The *CEQR Technical Manual* identifies procedures for evaluating a proposed project’s potential impacts on traffic, transit, pedestrian, and parking conditions. This methodology begins with the preparation of a trip generation analysis to determine the volume of person and vehicle trips associated with the proposed project. The results are then compared to 2012 *CEQR Technical Manual*-specified thresholds (Level 1 screening analysis) to determine whether additional quantified analyses are warranted. If the proposed project would result in 50 or more peak hour vehicle trips or 200 or more peak hour transit or pedestrian trips, a Level 2 screening analysis would be undertaken.

For the Level 2 screening analysis, project-generated trips would be assigned to specific intersections, transit routes, and pedestrian elements. If the results of this analysis show that the proposed project would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers per station element, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant adverse traffic, transit, pedestrian, and parking impacts.

#### LEVEL 1 SCREENING ANALYSIS RESULTS

The weekday and Saturday trips estimated to be generated by the proposed project are summarized in **Table 14-2**, above.

##### *TRAFFIC*

The *CEQR Technical Manual* states that if a proposed project is expected to generate fewer than 50 peak hour vehicle trips, it is unlikely to result in significant adverse traffic impacts and further analysis is not warranted. Since the weekday AM, midday, PM, and Saturday peak hour vehicle trip estimates shown above would exceed this threshold, a second-level screening assessment, involving project-generated vehicle trip assignments, was conducted to determine if there is a need to prepare detailed analyses. The Level 2 screening assessment is presented below.

##### *TRANSIT*

The *CEQR Technical Manual* states that if a proposed project is expected to generate fewer than 200 peak hour subway trips at a station or fewer than 50 peak hour bus trips in one direction

along a bus route, it is unlikely to result in significant adverse transit impacts and further analyses would not be warranted. As summarized in **Table 14-2** above, the proposed project would generate 184, 236, 268, and 222 subway trips and 37, 89, 76, and 72 bus trips during the weekday AM, midday, PM, and Saturday peak hours, respectively. Since the peak hour subway trip estimates exceed the 200 peak hour subway trip threshold during the weekday midday, PM, and Saturday peak hours, a second-level screening assessment, involving project-generated subway trip assignments, was conducted to determine if there is a need to prepare detailed analyses for affected subway facilities. The Level 2 screening assessment is presented below.

The peak hour bus trips would not exceed the *CEQR Technical Manual* analysis thresholds given that bus trips would be distributed among various nearby bus routes, including the M2, M3, M7, M10, M60, M100, M101, M102, and BX15. Since the proposed project would not result in an increase of 50 or more peak hour bus riders in a single direction, which is the *CEQR Technical Manual* threshold, a detailed bus-line haul analysis is not warranted.

#### *PEDESTRIANS*

The *CEQR Technical Manual* states that if a proposed project is expected to generate fewer than 200 peak hour pedestrian trips at a pedestrian element, it is unlikely to result in significant adverse pedestrian impacts and further analyses would not be warranted. All trips, except for auto trips parked on site, would be pedestrian trips on area sidewalks, corners, and crosswalks. As summarized in **Table 14-2** above, the proposed project would generate between 436 and 1023 pedestrian trips during the weekday AM, midday, PM, and Saturday peak hours. Since the peak hour pedestrian trip estimates exceed the CEQR threshold, a second-level screening assessment, involving project-generated pedestrian trip assignments, was conducted to determine if there is a need to prepare detailed analyses for affected pedestrian facilities. The Level 2 screening assessment is presented below.

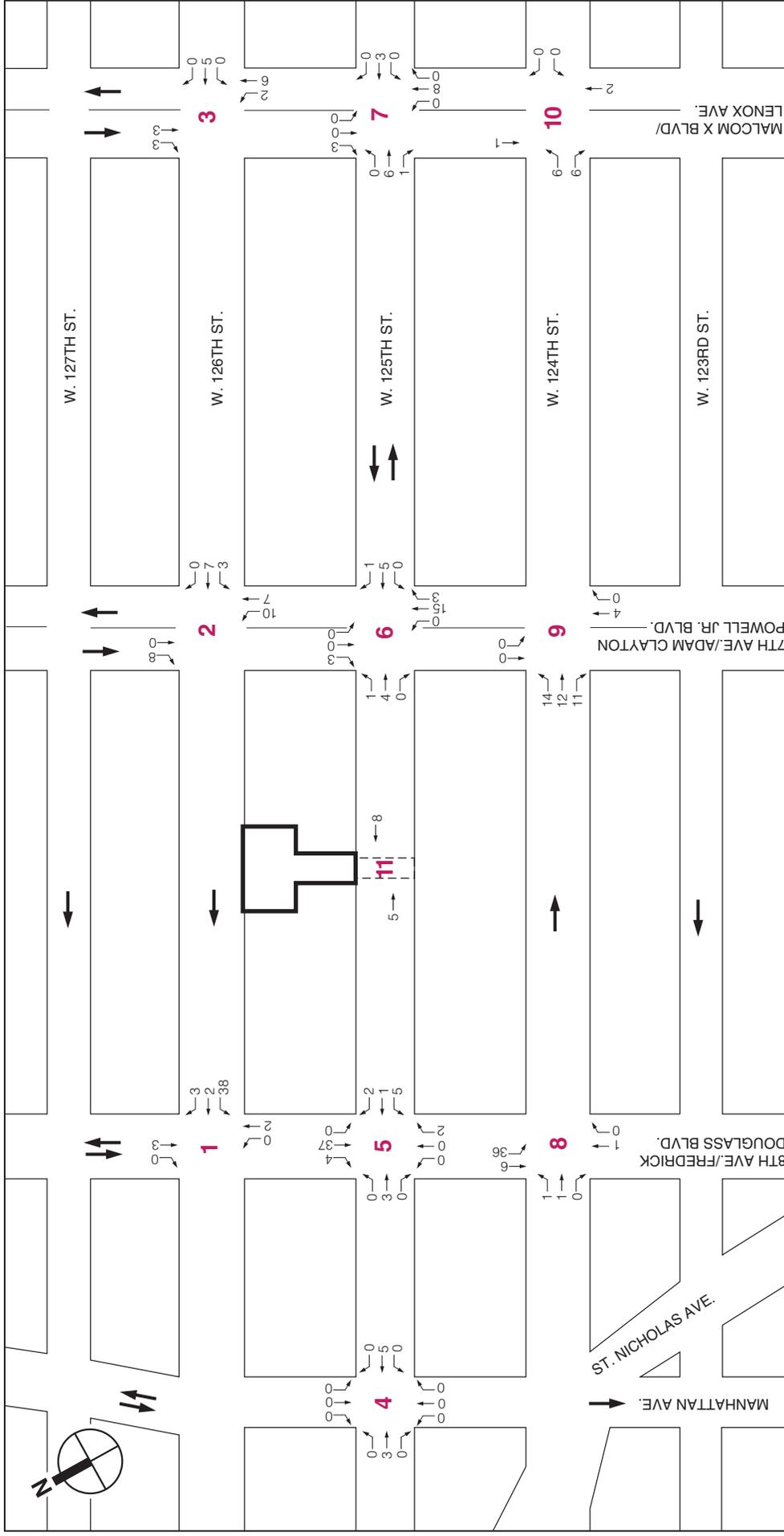
### **LEVEL 2 SCREENING ANALYSIS RESULTS**

#### *TRAFFIC*

As described above, the projected peak hour vehicle-trip increments would be 50 or more during the weekday AM, midday, PM and Saturday peak hours. Therefore, vehicle trip assignments for each peak period were prepared considering the nearby major roadways and local streets and existing travel patterns. The project-generated auto trips were assigned to the curbside drop-off/pick-up area and underground garage on West 126th Street while taxi trips were assigned to drop off at both the West 125th Street and West 126th Street entrances. As shown in **Figures 14-1** through **14-4**, the projected vehicle-trip increments would result in 50 or more vehicle trips through the following seven intersections and thus require a detailed intersection analysis:

- West 126th Street/Eighth Avenue (Frederick Douglass Boulevard);
- West 126th Street/Seventh Avenue (Adam Clayton Powell, Jr. Boulevard);
- West 125th Street/Eighth Avenue;
- West 125th Street/Seventh Avenue;
- West 124th Street/Seventh Avenue;
- West 124th Street/Eighth Avenue; and
- Signalized Pedestrian Crossing on West 125th Street between Seventh Avenue and Eighth Avenue.

1.10.12

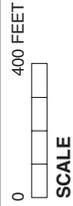
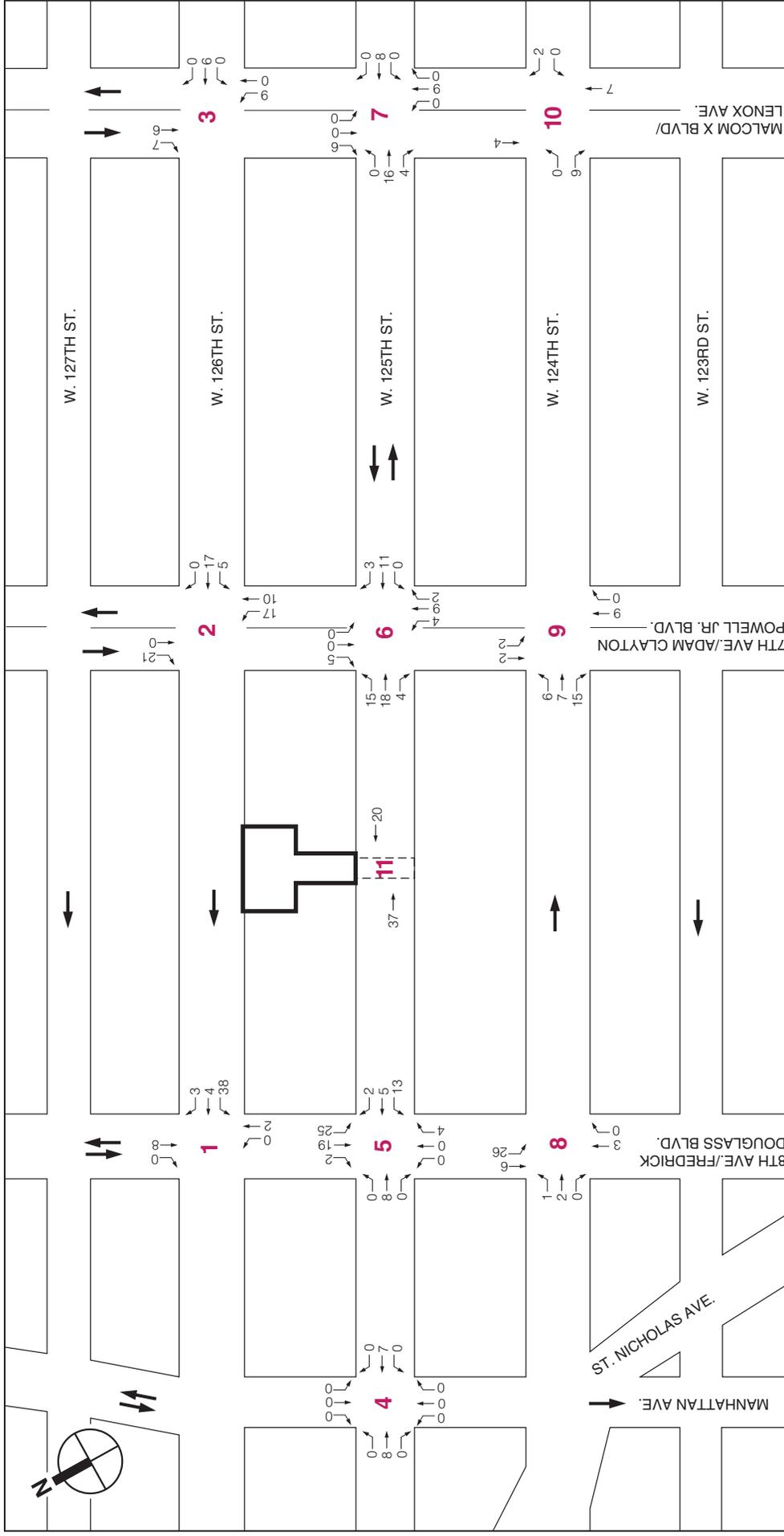


Project Site

Project Generated Volumes  
AM Peak Hour  
Figure 14-1

VICTORIA THEATER

1.10.12



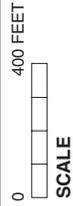
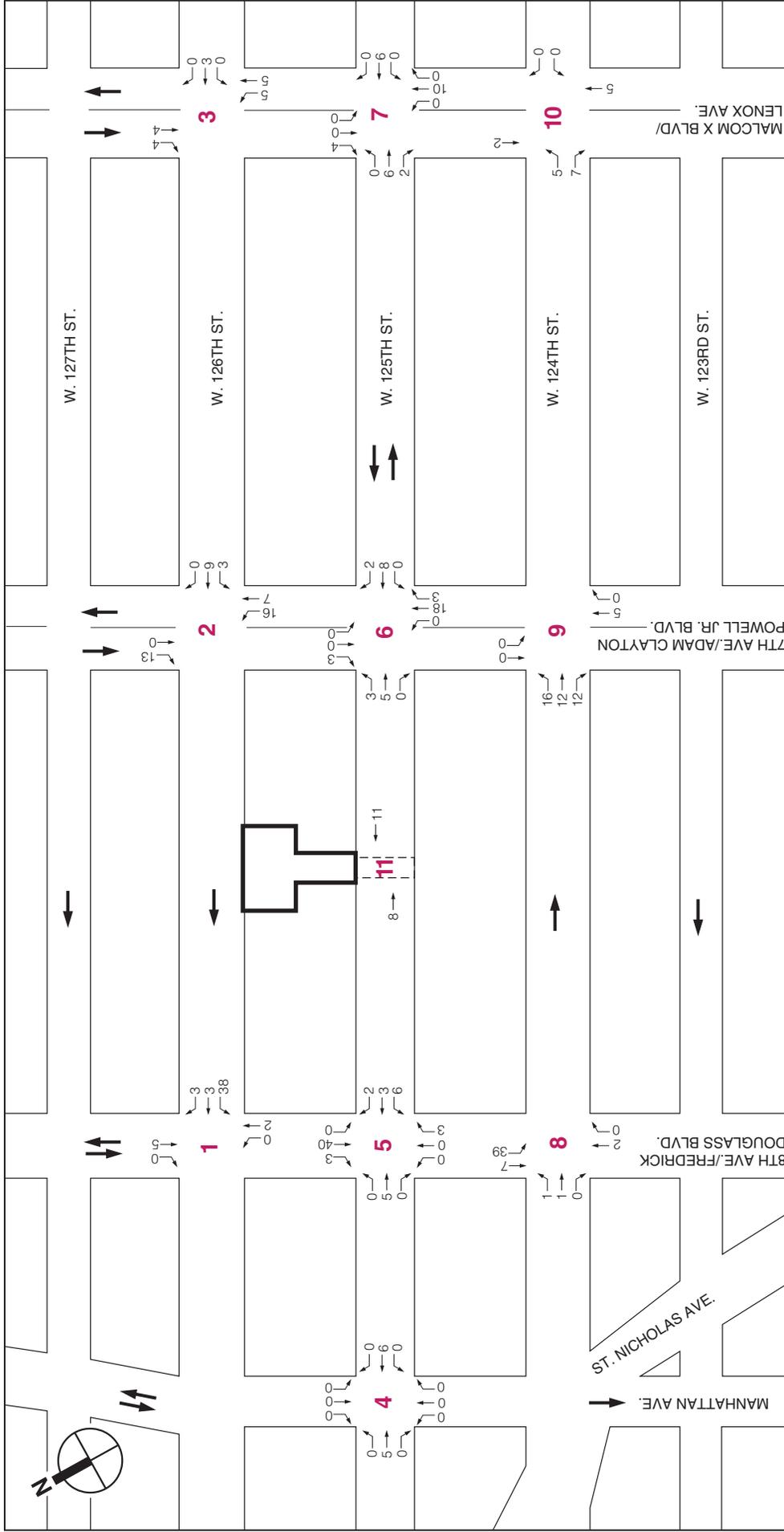
 Project Site

Project Generated Volumes  
Midday Peak Hour  
Figure 14-2

VICTORIA THEATER



1.10.12



Project Site

Project Generated Volumes  
Saturday Peak Hour  
Figure 14-4

VICTORIA THEATER

## Victoria Theater

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While not warranted based on CEQR thresholds, to retain consistency with the Draft Scope of Work the following intersections are also analyzed for the weekday AM, midday, PM, and Saturday peak periods:

- West 126th Street/Lenox Avenue (Malcolm X Boulevard);
- West 125th Street/Manhattan Avenue/St. Nicholas Avenue;
- West 125th Street/Lenox Avenue; and
- West 124th Street/Lenox Avenue.

### *TRANSIT*

As discussed above, the projected peak hour incremental subway trips for the proposed project would exceed the CEQR analysis threshold. Therefore, subway trips were distributed to the following subway stations to determine if any station would exceed 200 peak hour subway trips:

- 125th Street Station (A, B, C, and D trains) at St. Nicholas Avenue and West 125th Street;
- 125th Street Station (No. 2 and 3 trains) at Lenox Avenue and West 125th Street.

Assuming an equal distribution of subway trips across the six available subway lines, a majority, approximately 68 percent, of the peak hour trips would use the 125th Street Station (A, B, C, and D trains) at St. Nicholas Avenue and 32 percent of the subway trips would use the 125th Street Station (No. 2 and 3 trains) at Lenox Avenue. Based on the distribution of these trips to the nearby subway stations, the stations would not experience a demand exceeding the CEQR recommended threshold of 200 or more peak hour subway trips. Therefore, a quantitative subway analysis is not warranted.

### *PEDESTRIANS*

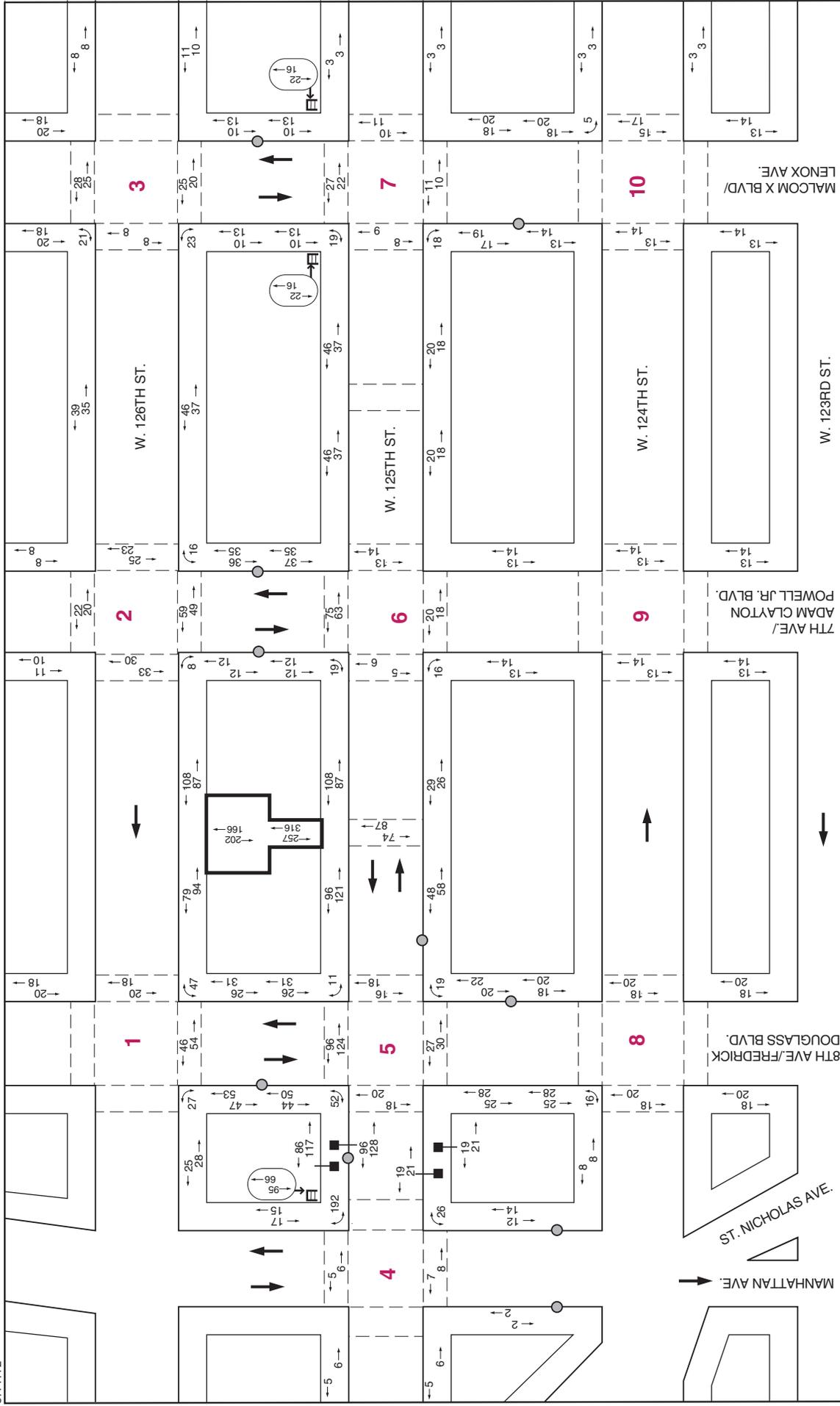
Pedestrian trip assignments were developed by distributing project-generated person trips to pedestrian facilities near the project site based on population totals in the surrounding areas. As shown in **Figures 14-5 through 14-8**, the following pedestrian elements would exceed the CEQR pedestrian analysis threshold and a detailed analysis to identify potential pedestrian impacts is warranted.

- Sidewalk Locations
  - North sidewalk of West 125th Street between St. Nicholas Avenue and Eighth Avenue; and
  - North sidewalk of West 125th Street between Eighth Avenue and the project entrance.
- Corner Locations
  - Northeast corner of West 125th Street and St. Nicholas Avenue intersection;
  - Northwest corner of West 125th Street and Eighth Avenue intersection; and
  - Northeast corner of West 125th Street and Eighth Avenue intersection.
- Crosswalk Locations
  - North crosswalk at the West 125th Street and Eighth Avenue intersection.

### *PARKING*

A parking demand analysis was conducted to determine if the proposed project's parking supply is sufficient for the parking demand. In addition, 1/4-mile off-street parking studies were inventoried. The parking assessment is presented below.





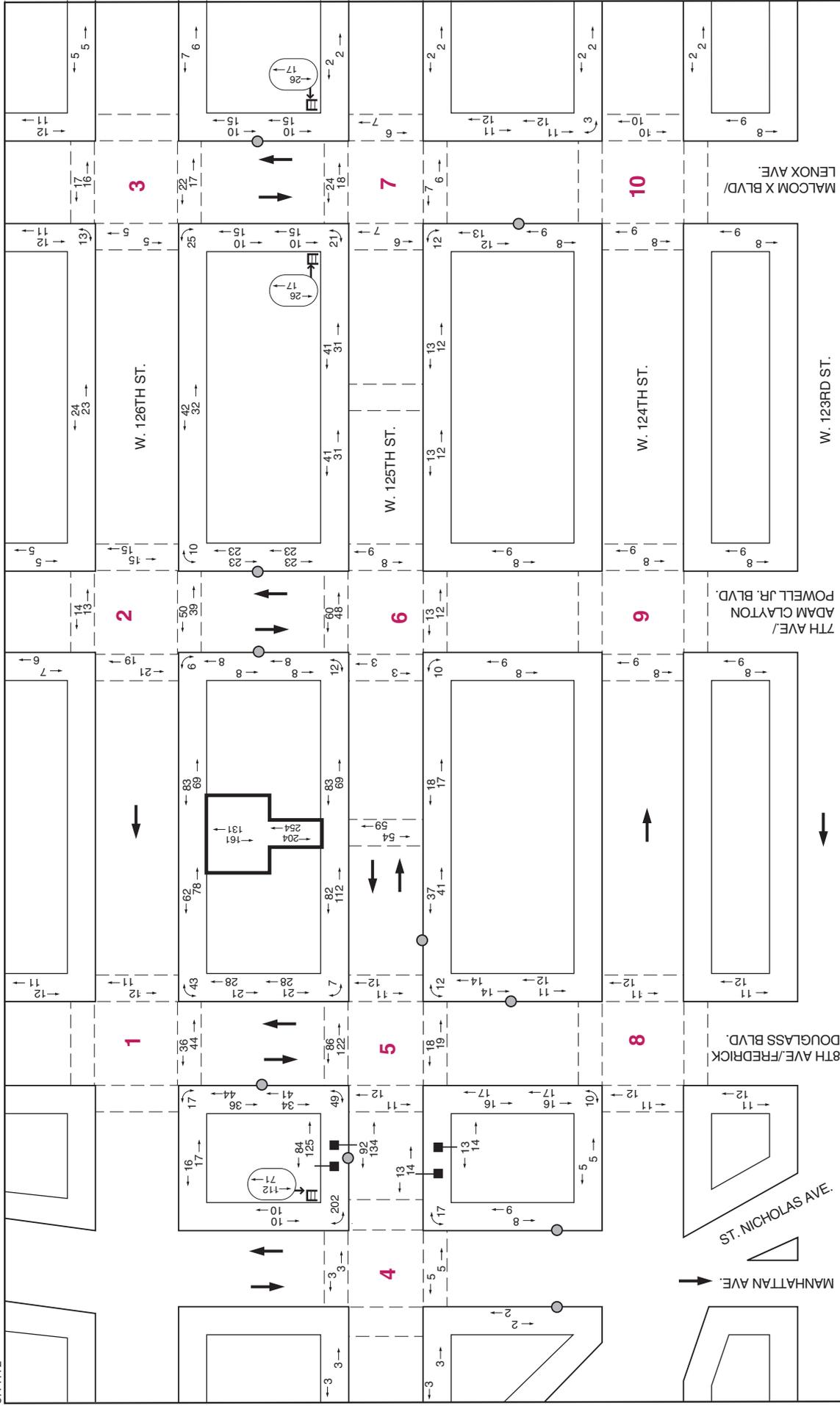
Project Site Boundary

Bus Stop

Subway Station Stairway

NOT TO SCALE

Project Generated Pedestrian Volumes  
Midday Peak Hour  
Figure 14-6



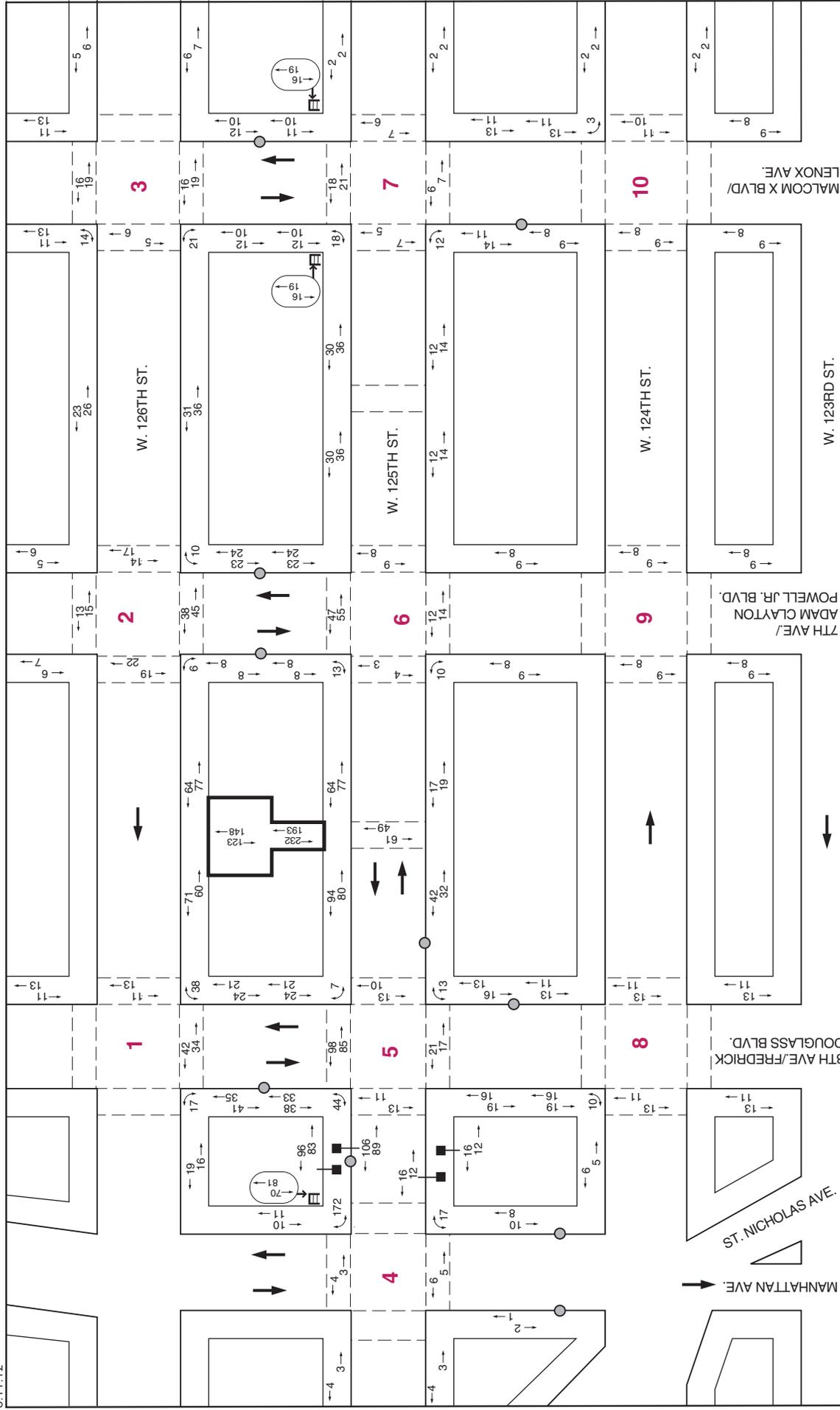
Project Site Boundary

● Bus Stop

▣ Subway Station Stairway

NOT TO SCALE

Project Generated Pedestrian Volumes  
PM Peak Hour  
Figure 14-7



NOT TO SCALE

Project Site Boundary

● Bus Stop

▣ Subway Station Stairway

Project Generated Pedestrian Volumes  
Saturday Peak Hour  
Figure 14-8

## D. TRANSPORTATION ANALYSIS METHODOLOGY

### TRAFFIC

The operation of the signalized and unsignalized intersections in the study area was assessed using methodologies presented in the *2000 Highway Capacity Manual (HCM)* using the *Highway Capacity Software (HCS+ 5.5)*. The *HCM* procedure evaluates the levels of service (LOS) for signalized and unsignalized intersections using stop control delay, in seconds per vehicle, as described below.

#### *SIGNALIZED INTERSECTIONS*

The average control delay per vehicle is the basis for LOS determination for individual lane groups (grouping of movements in one or more travel lanes), the approaches, and the overall intersection. The levels of service are defined in **Table 14-3**.

**Table 14-3**  
**LOS Criteria for Signalized Intersections**

LOS	Average Control Delay
A	≤ 10.0 seconds
B	>10.0 and ≤ 20.0 seconds
C	>20.0 and ≤ 35.0 seconds
D	>35.0 and ≤ 55.0 seconds
E	>55.0 and ≤ 80.0 seconds
F	>80.0 seconds
<b>Source:</b> Transportation Research Board. <i>Highway Capacity Manual</i> , 2000.	

Although the *HCM* methodology calculates a volume-to-capacity (v/c) ratio, there is no strict relationship between v/c ratios and LOS as defined in the *HCM*. A high v/c ratio indicates substantial traffic passing through an intersection, but a high v/c ratio combined with low average delay actually represents the most efficient condition in terms of traffic engineering standards, where an approach or the whole intersection processes traffic close to its theoretical maximum capacity with minimal delay. However, very high v/c ratios—especially those approaching or greater than 1.0—are often correlated with a deteriorated LOS. Other important variables affecting delay include cycle length, progression, and green time. LOS A and B indicate good operating conditions with minimal delay. At LOS C, the number of vehicles stopping is higher, but congestion is still fairly light. LOS D describes a condition where congestion levels are more noticeable and individual cycle failures (a condition where motorists may have to wait for more than one green phase to clear the intersection) can occur. Conditions at LOS E and F reflect poor service levels, and cycle breakdowns are frequent. The *HCM* methodology also provides for a summary of the total intersection operating conditions. The analysis chooses the two critical movements (the worst case from each roadway) and calculates a summary critical v/c ratio. The overall intersection delay, which determines the intersection's LOS, is based on a weighted average of control delays of the individual lane groups. Within New York City, the midpoint of LOS D (45 seconds of delay) is generally considered as the threshold between acceptable and unacceptable operations.

#### *Significant Impact Criteria*

Impacts are evaluated based on a comparison of conditions with the proposed project (the Build condition) with conditions in the future without the proposed project (the No Build condition).

According to the criteria presented in the *CEQR Technical Manual*, impacts are considered significant and require examination of mitigation if they result in an increase in the Build condition of 5 or more seconds of delay in a lane group over No Build levels worse than mid-LOS D. For No Build LOS E, a 4-second increase in delay is considered significant. For No Build LOS F, a 3-second increase in delay is considered significant. In addition, impacts are considered significant if levels of service deteriorate from acceptable A, B, or C in the No Build condition to marginally unacceptable LOS D (a delay in excess of 45 seconds, the midpoint of LOS D), or unacceptable LOS E or F in the future Build condition.

### **PEDESTRIAN OPERATIONS**

The adequacy of the study area's sidewalks, crosswalks, and corner reservoir capacities in relation to the demand imposed on them is evaluated based on the methodologies presented in the HCM, pursuant to procedures detailed in the *CEQR Technical Manual*.

Sidewalks are analyzed in terms of pedestrian flow. The calculation of the average pedestrians per minute per foot (PMF) of effective walkway width is the basis for a sidewalk LOS analysis. The determination of walkway LOS is also dependent on whether the pedestrian flow being analyzed is best described as "non-platoon" or "platoon." Non-platoon flow occurs when pedestrian volume within the peak 15-minute period is relatively uniform, whereas, platoon flow occurs when pedestrian volumes vary significantly with the peak 15-minute period. Such variation typically occurs near bus stops, subway stations, and/or where adjacent crosswalks account for much of the walkway's pedestrian volume.

Crosswalks and street corners are not easily measured in terms of free pedestrian flow, as they are influenced by the effects of traffic signals. Street corners must be able to provide sufficient space for a mix of standing pedestrians (queued to cross a street) and circulating pedestrians (crossing the street or moving around the corner). The HCM methodologies apply a measure of time and space availability based on the area of the corner, the timing of the intersection signal, and the estimated space used by circulating pedestrians.

The total "time-space" available for these activities, expressed in square feet-second, is calculated by multiplying the net area of the corner (in square feet) by the signal's cycle length. The analysis then determines the total circulation time for all pedestrian movements at the corner per signal cycle (expressed as pedestrians per second). The ratio of net time-space divided by the total pedestrian circulation volume per signal cycle provides the LOS measurement of square feet per pedestrian (SFP).

Crosswalk LOS is also a function of time and space. Similar to the street corner analysis, crosswalk conditions are first expressed as a measurement of the available area (the crosswalk width multiplied by the width of the street) and the permitted crossing time. This measure is expressed in square feet-second. The average time required for a pedestrian to cross the street is calculated based on the width of the street and an assumed walking speed. The ratio of time-space available in the crosswalk to the total crosswalk pedestrian occupancy time is the LOS measurement of available square feet per pedestrian. The LOS analysis also accounts for vehicular turning movements that traverse the crosswalk.

The LOS standards for sidewalks, corner reservoirs, and crosswalks are summarized in **Table 14-4**.

The *CEQR Technical Manual* specifies acceptable LOS in central business district (CBD) areas is mid-LOS D or better. Given the high level of existing pedestrian activity in the vicinity of the project site, pedestrian elements in the study area were analyzed under CBD conditions.

**Table 14-4**  
**Level of Service Criteria for Pedestrian Elements**

LOS	Sidewalks		Corner Reservoirs and Crosswalks
	Non-Platoon Flow	Platoon Flow	
A	≤ 5 PMF	≤ 0.5 PMF	> 60 SFP
B	> 5 and ≤ 7 PMF	> 0.5 and ≤ 3 PMF	> 40 and ≤ 60 SFP
C	> 7 and ≤ 10 PMF	> 3 and ≤ 6 PMF	> 24 and ≤ 40 SFP
D	> 10 and ≤ 15 PMF	> 6 and ≤ 11 PMF	> 15 and ≤ 24 SFP
E	> 15 and ≤ 23 PMF	> 11 and ≤ 18 PMF	> 8 and ≤ 15 SFP
F	> 23 PMF	> 18 PMF	≤ 8 SFP

**Notes:** PMF = pedestrians per minute per foot; SFP = square feet per pedestrian.  
**Source:** 2012 *CEQR Technical Manual*.

### *SIGNIFICANT IMPACT CRITERIA*

The determination of significant pedestrian impacts considers the level of predicted deterioration in pedestrian flow or decrease in pedestrian space between the No Build and Build conditions. For different pedestrian elements, flow conditions, and area types, the CEQR procedure for impact determination corresponds with various sliding-scale formulas, as further detailed below.

#### *Sidewalks*

There are two sliding-scale formulas for determining significant sidewalk impacts. For non-platoon flow, the increase in average pedestrian flow rate (Y) in PMF needs to be greater or equal to 3.5 minus X divided by 8.0 (where X is the No Build pedestrian flow rate in PMF [ $Y \geq 3.5 - X/8.0$ ]) for it to be a significant impact. For platoon flow, the sliding-scale formula is  $Y \geq 3.0 - X/8.0$ . Since deterioration in pedestrian flow within acceptable levels would not constitute a significant impact, these formulas would apply only if the Build pedestrian flow exceeds LOS C in non-CBD areas or mid-LOS D in CBD areas. **Table 14-5** summarizes the sliding scale guidance provided by the *CEQR Technical Manual* for determining potential significant sidewalk impacts.

#### *Corner Reservoirs and Crosswalks*

The determination of significant corner and crosswalk impacts is also based on a sliding scale using the following formula:  $Y \geq X/9.0 - 0.3$ , where Y is the decrease in pedestrian space in SFP and X is the No Build pedestrian space in SFP. Since a decrease in pedestrian space within acceptable levels would not constitute a significant impact, this formula would apply only if the Build pedestrian space falls short of LOS C in non-CBD areas or mid-LOS D in CBD areas. **Table 14-6** summarizes the sliding scale guidance provided by the *CEQR Technical Manual* for determining potential significant corner reservoir and crosswalk impacts.

### **VEHICULAR AND PEDESTRIAN SAFETY EVALUATION**

An evaluation of vehicular and pedestrian safety is necessary for locations within the traffic and pedestrian study areas that have been identified as high accident locations, where 48 or more total reportable and non-reportable crashes or five or more pedestrian/bicyclist injury crashes occurred in any consecutive 12 months of the most recent three-year period for which data are available. For these locations, accident trends are identified to determine whether projected vehicular and pedestrian traffic would further impact safety at these locations or whether

**Table 14-5**  
**Significant Impact Guidance for Sidewalks**

Non-Platoon Flow				Platoon Flow			
Sliding Scale Formula: $Y \geq 3.53 - X/8.0$				Sliding Scale Formula: $Y \geq 3.03 - X/8.0$			
Non-CBD Areas		CBD Areas		Non-CBD Areas		CBD Areas	
No Build Ped. Flow (X, PMF)	Build Ped. Flow Incr. (Y, PMF)	No Build Ped. Flow (X, PMF)	Build Ped. Flow Incr. (Y, PMF)	No Build Ped. Flow (X, PMF)	Build Ped. Flow Incr. (Y, PMF)	No Build Ped. Flow (X, PMF)	Build Ped. Flow Incr. (Y, PMF)
7.5 to 7.8	≥ 2.6	–	–	3.5 to 3.8	≥ 2.6	–	–
7.9 to 8.6	≥ 2.5	–	–	3.9 to 4.6	≥ 2.5	–	–
8.7 to 9.4	≥ 2.4	–	–	4.7 to 5.4	≥ 2.4	–	–
9.5 to 10.2	≥ 2.3	–	–	5.5 to 6.2	≥ 2.3	–	–
10.3 to 11.0	≥ 2.2	10.4 to 11.0	≥ 2.2	6.3 to 7.0	≥ 2.2	6.4 to 7.0	≥ 2.2
11.1 to 11.8	≥ 2.1	11.1 to 11.8	≥ 2.1	7.1 to 7.8	≥ 2.1	7.1 to 7.8	≥ 2.1
11.9 to 12.6	≥ 2.0	11.9 to 12.6	≥ 2.0	7.9 to 8.6	≥ 2.0	7.9 to 8.6	≥ 2.0
12.7 to 13.4	≥ 1.9	12.7 to 13.4	≥ 1.9	8.7 to 9.4	≥ 1.9	8.7 to 9.4	≥ 1.9
13.5 to 14.2	≥ 1.8	13.5 to 14.2	≥ 1.8	9.5 to 10.2	≥ 1.8	9.5 to 10.2	≥ 1.8
14.3 to 15.0	≥ 1.7	14.3 to 15.0	≥ 1.7	10.3 to 11.0	≥ 1.7	10.3 to 11.0	≥ 1.7
15.1 to 15.8	≥ 1.6	15.1 to 15.8	≥ 1.6	11.1 to 11.8	≥ 1.6	11.1 to 11.8	≥ 1.6
15.9 to 16.6	≥ 1.5	15.9 to 16.6	≥ 1.5	11.9 to 12.6	≥ 1.5	11.9 to 12.6	≥ 1.5
16.7 to 17.4	≥ 1.4	16.7 to 17.4	≥ 1.4	12.7 to 13.4	≥ 1.4	12.7 to 13.4	≥ 1.4
17.5 to 18.2	≥ 1.3	17.5 to 18.2	≥ 1.3	13.5 to 14.2	≥ 1.3	13.5 to 14.2	≥ 1.3
18.3 to 19.0	≥ 1.2	18.3 to 19.0	≥ 1.2	14.3 to 15.0	≥ 1.2	14.3 to 15.0	≥ 1.2
19.1 to 19.8	≥ 1.1	19.1 to 19.8	≥ 1.1	15.1 to 15.8	≥ 1.1	15.1 to 15.8	≥ 1.1
19.9 to 20.6	≥ 1.0	19.9 to 20.6	≥ 1.0	15.9 to 16.6	≥ 1.0	15.9 to 16.6	≥ 1.0
20.7 to 21.4	≥ 0.9	20.7 to 21.4	≥ 0.9	16.7 to 17.4	≥ 0.9	16.7 to 17.4	≥ 0.9
21.5 to 22.2	≥ 0.8	21.5 to 22.2	≥ 0.8	17.5 to 18.2	≥ 0.8	17.5 to 18.2	≥ 0.8
22.3 to 23.0	≥ 0.7	22.3 to 23.0	≥ 0.7	18.3 to 19.0	≥ 0.7	18.3 to 19.0	≥ 0.7
> 23.0	≥ 0.6	> 23.0	≥ 0.6	> 19.0	≥ 0.6	> 19.0	≥ 0.6

**Notes:** PMF = pedestrians per minute per foot; Y = increase in average pedestrian flow rate in PMF; X = No Build pedestrian flow rate in PMF.  
**Source:** 2012 CEQR Technical Manual.

**Table 14-6**  
**Significant Impact Guidance for Corners and Crosswalks**

Sliding Scale Formula: $Y \geq X/9.0 - 0.31$			
Non-CBD Areas		CBD Areas	
No Build Pedestrian Space (X, SFP)	Build Pedestrian Space Reduction (Y, SFP)	No Build Pedestrian Space (X, SFP)	Build Pedestrian Space Reduction (Y, SFP)
25.8 to 26.6	≥ 2.6	–	–
24.9 to 25.7	≥ 2.5	–	–
24.0 to 24.8	≥ 2.4	–	–
23.1 to 23.9	≥ 2.3	–	–
22.2 to 23.0	≥ 2.2	–	–
21.3 to 22.1	≥ 2.1	21.3 to 21.5	≥ 2.1
20.4 to 21.2	≥ 2.0	20.4 to 21.2	≥ 2.0
19.5 to 20.3	≥ 1.9	19.5 to 20.3	≥ 1.9
18.6 to 19.4	≥ 1.8	18.6 to 19.4	≥ 1.8
17.7 to 18.5	≥ 1.7	17.7 to 18.5	≥ 1.7
16.8 to 17.6	≥ 1.6	16.8 to 17.6	≥ 1.6
15.9 to 16.7	≥ 1.5	15.9 to 16.7	≥ 1.5
15.0 to 15.8	≥ 1.4	15.0 to 15.8	≥ 1.4
14.1 to 14.9	≥ 1.3	14.1 to 14.9	≥ 1.3
13.2 to 14.0	≥ 1.2	13.2 to 14.0	≥ 1.2
12.3 to 13.1	≥ 1.1	12.3 to 13.1	≥ 1.1
11.4 to 12.2	≥ 1.0	11.4 to 12.2	≥ 1.0
10.5 to 11.3	≥ 0.9	10.5 to 11.3	≥ 0.9
9.6 to 10.4	≥ 0.8	9.6 to 10.4	≥ 0.8
8.7 to 9.5	≥ 0.7	8.7 to 9.5	≥ 0.7
7.8 to 8.6	≥ 0.6	7.8 to 8.6	≥ 0.6
6.9 to 7.7	≥ 0.5	6.9 to 7.7	≥ 0.5
6.0 to 6.8	≥ 0.4	6.0 to 6.8	≥ 0.4
5.1 to 5.9	≥ 0.3	5.1 to 5.9	≥ 0.3
< 5.1	≥ 0.2	< 5.1	≥ 0.2

**Notes:** SFP = square feet per pedestrian; Y = decrease in pedestrian space in SFP; X = No Build pedestrian space in SFP.  
**Source:** 2012 CEQR Technical Manual.

existing unsafe conditions could adversely impact the flow of the projected new trips. The determination of potential significant safety impacts depends on the type of area where the project site is located, traffic volumes, accident types and severity, and other contributing factors. Where appropriate, measures to improve traffic and pedestrian safety should be identified and coordinated with the New York City Department of Transportation (NYCDOT).

### **PARKING CONDITIONS ASSESSMENT**

A parking analysis identifies the extent to which off-street parking is available and utilized under existing and future conditions. It takes into consideration anticipated changes in area parking supply and provides a comparison of parking needs versus availability to determine if a parking shortfall is likely to result from parking displacement attributable to or additional demand generated by a proposed action. Typically, this analysis encompasses a study area within ¼-mile of the project site. If the analysis concludes there would be a shortfall in parking within the ¼-mile study area, the study area can sometimes be extended to ½-mile (reasonable for certain uses, such as amusement parks, arenas, beaches, and other recreational facilities) to identify additional parking supply.

## **E. TRAFFIC ANALYSIS**

### **2011 EXISTING CONDITIONS**

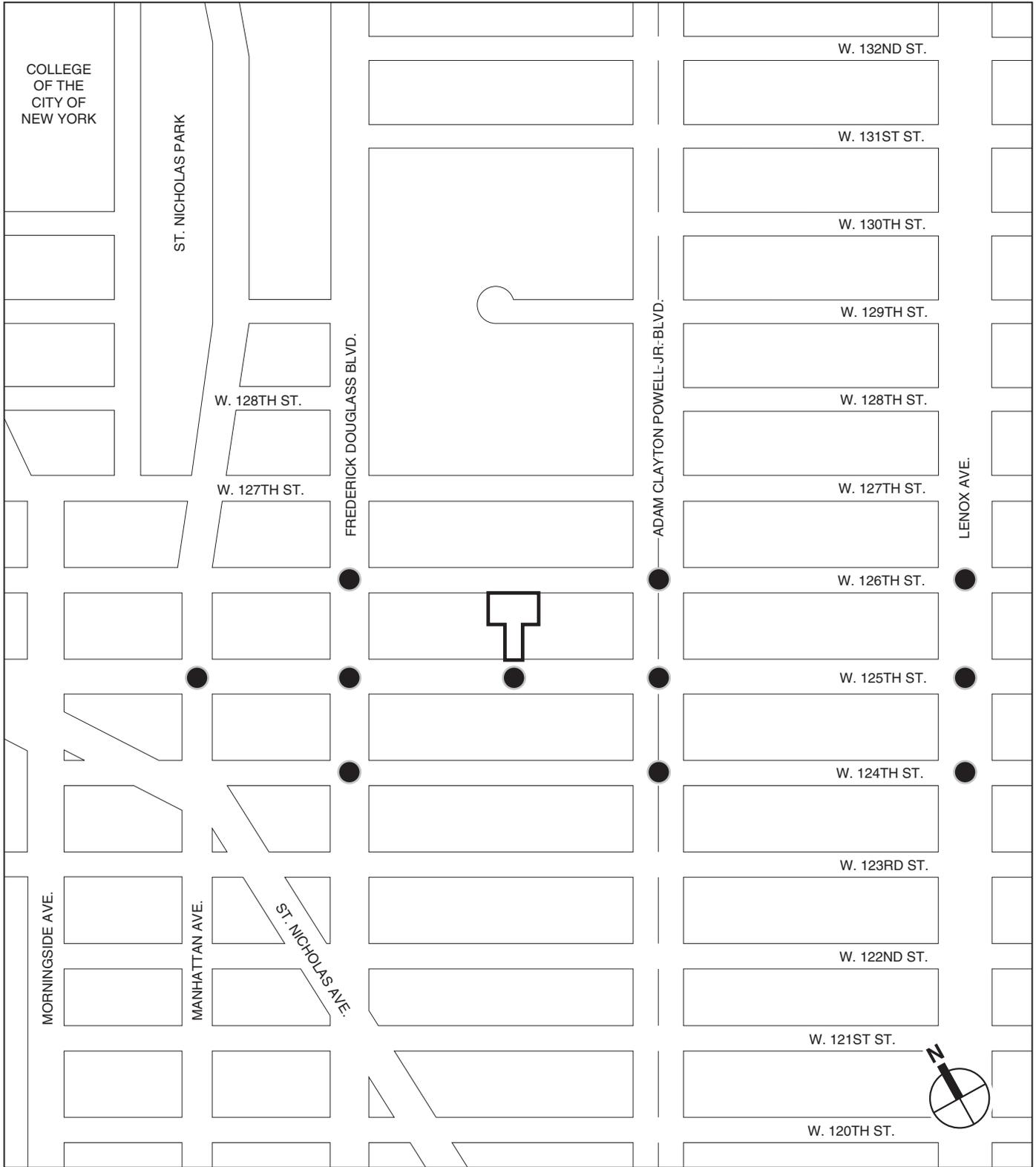
#### *ROADWAY NETWORK*

To assess the potential traffic impacts associated with the development of the project, eleven key signalized intersections were identified that would most likely be affected by the project-generated traffic (see **Figure 14-9**). The intersections are:

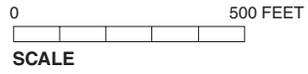
- West 126th Street/Eighth Avenue;
- West 126th Street/Seventh Avenue;
- West 126th Street/Lenox Avenue;
- West 125th Street/Manhattan Avenue/St. Nicholas Avenue;
- West 125th Street/Eighth Avenue;
- West 125th Street/Seventh Avenue;
- West 125th Street/Lenox Avenue;
- West 124th Street/Eighth Avenue;
- West 124th Street/Seventh Avenue;
- West 124th Street/Lenox Avenue; and
- Signalized Pedestrian Crossing on West 125th Street between Seventh Avenue and Eighth Avenue.

Major roadways in the study area are characterized as follows:

- West 126th Street is a one-way street with one westbound traffic lane and curbside parking on both sides of the street.
- West 125th Street is a two-way, east-west street with two traffic lanes in each direction and curbside parking on both sides of the street. Bus stops for the M60, M100, M101 and BX 15 are located along West 125th Street.



-  Project Site
-  Intersection Analyzed



## Victoria Theater

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- West 124th Street is a one-way street with curbside parking on both sides of the street. West of Lenox Avenue, West 124th Street provides an eastbound travel lane only while east of Lenox Avenue West 124th Street provides a westbound travel lane only.
- North of West 124th Street, Manhattan Avenue/St. Nicholas Avenue is a two-way, north-south street with one traffic lane in each direction and curbside parking on both sides of the street. North and south bike lanes are also provided.
- Eighth Avenue is a two-way, north-south street with two lanes of traffic in each direction and curbside parking on both sides of the street. Bus stops for the M10 are located along Eighth Avenue.
- Seventh Avenue is a two-way, north-south arterial with three lanes of traffic in each direction and curbside parking on both sides of the street. A raised median separates the northbound and southbound traffic. Bus stops for the M2 are located along Seventh Avenue.
- Lenox Avenue is a two-way, north-south street with two lanes of traffic in each direction and curbside parking on both sides of the street. Bus stops for the M7 and M102 are located along Lenox Avenue.

### *TRAFFIC CONDITIONS*

Existing traffic volumes for the study area intersections are based on field counts conducted in June 2011. Inventories of roadway geometry, traffic controls, bus stops, and parking regulations/activities were also recorded to provide appropriate inputs for the operational analyses. In addition, official signal timings obtained from NYCDOT were used in the analysis for all of the signalized intersections. **Figures 14-10 to 14-13** show the existing traffic volumes for the weekday AM, midday, PM, and Saturday peak hours, which were determined, based on the collected traffic data, to take place from 7:30 to 8:30 AM, 12:15 to 1:15 PM, 4:30 to 5:30 PM, and 4:00 to 5:00 PM, respectively.

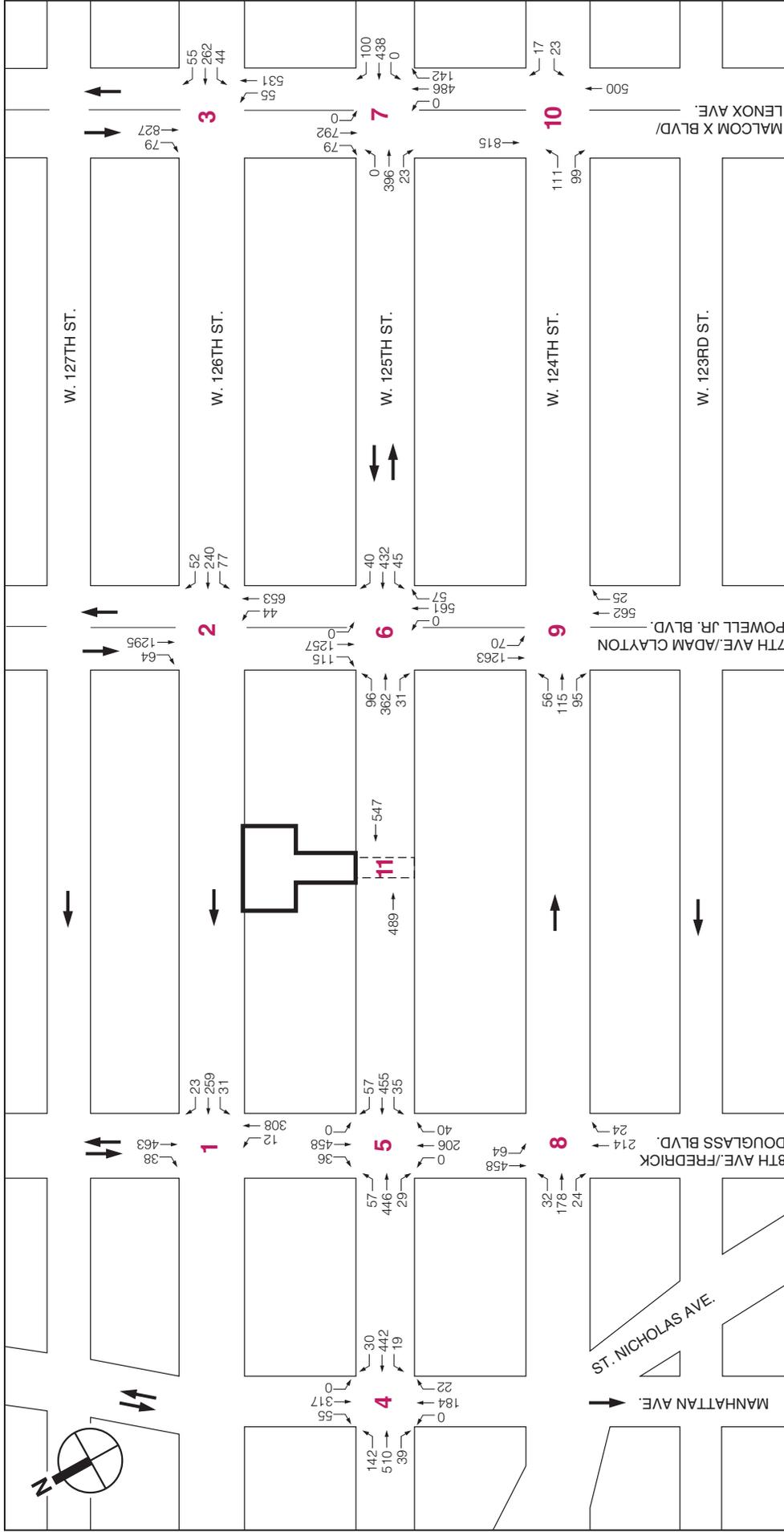
### *VEHICLE OBSERVATIONS*

The West 125th Street corridor between Lenox Avenue and Manhattan Avenue/St. Nicholas Avenue is lined with retail establishments, multiple bus stops and parking on both sides of the street. During each peak period, field observations were conducted to estimate the average vehicle delay at each of the study locations along 125th Street. Frequent double parking and high levels of pedestrian activity contribute to queues, primarily during the weekday PM and Saturday afternoon periods, and are accounted for in the existing conditions analyses. Along Lenox Avenue, Seventh Avenue, and Eighth Avenue, vehicle queues were observed to be minimal.

### *LEVELS OF SERVICE*

**Table 14-7** presents the service conditions for the signalized intersections analyzed for the traffic study area.

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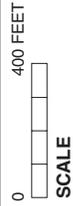
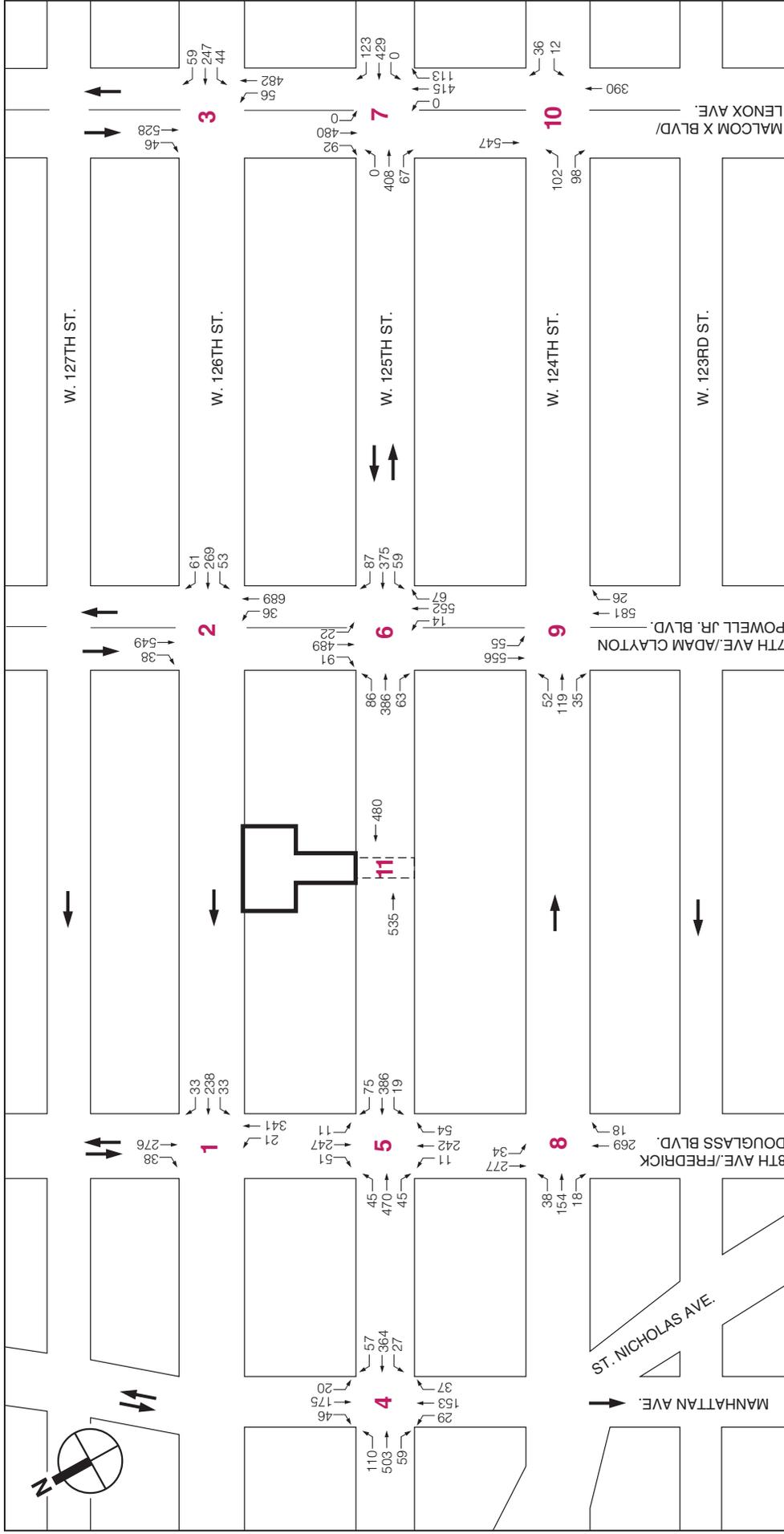


Project Site



Existing Volumes  
AM Peak Hour  
Figure 14-10

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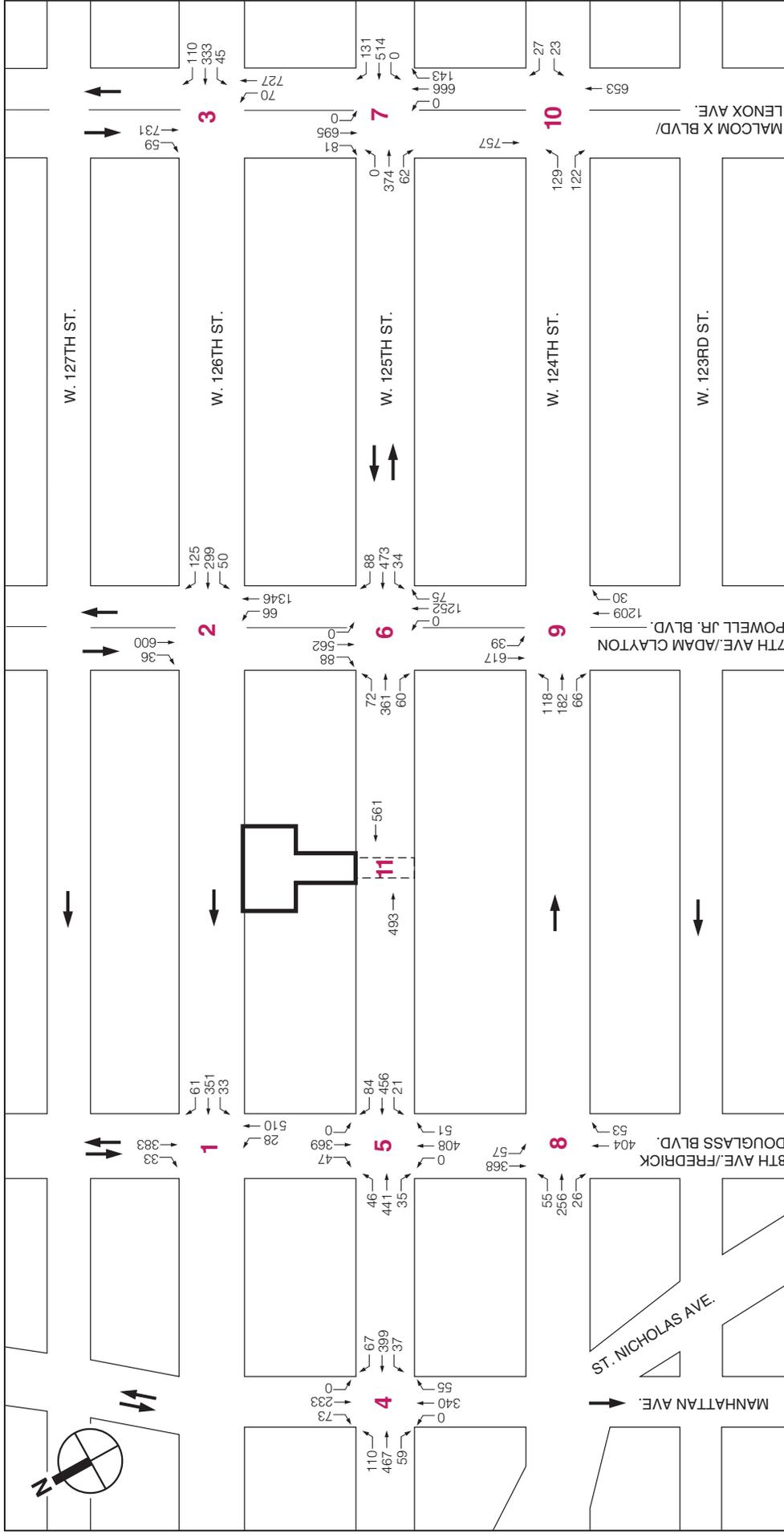


Project Site

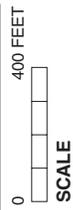
Existing Volumes  
Midday Peak Hour  
Figure 14-11

VICTORIA THEATER

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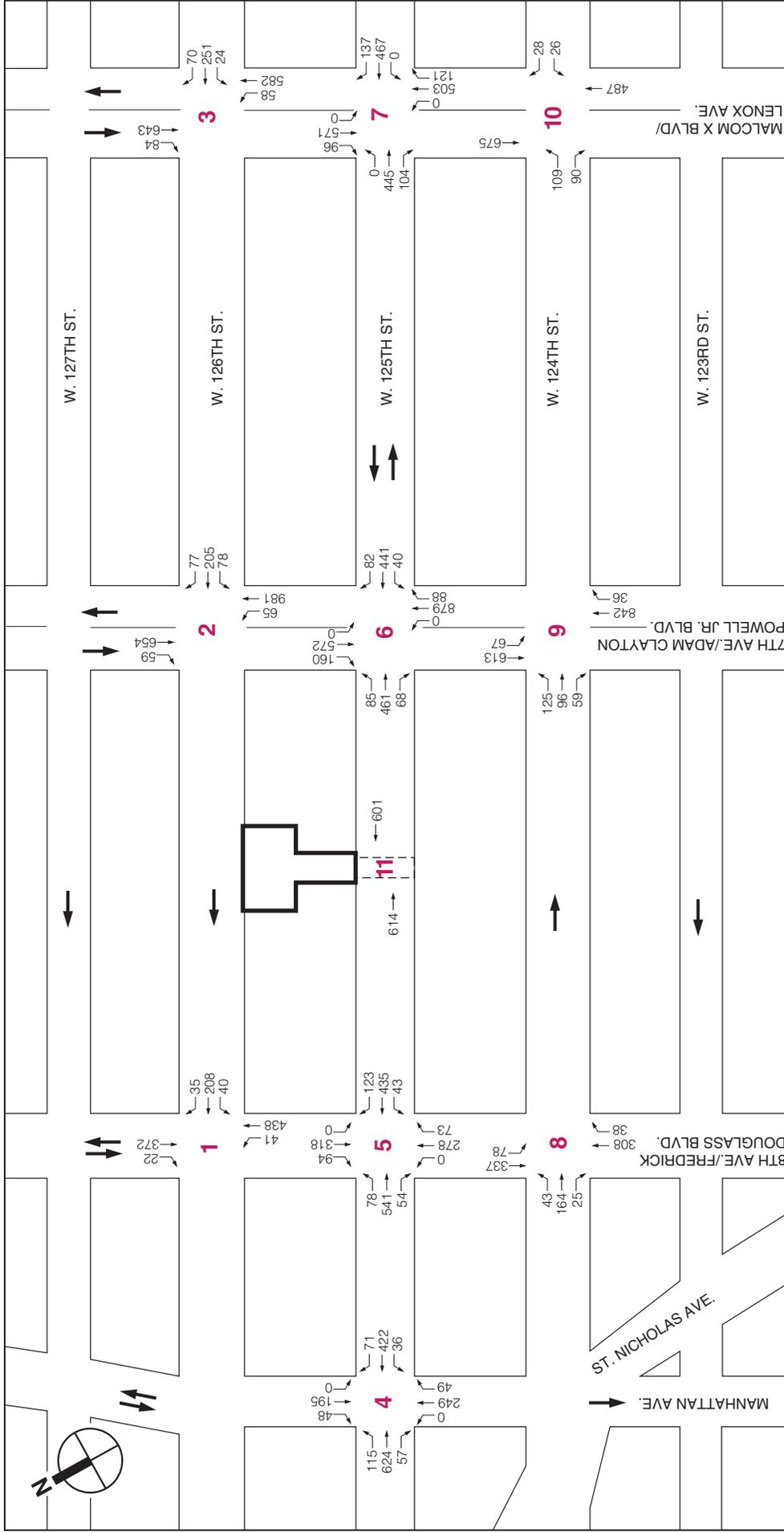


Project Site



Existing Volumes  
PM Peak Hour  
Figure 14-12

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Project Site

Existing Volumes  
Saturday Peak Hour  
Figure 14-13

Table 14-7

2011 Existing Conditions Level of Service Analysis

Intersection/ Approach	AM Peak Hour				Midday Peak Hour				PM Peak Hour				Saturday Peak Hour			
	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS
West 126th Street/Eighth Avenue																
Westbound	LTR	0.39	23.5	C	LTR	0.48	31.6	C	LTR	0.45	21.9	C	LTR	1.00	85.5	F
Northbound	LT	0.25	11.2	B	LT	0.23	7.0	A	LT	0.46	15.9	B	LT	0.31	7.6	A
Southbound	TR	0.38	12.5	B	TR	0.19	6.7	A	TR	0.38	14.7	B	TR	0.24	7.0	A
	Intersection	15.3	B		Intersection	14.5	B		Intersection	17.3	B		Intersection	26.9	C	
West 126th Street/Seventh Avenue																
Westbound	LTR	0.41	21.9	C	LTR	0.46	24.8	C	LTR	0.59	27.2	C	LTR	0.95	60.8	E
Northbound	LT	0.45	14.9	B	LT	0.39	12.4	B	LT	0.83	21.3	C	LT	0.58	14.9	B
Southbound	TR	0.68	18.3	B	TR	0.28	11.3	B	TR	0.31	11.6	B	TR	0.33	11.8	B
	Intersection	17.8	B		Intersection	14.8	B		Intersection	19.9	B		Intersection	21.9	C	
West 126th Street/Lenox Avenue																
Westbound	LTR	0.33	17.0	B	LTR	0.29	16.6	B	LTR	0.48	19.1	B	LTR	0.69	26.6	C
Northbound	L	0.50	32.3	C	L	0.33	20.7	C	L	0.56	33.2	C	L	0.38	23.4	C
	T	0.48	18.9	B	T	0.45	18.5	B	T	0.66	22.3	C	T	0.49	19.2	B
Southbound	TR	0.83	28.8	C	TR	0.59	21.1	C	TR	0.74	24.9	C	TR	0.66	22.6	C
	Intersection	23.7	C		Intersection	19.3	B		Intersection	22.9	C		Intersection	22.4	C	
West 125th Street/Manhattan Avenue/St. Nicholas Avenue																
Eastbound	LTR	0.81	24.4	C	LTR	0.71	19.7	B	LTR	0.91	35.1	D	LTR	0.95	38.8	D
Westbound	LTR	0.49	14.1	B	LTR	0.42	13.2	B	LTR	0.77	23.0	C	LTR	0.57	15.7	B
Northbound	TR	0.46	25.9	C	LTR	0.54	28.3	C	TR	0.84	42.1	D	LTR	0.66	31.7	C
Southbound	TR	0.82	40.5	D	LTR	0.55	28.4	C	TR	0.67	32.0	C	LTR	0.60	29.5	C
	Intersection	22.9	C		Intersection	20.4	C		Intersection	32.5	C		Intersection	29.6	C	
West 125th Street/Eighth Avenue																
Eastbound	LTR	0.95	51.5	D	LTR	0.60	20.4	C	LTR	0.89	42.9	D	LTR	0.96	48.1	D
Westbound	LTR	0.88	40.0	D	LTR	0.53	20.2	C	LTR	0.91	44.9	D	LTR	0.89	37.2	D
Northbound	LTR	0.26	16.3	B	LTR	0.41	24.1	C	LTR	0.44	18.5	B	LTR	0.41	24.0	C
Southbound	LTR	0.51	19.4	B	LTR	0.42	24.2	C	LTR	0.39	17.8	B	LTR	0.49	25.3	C
	Intersection	34.5	C		Intersection	21.7	C		Intersection	32.5	C		Intersection	36.3	C	
West 125th Street/Seventh Avenue																
Eastbound	LTR	0.77	28.7	C	LTR	0.75	27.3	C	LTR	0.76	27.9	C	LTR	0.89	37.8	D
Westbound	LTR	0.69	24.0	C	LTR	0.68	24.2	C	LTR	0.73	25.3	C	LTR	0.87	37.0	D
Northbound	TR	0.39	17.4	B	LTR	0.42	17.9	B	T	0.72	22.8	C	LTR	0.55	19.5	B
	-	-	-	-	-	-	-	-	R	0.19	16.3	B	-	-	-	-
Southbound	LTR	0.82	26.0	C	LTR	0.45	18.3	B	TR	0.41	17.7	B	LTR	0.45	18.2	B
	Intersection	24.3	C		Intersection	21.6	C		Intersection	22.9	C		Intersection	26.6	C	
West 125th Street/Lenox Avenue																
Eastbound	TR	0.46	20.7	C	TR	0.78	31.5	C	TR	0.78	35.3	D	TR	0.85	36.0	D
Westbound	TR	0.65	24.8	C	TR	0.85	36.0	D	TR	1.00	57.0	E	TR	0.88	37.4	D
Northbound	TR	0.71	26.8	C	TR	0.63	24.8	C	T	0.60	23.5	C	TR	0.78	29.4	C
	-	-	-	-	-	-	-	-	R	0.45	23.8	C	-	-	-	-
Southbound	TR	0.92	39.8	D	TR	0.66	25.6	C	TR	0.82	31.1	C	TR	0.74	27.9	C
	Intersection	29.8	C		Intersection	29.4	C		Intersection	36.5	D		Intersection	32.4	C	
West 124th Street/Eighth Avenue																
Eastbound	LTR	0.37	21.1	C	LTR	0.37	21.2	C	LTR	0.56	24.8	C	LTR	0.43	22.4	C
Northbound	TR	0.22	13.0	B	TR	0.22	13.0	B	TR	0.38	14.7	B	TR	0.29	13.7	B
Southbound	LT	0.48	16.1	B	LT	0.30	13.8	B	LT	0.44	15.7	B	LT	0.46	16.1	B
	Intersection	16.2	B		Intersection	15.6	B		Intersection	17.9	B		Intersection	16.7	B	
West 124th Street/Seventh Avenue																
Eastbound	LTR	0.45	22.6	C	LTR	0.41	24.7	C	LTR	0.70	29.7	C	LTR	0.59	29.5	C
Northbound	TR	0.35	14.0	B	TR	0.29	11.4	B	T	0.66	17.7	B	TR	0.42	12.6	B
	-	-	-	-	-	-	-	-	R	0.09	11.6	B	-	-	-	-
Southbound	LT	0.80	22.4	C	LT	0.40	12.6	B	LT	0.41	14.3	B	LT	0.41	12.7	B
	Intersection	20.0	B		Intersection	13.8	B		Intersection	18.8	B		Intersection	15.1	B	
West 124th Street/Lenox Avenue																
Eastbound	LR	0.54	32.6	C	LR	0.60	34.5	C	LR	0.77	42.7	D	LR	0.62	36.1	D
Westbound	LR	0.14	25.3	C	LR	0.19	26.0	C	LR	0.19	26.0	C	LR	0.19	26.0	C
Northbound	T	0.34	9.1	A	T	0.26	8.5	A	T	0.25	8.3	A	T	0.30	8.8	A
Southbound	T	0.55	11.7	B	T	0.37	9.5	A	T	0.50	10.9	B	T	0.46	10.4	B
	Intersection	13.9	B		Intersection	14.4	B		Intersection	15.8	B		Intersection	14.2	B	
Signalized Pedestrian Crosswalk on West 125th Street between Seventh Avenue and Eighth Avenue																
Eastbound	T	0.35	7.0	A	T	0.37	7.2	A	T	0.34	7.0	A	T	0.43	7.7	A
Westbound	T	0.39	7.5	A	T	0.33	6.9	A	T	0.39	7.4	A	T	0.41	7.6	A
	Intersection	7.3	A		Intersection	7.1	A		Intersection	7.2	A		Intersection	7.7	A	

Note: L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service.

**Victoria Theater**

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The capacity analysis indicates that most of the study area intersection approaches/lane groups operate acceptably—at mid-LOS D (delay of 45 seconds or less for signalized intersections and 30 seconds or less for unsignalized intersections) or better for the peak hours except for the following approaches/lane groups:

- Westbound approach at the West 126th Street/Eighth Avenue intersection (LOS F with 85.5 seconds of delay during the Saturday peak hour);
- Westbound approach at the West 126th Street/Seventh Avenue (LOS E with 60.8 seconds of delay during the Saturday peak hour);
- Eastbound approach at the West 125th Street/Eighth Avenue intersection (LOS D with 51.5 and 48.1 seconds of delay during the AM and Saturday peak hour, respectively); and
- Westbound approach at the West 125th Street/Lenox Avenue intersection (LOS E with 57.0 seconds of delay during the PM peak hour).

**2014 NO BUILD CONDITION**

The 2014 No Build condition was developed by increasing existing (2011) traffic and pedestrian levels by the expected growth in overall travel through and within the study areas. As per *CEQR* guidelines, an annual background growth rate of 0.25 percent was assumed. In addition to the background growth, travel demand estimates for projects anticipated to be complete by 2014 were added to establish the future baseline traffic and pedestrian volumes, as shown in **Table 14-8**.

**Table 14-8  
No Build Projects**

<b>Project/Location</b>	<b>Description</b>	<b>Build Year/Status</b>
2329 Frederick Douglass Blvd	59,950 sf of retail	<u>2013</u> (Under construction)
Harlem Village Academy High School/ 32 West 125th Street	5,099 sf retail, 400 student high school	<u>2012-13</u> (Partially complete)
5 West 125th Street	3,975 sf of office 118,739 sf of retail	<u>2014</u> (Site cleared)
Promise Academy/245 West 129th Street	1,300 student school	<u>2014</u> (Under construction)
Harlem Dowling/2135-2139 Adam Clayton Powell, Jr. Blvd	62 residential units 17,000 sf of office	<u>2014</u> (Site cleared)

In addition to the No Build projects listed above, NYCDOT identified the following two proposed roadway improvements near the vicinity of the proposed action:

- Select Bus Service on 125th Street from Amsterdam Avenue to Second Avenue
- Traffic calming on Adam Clayton Powell Jr. Boulevard (Seventh Avenue) between 110th and 134th Streets

The operations and roadway configurations for these two improvement projects are still being evaluated by NYCDOT and thus were not included in the No Build analysis. Finally, after the 2011 data collection was completed, a Leading Pedestrian Interval (LPI) was added to the 125th Street and Seventh Avenue intersection. While not part of the existing conditions traffic analysis, the LPI was included in the No Build and Build traffic analyses.

*TRAFFIC OPERATIONS*

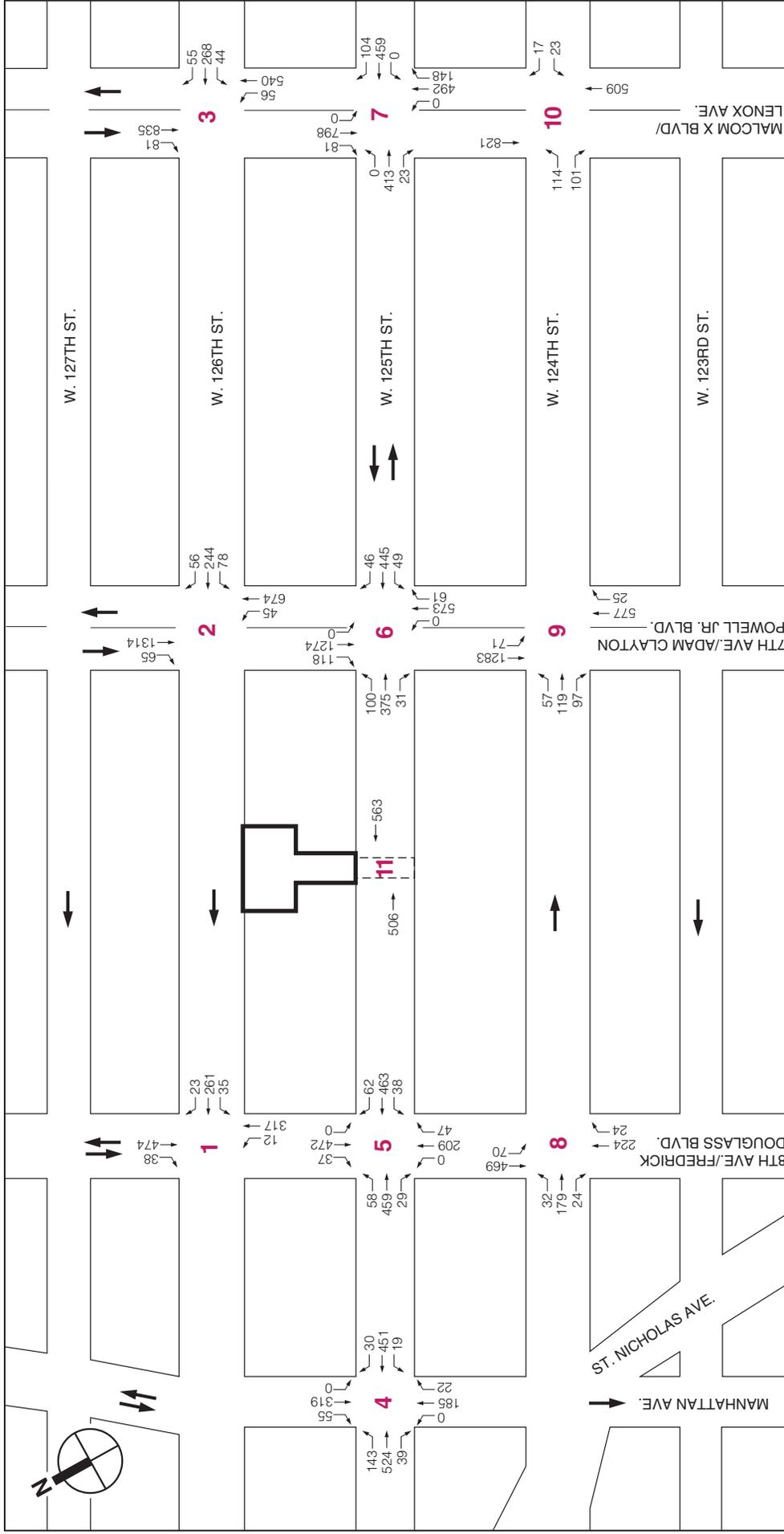
The 2014 No Build traffic volumes are shown in **Figures 14-14 to 14-17** for the weekday AM, midday, PM, and Saturday peak hours. **Table 14-9** presents the No Build condition for intersections in the study area. Based on the analysis results, the majority of the approaches/lane-groups would operate at the same LOS as in the existing conditions with the following notable exceptions:

- Eastbound approach at the West 125th Street/Eighth Avenue intersection would deteriorate to LOS E with 60.2 and 66.8 seconds of delay during the AM and PM peak hours, respectively;
- Westbound approach at the West 125th Street/Eighth Avenue intersection would deteriorate to beyond a mid-LOS D with 47.0 seconds of delay during the AM peak hour and would deteriorate to LOS E with 64.4 and 64.9 seconds of delay during the PM and Saturday peak hours, respectively;
- Eastbound approach at the West 125th Street/Seventh Avenue intersection would deteriorate to LOS F with 89.8 seconds of delay during the Saturday peak hour;
- Westbound approach at the West 125th Street/Seventh Avenue intersection would deteriorate to LOS F with 101.7 seconds of delay during the Saturday peak hour;
- Westbound approach at the West 125th Street/Lenox Avenue intersection would deteriorate to beyond a mid-LOS D with 46.7 and 54.7 seconds of delay in the Midday and Saturday peak hours, respectively; and
- Eastbound left-turn/right-turn lane at West 124th Street/Lenox Avenue intersection would deteriorate to beyond a mid-LOS D with 45.6 seconds of delay during the PM peak hour.

**2014 BUILD CONDITION**

As discussed in the Level 1 and 2 Screening Assessment section, the proposed project is expected to generate auto trips that exceed the 50 peak hour vehicle *CEQR* threshold at some of the study intersections and a detailed traffic analysis is appropriate. Therefore, the vehicle trips were assigned to the study area network and detailed traffic analyses were conducted.

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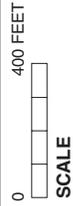
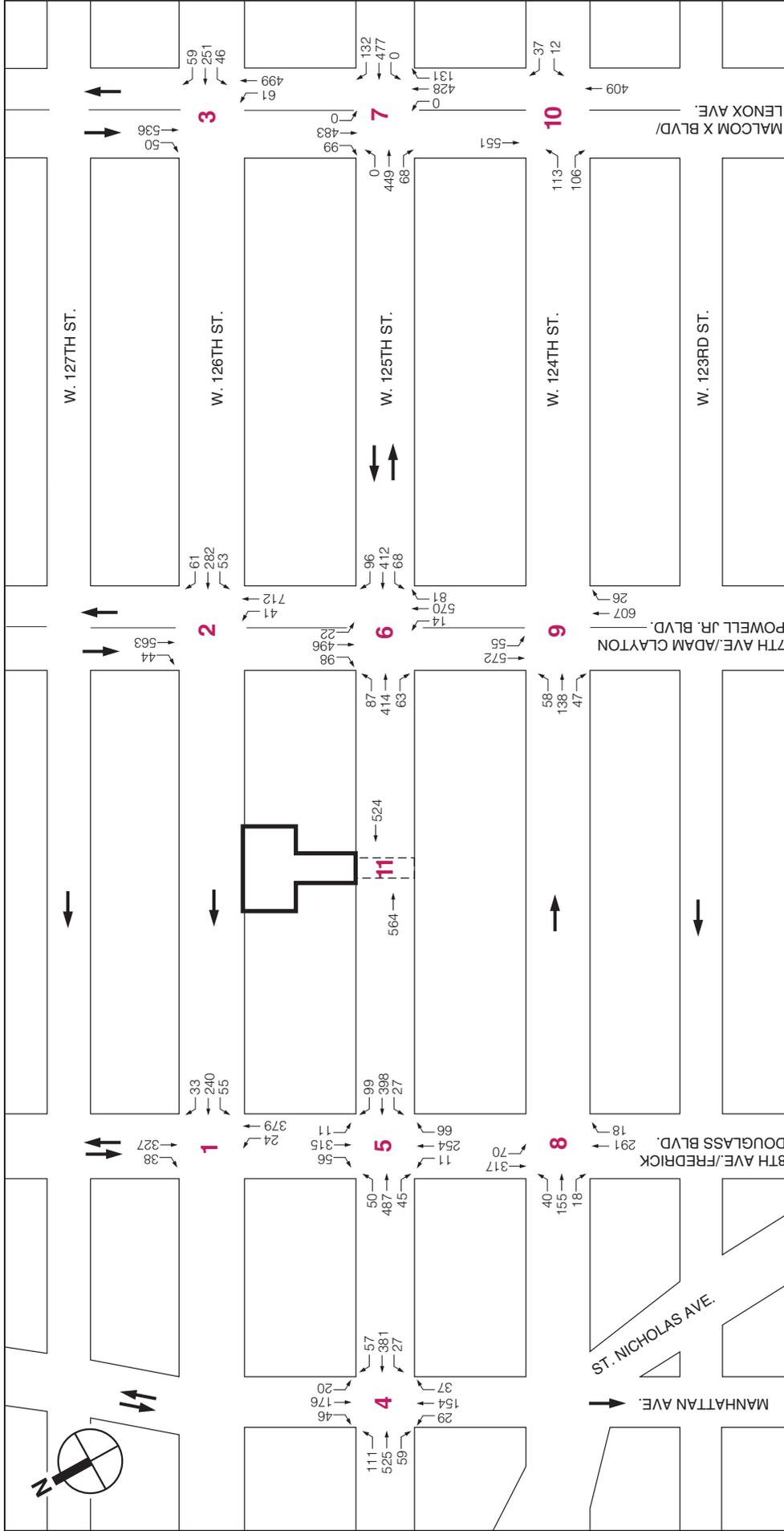


Project Site



2014 No Build Volumes  
AM Peak Hour  
Figure 14-14

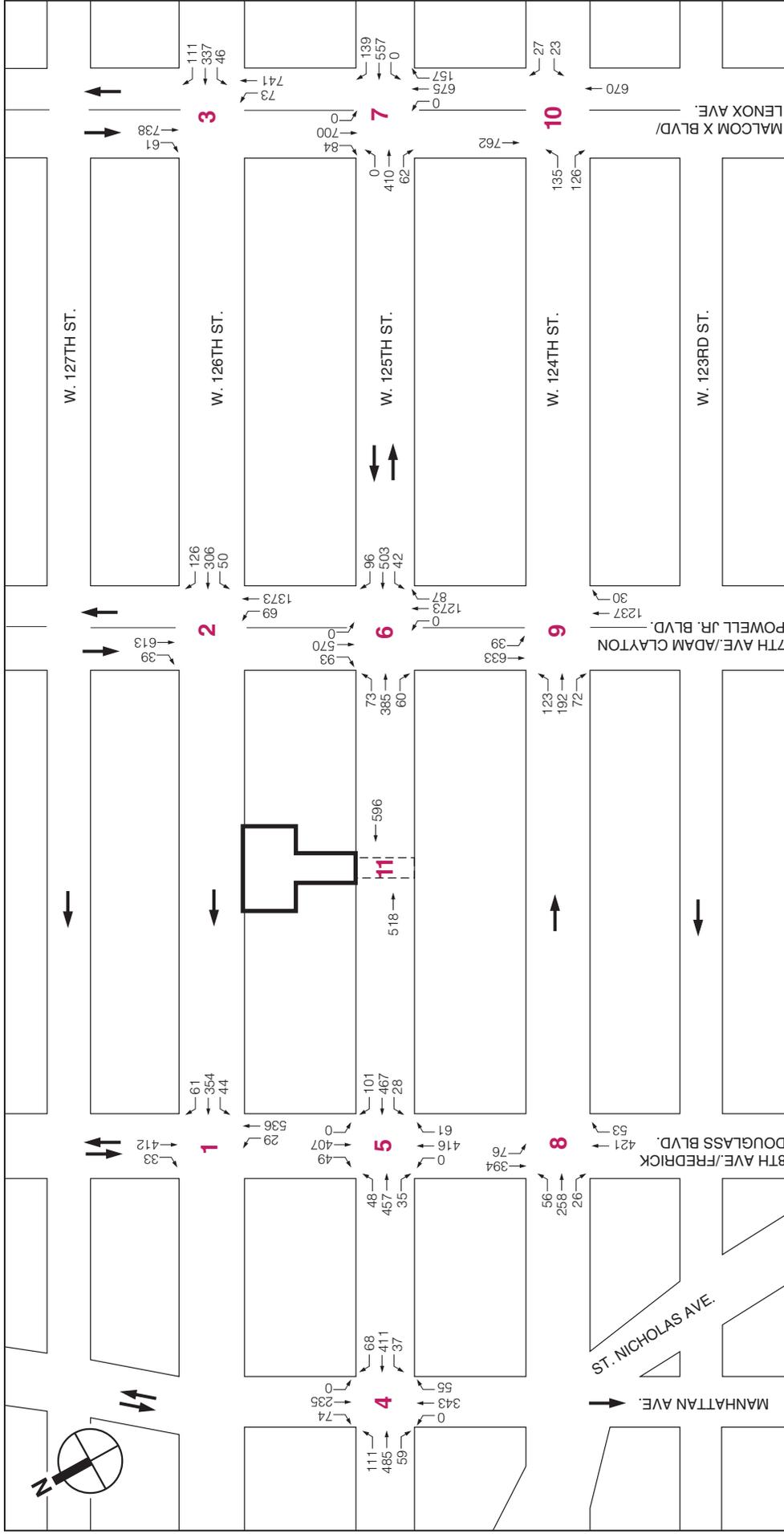
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Project Site

2014 No Build Volumes  
Midday Peak Hour  
Figure 14-15

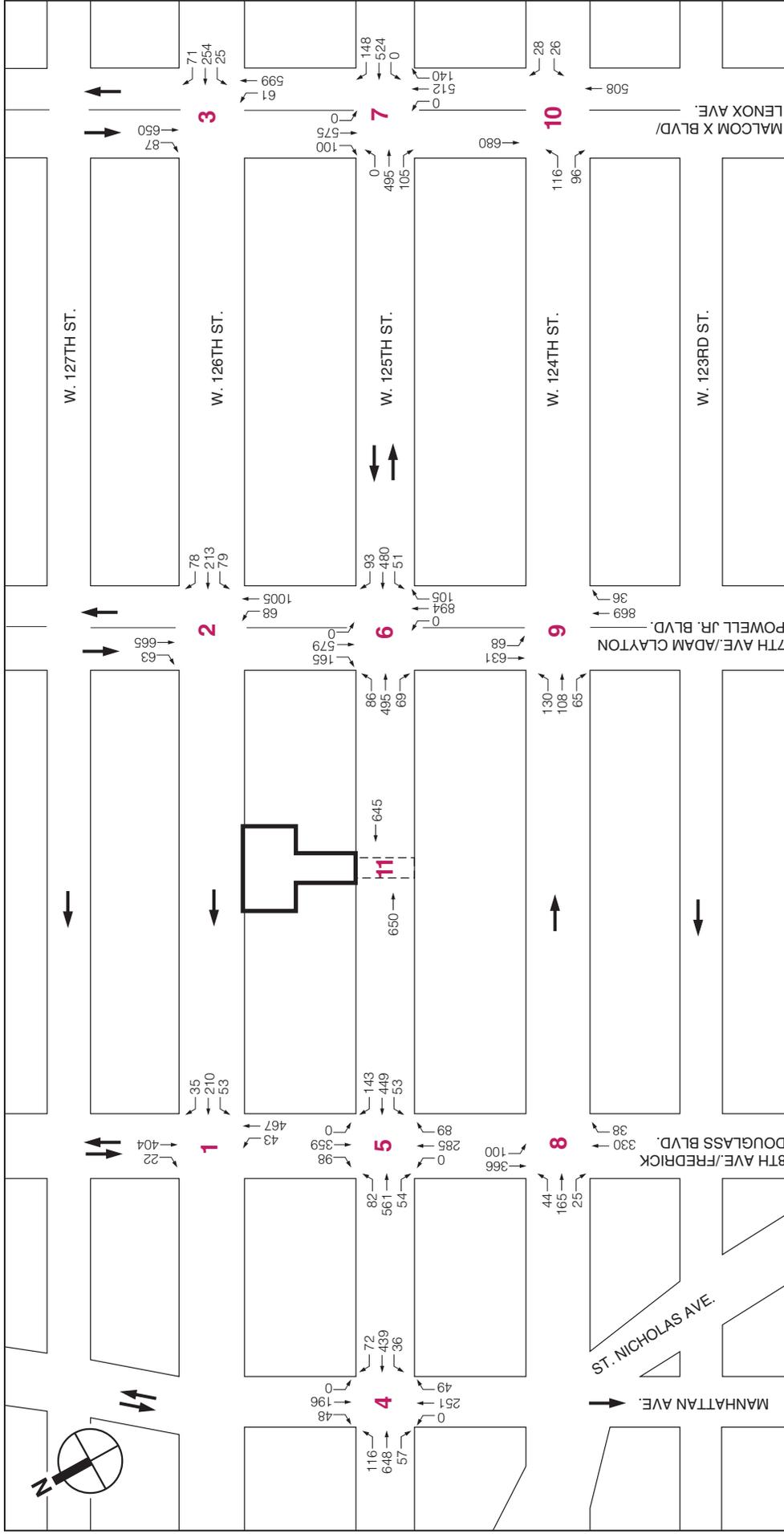
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Project Site

2014 No Build Volumes  
PM Peak Hour  
Figure 14-16

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 Project Site

2014 No Build Volumes  
Saturday Peak Hour  
Figure 14-17

**Table 14-9**  
**2014 No Build Condition Level of Service Analysis**

Intersection/ Approach	AM Peak Hour				Midday Peak Hour				PM Peak Hour				Saturday Peak Hour			
	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS
West 126th Street/Eighth Avenue																
Westbound	LTR	0.39	23.6	C	LTR	0.54	32.9	C	LTR	0.48	22.2	C	LTR	1.08	110.7	F
Northbound	LT	0.26	11.3	B	LT	0.26	7.2	A	LT	0.49	16.3	B	LT	0.33	7.8	A
Southbound	TR	0.40	12.7	B	TR	0.22	6.9	A	TR	0.41	15.1	B	TR	0.26	7.2	A
	Intersection		15.4	B	Intersection		14.7	B	Intersection		17.6	B	Intersection		32.9	C
West 126th Street/Seventh Avenue																
Westbound	LTR	0.42	22.1	C	LTR	0.49	25.2	C	LTR	0.61	27.8	C	LTR	1.00	73.4	E
Northbound	LT	0.47	15.1	B	LT	0.41	12.6	B	LT	0.85	22.5	C	LT	0.59	15.2	B
Southbound	TR	0.69	18.5	B	TR	0.29	11.4	B	TR	0.32	11.7	B	TR	0.34	11.9	B
	Intersection		18.1	B	Intersection		15.0	B	Intersection		20.7	C	Intersection		24.3	C
West 126th Street/Lenox Avenue																
Westbound	LTR	0.34	17.1	B	LTR	0.30	16.7	B	LTR	0.49	19.3	B	LTR	0.70	27.3	C
Northbound	L	0.52	33.7	C	L	0.36	21.8	C	L	0.59	35.9	D	L	0.41	24.8	C
	T	0.48	19.1	B	T	0.46	18.8	B	T	0.67	22.7	C	T	0.51	19.4	B
Southbound	TR	0.84	29.3	C	TR	0.61	21.4	C	TR	0.75	25.2	C	TR	0.67	23.0	C
	Intersection		24.0	C	Intersection		19.5	B	Intersection		23.3	C	Intersection		22.8	C
West 125th Street/Manhattan Avenue/St. Nicholas Avenue																
Eastbound	LTR	0.83	26.0	C	LTR	0.74	20.6	C	LTR	0.94	40.1	D	LTR	0.99	46.0	D
Westbound	LTR	0.50	14.3	B	LTR	0.44	13.4	B	LTR	0.79	24.0	C	LTR	0.55	16.1	B
Northbound	TR	0.46	25.9	C	LTR	0.55	28.3	C	TR	0.85	42.7	D	LTR	0.67	31.8	C
Southbound	TR	0.83	41.0	D	LTR	0.56	28.5	C	TR	0.67	23.3	C	LTR	0.60	29.6	C
	Intersection		25.6	C	Intersection		20.8	C	Intersection		30.6	C	Intersection		32.8	C
West 125th Street/Eighth Avenue																
Eastbound	LTR	0.99	60.2	E	LTR	0.64	21.4	C	LTR	0.95	53.1	D	LTR	1.04	66.8	E
Westbound	LTR	0.93	47.0	D	LTR	0.61	22.1	C	LTR	1.01	64.4	E	LTR	1.03	64.9	E
Northbound	LTR	0.28	16.4	B	LTR	0.45	24.8	C	LTR	0.46	18.8	B	LTR	0.45	24.6	C
Southbound	LTR	0.53	19.8	B	LTR	0.48	25.0	C	LTR	0.43	18.3	B	LTR	0.55	26.3	C
	Intersection		39.2	D	Intersection		23.0	C	Intersection		40.9	D	Intersection		51.1	D
West 125th Street/Seventh Avenue																
Eastbound	LTR	0.90	43.2	D	LTR	0.90	42.4	D	LTR	0.91	43.3	D	LTR	1.09	89.8	F
Westbound	LTR	0.79	30.5	C	LTR	0.88	38.0	D	LTR	0.88	36.5	D	LTR	1.12	101.7	F
Northbound	TR	0.45	20.6	C	LTR	0.50	21.4	C	T	0.82	28.3	C	LTR	0.63	23.5	C
	-	-	-	-	-	-	-	-	R	0.26	19.7	B	-	-	-	
Southbound	TR	0.93	36.4	D	LTR	0.52	21.8	C	TR	0.47	20.9	C	LTR	0.51	21.5	C
	Intersection		33.1	C	Intersection		30.2	C	Intersection		30.8	C	Intersection		54.1	D
West 125th Street/Lenox Avenue																
Eastbound	TR	0.48	21.0	C	TR	0.85	36.2	D	TR	0.84	39.8	D	TR	0.92	44.1	D
Westbound	TR	0.69	25.8	C	TR	0.94	46.7	D	TR	1.07	79.5	E	TR	0.99	54.7	D
Northbound	TR	0.74	27.9	C	TR	0.68	26.1	C	T	0.60	23.6	C	TR	0.82	32.0	C
	-	-	-	-	-	-	-	-	R	0.50	25.5	C	-	-	-	
Southbound	TR	0.93	41.7	D	TR	0.68	26.1	C	TR	0.83	31.7	C	TR	0.76	28.6	C
	Intersection		30.9	C	Intersection		33.8	C	Intersection		44.0	D	Intersection		39.8	D
West 124th Street/Eighth Avenue																
Eastbound	LTR	0.37	21.1	C	LTR	0.38	21.3	C	LTR	0.57	24.9	C	LTR	0.44	22.5	C
Northbound	TR	0.23	13.1	B	TR	0.24	13.2	B	TR	0.40	15.0	B	TR	0.31	14.0	B
Southbound	LT	0.50	16.6	B	LT	0.41	15.3	B	LT	0.51	16.9	B	LT	0.55	17.7	B
	Intersection		16.7	B	Intersection		16.2	B	Intersection		18.4	B	Intersection		17.4	B
West 124th Street/Seventh Avenue																
Eastbound	LTR	0.46	22.8	C	LTR	0.49	26.2	C	LTR	0.74	31.7	C	LTR	0.64	31.2	C
Northbound	TR	0.35	14.1	B	TR	0.30	11.5	B	T	0.68	18.0	B	TR	0.43	12.8	B
	-	-	-	-	-	-	-	-	R	0.09	11.8	B	-	-	-	
Southbound	LT	0.81	23.2	C	LT	0.41	12.7	B	LT	0.42	14.5	B	LT	0.42	12.9	B
	Intersection		20.4	C	Intersection		14.4	B	Intersection		19.4	C	Intersection		15.6	B
West 124th Street/Lenox Avenue																
Eastbound	LR	0.56	33.2	C	LR	0.66	37.1	D	LR	0.80	45.6	D	LR	0.67	38.2	D
Westbound	LR	0.15	25.3	C	LR	0.19	26.1	C	LR	0.19	26.0	C	LR	0.19	26.0	C
Northbound	T	0.34	9.1	A	T	0.27	8.6	A	T	0.26	8.3	A	T	0.31	8.9	A
Southbound	T	0.56	11.7	B	T	0.37	9.5	A	T	0.50	11.0	B	T	0.46	10.4	B
	Intersection		14.0	B	Intersection		15.2	B	Intersection		16.4	B	Intersection		14.7	B
Signalized Pedestrian Crosswalk on West 125th Street between Seventh Avenue and Eighth Avenue																
Eastbound	T	0.36	7.1	A	T	0.39	7.4	A	T	0.36	7.1	A	T	0.45	8.0	A
Westbound	T	0.41	7.6	A	T	0.36	7.1	A	T	0.41	7.6	A	T	0.44	7.9	A
	Intersection		7.4	A	Intersection		7.3	A	Intersection		7.4	A	Intersection		7.9	A

Note: L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service.

*TRAFFIC OPERATIONS*

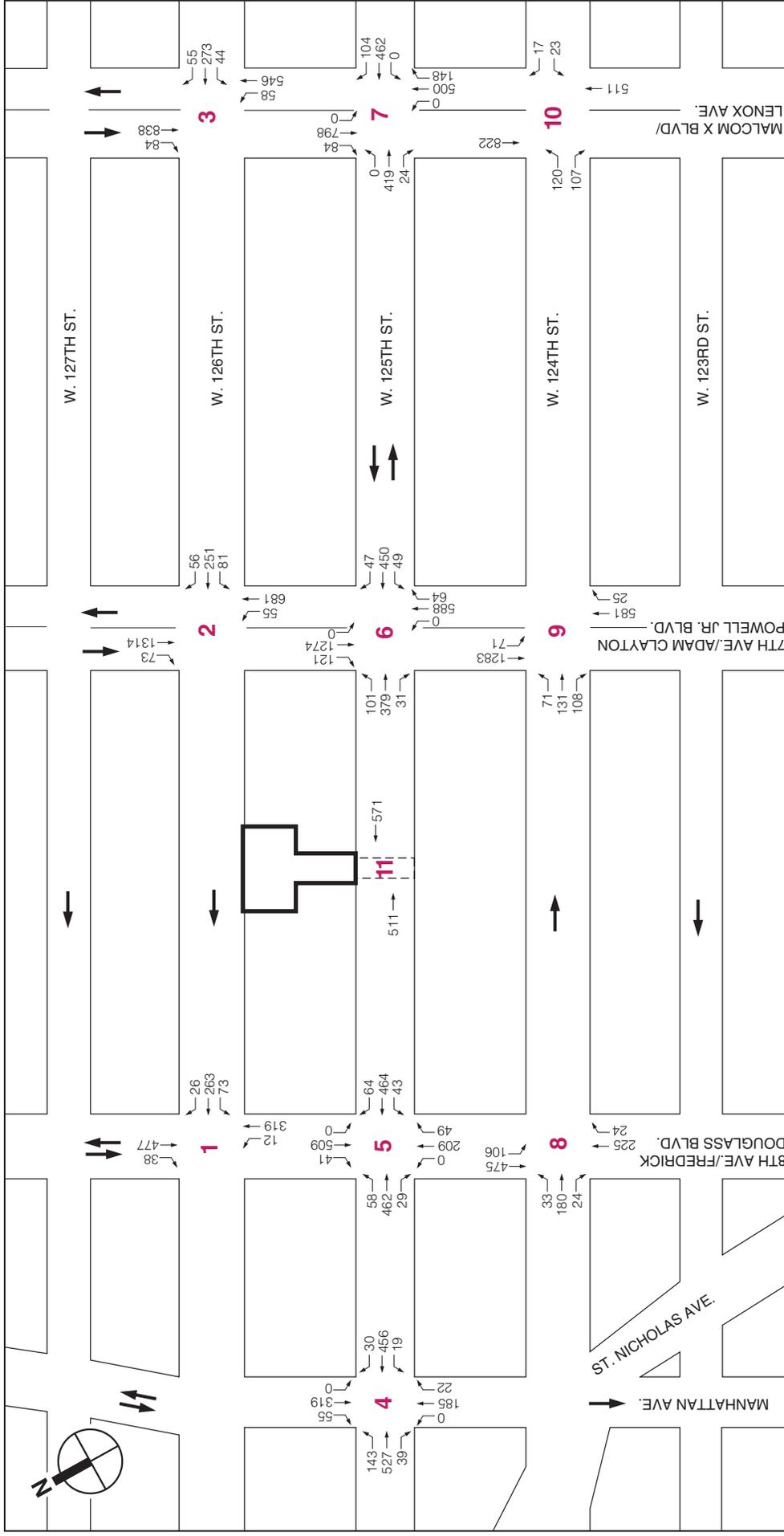
The 2014 Build traffic volumes are shown in **Figures 14-18 to 14-21** for the AM, midday, PM, and Saturday peak hours, respectively. **Table 14-10** presents a comparison of No Build and Build conditions for the study intersections, respectively. Significant adverse impacts are identified by the “+” symbol in the analysis summary table.

*SIGNIFICANT IMPACTS*

Significant adverse traffic impacts were identified at five approaches/lane groups. Potential measures that can be implemented to mitigate these significant adverse traffic impacts are discussed below in Section J, “Traffic Mitigation.”

- The westbound approach at the signalized intersection of West 126th Street and Eighth Avenue would deteriorate within LOS F from 110.7 seconds of delay to 192.6 seconds of delay during the Saturday peak hour. This projected increase in delay constitutes a significant adverse impact.
- The westbound approach at the signalized intersection of West 126th Street and Seventh Avenue would deteriorate from LOS E with 73.4 seconds of delay to LOS F with 87.4 seconds of delay during the Saturday peak hour. This projected increase in delay constitutes a significant adverse impact.
- The westbound approach at the signalized intersection of West 125th Street and Eighth Avenue would deteriorate from LOS D with 47.0 seconds of delay to LOS E with 56.5 seconds of delay, from LOS E with 64.4 seconds of delay to LOS F with 82.2 seconds of delay, and from LOS E with 64.9 seconds of delay to LOS F with 81.7 seconds of delay, during the AM, PM, and Saturday peak hours, respectively. Therefore, the projected increases in delays constitute significant adverse impacts.
- The eastbound approach at the signalized intersection of West 125th Street and Seventh Avenue would deteriorate from LOS D with 42.4 seconds of delay to LOS E with 67.0 seconds of delay, LOS D with 43.4 seconds of delay to beyond mid-LOS D with 52.7 seconds of delay, and from LOS F with 89.8 seconds of delay to LOS F with 101.4 seconds of delay during the midday, PM, and Saturday peak hours, respectively. These projected increases in delay constitute significant adverse impacts.
- The westbound approach at the signalized intersection of West 125th Street and Seventh Avenue would deteriorate within LOS F from 101.7 seconds of delay to 110.0 seconds of delay, during the Saturday peak hour. This projected increase in delay constitutes a significant adverse impact.

1.10.12



Project Site

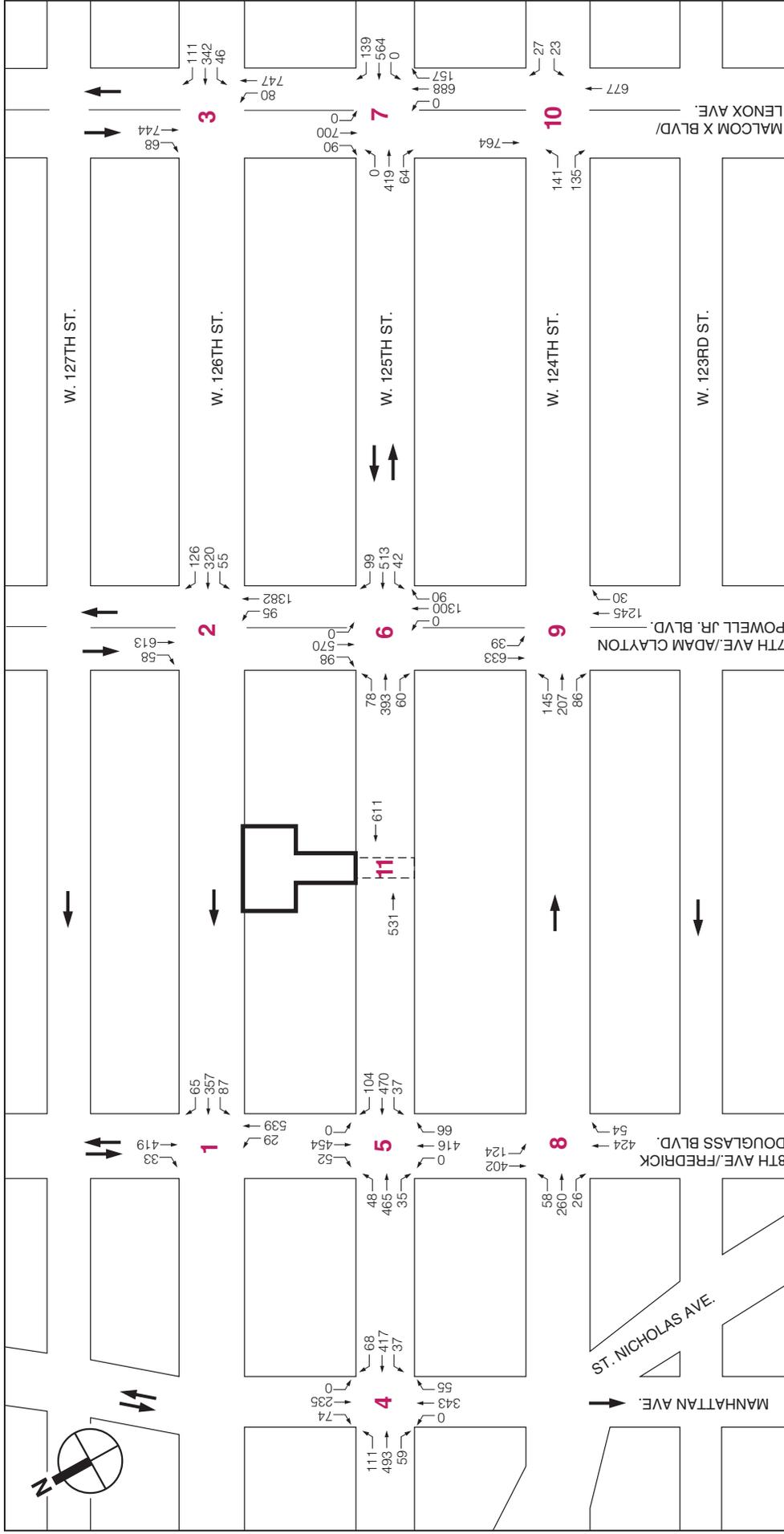


2014 Build Volumes  
AM Peak Hour  
Figure 14-18

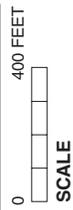
VICTORIA THEATER



1.10.12

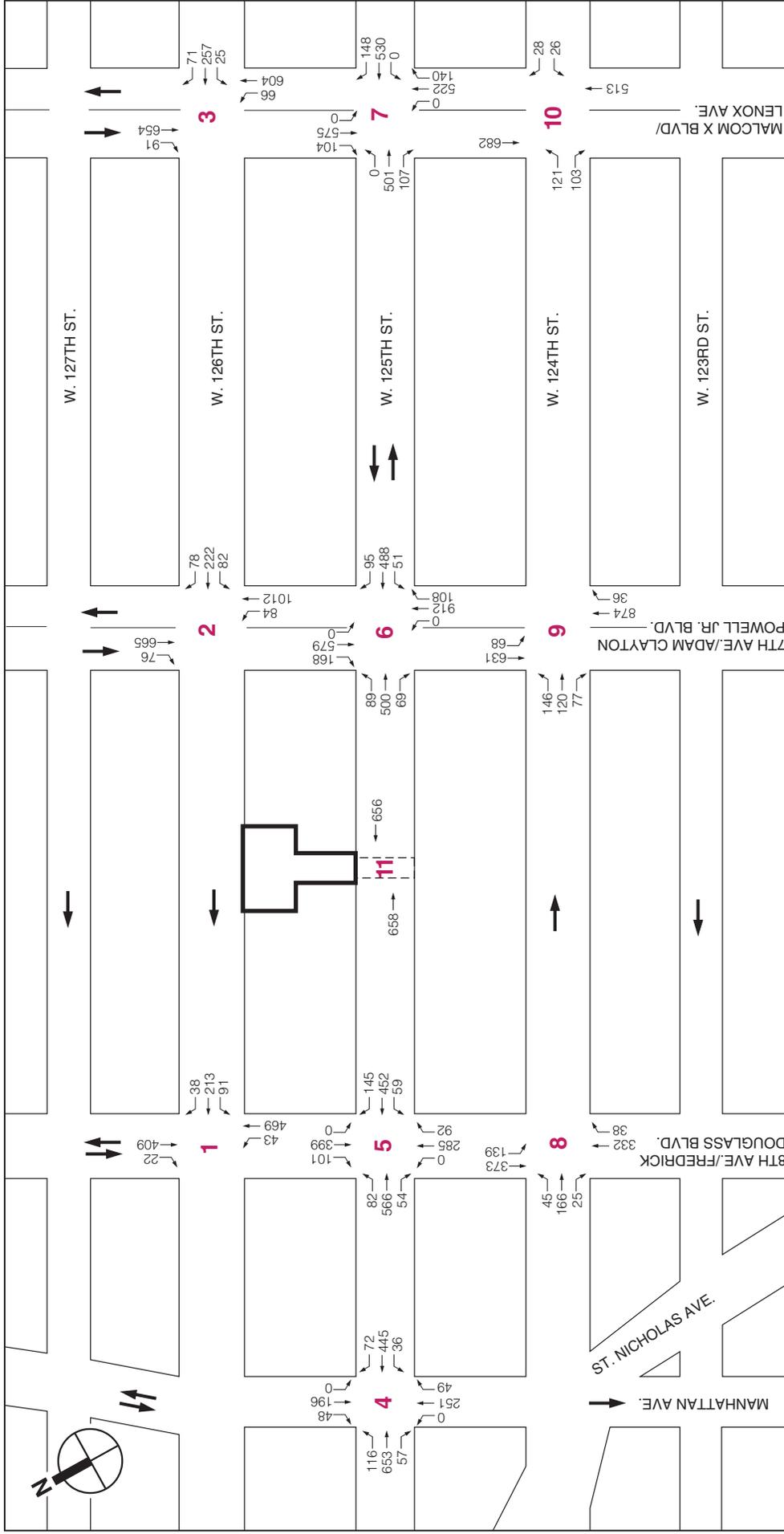


Project Site

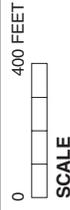


2014 Build Volumes  
PM Peak Hour  
Figure 14-20

1.10.12



Project Site



2014 Build Volumes  
Saturday Peak Hour  
Figure 14-21

VICTORIA THEATER

Table 14-10  
2014 No Build vs. Build Conditions Level of Service Analysis

Intersection/ Approach	AM Peak Hour						Midday Peak Hour						PM Peak Hour						Saturday Peak Hour													
	2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project										
	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS								
West 126th Street/Eighth Avenue																																
Westbound	LTR	0.39	23.6	C	LTR	0.46	24.6	C	LTR	0.54	32.9	C	LTR	0.64	35.8	D	LTR	0.48	22.2	C	LTR	0.54	23.4	C	LTR	1.08	110.7	F	LTR	1.30	192.6	F+
Northbound	LT	0.26	11.3	B	LT	0.26	11.3	B	LT	0.26	7.2	A	LT	0.26	7.2	A	LT	0.49	16.3	B	LT	0.49	16.3	B	LT	0.33	7.8	A	LT	0.34	7.8	A
Southbound	TR	0.40	12.7	B	TR	0.40	12.7	B	TR	0.22	6.9	A	TR	0.22	7.0	A	TR	0.41	15.1	B	TR	0.42	15.2	B	TR	0.26	7.2	A	TR	0.26	7.2	A
Intersection				B	Intersection			B	Intersection			B	Intersection			B	Intersection			B	Intersection			B	Intersection			C	Intersection			C
West 126th Street/Seventh Avenue																																
Westbound	LTR	0.42	22.1	C	LTR	0.44	22.3	C	LTR	0.49	25.2	C	LTR	0.52	25.8	C	LTR	0.61	27.8	C	LTR	0.64	28.6	C	LTR	1.00	73.4	E	LTR	1.05	87.4	F+
Northbound	LT	0.47	15.1	B	LT	0.50	15.6	B	LT	0.41	12.6	B	LT	0.44	13.0	B	LT	0.85	22.5	C	LT	0.92	27.7	C	LT	0.59	15.2	B	LT	0.63	15.9	B
Southbound	TR	0.69	18.5	B	TR	0.70	18.6	B	TR	0.29	11.4	B	TR	0.29	11.6	B	TR	0.32	11.7	B	TR	0.34	11.8	B	TR	0.34	11.9	B	TR	0.35	12.0	B
Intersection				B	Intersection			B	Intersection			B	Intersection			B	Intersection			C	Intersection			C	Intersection			C	Intersection			C
West 126th Street/Lenox Avenue																																
Westbound	LTR	0.34	17.1	B	LTR	0.34	17.2	B	LTR	0.30	16.7	B	LTR	0.31	16.8	B	LTR	0.49	19.3	B	LTR	0.50	19.4	B	LTR	0.70	27.3	C	LTR	0.72	27.8	C
Northbound	L	0.52	33.7	C	L	0.54	35.8	D	L	0.36	21.8	C	L	0.43	24.3	C	L	0.59	35.9	D	L	0.67	42.8	D	L	0.41	24.8	C	L	0.44	26.1	C
Southbound	T	0.48	19.1	B	T	0.49	19.1	B	T	0.46	18.8	B	T	0.46	18.8	B	T	0.67	22.7	C	T	0.67	22.8	C	T	0.51	19.4	B	T	0.51	19.5	B
Intersection				C	TR	0.84	29.8	C	TR	0.61	21.4	C	TR	0.63	21.9	C	TR	0.75	25.2	C	TR	0.77	25.8	C	TR	0.67	23.0	C	TR	0.68	23.2	C
West 125th Street/Manhattan Avenue/St. Nicholas Avenue																																
Eastbound	LTR	0.83	26.0	C	LTR	0.83	26.0	C	LTR	0.74	20.6	C	LTR	0.75	21.0	C	LTR	0.94	40.1	D	LTR	0.95	42.6	D	LTR	0.99	46.0	D	LTR	0.99	48.4	D
Westbound	LTR	0.50	14.3	B	LTR	0.50	14.3	B	LTR	0.44	13.4	B	LTR	0.44	13.5	B	LTR	0.79	24.0	C	LTR	0.80	24.5	C	LTR	0.59	16.1	B	LTR	0.60	16.2	B
Northbound	TR	0.46	25.9	C	TR	0.46	25.9	C	LTR	0.55	28.3	C	TR	0.55	28.3	C	TR	0.85	42.7	D	TR	0.85	42.7	D	TR	0.67	31.8	C	TR	0.67	31.8	C
Southbound	TR	0.83	41.0	D	TR	0.83	41.0	D	LTR	0.56	28.5	C	LTR	0.56	28.5	C	TR	0.67	32.3	C	TR	0.67	32.3	C	TR	0.60	29.6	C	TR	0.60	29.6	C
Intersection				C	Intersection			C	Intersection			C	Intersection			C	Intersection			D	Intersection			D	Intersection			C	Intersection			C
West 125th Street/Eighth Avenue																																
Eastbound	LTR	0.99	60.2	E	LTR	1.00	62.9	E	LTR	0.64	21.4	C	LTR	0.65	21.7	C	LTR	0.95	53.1	D	LTR	0.97	58.1	E	LTR	1.04	66.8	E	LTR	1.05	70.6	E
Westbound	LTR	0.93	47.0	D	LTR	0.98	56.5	E+	LTR	0.61	22.1	C	LTR	0.67	23.7	C	LTR	1.01	64.4	E	LTR	1.07	82.4	F+	LTR	1.03	64.9	E	LTR	1.08	81.7	E+
Northbound	TR	0.28	16.4	B	TR	0.28	16.5	B	LTR	0.45	24.8	C	LTR	0.46	24.9	C	TR	0.46	18.8	B	TR	0.47	18.9	B	TR	0.45	24.6	C	TR	0.46	24.7	C
Southbound	TR	0.53	19.8	B	TR	0.57	20.5	C	LTR	0.48	25.0	C	LTR	0.56	26.9	C	TR	0.43	18.3	B	TR	0.47	18.6	B	TR	0.55	26.3	C	TR	0.60	27.3	C
Intersection				D	Intersection			D	Intersection			D	Intersection			D	Intersection			D	Intersection			D	Intersection			D	Intersection			D
West 125th Street/Seventh Avenue																																
Eastbound	LTR	0.9	43.2	D	LTR	0.92	45.7	D	LTR	0.90	42.4	D	LTR	1.02	67.0	E+	LTR	0.91	43.4	D	LTR	0.96	52.7	D+	LTR	1.09	89.8	E	LTR	1.12	101.4	E+
Westbound	TR	0.45	20.6	C	TR	0.46	20.8	C	LTR	0.88	36.0	D	LTR	0.92	43.0	D	LTR	0.88	36.5	D	LTR	0.90	38.8	D	LTR	1.12	101.7	F	LTR	1.14	110.0	E+
Northbound	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Southbound	TR	0.93	36.4	D	TR	0.93	36.7	D	LTR	0.52	21.8	C	LTR	0.53	21.9	C	TR	0.47	20.9	C	TR	0.47	20.9	C	TR	0.51	21.5	C	TR	0.51	21.6	C
Intersection				C	Intersection			C	Intersection			C	Intersection			C	Intersection			C	Intersection			C	Intersection			C	Intersection			C

Table 14-10 (cont'd)  
2014 No Build vs. Build Conditions Level of Service Analysis

Intersection/ Approach	AM Peak Hour						Midday Peak Hour						PM Peak Hour						Saturday Peak Hour									
	2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project			2014 Future without Proposed Project			2014 Future with Proposed Project						
	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS	Lane Group	V/C Ratio	Delay (spv)	LOS				
West 124th Street/Lenox Avenue																												
Eastbound	TR	0.48	21.0	C	TR	0.49	21.1	C	TR	0.85	36.2	D	TR	0.88	39.7	D	TR	0.84	39.8	D	TR	0.86	41.7	D	TR	0.92	44.1	D
Westbound	TR	0.69	25.8	C	TR	0.69	25.9	C	TR	0.94	46.7	D	TR	0.95	48.6	D	TR	1.07	79.5	E	TR	1.08	82.4	F	TR	0.99	54.7	D
Northbound	TR	0.74	27.9	C	TR	0.74	28.2	C	TR	0.68	26.1	C	TR	0.69	26.4	C	T	0.60	23.6	C	T	0.62	23.9	C	TR	0.82	32.0	C
Southbound	TR	0.93	41.7	D	TR	0.94	42.5	D	TR	0.68	26.1	C	TR	0.69	26.4	C	TR	0.50	25.5	C	R	0.50	25.5	C	-	-	-	-
Intersection			30.9	C	Intersection		31.2	C	Intersection		33.8	C	Intersection		35.3	D	Intersection		44.0	D	Intersection		45.3	D	Intersection		39.9	D
West 124th Street/Eighth Avenue																												
Eastbound	TR	0.37	21.1	C	LTR	0.37	21.2	C	LTR	0.38	21.3	C	LTR	0.39	21.4	C	LTR	0.57	24.9	C	LTR	0.58	25.1	C	LTR	0.44	22.5	C
Northbound	TR	0.23	13.1	B	TR	0.23	13.1	B	TR	0.24	13.2	B	TR	0.24	13.2	B	TR	0.40	15.0	B	TR	0.40	15.0	B	TR	0.31	14.0	B
Southbound	LT	0.50	16.6	B	LT	0.58	18.0	B	LT	0.41	15.3	B	LT	0.47	16.3	B	LT	0.51	16.9	B	LT	0.67	20.8	C	LT	0.55	17.7	B
Intersection			16.7	B	Intersection		17.5	B	Intersection		16.2	B	Intersection		16.6	B	Intersection		18.4	B	Intersection		19.9	B	Intersection		17.4	B
West 124th Street/Seventh Avenue																												
Eastbound	TR	0.46	22.8	C	LTR	0.53	24.1	C	LTR	0.49	26.2	C	LTR	0.55	27.7	C	LTR	0.74	31.7	C	LTR	0.84	38.2	D	LTR	0.64	31.2	C
Northbound	TR	0.35	14.1	B	TR	0.36	14.2	B	TR	0.30	11.5	B	TR	0.31	11.6	B	T	0.68	18.0	B	T	0.68	18.1	B	TR	0.43	12.8	B
Southbound	LT	0.81	23.2	C	LT	0.81	23.2	C	LT	0.41	12.7	B	LT	0.42	12.8	B	LT	0.42	14.5	B	LT	0.42	14.5	B	LT	0.42	12.9	B
Intersection			20.4	C	Intersection		20.6	C	Intersection		14.4	B	Intersection		14.9	B	Intersection		19.4	B	Intersection		20.9	C	Intersection		15.6	B
West 124th Street/Lenox Avenue																												
Eastbound	LR	0.56	33.2	C	LR	0.59	34.3	C	LR	0.66	37.1	D	LR	0.69	38.4	D	LR	0.80	45.6	D	LR	0.85	50.2	D	LR	0.67	38.2	D
Westbound	LR	0.15	25.3	C	LR	0.15	25.3	C	LR	0.19	26.1	C	LR	0.20	26.3	C	LR	0.19	26.0	C	LR	0.19	26.0	C	LR	0.19	26.0	C
Northbound	T	0.34	9.1	A	T	0.34	9.2	A	T	0.27	8.6	A	T	0.28	8.6	A	T	0.26	8.3	A	T	0.26	8.4	A	T	0.31	8.9	A
Southbound	T	0.56	11.7	B	T	0.56	11.7	B	T	0.37	9.5	A	T	0.38	9.5	A	T	0.50	11.0	B	T	0.51	11.0	B	T	0.46	10.4	B
Intersection			14.0	B	Intersection		14.3	B	Intersection		15.2	B	Intersection		15.6	B	Intersection		16.4	B	Intersection		17.5	B	Intersection		14.7	B
Signalized Pedestrian Crosswalk on West 125th Street between Seventh Avenue and Eighth Avenue																												
Eastbound	T	0.36	7.1	A	T	0.36	7.2	A	T	0.39	7.4	A	T	0.42	7.6	A	T	0.36	7.1	A	T	0.37	7.2	A	T	0.45	8.0	A
Westbound	T	0.41	7.6	A	T	0.41	7.6	A	T	0.36	7.1	A	T	0.37	7.3	A	T	0.41	7.6	A	T	0.43	7.7	A	T	0.44	7.9	A
Intersection			7.4	A	Intersection		7.4	A	Intersection		7.3	A	Intersection		7.5	A	Intersection		7.4	A	Intersection		7.5	A	Intersection		7.9	A

Note: L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service.  
+ indicates significant adverse impact.

## F. TRANSIT ANALYSIS

Mass transit options serving the project site are shown in **Figure 14-22**. The mass transit options available near the project site include the No. 2/3 subway lines at the West 125 Station (Lenox Avenue) and the A/B/C/D subway lines at the West 125th Station (Manhattan Avenue), and the M2, M3, M7, M10, M60, M100, M1010, M102, and BX15 bus routes.

### TRANSIT STUDY AREAS

#### *SUBWAY SERVICE*

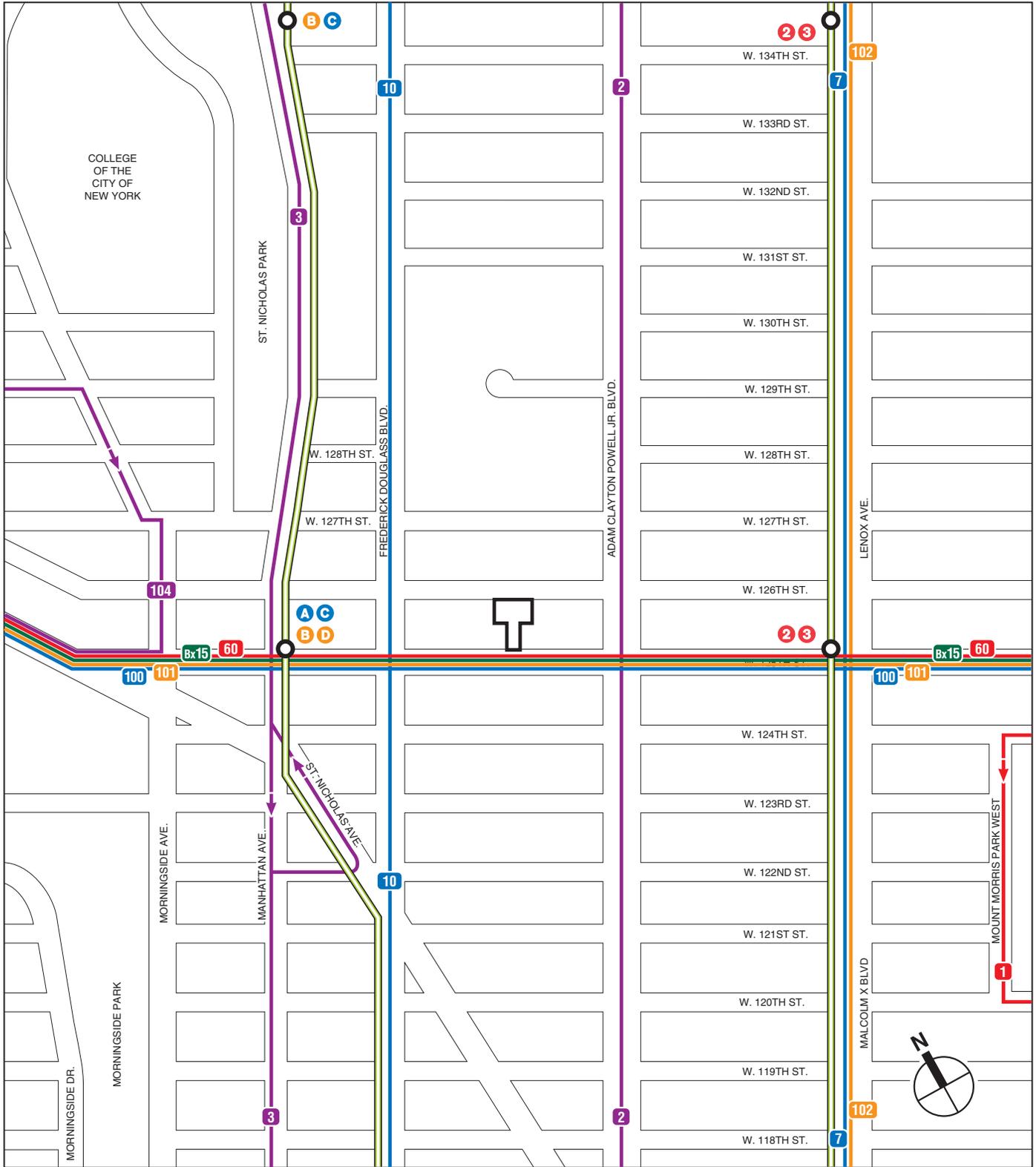
Below is a summary of the subway lines that serve the project site.

- The No. 2 subway line (Seventh Avenue Express) operates between Flatbush Avenue in Brooklyn and Wakefield-241 Street in the Bronx at all times. The No. 2 line runs express in Manhattan except late night when it operates local.
- The No. 3 subway line (Seventh Avenue Express) operates between New Lots Avenue in Brooklyn and Harlem-148th Street/Seventh Avenue in Manhattan at all times except late night. During late night, the No.3 trains only run in Manhattan between Times Square-42nd Street and Harlem-148th Street/Seventh Avenue.
- The A subway line (Eighth Avenue Express) operates between Far Rockaway-Mott Avenue in Queens and Inwood-207th Street in Manhattan at all times.
- The B subway line (Sixth Avenue Express) operates between Brighton Beach in Brooklyn and 145th Street in Manhattan.
- The C subway line (Eighth Avenue Local) operates between Euclid Avenue in Brooklyn and 168th Street in Manhattan.
- The D subway line (Sixth Avenue Express) operates between Stillwell Avenue in Brooklyn and 205th Street in the Bronx.

As discussed in Section C, “CEQR Screening Analyses,” the proposed project would generate more than 200 peak hour subway trips during the during the midday, PM, and Saturday peak hours. These trips were distributed equally among subway lines at two subway stations and corresponding station elements. Based on the results of this subway trip distribution, the station elements at the West 125 Station (Lenox Avenue) and the West 125th Station (Manhattan Avenue) would not be expected to incur 200 or more peak hour project-generated subway trips during the study peak hours. Consequently, the proposed project would not have the potential to result in any significant adverse subway impacts and a quantitative station element analysis is not warranted.

#### *BUS SERVICE*

Based on the travel demand estimates and the availability and service frequencies of bus routes near the project site, it was determined that no individual bus route would experience 50 or more peak hour bus trips in one direction—the CEQR recommended threshold for undertaking a quantified bus analysis. Consequently, the proposed project would not have the potential to result in any significant adverse bus impacts and a quantitative bus line-haul analysis is not warranted. **Table 14-11** provides a summary of the NYCT local bus routes that provide regular service within the vicinity of the proposed project and their frequencies of operation. All of these routes use standard buses with a guideline capacity of 54 to 55 passengers per bus.



-  Project Site
-  Local Bus Route
-  Local Bus Route Number
-  Subway Route and Station

0 500 FEET  
SCALE

**Table 14-11  
NYCT Local Bus Routes Serving The Study Area**

Bus Route	Start Point	End Point	Routing in Study Area	Freq. of Bus Service (Headway in Minutes)			
				AM	Afternoon	PM	Saturday
M2	Washington Heights	East Village	Adam Clayton Powell, Jr. Boulevard	8	10-12	7-8	12
M3	Fort George	East Village	Manhattan Avenue	10-12	10-11	10	8-10
M7	Harlem	Chelsea	Lenox Avenue	7-10	8-10	8-10	10
M10	Harlem	Columbus Circle	Douglass Boulevard	7-10	8-10	10	10
M60	Morningside Heights	LaGuardia Airport	Martin Luther King Boulevard/ West 125th Street	7-8	9	7-8	8
M100	Inwood	East Harlem	Martin Luther King Boulevard/ West 125th Street	8-9	8	8-10	10
M101	Washington Heights	East Village	Martin Luther King Boulevard/ West 125th Street	7-10	8-9	7-8	5
M102	Harlem	East Village	Lenox Avenue	9-11	13-15	12	10-12
BX15	Fordham Plaza (Bronx)	Harlem	Martin Luther King Boulevard/ West 125th Street	9	10	8-10	7-8

**Source:** MTA NYCT Bus Timetables (2011).

## G. PEDESTRIAN ANALYSIS

### PEDESTRIAN STUDY AREAS

Based on the Level 2 pedestrian trip assignments presented in Section C, “CEQR Screening Analyses” (see **Figures 14-5** through **14-8**) pedestrian elements near the project site were identified to incur project-generated trips exceeding the CEQR analysis threshold of 200 peak hour pedestrian trips and therefore would warrant a detailed analysis of potential pedestrian impacts. The pedestrian analysis locations are outlined below.

- Sidewalk Locations
  - North sidewalk of West 125th Street between St. Nicholas Avenue and Eighth Avenue; and
  - North sidewalk of West 125th Street between Eighth Avenue and the project entrance.
- Corner Locations
  - Northeast corner of West 125th Street and St. Nicholas Avenue intersection;
  - Northwest corner of West 125th Street and Eighth Avenue intersection; and
  - Northeast corner of West 125th Street and Eighth Avenue intersection.
- Crosswalk Locations
  - North crosswalk at West 125th Street and Eighth Avenue intersection.

### 2011 EXISTING CONDITIONS

Existing pedestrian levels are based on field surveys conducted in June 2011 during the weekday hours of 7:00 to 9:30 AM, 12:00 to 2:00 PM, and 4:00 to 6:30 PM. Saturday pedestrian counts

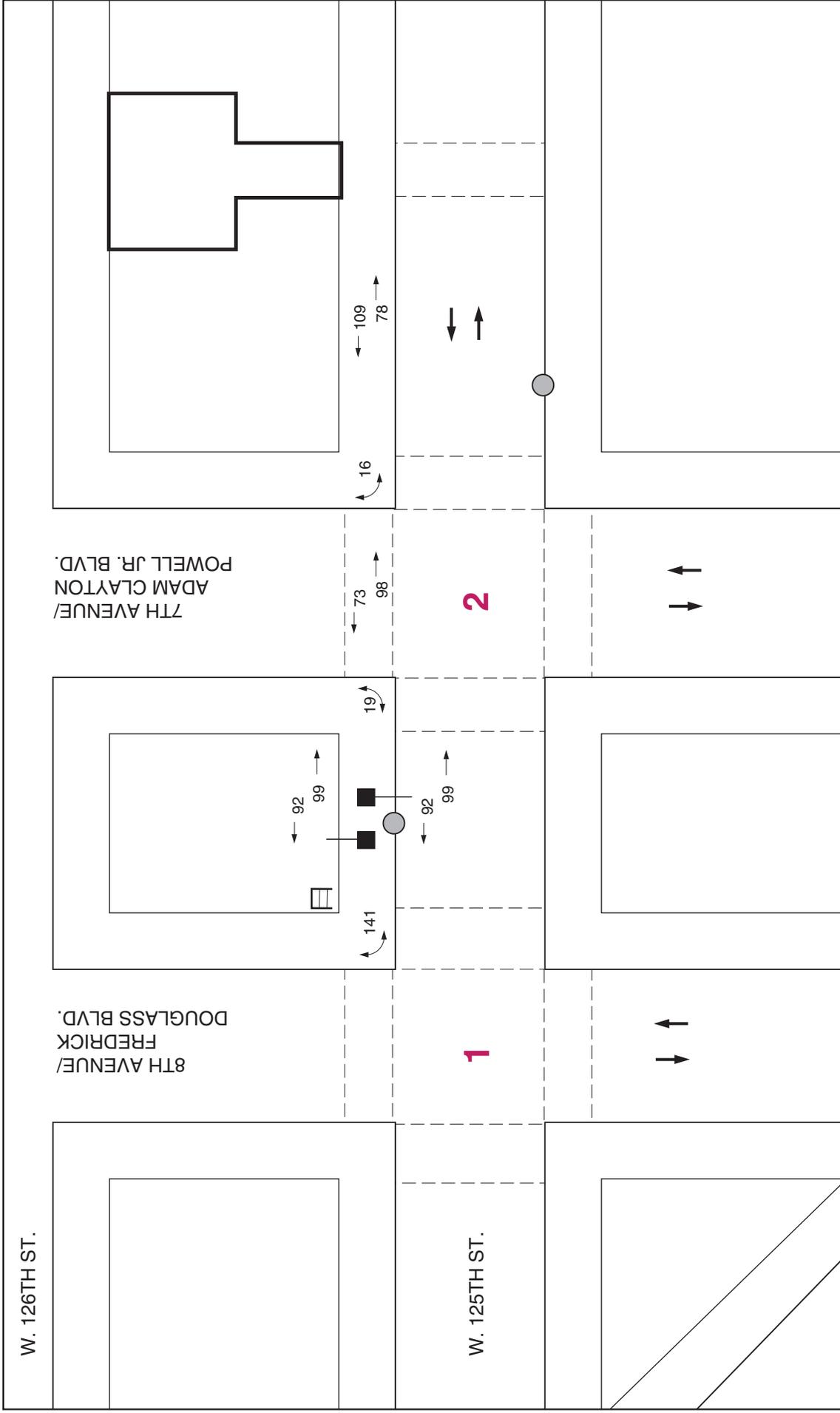
**Victoria Theater**

were also collected from 12:00 to 5:00 PM. The highest 15-minute volumes from the established peak hour within each of these peak periods were selected for analysis.

**Figures 14-23 through 14-26** show the existing peak 15-minute volumes in the pedestrian study areas. As summarized in **Tables 14-12 to 14-14**, all sidewalk, crosswalk, and corner reservoir analysis locations operate at acceptable levels (within mid-LOS D, with a maximum of 3.42 PMF in sidewalk platoon flows and a minimum of 46.2 SFP for crosswalks and corners).

**Table 14-12  
2011 Existing Conditions Sidewalk Analysis**

Location	Sidewalk	Actual Clear Width (ft)	Effective Width (ft)	15 Minute Two-Way Volume	Platoon Flow	
					PMF	LOS
<b>AM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	191	1.27	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	191	1.77	B
West 125th Street between Eighth Avenue and project entrance	North	12.0	10.0	187	1.25	B
<b>Midday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	320	2.13	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	320	2.96	B
West 125th Street between Eighth Avenue and project entrance	North	12.0	10.0	424	2.83	B
<b>PM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	369	2.46	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	369	3.42	C
West 125th Street between Eighth Avenue and project entrance	North	12.0	10.0	382	2.55	B
<b>Saturday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	277	1.85	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	277	2.25	B
West 125th Street between Eighth Avenue and project entrance	North	12.0	10.0	425	2.83	B



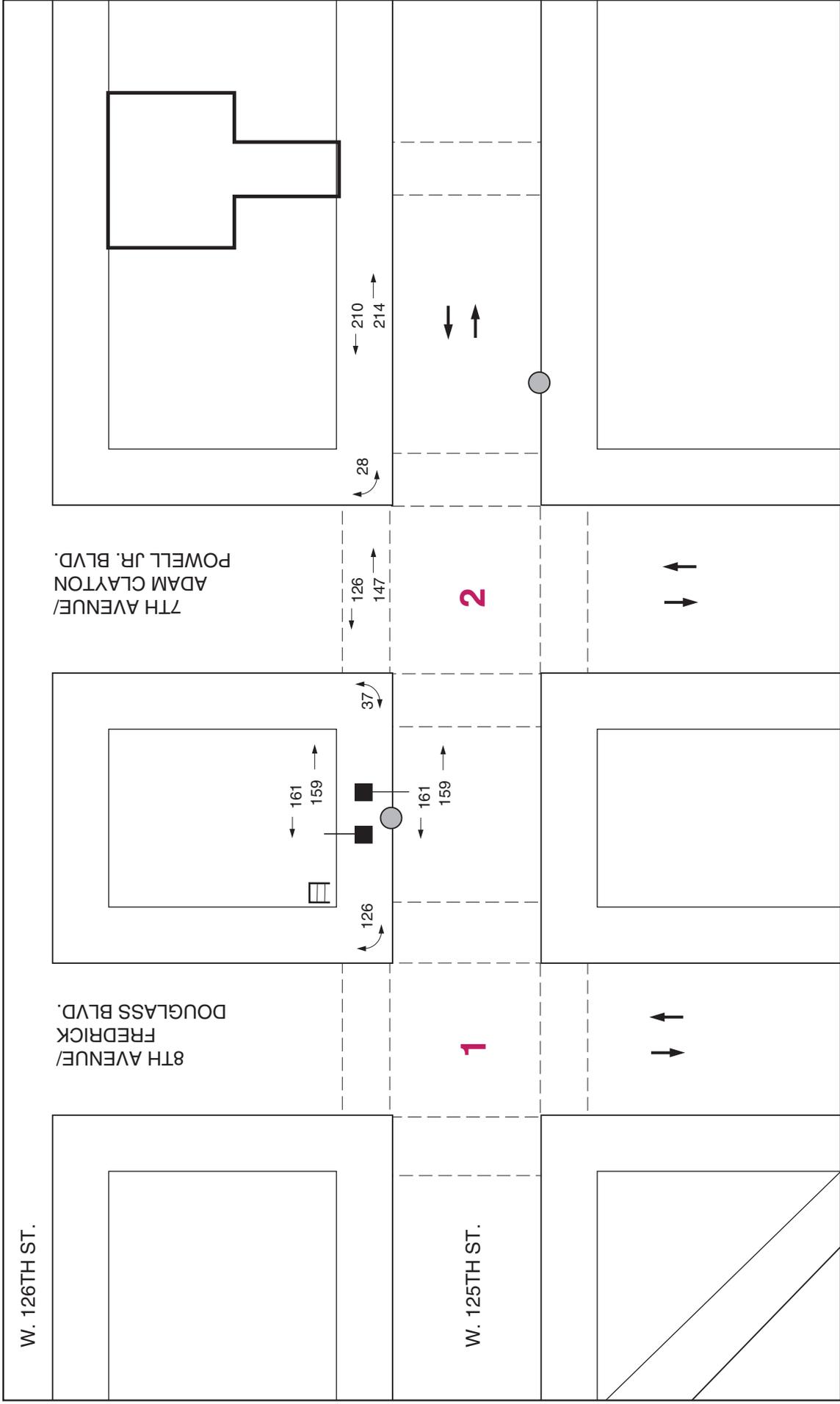
NOT TO SCALE

Project Site Boundary

Bus Stop

Subway Station Stairway

Existing Pedestrian Volumes  
AM Peak 15 Minutes  
Figure 14-23



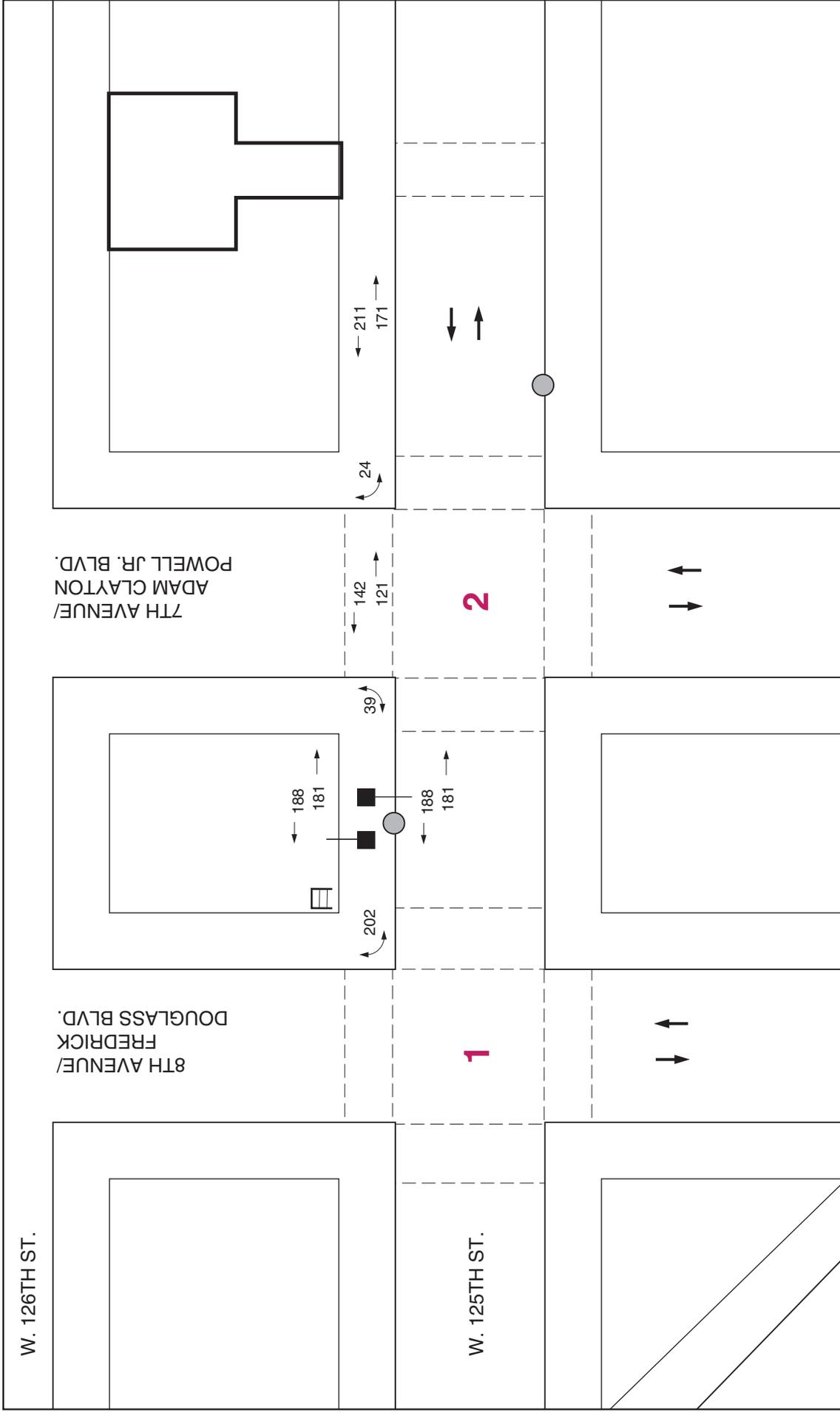
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Project Site Boundary

Bus Stop

Subway Station Stairway

Existing Pedestrian Volumes  
Midday Peak 15 Minutes  
Figure 14-24



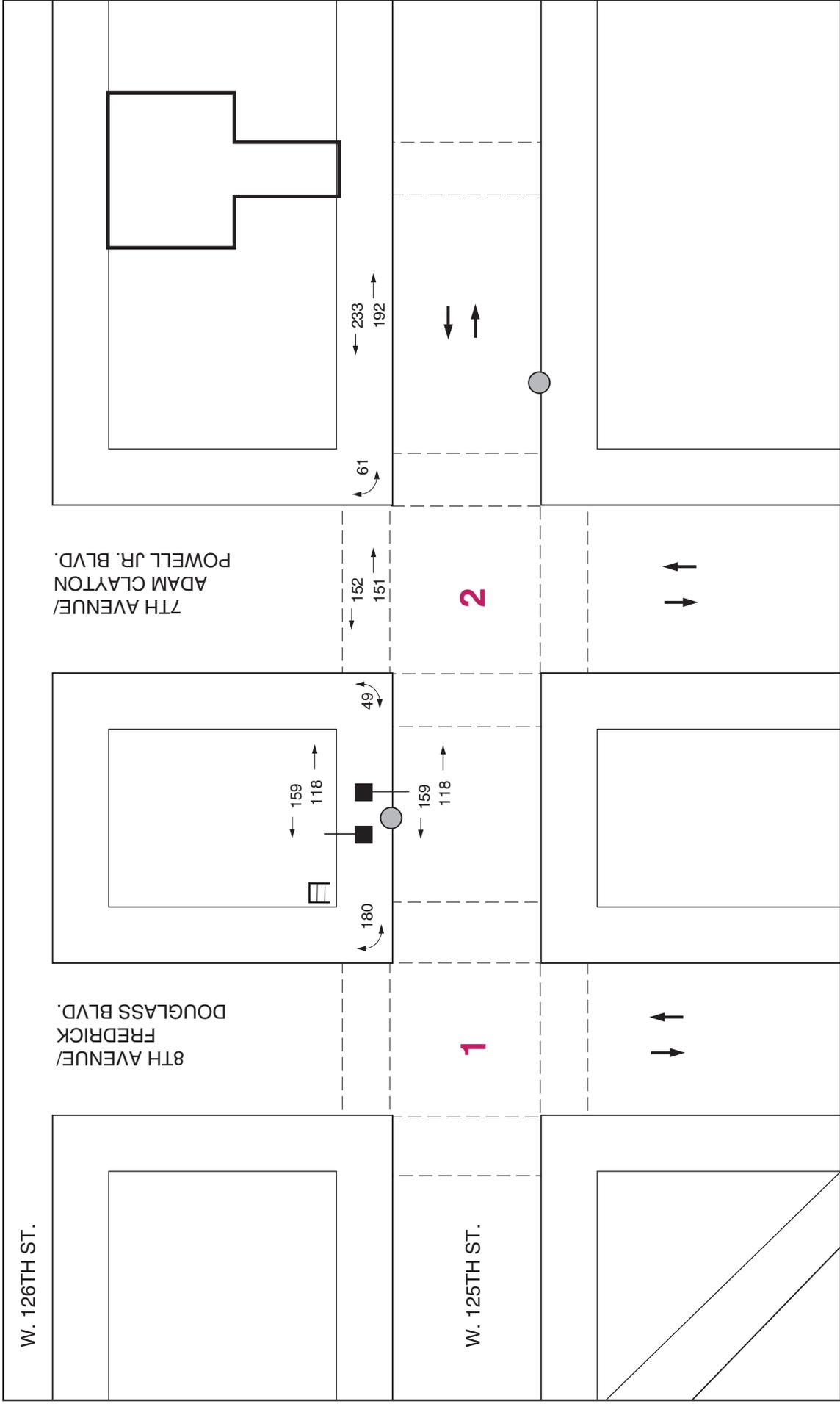
NOT TO SCALE

Project Site Boundary

Bus Stop

Subway Station Stairway

Existing Pedestrian Volumes  
PM Peak 15 Minutes  
Figure 14-25



NOT TO SCALE

Project Site Boundary

Bus Stop

Subway Station Stairway

Existing Pedestrian Volumes  
Saturday Peak 15 Minutes  
Figure 14-26

**Table 14-13**  
**2011 Existing Conditions Corner Analysis**

Location	Corner	AM Peak Period		Midday Peak Period		PM Peak Period		Saturday Peak Period	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and St. Nicholas Avenue	Northeast	225.3	A	177.1	A	142.5	A	134.6	A
West 125th Street and Eighth Avenue	Northeast	294.1	A	166.0	A	154.0	A	133.7	A
	Northwest	221.0	A	118.2	A	114.8	A	97.0	A

**Note:** SFP = square feet per pedestrian

**Table 14-14**  
**2011 Existing Conditions Crosswalk Analysis**

Location	Crosswalk	Street Width (feet)	Crosswalk Width (feet)	Conditions with conflicting vehicles							
				AM		Midday		PM		Saturday	
				SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and Eighth Avenue <sup>1</sup>	North	60.0	18.0	91.0	A	51.6	B	57.8	B	46.2	B

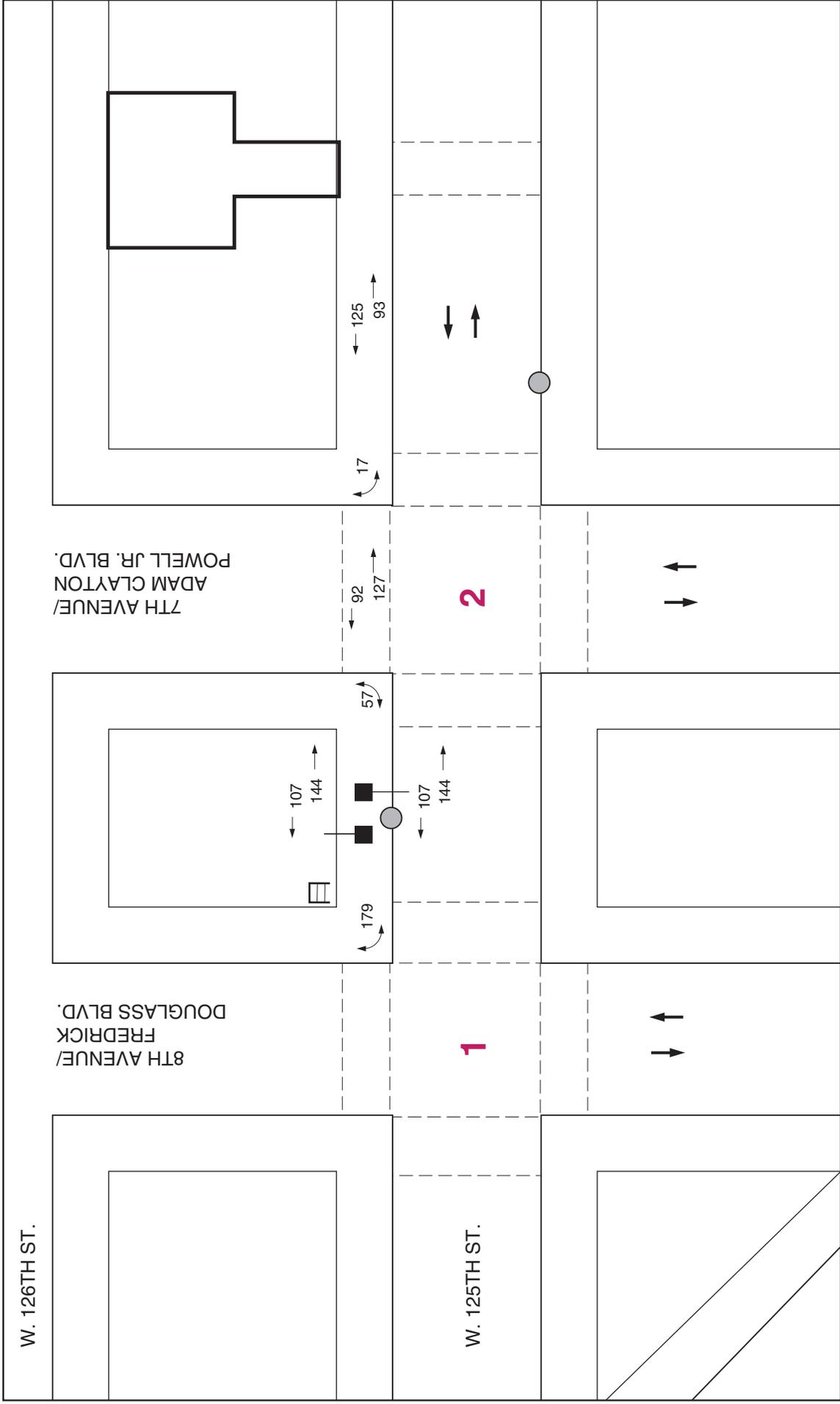
**Note:** SFP = square feet per pedestrian  
1. High visibility crosswalk. A walking speed of 3.5 feet per second was applied to the analysis.

**2014 NO BUILD CONDITION**

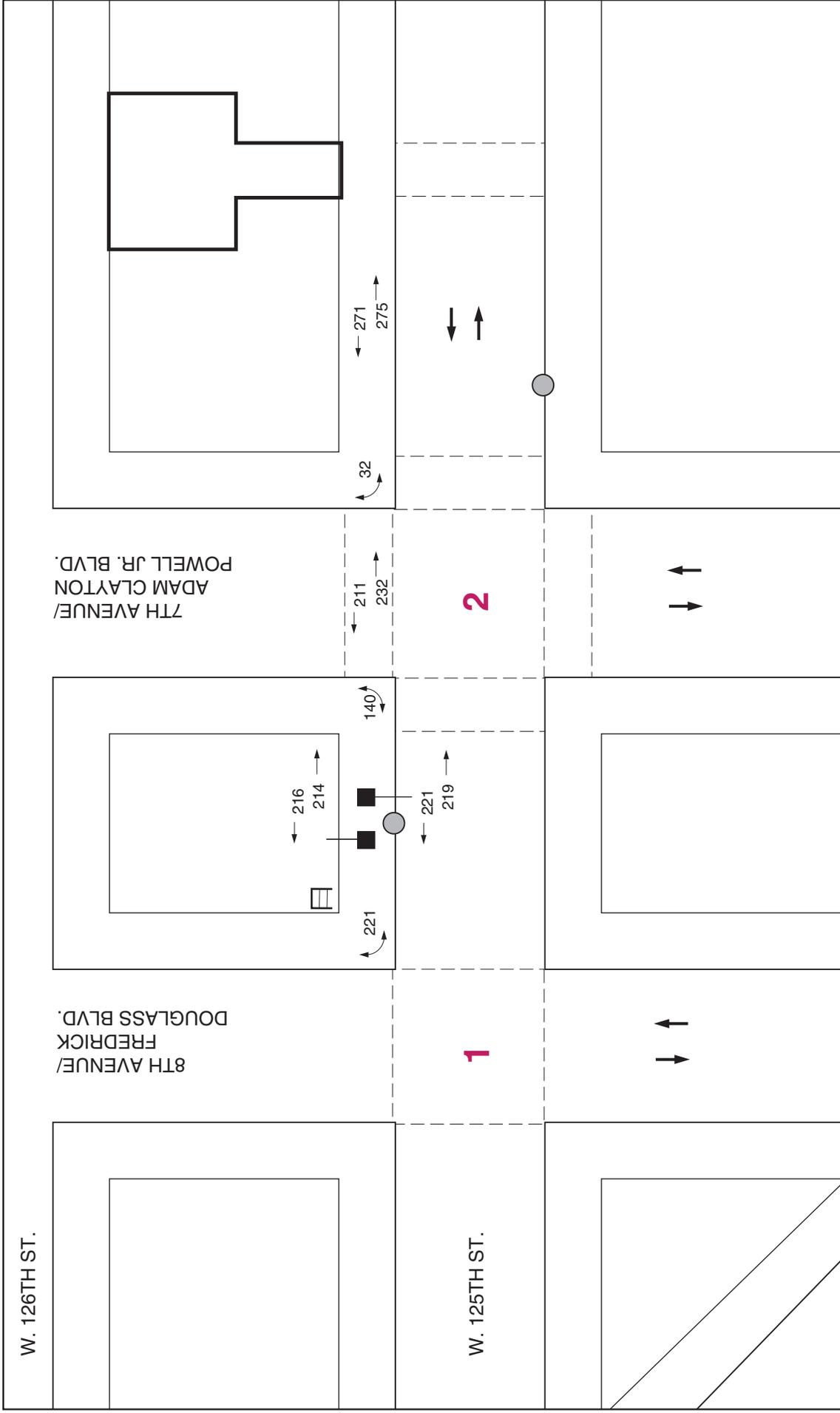
No Build pedestrian volumes were estimated by increasing existing (2011) pedestrian levels to reflect expected growth in overall travel through and within the study area. As per CEQR guidelines, an annual background growth rate of 0.25 percent was assumed. Pedestrian volumes from anticipated projects in the study area were also added to arrive at the 2014 No Build pedestrian volumes. The total No Build peak 15-minute pedestrian volumes for the weekday AM, midday, PM, and Saturday peak periods are presented in **Figures 14-27 to 14-30**.

As summarized in **Tables 14-15 to 14-17**, all sidewalk, crosswalk, and corner reservoir analysis locations would continue to operate at acceptable levels according to CEQR thresholds during the corresponding peak 15-minute periods.

6.21.12



2014 No Build Pedestrian Volumes  
AM Peak 15 Minutes  
Figure 14-27



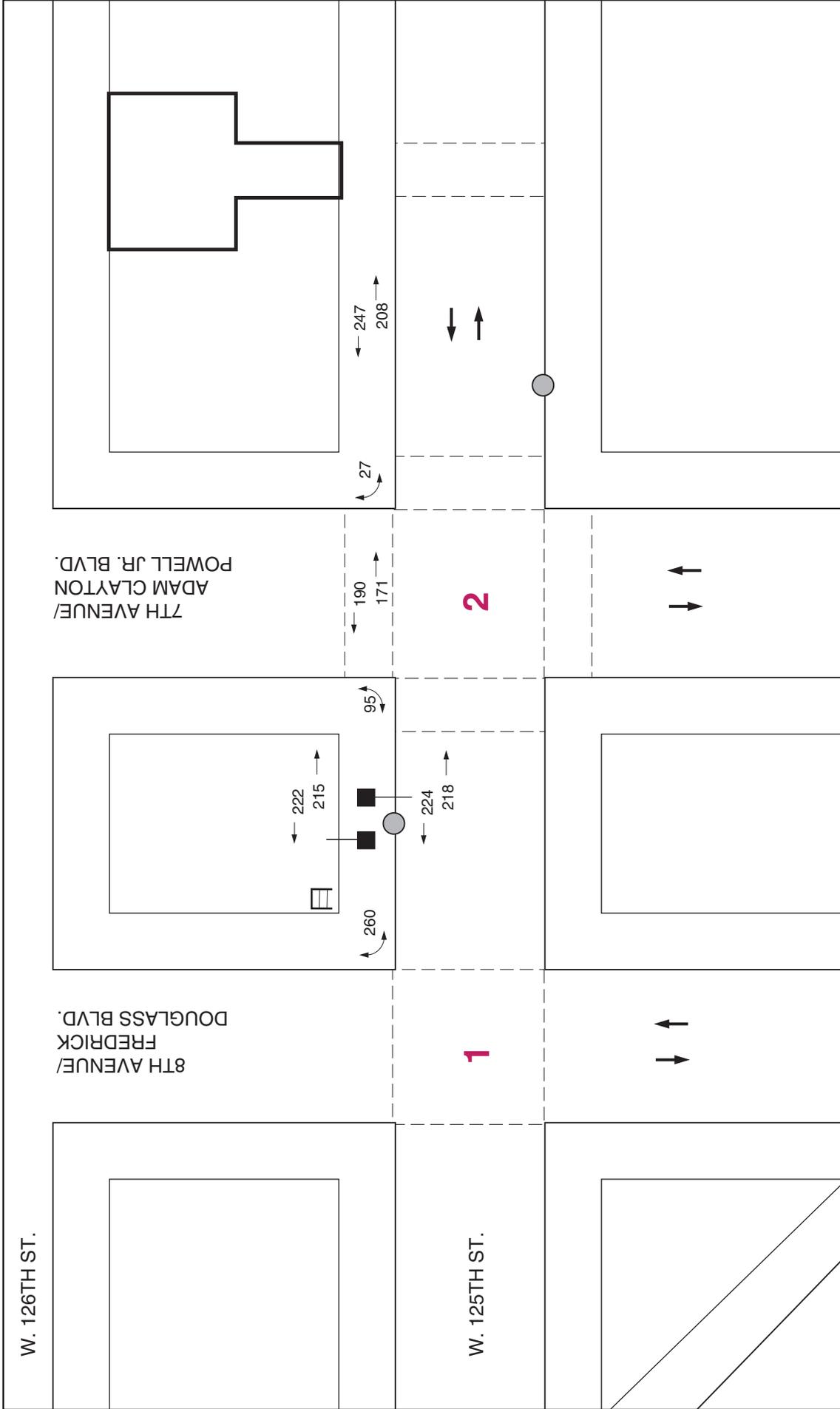
NOT TO SCALE

Project Site Boundary

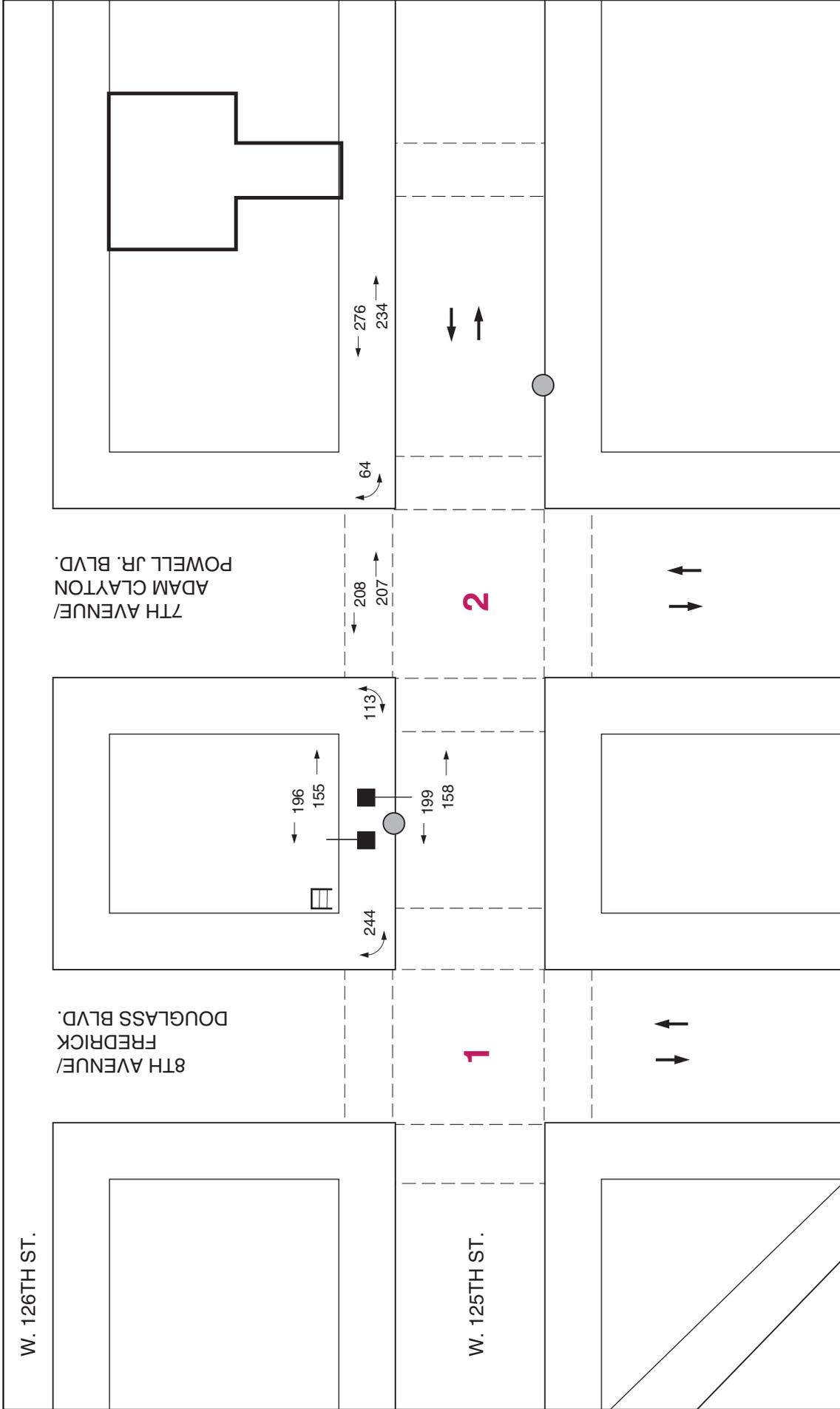
Bus Stop

Subway Station Stairway

2014 No Build Pedestrian Volumes  
Midday Peak 15 Minutes  
Figure 14-28



2014 No Build Pedestrian Volumes  
 PM Peak 15 Minutes  
 Figure 14-29



NOT TO SCALE

Project Site Boundary

Bus Stop

Subway Station Stairway

2014 No Build Pedestrian Volumes  
Saturday Peak 15 Minutes  
Figure 14-30

**Table 14-15**  
**2014 No Build Condition Sidewalk Analysis**

Location	Sidewalk	Actual Clear Width (ft)	Effective Width (ft)	15 Minute Two-Way Volume	Platoon Flow	
					PMF	LOS
<b>AM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	251	1.67	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	251	2.32	B
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	219	1.46	B
<b>Midday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	430	2.87	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	440	4.07	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	546	3.64	C
<b>PM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	437	2.91	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	442	4.09	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	455	3.03	C
<b>Saturday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	351	2.34	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	357	3.31	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	510	3.40	C

**Table 14-16**  
**2014 No Build Condition Corner Analysis**

Location	Corner	AM Peak Period		Midday Peak Period		PM Peak Period		Saturday Peak Period	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and St. Nicholas Avenue	Northeast	191.9	A	140.1	A	125.6	A	118.2	A
West 125th Street and Eighth Avenue	Northeast	229.3	A	104.8	A	117.4	A	101.9	A
	Northwest	145.6	A	61.1	A	77.1	A	64.9	A

**Note:** SFP = square feet per pedestrian

**Table 14-17**  
**2014 No Build Condition Crosswalk Analysis**

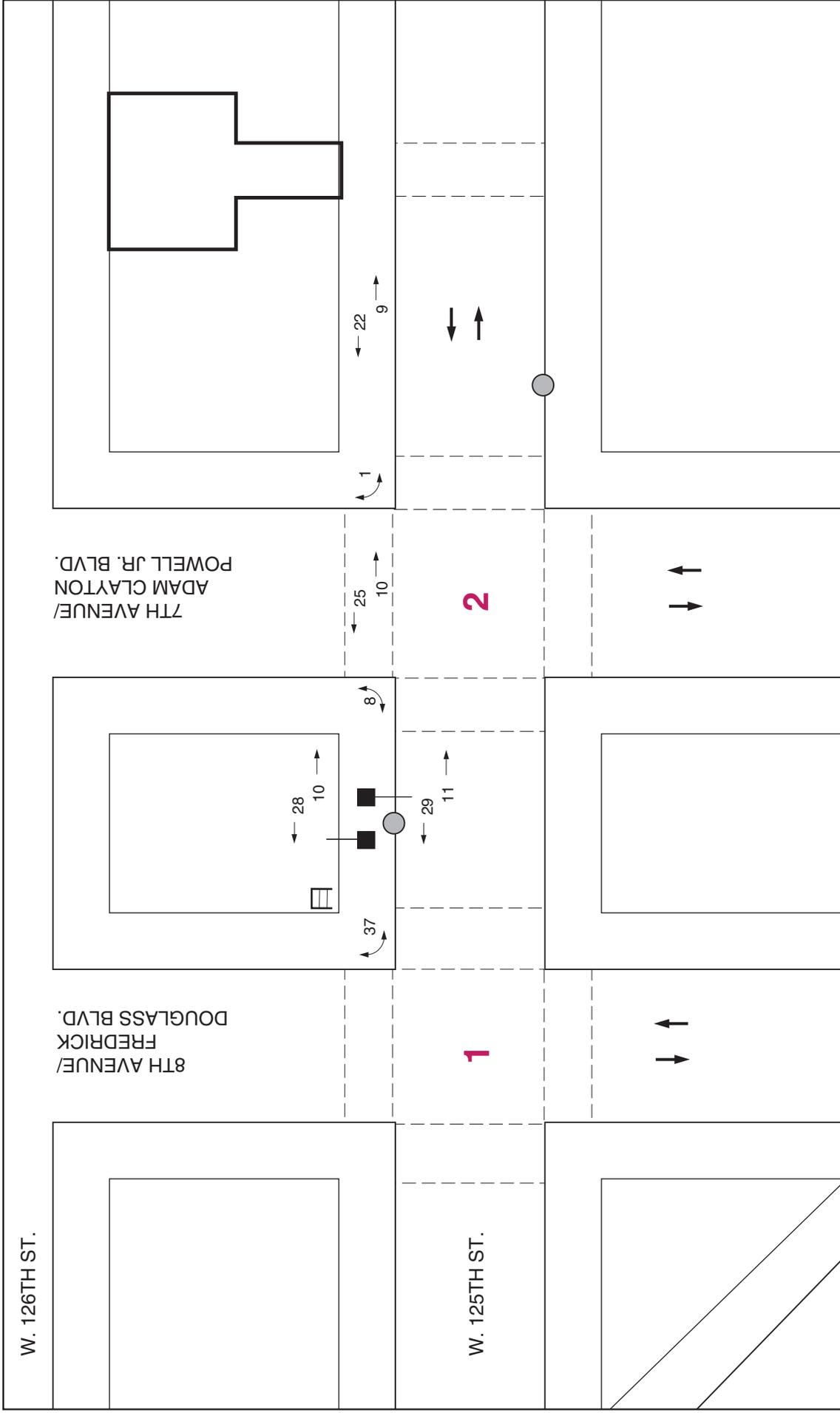
Location	Crosswalk	Street Width (feet)	Crosswalk Width (feet)	Conditions with conflicting vehicles							
				AM		Midday		PM		Saturday	
				SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and Eighth Avenue	North	60.0	18.0	70.0	A	30.3	C	40.9	B	31.8	C

**Note:** SFP = square feet per pedestrian

**2014 BUILD CONDITION**

The project-generated pedestrian volumes were distributed throughout the pedestrian networks based on land uses in the area, available transit routes and services, and pedestrian pathways available to/from the project site. Based on the peak hour project-generated pedestrian trips presented in Section C, “CEQR Screening Analysis” and shown on **Figures 14-5 to 14-8**, peak 15-minute incremental pedestrian volumes were developed, as shown on **Figures 14-31 to 14-34**. These volumes were added to the projected 2014 No Build volumes to generate the 2014 Build pedestrian volumes for analysis. The total 2014 Build peak 15-minute pedestrian volumes are presented on **Figures 14-35 to 14-38**.

The analysis conducted for the Build condition accounted for the distribution of project-generated trips overlaid onto the No Build pedestrian networks’ sidewalks, corner reservoirs, and crosswalks. As presented in **Tables 14-18 to 14-20**, all sidewalks, corners, and crosswalks would continue to operate at acceptable levels according to CEQR thresholds during the corresponding peak 15-minute periods.



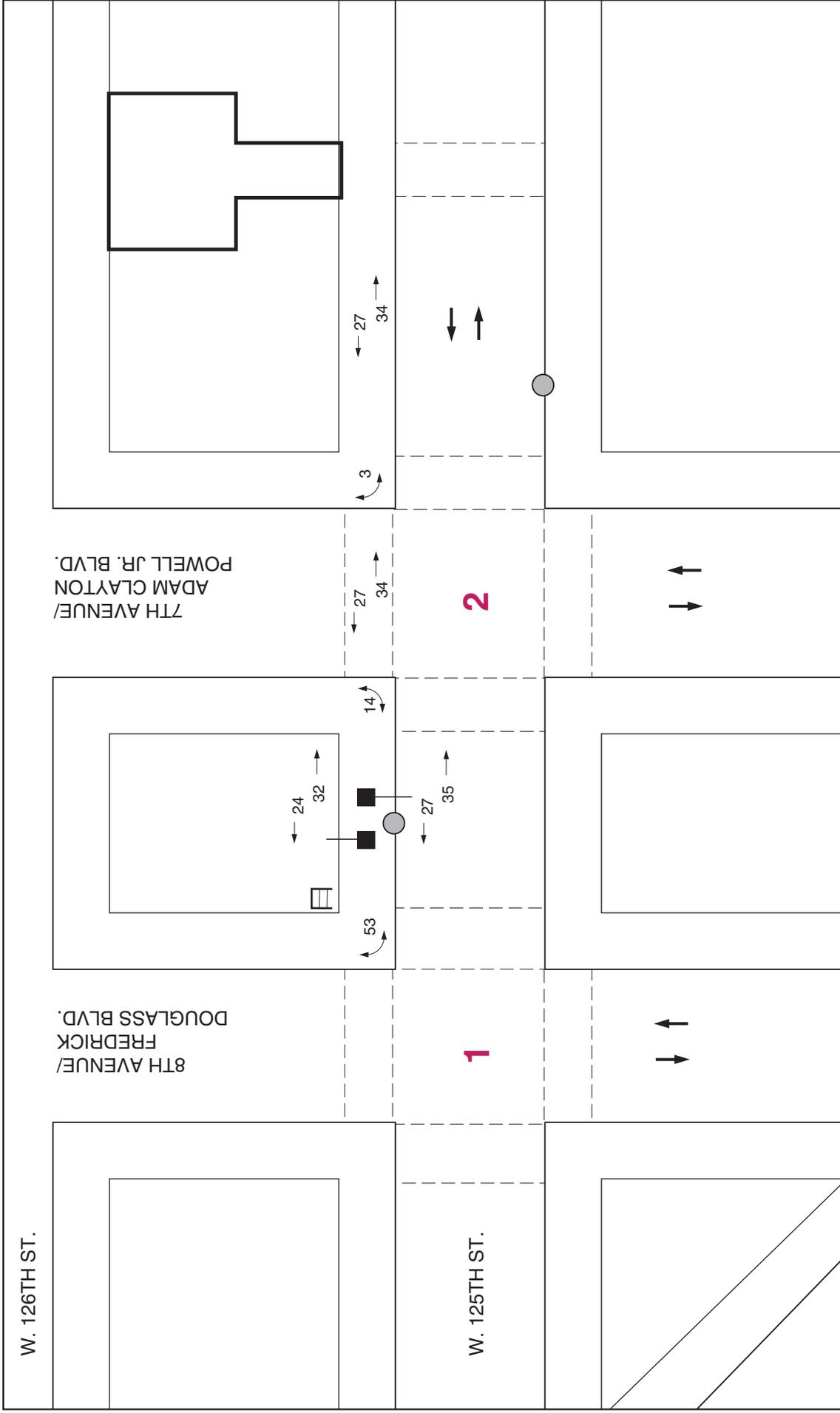
NOT TO SCALE

Project Site Boundary

Bus Stop

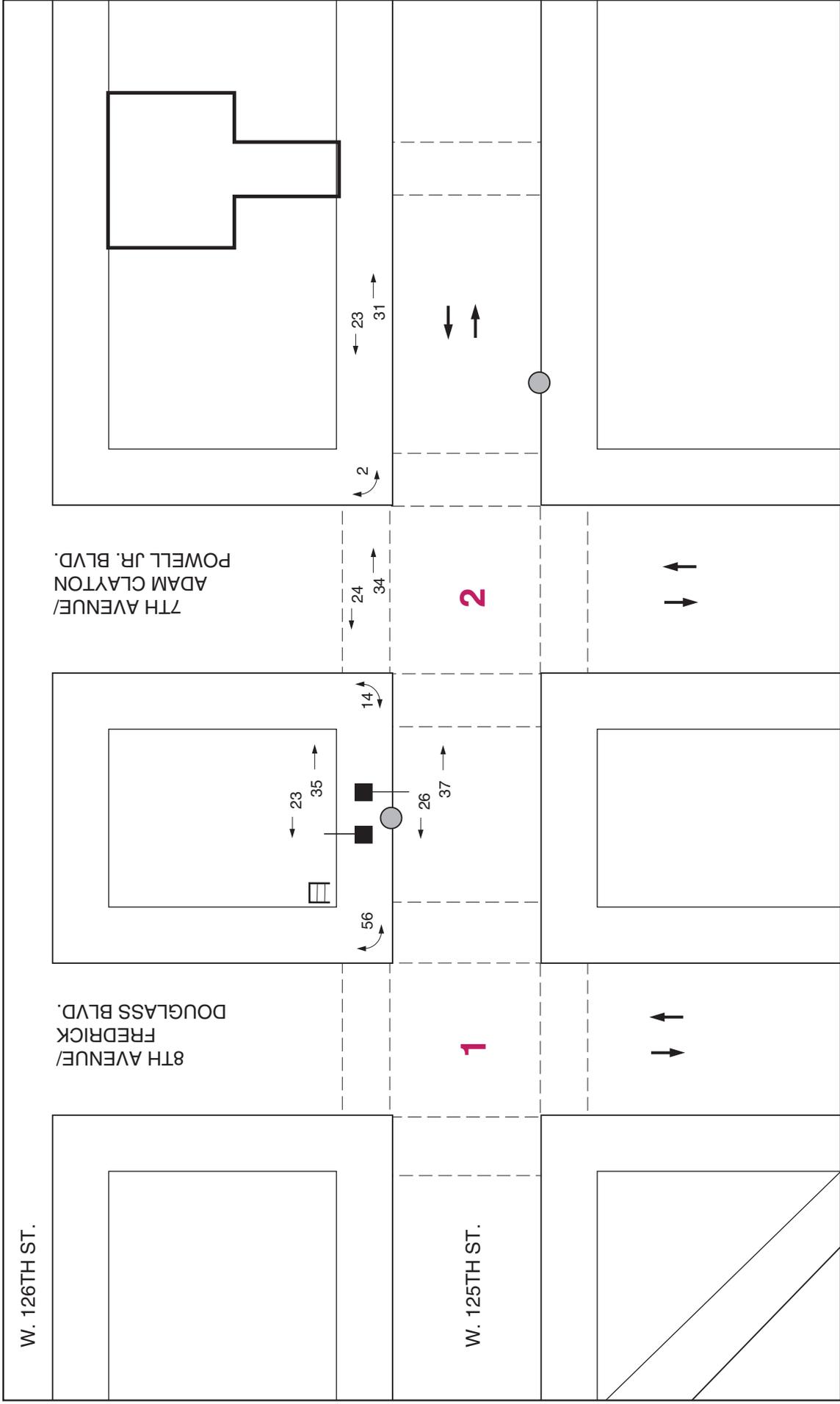
Subway Station Stairway

2014 Project Generated Pedestrian Volumes  
AM Peak 15 Minutes  
Figure 14-31



NOT TO SCALE

2014 Project Generated Pedestrian Volumes  
Midday Peak 15 Minutes  
Figure 14-32



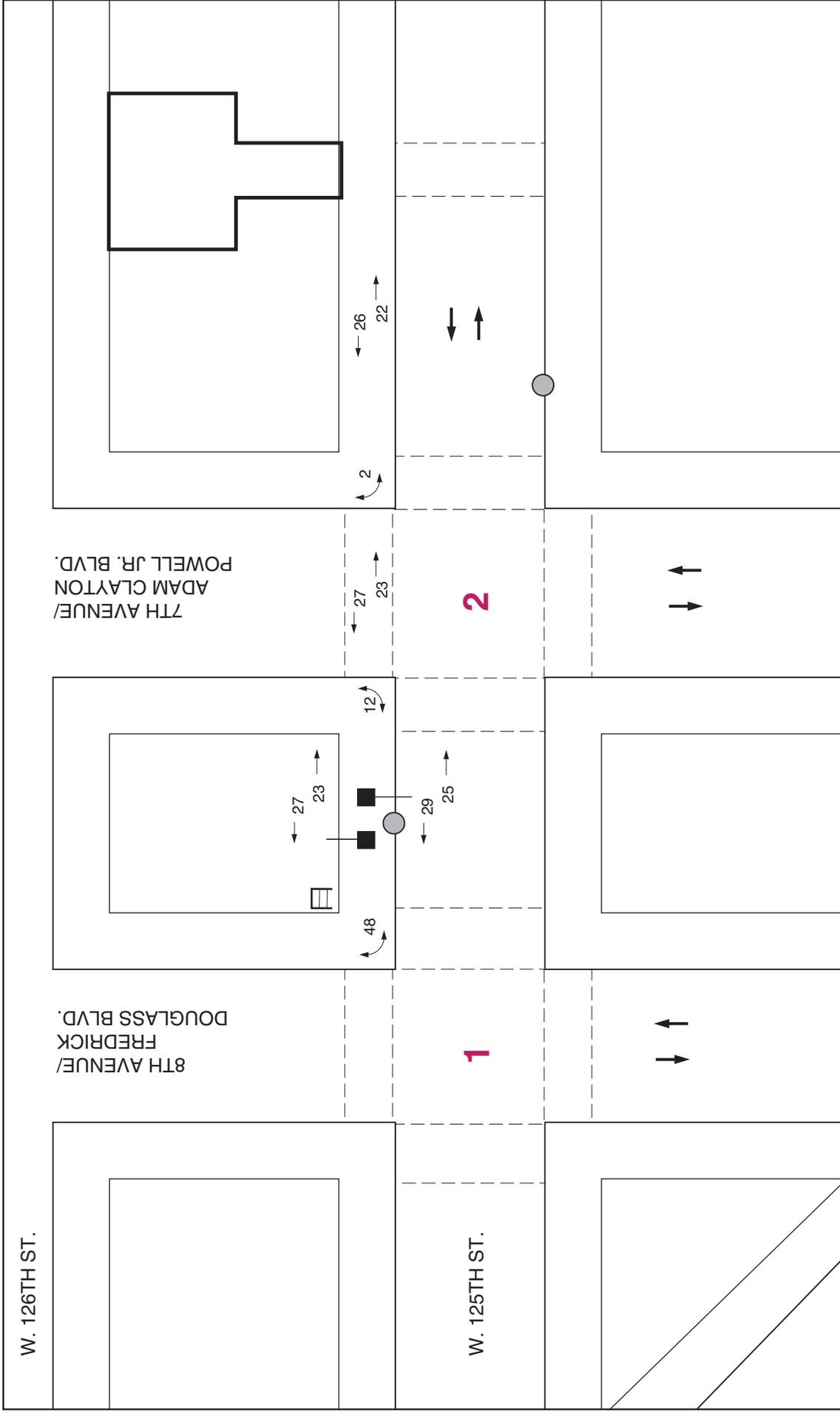
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Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Project Generated Pedestrian Volumes  
PM Peak 15 Minutes  
Figure 14-33



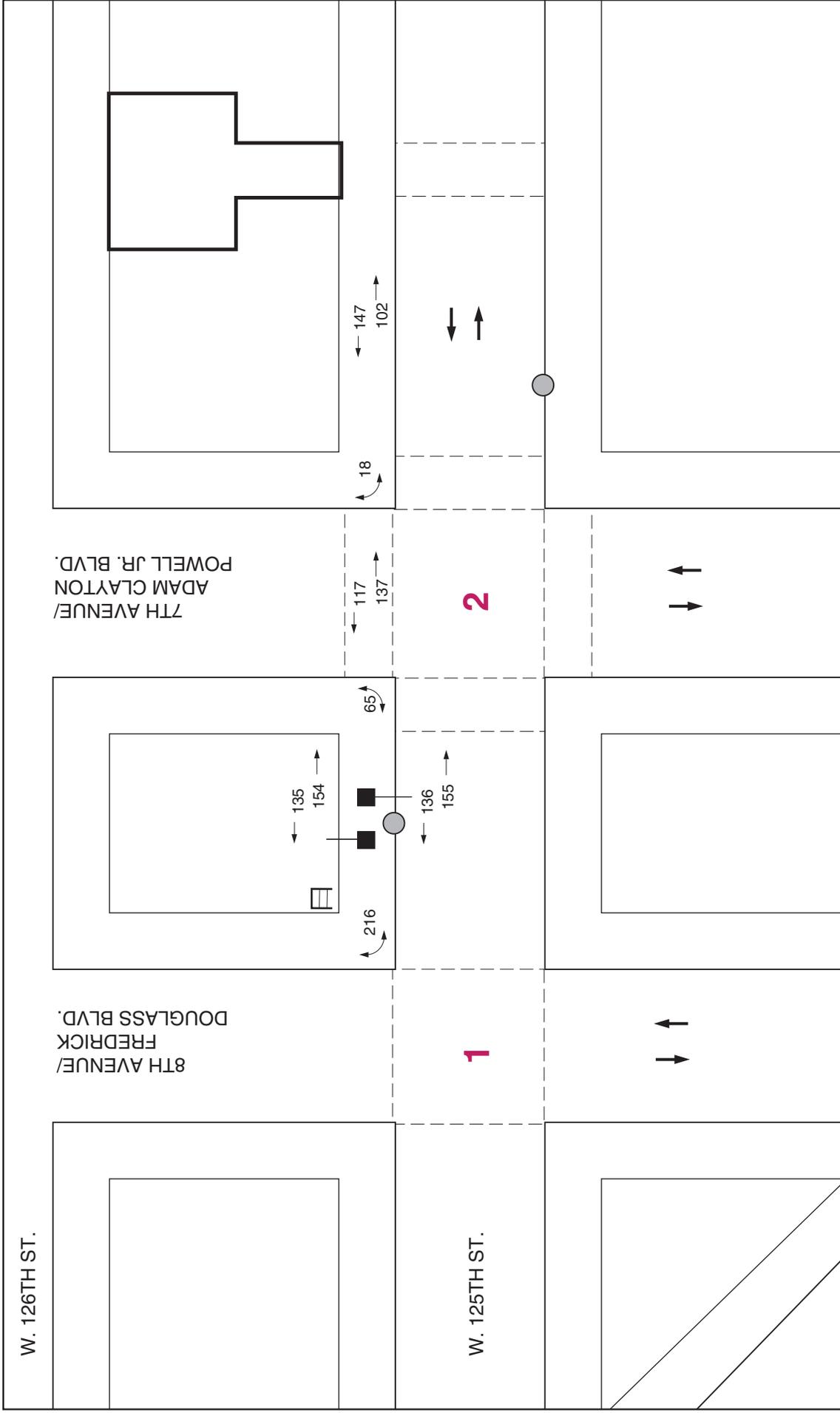
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Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Project Generated Pedestrian Volumes  
Saturday Peak 15 Minutes  
Figure 14-34



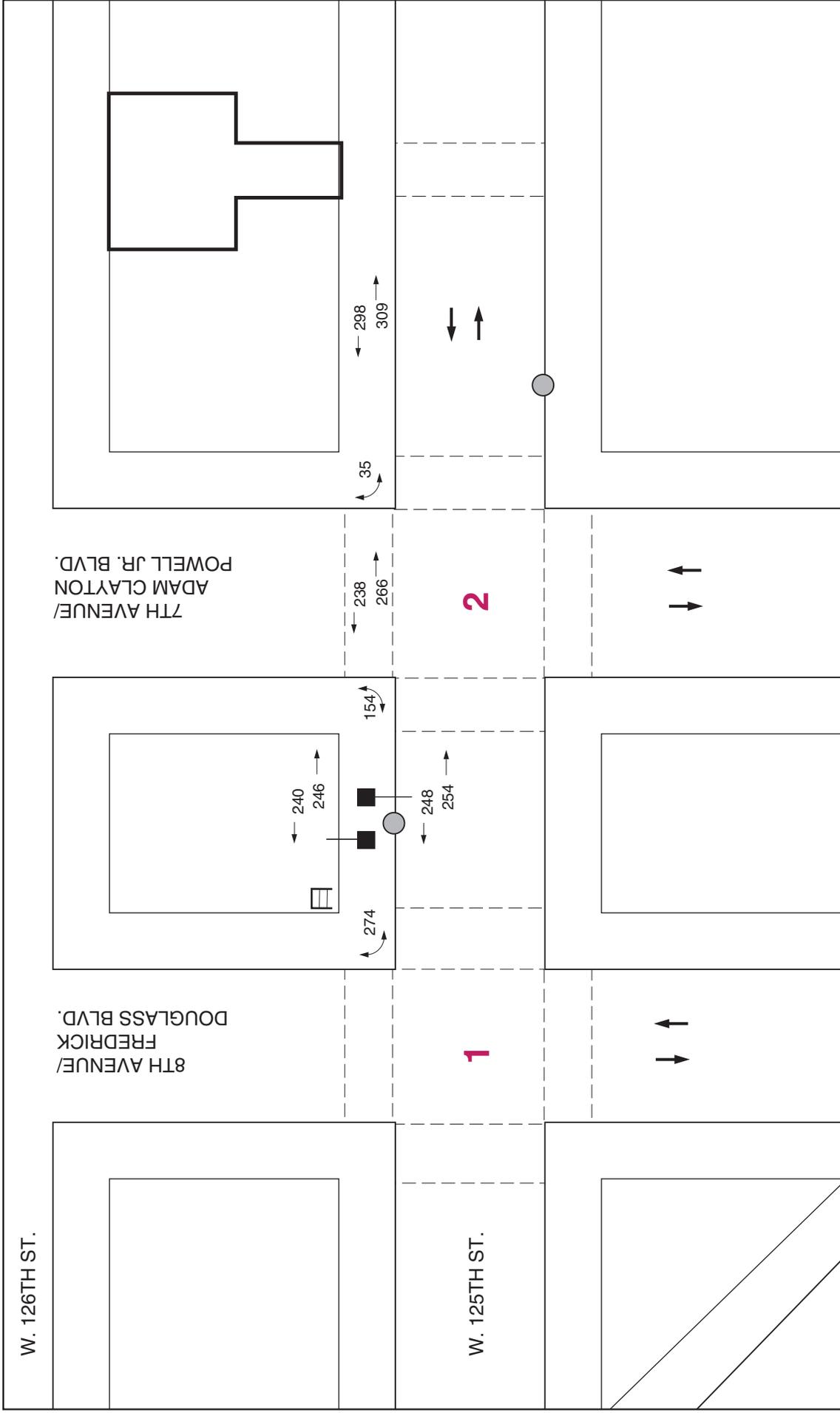
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Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Build Pedestrian Volumes  
AM Peak 15 Minutes  
Figure 14-35



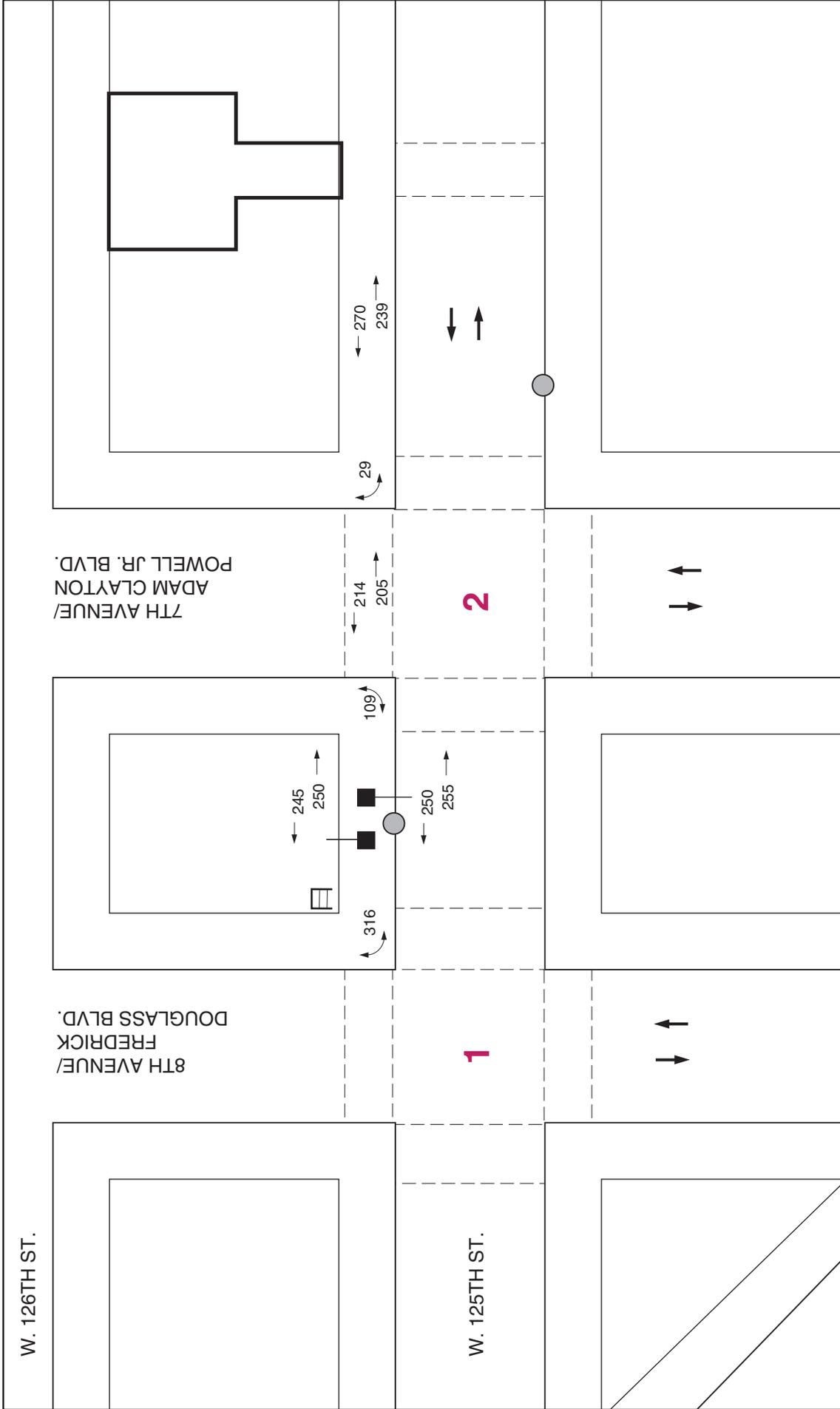
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Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Build Pedestrian Volumes  
Midday Peak 15 Minutes  
Figure 14-36



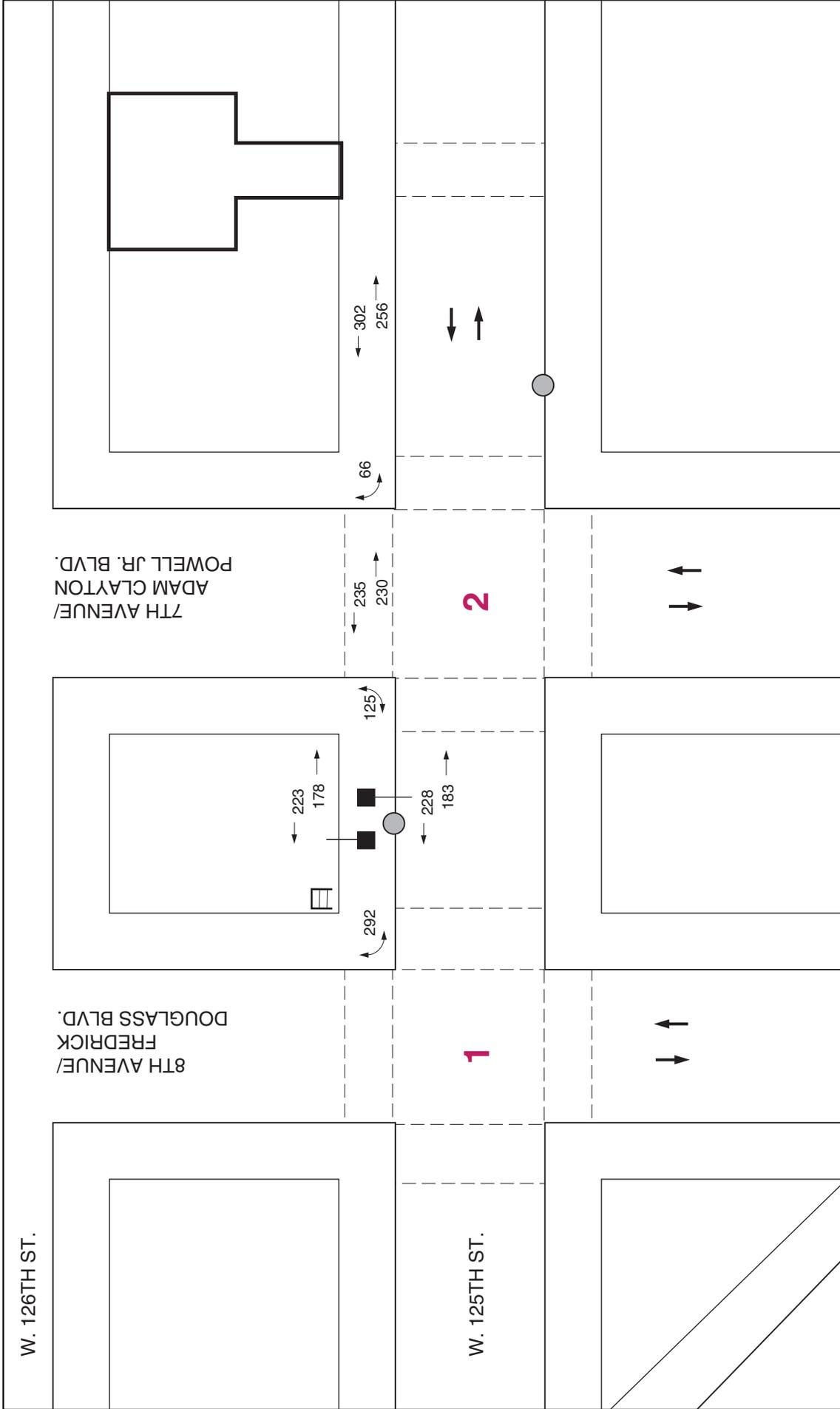
NOT TO SCALE

Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Build Pedestrian Volumes  
PM Peak 15 Minutes  
Figure 14-37



Project Site Boundary

Bus Stop

Subway Station Stairway

2014 Build Pedestrian Volumes  
Saturday Peak 15 Minutes  
Figure 14-38

**Table 14-18**  
**2014 Build Condition Sidewalk Analysis**

Location	Sidewalk	Actual Clear Width (ft)	Effective Width (ft)	15 Minute Two-Way Volume	Platoon Flow	
					PMF	LOS
<b>AM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	289	1.93	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	291	2.69	B
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	249	1.66	B
<b>Midday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	486	3.24	C
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	502	4.65	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	607	4.05	C
<b>PM Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	495	3.30	C
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	505	4.68	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	509	3.39	C
<b>Saturday Peak Period</b>						
West 125th Street between St. Nicholas Avenue and Bus Stop	North	12.0	10.0	401	2.67	B
West 125th Street between Bus Stop and Eighth Avenue	North	10.2	7.2	411	3.81	C
West 125th Street between Eighth Avenue and the project entrance	North	12.0	10.0	558	3.72	C

**Table 14-19**  
**2014 Build Condition Corner Analysis**

Location	Corner	AM Peak Period		Midday Peak Period		PM Peak Period		Saturday Peak Period	
		SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and St. Nicholas Avenue	Northeast	175.8	A	127.1	A	114.7	A	108.4	A
West 125th Street and Eighth Avenue	Northeast	202.7	A	93.6	A	104.9	A	93.0	A
	Northwest	129.4	A	54.6	B	68.3	A	59.1	B

**Note:** SFP = square feet per pedestrian

**Table 14-20**  
**2014 Build Condition Crosswalk Analysis**

Location	Crosswalk	Street Width (feet)	Crosswalk Width (feet)	Conditions with conflicting vehicles							
				AM		Midday		PM		Saturday	
				SFP	LOS	SFP	LOS	SFP	LOS	SFP	LOS
West 125th Street and Eighth Avenue	North	60.0	18.0	60.1	A	26.3	C	34.7	C	28.1	C

**Note:** SFP = square feet per pedestrian

## H. VEHICULAR AND PEDESTRIAN SAFETY

Accident data for the study area intersections were obtained from The New York State Department of Transportation (NYSDOT) for the time period between March 31, 2008 and March 31, 2011. The data obtained quantify the total number of reportable accidents (involving fatality, injury, or more than \$1,000 in property damage), fatalities, and injuries during the study period, as well as a yearly breakdown of pedestrian- and bicycle-related accidents at each location. According to the *CEQR Technical Manual*, a high pedestrian accident location is one where there were five or more pedestrian/bicyclist-related accidents or 48 or more reportable and non-reportable accidents in any consecutive 12 months of the most recent three-year period for which data are available.

During this period, a total of 200 reportable and non-reportable accidents, zero fatalities, 235 injuries, and 80 pedestrian/bicyclist-related accidents occurred at study area intersections. A rolling total of accident data identifies three study area intersections as high pedestrian accident locations in the 2008 to 2011 period. These intersections are St. Nicholas Avenue and West 125th Street, Adam Clayton Powell Boulevard and West 125th Street and Lenox Avenue/Malcolm X Boulevard and West 125th Street. **Table 14-21** depicts total accident characteristics by intersection during the study period, as well as a breakdown of pedestrian and bicycle accidents by year and location.

**Table 14-22** shows a detailed description of each pedestrian/bicyclist-related accident at the three intersections listed above during the three year period.

**Table 14-21**  
**Accident Summary**

Intersection		Study Period						Accidents by Year							
North-South Roadway	East-West Roadway	All Accidents by Year				Total Fatalities	Total Injuries	Pedestrian				Bicycle			
		2008	2009	2010	2011			2008	2009	2010	2011	2008	2009	2010	2011
Eighth Avenue	West 126th Street	1	3	3	5	0	14	1	1	1	1				1
Seventh Avenue	West 126th Street	2	3	5	0	0	9			1				1	
Lenox Avenue	West 126th Street	4	2	4	0	0	7		2	1				1	
<b>St. Nicholas Avenue</b>	<b>West 125th Street</b>	3	14	10	2	0	37		6	2				2	1
Eighth Avenue	West 125th Street	7	10	7	3	0	31	1	2	2	2		1		
<b>Seventh Avenue</b>	<b>West 125th Street</b>	11	16	14	1	0	72	3	5	7			1		
<b>Lenox Avenue</b>	<b>West 125th Street</b>	13	17	14	1	0	35	7	5	3	1	1	2	2	
Eighth Avenue	West 124th Street	3	5	2	0	0	13	1	2						
Seventh Avenue	West 124th Street	3	5	0	0	0	9	2	2			1			
Lenox Avenue	West 124th Street	3	2	5	0	0	8	2		3					

**Note:** Bold Intersections are high pedestrian accident locations.  
**Source:** NYSDOT March 31, 2008 and March 21, 2011 accident data.

**Table 14-22**  
**Vehicle and Pedestrian Accident Details**

Intersection	Year	Date	Time	Accident Class		Action of Vehicle	Action of Pedestrian	Cause of Accident			
				Injured	Killed			Left/Right Turns	Pedestrian Error/Confusion	Driver Inattention	Other
St. Nicholas Avenue @ W. 125th Street	2009	3/28	15:00 PM	X		Going straight – South	Crossing				Other (Vehicle)
		4/3	15:30 PM	X		Making left turn – Southwest	Crossing with signal	X	X		
		8/19	23:38 PM	X		Making right turn – West	Crossing with signal	X		X	
		10/22	12:30 PM	X		Going straight – Northeast	Crossing				Unknown
		12/11	15:54 PM	X		Changing lanes – West	Crossing with signal			X	
		12/19	8:47 AM	X		Making U turn – North	Crossing with signal	X		X	
	2010	4/18	20:40 PM	X		Going straight – North	Going straight – North				Unknown
		7/13	15:45 PM	X		Going straight – West	Crossing against signal		X		
		10/5	00:001 AM	X		Entering parked position – West	Emerge from behind parked vehicle				Unknown
		10/14	20:53 PM	X		Making left turn – West	Crossing with signal	X		X	
	2011	3/25	21:20 PM	X		Making left turn – East	Crossing against signal	X	X	X	
Seventh Avenue @ W. 125th Street	2008	8/18	12:35 PM	X		Going straight – South	Crossing against signal		X		
		8/28	18:25 PM	X		Going straight – North	Crossing against signal		X		
		9/15	8:00 AM	X		Going straight – East	Unknown		X		Traffic control devices disregarded
	2009	1/5	10:05 AM	X		Going straight – West	Unknown				Unknown
		4/22	12:29 PM	X		Avoiding object in roadway - West	Going straight – East				Unknown
		7/16	14:26 PM	X		Going straight – South	Other actions in roadway				Unknown
		8/22	15:33 PM	X		Going straight – West	Along highway with traffic				Unknown
		10/2	13:00 PM	X		Going straight – East	Crossing with signal				Unknown
		10/15	20:00 PM	X		Making right turn – North	Crossing against signal	X			
		2/3	18:05 PM	X		Making right turn – East	Crossing with signal	X			
	2010	4/11	13:55 PM	X		Going straight ahead – North	Crossing against signal			X	
		4/8	20:00 PM	x		Making left turn – North	Crossing with signal	X			
		6/14	10:30 AM	X		Going straight – South	Unknown				Unknown
		9/29	11:52 AM	X		Stopped in traffic – West	Other actions in roadway				Unknown
12/18		18:45 PM	X		Going straight – East	Emerge from behind parked vehicle		X			
	11/2	13:40 PM	X		Going straight – East	Crossing against signal		X		Alcohol involvement	

**Table 14-22 (cont'd)  
Vehicle and Pedestrian Accident Details**

Intersection	Year	Date	Time	Accident Class		Action of Vehicle	Action of Pedestrian	Cause of Accident			
				Injured	Killed			Left/Right Turns	Pedestrian Error/Confusion	Driver Inattention	Other
Lenox Avenue @ W. 125th Street	2008	4/10	10:05 AM	X		Making right turn – West	Other actions in roadway	X	X		
		4/17	15:15 PM	X		Going straight – North	Crossing				Unknown
		4/30	16:45 Pm	X		Going straight – West	Crossing with signal			X	Aggressive driving/Road rage
		4/25	13:30 PM	X		Going straight – North	Crossing with signal				Unknown
		5/16	21:35 PM	X		Unknown	Unknown				Unknown
		8/8	20:05 PM	X		Making right turn – East	Crossing with signal	X			
		8/22	15:20 PM	X		Going straight – East	Along highway against traffic	X			
		8/30	21:48 PM	X		Going straight – West	Crossing against signal				Failure to yield R.O.W. (bicycle)
	2009	4/8	8:58 AM	X		Starting in traffic – North	Unknown				Unknown
		2/27	14:00 PM	X		Going straight – East	Crossing with signal				View obstructed/limited
		5/25	14:40 PM	X		Making right turn – West	Crossing against signal	X	X		
		5/22	8:30 AM	X		Going straight – West	Working in roadway				Reaction to other uninvolved vehicle
		6/10	18:25 PM	X		Entering parked position – North	Going straight – North				Unknown
		7/12	21:10 PM	X		Going straight – North	Going straight – West			X	Failure to yield R.O.W. (bicycle)
		8/5	19:00 PM	X		Making right turn – East	Crossing with signal	X			
	2010	1/23	4:34 AM	X		Starting from parking – North	Crossing				Outside car distraction
		2/19	10:51 AM	X		Making right turn – South	Going straight – East	X			
		7/8	18:45 PM	X		Entering parked position – Northeast	Other actions in roadway				Unknown
		4/19	11:30 AM	X		Going straight – West	Going straight – West				Unknown
		6/7	7:50 AM	X		Going straight – West	Crossing against signal			X	
2011	1/1	16:50 PM	X		Going straight – South	Crossing against signal			X	Traffic control devices disregarded	

Source: NYSDOT March 31, 2008 and March 31, 2011 accident data.

**ST. NICHOLAS AVENUE AND WEST 125TH STREET**

Based on a review of the accident history at the intersection of St. Nicholas Avenue and West 125th Street, no prevailing trends with regard to geometric deficiencies were identified as the primary causes of recorded accidents. With respect to geometric deficiencies that could potentially cause safety hazards, the intersection of St. Nicholas Avenue and West 125th Street is signalized and provides four high visibility crosswalks. The north and south crosswalks are

bisected by a fifteen foot wide median providing a pedestrian refuge area. In addition, there are countdown timers at all four crosswalks. Measures to increase pedestrian safety at this intersection could include the installation of signs warning turning vehicles to yield to pedestrians in the crosswalk on all the approaches. With these measures in place, the potential for pedestrian-related accidents at the intersection of St. Nicholas Avenue and West 125th Street could be reduced.

With the proposed project, the intersection of St. Nicholas Avenue and West 125th Street would experience moderate increases in vehicular and pedestrian traffic. In terms of project generated activity, the intersection could experience peak-hour volume increases of approximately 8, 15, 14, and 11 vehicles during the AM, midday, PM, and Saturday peak hours, respectively. As for pedestrian trips, the proposed project would generate less than 30 pedestrians through this intersection during each of the four peak hours. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents.

**SEVENTH AVENUE AND WEST 125TH STREET**

Based on the review of the accident history at the intersection of Seventh Avenue and West 125th Street, no prevailing trends with regard to geometric deficiencies were identified as the primary causes of recorded accidents. With respect to geometric deficiencies that could potentially cause safety hazards, the intersection of Seventh Avenue and West 125th Street is signalized and provides four high-visibility crosswalks. The north and south crosswalks are bisected by an eight foot wide median providing a pedestrian refuge area. In addition, signs warning turning vehicles to yield to pedestrians in the crosswalk are present at the east and westbound approaches, and a School Advance Warning Assembly is visible at the northbound approach. Measures to increase pedestrian safety at this intersection could include the installation of signs warning turning vehicles to yield to pedestrians in the crosswalk on the southbound approach. With these measures in place, the potential for pedestrian-related accidents at Seventh Avenue and West 125th Street could be reduced.

With the proposed project, the intersection of Seventh Avenue and West 125th Street would experience moderate increases in vehicular and pedestrian traffic. In terms of project generated activity, the intersection could experience peak-hour volume increases of approximately 32, 71, 61, and 42 vehicles during the AM, midday, PM, and Saturday peak hours, respectively. As for pedestrian trips, the proposed project would generate less than 160 pedestrians through this intersection during each of the four peak hours. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents.

**LENOX AVENUE AND WEST 125TH STREET**

Based on the review of the accident history at the intersection of Lenox Avenue and West 125th Street, no prevailing trends with regard to geometric deficiencies were identified as the primary causes of recorded accidents. With respect to geometric deficiencies that could potentially cause safety hazards, the intersection of Lenox Avenue and West 125th Street is signalized and provides two school crosswalks and two high visibility crosswalks. In addition, Blind Persons Crossing signs are present at all approaches, as well as some combination of School Advance Warning Signs and/or signs warning turning vehicles to yield to pedestrians in the crosswalk. Measures to increase pedestrian safety at this intersection could include the installation of crosswalk countdown timers on all the approaches. With these measures in place, the potential for pedestrian-related accidents at the intersection of Lenox Avenue could be reduced.

With the proposed project, the intersection of Lenox Avenue and West 125th Street would experience moderate increases in vehicular and pedestrian traffic. In terms of project generated activity, the intersection could experience peak-hour volume increases of approximately 21, 43, 37, and 28 vehicles during the AM, midday, PM, and Saturday peak hours, respectively. As for pedestrian trips, the proposed project would generate less than 110 pedestrians through this intersection during each of the four peak hours. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents.

## I. PARKING ANALYSIS

### 2011 EXISTING CONDITIONS

Parking regulations in the vicinity of the project site are summarized in **Table 14-23** and shown in **Figure 14-39**. Field observations indicate that much of the on-street parking spaces are highly utilized during most time periods with metered spots more abundantly available.

A survey of off-street public parking facilities within a ¼-mile of the project site was conducted in November 2011 to assess their capacities and approximate utilization levels. **Table 14-24** summarizes the number of available parking spaces and parking utilization during the AM, midday, PM, and Saturday peak periods at each off-street public parking facility. The locations of these parking facilities are also shown in **Figure 14-40**.

The public parking facilities within ¼-mile of the project site have a combined capacity of 953 parking spaces and parking utilization ranging from 37 to 74 percent, with the peak utilization occurring during the weekday midday and PM peak periods.

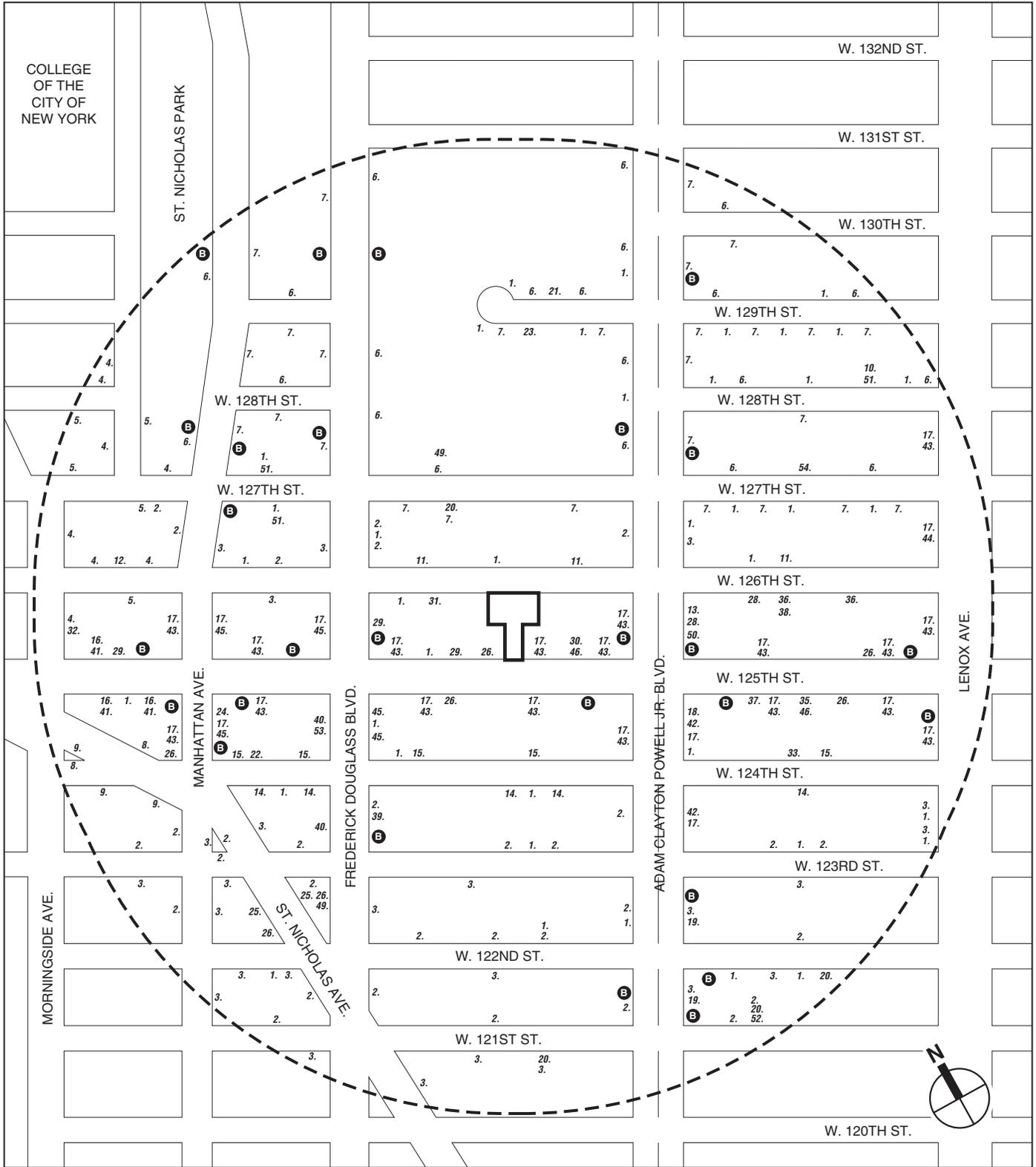
### 2014 NO BUILD CONDITION

Off-street public parking demand and utilization is expected to increase due to background growth and the demand generated from nearby No Build projects. As presented in **Table 14-25**, the 2014 No Build public parking utilization is expected to increase ranging from 43 to 78 percent, with the peak utilization occurring during the weekday midday and PM peak periods. The *CEQR Technical Manual* states that parking lots and garages that are occupied at 98 percent of their capacity should be considered to be “at capacity.” With the No Build condition, the off-street public parking is under capacity.

### 2014 BUILD CONDITION

The proposed project would include a total of up to 90 off-street accessory parking spaces. The weekday and Saturday incremental parking demands generated by the proposed project are presented in **Tables 14-26** and **14-27**.

Based on the incremental parking demand estimates presented in the tables, the demand for parking would slightly exceed the 90-space off street parking garage that is proposed by approximately three vehicles. This would occur during the weekday and weekend evening hours (8:00 to 10:00 PM) when a performance is occurring. Vehicles associated with the performance theater that are not accommodated by the proposed garage would therefore shift to adjacent garages. As shown in **Table 14-25** under the No Build conditions, the off-street parking utilization during the weekday overnight time period (which includes the 8:00 to 10:00 PM time period) is 49 percent and thus would be able to accommodate the parking demand generated by the performance theater. Therefore the proposed project would not result in significant adverse parking impacts.



Project Site

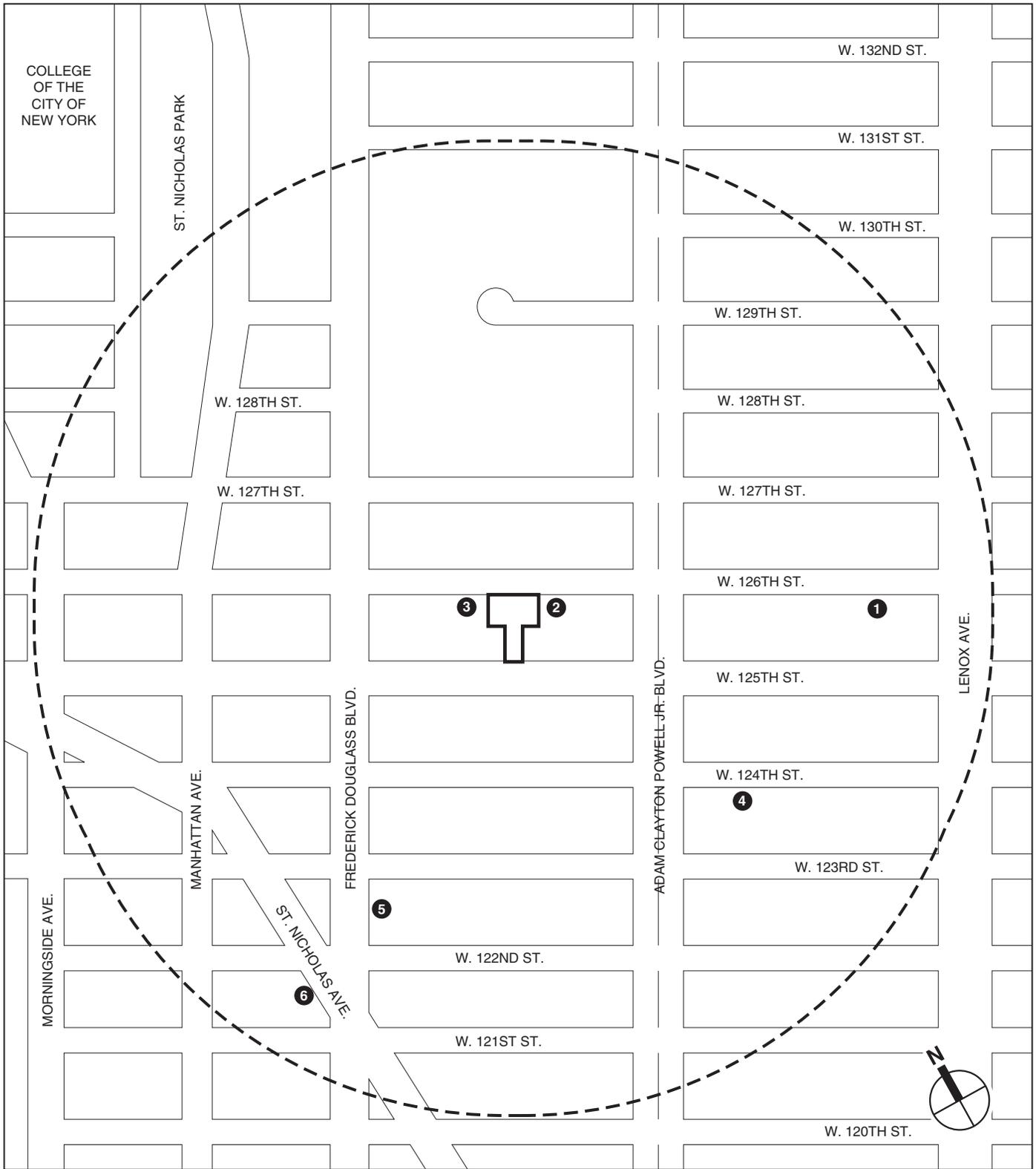
Study Area Boundary (1/4-Mile Perimeter)

Bus Stop

Parking Regulation

0 500 FEET  
SCALE

On-Street Parking Regulations  
Figure 14-39



-  Project Site
-  Study Area Boundary (1/4-Mile Perimeter)
-  Off-Street Parking Facility

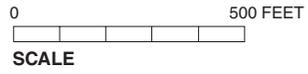


Table 14-23

Summary of On-Street Parking Regulations

No.	Regulation	No.	Regulation
1	NP Anytime	28	NS Anytime Except Authorized Buses
2	NP 8:30AM-10AM Mon & Thurs	29	NS Anytime Except Vehicles with NYP Licensed Plates
3	NP 8:30AM-10AM Tues & Fri	30	NS Except Authorized Vehicles
4	NP 9AM-10:30AM Mon & Thurs	31	NS Except Trucks Loading & Unloading 7AM-7PM Mon-Fri
5	NP 9AM-10:30AM Tues & Fri	32	NS Except Trucks Loading & Unloading 7AM-7PM Except Sunday
6	NP 9:30AM-11AM Mon & Thurs	33	NS Except Trucks Loading & Unloading 8AM-6PM Except Sunday
7	NP 9:30AM-11AM Tues & Fri	34	NS 7AM-7PM Mon-Fri Except Authorized Vehicles
8	NP 11AM-12:30PM Mon & Thurs	35	NS 8AM-8PM Except Authorized Vehicles Mon-Sat
9	NP 11AM-12:30PM Tues & Fri	36	NS 7AM-7PM Mon-Fri
10	NP 7AM-6PM Mon-Fri	37	NS 7AM-7PM Including Sunday
11	NP 7AM-7PM Mon-Fri	38	NS Except Farmer's Market Vehicles 7AM-5PM Tuesday July-Nov
12	NP 7AM-7PM Except Sunday	39	NS Hotel Loading Zone
13	NP 7AM-7PM Including Sunday	40	NP 7AM-10AM Except Sunday
14	NP 8AM-6PM Mon-Fri	41	1-Hour Parking 8:30AM-7PM Except Sunday
15	NP 8AM-6PM Except Sunday	42	1-Hour Parking 9AM-4PM Except Sunday
16	NP 8AM-8:30AM Except Sunday	43	1-Hour Parking 9AM-7PM Except Sunday
17	NP 8AM-9AM Except Sunday	44	1-Hour Parking 9AM-10PM Except Sunday
18	NP 4PM-7PM Mon-Fri	45	2-Hour Parking 9AM-7PM Except Sunday
19	NP 4PM-7PM Except Sunday	46	Ambulette
20	NP 7AM-4PM School Days	47	Ambulance
21	NP 8AM-4PM School days	48	US Congress
22	NP Loading Zone	49	Angle Parking Only
23	NP Active Driveway 24Hours	50	Harlem Tour Bus Permits Only
24	NS Anytime, Taxi Stand	51	Temporary Construction Regulation
25	NS Anytime Except Authorized Vehicles (Police Dept. Vehicles)	52	Department of Education
26	NS Anytime	53	2-Hour Parking 10AM-7PM Except Sunday
27	NS Anytime Except Authorized Vehicles	54	NS 8AM-4PM Mon-Fri Except School Buses, 20 Min Limit

**Notes:** NP = No Parking; NS = No Standing; Sun = Sunday; Mon = Monday; Tue = Tuesday; Wed = Wednesday; Thu = Thursday; Fri = Friday; Sat = Saturday

**Sources:** Surveys conducted by AKRF, Inc. (August 2011)

**Table 14-24**  
**2011 Existing Conditions Public Parking Utilization**

Map#	Peak Period	Total Spaces	Utilized Spaces	Available Spaces	Parking Utilization <sup>1</sup>
<b>1</b>	<b><i>Pro Park – 121 West 125th Street</i></b>				
	AM	304	122	182	40%
	Midday	304	213	91	70%
	PM	304	228	76	75%
	Overnight	304	182	122	60%
	Saturday	304	137	167	45%
<b>2</b>	<b><i>Impark LLC – 215 West 125th Street</i></b>				
	AM	60	30	30	50%
	Midday	60	15	45	25%
	PM	60	27	33	45%
	Overnight	60	27	33	45%
	Saturday	CLOSED	CLOSED	CLOSED	CLOSED
<b>3</b>	<b><i>We Have Car Inc. – 60-270 West 126th Street</i></b>				
	AM	159	111	48	70%
	Midday	159	103	56	65%
	PM	159	95	64	60%
	Overnight	159	40	119	25%
	Saturday	159	52	107	33%
<b>4</b>	<b><i>New Uptown Garage Corp – 160 West 124th Street</i></b>				
	AM	200	150	50	75%
	Midday	200	180	20	90%
	PM	200	170	30	85%
	Overnight	200	110	90	55%
	Saturday	200	50	150	25%
<b>5</b>	<b><i>2280 FB LLC – 265 West 122nd Street</i></b>				
	AM	70	42	28	60%
	Midday	70	63	7	90%
	PM	70	63	7	90%
	Overnight	70	35	35	50%
	Saturday	70	39	31	55%
<b>6</b>	<b><i>Magic Parking LLC – 225 St Nicholas Avenue</i></b>				
	AM	160	56	104	35%
	Midday	160	128	32	80%
	PM	160	112	48	70%
	Overnight	160	56	104	35%
	Saturday	160	48	112	30%
	<b>TOTAL</b>				
	<b>AM</b>	<b>953</b>	<b>511</b>	<b>442</b>	<b>54%</b>
	<b>Midday</b>	<b>953</b>	<b>702</b>	<b>251</b>	<b>74%</b>
	<b>PM</b>	<b>953</b>	<b>695</b>	<b>258</b>	<b>73%</b>
	<b>Overnight</b>	<b>953</b>	<b>450</b>	<b>503</b>	<b>47%</b>
	<b>Saturday</b>	<b>893</b>	<b>326</b>	<b>567</b>	<b>37%</b>
<b>Notes:</b>					
1. Parking Utilization = Utilized Spaces/Total Spaces					
Survey conducted in November 2011					

**Table 14-25  
2011 Existing and 2014 No Build Conditions  
Public Parking Utilization**

	<b>Weekday AM</b>	<b>Weekday Midday</b>	<b>Weekday PM</b>	<b>Weekday Overnight</b>	<b>Saturday Midday</b>
Public Parking Supply	953	953	953	953	893
2011 Existing Parking Demand	511	702	695	450	326
2014 No Build Background Parking Demand	4	5	5	3	2
2014 No Build Project Parking Demand	26	36	30	18	55
Total 2014 No Build Parking Demand	541	743	730	471	383
Parking Utilization <sup>1</sup>	57%	78%	77%	49%	43%
<b>Note:</b> 1. Parking Utilization = Total 2014 Parking Demand/Total Spaces					

**Table 14-26  
Proposed Project Incremental Parking Demand—Weekday**

<b>Hour</b>	<b>Residential</b>	<b>Hotel</b>	<b>Cultural (Museum)</b>	<b>Cultural (Theater)</b>	<b>Destination Retail</b>	<b>Local Retail</b>	<b>Total</b>
12 AM - 01 AM	67	18	0	0	0	0	85
01 AM - 02 AM	67	19	0	0	0	0	86
02 AM - 03 AM	67	19	0	0	0	0	86
03 AM - 04 AM	67	19	0	0	0	0	86
04 AM - 05 AM	67	19	0	0	0	0	86
05 AM - 06 AM	67	19	0	0	0	0	86
06 AM - 07 AM	67	19	0	0	0	0	86
07 AM - 08 AM	60	18	0	0	0	0	78
08 AM - 09 AM	44	16	0	0	0	0	60
09 AM - 10 AM	35	14	0	0	0	0	49
10 AM - 11 AM	30	12	1	0	1	0	44
11 AM - 12 PM	28	10	3	0	1	0	42
12 PM - 01 PM	28	18	4	0	1	0	51
01 PM - 02 PM	28	17	5	0	1	0	51
02 PM - 03 PM	28	15	5	0	1	0	49
03 PM - 04 PM	28	13	5	0	1	0	47
04 PM - 05 PM	32	11	5	0	1	0	49
05 PM - 06 PM	42	15	0	5	1	0	63
06 PM - 07 PM	50	12	0	8	1	0	71
07 PM - 08 PM	56	12	0	21	0	0	89
08 PM - 09 PM	60	13	0	19	0	0	92
09 PM - 10 PM	63	15	0	15	0	0	93
10 PM - 11 PM	65	16	0	2	0	0	83
11 PM - 12 AM	67	17	0	0	0	0	84

**Table 14-27  
Proposed Project Incremental Parking Demand—Saturday**

Hour	Residential	Hotel	Cultural (Museum)	Cultural (Theater)	Destination Retail	Local Retail	Total
12 AM - 01 AM	67	18	0	0	0	0	85
01 AM - 02 AM	67	19	0	0	0	0	86
02 AM - 03 AM	67	19	0	0	0	0	86
03 AM - 04 AM	67	19	0	0	0	0	86
04 AM - 05 AM	67	19	0	0	0	0	86
05 AM - 06 AM	67	19	0	0	0	0	86
06 AM - 07 AM	66	19	0	0	0	0	85
07 AM - 08 AM	62	18	0	0	0	0	80
08 AM - 09 AM	57	16	0	0	0	0	73
09 AM - 10 AM	50	14	0	0	0	0	64
10 AM - 11 AM	42	14	0	0	1	0	57
11 AM - 12 PM	33	14	0	7	1	0	55
12 PM - 01 PM	24	14	0	14	2	1	55
01 PM - 02 PM	24	14	0	9	2	1	50
02 PM - 03 PM	28	11	0	14	3	1	57
03 PM - 04 PM	31	7	0	17	3	0	58
04 PM - 05 PM	34	8	0	13	3	0	58
05 PM - 06 PM	38	8	0	6	3	0	55
06 PM - 07 PM	43	9	0	9	3	0	64
07 PM - 08 PM	52	11	0	22	3	0	88
08 PM - 09 PM	60	13	0	20	2	0	95
09 PM - 10 PM	67	15	0	16	0	0	98
10 PM - 11 PM	67	16	0	3	0	0	86
11 PM - 12 AM	67	17	0	0	0	0	84

**J. TRAFFIC MITIGATION**

As discussed above under “2014 Build Condition,” five approaches/lane groups were predicted to experience significant adverse traffic impacts in the Build condition. **Table 14-28** summarizes the recommended mitigation measures. With the implementation of the mitigation measures, the project would result in no significant adverse traffic impacts. **Table 14-29** compares the LOS conditions for the 2014 No Build, Build, and Build with Mitigation conditions. Mitigation measures are subject to review and approval by NYCDOT.

**Table 14-28  
Recommended Traffic Mitigation Measures**

Intersection	AM Peak Hour		Midday Peak Hour		PM Peak Hour		Saturday Peak Hour	
	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:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:33/3/2 Ped (LPI): 7 EB/WB:40/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2

**Notes:** Signal timings = green/amber/red listed in seconds  
 NB = northbound, SB = southbound, EB = eastbound, WB = westbound  
 LPI = leading pedestrian interval

**Table 14-29  
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)	LOS
<b>West 126th Street and Eighth Avenue – Saturday peak hour</b>												
Westbound	LTR	1.08	110.7	F	LTR	1.30	192.6	F+	LTR	1.08	104.6	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		57.6	E	Intersection		35.2	B
<b>West 126th Street and Seventh Avenue – Saturday peak hour</b>												
Westbound	LTR	1.00	73.4	E	LTR	1.05	87.4	F+	LTR	1.01	76.2	E
Northbound	LT	0.59	15.2	B	LT	0.63	15.9	B	LT	0.64	16.7	B
Southbound	TR	0.34	11.9	B	TR	0.35	12.0	B	TR	0.36	12.6	B
	Intersection		24.3	C	Intersection		27.3	C	Intersection		25.9	C
<b>West 125th Street and Eighth Avenue – AM peak hour</b>												
Eastbound	LTR	<u>0.99</u>	<u>60.2</u>	E	LTR	<u>1.00</u>	<u>62.9</u>	E	LTR	<u>0.96</u>	<u>52.7</u>	D
Westbound	LTR	<u>0.93</u>	<u>47.0</u>	D	LTR	<u>0.98</u>	<u>56.5</u>	E+	LTR	<u>0.94</u>	<u>47.9</u>	D
Northbound	TR	<u>0.28</u>	16.4	B	TR	0.28	16.5	B	TR	0.29	17.2	B
Southbound	TR	<u>0.53</u>	<u>19.8</u>	B	TR	<u>0.57</u>	<u>20.5</u>	C	TR	<u>0.58</u>	<u>21.5</u>	C
	Intersection		<u>39.2</u>	D	Intersection		<u>42.6</u>	D	Intersection		<u>37.5</u>	D
<b>West 125th Street and Eighth Avenue – PM peak hour</b>												
Eastbound	LTR	<u>0.95</u>	<u>53.1</u>	D	LTR	<u>0.97</u>	<u>58.1</u>	E	LTR	<u>0.90</u>	<u>42.7</u>	D
Westbound	LTR	<u>1.01</u>	<u>64.4</u>	E	LTR	1.07	82.2	F+	LTR	<u>1.01</u>	<u>63.3</u>	E
Northbound	TR	<u>0.46</u>	<u>18.8</u>	B	TR	0.47	18.9	B	TR	0.49	20.6	C
Southbound	TR	<u>0.43</u>	<u>18.3</u>	B	TR	0.46	18.6	B	TR	<u>0.50</u>	<u>20.6</u>	C
	Intersection		<u>40.9</u>	D	Intersection		43.8	D	Intersection		<u>38.5</u>	D
<b>West 125th Street and Eighth Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.04</u>	<u>66.8</u>	E	LTR	<u>1.05</u>	<u>70.6</u>	E	LTR	<u>0.99</u>	<u>51.8</u>	D
Westbound	LTR	<u>1.03</u>	<u>64.9</u>	E	LTR	<u>1.08</u>	<u>81.7</u>	E+	LTR	<u>1.01</u>	<u>59.8</u>	E
Northbound	TR	0.45	24.6	C	TR	0.46	24.7	C	TR	0.49	26.7	C
Southbound	TR	0.55	26.3	C	TR	0.60	27.3	C	TR	0.64	29.8	C
	Intersection		<u>51.1</u>	D	Intersection		<u>57.3</u>	E	Intersection		<u>45.5</u>	D
<b>West 125th Street and Seventh Avenue – Midday peak hour</b>												
Eastbound	LTR	<u>0.90</u>	<u>42.4</u>	D	LTR	<u>1.02</u>	<u>67.0</u>	E+	LTR	<u>0.92</u>	<u>42.3</u>	D
Westbound	LTR	<u>0.88</u>	<u>38.0</u>	D	LTR	<u>0.92</u>	<u>43.0</u>	D	LTR	0.82	<u>31.2</u>	C
Northbound	LTR	<u>0.50</u>	<u>21.4</u>	C	LTR	<u>0.51</u>	<u>21.7</u>	C	LTR	<u>0.56</u>	<u>24.4</u>	C
Southbound	LTR	<u>0.52</u>	<u>21.8</u>	C	LTR	<u>0.53</u>	<u>21.9</u>	C	LTR	<u>0.58</u>	<u>24.8</u>	C
	Intersection		<u>30.2</u>	C	Intersection		<u>37.4</u>	D	Intersection		<u>30.3</u>	C
<b>West 125th Street and Seventh Avenue – PM peak hour</b>												
<u>Eastbound</u>	<u>LTR</u>	<u>0.91</u>	<u>43.4</u>	<u>D</u>	<u>LTR</u>	<u>0.96</u>	<u>52.7</u>	<u>D+</u>	<u>LTR</u>	<u>0.90</u>	<u>39.8</u>	<u>D</u>
<u>Westbound</u>	<u>LTR</u>	<u>0.88</u>	<u>36.5</u>	<u>D</u>	<u>LTR</u>	<u>0.90</u>	<u>38.8</u>	<u>D</u>	<u>LTR</u>	<u>0.85</u>	<u>32.6</u>	<u>C</u>
<u>Northbound</u>	<u>I</u>	<u>0.82</u>	<u>28.3</u>	<u>C</u>	<u>I</u>	<u>0.83</u>	<u>29.0</u>	<u>C</u>	<u>I</u>	<u>0.88</u>	<u>33.2</u>	<u>C</u>
	<u>R</u>	<u>0.26</u>	<u>19.7</u>	<u>B</u>	<u>R</u>	<u>0.27</u>	<u>19.9</u>	<u>B</u>	<u>R</u>	<u>0.29</u>	<u>21.6</u>	<u>C</u>
<u>Southbound</u>	<u>IR</u>	<u>0.47</u>	<u>20.9</u>	<u>C</u>	<u>IR</u>	<u>0.47</u>	<u>20.9</u>	<u>C</u>	<u>IR</u>	<u>0.50</u>	<u>22.6</u>	<u>C</u>
	<u>Intersection</u>		<u>30.8</u>	<u>C</u>	<u>Intersection</u>		<u>33.2</u>	<u>C</u>	<u>Intersection</u>		<u>31.8</u>	<u>C</u>
<b>West 125th Street and Seventh Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.09</u>	<u>89.8</u>	<u>E</u>	LTR	<u>1.12</u>	<u>101.4</u>	<u>E+</u>	LTR	<u>1.04</u>	<u>72.0</u>	<u>E</u>
Westbound	LTR	<u>1.12</u>	<u>101.7</u>	<u>E</u>	LTR	<u>1.14</u>	<u>110.0</u>	<u>E+</u>	LTR	<u>1.07</u>	<u>79.8</u>	<u>E</u>
Northbound	LTR	<u>0.63</u>	<u>23.5</u>	<u>C</u>	LTR	<u>0.64</u>	<u>23.8</u>	<u>C</u>	LTR	<u>0.68</u>	<u>25.9</u>	<u>C</u>
Southbound	LTR	<u>0.51</u>	<u>21.5</u>	<u>C</u>	LTR	<u>0.51</u>	<u>21.6</u>	<u>C</u>	LTR	<u>0.54</u>	<u>23.3</u>	<u>C</u>
	Intersection		<u>54.1</u>	<u>D</u>	Intersection		<u>58.5</u>	<u>E</u>	Intersection		<u>46.8</u>	<u>D</u>
<b>Notes:</b> L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service. + implies a significant adverse impact												

\*

**A. INTRODUCTION**

This chapter addresses the potential air quality impacts associated with the proposed plan to redevelop the Victoria Theater site on the north side of West 125th Street, midblock between Frederick Douglas Boulevard and Adam Clayton Powell, Jr. Boulevard in Harlem. Air quality impacts may be direct or indirect. Direct impacts result from emissions generated by stationary sources at a development site, such as emissions from fuel burned on site for heating. Indirect effects include emissions from motor vehicles (“mobile sources”) traveling to and from a project, or from existing pollutant emission sources impacting air quality on the proposed project.

The proposed project is not expected to alter traffic conditions in the study area such that air quality would be affected. The maximum hourly incremental traffic from the proposed projects would not exceed the *City Environmental Quality Review (CEQR) Technical Manual* carbon monoxide screening threshold of 170 peak hour trips, nor would it exceed the particulate matter emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. The level of traffic resulting from the proposed project would not have the potential to significantly change air quality conditions; therefore, a quantified assessment of on-street mobile source emissions is not warranted.

The proposed project would result in new construction and the renovation and adaptive reuse of existing spaces, which will create new heating and cooling demands and emissions. Therefore, this analysis focuses on the fossil-fuel fired heating, ventilation, and air conditioning (HVAC) system for the proposed project.

**PRINCIPAL CONCLUSIONS**

As discussed above, the proposed redevelopment 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.

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

**B. METHODOLOGY FOR PREDICTING POLLUTANT CONCENTRATIONS**

Stationary source analyses were conducted for the fossil fuel-fired HVAC systems for the proposed project. Initially, a screening level analysis was performed following the *CEQR Technical Manual* procedures to evaluate potential impacts from the project’s boilers. Further

analysis was performed using the EPA-approved AERSCREEN model to specifically evaluate potential impacts of PM<sub>2.5</sub> and impacts of 1-hour average NO<sub>2</sub> with respect to the recently promulgated 1-hour NAAQS for the latter. In addition, although ultra low sulfur fuel oil would be used in the proposed boilers for the project, an analysis to evaluate potential 1-hour SO<sub>2</sub> impacts with respect to the recently promulgated NAAQS was performed.

### **CEQR TECHNICAL MANUAL HVAC SCREENING ANALYSIS**

An initial screening analysis was performed using the methodology described in Section 322.1 of Chapter 17 of the *CEQR Technical Manual*. This methodology determines the threshold of development size below which the action would not have a significant impact. The screening procedure utilizes information regarding the type of fuel to be burned, the maximum development size, and the HVAC exhaust stack height, to evaluate whether or not a significant impact is possible.

Based on the distance from the development to the nearest building of similar or greater height, if the maximum development size is greater than the threshold size in the *CEQR Technical Manual*, then there is the potential for significant air quality impacts and a refined dispersion modeling analysis would be required. Otherwise, the source passes the screening analysis and no further study is required.

Any nearby development of similar or greater height was analyzed as a potential receptor. The design for the site assumes that boilers would be used for heating and hot water systems, and the exhausts would be ducted to a single stack to be located above the roof of the proposed tower. The Adam Clayton Powell Jr. State Office Building was used as a receptor location for the screening analysis. The office building was used since it would be the tallest building close to the proposed site.

The maximum proposed development floor area of the entire site was used as input for the screening analysis. It was conservatively assumed that No. 2 fuel oil would be used in the boiler systems. The primary pollutant of concern is SO<sub>2</sub> from fuel oil combustion.

### **AERSCREEN ANALYSIS**

The NO<sub>2</sub> and SO<sub>2</sub> 1-hour analyses were performed using the EPA-approved AERSCREEN model (version 11126, EPA, 2011). The AERSCREEN model was endorsed by EPA<sup>1</sup> as a replacement to the SCREEN3 model. AERSCREEN predicts worst-case one-hour impacts downwind from a point, area, or volume source. AERSCREEN generates application-specific worst-case meteorology using representative minimum and maximum ambient air temperatures, and site-specific surface characteristics such as albedo, Bowen ratio, and surface roughness<sup>2</sup>. The model incorporates the PRIME downwash algorithms that are part of the AERMOD refined model and utilizes the PRIME plume rise model enhancements to the Building Profile Input Program (BPIPRIM) to provide a detailed analysis of downwash influences on direction-specific basis. AERSCREEN also incorporates AERMOD's complex terrain algorithms and utilizes the

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<sup>1</sup> Memorandum, "AERSCREEN Released as the EPA Recommended Screening Model", April 11, 2011.

<sup>2</sup> The albedo is the fraction of the total incident solar radiation reflected by the ground surface. The Bowen ratio is the ratio of the sensible heat flux to the latent (evaporative) heat flux. The surface roughness length is related to the height of obstacles to the wind flow and represents the height at which the mean horizontal wind speed is zero.

AERMAP terrain processor to account for the actual terrain in the vicinity of the source on a direction-specific basis.

The AERSCREEN model was used to calculate ambient concentrations of criteria pollutants from the proposed project. The model was run both with and without the influent of building downwash and with urban diffusion coefficients based on a review of land-use maps of the area. Other model options were selected based upon USEPA guidance.

*EMISSION RATES AND STACK PARAMETERS*

Table 15-1 presents the emission rates and stack parameters used in the modeling analysis.

**Table 15-1  
HVAC Emission Rates and Stack Parameters**

Parameter	Value
<b>Stack Parameters</b>	
Stack Height (ft)	<u>315</u>
Stack Diameter (ft) <sup>(1)</sup>	1.5
Exhaust Velocity (m/s) <sup>(1)</sup>	7.2
Exhaust Temperature (°F) <sup>(1)</sup>	300
<b>Emission Rates (g/s)<sup>(2)</sup></b>	
NO <sub>x</sub> , 1-Hour	<u>0.158</u>
NO <sub>x</sub> , Annual	<u>0.0433</u>
PM <sub>2.5</sub> , 24-Hour	<u>0.019</u>
PM <sub>2.5</sub> , Annual	<u>0.00513</u>
PM <sub>10</sub>	<u>0.029</u>
SO <sub>2</sub>	<u>0.00187<sup>(3)</sup></u>
CO	<u>0.044</u>
<b>Notes:</b>	
1. The stack diameter, exhaust velocity, and exhaust temperature were based on a DEP permit database for similar size boiler systems.	
2. The emission rates are based on peak and annual average fuel usage for the design and AP-42 emission factors.	
3. The SO <sub>2</sub> emission rate for fuel oil assumes the use of ultra low sulfur fuel oil with a maximum sulfur content of 15 parts per million.	
<b>Sources:</b> EPA AP-42 Section 1.3 and Section 1.4	

The exhaust stack for the boiler systems was assumed to be located three feet above the roof of the rooftop boiler room at a height of 315 feet above-grade as per the *CEQR Technical Manual*.

NO<sub>2</sub> 1-hour concentrations were estimated using NO<sub>2</sub> to NO<sub>x</sub> ratio of 0.8 for the maximum 1-hour concentration, in accordance with EPA Guidance<sup>1</sup>. The annual average NO<sub>2</sub> impacts from the proposed project were conservatively calculated assuming that 100 percent of NO<sub>x</sub> would be emitted as NO<sub>2</sub>.

*METEOROLOGICAL DATA*

The meteorological data used by the AERSCREEN model are generated by the MAKEMET program, which uses application-specific worst-case meteorology, using representative minimum and maximum ambient air temperatures, and site-specific surface characteristics such as albedo, Bowen ratio, and surface roughness to determine worst-case hourly impacts. The default minimum and maximum air temperatures of 250 K and 310 K, a minimum wind speed of

<sup>1</sup> EPA, Memorandum, "Additional Clarification Regarding Application of Appendix W Modeling Guidance for the 1-hour NO<sub>2</sub> National Ambient Air Quality Standard, March 1, 2011.

## Victoria Theater

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0.5 m/s, and an anemometer height of 10 m were used in the model. Surface characteristics from the LaGuardia meteorological station were also used.

### *RECEPTOR LOCATIONS*

Receptor information provides the distance from the source, terrain height, and height above ground for selected locations. A receptor array was chosen to represent discrete receptors in the area. The automated array began at the property line of the project site and went out to a distance of 1,000 meters in order to capture the location of maximum impact. In addition to automated receptors, an additional discrete receptor was modeled at the nearest sensitive receptor, the Adam Clayton Powell Jr. Office Building, approximately 454 feet away from the project area. Flat terrain was assumed.

### *BACKGROUND CONCENTRATIONS*

To estimate the maximum expected pollutant concentration at a given receptor, the predicted impact must be added to a background value that accounts for existing pollutant concentrations from other sources that are not directly accounted for in the model. The background levels are based on concentrations monitored at the nearest DEC ambient air monitoring stations over a recent five-year period for which data are available. Consistent with the form of the standard, for the 1-hour NO<sub>2</sub> averaging period, the 3-year average of the annual 98th percentile daily maximum 1-hour average concentration was used. These background concentrations, 122.3 µg/m<sup>3</sup> for NO<sub>2</sub> and 133.5 µg/m<sup>3</sup> for SO<sub>2</sub>, were added to the maximum 1-hour NO<sub>2</sub> and SO<sub>2</sub> concentration, respectively, from the AERSCREEN model to obtain the total 1-hour NO<sub>2</sub> and SO<sub>2</sub> concentrations.

### **ADDITIONAL SOURCES**

The *CEQR Technical Manual* requires an assessment of any actions that could result in the location of sensitive uses within 1,000 feet of a large emission source (e.g., a power plant), or within 400 feet of commercial, institutional, or large-scale residential developments where the proposed structure would be of a height similar to or greater than the height of an existing emission stack. To assess the potential effects of these existing sources on the proposed project, a review of existing permitted facilities was conducted. Sources of information reviewed included the EPA's Envirofacts database<sup>1</sup>, the DEC Title V and state facility permit web sites<sup>2</sup>, the New York City Department of Buildings web site<sup>3</sup>, and DEP permit data.

No commercial, institutional, or large-scale residential developments of sufficient size were identified within 400 feet of the project area, and no large sources were identified within 1,000 feet. Therefore, an analysis of the impacts of existing sources on the proposed project was not warranted.

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<sup>1</sup> EPA, Envirofacts Data Warehouse, [http://oaspub.epa.gov/enviro/ef\\_home2.air](http://oaspub.epa.gov/enviro/ef_home2.air)

<sup>2</sup> DEC Title V and State Facility permit websites: [http://www.dec.ny.gov/dardata/boss/afs/issued\\_atv.html](http://www.dec.ny.gov/dardata/boss/afs/issued_atv.html);  
[http://www.dec.ny.gov/dardata/boss/afs/issued\\_asf.html](http://www.dec.ny.gov/dardata/boss/afs/issued_asf.html)

<sup>3</sup> DOB website: [http://www.nyc.gov/html/dob/html/applications\\_and\\_permits/applications\\_and\\_permits.shtml](http://www.nyc.gov/html/dob/html/applications_and_permits/applications_and_permits.shtml)

## C. PROBABLE IMPACTS OF THE PROPOSED PROJECT

### CEQR TECHNICAL MANUAL HVAC SCREENING ANALYSIS

A screening analysis was performed following the *CEQR Technical Manual* to evaluate the potential for significant adverse impacts on air quality from operation of boiler systems at the proposed project. The primary pollutant of concern is SO<sub>2</sub> while burning No. 2 fuel oil. The screening methodology in the *CEQR Technical Manual* was performed assuming the total size of the proposed development (approximately 385,000 gsf) and the use of No. 2 fuel oil. The exhaust stack would be located on the roof of the proposed tower at the height of the boiler room (approximately 315 feet) based on the proposed project design. There were no buildings of similar or greater height to the proposed building within 400 feet of the project site. Therefore, a distance of 400 feet was chosen in accordance with the guidance provided in the *CEQR Technical Manual*. Burning No. 2 fuel oil would not result in any significant stationary source air quality impacts because the proposed development is below the maximum development size shown in Figure 17-5 of the Air Quality Appendix of the *CEQR Technical Manual*. Therefore, based on the *CEQR Technical Manual* HVAC screening analysis, no potential significant adverse stationary source air quality impacts are predicted from the proposed project.

### AERSCREEN ANALYSIS

An analysis was performed using AERSCREEN model to evaluate potential impacts of PM<sub>2.5</sub>, 1-hour NO<sub>2</sub> and 1-hour SO<sub>2</sub> from operation of boiler systems at the proposed project. The maximum predicted concentrations from the modeling analysis were added to the maximum 1-hour, 24-hour, and annual ambient background concentration and compared to the NAAQS. The results of this analysis are presented in **Table 15-2**.

**Table 15-2**  
**Maximum Modeled Pollutant Concentration (in µg/m<sup>3</sup>)**

Pollutant	Averaging Period	Maximum Modeled Impact	Background <sup>(1)</sup>	Total Concentration	NAAQS / Threshold
NO <sub>2</sub>	1-hour	<u>21.11</u> <sup>(2)</sup>	<u>122.3</u>	<u>143.4</u>	188
	Annual	<u>0.72</u>	<u>46.2</u>	<u>46.9</u>	100
SO <sub>2</sub>	1-hour	<u>0.31</u>	<u>133.5</u>	<u>133.8</u>	196
	24-hour	<u>1.9</u>	N/A	N/A	5/2 <sup>(3)</sup>
PM <sub>2.5</sub>	Annual	<u>0.09</u>	N/A	N/A	0.3/0.1 <sup>(4)</sup>

**Notes:**

- (1) Background concentrations for NO<sub>2</sub> 1-hour and SO<sub>2</sub> 1-hour, which are the maximum daily 98th percentile background concentrations, averaged over three years, and PM<sub>2.5</sub> 24-hour, which is the maximum 98th percentile background concentration averaged over three years, in accordance with the form of the standards.
- (2) Includes a 1-hour conversion ratio of NO<sub>2</sub> to NO<sub>x</sub> of 80 percent
- (3) 24-hour PM<sub>2.5</sub> interim guidance criterion, > 2 µg/m<sup>3</sup> (5 µg/m<sup>3</sup> not to exceed value), depending on the magnitude, frequency, duration, location, and size of the area of the predicted concentrations.
- (4) Annual PM<sub>2.5</sub> interim guidance criterion, > 0.3 µg/m<sup>3</sup> at any discrete receptor location for localized impacts and >0.1 µg/m<sup>3</sup> averaged over a 1km by 1km ground level receptor grid for neighborhood-scale impacts.

The predicted 1-hour NO<sub>2</sub> and SO<sub>2</sub> concentrations are less than their respective NAAQS, and the maximum incremental concentrations of PM<sub>2.5</sub> are below the City’s interim guidance criteria. In addition, since the maximum annual average impact at a discrete receptor was predicted to be 0.09 µg/m<sup>3</sup>, neighborhood-scale impacts would not exceed the City’s interim guidance criterion of 0.1 µg/m<sup>3</sup>. Based on the AERSCREEN analysis, there would be no potential significant adverse stationary source air quality impacts from the proposed project. \*

**A. INTRODUCTION**

There is general consensus in the scientific community that the global climate is changing as a result of increased concentrations of greenhouse gases (GHGs) in the atmosphere. GHGs are those gaseous constituents of the atmosphere, from both natural and anthropogenic (i.e., resulting from the influence of human beings) emission sources, that absorb infrared radiation (heat) emitted from the earth's surface, the atmosphere, and clouds. This property causes the general warming of the earth's atmosphere, or the "greenhouse effect."

As discussed in the *CEQR Technical Manual*, climate change could have wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Through PlaNYC, New York City has established sustainability initiatives and goals for both greatly reducing GHG emissions and adapting to climate change in the city. The goal to reduce citywide GHG emissions to 30 percent below 2005 levels by 2030 was codified by Local Law 22 of 2008, known as the New York City Climate Protection Act (the "GHG reduction goal").<sup>1</sup> Per the *CEQR Technical Manual*, the citywide GHG reduction goal is currently the most appropriate standard by which to assess a project's consistency with GHG goals. The *CEQR Technical Manual* recommends that a GHG consistency assessment be conducted for any project resulting in 350,000 gross square feet (gsf) of development or more and other energy-intensive projects. As the proposed project would result in new development that would be in excess of 350,000 gsf, a GHG consistency assessment is provided. This chapter addresses the GHG emissions that would be generated by the proposed project and describes the measures that would be implemented to limit those emissions.

**PRINCIPAL CONCLUSIONS**

As discussed in the following sections, the building energy use and vehicle use associated with the proposed project would result in approximately 5,860 metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year. Of that amount, 3,055 metric tons of CO<sub>2</sub>e 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 design of the building 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.

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<sup>1</sup> Administrative Code of the City of New York, §24-803.

Based on these project components and efficiency measures, the proposed project would be consistent with New York City's GHG reduction goal.

## **B. POLICY, REGULATIONS, STANDARDS, AND BENCHMARKS FOR REDUCING GHG EMISSIONS**

As a result of the growing consensus that human activity resulting in GHG emissions has the potential to profoundly impact the earth's climate, countries around the world have undertaken efforts to reduce emissions by implementing both global and local measures addressing energy consumption and production, land use, and other sectors. Although the U.S. has not ratified the international agreements which set emissions targets for GHGs, in a step toward the development of national climate change regulation, the U.S. has committed to reducing emissions to 17 percent lower than 2005 levels by 2020 and to 83 percent lower than 2005 levels by 2050 (pending legislation) via the Copenhagen Accord.<sup>1</sup> Without legislation focused on this goal, the U.S. Environmental Protection Agency (EPA) is required to regulate greenhouse gases under the Clean Air Act (CAA), and has already begun preparing regulations. In May 2010, EPA issued a final rule (effective August 2010) to tailor the applicability criteria for stationary sources subject to permitting requirements under CAA, setting thresholds for GHG emissions that define when permits are required for new and existing industrial facilities under the New Source Review Prevention of Significant Deterioration (PSD) and Title V Operating Permit programs.

In addition, EPA has published regulations regarding geological sequestration of CO<sub>2</sub>, a GHG reporting rule to collect information on GHG emissions, and has also established various voluntary programs to reduce emissions and increase energy efficiency. The American Recovery and Reinvestment Act of 2009 (ARRA, "economic stimulus package") funds actions and research that can lead to reduced GHG emissions.

The Energy Independence and Security Act of 2007 includes provisions for increasing the production of clean renewable fuels; increasing the efficiency of products, buildings, and vehicles; and promoting research on GHG capture and storage options. The most recent renewable fuel standards regulations (February 2010) require 12.95 billion gallons of renewable fuels be produced in 2010, increasing annually up to 36.0 billion gallons in 2022. The renewable fuel standards regulations also set volume standards for specific categories of renewable fuels including cellulosic, biomass-based diesel, and total advanced renewable fuels, and specify lifecycle GHG reduction thresholds ranging from 20 percent for renewable fuel to 60 percent for cellulosic biofuel (as compared with the baseline gasoline or diesel replaced).

In March 2009, the U.S. Department of Transportation (USDOT) set combined corporate average fuel economy (CAFE) standards for light-duty vehicles for the 2011 model year (MY). In June 2009, EPA granted California a previously denied waiver to regulate vehicular GHG emissions, allowing 19 other states (representing 40 percent of the light-duty vehicle market, including New York) to adopt the California mobile source GHG emissions standards. In April 2010, EPA and USDOT established the first GHG emission standards and more stringent CAFE standards for MY 2012 through 2016 light-duty vehicles. The agencies also proposed the first-ever program to reduce GHG emissions and improve fuel efficiency of medium- and heavy-duty vehicles, such as large pickup trucks and vans, semi trucks, and vocational vehicles. These regulations would all serve to reduce vehicular GHG emissions over time.

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<sup>1</sup> Todd Stern, U.S. Special Envoy for Climate Change, letter to Mr. Yvo de Boer, UNFCCC, January 28, 2010.

There are also regional, state, and local efforts to reduce GHG emissions. In 2009, Governor Paterson issued Executive Order No. 24, which established a goal of reducing GHG emissions in New York State by 80 percent compared with 1990 levels, by 2050, and created a Climate Action Council tasked with preparing a climate action plan outlining the policies required to attain the GHG reduction goal (that effort is currently under way<sup>1</sup>). The 2009 New York State Energy Plan,<sup>2</sup> outlines the state's energy goals and provides strategies and recommendations for meeting those goals. The state's goals include:

- Implementing programs to reduce electricity use by 15 percent below 2015 forecasts;
- Updating the energy code and enacting product efficiency standards;
- Reducing vehicle miles traveled by expanding alternative transportation options; and
- Implementing programs to increase the proportion of electricity generated from renewable resources to 30 percent of electricity demand by 2015.

New York State has also developed regulations to cap and reduce CO<sub>2</sub> emissions from power plants to meet its commitment to the Regional Greenhouse Gas Initiative (RGGI). Under the RGGI agreement, the governors of 10 northeastern and mid-Atlantic states have committed to regulate the amount of CO<sub>2</sub> that power plants are allowed to emit. The regional emissions cap for power plants will be held constant through 2014, and then gradually reduced to 10 percent below the initial cap through 2018. Each power source with a generating capacity of 25 megawatts or more must purchase a tradable CO<sub>2</sub> emission allowance for each ton of CO<sub>2</sub> it emits. The 10 RGGI states and Pennsylvania have also announced plans to reduce GHG emissions from transportation, through the use of biofuel, alternative fuel, and efficient vehicles.

Many local governments worldwide, including New York City, are participating in the Cities for Climate Protection™ (CCP) campaign and have committed to adopting policies and implementing quantifiable measures to reduce local GHG emissions, improve air quality, and enhance urban livability and sustainability. New York City's long-term sustainability program, PlaNYC 2030, includes GHG emissions reduction goals, specific initiatives that can result in emission reductions and initiatives targeted at adaptation to climate change impacts. For certain projects subject to CEQR (e.g., projects with 350,000 gsf or more of development or other energy-intensive projects), an analysis of the project's contribution of GHG emissions is required to determine its consistency with the citywide reduction goal, which is currently the most appropriate standard by which to analyze a project under CEQR, and is therefore applied in this chapter.

In December 2009, the New York City Council enacted four laws addressing energy efficiency in new and existing buildings, in accordance with PlaNYC. The laws require owners of existing buildings larger than 50,000 square feet to conduct energy efficiency audits every 10 years, to optimize building energy efficiency, and to "benchmark" the building energy and water consumption annually, using an EPA online tool. By 2025, commercial buildings over 50,000 square feet will also require lighting upgrades, including the installation of sensors and controls, more efficient light fixtures, and the installation of submeters, so that tenants can be provided with information on their electricity consumption. The legislation also creates a local New York City Energy Code, which requires equipment installed during a renovation to meet current

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<sup>1</sup> <http://www.nyclimatechange.us/>

<sup>2</sup> New York State, *2009 New York State Energy Plan*, December 2009.

efficiency standards. New York City has also enacted laws that will require the use of cleaner heating fuel in both existing and new buildings and that remove barriers to implementation of renewable energy and energy efficiency measures for buildings.

Beyond the policy, a number of benchmarks for energy efficiency and green building design have also been developed. For example, the LEED system is a privately developed benchmark for the design, construction, and operation of high-performance green buildings that includes energy efficiency components.

EPA's Energy Star is a voluntary labeling program designed to identify and promote the construction of new energy-efficient buildings, facilities, and homes, and the purchase of energy-efficient appliances, heating and cooling systems, office equipment, lighting, home electronics, and building envelopes.

### **C. METHODOLOGY**

Although the contribution of any single project to climate change is infinitesimal, the combined GHG emissions from all human activity are believed to have a severe adverse impact on global climate. While the increments of criteria pollutants and toxic air emissions are assessed in the context of health-based standards and local impacts, there are no established thresholds for assessing the significance of a project's contribution to climate change. Nonetheless, prudent planning dictates that all sectors address GHG emissions by identifying GHG sources and practicable means to reduce them. Therefore, this chapter presents the total GHG emissions potentially associated with the proposed project, and identifies the measures that would be implemented to limit the emissions as well as measures that are under consideration.

The analysis of GHG emissions that would be generated by the proposed project is based on the methodology presented in the *CEQR Technical Manual*. Emissions of GHGs from the proposed project have been quantified, including off-site emissions associated with use of electricity on-site, on-site emissions from heat and hot water systems, and emissions from vehicle use attributable to the proposed project. GHG emissions that would result from construction are discussed as well.

### **POLLUTANTS OF CONCERN**

GHGs are those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and emit radiation at specific wavelengths within the spectrum of infrared radiation emitted by the Earth's surface, the atmosphere, and clouds. This property causes the general warming of the Earth's atmosphere, or the "greenhouse effect."

The *CEQR Technical Manual* lists six GHGs that could potentially be included in the scope of an environmental impact statement: carbon dioxide (CO<sub>2</sub>), nitrous oxide (N<sub>2</sub>O), methane, Hydrofluorocarbons (HFCs), Perfluorocarbons (PFCs), and Sulfur Hexafluoride (SF<sub>6</sub>). This analysis focuses mostly on CO<sub>2</sub>, N<sub>2</sub>O, and methane. There are no significant direct or indirect sources of HFCs, PFCs, or SF<sub>6</sub> associated with the proposed project.

CO<sub>2</sub> is the primary pollutant of concern from anthropogenic sources. Although not the GHG with the strongest effect per molecule, CO<sub>2</sub> is by far the most abundant and, therefore, the most influential GHG. CO<sub>2</sub> is emitted from any combustion process (both natural and anthropogenic), from some industrial processes, such as the manufacture of cement, mineral production, or metal production; from the use of petroleum-based products; from volcanic eruptions; and from the decay of organic matter. CO<sub>2</sub> is removed ("sequestered") from the lower atmosphere by natural

processes such as photosynthesis and uptake by the oceans. CO<sub>2</sub> is included in any analysis of GHG emissions.

Methane and nitrous oxide also play an important role, since the removal processes for these compounds are limited and result in a relatively high impact on global climate change compared with an equal quantity of CO<sub>2</sub>. Emissions of these compounds, therefore, are included in GHG emissions analyses when the potential for substantial emission of these gases exists.

To present a complete inventory of all GHGs, component emissions are added together and presented as CO<sub>2</sub>e emissions—a unit representing the quantity of each GHG weighted by its effectiveness using CO<sub>2</sub> as a reference. This is achieved by multiplying the quantity of each GHG emitted by a factor called global warming potential (GWP). GWPs account for the lifetime and the radiative forcing of each chemical over a period of 100 years (e.g., CO<sub>2</sub> has a much shorter atmospheric lifetime than SF<sub>6</sub>, and therefore has a much lower GWP). The GWPs for the GHGs discussed here are presented in **Table 16-1**.

**Table 16-1**  
**Global Warming Potential (GWP) for Major GHGs**

Greenhouse Gas	100-year Horizon GWP
Carbon Dioxide (CO <sub>2</sub> )	1
Methane (CH <sub>4</sub> )	21
Nitrous Oxide (N <sub>2</sub> O)	310
Hydrofluorocarbons (HFCs)	140 to 11,700
Perfluorocarbons (PFCs)	6,500 to 9,200
Sulfur Hexafluoride (SF <sub>6</sub> )	23,900
<b>Source:</b> IPCC, Climate Change 1995—Second Assessment Report.	

**BUILDING OPERATIONAL EMISSIONS**

Emissions from electricity and on-site fossil fuel use were calculated using the “carbon intensity factors” provided in the *CEQR Technical Manual* (Table 18-3) by building type and the approximate floor areas for the various components of the development that would occur as a result of the proposed project, as shown in **Table 16-2**. The energy savings that would be achieved through the various sustainability measures that would be implemented (discussed below) are conservatively not accounted for in the GHG emissions calculated, as the specific energy efficiency improvements have not yet been determined.

For the residential uses, the carbon intensity factor for large residential buildings was used. For retail, hotel, shared circulation space and cultural uses, the carbon intensity factor for commercial buildings was used. For indoor parking, since an emission intensity is not provided in the 2012 *CEQR Technical Manual*, the annual energy intensity of 27,400 British Thermal Units (Btu) per gsf was assumed (provided in the 2001 *CEQR Technical Manual* Table 3N-1). The electricity emission factor of 35.902 kg CO<sub>2</sub>e per million Btu (2012 *CEQR Technical Manual* Table 18-2) was used to calculate GHG emissions from the energy use associated with the parking.

**Table 16-2**  
**Building Floor Area and Type for GHG Analysis**

Use	Approximate Size (gsf)	Building Type	Carbon Intensity (kg CO <sub>2</sub> e/sf)
Residential	170,000	Large Residential	6.59
Destination Retail	22,500	Commercial	9.43
Local Retail	4,500	Commercial	9.43
Hotel	132,000	Commercial	9.43
Cultural/Community Facility	25,000	Commercial	9.43
<u>Shared Circulation Space</u>	<u>20,200</u>	<u>Commercial</u>	<u>9.43</u>
Parking	10,000	Other	0.98
<b>Sources:</b> The GHG intensity for parking and <u>shared circulation space</u> was calculated based on an energy intensity of 27,400 Btu/gsf/year (provided in only in an earlier (2001) version of the <i>CEQR Technical Manual</i> , Table 3N-1) assuming all energy use is electricity, with an emission rate of 35.902 kg CO <sub>2</sub> e per million Btu ( <i>CEQR Technical Manual</i> , 2012, Table 18-2). All other GHG Intensities were obtained from the 2012 <i>CEQR Technical Manual</i> , Table 18-3.			
<b>Note:</b> Above grade mechanical space is included within the gsf totals by use.			

**MOBILE SOURCE EMISSIONS**

The number of annual vehicle trips by mode (cars, taxis, and trucks) that would be generated by the proposed project was calculated using the transportation planning assumptions developed for the analysis presented in Chapter 14, “Transportation.” The shared circulation space and accessory parking would not result in additional vehicle trips beyond those accounted for in the other components of the project, and are therefore not shown in the calculations of vehicle miles traveled or mobile source emissions. The assumptions used in the calculation include average daily weekday and weekend person trips and delivery trips by proposed use, the percentage of vehicle trips by mode, and the average vehicle occupancy. Travel distances shown in Table 18-4 of the *CEQR Technical Manual* were used in the calculations of annual vehicle miles traveled by cars and trucks. An average one-way taxi trip distance of 2.32 miles was used. This distance, provided in Table 18-5 of the *CEQR Technical Manual*, is based on regional modeling for taxi trips with either Manhattan as the trip origin and/or destination. The average truck trip was assumed to be 38 miles, as per the *CEQR Technical Manual*. Table 18-6 of the *CEQR Technical Manual* was used to determine the percentage of vehicle miles traveled by road type and the mobile GHG emissions calculator was used to obtain an estimate of car, taxi, and truck GHG emissions attributable to the proposed project in 2014, the analysis year.

The EPA estimates that the well-to-pump GHG emissions of gasoline and diesel are approximately 22 percent of the tailpipe emissions.<sup>1</sup> Although upstream emissions (emissions associated with production, processing, and transportation) of all fuels can be substantial and are important to consider when comparing the emissions associated with the consumption of different fuels, as per the *CEQR Technical Manual* guidance the well-to-pump emissions are not

<sup>1</sup> Environmental Protection Agency, *MOVES2004 Energy and Emission Inputs*, Draft Report, EPA420-P-05-003, March 2005.

considered in the analysis for the proposed project. The assessment of tailpipe emissions only is in accordance with the *CEQR Technical Manual* guidance on assessing GHG emissions and the methodology used in developing the New York City GHG inventory, which is the basis of the GHG reduction goal.

The projected annual vehicle miles traveled, which form the basis for the GHG emissions calculations from mobile sources, are presented in **Table 16-3**.

**Table 16-3  
Annual Vehicle Miles Traveled**

Use	Car	Taxi	Truck
Residential	277,911	14,798	155,048
Destination Retail	126,690	195,947	81,661
Local Retail	13,241	20,479	16,332
Hotel	343,958	167,158	174,762
Cultural/Community Facility	41,625	60,726	413,437
<b>Total</b>	<b>803,425</b>	<b>459,108</b>	<b>841,240</b>

**CONSTRUCTION EMISSIONS**

GHG emissions from construction include both direct emissions, such as emissions from construction equipment and delivery trucks, and emissions embedded in the production of materials, such as emissions from the production of steel, rebar, aluminum, and cement used for construction. Emissions associated with construction have not been estimated explicitly for the proposed project, as the construction of the project and extraction and production of construction materials is not likely to be a significant portion of the GHG emissions associated with the project. Analyses for similar developments have shown that construction emissions are equivalent to the total emissions from the operation of the development over approximately 5 to 10 years.

**EMISSIONS FROM SOLID WASTE MANAGEMENT**

The proposed project would not fundamentally change the city’s solid waste management system. Therefore, following the guidance of the *CEQR Technical Manual*, the GHG emissions from solid waste generation, transportation, treatment, and disposal are not quantified.

**D. GHG EMISSIONS WITH THE PROPOSED PROJECT**

**BUILDING OPERATIONAL EMISSIONS**

The GHG emissions from each component of the proposed project are presented in detail in **Table 16-4**.

**Table 16-4  
Building Operational Emissions**

Use	GHG Emissions (metric tons of CO <sub>2</sub> e)
Residential	1,120
Destination Retail	212
Local Retail	42
Hotel	1,245
Cultural/Community Facility	236
Shared Circulation Space	190
Parking	10
<b>Total</b>	<b>3,055</b>

**MOBILE SOURCE EMISSIONS**

The detailed mobile-source-related GHG emissions from each component of the development that would occur as a result of the proposed project are presented in detail in **Table 16-5**.

**Table 16-5  
Mobile Source Emissions (metric tons CO<sub>2</sub>e)**

Use	Car	Taxi	Truck	Total
Residential	197	9	358	565
Destination Retail	90	125	189	403
Local Retail	9	13	38	60
Hotel	244	106	404	754
Cultural/Community Facility	30	39	955	1,023
<b>Total</b>	<b>571</b>	<b>292</b>	<b>1,942</b>	<b>2,805</b>

**CONSTRUCTION EMISSIONS**

Following the *CEQR Technical Manual* guidance, construction emissions are not quantified. As described in Section C, “Methodology,” construction emissions are not modeled explicitly, but are estimated to be equivalent to approximately 5 to 10 years of operational emissions, including both direct energy and emissions embedded in materials (extraction, production, and transport). Through reuse of the existing South Building, the proposed project would avoid at least some of the emissions that would result from construction of a similar new building on that site.

**EMISSIONS FROM SOLID WASTE MANAGEMENT**

The proposed project would not fundamentally change the city’s solid waste management system. Therefore, emissions from solid waste management are not quantified.

**SUMMARY**

A summary of GHG emissions for the proposed project, by emission source type, is presented in **Table 16-6**.

**Table 16-6**  
**Summary of Proposed Project's Annual GHG Emissions**  
**2014 (metric tons CO<sub>2</sub>e)**

Use	Building Operations	Mobile	Total
Residential	1,120	565	1,685
Destination Retail	212	403	615
Local Retail	42	60	102
Hotel	1,245	754	1,999
Cultural/Community Facility	236	1,023	1,259
Shared Circulation Space	190	N/A*	190
Parking	10	N/A*	10
<b>Total</b>	<b>3,055</b>	<b>2,805</b>	<b>5,860</b>
<b>Note:</b> * The shared circulation space and accessory parking would not result in additional vehicle trips beyond those accounted for in the other components of the project.			

The operational emissions from building energy use include on-site emissions from fuel consumption as well as emissions associated with the production and delivery of the electricity to be used on site. The proposed project would be designed to meet or exceed the standards for LEED Silver certification (under the LEED for New Construction and Major Renovations Rating System). To meet these standards, the proposed project would need to meet energy efficiency requirements that exceed code requirements. The proposed project would limit the emissions associated with electricity consumption and heating through energy-efficient design, and reduce emissions associated with transportation because of the available alternatives to driving. The proposed project would include uses and density appropriate for a developed urban area, and would reuse an existing site and building thereby not requiring the use undeveloped land.

## **E. ELEMENTS OF THE PROPOSED PROJECT THAT WOULD REDUCE GHG EMISSIONS**

The proposed project would include sustainable design features that would, among other benefits, result in lower GHG emissions than would occur from a similarly sized project without such features. The proposed project would result in reuse of an existing building and new development in an 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, new construction would be designed to meet current standards for LEED Silver certification, focusing on reduced energy use and sustainable transportation, which would result in lower GHG emissions. LEED standards for new construction require a minimum of 10 percent reduction in energy expenditure as compared with buildings constructed to meet code requirements; this would result in reduced GHG emissions. These features and other measures currently under consideration that would address GHG emissions are discussed in this section.

### **BUILD EFFICIENT BUILDINGS**

As described above, the proposed project would be designed to meet the standards for LEED Silver certification.

Specifically, the project would include an energy-efficient building envelope, with high-albedo roofing materials. High-efficiency heating, ventilation, and air conditioning (HVAC) systems would be installed. Interior daylighting in the hotel portion of the proposed project would be maximized. To the extent practicable, super insulation would be incorporated to minimize heat loss. The installation of motion sensors, lighting and climate control, efficient indoor and exterior lighting, elevators, and Energy Star appliances would also be considered. Water conserving fixtures exceeding building code requirements would be used to the extent practicable. Storage and collection of recyclables would be provided for the residential portion of the proposed project. Third-party fundamental building energy systems commissioning is required by USGBC for LEED certification to ensure energy performance. Construction and design guidelines to facilitate sustainable design for build-out by tenants will be provided.

**USE CLEAN POWER**

The proposed buildings would use natural gas fired systems for heating and hot water; natural gas has lower carbon content per unit of energy than other fuels, and thus reduces GHG emissions.

**TRANSIT-ORIENTED DEVELOPMENT AND SUSTAINABLE TRANSPORTATION**

The project site is located in an area supported by many public transit options. Thus, the proposed project supports an important goal of continuing transit-oriented development. The mix of uses that would be developed would fit well within a walkable neighborhood, and would place new uses in close proximity to public transit options. Indoor bicycle parking, sufficient to meet zoning requirements for a building the size of the proposed project, would be provided in the basement of the building.

**DIRECT CONSTRUCTION EMISSIONS**

While particulate matter is not included in the list of standard greenhouse gasses, recent studies have shown that black carbon—a constituent of particulate matter—may play an important role in climate change. As detailed in Chapter 20, “Construction”, a number of measures that would reduce particulate emissions during construction would be implemented, to the extent feasible, including: diesel equipment reduction, clean fuel (ULSD), best available tailpipe reduction technologies, use of new equipment, and fugitive dust control measures, and idling restrictions on-site.

**BUILDING MATERIALS**

The use of construction materials extracted, processed and/or manufactured within 500 mile of the project will be maximized. In addition, the use of recycled building materials and certified sustainable or salvaged wood products would be considered.

**CONCLUSION**

The proposed project will include substantial energy efficiency measures and design elements which would result in an energy efficient building, transit-oriented development and the use of sustainable transportation. Based on these project components, the proposed project would be consistent with the city’s GHG emissions reduction goal, as defined in the *CEQR Technical Manual*. \*

## A. INTRODUCTION

The proposed project would not generate sufficient traffic to have the potential to cause a significant noise impact (i.e., it would not result in a doubling of Noise passenger car equivalents [Noise PCEs] which would be necessary to cause a 3 dB(A) increase in noise levels). However, a site-specific noise survey was performed to determine current ambient noise levels adjacent to the project site. In addition, incremental increases in vehicular traffic noise levels associated with other developments and calculated noise associated with the P.S. 154 school playground on West 126th Street (across from the project site) were added to the ambient noise levels measured for the proposed project in order to address CEQR noise abatement requirements. This analysis is described below.

Overall, the proposed project would not result in significant adverse noise impacts due to vehicular traffic, and the proposed project will be designed to provide sufficient attenuation to meet interior noise level requirements.

## PRINCIPAL CONCLUSIONS

The analysis concludes that project-generated traffic would not be expected to produce significant increases in noise levels. In addition, with the proposed building design measures, noise levels within the proposed building would comply with all applicable criteria. Therefore, the proposed project would not result in any significant adverse noise impacts.

## B. ACOUSTICAL FUNDAMENTALS

Sound is a fluctuation in air pressure. Sound pressure levels are measured in units called “decibels” (“dB”). The particular character of the sound that we hear is determined by the speed, or “frequency,” at which the air pressure fluctuates, or “oscillates.” Frequency defines the oscillation of sound pressure in terms of cycles per second. One cycle per second is known as 1 Hertz (“Hz”). People can hear over a relatively limited range of sound frequencies, generally between 20 Hz and 20,000 Hz, and the human ear does not perceive all frequencies equally well. High frequencies (e.g., a whistle) are more easily discernable and therefore more intrusive than many of the lower frequencies (e.g., the lower notes on the French horn).

### “A”-WEIGHTED SOUND LEVEL—dB(A)

In order to establish a uniform noise measurement that simulates people’s perception of loudness and annoyance, the decibel measurement is weighted to account for those frequencies most audible to the human ear. This is known as the A-weighted sound level, or dB(A), and it is the descriptor of noise levels most often used for community noise. As shown in **Table 17-1**, the threshold of human hearing is defined as 0 dB(A); very quiet conditions (a library, for example) are approximately 40 dB(A); levels between 50 dB(A) and 70 dB(A) define the range of noise levels generated by normal daily activity; levels above 70 dB(A) would be considered noisy, and then loud, intrusive, and deafening as the scale approaches 130 dB(A).

In considering these values, it is important to note that the dB(A) scale is logarithmic, meaning that each increase of 10 dB(A) describes a doubling of perceived loudness. Thus, the background noise in an office, at 50 dB(A), is perceived as twice as loud as a library at 40 dB(A). For most people to perceive an increase in noise, it must be at least 3 dB(A). At 5 dB(A), the change will be readily noticeable.

The average ability of an individual to perceive changes in noise levels is well-documented (see **Table 17-2**). Generally, changes in noise levels of less than 3 dB(A) are barely perceptible to most listeners, whereas changes in noise levels of 10 dB(A) are normally perceived as doubling (or halving) of noise loudness. These guidelines permit direct estimation of an individual's probable perception of changes in noise levels.

**Table 17-1  
Common Noise Levels**

Sound Source	(dB(A))
Military jet, air raid siren	130
Amplified rock music	110
Jet takeoff at 500 meters	100
Freight train at 30 meters	95
Train horn at 30 meters	90
Heavy truck at 15 meters	80-90
Busy city street, loud shout	80
Busy traffic intersection	70-80
Highway traffic at 15 meters, train	70
Predominantly industrial area	60
Light car traffic at 15 meters, city or commercial areas, or residential areas close to industry	50-60
Background noise in an office	50
Suburban areas with medium-density transportation	40-50
Public library	40
Soft whisper at 5 meters	30
Threshold of hearing	0
<b>Note:</b>	A 10 dB(A) increase in level appears to double the loudness, and a 10 dB(A) decrease halves the apparent loudness.
<b>Sources:</b>	Cowan, James P. <i>Handbook of Environmental Acoustics</i> , Van Nostrand Reinhold, New York, 1994. Egan, M. David, <i>Architectural Acoustics</i> . McGraw-Hill Book Company, 1988.

**Table 17-2  
Average Ability to Perceive Changes in Noise Levels**

Change in dB(A)	Human Perception of Sound
2-3	Barely perceptible
5	Readily noticeable
10	A doubling or halving of the loudness of sound
20	A "dramatic change"
40	Difference between a faintly audible sound and a very loud sound
<b>Source:</b>	Bolt, Beranek and Newman, Inc., <i>Fundamentals and Abatement of Highway Traffic Noise</i> , Report No. PB-222-703. Prepared for Federal Highway Administration, June 1973.

**SOUND LEVEL DESCRIPTORS**

Because the sound pressure level unit of dB(A) describes a noise level at just one moment and very few noises are constant, other ways of describing noise that fluctuates over extended periods have been developed. One way is to describe the fluctuating sound heard over a specific

time period as if it had been a steady, unchanging sound. For this condition, a descriptor called the “equivalent sound level,”  $L_{eq}$ , can be computed.  $L_{eq}$  is the constant sound level that, in a given situation and time period (e.g., 1 hour, denoted by  $L_{eq(1)}$ , or 24 hours, denoted by  $L_{eq(24)}$ ), conveys the same sound energy as the actual time-varying sound. Statistical sound level descriptors such as  $L_1$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$ , and  $L_x$ , are used to indicate noise levels that are exceeded 1, 10, 50, 90, and x percent of the time, respectively.

The relationship between  $L_{eq}$  and levels of exceedance is worth noting. Because  $L_{eq}$  is defined in energy rather than straight numerical terms, it is not simply related to the levels of exceedance. If the noise fluctuates very little,  $L_{eq}$  will approximate  $L_{50}$  or the median level. If the noise fluctuates broadly, the  $L_{eq}$  will be approximately equal to the  $L_{10}$  value. If extreme fluctuations are present, the  $L_{eq}$  will exceed  $L_{90}$  or the background level by 10 or more decibels. Thus the relationship between  $L_{eq}$  and the levels of exceedance will depend on the character of the noise. In community noise measurements, it has been observed that the  $L_{eq}$  is generally between  $L_{10}$  and  $L_{50}$ .

For purposes of the proposed project, the  $L_{10}$  descriptor has been selected as the noise descriptor to be used in this noise impact evaluation. The 1-hour  $L_{10}$  is the noise descriptor used in the *CEQR Technical Manual* noise exposure guidelines for City environmental impact review classification.

## C. NOISE STANDARDS AND CRITERIA

### NEW YORK CEQR NOISE CRITERIA

The *CEQR Technical Manual* defines attenuation requirements for buildings based on exterior noise level (see **Table 17-3**, “Required Attenuation Values to Achieve Acceptable Interior Noise Levels”). Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dB(A) or lower for residential, hotel, residential community room, or performance space uses and 50 dB(A) or lower for commercial, restaurant, or office uses and are determined based on exterior  $L_{10(1)}$  noise levels.

**Table 17-3**  
**Required Attenuation Values to Achieve Acceptable Interior Noise Levels**

Noise Level With Proposed Project	Marginally Unacceptable				Clearly Unacceptable
	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation <sup>A</sup>	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^B$ dB(A)
<b>Notes:</b>					
<sup>A</sup> The above composite window-wall attenuation values are for residential, hotel, residential community room, or performance space uses. Commercial, restaurant, or office uses would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.					
<sup>B</sup> Required attenuation values increase by 1 dB(A) increments for $L_{10}$ values greater than 80 dB(A).					
<b>Source:</b> New York City Department of Environmental Protection.					

## D. NOISE PREDICTION METHODOLOGY

The P.S. 154 school playground—across West 126th Street from the proposed project site—was not in use during the measurement of existing noise levels. As outlined below, playground noise levels were calculated using the procedures recommended in the *CEQR Technical Manual* to determine their potential anticipated noise effects on the proposed project.

This analysis accounts for the following factors: that the playground is at street level; it is used by elementary school students (kindergarten to 5th grade) primarily in the late morning and early afternoon; and it is located approximately 60 feet from the proposed project site.

The 2012 *CEQR Technical Manual* provides the following guidance to estimate noise effects of an existing playground:

*“...based upon noise measurements made at 10 school playground sites in 1987, it may be assumed that  $L_{eq(1)}$  noise levels at the boundary would be 75 dB(A), 15 feet from the boundary would be 73 dB(A), 30 feet from the boundary would be 70 dB(A), and the noise level would decrease by 4.5 dB(A) per doubling of distance beyond 30 feet.”*

The analysis of the existing playground consisted of the following procedure:

- Existing noise measurements were made at the proposed project site (with the playground not in use);
- The distance between the proposed project site and the existing playground was determined using a GIS database;
- Using the *CEQR Technical Manual* guidance outlined above, a spreadsheet was used to calculate anticipated playground noise levels;
- Calculated playground noise levels were combined with the measured existing noise levels to determine ambient noise levels with the playground active; and
- $L_{10}$  noise levels were estimated for purposes of building attenuation analysis.

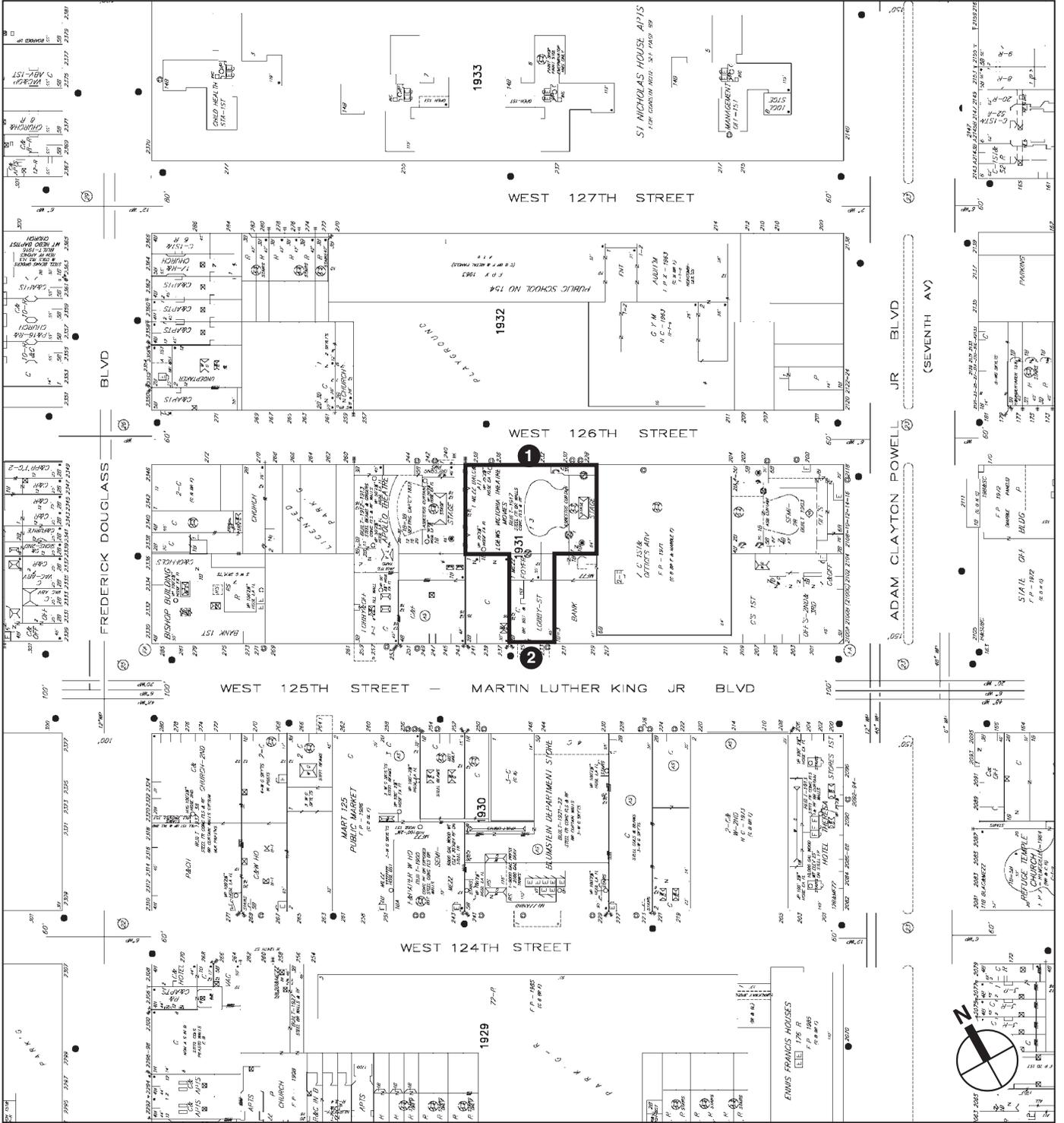
## **E. EXISTING CONDITIONS**

Existing noise levels at the project site were measured at two (2) locations. Site 1 was located on West 125th Street between Frederick Douglass Boulevard and Seventh Avenue and Site 2 was located on West 126th Street between Frederick Douglass Boulevard and Seventh Avenue (also see **Figure 17-1**).

At both receptor sites, noise levels were measured for 20-minute periods during the three weekday traffic peak periods—AM (7:30 – 9:00 AM), midday (MD) (12:30 PM to 2:00 PM), and PM (5:00 – 6:30 PM). Measurements were taken on November 15, 2011.

### **EQUIPMENT USED DURING NOISE MONITORING**

Measurements were performed using a Brüel & Kjær Sound Level Meter (SLM) Type 2260 , a Brüel & Kjær ½-inch microphone Type 4189, and a Brüel & Kjær Sound Level Calibrator Type 4231. The SLM has a laboratory calibration date of August 3, 2011 which is valid through August of 2012. The Brüel & Kjær SLM is a Type 1 instrument according to ANSI Standard S1.4-1983 (R2006). The microphone was mounted on a tripod at a height of approximately 5 feet above the ground and was mounted approximately more than 5 feet away from any large reflecting surfaces. The SLM’s calibration was field checked before and after readings with a Brüel & Kjær Type 4231 Sound Level Calibrator using the appropriate adaptor. Measurements at each location were made on the A-scale [dB(A)]. The data were digitally recorded by the SLM and displayed at the end of the measurement period in units of dB(A). Measured quantities included  $L_{eq}$ ,  $L_1$ ,  $L_{10}$ ,  $L_{50}$ ,  $L_{90}$ , and 1/3 octave band levels. A windscreen was used during all



- Project Site
- 1 Noise Receptor Location



sound measurements except for calibration. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

The results of the existing noise level measurements are summarized in **Table 17-4**.

**Table 17-4**  
**Existing Noise Levels, in dB(A)**

Site	Measurement Location	Time	L <sub>eq</sub>	L <sub>1</sub>	L <sub>10</sub>	L <sub>50</sub>	L <sub>90</sub>
1	West 125th Street between Frederick Douglass Boulevard and Seventh Avenue	AM	74.3	83.5	77.8	71.3	63.6
		MD	73.5	82.2	76.5	70.9	66.2
		PM	72.8	82.7	75.0	69.6	66.5
2	West 126th Street between Frederick Douglass Boulevard and Seventh Avenue	AM	65.5	75.3	68.4	62.3	59.9
		MD	63.4	74.5	65.8	59.0	57.0
		PM	64.9	73.4	67.8	62.3	59.1

**Note:** Measurements conducted by AKRF on November 15, 2011.

At Site 1, vehicular traffic noise from West 125th Street was the dominant noise source. At Site 2, vehicular traffic noise from West 126th Street was the dominant noise source. In terms of the CEQR criteria, the existing noise levels at Site 1 are in the “marginally unacceptable” category and existing noise levels at Site 2 are in the “marginally acceptable” category.

As noted above, the P.S. 154 school playground was not in use during the existing noise level measurements. Playground noise levels were calculated using CEQR procedures; the playground noise contribution was added to the Site 2 midday existing noise level measurements (representing the time of day the playground could be in use). The results of the playground noise analysis are presented in **Table 17-5**.

**Table 17-5**  
**Playground Noise Analysis, in dB(A)**

Site	Time Period	Approximate Distance to Receptor from Playground (ft)	Calculated Playground Noise Level (L <sub>eq</sub> ) <sup>1</sup>	Measured Existing Noise Level (L <sub>eq</sub> )	Total (Playground + Measured Ambient) Existing Noise Level (L <sub>eq</sub> )	L <sub>10</sub> Increment (dB(A)) <sup>2</sup>	Estimated Existing L <sub>10</sub>
2	MD	60	65.5	63.4	67.6	2.4	70.0

**Notes:**  
<sup>(1)</sup> Calculated using the CEQR method where L<sub>eq(1)</sub> noise levels at the boundary would be 75 dB(A), 15 feet from the boundary would be 73 dB(A), 30 feet from the boundary would be 70 dB(A), and the noise level would decrease by 4.5 dB(A) per doubling of distance beyond 30 feet.  
<sup>(2)</sup> Increment determined by the difference between the measured L<sub>eq</sub> and L<sub>10</sub> at Site 2 during the MD peak hour.

## F. FUTURE NOISE LEVELS

Noise levels in the future without the proposed project have been estimated for this analysis based on relevant projects in the area, conservatively accounting for those identified in the 125th Street Corridor Rezoning and Related Actions FEIS (CEQR #07DCP030M). Relevant vehicular traffic noise level increments (for both background projects as well as for the proposed project) were added to the ambient noise levels (measured for Site 1 and Site 2 during the AM and PM

**Victoria Theater**

peak hours, and calculated for Site 2 during the midday peak hour) for the proposed project site to determine attenuation requirements. **Table 17-6** shows the noise level increment added to the measured/calculated L<sub>10</sub> values.

**Table 17-6  
Future Noise Levels**

Site	Measurement Location	Time	Ambient Noise Level L <sub>10</sub>	Noise Level Increment (dB(A))	Predicted L <sub>10</sub>
1	West 125th Street between Frederick Douglass Boulevard and Seventh Avenue	AM	77.8	1.5	79.3
		MD	76.5	1.5	78.0
		PM	75.0	1.5	76.5
2	West 126th Street between Frederick Douglass Boulevard and Seventh Avenue	AM	68.4	0.4	68.8
		MD	70.0 <sup>1</sup>	0.4	70.4
		PM	67.8	0.4	68.2

**Note:** <sup>(1)</sup> L<sub>10</sub> levels were calculated as shown in Table 17-5.

**G. NOISE ATTENUATION MEASURES**

As shown in **Table 17-3**, the *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior L<sub>10(1)</sub> noise levels in order to maintain interior noise levels of 45 dB(A) or lower for residential, hotel, residential community room, or performance space uses and 50 dB(A) or lower for commercial, restaurant, or office uses. The results of the building attenuation analysis are summarized in **Table 17-7**.

**Table 17-7  
CEQR Attenuation Requirements**

Proposed Building Façade Locations	Associated Receptor Site	Maximum Predicted L <sub>10</sub> (in dB(A)) <sup>1</sup>	Attenuation Required (in dB(A)) <sup>1</sup>
South Façade (facing West 125th Street)	1	79.3	35
North Façade (facing West 126th Street)	2	70.4	28

**Note:**  
<sup>1</sup> The above composite window-wall attenuation values are for residential, hotel, residential community room, or performance space uses. Commercial, restaurant, or office uses would be 5 dB(A) less in each category.

The attenuation of a composite structure is a function of the attenuation provided by each of its component parts and how much of the area is made up of each part. Normally, a building façade consists of wall, glazing, and any vents or louvers associated with the building mechanical systems in various ratios of area. Currently, the proposed development’s design includes acoustically rated windows and an alternate means of ventilation (i.e., air conditioning). Based on the maximum predicted L<sub>10</sub> noise levels shown in **Table 17-7**, the proposed development’s façades, including these elements, would be designed to provide a composite Outdoor-Indoor Transmission Class (OITC) rating sufficient to maintain interior noise levels of 45 dB(A) or lower for residential, hotel, residential community room, or performance space uses and 50 dB(A) or lower for commercial, restaurant, or office uses. The OITC classification is defined by ASTM International (ASTM E1332-10) and provides a single-number rating that is used for designing a building façade including walls, doors, glazing, and combinations thereof. The OITC rating is designed to evaluate building elements by their ability to reduce the overall loudness of ground and air transportation noise. By adhering to these design specifications, the proposed

buildings will thus provide sufficient attenuation to achieve the CEQR interior noise level guideline of 45 dB(A) or lower for residential, hotel, residential community room, or performance space uses and 50 dB(A) or lower for commercial, restaurant, or office uses.

Based upon the  $L_{10(1)}$  values predicted at the project site, designing the proposed development to provide a composite OITC rating sufficient to maintain interior noise levels of 45 dB(A) or lower for residential, hotel, residential community room, or performance space uses and 50 dB(A) or lower for commercial, restaurant, or office uses would be expected to provide sufficient attenuation to achieve the CEQR interior noise level requirements.

In addition, the building mechanical system (i.e., heating, ventilation, and air conditioning systems) would be designed to meet all applicable noise regulations (i.e., Subchapter 5, §24-227 of the New York City Noise Control Code and Section MC 926 of the New York City Department of Buildings Code) and to avoid producing levels that would result in any significant increase in ambient noise levels. \*

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.

As described in Chapter 10, “Hazardous Materials,” the Phase I Environmental Site Assessment conducted for the project site identified potential sources of contamination on the project site and in the surrounding area. 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. In addition, 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 implementation of these measures, the proposed project would not result in any significant adverse impacts related to hazardous materials.

Therefore, the proposed project would not result in significant public health impacts. \*

**A. INTRODUCTION**

This chapter considers the effects of the proposed project on neighborhood character. Neighborhood character is an amalgam of various elements that give a neighborhood its distinct “personality.” These elements may include a neighborhood’s land use, urban design, visual resources, historic resources, socioeconomics, traffic, and/or noise. Not all of these elements affect neighborhood character in all cases; a neighborhood usually draws its distinctive character from a few defining elements. According to the *CEQR Technical Manual*, neighborhood character impacts are rare and it would be under unusual circumstances that, in the absence of an impact in any of the relevant technical areas, a combination of moderate effects to the neighborhood would result in an impact to neighborhood character. Moreover, a significant impact identified in one of the technical areas that contribute to a neighborhood’s character is not automatically equivalent to a significant impact on neighborhood character.

As described in greater detail in Chapter 1, “Project Description,” the proposed project would introduce a higher density development and a different mix of uses on the project site compared with the future without the proposed project, in which the project site would remain a largely vacant and deteriorating structure. In addition, the proposed project would require overrides of certain aspects of the New York City Zoning Resolution. The proposed project would result in significant adverse impacts in two of the technical areas that contribute to neighborhood character: historic and cultural resources, and transportation. Therefore, an assessment of neighborhood character is warranted. This chapter considers the impacts of the proposed project on neighborhood character for both the project site and in the surrounding area. Since many of the relevant technical areas are considered in other sections of this Environmental Impact Statement (EIS), this chapter has been coordinated with those analyses.

**PRINCIPAL CONCLUSIONS**

Based on the methodology of the 2012 *CEQR Technical Manual*, a preliminary analysis of the proposed project’s effects on neighborhood character was conducted to determine the need for a detailed analysis. The preliminary analysis concluded that the proposed project would not result in any significant adverse impacts on neighborhood character and that a detailed analysis was not necessary.

As described in the relevant chapters of this EIS, the proposed project would have significant adverse impacts in two of the technical areas contributing to neighborhood character: historic and cultural resources, and transportation. As described in Chapter 22, “Mitigation,” the significant adverse traffic impacts of the proposed project could be mitigated through changes in signal timing, and the significant adverse impact to historic resources resulting from demolition of the North Building could be partially mitigated such that there would not be an adverse impact on neighborhood character. 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, in fact, 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. Along West 126th Street, what is now a blank brick façade would be transformed into a vibrant and active part of the project site, with ground floor activity and building entrances, visual transparency, and an improved pedestrian experience. 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.

### **B. ANALYTICAL FRAMEWORK**

As discussed in Chapter 1, "Project Description," the analyses in this EIS compare conditions in the future without the proposed project to conditions in the future with the proposed project. The future without the proposed project scenario in all technical areas assumes that none of the discretionary actions currently being sought are approved. Absent the proposed actions, the Victoria Theater site is expected to remain a largely vacant and underutilized State-owned asset that would continue to deteriorate. The tenant occupying the storefront on the west side of the building would be expected to remain in the building.

### **C. METHODOLOGY**

An analysis of neighborhood character begins with a preliminary assessment to determine whether changes expected in other technical areas may affect a contributing element of neighborhood character. The assessment identifies the defining features of the neighborhood, and assesses whether the project has the potential to affect these defining features, either through the potential for significant adverse impacts or a combination of moderate effects.

### **NEIGHBORHOOD CHARACTER COMPONENTS**

According to the 2012 *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any of the technical areas that define neighborhood character, or when the project may have moderate effects on several elements of neighborhood character. Potential effects on neighborhood character may include:

- *Land Use*. When development resulting from a proposed project would have the potential to change neighborhood character by: introducing a new, incompatible land use; conflicting with land use policy or other public plans for the area; changing land use character; or resulting in significant land use impacts.
- *Urban Design and Visual Resources*. In developed areas, urban design changes have the potential to affect neighborhood character by introducing substantially different building bulk, form, size, scale, or arrangement. Urban design changes may also affect block forms, street patterns, or street hierarchies, as well as streetscape elements such as streetwalls,

- landscaping, curb cuts, and loading docks. Visual resource changes have the potential to affect neighborhood character by directly changing visual features such as unique and important public view corridors and vistas, or public visual access to such features.
- *Historic Resources.* When a project would result in substantial direct changes to a historic resource or substantial changes to public views of a resource, or when a historic resources analysis identifies a significant impact in this category, there is a potential to affect neighborhood character.
  - *Socioeconomic Conditions.* Changes in socioeconomic conditions have the potential to affect neighborhood character when they result in substantial direct or indirect displacement or addition of population, employment, or businesses; substantial differences in population or employment density; or if a project results in changes to a unique industry.
  - *Open Space.* Changes in open spaces have the potential to affect neighborhood character when a proposed project would result in the overburdening of existing open space facilities or would exacerbate an existing deficiency in open space.
  - *Shadows.* When an action would result in a substantial reduction in the usability of an open space, or in the use, enjoyment or appreciation of the sunlight-sensitive features of a historic resource as a result of increased shadow, there is a potential to affect neighborhood character.
  - *Transportation.* Changes in transportation conditions can affect neighborhood character in a number of ways. For traffic to have an effect on neighborhood character, it must be a contributing element to the character of the neighborhood (either by its absence or its presence), and it must change substantially as a result of the project. Such substantial traffic changes can include: change in level of service (LOS) to C or below; change in traffic patterns; change in roadway classifications; change in vehicle mixes; substantial increases in traffic volumes on residential streets; or significant traffic impacts, as identified in that technical analysis. Regarding pedestrians, when a proposed project would result in substantially different pedestrian activity and circulation, it has the potential to affect neighborhood character.
  - *Noise.* For a project to affect neighborhood character in regard to noise, it would need to result in a significant adverse noise impact and a change in acceptability category.

According to the 2012 *CEQR Technical Manual*, a proposed project can also have a combination of moderate effects to several elements that cumulatively may affect neighborhood character. Therefore, this analysis also evaluates the potential for the proposed project to affect neighborhood character through a combination of effects.

## STUDY AREA

As stated in the 2012 *CEQR Technical Manual*, the study area for a preliminary analysis of neighborhood character is typically consistent with the study areas in the relevant technical areas that contribute to the defining elements of the neighborhood. The study areas analyzed for the technical areas listed above generally include areas within 400 feet from the project site for analyses such as land use, and up to ½ mile for open space.

## **D. EXISTING CONDITIONS**

The defining features of the neighborhood include: the densely developed urban streetscape; the wide mix of building types, heights, and land uses; the rectilinear Manhattan street pattern; and West 125th Street's function as Harlem's "Main Street."

### **PROJECT SITE**

The project site comprises the former Victoria Theater (Block 1931, Lot 17), at 297 West 125th Street, midblock between Frederick Douglass Boulevard and Adam Clayton Powell Jr. Boulevard in upper Manhattan. The project site is a T-shaped through lot with approximately 50 feet of frontage on the north side of West 125th Street and 150 feet of frontage on West 126th Street. The former Victoria Theater is largely vacant; other than unused theater-related space, the building contains two ground floor retail storefronts facing West 125th Street, on either side of the theater entrance and marquee. The storefront on the east side of the building is currently vacant. The storefront on the west side of the building is currently occupied by a nail salon. The Victoria Theater has been determined eligible for listing on the New York State and National Registers of Historic Places (S/NR).

### **STUDY AREA**

The neighborhood character of the study area is defined by a mix of commercial, residential, and institutional uses. While Harlem has historically been and is still predominantly a residential community, the study area captures the heart of the 125th Street corridor. 125th Street contains a variety of cultural, commercial, and institutional uses, many of which are historically important to the Harlem neighborhood. Commercial uses, including retail, are concentrated along West 125th Street. Residential uses in the area are spread to the north and south of 125th Street, separated from the dense commercial activity along this main thoroughfare. The immediate area also includes a variety of institutional uses, including a public school, religious academy, and two churches.

The street pattern in the area generally follows the typical Manhattan grid, with wide avenues running north-south and narrow cross streets running east-west, creating long, wide blocks. West 125th Street, at 100 feet wide, is an exception to this pattern. Just north of the project site, the street pattern is interrupted by a superblock containing the St. Nicholas Houses of the New York City Housing Authority.

West of the project site on West 125th Street is the Apollo Theater, a New York City Landmark and tourist destination that has been renovated and functions as a performance venue. Most of the storefronts that face West 125th Street occupy through-block lots; as a result, there are few commercial storefronts along the south side of West 126th Street and the north side of West 124th Street, where many of these buildings have loading entrances.

Within the study area, building heights, footprint sizes, and lot coverages vary. Some buildings—predominantly the older buildings built as residential or mixed-use structures—have small footprints, are less than 6 stories tall and are located on small, narrow lots; others, including P.S. 154, the Adam Clayton Powell Jr. State Office Building, and the St. Nicholas Houses, are taller and/or have large footprints and occupy very large, through-block sites but only cover a portion of their lot, with the remaining portions reserved for play areas, public plaza, or open space uses. Most of the commercial buildings in the study area have medium-sized footprints, are located on medium-size lots, and fully cover their lot. Late 19th- and early

20th-century buildings are typically clad in brick, with more contemporary structures faced with a mix of concrete, cast stone, brick, and glass. As described in more detail in Chapter 7, “Historic and Cultural Resources,” the study area also includes seven architectural resources, including the Apollo Theater, Hotel Theresa, brownstones on West 127th Street, and several office and retail structures.

Because it is surrounded by lower-scale development, the Adam Clayton Powell Jr. State Office Building is visible throughout much of the area. The Hotel Theresa’s bright white brick and terra-cotta façade and height relative to lower-scale surrounding development make this building also notable in views from Adam Clayton Powell Jr. Boulevard and portions of West 125th Street. Views west on West 124th, 125th, and 126th Streets are of the NYCHA Grant Houses, as West 125th Street angles to the north west of Morningside Avenue around the superblocks containing that development. From West 126th Street looking north, the towers of the St. Nicholas Houses can be seen above low-scale P.S. 154. Taller residential and commercial buildings within Harlem also are visible from the area surrounding the project site.

In terms of traffic, as described in Chapter 14, “Transportation,” most of the study area intersection approaches/lane groups operate in existing conditions with acceptable levels of service (LOS) during the peak analysis hours. The project area is well-served by mass transit, including the No. 2/3 subway lines at the West 125 Station (Lenox Avenue); the A/B/C/D subway lines at the West 125th Station (St. Nicholas Avenue); and the M2, M3, M7, M10, M60, M100, M1010, M102, and BX15 bus routes. All sidewalk, crosswalk, and corner reservoir analysis locations operate at acceptable levels for pedestrians. Noise levels are fairly high and reflect the volume of traffic on adjacent roadways, which is the dominant noise source at the project site.

## **E. THE FUTURE WITHOUT THE PROPOSED PROJECT**

### **PROJECT SITE**

As noted in Chapter 1, “Project Description,” in the future without the proposed project none of the discretionary actions currently being sought will be approved. Absent the proposed actions, the Victoria Theater site is expected to remain largely vacant and under the jurisdiction of the State. The tenant occupying the storefront on the west side of the building is expected to remain in the building. As it would be only minimally occupied, the project site would remain an underutilized part of the West 125th Street commercial corridor. The site would continue to deteriorate and would stand in contrast to the vibrant mix of active uses that characterize much of the area.

### **STUDY AREA**

As described in greater detail in Chapter 2, “Land Use, Zoning, and Public Policy,” there are a number of developments planned or under construction in the neighborhood. These include the development the Promise Academy charter school; the Harlem Village Academy High School; a 4-story office and retail structure; a shopping center; and a potential 10-story mixed-use development with affordable and supportive housing and administrative space for a not-for-profit child welfare agency.

Taken together, the projects assumed to be completed in the future without the proposed project would generally be in keeping with the range of building types and uses found in the area and

are unlikely to significantly change the defining features of the neighborhood. The development projects that would be completed in the future without the proposed project will reinforce the study area's mix of uses, and although they will somewhat change the visual character of the area, they are not expected to alter the neighborhood's defining characteristics.

## **F. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

### **PROJECT SITE**

In the future with the proposed project, the largely vacant building on the project site would be redeveloped with residential, hotel, cultural and retail uses. The proposed project would represent a major change to the character of the project site, but this change would result in beneficial effects to neighborhood character. Unlike the future without the proposed project, the future with the proposed project would introduce active residential, hotel, cultural, and retail uses to the project site, and would restore vitality to both the project site and surrounding area. The proposed residential use—which would include 50 percent affordable units—would be consistent with the pattern of residential development in the area and would complement and be supportive of other uses found throughout the neighborhood, including community facilities and retail shops. The proposed hotel and retail uses would be compatible with surrounding land uses and would generate new jobs and economic activity. In addition, the proposed hotel would address a growing market demand for an underserved area. Furthermore, the cultural and entertainment uses proposed for the project site have a long history on both the project site and the surrounding area and would be compatible with the surrounding neighborhood. These changes would contribute to an enlivened streetscape, would enhance the pedestrian experience, and would be an improvement to neighborhood character compared to conditions without the proposed project.

As described above, the project site building (which is composed of two parts, the North and South Buildings) has been determined eligible for listing on the S/NR. The project proposes to 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. While demolition of the North Building would constitute an adverse impact on historic resources, mitigation for this adverse impact has been developed in coordination with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The South Building on West 125th Street would be retained and its façade restored, and the restored lobby and foyer of the South Building would serve as the public entryway to the proposed cultural events and hotel. In this manner, the project would retain the original historic purpose of the lobby as the entryway to an entertainment venue. The design and setback of the proposed new building also would respect and not compete visually with the South Building's historic masonry façade on West 125th Street.

Although the demolition of the North Building would affect the visual character of the site, it is not expected to have adverse impacts on the key components that define the character of the neighborhood. Conversely, what is now a blank brick façade on West 126th Street would be transformed into a vibrant and active part of the project site, with ground floor activity and building entrances, visual transparency, and an improved pedestrian experience.

Overall, the proposed project would revitalize the project site, converting an inactive and deteriorated building with a mix of active uses appropriate for the site, including residential, hotel, cultural, and retail uses. 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.

### **STUDY AREA**

As described above, the proposed project would introduce new residential, hotel, cultural, and retail uses to the project site. Unlike the largely vacant and deteriorated condition of the site in the future without the proposed project, these new uses would be compatible with the existing and anticipated land use patterns in the surrounding study area.

The proposed project would not add a substantial new population with different socioeconomic characteristics that would adversely affect neighborhood character. The retail space that would be added to the project area would serve the population of the proposed building as well as the neighborhood and would not alter existing economic patterns such that neighborhood character would be adversely affected.

The proposed project would not have any direct, physical or 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.

The proposed building would be taller and bulkier than permitted by zoning and would be taller than many of the other buildings in the area; however, as described in Chapter 8, “Urban Design and Visual Resources,” the proposed development would not be out of context with the height of large residential and commercial developments in Harlem that are within the study area’s viewshed, including the Adam Clayton Powell Jr. State Office Building and the Lionel Hampton Houses. Overall, the proposed project would introduce building forms in keeping with the context of the surrounding neighborhood, which includes a wide range of building heights, forms, and densities. The proposed restoration of the West 125th Street façade of the South building would restore and revitalize an important historic component of West 125th Street, reactivate the building’s public entryways on this street, and improve the pedestrian experience on West 125th Street.

In the future with the proposed project, views along the study area’s 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 be anticipated to 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 project has been designed to step back from West 125th Street, which would respect the historic 125th Street façade of the Victoria Theater and allow it to be viewed as a distinct entity along this corridor. Thus, the change in views would not result in a significant adverse impact to neighborhood character.

The proposed project would not result in any significant adverse open space impacts, and would, to a degree, offset project-generated open space demand by including separate open spaces and gym facilities for project residents and hotel visitors. Therefore, the proposed project would not adversely affect open space resources such that the defining features of the neighborhood would

be affected. In addition, the proposed project would not result in any significant adverse shadows impacts on P.S. 154 or nearby sun-sensitive resources, and would not result in potential impacts on neighborhood character due to potential impacts related to shadows.

In the future with the proposed project, as in existing conditions and the future without the proposed project, most study area intersections would have traffic LOS ranging from B to D. The proposed project would not result in any significant adverse pedestrian, transit, or parking impacts. While project-generated vehicle trips are expected to result in significant adverse traffic impacts at five approaches/lane groups, these impacts could be mitigated with minor adjustments to existing signal timings and would not result in potential impacts on neighborhood character.

In the future with the proposed project, traffic on roadways near the project site, which is the dominant source of noise, would increase only slightly due to natural growth and the proposed project itself would not generate sufficient traffic to have the potential to cause a significant noise impact. Therefore, the proposed project would not result in potential impacts on neighborhood character due to noise.

The 2012 *CEQR Technical Manual* states that even if a project does not have the potential to result in a significant adverse impact in a certain technical area, the project may have the potential to result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character. A moderate effect is generally defined as an effect considered reasonably close to the significant adverse impact threshold for a particular technical analysis area. The proposed project would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; urban design; shadows; or noise; nor would it result in moderate effects in these areas as defined by 2012 *CEQR Technical Manual* guidelines. While the proposed project would result in significant adverse impacts in the areas of historic and cultural resources and transportation, as described in Chapter 22, Mitigation,” the demolition of the North Building would be partially mitigated and traffic impacts would be fully mitigated through adjustments in signal timing. Therefore, the proposed project would not have the potential to result in a combination of moderate effects to several elements that cumulatively may affect neighborhood character.

## **G. CONCLUSION**

Overall, through the creation of a new building that is consistent with its surroundings, and the revitalization of the project site, the proposed project would be consistent with the key components of the area’s character and would, in fact, result in beneficial effects on neighborhood character. 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 any significant adverse impacts on neighborhood character.\*

**A. INTRODUCTION**

This chapter summarizes the construction plan for the proposed Victoria Theater Redevelopment Project and assesses the potential for construction-period impacts. The *CEQR Technical Manual* provides guidance on when it is appropriate to include a detailed assessment of construction impacts. According to the *CEQR Technical Manual*, construction duration is often broken down into short-term (less than two years) and long-term (two or more years). Where the duration of construction is expected to be short-term, any impacts resulting from construction generally do not require detailed assessment. As described below, the period of construction for the proposed project is expected to be approximately 22 months. This chapter describes the anticipated construction schedule for the proposed project, as well as the expected construction methods and activities. Finally, the analysis presents an assessment of potential construction impacts and, where appropriate, describes methods that may be employed to minimize construction-period impacts.

**PRINCIPAL CONCLUSIONS**

As described below, 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. As described above, 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 analysis presented below concludes that construction of 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.

**B. DESCRIPTION OF CONSTRUCTION ACTIVITIES**

The following section presents the anticipated schedule for constructing the proposed project, and describes the methods and means of construction expected to be employed. This section also establishes the framework used for the assessment of potential impacts from construction. The construction timeline—determined by the timing of the various major construction stages associated with constructing a building such as demolition, excavation and foundation, core and shell construction, preservation and restoration of existing structures, and interior finishing—is described. The types of equipment that may be used are discussed, and the number of workers and truck deliveries estimated. General construction practices are also discussed, including those associated with deliveries and access, hours of work, and sidewalk and lane closures.

**CONSTRUCTION PHASING AND SCHEDULE**

As described in Chapter 1, “Project Description,” the Victoria Theater comprises two buildings. The proposed project would retain, restore, and reuse the South Building as part of the proposed project and redevelop the site of the North Building with residential, hotel, commercial, and cultural uses in a new building. It is anticipated that construction of the proposed project would require a total of approximately 22 months to complete, with some of the construction tasks overlapping. A breakdown of the anticipated construction program is shown below in **Table 20-1**.

**Table 20-1  
Conceptual Construction Schedule**

<b>Construction Activity</b>	<b>Start Month</b>	<b>Finish Month</b>	<b>Approximate Duration (Months)</b>
Material Salvage, Abatement and Demolition - North and South Buildings	Month 1	Month 2	2
Excavation and Foundation – North Building	Month 3	Month 6	4
Core and Shell Construction – North Building	Month 5	Month 16	12
Restoration Efforts – South Building	Month 5	Month 16	12
Interior Construction and Fit-out – North Building	Month 11	Month 22	12
<b>Source:</b> Aufgang + Subotovsky Architecture and Planning			

**CONSTRUCTION METHODS AND ACTIVITIES**

Overall, the construction of the North Build is expected to employ standard construction methods. The first task is construction startup, which involves the siting of work trailers, installation of temporary power and communication lines, and the erection of site perimeter fencing. Then, any potential hazardous materials (such as asbestos) are abated, and part of the existing structure is then demolished with some of the materials recycled and the debris taken to a licensed disposal facility. Excavation and removal of the soils is next, followed by construction of the foundations. When the below-grade construction is completed, construction of the core and shell of the new building begins. The core is the central part of the building and is the main part of the structural system. It contains the elevators and the mechanical systems for heating, ventilation, and air conditioning (HVAC). The shell is the outside of the building. As the core and floor decks of the building are being erected, installation of the mechanical and electrical internal networks would start. As the building progresses upward, the exterior cladding is placed, and the interior fit out begins. The retention and reuse of the South Building would include the restoration of the façade and key exterior elements such as the blade sign and marquee, renovation and/or construction of interior spaces, and integration with the new construction on the north part of the project site. In addition, limited excavation activities may be required for column support.

*CONSTRUCTION STARTUP TASKS*

The following tasks are considered to be typical “startup” work to prepare a site for construction. The tasks could include, but are not limited to, those described below (the means and methods and order of completion of these tasks could change as necessary). Startup work generally involves the installation of public safety measures, such as fencing, sidewalk sheds, and Jersey barriers. The site is fenced off, typically with solid fencing to minimize interference between the

persons passing by the site and the construction work. Separate gates for workers and for trucks are installed, and sidewalk shed and Jersey barriers are erected. Trailers for the construction engineers and managers are brought to the site. These trailers could be placed within the fence line (which may be difficult given site constraints) or in the curb lane. Also, portable toilets, dumpsters for trash, and water and fuel tankers are brought to the site and installed. Temporary utilities are connected to the construction trailers. During the startup period, permanent utility connections may be made, especially if the contractor has obtained early electric power for construction use, but utility connections may be made almost any time during the construction sequence. Maintenance and Protection of Traffic (MPT) Plans would be developed for any curb lane and sidewalk closures. Approval of these plans and implementation of all temporary sidewalk and curb lane closures during construction would be coordinated with New York City Department of Transportation's (NYCDOT) Office of Construction Mitigation and Coordination (OCMC). Construction startup tasks are normally completed within a few weeks. Approximately 20 workers would be on-site at any given time during construction startup tasks, with deliveries estimated to require approximately one to two trucks per day.

#### *MATERIAL SALVAGE, ABATEMENT AND DEMOLITION*

As described in Chapter 7, "Historic and Cultural Resources," certain material would be removed from the North Building for possible salvage and reuse. This may include the possible salvage and reuse of the north canvas mural from the balcony level of the auditorium, water fountain mosaics, and other architectural elements in the North Building if feasible. Other economically recyclable materials would also be removed prior to abatement.

The proposed project would involve demolition of the existing North Building and retention of the South Building. As discussed in Chapter 10, "Hazardous Materials," the proposed project would include appropriate health and safety and investigative/remedial measures—including, as necessary, abatement of asbestos, lead-based paint, and polychlorinated biphenyls (PCBs) in existing buildings—that would precede or govern demolition and/or renovation activities.

Prior to demolition and renovation, a New York City-certified asbestos investigator would inspect the existing buildings on the project site for asbestos-containing materials (ACMs) that would be disturbed by the proposed demolition and renovation activities. The ACMs would be removed by a New York State Department of Labor (NYSDOL)-licensed asbestos abatement contractor prior to building demolition or renovation. Asbestos abatement is strictly regulated by the New York City Department of Environmental Protection (NYCDEP), NYSDOL, United States Environmental Protection Agency (EPA), and the United States Occupational Safety and Health Administration (OSHA) to protect the health and safety of construction workers and nearby residents and workers. Depending on the extent and type of ACMs, these agencies would be notified of the asbestos removal project and may inspect the abatement site to ensure that work is being performed in accordance with applicable regulations.

Any demolition and renovation activities with the potential to disturb lead-based paint would be performed in accordance with the applicable Occupational Safety and Health Administration regulation (OSHA 29 CFR 1926.62—Lead Exposure in Construction). In addition, suspected PCB-containing equipment (such as transformers and other electrical equipment including fluorescent light ballasts) that would be disturbed by building renovation or demolition would be evaluated prior to disturbance. Unless labeling or test data indicate that the suspected PCB-containing equipment does not contain PCBs, it would be assumed to contain PCBs and removed and disposed of at properly licensed facilities in accordance with all applicable regulatory requirements.

## Victoria Theater

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After abatement, demolition work would begin on the North Building. Demolition would occur in accordance with NYCDOB guidelines/requirements. The North Building would be deconstructed using large equipment such as excavators and bulldozers. Typical demolition requires fencing around the building to prevent accidental dispersal of building materials into areas accessible to the general public. The demolition debris would be sorted prior to being disposed at landfills to maximize recycling opportunities. This phase of construction is expected to last two months. 25 workers per day are expected to be on site, and typically five truckloads of debris would be removed per day.

### *EXCAVATION AND FOUNDATION*

Soil excavation and foundation construction for the North Building would take approximately four months to complete. Excavators would be used for the task of digging foundations. The soil would be loaded onto dump trucks for transport to a licensed disposal facility or for reuse on another construction site. Foundation work could include pile driving and pouring concrete footings and foundation. The excavation/foundation task would involve the use of excavators, cranes, pile drivers, concrete pumps, concrete trucks, generators, and hand tools. Approximately 75 workers would be on-site at any given time during this phase of construction, with deliveries estimated to require approximately 10 trucks per day.

### *Below-Grade Materials*

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 (see “Hazardous Materials,” below).

### *Dewatering*

The excavated area could be subject to accumulating groundwater. In addition to groundwater, rain and snow could collect in the excavated area, and that water would have to be removed. If necessary, the water would be pretreated prior to discharge. The decanted water would then be discharged into the New York City sewer system. Discharge in the sewer system is governed by NYCDEP regulations.

NYCDEP has a formal procedure for issuing a Letter of Approval to discharge into the New York City sewer system. The authorization is issued by the NYCDEP Borough office if the discharge is less than 10,000 gallons per day; an additional approval by the Division of Connections & Permitting is needed if the discharge is more than 10,000 gallons per day. All chemical and physical testing of the water has to be done by a laboratory that is certified by the New York State Department of Health (NYSDOH). The design of the pretreatment system has to be signed by a New York State Professional Engineer or Registered Architect. For water discharged into New York City sewers, NYCDEP regulations specify the following maximum concentration of pollutants.

- Petroleum hydrocarbons 50 parts per million (ppm)
- Cadmium 2 ppm
- Hexavalent chromium 5 ppm
- Copper 5 ppm

• Amenable cyanide	0.2 ppm
• Lead	2 ppm
• Mercury	0.05 ppm
• Nickel	3 ppm
• Zinc	5 ppm
• pH	between 5 to 12
• Temperature	less than 150 degrees Fahrenheit (F)
• Flash Point	greater than 140 degrees F
• Benzene	134 parts per billion (ppb)
• Ethylbenzene	380 ppb
• Methyl-Tert-Butyl-Ether (MTBE)	50 ppb
• Naphthalene	47 ppb
• Tetrachloroethylene (perc)	20 ppb
• Toluene	74 ppb
• Xylenes	74 ppb
• PCB	1 ppb
• Total Suspended Solids	350 ppm

Any groundwater discharged in the New York City system would meet these limits. NYCDEP can also impose project-specific limits, depending on the location of the project and contamination that has been found in nearby areas.

#### *CORE AND SHELL CONSTRUCTION*

The core and shell construction of the new building would last approximately 12 months. Construction of the interior structure, or core, of the proposed building would include elevator shafts; vertical risers for mechanical, electrical, and plumbing systems; electrical and mechanical equipment rooms; core stairs; and restroom areas. This phase of work would also include construction of the building's framework (installation of beams and columns), and floor decks. The shell is the outside of the building. Exterior construction would involve the installation of the façade (exterior walls, windows, and cladding) and the roof. The core and shell activities would require the use of cranes, delivery trucks, concrete pumps, concrete trowels, welding equipment, and a variety of handheld tools. Temporary construction elevators (hoists) would also be constructed for the delivery of materials and vertical movement of workers during this stage where necessary. Each day, about 125 workers and about 15 truck deliveries would be required for the core and shell construction of the building.

#### *RESTORATION OF THE SOUTH BUILDING*

The South Building would be retained, with the front entrance doors, vertical blade sign, horizontal marquee, lobby, foyer, and marble staircase restored. In addition, certain historic features would be salvaged and some interior walls and ceilings would be demolished for the development of new spaces in the building. Exterior restoration work would also be undertaken. This work would include the cleaning, repair, and restoration of the South Building's facade and roof, where needed, and repair and replacement of some of the building's windows. The restoration efforts would take about 12 months to complete and employ approximately 70 workers. About 10 truck deliveries per day would be expected during this task.

*INTERIOR CONSTRUCTION AND FITOUTS*

This stage would include the construction of interior partitions, installation of lighting fixtures, interior finishes (flooring, painting, etc.), and mechanical and electrical work, such as the installation of elevators. Mechanical and other interior work would overlap with the North Building core and shell construction and South Building restoration efforts. This activity would employ the greatest number of construction workers: with about 150 workers per day. In addition, approximately 10 truck deliveries would be expected per day. Equipment used during interior construction would include hoists, delivery trucks, and a variety of small hand-held tools. This stage of construction is typically the quietest, since the exterior building walls are already in place.

**GENERAL CONSTRUCTION PRACTICES**

Certain activities would be on-going throughout the project construction. The applicant would have a field representative to serve as the contact point for the community and local leaders. The representative would be available to meet and work with the community to resolve concerns or problems that arise during the construction process. New York City maintains a 24-hour-a-day telephone hotline (311) so that concerns can be registered with the city.

*GOVERNMENTAL COORDINATION AND OVERSIGHT*

The following describes governmental construction oversight agencies and typical construction practices in New York City. In certain instances, specific practices may vary from those described below. All deliveries, material removals, and hoist uses would be tightly scheduled to maintain an orderly work area and to keep the construction on schedule and within budget.

The governmental oversight of construction in New York City is extensive and involves a number of city, state, and federal agencies. **Table 20-2** shows the main agencies involved in construction oversight and the agencies' areas of responsibilities. The primary responsibilities lie with New York City agencies. The New York City Department of Buildings (DOB) has the primary responsibility for ensuring that the construction meets the requirements of the Building Code and that the building is structurally, electrically, and mechanically safe. In addition, DOB enforces safety regulations to protect both the workers and the public. The areas of responsibility include installation and operation of the equipment, such as cranes and lifts, sidewalk shed, and safety netting and scaffolding. In addition, DOB approves the Construction Protection Plan (CPP) used when the construction is in proximity to historic structures. NYCDEP enforces the Noise Code and regulates water disposal into the sewer system. FDNY has primary oversight for compliance with the Fire Code and for the installation of tanks containing flammable materials. NYCDOT reviews and approves any traffic lane and sidewalk closures. DEC regulates the disposal of hazardous materials, and construction, operation, and removal of bulk petroleum and chemical storage tanks. DOL licenses asbestos workers. On the federal level, the EPA has wide ranging authority over environmental matters, including air emissions, noise, and hazardous materials. Much of the responsibility is delegated to the state level. The Occupational Safety and Health Administration (OSHA) sets standards for work site safety and the construction equipment.

**Table 20-2**  
**Construction Oversight in New York City**

Agency	Areas of Responsibility
<b>New York City</b>	
Department of Buildings	Primary oversight for Building Code and site safety
Department of Environmental Protection	Noise, dewatering
Fire Department	Compliance with Fire Code, tank operation
Department of Transportation	Lane and sidewalk closures
<b>New York State</b>	
Department of Labor	Asbestos workers
Department of Environmental Conservation	Hazardous materials, tanks
<b>United States</b>	
Environmental Protection Agency	Air emissions, noise, hazardous materials
Occupational Safety and Health Administration	Worker safety

### *DELIVERIES AND ACCESS*

Because of site constraints, the presence of large equipment, and the type of work, access to the construction site would be tightly controlled. The work areas would be fenced off, and limited access points for workers and trucks would be provided. Security guards and flaggers would be posted, and all persons and trucks would have to pass through security points. Workers or trucks without a need to be on the site would not be allowed entry. After work hours, the gates would be closed and locked. Security guards would patrol the construction sites after work hours and over the weekends to prevent unauthorized access.

Material deliveries to the site would be controlled and scheduled to the degree feasible. To aid in adhering to the delivery schedules, as is normal for building construction in New York City, flaggers may be employed at access points. The flaggers could be supplied by the subcontractor on-site at that time or by the construction manager. The flaggers would control trucks entering and exiting the site so that they would not interfere with one another or with on-street traffic streams.

### *HOURS OF WORK*

Construction activities for the buildings would generally take place Monday through Friday. In accordance with city laws and regulations, construction work would generally begin at 7:00 AM on weekdays, with some workers arriving to prepare work areas between 6:00 AM and 7:00 AM. Normally, work would end at 3:30 PM, but it can be expected that to meet the construction schedule or as needed for specific tasks that must be completed at one time, the workday could be extended as late as 6:00 PM without requiring authorization from DOB. The work could include such tasks as completing the drilling of piles, finishing a concrete pour for a floor deck, or completing the bolting of a steel frame erected that day. The extended workday would not include all construction workers on-site, but just those involved in the specific task requiring additional work time. Limited extended workdays may occur on weekdays over the course of construction.

At limited times over the course of construction weekend work may be required to make up for weather delays or other unforeseen circumstances. In such cases, appropriate work permits from DOB would be obtained. The numbers of workers and pieces of equipment in operation would be limited to those needed to complete the particular authorized task. Therefore, the level of activity for any weekend work would be less than a normal workday. The typical weekend

workday would begin with worker arrival and site preparation at 7:00 AM, and ending with site cleanup at 5:00 PM.

Some tasks may have to be continuous, and the work could extend to more than a typical 8-hour day. For example, in certain situations, concrete must be poured continuously to form one structure without joints. This type of concrete pour is usually associated with foundations and structural slabs at grade, which would require a minimum of 12 hours or more to complete.

#### *SIDEWALK AND LANE CLOSURES*

During the course of construction, traffic lanes and sidewalks may be closed or protected for varying periods of time. A street lane on West 126th Street and some sidewalks may be intermittently or continuously closed to allow for certain construction activities. This work would be coordinated with and approved by NYCDOT. No rerouting of traffic is anticipated and moving lanes of traffic are expected to be available at all times. It is anticipated that the sidewalks on West 126th Street immediately adjacent to the project site may also be closed to accommodate heavy loading areas for at least several months of the construction period. Pedestrians would be expected to be rerouted to a sectioned-off and protected portion of the street or to the other side of the street, if required—NYCDOT would be consulted to determine the appropriate protective measures for ensuring pedestrian safety surrounding the development site.

### **C. THE FUTURE WITHOUT THE PROPOSED PROJECT**

In the future without the proposed project, no new construction would take place on the project site except for measures that may have to be undertaken to help support the deteriorated building. It is expected that the project site would remain substantially vacant and that the North and South Buildings would continue to deteriorate.

### **D. PROBABLE IMPACTS OF THE PROPOSED PROJECT**

Similar to many development projects in New York City, construction can be disruptive to the surrounding area for limited periods of time throughout the construction period. The following analyses describe potential construction impacts on transportation, air quality, and noise and vibration, as well as other areas including historic and cultural resources, hazardous materials, socioeconomic conditions, community facilities, and land use and neighborhood character.

#### **TRANSPORTATION**

As described in the *CEQR Technical Manual*, construction activities may affect several elements of the transportation system, including traffic, transit, pedestrians, and parking. A transportation analysis of construction activities is predicated upon the duration, intensity, complexity and/or location of construction activity.

Certain construction activities may require temporarily impeding the streets adjacent to the site, and/or the temporary closing, narrowing, or otherwise impeding of the adjacent sidewalks. Construction-related closures are anticipated to be the type of routine closure typically addressed by a permit and pedestrian access plan required by NYCDOT's OCMC at the time of closure(s). The overall construction duration of the proposed project would be short-term (less than two years).

Throughout the construction process, construction workers would travel to and from the site by personal vehicle, bus, and subway. Given that the typical construction peak hours would occur outside of the commuting peak hours, and that the project site is well served by mass transit, including the A, B, C, D, 2, and 3 subway lines and the M2, M3, M7, M10, M60, M100, M101, M102, and BX15 bus routes, it is anticipated that usage of transportation facilities by construction workers would not have a noticeable effect on levels of service. As described in Chapter 14, “Transportation,” the public parking facilities within ¼-mile of the project site have a combined capacity of 953 parking spaces and parking utilization is fairly low—ranging from 37 to 74 percent. Overall, the construction worker trips are not expected to result in significant adverse impacts on the area’s traffic operations, parking supply and utilization, bus loading, or subway station conditions. For construction trucks, deliveries would occur throughout the day when the construction site is active but would typically peak during the hour before the normal work day outside of the commuting peak hours. These construction trucks would use NYCDOT-designated truck routes, including West 125th Street and Adam Clayton Powell Jr. Boulevard. Therefore, the proposed project’s construction activities are not expected to result in significant adverse transportation impacts.

## AIR QUALITY

Emissions from on-site construction equipment and on-road construction-related vehicles, as well as dust generating activities, have the potential to affect air quality. In general, much of the heavy equipment used in construction has diesel-powered engines and produces relatively high levels of nitrogen oxides (NO<sub>x</sub>) and particulate matter (PM). Gasoline engines produce relatively high levels of carbon monoxide (CO). Fugitive dust generated by construction activities is composed of particulate matter. As a result, the primary air pollutants of concern for construction activities include nitrogen dioxide (NO<sub>2</sub>), particulate matter with an aerodynamic diameter of less than or equal to 10 micrometers (PM<sub>10</sub>), particulate matter with an aerodynamic diameter of less than or equal to 2.5 micrometers (PM<sub>2.5</sub>), and CO.

Generally, if a transportation analysis is not needed with regard to construction activities, an air quality assessment of construction vehicles is likely not warranted. As demonstrated above under “Transportation,” construction of the proposed project does not require a detailed transportation analysis. The construction would not result in substantial increases in vehicle volumes, lane or roadway closures, or traffic diversions. Therefore, construction of the proposed project would not cause significant changes in air quality related to vehicular traffic, and further mobile-source analysis is not required.

The main component of diesel exhaust that has been identified as having an adverse effect on human health is PM<sub>2.5</sub>. As described above, the duration of the proposed project’s construction is expected to be short-term (less than two years). However, in order to minimize the project’s potential to have construction-period impacts on air quality, the following measures would be implemented, to the extent feasible:

- *Diesel Equipment Reduction.* Construction of the proposed project would minimize the use of diesel engines and use electric engines, to the extent practicable. This would reduce the need for on-site generators, and require the use of electric engines in lieu of diesel where practicable.
- *Clean Fuel.* To the extent practicable, ultra-low sulfur diesel (ULSD) would be used for diesel engines used at the construction site.

- *Best Available Tailpipe Reduction Technologies.* To the extent feasible, nonroad diesel engines with a power rating of 50 horsepower (hp) or greater and controlled truck fleets (i.e., truck fleets under long-term contract, such as concrete mixing and pumping trucks) would utilize the best available tailpipe (BAT) technology for reducing DPM emissions. Diesel particulate filters (DPFs) have been identified as being the tailpipe technology currently proven to have the highest reduction capability.
- *Utilization of New Equipment.* In addition to the tailpipe control commitments, construction equipment rated Tier 2<sup>1</sup> or higher would be used for all nonroad diesel engines with a power output of 50 hp or higher, to the extent practicable.
- *Dust Control.* Fugitive dust control plans will be required as part of contract specifications. For example, stabilized truck exit areas would be established for washing off the wheels of all trucks that exit the construction site. All trucks hauling loose material will be equipped with tight fitting tailgates and their loads securely covered prior to leaving the site. In addition to regular cleaning by the City, streets adjacent to the construction site would be cleaned as frequently as needed by the construction contractor. Chutes would be used for material drops during structure rehabilitation. Water sprays will be used for all transfer of spoils to ensure that materials are dampened as necessary to avoid the suspension of dust into the air.
- *Idle Restriction.* In addition to adhering to the local law restricting unnecessary idling on roadways, on-site vehicle idle time will also be restricted to three minutes for all equipment and vehicles that are not using their engines to operate a loading, unloading, or processing device (e.g., concrete mixing trucks) or otherwise required for the proper operation of the engine.

ULSD, DPFs and construction equipment rated Tier 2 or higher are now readily available in New York City. The New York City Air Pollution Control Code regulates construction-related dust emissions. Overall, the reduction measures identified above would substantially reduce DPM emissions. The duration of the proposed project's construction is expected to be short-term (less than two years) and an emissions control program would be implemented to minimize potential construction-period effects on air quality. Therefore, the construction of the proposed project would not result in any significant adverse impact on air quality.

## **NOISE**

Impacts on community noise levels during construction would include noise from the operation of construction equipment and noise from construction and delivery vehicles traveling to and from the site. Noise and vibration levels at a given location are dependent on the type and quantity of construction equipment being operated, the acoustical utilization factor of the equipment (i.e., the percentage of time a piece of equipment is operating), the distance from the

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<sup>1</sup> The first federal regulations for new nonroad diesel engines were adopted in 1994, and signed by USEPA into regulation in a 1998 Final Rulemaking. The 1998 regulation introduces Tier 1 emissions standards for all equipment 50 hp and greater and phases in the increasingly stringent Tier 2 and Tier 3 standards for equipment manufactured in 2000 through 2008. In 2004, USEPA introduced Tier 4 emissions standards with a phased-in period of 2008 to 2015. The Tier 1 through 4 standards regulate the USEPA criteria pollutants, including particulate matter (PM), hydrocarbons (HC), oxides of nitrogen (NO<sub>x</sub>) and carbon monoxide (CO). Prior to 1998, emissions from nonroad diesel engines were unregulated. These engines are typically referred to as Tier 0.

construction site, and any shielding effects (from structures such as buildings, walls, or barriers). Noise levels caused by construction activities would vary widely, depending on the phase of construction (i.e., structure rehabilitation, interior fit-outs, etc.) and the location of the construction activities relative to noise-sensitive receptor locations.

A wide variety of measures can be used to minimize construction noise and reduce potential noise impacts. A noise mitigation plan is required as part of the New York City Noise Control Code, and would include:

- Source controls;
- Path controls; and
- Receptor controls.

In terms of source controls (i.e., reducing noise levels at the source or during most sensitive time periods), the following measures for construction would be implemented as per the New York City Noise Control Code:

- The contractors would use equipment that meets the sound level standards for equipment from the start of construction activities and use a wide range of equipment, including construction trucks, which produce lower noise levels than typical construction equipment.
- As early in the construction period as practicable, diesel-powered equipment would be replaced with electrical-powered equipment, such as electric scissor lifts and electric articulating forklifts (i.e., early electrification).
- All contractors and subcontractors would be required to properly maintain their equipment and have quality mufflers installed.

In terms of path controls (e.g., placement of equipment and implementation of barriers between equipment and sensitive receptors), the following measures for construction would be implemented as per the New York City Noise Control Code:

- Perimeter noise barriers would be constructed that satisfy New York City Noise Control Code requirements.
- To the extent feasible, noisy equipment, such as generators, cranes, trailers, concrete pumps, concrete trucks, and dump trucks, would be located away from and shielded from sensitive receptor locations.

For impact determination purposes, significant adverse noise impacts are based on whether maximum predicted incremental noise levels at sensitive receptor locations off-site would be greater than the impact criteria suggested in the *CEQR Technical Manual* for two consecutive years or more. The impact criteria are explained in detail in Chapter 17, “Noise.” While increases exceeding the CEQR impact criteria for two years or less may be noisy and intrusive, they are not considered to be significant adverse noise impacts.

On-site construction activities may generate elevated noise levels at the nearby P.S. 154 Harriet Tubman School and its associated schoolyard on West 126th Street (across from the project site) during some parts of the construction period, and may exceed CEQR impact criteria only during the heaviest construction activities (demolition, excavation, and foundation construction). However, the overall construction duration of the proposed project would be short-term (less than two years) and as shown in the conceptual construction schedule in **Table 20-1**, the heaviest construction activities would only last for approximately six months. Since such

exceedances would not occur for two or more consecutive years, the construction of the proposed project would not result in a significant adverse noise impacts.

## **OTHER TECHNICAL AREAS**

### *HISTORIC AND CULTURAL RESOURCES*

The proposed project would comply with LPC's *Guidelines for Construction Adjacent to a Historic Landmark* as well as the guidelines set forth in section 523 of the *CEQR Technical Manual* and the procedures set forth in DOB's TPPN #10/88. As part of the proposed project, a CPP would be prepared prior to construction activities and submitted to OPRHP for review and approval. The proposed project would result in construction activities within 90 feet of the South Building and the Apollo Theater and the CPP would include measures to ensure that the South Building and the Apollo Theater are not affected by ground-borne construction vibrations or other potential construction-related activities. None of the other architectural resources in the study area are close enough—within 90 feet—to experience direct, physical impacts from construction of the proposed project.

As described in Chapter 7, "Historic and Cultural Resources," there is no potential for the proposed project to disturb archaeological remains. Therefore, the proposed project would not result in any significant adverse construction-related impacts on historic and cultural resources.

### *HAZARDOUS MATERIALS*

The proposed project would include partial demolition on the project site, restoration of the remainder, and construction of a multistory hotel and residential building, which would entail excavation for one below-grade level. As described in Chapter 10, "Hazardous Materials," the potential for hazardous material concerns was evaluated based on a February 2012 *Phase I Environmental Site Assessment* (ESA). The Phase I ESA 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, ACM, and 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

#### *SOCIOECONOMIC CONDITIONS*

Construction activities could temporarily affect pedestrian and vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. Utility service would be maintained to all businesses, although short term interruptions (i.e., hours) may occur if major new equipment/infrastructure (e.g., a transformer, or a sewer or water line) is put into operation. Overall, construction activities associated with the proposed project would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to increased tax revenues for the City and State, including those from personal income taxes. In addition, the developer would use its best efforts to employ Harlem residents in the pre-construction, construction, and post-construction phases of the proposed project.

#### *COMMUNITY FACILITIES*

The P.S. 154 Harriet Tubman School is located north of the project site along West 127th Street, and its schoolyard is across West 126th Street from the proposed project site. While construction of the proposed project would result in temporary increases in traffic during the construction period, access to and from this facility would not be affected during the construction period. The construction site would be surrounded by construction fencing and barriers that would prevent unauthorized access and shield surrounding uses. As discussed above (see “Noise”), potential increases in noise levels on P.S. 154 as a result of construction-related activities would be expected to be of limited duration. Construction of the proposed project would not block or restrict access to any community facilities in the area. Therefore, construction of the proposed project would not have a significant adverse impact on community facilities.

#### *LAND USE AND NEIGHBORHOOD CHARACTER*

Construction activities would affect land use on the project site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. There would be construction trucks and construction workers coming to the site. There would also be noise, sometimes intrusive, from building construction as well as trucks and other vehicles backing up, loading, and unloading. These disruptions would be temporary in nature and would have limited effects on land uses within the study area, particularly as most construction activities would take place at the project site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the project site. Overall, while the construction at the site would be evident to the local community, the limited duration of construction would not result in

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significant or long-term adverse impacts on local land use patterns or the character of the surrounding area.

### **RODENT CONTROL**

Construction contracts would include provisions for a rodent (mouse and rat) control program. Before the start of construction, the contractor would survey and bait the appropriate areas and provide for proper site sanitation. During the construction the contractor would carry out a maintenance program, as necessary. Signage would be posted, and coordination would be maintained with appropriate public agencies. Only EPA- and NYSDEC-registered rodenticides would be permitted, and the contractor would be required to perform rodent control programs in a manner that avoids hazards to persons, domestic animals, and non-target wildlife. \*

**A. INTRODUCTION**

This chapter presents and analyzes alternatives to the proposed project. Alternatives selected for consideration in an Environmental Impact Statement (EIS) generally include a No Action Alternative and alternatives that are feasible, considering the objectives and capabilities of the project sponsor, and have the potential to reduce, eliminate, or avoid significant adverse impacts of a proposed action while meeting some or all of the goals and objectives of the action. In addition, when a project would result in significant adverse impacts that cannot be mitigated, an assessment of an alternative to the project that would result in no unmitigated impacts is often included in an EIS. Such alternatives may not be feasible in relation to the objectives and capabilities of the project sponsor, but can serve as an analytical tool that demonstrates there is no alternative meeting the goals of the proposed project without resulting in unmitigated impacts.

This chapter considers the following alternatives to the proposed project and compares those alternatives to the proposed project itself:

- 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.

In addition to a comparative impact analysis, the alternatives in this chapter are assessed to determine to what extent they would meet the goals and objectives of the proposed project, which include:

- Creating 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;
- Redeveloping an underutilized, vacant, and deteriorated site into a vibrant mixed-use building;
- Creating new residential apartments to address the needs of the community, including affordable and market-rate housing;
- Providing hotel space to serve growing market demand;
- Preserving and/or adaptively reusing, to the extent practicable, important historic elements of the Victoria Theatre in the building's design; and
- Creating a venue for cultural programming, event space, and support space for the project's cultural partners.

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.

## **B. NO ACTION ALTERNATIVE**

### **DESCRIPTION OF THE NO ACTION ALTERNATIVE**

The No Action Alternative assumes that the project site would not be transferred from New York State to the developer, that there would be no zoning overrides, General Project Plan, or other discretionary actions, and that the proposed project would not be implemented. Under this scenario, the project site would remain largely vacant, and the Victoria Theater would continue to deteriorate.

Under this alternative, none of the project goals and objectives would be realized: no jobs would be created and the project site would not contribute towards economic revitalization; no new housing—either affordable or market-rate—would be created to address the needs of the community; a new venue for cultural programming and support space for the project’s cultural partners would not be built; and the area would continue to be underserved in terms of hotel space. The vacant and deteriorated project site would not be redeveloped into a vibrant mixed-use building, and the historic Victoria Theater would not be restored and adaptively reused. The project site would continue to be an underutilized state-owned asset that contributes little to the vitality of the streetscape and retail environment or to 125th Street’s character as a major mixed-use corridor and tourist destination. The State would continue to expend resources for the upkeep of the property, insurance, and to meet building and fire code requirements.

The No Action Alternative has been used in other chapters of this EIS as the baseline against which impacts of the proposed project are measured. The section below compares the potential effects of the No Action Alternative to those of the proposed project.

### **NO ACTION ALTERNATIVE COMPARED WITH THE PROPOSED PROJECT**

#### *LAND USE, ZONING, AND PUBLIC POLICY*

Under this alternative, the project site would remain largely vacant, with one tenant occupying a small space along West 125th Street. The North and South Buildings on the project site would continue to deteriorate and the site would remain an underutilized state-owned property.

Under the No Action Alternative none of the proposed actions would be implemented, including creation of a GPP, zoning overrides, or funding. However, this alternative would not achieve the beneficial land use changes that would result from the proposed project and it would not fulfill important public policy goals that the proposed project would address, including the creation of affordable and market-rate housing, employment and economic revitalization, and supporting mixed use development along 125th Street and reinforcing its role as a center of commercial activity and the arts.

Neither the proposed project nor the No Action Alternative would result in significant adverse impacts related to land use, zoning, and public policy, as described in Chapter 2, “Land Use, Zoning, and Public Policy.”

### *SOCIOECONOMIC CONDITIONS*

Similar to the proposed project, the No Action Alternative would not result in any socioeconomic changes that would result in significant adverse impacts, for the following reasons:

- Neither the proposed project nor the No Action Alternative would directly displace a residential population;
- Neither the proposed project nor this alternative would directly displace more than 100 employees;
- Neither the proposed project nor this alternative would directly displace a business that is unusually important because its products or services are uniquely dependent on its location;
- Neither the proposed project nor this alternative would result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood;
- Neither the proposed project nor this alternative would add to, or create, a retail concentration that would draw a substantial amount of sales from existing businesses within the area; and
- Neither the proposed project nor this alternative is expected to affect conditions within a specific industry such that there would be significant adverse economic impacts.

### *COMMUNITY FACILITIES*

As described In Chapter 4, “Community Facilities,” 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 as defined in the *CEQR Technical Manual*. The No Action Alternative would entail no construction or additional population and as such would have no direct or indirect effects on community facilities. Therefore, neither the proposed project nor the No Action Alternative would have a significant adverse impact on community facilities and services.

### *OPEN SPACE*

The total amount of publicly accessible open space acreage in the open space study area is not expected to change under the No Action Alternative, while a modest number of additional residents would be added to the study area from other planned developments. These additional residents would result in a small decrease in the total, active, and passive open space ratios, which would continue to fall short of the City’s recommended open space ratio guidelines.

While the total, active, and passive open space ratios would be slightly higher (less than 1 percent) under the No Action Alternative than under the proposed project, neither the proposed project nor the No Action Alternative would result in significant adverse impacts related to open space.

### *SHADOWS*

Under this alternative, there would be no new development on the project site and, therefore, no new shadow increments on nearby sun-sensitive resources. Unlike the proposed project this alternative would not cast new shadows on portions of the St. Nicholas Houses or Adam Clayton Powell Jr. Malls at certain times of the year, and would not cast shadows on the Metropolitan

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Baptist Church's southern facade. However, as described in Chapter 6, "Shadows," the brief duration and small extent of the incremental shadows from the proposed project would not cause a significant adverse shadows impact. Therefore, neither the proposed project nor the No Action Alternative would result in significant adverse impacts related to shadows.

### *HISTORIC AND CULTURAL RESOURCES*

#### *Archaeological Resources*

There are no known or suspected archaeological resources on the project site that could be disturbed or impacted, and this alternative would not result in any ground disturbance. Therefore, as with the proposed project, the No Action Alternative would not result in significant adverse impacts on archaeological resources.

#### *Architectural Resources*

Unlike the proposed project, this alternative would not have a significant adverse impact to historic resources, as it would not involve demolition of the North Building, and taking no affirmative action to preserve a deteriorating historic resource is not considered to be a significant adverse impact for SEQRA purposes. However, under the No Action Alternative, the North and South Buildings would continue to deteriorate. There would be no funds generated for the restoration of the project site and neither the North nor South Building would be preserved or opened to the public. With the No Action Alternative, the State would continue to expend resources for the upkeep of the property, insurance, and to meet building and fire code requirements.

As discussed in Chapter 7, "Historic Resources," the impacts of the proposed project would be mitigated, in part, by a number of measures that are set forth in a Letter of Resolution (LOR) executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. These measures include the retention and restoration of the South Building, 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 design. Selected historic ornamental features in the North Building would be identified for salvage and potential reuse in the proposed project. Within the proposed project, educational materials would be installed concerning the historic Victoria Theater and in its larger context as part of Harlem's Opera Row.

None of these measures would be implemented under the No Action Alternative, and the North and South Buildings would continue to deteriorate. Thus, this alternative could ultimately result in additional loss of structural and historic integrity since there would be no preservation or restoration efforts.

Unlike the proposed project, the No Action Alternative would not have the potential to result in direct, construction-related impacts on the South Building and the Apollo Theater. However, the proposed project would include the preparation and implementation of a Construction Protection Plan (CPP) that would address the potential for construction-related impacts and, therefore, the proposed project would also not have significant adverse construction-related impacts on these historic resources, as discussed in Chapter 7, "Historic and Cultural Resources."

As described in Chapter 6, “Shadows,” the proposed project would cast incremental shadows on the Metropolitan Baptist Church on the March 21/September 21 analysis day. However, due to the brief duration and small extent of the shadows, they would not be considered significant. Therefore, neither this alternative nor the proposed project would have a significant adverse shadow impact on this resource.

#### *URBAN DESIGN AND VISUAL RESOURCES*

With the No Action Alternative, the project site would remain much as it is today and would continue as an underutilized and deteriorating site along the heart of West 125th Street. The South Building of the Victoria Theater would not be restored, and the project site would not be redeveloped with new residential, hotel, cultural and retail uses.

The actions related to urban design that would facilitate the redevelopment of the project site (described in Chapter 1, “Project Description,”) would not take place under this alternative, including zoning overrides for total floor area, floor-area ratio, maximum building height, maximum base height, permitted number of residential units, and required square footage per parking space. However, as described in Chapter 8, “Urban Design and Visual Resources,”) the proposed project would not result in significant adverse impacts on urban design and visual resources. As described above, with the proposed project the South Building would be retained and its façade would be restored as an important component of the West 125th Street streetscape; under the No Action Alternative no such restoration would take place, the building would remain in a deteriorating state, and there would be no improvement to the appearance of the area’s streetscape and pedestrian experience.

Under this alternative, the project site would remain largely inaccessible and vacant, unlike the proposed project which would restore the lobby and foyer of the South Building as the public entryway to the building’s cultural events and hotel and would enhance the visual appearance of the building and the pedestrian experience on West 125th Street. In addition, unlike the proposed project—which would activate this portion of West 126th Street by providing a visually transparent, glazed curtain wall with pedestrian entrances and access to the building—under this alternative the West 126th Street side of the project site would remain a stark brick façade with no activity or articulation at the ground floor to enhance the pedestrian experience.

Unlike the proposed project, which would include a tall modern building, this alternative would retain the existing low-rise buildings on the project site. As described in Chapter 8, “Urban Design and Visual Resources,”) the new building would be substantially taller than permitted by zoning, but the overall bulk and height of the proposed building would be in context with other tall buildings in Harlem, including the Adam Clayton Powell Jr. State Office Building nearby and the Lionel Hampton Houses within the urban design study area’s viewshed.

Neither the proposed project nor the No Action Alternative would have a significant adverse impact on urban design and visual resources.

#### *NATURAL RESOURCES*

As described in Chapter 9, “Natural Resources,”) the project site and surrounding area are in a fully developed part of Manhattan and are substantially devoid of natural resources. Therefore, neither the proposed project nor the No Action Alternative would have a significant adverse impact on natural resources.

### *HAZARDOUS MATERIALS*

Unlike the proposed project, under the No Action Alternative the project site would remain largely vacant and there would be no demolition, excavation or construction activities that could disturb potential hazardous materials. However, as discussed in Chapter 10, “Hazardous Materials,” the proposed project would implement appropriate health and safety and investigative/remedial measures that would precede or govern demolition, renovation, and soil disturbance activities. Therefore, neither the No Action Alternative nor the proposed project would result in significant adverse impacts related to hazardous materials.

### *WATER AND SEWER INFRASTRUCTURE*

Neither the proposed action nor the No Action Alternative would have an exceptionally large demand for water and the project site is not located at the extremities of the water distribution system. Therefore, neither the proposed project nor the No Action Alternative would have a significant adverse impact on water supply.

Similarly, neither the proposed project nor the No Action Alternative would meet the thresholds requiring an analysis of wastewater and stormwater conditions (see Chapter 11, “Water and Sewer Infrastructure”). Therefore, neither the proposed action nor the No Action Alternative would result in significant adverse impacts on wastewater or stormwater systems.

### *SOLID WASTE AND SANITATION SERVICES*

According to the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (50 tons per week or more) and, therefore, most projects would not result in significant adverse impacts. As described in Chapter 12, “Solid Waste and Sanitation Services,” the proposed project is estimated to generate approximately 11.57 tons of solid waste per week; the No Action Alternative, under which the project site would continue to have only one small retail tenant, would generate less than 400 pounds per week<sup>1</sup>. Therefore, neither the proposed project nor the No Action Alternative would result in significant adverse impacts on solid waste and sanitation services.

### *ENERGY*

According to the *CEQR Technical Manual*, all new structures requiring heating and cooling are subject to the New York City Energy Conservation Code. Therefore, the need for a detailed assessment of energy impacts is limited to projects that may significantly affect the transmission or generation of energy. Neither the proposed project nor the No Action Alternative would affect the transmission of energy and would not result in a significant energy impact.

As described in Chapter 13, “Energy,” the proposed project’s energy consumption is estimated to be approximately 67,228 million BTUs per year, which would not be considered a significant demand for energy. The energy demand for the No Action Alternative would be considerably less, given that there would be no redevelopment of the project site and the only active use would be the existing nail salon. Overall, neither the proposed project nor the No Action Alternative would have a significant adverse impact on energy.

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<sup>1</sup> Based on an estimated 4 employees and using the *CEQR Technical Manual* rate of 79 pounds per week per employee.

### *TRANSPORTATION*

As the project site would remain largely unoccupied in the No Action Alternative, it would not generate any travel demand beyond the negligible amount of trips generated by the existing nail salon. Compared to the proposed project, the No Action Alternative would result in approximately 436, 1,023, 836, and 766 fewer person trips in the vicinity of the project site during the weekday AM, midday, PM, and Saturday peak hours, respectively. The No Action Alternative would also result in approximately 92, 166, 155, and 114 fewer vehicle trips over the same peak hours, respectively, as compared to the proposed project.

In the No Action Alternative, there would be an increase in transportation demands from sites in the study area that will be developed by 2014 and from background growth reflecting general long-term trends and other developments.

#### *Traffic*

As discussed in Chapter 14, “Transportation,” under the No Action Alternative, traffic volumes in 2014 are expected to increase compared to existing volumes due to growth unrelated to the project site.

The majority of the study area approaches/lane-groups would operate at the same LOS as in existing conditions with six exceptions: the eastbound approach at the West 125th Street/Eighth Avenue intersection during the AM and PM peak hours; the westbound approach at the West 125th Street/Eighth Avenue intersection during the AM, PM, and Saturday peak hours; the eastbound approach at the West 125th Street/Seventh Avenue intersection during the Saturday peak hour; the westbound approach at the West 125th Street/Seventh Avenue intersection during the Saturday peak hour; the westbound approach at the West 125th Street/Lenox Avenue intersection during the midday and PM peak hours; and the eastbound left-turn/right-turn lane at the West 124th Street/Lenox Avenue intersection during the PM peak hour.

Unlike the proposed project, the No Action Alternative would not result in significant adverse traffic impacts at the five approaches/lane groups identified in Chapter 14, “Transportation.” However, as discussed in Chapter 22, “Mitigation,” those project impacts could be fully mitigated through adjustments in signal timing.

#### *Parking*

In the No Action Alternative, parking conditions would remain similar to existing conditions. Unlike the proposed project, there would be no new parking demand from uses on the project site, and no accessory parking would be created on the project site. Like the proposed project, the No Action Alternative would not result in any significant adverse parking impacts, as discussed in Chapter 14, “Transportation.”

#### *Subway*

The project site and surrounding area are well served by subway service, including the A, B, C, and D lines at St. Nicholas Avenue and West 125th Street and the No. 2 and 3 trains at Lenox Avenue and West 125th Street. As discussed in Chapter 14, “Transportation,” with the proposed project, subway station elements would not be expected to incur 200 or more peak hour project-generated subway trips during the study peak hours. Consequently, the proposed project would not have the potential to result in any significant adverse subway impacts.

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The demand for subway transit within the study area would increase modestly under the No Action Alternative compared to existing conditions, due to background growth and known developments in the area. Compared to the proposed project, the No Action Alternative would result in 184, 236, 268, and 222 fewer subway trips in the weekday AM, weekday midday, weekday PM, and Saturday midday peak hours, respectively.

Therefore, there would be no significant adverse impacts with the No Action Alternative or the proposed project.

### *Bus*

There are several bus routes serving the project site and surrounding area, including the M2, M3, M7, M10, M60, M100, M101, M102, and BX15. As discussed in Chapter 14, “Transportation,” the peak hour bus trips generated by the proposed project would be distributed among these bus routes, would not result in an increase of 50 or more peak hour bus riders in a single direction, and would therefore not result in significant adverse impacts on bus service.

The demand for bus transit within the study area would increase under the No Action Alternative compared to existing conditions due to both background growth and anticipated development in the area surrounding the project site. Compared to the proposed project, the No Action Alternative would result in 37, 89, 76, and 72 fewer bus trips during the weekday AM, midday, PM, and Saturday peak hours, respectively.

Therefore, as with the proposed project, the No Action Alternative would not result in significant adverse impacts on bus transit.

### *Pedestrians*

Compared to the proposed project, the No Action Alternative would result in between 349 and 856 fewer pedestrian trips during the analyzed hours. As with the proposed project, under the No Action Alternative all sidewalk, crosswalk, and corner reservoir analysis locations would continue to operate at acceptable levels according to CEQR thresholds.

Like the proposed project, the No Action Alternative would not result in any significant adverse pedestrian impacts, as discussed in Chapter 14, “Transportation.”

### *AIR QUALITY*

Like the proposed project, the No Action Alternative would not have a significant adverse impact on air quality, either from mobile or stationary sources. As the project site would remain largely unoccupied under the No Action Alternative, there would be no new vehicle trips and no exhausts from new heating, ventilation, and air conditioning (HVAC) systems. As described in Chapter 15, “Air Quality,” the mobile source analysis indicated that mobile sources with the proposed project would not result in a significant adverse impact on air quality. Similarly, the stationary source analysis conducted for the proposed project concluded that 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, like the proposed project, the No Action Alternative would not result in impacts on air quality from mobile sources or stationary emission sources.

### *GREENHOUSE GAS EMISSIONS*

In the No Action Alternative, the use of energy for buildings and vehicle trips associated with the proposed project would not occur. But it should be noted that the greenhouse gas emissions and consistency analysis, according to *CEQR Technical Manual* guidance, does not attempt to identify the net emissions of a proposed action as compared to a No Action Alternative, but rather identifies the total emissions associated with the proposed action and analyzes a proposed project's consistency with the City's greenhouse gas reduction goal by analyzing design and efficiency measures. As described in Chapter 16, "Greenhouse Gas Emissions," the proximity of the project site to public transportation, energy-efficient building design, and adaptive reuse of an existing building are all factors that contribute to the energy efficiency of the proposed project, which 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, the proposed project is consistent with sustainable land-use planning and smart-growth strategies which aim to reduce the carbon footprint of new development.

### *NOISE*

Noise conditions in and around the project area, which are primarily a result of existing vehicular traffic on adjacent roadways, would be similar with the No Action Alternative to those with the proposed project. However, the No Action Alternative would not introduce new noise-sensitive uses to the project site. Consequently, no noise attenuation would be provided for the buildings on the project site with this alternative. Under the proposed project, as described in chapter 17, "Noise," the proposed building façades would be designed to provide a composite Outdoor-Indoor Transmission Class rating greater than or equal to CEQR attenuation requirements. Neither the No Action Alternative nor the proposed project would have significant adverse noise impacts.

### *PUBLIC HEALTH*

As described in Chapter 18, "Public Health," the proposed project would not result in significant unmitigated adverse impacts in the technical areas related to public health, such as air quality, water quality, hazardous materials, or noise. Similarly, the No Action Alternative would not be expected to result in public health impacts.

However, since the No Action Alternative would not involve any demolition or construction activities, there would be no identification or remediation of potential sources of contamination on the project site, potentially including lead-based paint, asbestos-containing materials (ACM), and polychlorinated biphenyl (PCB) containing electrical equipment and fluorescent lighting fixtures. There would not be a Phase II Subsurface Investigation to evaluate the potential for subsurface contamination, and there would not be a Construction Health and Safety Plan (CHASP) establishing procedures to be followed to safely address any identified contamination during construction. As fully described in Chapter 10, "Hazardous Materials," these measures would be implemented as part of the proposed project to avoid the potential for significant adverse impacts from hazardous materials.

### *NEIGHBORHOOD CHARACTER*

The No Action Alternative, like the proposed project, would not result in significant adverse impacts on neighborhood character. Under this alternative, the buildings on the project site would continue to deteriorate and the site would remain largely vacant and inactive.

The proposed project would have significant adverse impacts in two of the technical areas contributing to neighborhood character: historic and cultural resources (which could be partially mitigated), and transportation (which could be fully mitigated through signal timing changes). These impacts would not occur under this alternative. As described in Chapter 19, “Neighborhood Character,” 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, in fact, result in beneficial effects on neighborhood character. Unlike the proposed project, the No Action Alternative would not provide space for cultural organizations, would not create any affordable or market-rate housing, would not generate new sources of employment and economic activity, and would not create a new hotel for an underserved market. Unlike the proposed project, the No Action Alternative would fail to contribute to the ongoing revitalization of 125th Street as a premier art, culture and entertainment district—the project site would remain substantially underutilized, largely vacant and inactive.

Overall, like the proposed project the No Action Alternative would not result in significant adverse impacts on neighborhood character, but it would also have none of the beneficial effects cited above that would result from the proposed project.

*CONSTRUCTION*

There would be no construction associated with the No Action Alternative and, therefore, it would not result in any of the short-term construction disruptions to the surrounding area that would result from the proposed project. Neither this alternative nor the proposed project would result in significant construction-related adverse impacts on land use, community facilities, open space, natural resources, transportation, air quality, or noise. As described above, during construction of the proposed project, health and safety and investigative/remedial measures would be implemented to ensure that there are no hazardous materials impacts, and for historic resources a CPP would be implemented to avoid potential construction impacts on the South Building as well as the Apollo Theater. Therefore, neither the No Action Alternative nor the proposed project would result in significant adverse construction impacts.

**C. NO UNMITIGATED SIGNIFICANT ADVERSE IMPACT ALTERNATIVES**

As discussed in Chapter 7, “Historic and Cultural Resources,” the proposed project would demolish the North Building on the project site, which would constitute an adverse impact to a State and National Register-eligible property. Although mitigation measures would be undertaken, the demolition of the North Building would be considered an impact that cannot be fully mitigated. Measures to partially mitigate the adverse impact have been proposed and are described in greater detail in Chapter 22, “Mitigation.” The proposed mitigation measures have been set forth in a Letter of Resolution (LOR) executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. The mitigation measures include the following:

- The South Building would 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 would be

- recreated to serve as a signage element. New lighting would 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, would identify selected historic ornamental features in the North Building that are able to be salvaged and will consult with OPRHP as to how they would 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 will be considered for salvage and reuse, contingent upon the feasibility of salvage and removal. Other architectural elements in the North Building would 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 would 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, would be undertaken in consultation with OPRHP.
  - A CPP would be developed to address how the South Building and the Apollo Theater would 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 be implemented by a licensed professional engineer. The CPP would be submitted to OPRHP for review and approval prior to implementation.

These measures would partially mitigate the significant adverse impacts occasioned by the loss of the North Building. This section evaluates two scenarios that would allow for the full mitigation or avoidance of these impacts. The two impact avoidance scenarios are taken from the Alternatives Analysis that was prepared and reviewed by OPRHP under Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law. After evaluating the alternatives contained in the Alternatives Analysis, OPRHP determined in a letter dated April 23, 2012 that "there are no prudent and feasible alternatives to having an adverse impact upon this historic building."

#### **SCENARIO 1: RETENTION AND REUSE WITHOUT OVERBUILD**

The South Building contains three floors with a double height foyer at the rear of the building that provides access to the balcony level of the auditorium in the North Building. The North Building is primarily composed of the auditorium, an approximately three-story space, which was subdivided into five theater spaces in the 1980s.

As the project seeks to provide cultural programming space, the feasibility of reusing the North Building, including the original auditorium, for the proposed cultural programming was studied. However, the size, configuration, and condition of the auditorium precludes its adaptive reuse for this purpose. The existing auditorium was designed with a seating capacity of over 2,000 and with a traditional configuration with raked seating facing the stage. Representatives of Harlem's cultural community have indicated that they require smaller and flexible spaces that allow for a variety of cultural programming and that are affordable. The proposed Project's cultural spaces are envisioned to be financially accessible to smaller groups and companies due to lower union wage rates and operating costs than large performance venues; designed with flexible layouts that maximize the potential programming and use of the performance spaces; and to complement, not compete, with the Apollo Theater. As it is, the Apollo Theater, with a seating

## Victoria Theater

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capacity of 1,700, is only booked 40 percent of the year. Due to its size of over 499 seats, stagehands and other theater personnel command upper union wage rates and render the Apollo unaffordable to smaller cultural groups and companies. The auditorium of the North Building is also in a substantially deteriorated condition, with wall and ceiling surfaces damaged through prior alterations and water damage, and in some locations collapsed entirely.

Sufficient floor area is required to meet the project's overall goals and objectives with respect to providing affordable housing, a hotel, and employment opportunities. As built, the Victoria Theater buildings do not contain sufficient floor area to accommodate the proposed program. The North Building is primarily occupied by a large auditorium with a raked floor and balcony, and as such, does not possess floor plates conducive to adaptive reuse for purposes other than a large entertainment venue. Dividing the auditorium into smaller spaces would require the removal of historic material, compromise the historic intent and integrity of the space, and overall adversely affect the historic character of the space.

Therefore, retention of the Victoria Theater in its entirety is not a feasible alternative.

### **SCENARIO 2: CONSTRUCT NEW PROGRAM ABOVE THE NORTH BUILDING**

To meet the project's community and economic development goals and objectives, additional floor area would need to be constructed on the project site. The North Building has an approximately 15,000-square-foot footprint that allows for the development of appropriately sized floor plates for the proposed uses. In comparison, the South Building has a much smaller footprint of only 5,000 square feet. In addition, the South Building contains the historic ornamented façade and entrance into the Victoria Theater and is both a historic and visual landmark on West 125th Street. Based on considerations of building footprint and the value of retaining the South Building as an important historic streetscape component on West 125th Street, the potential for construction on the site of the North Building was considered as an alternative.

To avoid significant adverse impacts on the historic resource, the entirety of the North Building, in addition to the South Building, would need to be retained. The lack of any viable use for the auditorium poses an insurmountable impediment to the retention and reuse of the North Building. Even if overbuilding the North Building were to be contemplated without a projected plan for reuse of the auditorium, such an overbuild scenario would require demolition of portions of the North Building and would incur substantial costs. With an overbuild scenario, the new building housing the hotel and residential uses would need to bridge over the approximately 15,000-square-foot footprint and 78-foot height of the North Building. This would present exceptional structural and engineering challenges. Structural columns to support a new building would need to pierce through the building and connect to a major transfer truss structure. The trusses would bridge over the existing building and provide support for the new building. Selective demolition of the existing structure of the North Building would be required to insert the columns as well as to create elevator, stair, and mechanical shafts vertically through the full volume of the North Building. The insertion of the structural columns and circulation and mechanical shafts through the North Building would compromise the historic integrity of North Building, potentially resulting in adverse impacts on this historic resource through alteration of the spatial layout of the spaces within the building and the removal of historic fabric.

Construction of the superstructure necessary to retain the existing building and to build above it would come with a significant premium, dramatically increasing the cost of construction. To bridge over the existing theater and span the 100 foot width of the North Building while

supporting approximately 23 stories of housing and hotel above, approximately 38 ten-foot-high steel trusses would be required. The trusses would at a minimum increase the cost of construction by 10 percent, and additional costs would be incurred to construct the structural columns to support the trusses. Costs to restore the North Building itself would also be considerable.

Retention of the North Building would also constrain the project's ability to provide basic functions associated with a mixed-use development. Since the auditorium occupies almost all of the available floor area at ground level (as well as the upper portions of the building), its retention, unaltered, would constrain the ability to provide one or more uses required as part of a mixed-use development, including an entrance to parking, a service entrance, a loading dock, and a separate residential entrance. These uses cannot be accommodated on West 125th Street due to the limited and relatively narrow frontage available on that street. These elements are essential for a mixed-use development that contains hotel and residential uses. Therefore, retaining the North Building in its current configuration would not achieve the goals and objectives of the proposed project.

Overall, the functional inefficiencies resulting from retention of the North Building and constructing above it, and the increased costs in restoring the North Building—for which there is no viable projected use—and building over it, would preclude the realization of the project's community and economic development goals and objectives and render the project financially and programmatically infeasible. \*

**A. INTRODUCTION**

The preceding chapters of this Environmental Impact Statement (EIS) discuss the potential for significant adverse impacts to result from the proposed project. Where such potential impacts have been identified—in the areas of historic resources and traffic—measures are examined to minimize or eliminate the anticipated impacts. These mitigation measures are discussed in this chapter. As described below, the anticipated significant adverse impacts on traffic could be fully mitigated through signal timing changes. The significant adverse impact to historic resources that would result from the demolition of the North Building could be partially addressed through a number of mitigation measures that are described below.

**B. 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.

The proposed project would involve the demolition of the North Building and the restoration of the South Building. The demolition of the North Building would constitute an adverse impact to a S/NR-eligible property. An alternative to the proposed project that avoids demolition of the North Building altogether is included in Chapter 21, “Alternatives” as the No Unmitigated Significant Impact Alternative, and is also discussed in the Alternatives Analysis provided in Appendix B. The Alternatives Analysis and supporting material was provided to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and based upon the review of these materials, OPRHP determined that there are no prudent or feasible alternatives to having an adverse impact on the Victoria Theater. In summary, retention and reuse of the South Building and demolition of the North Building has been determined the only feasible and prudent alternative that would meet the project’s cultural, community, and economic development goals and objectives while respecting Harlem’s cultural heritage and retaining an important component of West 125th Street’s historic streetscape. 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 are set forth in a Letter of Resolution (LOR) that has been executed among the developer, HCDC, ESD, and OPRHP, pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. As described in the LOR, 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 in public areas 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.

## C. TRAFFIC

As discussed in Chapter 14, “Transportation,” the proposed project would not result in significant adverse transit, pedestrians, or parking impacts. However, for vehicular traffic, five approaches/lane groups were predicted to experience significant adverse traffic impacts in the Build condition. **Table 22-1** summarizes proposed mitigation measures for these locations, 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. **Table 22-2** 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. With the implementation of the proposed mitigation measures, the proposed project would not have any significant adverse impacts on traffic.

**Table 22-1  
Recommended Traffic Mitigation Measures**

Intersection	AM Peak Hour		Midday Peak Hour		PM Peak Hour		Saturday Peak Hour	
	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:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:33/3/2 Ped (LPI): 7 EB/WB:40/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2	NB/SB:36/3/2 Ped (LPI): 7 EB/WB:37/3/2	NB/SB:34/3/2 Ped (LPI): 7 EB/WB:39/3/2
<b>Notes:</b> Signal timings = green/amber/red listed in seconds NB = northbound, SB = southbound, EB = eastbound, WB = westbound LPI = leading pedestrian interval								

**Table 22-2**  
**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)	LOS
<b>West 126th Street and Eighth Avenue – Saturday peak hour</b>												
Westbound	LTR	1.08	110.7	F	LTR	1.30	192.6	F+	LTR	1.08	104.6	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		57.6	E	Intersection		35.2	B
<b>West 126th Street and Seventh Avenue – Saturday peak hour</b>												
Westbound	LTR	1.00	73.4	E	LTR	1.05	87.4	F+	LTR	1.01	76.2	E
Northbound	LT	0.59	15.2	B	LT	0.63	15.9	B	LT	0.64	16.7	B
Southbound	TR	0.34	11.9	B	TR	0.35	12.0	B	TR	0.36	12.6	B
	Intersection		24.3	C	Intersection		27.3	C	Intersection		25.9	C
<b>West 125th Street and Eighth Avenue – AM peak hour</b>												
Eastbound	LTR	<u>0.99</u>	<u>60.2</u>	E	LTR	<u>1.00</u>	<u>62.9</u>	E	LTR	<u>0.96</u>	<u>52.7</u>	D
Westbound	LTR	<u>0.93</u>	<u>47.0</u>	D	LTR	<u>0.98</u>	<u>56.5</u>	E+	LTR	<u>0.94</u>	<u>47.9</u>	D
Northbound	TR	<u>0.28</u>	16.4	B	TR	0.28	<u>16.5</u>	B	TR	0.29	<u>17.2</u>	B
Southbound	TR	<u>0.53</u>	<u>19.8</u>	B	TR	<u>0.57</u>	<u>20.5</u>	C	TR	<u>0.58</u>	<u>21.5</u>	C
	Intersection		<u>39.2</u>	D	Intersection		<u>42.6</u>	D	Intersection		<u>37.5</u>	D
<b>West 125th Street and Eighth Avenue – PM peak hour</b>												
Eastbound	LTR	<u>0.95</u>	<u>53.1</u>	D	LTR	<u>0.97</u>	<u>58.1</u>	E	LTR	<u>0.90</u>	<u>42.7</u>	D
Westbound	LTR	<u>1.01</u>	<u>64.4</u>	E	LTR	1.07	82.2	F+	LTR	<u>1.01</u>	<u>63.3</u>	E
Northbound	TR	<u>0.46</u>	<u>18.8</u>	B	TR	0.47	18.9	B	TR	0.49	20.6	C
Southbound	TR	<u>0.43</u>	<u>18.3</u>	B	TR	0.46	18.6	B	TR	<u>0.50</u>	<u>20.6</u>	C
	Intersection		<u>40.9</u>	D	Intersection		43.8	D	Intersection		<u>38.5</u>	D
<b>West 125th Street and Eighth Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.04</u>	<u>66.8</u>	E	LTR	<u>1.05</u>	<u>70.6</u>	E	LTR	<u>0.99</u>	<u>51.8</u>	D
Westbound	LTR	<u>1.03</u>	<u>64.9</u>	E	LTR	<u>1.08</u>	<u>81.7</u>	F+	LTR	<u>1.01</u>	<u>59.8</u>	E
Northbound	TR	0.45	24.6	C	TR	0.46	24.7	C	TR	0.49	26.7	C
Southbound	TR	0.55	26.3	C	TR	0.60	27.3	C	TR	0.64	29.8	C
	Intersection		<u>51.1</u>	D	Intersection		<u>57.3</u>	E	Intersection		<u>45.5</u>	D
<b>West 125th Street and Seventh Avenue – Midday peak hour</b>												
Eastbound	LTR	<u>0.90</u>	<u>42.4</u>	D	LTR	<u>1.02</u>	<u>67.0</u>	E+	LTR	<u>0.92</u>	<u>42.3</u>	D
Westbound	LTR	<u>0.88</u>	<u>38.0</u>	D	LTR	<u>0.92</u>	<u>43.0</u>	D	LTR	0.82	<u>31.2</u>	C
Northbound	LTR	<u>0.50</u>	<u>21.4</u>	C	LTR	<u>0.51</u>	<u>21.7</u>	C	LTR	<u>0.56</u>	<u>24.4</u>	C
Southbound	LTR	<u>0.52</u>	<u>21.8</u>	C	LTR	<u>0.53</u>	<u>21.9</u>	C	LTR	<u>0.58</u>	<u>24.8</u>	C
	Intersection		<u>30.2</u>	C	Intersection		<u>37.4</u>	D	Intersection		<u>30.3</u>	C
<b>West 125th Street and Seventh Avenue – PM peak hour</b>												
Eastbound	LTR	<u>0.91</u>	<u>43.4</u>	D	LTR	<u>0.96</u>	<u>52.7</u>	D+	LTR	<u>0.90</u>	<u>39.8</u>	D
Westbound	LTR	<u>0.88</u>	<u>36.5</u>	D	LTR	<u>0.90</u>	<u>38.8</u>	D	LTR	<u>0.85</u>	<u>32.6</u>	C
Northbound	I	<u>0.82</u>	<u>28.3</u>	C	I	<u>0.83</u>	<u>29.0</u>	C	I	<u>0.88</u>	<u>33.2</u>	C
Southbound	R	<u>0.26</u>	<u>19.7</u>	B	R	<u>0.27</u>	<u>19.9</u>	B	R	<u>0.29</u>	<u>21.6</u>	C
Southbound	TR	<u>0.47</u>	<u>20.9</u>	C	TR	<u>0.47</u>	<u>20.9</u>	C	TR	<u>0.50</u>	<u>22.6</u>	C
	Intersection		<u>30.8</u>	C	Intersection		<u>33.2</u>	C	Intersection		<u>31.8</u>	C
<b>West 125th Street and Seventh Avenue – Saturday peak hour</b>												
Eastbound	LTR	<u>1.09</u>	<u>89.8</u>	E	LTR	<u>1.12</u>	<u>101.4</u>	F+	LTR	<u>1.04</u>	<u>72.0</u>	E
Westbound	LTR	<u>1.12</u>	<u>101.7</u>	F	LTR	<u>1.14</u>	<u>110.0</u>	F+	LTR	<u>1.07</u>	<u>79.8</u>	E
Northbound	LTR	<u>0.63</u>	<u>23.5</u>	C	LTR	<u>0.64</u>	<u>23.8</u>	C	LTR	<u>0.68</u>	<u>25.9</u>	C
Southbound	LTR	<u>0.51</u>	<u>21.5</u>	C	LTR	<u>0.51</u>	<u>21.6</u>	C	LTR	<u>0.54</u>	<u>23.3</u>	C
	Intersection		<u>54.1</u>	D	Intersection		<u>58.5</u>	E	Intersection		<u>46.8</u>	D
<b>Notes:</b> L: Left Turn; T: Through; R: Right Turn; LOS: Level of Service. + implies a significant adverse impact												

## **Chapter 23:**

## **Unavoidable Significant Adverse Impacts**

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A significant adverse impact becomes unavoidable when it meets the following criteria:

- there are no reasonably practicable mitigation measures to eliminate the impact; and
- there are no reasonable alternatives to the proposed project that would meet the purpose and need of the action, eliminate the impact, and not cause other or similarly significant adverse impacts.

As detailed elsewhere in this Environmental Impact Statement (EIS), 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 Chapter 22, “Mitigation,” the significant adverse impact to this historic resource would be partially mitigated. 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. \*

## **Chapter 24: Growth-Inducing Aspects of the Proposed Action**

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The proposed project would redevelop the former Loews Victoria Theater with an approximately 385,000-gross-square-foot mixed-use cultural, residential, hotel and retail development. The proposed project would adaptively reuse portions of the former Victoria Theatre and provide space for cultural partners. In this manner, the proposed project is not likely to induce growth on its own but is considered part of the region's response to the anticipated long-term growth of economic activity in Manhattan.

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. \*

## **Chapter 25: Irreversible and Irretrievable Commitments of Resources**

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There are several resources, both natural and built, that would be expended in the construction and operation of the proposed project. These resources include the building materials used in construction of the project, energy in the form of gas and electricity consumed during construction and operation of the building, and the human effort (time and labor) required to develop, construct, and operate various components of the project. These resources are considered irretrievably committed, because their reuse for some purpose other than the project would be highly unlikely. 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. \*

**A. INTRODUCTION**

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to the substantive oral and written comments received during the public comment period for the Draft Environmental Impact Statement (DEIS) and General Project Plan (GPP) for the Victoria Theater Redevelopment Project. The public hearing on the DEIS and GPP was held at 5 PM on December 10, 2012 at the Adam Clayton Powell, Jr. State Office Building located at 163 West 125th Street New York, New York. The comment period remained open until January 10, 2013.

Section B identifies the organizations and individuals who provided comments on the DEIS and GPP. Section C contains a summary of the relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Where appropriate, comments of a similar nature have been grouped together.

**B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED****ELECTED OFFICIALS**

1. Charles B. Rangel, United States House of Representatives, written testimony dated December 10, 2012 (Rangel)
2. Inez E. Dickens, New York City Council member, written testimony dated December 10, 2012 (Dickens)
3. Keith L. T. Wright, New York State Assemblyman, written testimony dated December 10, 2012 (Wright)

**LOCAL AGENCIES**

4. Stanley N. Gleaton, Chair, Land Use and Landmarks Committee, Manhattan Community Board 10, oral and written testimony (Gleaton)
5. Nnenna Lynch, Senior Policy Advisor, Deputy Mayor Robert Steel's Office, oral testimony (Lynch)
6. Gina Santucci, Environmental Review Coordinator, New York City Landmarks Preservation Commission, written comment dated July 24, 2012 (Santucci)

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\* This chapter is new to the FGEIS.

**INTERESTED INDIVIDUALS AND ORGANIZATIONS**

7. Blondel Pinnock, Chair, 125th Street Business Improvement District, oral testimony (Pinnock)
8. Jonelle Procope, President and CEO, Apollo Theater, oral testimony (Procope)
9. L. Ade Williams, Apollo Theater, oral testimony (Williams)
10. Charlie Sims, Classical Theater of Harlem, oral testimony (Sims)
11. Ty Jones, Classical Theater of Harlem, oral testimony (Jones)
12. Dr. Kathryn Samuels, Friends of Macombs, oral testimony (Samuels)
13. Voza Rivers, Harlem Arts Alliance, oral testimony (Rivers)
14. Aleathia Brown, Harlem Arts Alliance, oral testimony (A.Brown)
15. Carla Brown, Harlem Arts Alliance, oral testimony (C.Brown)
16. Walter J. Edwards, Chairman, Harlem Business Alliance, oral testimony (Edwards)
17. Tony Rogers, President, Harlem Tourism Board, oral testimony (Rogers)
18. Linda Walton, President of Programming, JazzMobile, oral testimony (Walton)
19. Robin Bell Stevens, President and CEO, JazzMobile, oral testimony (Stevens)
20. Syderia Cresfield, President, Mount Morris Park Community Improvement Association, oral testimony (Cresfield)
21. Verdery Roosevelt, Senior Vice President, Upper Manhattan Empowerment Zone Corporation, oral and written testimony (Roosevelt)
22. Donald Fulp, Deputy Director, West Harlem Group Assistance, Inc., written and oral testimony (Fulp)
23. Laurent Delly, Vice President, Mount Morris Park Community Improvement Association, written testimony dated December 17, 2012 (Delly)
24. Edward Poteat, written testimony dated December 3, 2012 (Poteat)
25. Juanita Thomas, oral and written testimony (Thomas)
26. Derrick Fleming, oral testimony (Fleming)
27. Doris R. Conner, Chairman, Central Harlem Senior Citizen's Coalition, Inc, written testimony dated January 4, 2013 (Conner)
28. Andy Ingraham, President/CEO, National Association of Black Hotel Owners, Operators & Developers, written testimony dated January 10, 2013 (Ingraham)

**C. COMMENTS AND RESPONSES**

**PUBLIC REVIEW PROCESS AND PUBLIC PARTICIPATION**

**Comment 1:** Community Board members are concerned that there is no meaningful community input or vote on State-sponsored projects. As with City projects,

there should be a mechanism with State-projects for community input to be recognized. (Gleaton)

**Response:** Pursuant to the State Environmental Quality Review Act (“SEQRA”) and the Urban Development Corporation Act (the “UDC Act”), all members of the public (including Community Boards) have been invited and encouraged to provide comments on the GPP and DEIS. As noted in the EIS, the public has had the opportunity to make comments on the Draft Scope of Work for the preparation of the EIS, the DEIS, and the GPP, and all submitted comments have been considered by Empire State Development (“ESD”) and Harlem Community Development Corporation (“HCDC”). Further, the developers formally presented the project to Manhattan Community Board 10 on April 19, 2012.

**Comment 2:** The community has followed this project for years and nothing has come to fruition. The project, from beginning to end, has been misrepresented from its inception. We were misinformed and told that the developer had the contract to do the project. Not so—we found out that the developer only had a Memorandum of Understanding. A Memorandum of Understanding is not a contract. We're tired of doors being closed and the politicians or whoever represents us, go behind these doors, do private business, and come back and not tell us what they're doing. (Thomas)

**Response:** HCDC and ESD worked diligently to advance the project from an RFP in 2004 to conditional developer designation in 2007, and worked collectively with the Developer to navigate through capital and real estate market changes in 2008 and 2009. The adoption of the GPP and acceptance of the DEIS in July 2012 represent significant milestones toward bringing the project to fruition. ESD issued a press release on November 27, 2007 announcing HCDC’s conditional designation of Danforth to be the developer of the project, and indicating that Danforth had executed a Memorandum of Understanding with HCDC. The proposed project has been subject to public review and comment pursuant to SEQRA and the UDC Act, as explained in the response to Comment 1.

**Comment 3:** HCDC meetings have been held without any announcement to the community at large in that meeting. Hearings have been erratic in the past and you don’t know when they’re holding hearings. Therefore, the community did not have an opportunity to come out and speak against this project. (Samuels)

**Response:** The Board of Directors of HCDC meets on a regularly scheduled basis, typically every other month. Special board meetings are called as needed. The schedule of regular meetings for the year is generally established by the Board at the beginning of the year. Consistent with New York State law, HCDC Board meetings are publicly announced and posted by its parent corporation. A Public Hearing was held on December 10, 2012 to obtain comments on the DEIS and

## Victoria Theater Redevelopment Project

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the GPP. Notice of the Public Hearing was published in the New York Amsterdam News on November 8, 2012 and the New York Daily News on November 9, 2012, and was posted on the web sites of HCDC and ESD. A Public Scoping meeting for the DEIS was held on December 15, 2008. Notice of the Public Scoping was published in the City Record and the Environmental Notice Bulletin and was also posted to the web sites of ESD and HCDC.

**Comment 4:** Thousands of people in this community have signed that they do not want this project, yet it's been pushed forward. We feel that it insults the cultural integrity of this community. We're not interested in the Victoria Theater being carved up so that some people can make money. (Samuels)

**Response:** Support for the proposed project has been expressed by members of the local community, community stakeholders and elected officials. No petitions or other significant numbers of "signatures" have been received by ESD or HCDC in opposition to the proposed project. As noted in the EIS, while economic development is an important purpose of the proposed project, there are many other goals as well, including the provision of affordable housing, rehabilitation and reuse of an important Harlem landmark, and provision of facilities for local arts organizations.

**Comment 5:** I received an email that appeared to come from HUDC asking me to come to this meeting to support the project. If we were to come to give our opinion, why are you sending out a document saying that we should come basically only if we support this particular development. (Samuels)

**Response:** HCDC did not circulate an email asking the public to support the project. Notice of the Public Hearing was published in the New York Amsterdam News on November 8, 2012 and the New York Daily News on November 9, 2012, and was posted on the web sites of HCDC and ESD, inviting any and all comments on the proposed project. The public review of the proposed project includes an opportunity for all opinions to be expressed. All pertinent comments made in person or in writing are taken into consideration.

**Comment 6:** There are some so-called community organizations who feel they have a right to destroy this building or this theater so that they can get free or close to free rent. That may advance them personally but it harms the community. (Samuels)

**Response:** As noted in the EIS, the project is expected to result in a number of benefits to the community, City and State. The proposed project would provide important affordable space for local cultural organizations, which would pay nominal rent and all operating and occupancy costs associated with use of the space; 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 cultural arts partners are all well-established local community-

based organizations. While the north portion of the site does require demolition, the south portion would be restored. Overall, 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.

## **ECONOMIC DEVELOPMENT AND AFFORDABLE HOUSING**

**Comment 7:** The project will be a catalyst for economic activity and revitalization on the 125th Street corridor. It will provide hundreds of construction and permanent new jobs for Harlem residents, space for local retailers that will enliven the streetscape, affordable housing, and cultural amenities. It will instill confidence in the Harlem investment market, opening doors for more investments. (Williams, Pinnock, Fleming, Lynch, Roosevelt, Rangel, Fulp, Wright, Ingraham)

**Response:** Comment noted.

**Comment 8:** This project will enhance artistic and cultural opportunities in Harlem, which will drive revitalization, tourism, and economic development. The heart of any revitalization, of any innovation in community, lands within the arts. Ultimately it is about creating an economic engine and a source of jobs for other artists that are not just on stage, but those who are directors, designers, and on the administration side. (Procope, Jones, A.Brown, Stevens, Roosevelt, Fulp)

**Response:** Comment noted.

**Comment 9:** The project will bring a hotel to Harlem, an amenity that is absent from this community and is needed to meet existing demand. As many communities go through the revitalization process, hotels become the economic engine in supporting local businesses who sell to the hotels as well as to consumers with business meetings, family reunions and conventions. (Pinnock, Fulp, MMCIA, Ingraham)

**Response:** Comment noted.

**Comment 10:** The project differs from other kinds of businesses because there will be positive spillover effects on other businesses. For example, when parents go out to a performance, they might hire a babysitter, go out for dinner, get a drink, and take a cab, which will benefit these businesses as well. The hotel will serve as a beacon to visitors, bringing new activity into the community that will have a multiplying effect in the use of restaurants and other businesses in the area. (Williams, Ingraham)

**Response:** Comment noted.

## **Victoria Theater Redevelopment Project**

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**Comment 11:** As there is a lack of quality, clean, affordable housing in this community, the proposed affordable housing units will have a positive impact on area residents. (Fleming, Poteat, Rangel, Cresfield, Fulp)

**Response:** Comment noted.

**Comment 12:** A percentage of affordable units should be reserved for local residents. (Delly)

**Response:** The housing component of the project would be developed under the Mixed Income or 50/30/20 Program of the New York City Housing Development Corporation (HDC). Projects developed under HDC's financing programs follow New York City Department of Housing Preservation and Development (HPD) marketing regulations, which include, among other things, a requirement for 50 percent of the units to be sold or leased to current residents of the community district within which the project is developed.

## **HIRING AND WAGES**

**Comment 13:** This new home will allow Classical Theatre of Harlem to open a scenery shop and a costume shop that will provide experience and training for admission to unions. We want to make sure that we have the type of facilities that many downtown organizations have, including scenery and prop shops, and the people that will run those shops. (Sims, Jones)

**Response:** Comment noted.

**Comment 14:** One proposal had a much better plan and a foundation whereby people would be employed and be unionized, and not just create jobs that people will work at, construction jobs, and at the end of it, have no union card. (Samuels)

**Response:** Eleven proposals were submitted in response to the Request For Proposals (RFP) issued by HCDC and ESD for the Victoria Theater site, and all were considered. None of the proposals included a foundation for job creation. After the initial review of all proposals, four were determined to be incomplete or inadequate and were not selected for further consideration. While economic and job development were among the goals of the RFP, the RFP did not include any requirements pertaining to union cards. The proposed project would generate approximately 576 construction jobs and approximately 373 permanent jobs. Also, as is stated in the GPP, the Developer proposes to, among other things, work with the selected hotel chain to recruit and train local residents for the hotel jobs to be generated by the project, establish a minority business utilization plan that promotes hiring workers from Harlem zip codes, and establish an aggressive outreach campaign concerning contracting and work force hiring opportunities.

**CULTURE, THE ARTS, AND COMMUNITY ORGANIZATIONS**

**Comment 15:** The inclusion of four local arts organizations as cultural partners that will occupy the project's cultural space is important, as it creates an arts and culture hub that provides for greater collaboration. It will strengthen 125th Street as a cultural destination and sustain Harlem's artistic prominence. (Procope, Rivers, A.Brown, Lynch, Rangel, Fulp)

**Response:** Comment noted.

**Comment 16:** As one of the cultural participants, this project affects the Apollo Theater in a different way, as we will be able to move our administrative functions into this new project. This will enable us to have more residencies, summer interns, master classes, and increase our impact on the community. (Procope)

**Response:** Comment noted.

**Comment 17:** Providing space for arts organizations under one roof is a great opportunity for creativity and interaction. Having different cultural organizations in the same building means that we'll be able to collaborate to a greater extent, which will benefit the community. (Williams)

**Response:** Comment noted.

**Comment 18:** In addition to performing arts space, the project should provide studio space for visual artists, which is sorely needed (A. Brown)

**Response:** The proposed project's cultural arts component does include a gallery/exhibition space for visual arts. Additionally, wall space throughout the public areas of the project would be made available for exhibitions. The cultural space has been designed in accordance with the needs expressed by the cultural arts partners, which did not include studio space for visual artists.

**Comment 19:** We would like to have office space in the community that the community can use. As an organization, we don't have space to hold our meetings. This project is an opportunity for us to have additional space that others can use as well. (Cresfield) Some office spaces should be available to local non-profits as part of the project. (Delly)

**Response:** The proposed project would provide office space for the four cultural partners. While the program would not dedicate additional office space for other local non-profits, such organizations could coordinate with the cultural partners to schedule use of their spaces for meetings. It is expected that the theater spaces, when not otherwise programmed, would also be available as a meeting venue for local non-profits and other organizations.

## Victoria Theater Redevelopment Project

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**Comment 20:** It is very important for JazzMobile as a Harlem-based organization to remain here in Harlem, which this project allows us to do. (Walton)

**Response:** Comment noted.

**Comment 21:** This project will give JazzMobile the opportunity to expand our programming and provide affordable tickets for jazz performances on a year-round basis. (Stevens)

**Response:** Comment noted.

**Comment 22:** I am a part of the Harlem Arts Alliance and I grew up in Harlem. It was very endearing for me. And once we moved, I still had to come back to support the art that I learned here—how to braid hair. In addition to braiding work, I also teach the art and history. I have traveled widely and I always have to come back and see Harlem. I hope the Victoria Theater is someplace that I can send my people and my students because I have protégés out here who are teaching and have their own business. I have people who constantly support and push me in what I do because what I learned and was able to give back to the community. We need that support of pushing Harlem as the educational place of the world, because it is. (C.Brown)

**Response:** The cultural arts component of the proposed project would provide a new home for the arts on 125<sup>th</sup> Street, and would help to reinforce Harlem’s position as the cultural capital of Black America and as an important destination for arts and culture in New York City.

**Comment 23:** Central Harlem Senior Citizen’s Coalition asks that seniors have a designated space in the project where both living and deceased seniors can be honored with a lounge and “Wall of Fame.” We also request that a senior discount rate be available at the hotel, cultural spaces, restaurant, etc. (Conner)

**Response:** There are opportunities for exhibits and displays throughout the public areas of the project. The specific details pertaining to a Wall of Fame or any senior discounts must be discussed with the developer, the cultural partners, the hotel operator and prospective retail tenants.

## LAND USE, ZONING, AND PUBLIC POLICY

**Comment 24:** The project is consistent with the goals of the 125th Street corridor rezoning, including the provision of residential, commercial, retail, arts, and entertainment uses to enliven the streetscape and support the ongoing revitalization of neighboring areas. (Rangel)

**Response:** Comment noted.

**Comment 25:** The project does not fully conform to all aspects of the 125th Street corridor rezoning, as the height of the building will exceed the height limitation. However, given the significant economic and other benefits of the project, the additional height is a fair trade off. (Dickens, Rangel)

**Response:** Comment noted. The EIS acknowledges that the proposed project would require overrides of certain aspects of the NYC Zoning Resolution, identifies the overrides being sought, and evaluates the potential for the proposed project (including those overrides) to result in significant adverse environmental impacts.

### SOCIOECONOMIC CONDITONS

**Comment 26:** I come to speak about a property that was very vibrant that I watched decay for many years on a commercial strip that is underdeveloped. Of all the commercial strips in New York City this (125th Street) is underdeveloped, why I cannot tell. We have an opportunity and I congratulate the conditionally designated developer, who is a Harlem resident and has served this community well. I am afraid that if this team doesn't do this project, since there's very little public property left on 125th Street, people of color from this community will never get an opportunity to really do a major development. I am here to support you getting the opportunity and letting the people know that there is hope for us after all. (Edwards).

**Response:** The project's potential to serve as a transformative economic development catalyst for the 125th Street corridor and for Harlem was acknowledged by the New York City Regional Council in its Five Year Plan. The development team's inclusion of a third-generation Harlem resident was among the factors considered by HCDC in its conditional designation of Danforth as the developer for the project. The project's design includes a historic preservation program that honors the Victoria's history, legacy and place in the community.

**Comment 27:** Too often we are told by developers that the community will receive equity from a project. This development should be undertaken by someone who will ensure the community is left with equity. (Thomas)

**Response:** The project would generate meaningful community and economic development benefits. As noted in the EIS, the proposed project would convert a long-vacant site to an economically productive mixed-use development. The project would generate a substantial number of construction and permanent jobs. A training program would be implemented to prepare local residents for the range of permanent jobs to be generated by the hotel component of the project. Restaurant and retail jobs would also be generated. A permanent home would be

## Victoria Theater Redevelopment Project

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created for four local cultural arts organizations. Over 100 units of affordable housing would be developed. The 125<sup>th</sup> Street corridor would be strengthened as a destination for culture, business and tourism. .

### HISTORIC AND CULTURAL RESOURCES

**Comment 28:** The project will reactive a historic building while preserving key elements of the original design. The project design marries the old and new, Harlem’s past with its future. (Lynch, Cresfield, Roosevelt, Rangel)

**Response:** Comment noted.

**Comment 29:** Some in the community feel that historic preservation work that had been done to restore the theater came to a halt due to this project, and that this group was left out of the process. (Gleaton)

**Response:** Other than measures to stabilize and otherwise maintain the building, no historic preservation work has been undertaken since the State acquired the Victoria Theater property. The proposed project would include the restoration of the historic south building of the Victoria Theater.

**Comment 30:** Regarding potential shadow impacts to the LPC designated Metropolitan Baptist Church at 151 West 128th Street, documentation of the analysis used for this sun sensitive resource that supports the DEIS conclusion that there are no shadow impacts to this designated sun-sensitive resource is requested for review and comment. The analysis shall conform to standards described in the *CEQR Technical Manual* of 2012 (revised 6/18/12). (Santucci)

**Response:** An analysis of incremental shadows that the proposed project would cast on the Metropolitan Baptist Church has been included in the FEIS. Due to the limited extent and duration of shadow on the sunlight sensitive elements of the church, the analysis concludes that the proposed project would not have a significant adverse shadows impact. The analysis conforms to the standards in the most recent version of the *CEQR Technical Manual*. \*

**APPENDIX A**  
**CORRESPONDENCE**



## New York State Office of Parks, Recreation and Historic Preservation

Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

[www.nysparks.com](http://www.nysparks.com)

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

February 13, 2012

Elizabeth Meade  
AKRF  
440 Park Avenue South  
New York, NY 10016

Dear Ms. Meade,

Re: ESDC  
Archaeological Assessment  
Victoria Theater Redevelopment  
Harlem, New York County, NY  
08PR05874

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO) with regard to the potential for this project to affect significant historical/cultural resources. SHPO has reviewed the Archaeological Assessment material you provided our office recently. Based on this review, we have no concerns regarding potential impacts to archaeological resources.

Please contact me at extension 3291, or by e-mail at [douglas.mackey@parks.ny.gov](mailto:douglas.mackey@parks.ny.gov), if you have any questions regarding these comments.

Sincerely,

Douglas P. Mackey  
Historic Preservation Program Analyst  
Archaeology



## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation • Peebles Island, PO Box 189, Waterford, New York 12188-0189  
518-237-8643

www.nysparks.com

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

April 23, 2012

Rachel Shatz  
Empire State Development  
633 Third Avenue  
New York, NY 10017-6754

Re: ESDC  
Victoria Theater  
233-237 West 125<sup>th</sup> Street  
New York County  
08PR05874

Dear Ms. Shatz,

Thank you for continuing to consult with the New York State Bureau of Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPHRP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the Field Services Bureau and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8) and its implementing regulations (6 NYCRR Part 617).

We have reviewed the following documents, The Existing Conditions Report dated October 10, 2008, The Conditions Assessment Update dated December 2011, the Alternatives Analysis for the Victoria Theater Redevelopment, and selected chapters of the pDEIS. Based upon our review, we offer the following comments:

1. It is clear from the two condition reports that the Victoria Theater is suffering from significant and accelerating deterioration due to its existing conditions and moisture infiltration. In addition, we agree that portions of the South Building are in better condition than those of the North Building and are worthy of consideration for restoration.
2. Given the project stated goals, we agree that the current configuration of the building and existing conditions cannot meet these goals. As such, we concur that there are no prudent and feasible alternatives to having an Adverse Impact upon this historic building.

At this point, I would recommend beginning to draft a Letter of Resolution (LOR) which would document this process and provide for appropriate mitigation measure to be incorporated into the project. If you have any questions, I can be reached at (518) 237-8643, ext. 3282. Please refer to the above reference number on future correspondence.

Sincerely,

Beth A. Cumming  
Historic Site Restoration Coordinator  
e-mail: Beth.cumming@parks.ny.gov

via e-mail only

## ENVIRONMENTAL REVIEW

**Project number:** EMPIRE STATE DEVELOPMENT CORP / SEQRA-M  
**Project:** VICTORIA THEATER REDEVELOPMENT PROJECT  
**Address:** 233 WEST 125 STREET, **BBL:** 1019310017  
**Date Received:** 6/21/2012

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**No architectural significance**

**No archaeological significance**

**Designated New York City Landmark or Within Designated Historic District**

**Listed on National Register of Historic Places**

**Appears to be eligible for National Register Listing and New York City Landmark Designation**

**May be archaeologically significant; requesting additional materials**

**Comments:**

The LPC is in receipt of the Final Scope of work for the EIS dated 6/18/12. The text should indicate that the property appears eligible for LPC designation as first stated by LPC in project comments of 11/26/08.

In the radius: Blumstein's Department Store, 230 W. 125 St., appears LPC and S/NR eligible. Radius: Apollo Theater and Hotel Theresa, LPC and S/NR listed.

Cc: SHPO



6/21/2012

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SIGNATURE  
Gina Santucci, Environmental Review Coordinator

DATE

**File Name:** 25225\_FSO\_GS\_06212012.doc

**APPENDIX B**

**HISTORIC RESOURCES**

## **APPENDIX B.1**

### **ALTERNATIVES ANALYSIS WITH BCA CONDITIONS ASSESSMENT UPDATE**

**VICTORIA THEATER  
235-237 WEST 125TH STREET  
NEW YORK, NY  
ALTERNATIVES ANALYSIS**

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**A. INTRODUCTION**

In 2007, Danforth Development Partners was conditionally designated by the Harlem Community Development Corporation (“HCDC”), a New York State economic development agency, to develop and revitalize the Victoria Theater site (see Figure 1). In 2011, Danforth formed a joint venture with Exact Capital, LLC dba 235-237 West 125th Street Partners LLC. The Project, to be co-developed by the partners (the “Project Partners”) in the joint venture, proposes an approximately 343,500 gsf mixed-use development that includes a hotel, cultural arts performance center, residential apartments including affordable housing, retail and below grade parking.

The site contains the Victoria Theater, a State/National Register of Historic Places (S/NR)-eligible theater designed by Thomas W. Lamb in 1917. It is a T-shaped site with two buildings. The South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater. The North Building is located on West 126th Street and contains the former auditorium and other accessory public spaces. The auditorium and stage area were subdivided into five movie theaters in 1984-1985. The building has been vacant since 1997 and is in a deteriorated condition.

Due to the historic significance of the Victoria Theater, the Project Partners have evaluated the potential for avoiding adverse impacts by retaining and reusing the theater in its entirety, consisting of both the South and North Buildings. This analysis, presented below in greater detail, determined it unfeasible to meet the Project’s cultural, community and economic development goals and objectives if the entire structure were to be retained. Alternatives were therefore explored that assessed the feasibility of retaining either the North or South Buildings and incorporating one or the other for reuse into the proposed Project. It was determined that it is feasible to retain and restore the South Building as a major preservation component of the proposed Project, but not feasible to retain and reuse the North Building. This discussion is presented in greater detail below under “D. Alternatives.”

**B. PROPOSED VICTORIA THEATER PROJECT**

**PURPOSE AND NEED**

Key goals of the Project are to redevelop a long vacant state owned property on a major commercial corridor; bring jobs and vitality to the surrounding area; provide affordable and market rate housing to address the needs of the community; construct a hotel in a significantly underserved Upper Manhattan market; provide a venue for local arts, entertainment and cultural programming and private space for the Project’s four cultural partners—the Classical Theatre of Harlem, the Harlem Arts Alliance, the Apollo Theater Foundation, and Jazzmobile; and preserve

## **Victoria Theater**

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and foster Harlem’s cultural heritage through the retention and restoration, to the extent practicable, of significant elements of the Victoria Theater. The Project supports the goals of the recent rezoning of West 125th Street completed by the New York City Department of City Planning to develop a cultural corridor in Harlem to enhance tourism and provide employment, affordable housing, and business opportunities for Harlem residents.

To both fully ascertain conditions and understand design parameters, the Project Partners have retained historic preservation consultants who have undertaken an extensive evaluation of the North and South Buildings, documenting conditions both in terms of presence/absence and deterioration of original historic elements. These assessments have led to a greater understanding of the conditions of the spaces that has helped inform the planning and decision making process.

The proposed Project would create approximately 206 apartments, of which 50 percent would be affordable, providing needed affordable housing units in the neighborhood. The hotel is important not only for its employment opportunities but also because it will provide a greatly needed hotel in Upper Manhattan. Currently, Upper Manhattan is served by only one hotel property, the Aloft Hotel at Frederick Douglass Boulevard and West 124th Street. Harlem is the third most requested tourist destination in New York City. The Aloft Hotel provides limited amenities, including a bar/lounge and offers rooms with only one bed, limiting its availability to singles and couples. The Project’s full-service hotel would be designed to serve business travelers, tourists, and families and the Project Partners have received expressions of interest from national and international hotels. The hotel would provide a convenient location for those attending events in the proposed cultural spaces, the adjacent Apollo Theater, and the surrounding neighborhood.

The cultural programming space is an important component of the Project to promote and support local arts and cultural organizations and individual practitioners. The Project would provide venues for local arts, entertainment and cultural programming in configurations and sizes determined appropriate by Harlem’s cultural community. The cultural component is envisioned as a “sister” to the Apollo Theater. The Apollo Theater has a seating capacity of 1,700 seats. Because its seating capacity is over 499, it commands upper union wage rates and is prohibitively expensive for most smaller groups and companies to book. It should be noted that the Apollo is dark approximately 60 percent of the year. The proposed Project seeks to provide smaller and more flexible and affordable spaces. The smaller spaces would command lower union wage rates, reduce operating costs, maximize the programming and use of the cultural programming spaces, and make the cultural programming spaces financially accessible to the cultural partners and other smaller groups and companies. These off-Broadway and off-off Broadway sized spaces would complement, and not compete with, the Apollo Theater. Substantial outreach has been undertaken with representatives of Harlem’s cultural community to identify the uses and spaces that would meet their needs. The cultural performance space is envisioned to support a variety of cultural programming, including rehearsal, dance, gallery, theater, and screening room uses.

### **C. EXISTING CONDITIONS**

The Victoria Theater was built as a vaudeville theater and was one of four contiguous vaudeville houses on West 125th Street—Harlem’s main business, shopping and cultural corridor. It, along with the Apollo Theater, the Harlem Opera House, and the Alhambra Theater became known as Harlem’s Opera Row. Built with 2,394 seats, it continued in use as a film theater until 1977, when Loews determined it was no longer economically viable to operate the theater and put the

building up for sale. The Harlem Urban Development Corporation (HUDC), the predecessor to HCDC, purchased the theater in the 1980s and its lessee converted the building into five film theaters. This conversion was subject to the terms of a Memorandum of Agreement (MOA) executed under Section 106 of the National Historic Preservation Act of 1966 with the goal of minimizing permanent damage to or removal of significant architectural elements. However, as a result of this conversion, historic elements and surface materials were damaged and/or removed. This is described in greater detail below. The theater was again renovated in the 1990s for use as live theater. It has been vacant since 1997. A detailed assessment of the existing conditions at the Victoria Theater is included in Attachment A, *Conditions Assessment Update*, prepared by Building Conservation Associates, Inc. in December 2011. The following summarizes information from that report.

### **SOUTH BUILDING**

The South Building has an approximately 5,000 sf footprint and is three stories. It contains the main façade of the Victoria Theater fronting on West 125th Street. Above the first floor the façade retains its original white glazed terra-cotta. The façade has three large window bays separated by Ionic pilasters and with a frieze and denticulated cornice. The façade is capped with a balustrade parapet. The windows are original wood sash but are deteriorated beyond repair. The terra cotta cladding is also deteriorated, with cracks, discrete elements missing, and with the steel rod and hook attachments to the structural wall corroded. A number of the balusters at the parapet are also missing and a flag pole, originally centered on the roof, has been removed. The original 1917 marquee has been altered. The vertical blade sign has been removed and the existing marquee is hung from the frame of the original horizontal marquee, with portions of the steel frame to the original marquee concealed within the current contemporary marquee.

The building has a recessed entrance, vestibule, lobby, and a foyer with a grand stair case that provides access to a balcony lobby. The walls of the recessed entrance and vestibule were modernized in the Art Deco style, most likely in the 1930s. The original ticket booth, a circular free standing element centered in the recessed entrance, and a show window to the east of it have been removed. The existing ticket booth, rolling gates, entrance doors, tiled walls and tile floor at the entrance are alterations to the original structure.

The lobby and foyer have had some historic elements removed though historic finishes have been uncovered beneath contemporary wall and floor treatments as part of the historical investigations undertaken by the Project Sponsors. The lobby has a decorative Adamesque ceiling. The original flooring has been removed. Arches containing mirrors were located on both the east and west walls; the arches remain behind the current wall cladding though the mirrors have been removed. The historic doors leading from the lobby to the vestibule and the foyer have been removed; the doors leading to the foyer were of copper with leaded panes. The foyer retains the original marble staircase, though some of the stair treads and railing balusters have been replaced with wooden elements. The original terrazzo flooring is present beneath the carpeting and much of the imitation stone wall treatment is also assumed to be extant. At the east end of the foyer, a fireplace has been removed. Non-historic commercial spaces formerly accessible from West 125th Street flank the lobby to the east and west. While a retail space was originally present west of the lobby, the area east of the lobby was originally a tunnel leading from the interior (and extant) courtyard.

The ceilings at the recessed entrance, vestibule, lobby, foyer, and balcony hallway have been altered through the removal of illuminating panels. The ceiling materials have largely collapsed in the balcony hallway.

The second and third floors possess little or no historic materials due to previous alterations, and are in very poor condition, with wall and ceiling surfaces having largely collapsed.

### **NORTH BUILDING**

The North Building has an approximately 15,000 sf footprint and is primarily occupied by the auditorium, an approximately three-story-high space. The North Building presents a plain brick façade with a fire escape on West 126th Street. Within this building, the auditorium is oriented east-west, with the proscenium at the east end of the building. The auditorium was designed with mezzanine and balcony levels. The auditorium walls and ceiling were highly ornamented. The auditorium had theater boxes on the north and south walls near the proscenium and two large canvas murals at the balcony level. The 1985 renovations created three cinemas on the ground (orchestra) floor, two in the auditorium (theaters 1 and 2) and one in the stage/backstage area (theater 5), and two on the second (first mezzanine) floor (theaters 3 and 4). The walls were covered in gypsum wallboard and ceilings obscured by dropped ceilings bolted to the original plaster ceiling above. Original fluted columns and the underside of the balcony, which is of stamped metal, are visible in theaters 1 and 2. The theater boxes and first mezzanine seating have been removed and the south mural is no longer extant. Probes undertaken on the north wall of the auditorium indicated that the north mural exists though damaged by water and metal wallboard anchors, and is sagging. Probes also revealed the decorative plaster ceiling of the auditorium is present though damaged by the anchors for the drop ceiling.

At the west end of the building on the second floor (the first mezzanine level) is a central oval foyer flanked to the north and south by smaller stair foyers accessed by sets of stairs at the northwest and southwest corners of the building. Though the oval foyer has been substantially altered, it retains a higher degree of integrity than the auditorium. These alterations include the removal of a central opening in the floor (to the floor below) that was surrounded by a balustrade (and shown on the original drawings for the theater though it is not clear if the oval foyer was built with this configuration), removal of a central medallion that had a decorative ventilation grille in the center of the ceiling (and replaced by the existing circular portrait), and removal of a small anteroom located on the west side of the oval foyer with access originally provided from this room. This small room also had a fireplace which was removed. The opening from the oval foyer to the west anteroom was blocked up and this room was incorporated into expanded bathroom facilities. New entries to the bathrooms were created along the west wall in the locations where niches previously contained water fountains. The existing wall mosaics in the north and south stair foyers that compose the present water fountains were relocated from these niches. In their original locations in the oval room, the mosaics served as backdrops to free-standing water fountains. The mosaics have been altered through the addition of stone basins affixed to the mosaics. The stair foyers have decorative plaster cove ceilings, containing Adam style motifs. The staircases retain their original decorative metal balustrades.

Other spaces in the North Building have been altered including the removal of windows in the west promenade on the third floor creation of a projection booth in the balcony, construction of bathrooms, removal of the rear portion of the seating on the first floor to create offices, and construction of hallways to access the ground floor cinemas.

Pervasively, the wall and ceiling surfaces in the North Building exhibit varying degrees of deterioration. These include loss and collapse of wall and ceiling surfaces due to water infiltration and the presence of mold. In particular, the south hallway on the second floor (first mezzanine level) has sustained substantial ceiling collapse and the metal framing above is

corroded, rendering passage through this area impossible. A large section of the wall and ceiling finishes on the south wall at the auditorium balcony level have also fallen.

## **D. ALTERNATIVES**

As described above, throughout the planning process for the Project, the overall objective has been to meet several important goals—including redeveloping a long vacant state owned property on a major commercial corridor; revitalizing the area and providing significant new employment opportunities; providing needed market rate and affordable housing; providing a hospitality component (hotel) in a substantially underserved area; providing a venue for local arts, entertainment and cultural programming through significant outreach to representatives of Harlem’s cultural community and in close consultation with the Project’s four cultural partners; and respecting Harlem’s cultural and built heritage through the preservation and reuse of significant elements and spaces of the Victoria Theater.

Alternatives have been considered that retain all or portions of the Victoria Theater. The following analysis concludes that it is not feasible to retain the Victoria Theater in its entirety and in its current configuration and also meet the Project’s cultural, community and economic development goals and objectives. The Proposed Alternative, which retains the South Building but demolishes the North Building, allows these goals and objectives to be met while respecting Harlem’s cultural heritage and retaining an important component of West 125th Street’s historic streetscape. The alternatives considered are described in detail below.

### **1. RETENTION AND REUSE OF THE VICTORIA THEATER BUILDINGS WITHOUT OVERBUILD**

As noted, the South Building contains three floors with a double height foyer at the rear of the building that provides access to the balcony level of the auditorium in the North Building. The North Building is primarily composed of the auditorium, an approximately three-story space, which was subdivided into five theater spaces in the 1980s.

As the Project seeks to provide cultural programming space, the feasibility of reusing the North Building, including the original auditorium, for the proposed cultural programming was studied. However, the size, configuration, and condition of the auditorium precludes its adaptive reuse for this purpose. The existing auditorium was designed with a seating capacity of over 2,000 and with a traditional configuration with raked seating facing the stage. Representatives of Harlem’s cultural community have indicated that they require smaller and flexible spaces that allow for a variety of cultural programming and that are affordable. The proposed Project’s cultural spaces are envisioned to be financially accessible to smaller groups and companies due to lower union wage rates and operating costs than large performance venues; designed with flexible layouts that maximize the potential programming and use of the performance spaces; and to complement, not compete, with the Apollo Theater. As it is, the Apollo Theater, with a seating capacity of 1,700, is only booked 40 percent of the year. Due to its size of over 499 seats, stagehands and other theater personnel command upper union wage rates and render the Apollo unaffordable to smaller cultural groups and companies. The auditorium is also in a substantially deteriorated condition, with wall and ceiling surfaces damaged through prior alterations, deteriorated, and in some locations collapsed entirely.

Sufficient floor area is required to meet the Project’s overall goals and objectives with respect to providing affordable housing, a hotel, and employment opportunities. As built with approximately three-story buildings on an estimated 20,000 sf site, the Victoria Theater buildings do not contain sufficient area for the proposed program. The North Building is

primarily occupied by a large auditorium with a raked floor and balcony, and as such, does not possess floor plates conducive to adaptive reuse for other purposes than a large entertainment venue. Dividing the auditorium into smaller spaces would require the removal of historic material, compromise the historic intent and integrity of the space, and overall adversely affect the historic character of the space.

Therefore, retention of the Victoria Theater in its entirety is not a feasible alternative.

## **2. CONSTRUCT NEW PROGRAM ABOVE THE NORTH BUILDING**

To meet the Project's community and economic development goals and objectives, additional floor area would need to be constructed on the Project site. The North Building has an approximately 15,000 sf footprint that allows for the development of appropriately sized floor plates for the proposed uses. In comparison, the South Building has a much smaller footprint of only 5,000 sf. In addition, the South Building contains the historic ornamented façade and entrance into the Victoria Theater and is both a historic and visual landmark on West 125th Street. Based on considerations of building footprint and the value of retaining the South Building as an important historic streetscape component on West 125th Street, the potential for construction on the site of the North Building was evaluated.

To avoid adverse impacts to the historic resource, the entirety of the North Building, in addition to the South Building, would need to be retained. The lack of any viable use for the auditorium poses an insurmountable impediment to the retention and reuse of the North Building. Even if overbuilding the North Building were to be contemplated without a projected plan for reuse of the auditorium, such an overbuild scenario would require demolition of portions of the North Building and would incur substantial costs. Under an overbuild scenario, the new building housing the hotel and residential uses would need to bridge over the approximately 15,000 sf footprint and 78-foot height of the North Building (see Figure 2). This would present exceptional structural and engineering challenges. Structural columns to support a new building would need to pierce through the building and connect to a major transfer truss structure. The trusses would bridge over the existing building and provide support for the new building. Selective demolition of the existing structure of the North Building would be required to insert the columns as well as to create elevator, stair, and mechanical shafts vertically through the full volume of the North Building. The insertion of the structural columns and circulation and mechanical shafts through the North Building would compromise the historic integrity of North Building, adversely impacting this historic resource through alteration of the spatial layout of the spaces within the building and the removal of historic fabric.

Construction of the superstructure necessary to retain the existing building and to build above it would come with a significant premium, dramatically increasing the cost of construction. To bridge over the existing theater and span the 100 foot width of the North Building while supporting 23 stories of housing and hotel above, approximately 38 ten-foot-high steel trusses would be required. The trusses would at a minimum increase the cost of construction by 10%. Additional costs would be incurred to construct the structural columns to support the trusses. Costs to restore the North Building itself would also be considerable. Retention of the North Building would also constrain the Project's ability to provide basic functions associated with a mixed-use development. Since the auditorium occupies almost all of the available floor area at ground level (as well as the upper portions of the building), its retention, unaltered, would constrain the ability to provide one or more uses required as part of a mixed-use development, including an entrance to parking, a service entrance, a loading dock, and a separate residential entrance. These uses cannot be accommodated on West 125th Street due to the limited and

relatively narrow frontage available on that street. These elements are essential for a mixed-use development that contains hotel and residential uses. Therefore, retaining the North Building in its current configuration would adversely impact the functionality of the Project.

Overall, the functional inefficiencies resulting from retention of the North Building and building above it, and the increased costs in restoring the North Building—for which there is no viable projected use—and building over it, would preclude the realization of the Project’s community and economic development goals and objectives and render the Project financially and programmatically infeasible.

### **3. PROPOSED PROJECT – RETENTION AND REUSE OF THE SOUTH BUILDING WITH DEMOLITION OF THE NORTH BUILDING**

As it is not feasible to retain the Victoria Theater in its entirety or to build the proposed program above the existing structures on the site, an alternative has been evaluated that retains, restores, and reuses the South Building and demolishes the North Building to construct a new building to house the proposed program. This alternative allows for the fulfillment of the Project’s community and economic development goals and objectives, including providing for the retention, restoration and reuse of significant elements and spaces of the Victoria Theater. As such, it has been selected as the proposed development program for the revitalization of the Victoria Theater site.

Under the proposed plan, the North Building would be demolished and a new 26-story building would be constructed on West 126th Street containing the cultural space, hotel and residential uses. The façade and first floor spaces and marble staircase of the South Building would be restored to their 1917 appearance. The lobby and foyer would serve as the public entryway to the cultural events and the hotel. In this manner, the Project would retain the original historic purpose of the lobby as the entryway to an entertainment venue.

A large theater with fixed seating does not meet cultural programming needs and there is no demand for a facility of the size of the existing, originally 2,394 seat auditorium. Retention of a smaller portion of the auditorium for reuse as performing arts space would have little preservation value. The auditorium is deteriorated, has been altered, and was designed as a large entertainment venue, including a raked floor and proscenium and stage at its east end. Retaining a smaller portion of the auditorium, or dividing it, would require the removal of historic material, compromise the historic intent and integrity of the space, and overall adversely affect the historic character of the space. It would also result in substantial cost increases to retain and bridge over the space with new construction. Therefore, to meet the cultural programming needs of local groups, approximately 24,000 sf of cultural programming space would be included in the proposed Project. This includes a 199 seat black box theater and a 99 seat flexible performing arts space to be located in the new building. These adaptable spaces would include movable seating and allow for a variety of presentations, including in the round. The performing arts spaces would be located within the new building as the existing floor-to-floor heights in the South Building do not provide sufficient clearance for the required fly space and rigging. Support spaces would include rehearsal spaces, dressing rooms, scenery and costume shops, and gallery and exhibition space. Office space would also be provided for the four cultural partners.

As shown in Figure 3, retail spaces would be located on the ground floor of the South Building on either side of the historic lobby (in the locations of the current vacant retail spaces). Retail would also be located on the second and third floors of the South Building and also on the first and second floors of the new building on West 126th Street

## Victoria Theater

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A vehicular drop-off area within the building would be provided on West 126th Street (see Figures 3 and 4). The entrance to the residential portion of the new building would also be provided from this street. A glazed curtain wall with pedestrian entrances would be located between the South Building and the vehicular drop off on West 126th Street, allowing access into the restored foyer and lobby and the cultural events spaces and hotel located in the new building (see Figures 4 and 5). The presence of retail, pedestrian activation of the street, and visually transparent wall between the South Building and West 126th Street would activate this portion of West 126th Street and significantly improve the streetscape and pedestrian environment. Presently, this street is occupied by the windowless brick façade of the North Building, as well as the rear façade of the Apollo Theater immediately to the west, and the rear façade of the commercial building immediately to the east.

The new building would set back a minimum of 30 feet from the façade of the South Building on West 125th Street, with an outdoor garden created on the roof of the South Building. The setback is designed to respect the historic South Building. The façade of the new building, set back from West 125th Street, would be clad in glass curtain wall, designed to be light and transparent and as such, not compete visually with the historic South Building's masonry façade (see Figure 6). An open atrium would be created along the west side of the new building, setting the bulk of the building away from the adjacent low rise buildings located to the west on West 125th Street, including the historic Apollo Theater.

## E. CONCLUSION

This alternatives analysis concludes that the retention and reuse of the Victoria Theater in its entirety to avoid adverse impacts to the historic resource is not feasible due to multiple factors. There is no viable projected use for the auditorium, which constitutes the majority of the North Building. The size and configuration of the auditorium does not meet the needs of Harlem's cultural community groups and the space would not be readily adaptable for another use. The Victoria Theater does not contain sufficient floor area to fit the proposed program and therefore, any redevelopment scenario would require new construction. The proposed program is designed to meet a number of important goals and objectives and the proposed uses would not fit within the existing building.

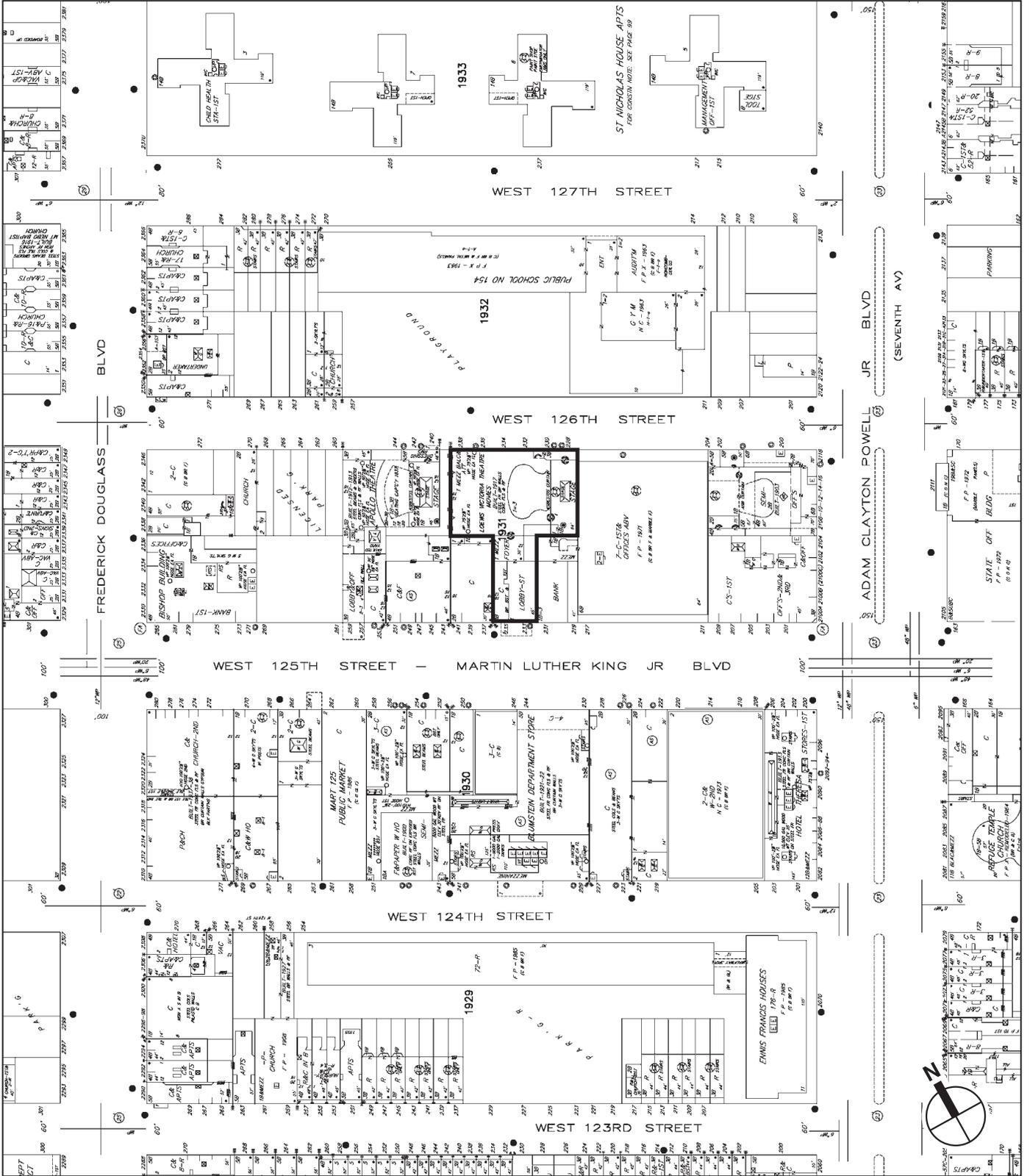
Overbuilding the Victoria Theater with new construction to accommodate the proposed development program was evaluated as a measure to minimize adverse impacts. As the South Building has a small footprint and is also valuable to retain as its historic façade contributes to the historic 125th Street streetscape, and the North Building has a substantially larger footprint to accommodate residential and hotel floor plates, the feasibility of building over the North Building was studied. Under this scenario, any overbuild would require selective demolition within the North Building to accommodate structural supports and circulation and mechanical shafts for the building to be built above it. This would damage and remove historic architectural elements and compromise the spatial layout of the spaces within the building. Overbuilding the North Building would also dramatically increase construction costs. Retention of the North Building and spaces within it, most specifically the auditorium, would constrain the ability of the Project to provide one or more uses required as part of a mixed-use development, including an entrance to parking, a service entrance, a loading dock, and residential entrance, adversely impacting the functionality of the Project.

The retention of the auditorium, for which no viable use has been identified, in addition to the cost premiums associated with the structural overbuild and functional deficiencies that would

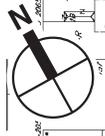
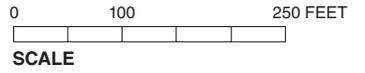
result with retention of the North Building, would render this alternative infeasible. Retention of a small portion of the auditorium, or dividing it, would have little preservation value, and would also result in significant additional costs to retain and overbuild the space.

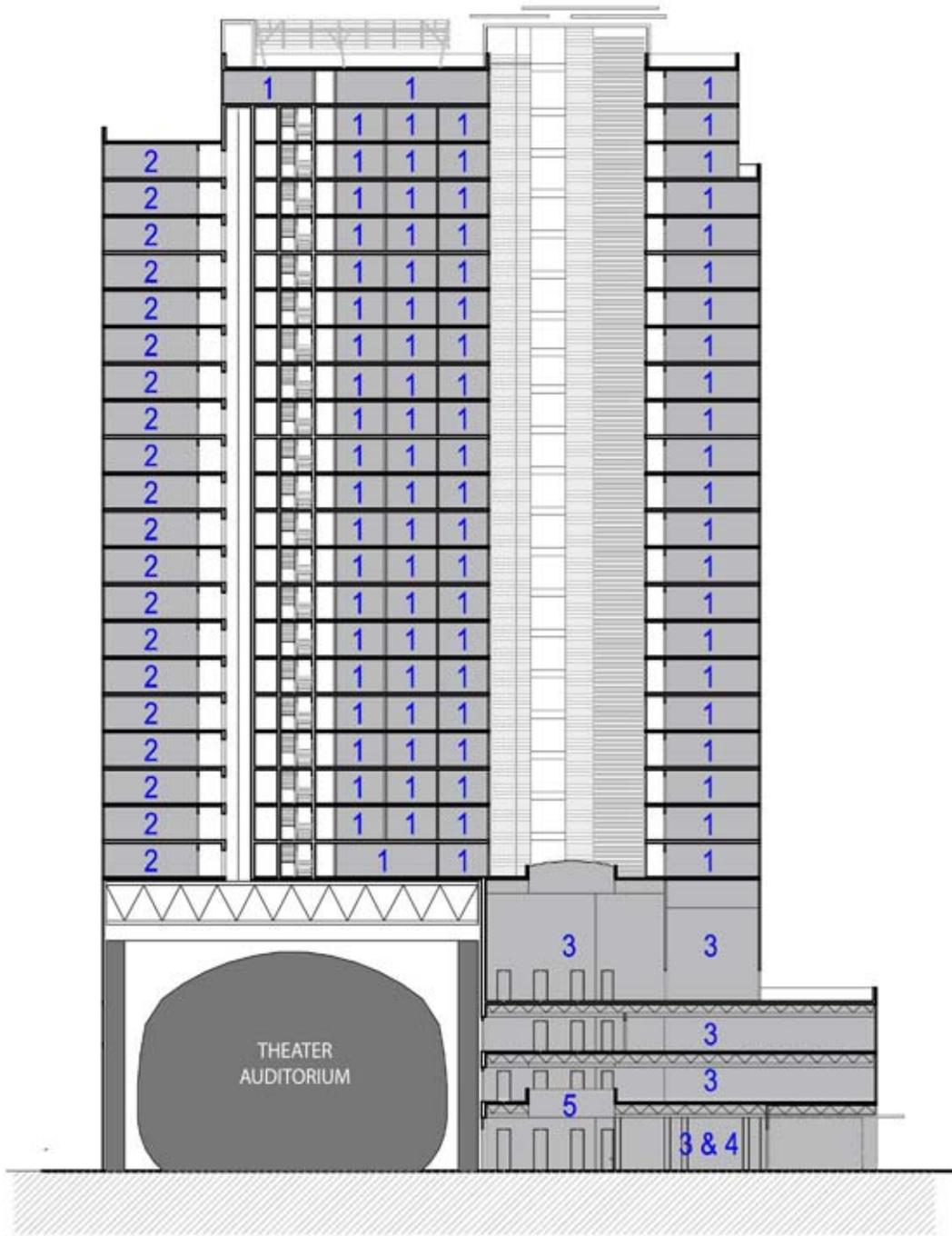
Therefore, retention and reuse of the Victoria Theater in its entirety to avoid adverse would preclude achievement of the Project's cultural, community and economic development goals and objectives. Retention and reuse of the South Building and demolition of the North Building has been determined the only feasible and prudent alternative that would meet the Project's cultural, community and economic development goals and objectives. These include redeveloping a long vacant state owned property on a major commercial corridor; revitalizing the area and providing significant new employment opportunities; providing needed market rate and affordable housing; providing a hospitality component (hotel) in a substantially underserved area; providing cultural programming space through significant outreach to the Harlem community and in close consultation with the project's four cultural partners; and respecting Harlem's cultural and built heritage through retention, restoration, and reuse of significant elements and spaces of the Victoria Theater. The project would also be in keeping with DCP's initiative to enhance tourism and provide employment and business opportunities for Harlem residents. However, this alternative would result in adverse impacts as a portion of the Victoria Theater would be demolished and replaced with a new building. Therefore, the Project Sponsors will explore and develop appropriate mitigation measures in consultation with OPRHP to partially mitigate adverse impacts from the proposed project.

## **FIGURES**



 Project Site

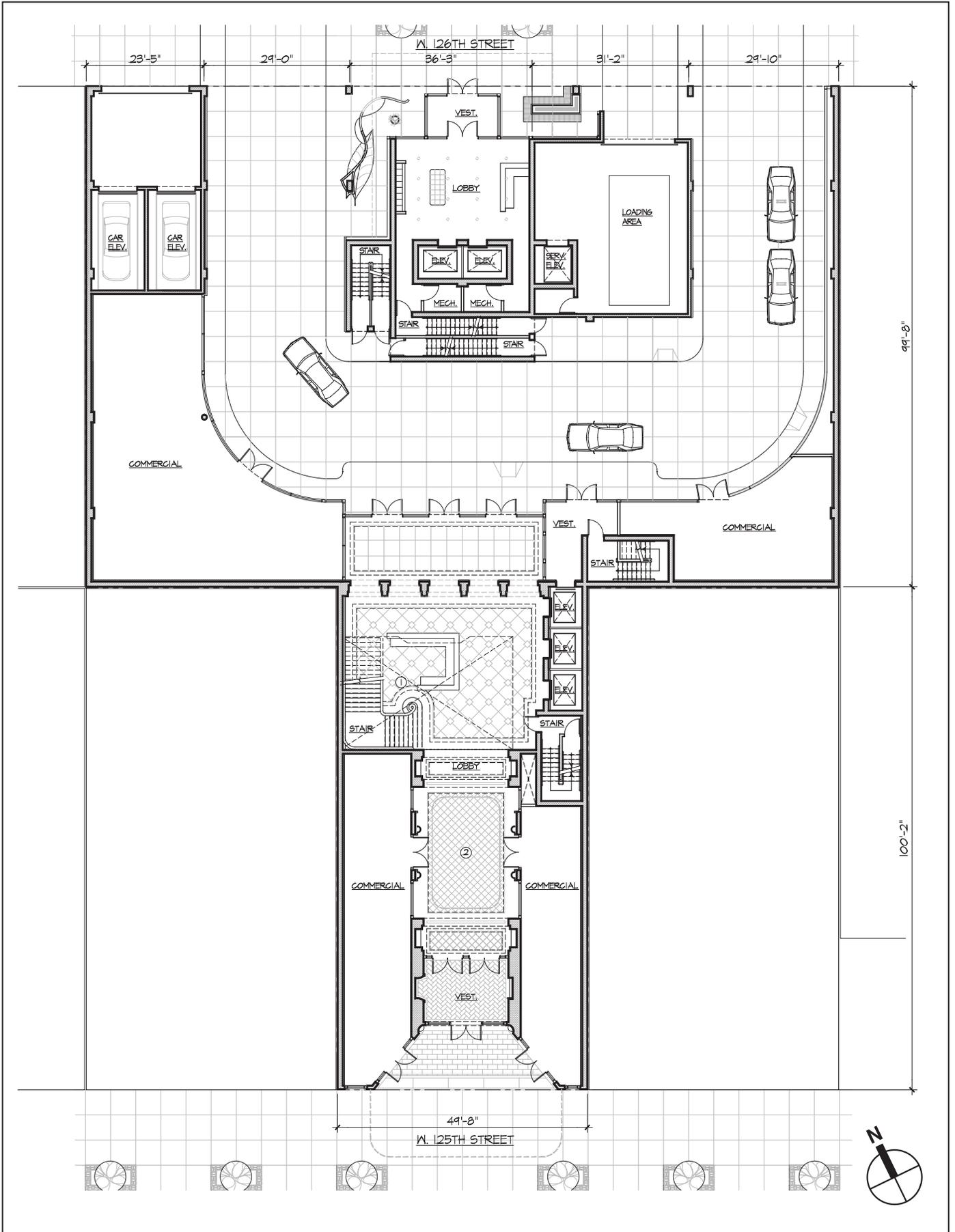




KEY:

- 1 *Hotel*
- 2 *Residential*
- 3 *Commercial*
- 4 *Restored Lobby*
- 5 *Restored Foyer/ Staircase*

North Building Overbuild Alternative:  
Section Looking East-West  
Figure 2





NOTE: FOR ILLUSTRATIVE PURPOSES ONLY



NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

View North to West 126th Street from  
Within Restored South Building Lobby  
**Figure 5**

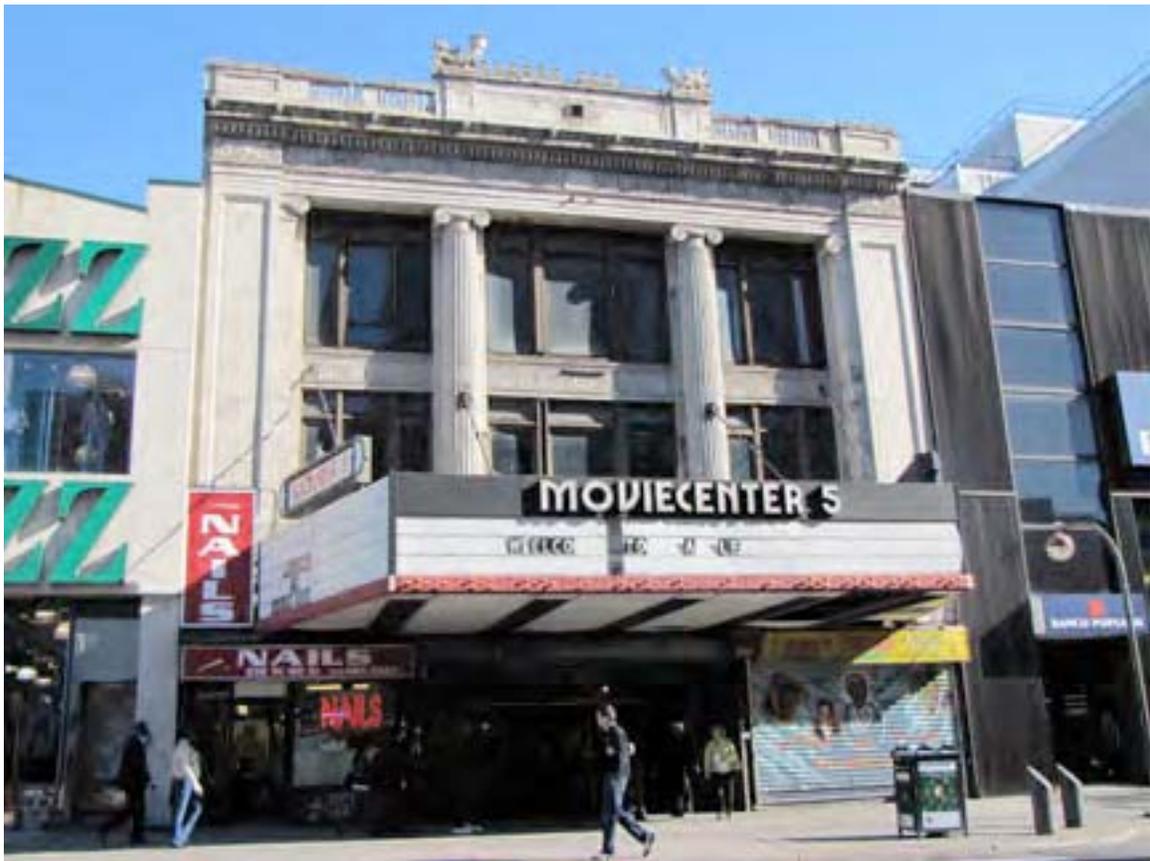


NOTE: FOR ILLUSTRATIVE PURPOSES ONLY

**ATTACHMENT A:  
VICTORIA THEATER  
EXISTING CONDITIONS REPORT**

# Victoria Theater

*New York, NY*



## Conditions Assessment Update

December 2011



BUILDING CONSERVATION ASSOCIATES INC

# Victoria Theater

*New York, NY*

## Conditions Assessment Update

**Prepared For**

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December 2011



BUILDING CONSERVATION ASSOCIATES INC

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- Appendix A: Diagrammatic Plans – Existing Conditions
- Appendix B: Diagrammatic Plans – Building Alterations

## **SECTION ONE: INTRODUCTION**

This report is an update to the Existing Conditions Report for the Victoria Theater, completed by Page Ayres Cowley Architects (PACA) in 2008. The main emphasis of the study was to update the conditions noted by PACA, since four years have passed since the study was completed and the building has remained vacant during that time. The study included the primary (south) façade, the interiors of the south and north buildings, and the roof. Items not included in this report are considered to be in the same condition as noted in the 2008 report.

In order to comprehensively study this building, historic research, probes and visual inspection have been completed. During the field work, samples were removed for later laboratory analysis. Field inspections and probes were performed over an eight day period between October 20, 2011 and November 18, 2011. Access and the opening of probes were provided by Archa Technology Ltd. Close-up access consisted of pipe frame scaffolding and ladders on the interior and an 80' boom lift on the exterior primary façade.

The content of the report is primarily visual and consists of photographs with captions explaining the subject matter found in historical images and drawings, the extent of historical materials found through probes, and conditions of the current building materials noted by BCA. This format permits rapid review of the many conditions, materials and features throughout the complex. This information can be cross-referenced to the colored conditions drawings (Appendix A) showing locations where elements have been removed or relocated, areas where materials have completely failed and collapsed, areas where materials have been compromised by water infiltration and/or heavy mold growth, and areas where materials have likely been compromised based on visual evidence. Also included are diagrams showing alterations to the building (Appendix B).

## Section Two

# Conditions Assessment

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## ROOFS

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**Figure: 1**    **Location:** South Roof

The PACA report described the roof of the south building as essentially flat. This image shows the pitched south roof as viewed from the north roof. A satellite dish penetrates the center of the roof. The bulkhead at the west side of roof is corroding.

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**Figure: 2**    **Location:** South Roof

The PACA report described the condition of the roof covering and parapets as poor. BCA noted pooling water at the northeast corner.

---



**Figure: 3**    **Location:**    South Roof

The PACA report described the condition of the roof covering and parapets as poor. BCA noted an open seam at the connection of roofing membrane and parapet.



**Figure: 4**    **Location:**    South Roof

Deteriorated sealant around angle, capped roof penetration, and two north-south facing roof-penetrating strips. It is likely that these elements are remnants of the structure that once supported the vertical marquee.



**Figure: 5**    **Location:**    Foyer Roof

As noted in the PACA report, the roof over the Foyer is essentially flat. Evidence of pooling water is visible at the perimeter of the roof. BCA noted biological growth at the northeast corner. The windows of the south building have been infilled.

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**Figure: 6**    **Location:**    Foyer Roof

Deteriorated parging at parapet. This condition was not noted in the PACA report, as the roof was inaccessible during their survey.

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**Figure: 7**    **Location:** North Roof  
Pitched roof above auditorium seating, looking southwest. The PACA report noted the north roof was inaccessible during their survey.



**Figure: 8**    **Location:** North Roof  
Drain at southwest corner is clogged; biological growth is present. The PACA report noted that water and ice were overflowing from gutters and leaders.



**Figure: 9**    **Location:**    North Roof  
Tree growing at the southeast gutter of the roof. The PACA report did not identify this condition, as the north roof was inaccessible during their survey.



**Figure: 10**    **Location:**    North Roof  
Isolated coping stones are chipped. The flashing is coated with a deteriorated bitumen coating. The PACA report did not identify this condition, as the north roof was inaccessible during their survey.



**Figure: 11**    **Location:**    North Roof

Deteriorated bitumen coating with open joints at the roof edge. The PACA report did not identify this condition, as the north roof was inaccessible during their survey.

---



**Figure: 12**    **Location:**    North Roof

Deteriorated roofing materials in foreground. Standing water and inappropriate repair materials at base of pitched roof, along brick wall that delineates the backstage area of the auditorium. The PACA report identified the north roof as inaccessible.

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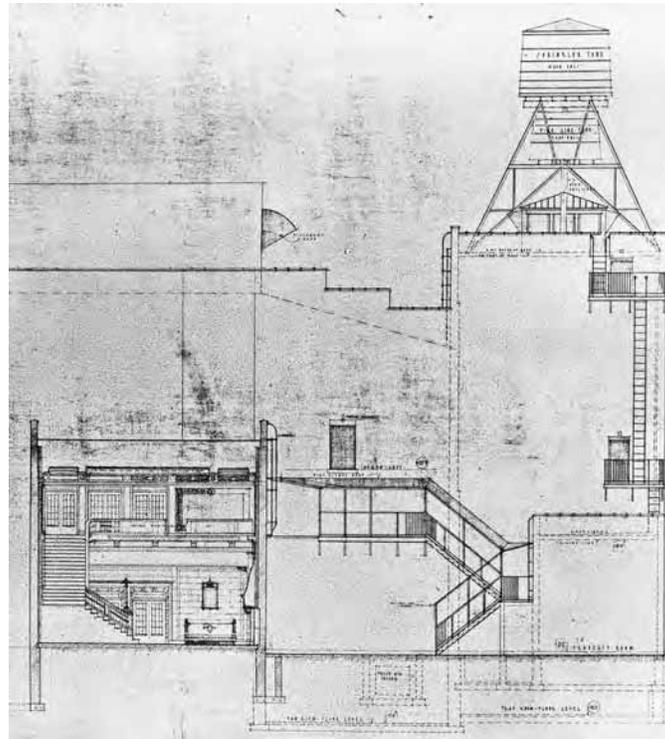
**Figure: 13** Location: North Roof

The PACA report identified the water tower at southeast corner of roof as a source of water infiltration into Theater 5. The exterior brick below the tower exhibits efflorescence. Pooling water is visible on flat roof.



**Figure: 14** Location: North Roof

Pooling water on the north end of the flat roof over Theater 5. Water infiltration is ongoing at the northwest corner of the building. Biological growth is visible at the base of the wall, in the gutter of pitched roof.



**Figure: 15** Location: North Roof

Archival drawings show the bulkhead and water tower over the stage (Theater 5). These elements are corroding (See Figures 13 and 14). The PACA report did not identify this deterioration, as the north roof was inaccessible during their survey.

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## SOUTH BUILDING

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**Figure: 16** Location: South Façade

Current photograph of the south façade. Store fronts are located at the east and west corners and the marquee has undergone several alterations. The vertical marquee sign was previously removed.

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**Figure: 17** Location: South Façade

Archival image, c. 1918. The original marquee included horizontal and vertical components. Abandoned anchors for the vertical sign remain visible on the façade and roof.

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**Figure: 18** Location: South Façade

Archival image, c. 1948 shows a new vertical and horizontal marquee. The acroteria along the top of the center parapet were altered to their current configuration (See Figure 20).



**Figure: 19** Location: South Façade

Archival image, c. 1949 shows a new vertical and horizontal marquee as well as tile finishes at the entrance, which remain in part today.



**Figure: 20** Location: South Façade

The PACA report noted there were initially 14 acroteria between two rhytons (cornucopia sculptures). Archival photos suggest there were originally 10 acroteria and a larger decorative element behind the vertical section of the marquee. See Figure 17.



**Figure: 21** Location: South Façade

Deteriorated terra cotta and patching material at balustrade. As noted in the PACA report, the flashing has been coated with a bitumen material. The top of the balustrade is also coated. Biological growth is visible at the base of the left baluster.



**Figure: 22** **Location:** South Façade  
Deteriorated terra cotta and patching material at balustrade. As noted in the PACA report, the coping tiles show signs of lifting and deterioration.



**Figure: 23** **Location:** South Façade  
Deterioration of terra cotta and previous patching material at balustrade caused by corrosion of embedded steel support. The PACA report did not identify these conditions.



**Figure: 24** Location: South Façade  
BCA probe XI, located at the cracked terra cotta base of the east balustrade, revealed severely corroded steel rods supporting balusters above.



**Figure: 25** Location: South Façade  
Large loss in the balustrade railing at the parapet. This condition is not visible in survey photos included with the PACA report.



**Figure: 26** Location: South Façade  
As noted in the PACA report, several acroteria and pieces of the east rhyton are missing.



**Figure: 27** Location: South Façade  
Cracked acroterion with deteriorated, inappropriate repair material at crack and joint. The PACA report did not identify these conditions.



**Figure: 28** Location: South Façade  
Crack and previous patching material at the west rhyton. The PACA report did not identify these conditions.



**Figure: 29** Location: South Façade  
Cracks in balustrade and open joints at cornice blocks. The PACA report did not identify these conditions.



**Figure: 30** Location: South Façade  
BCA probe X2 (top view), located at the cracked top of a terra cotta cornice block below the east balustrade, revealed severely corroded steel rods and hooks.



**Figure: 31** Location: South Façade  
Crack through multiple terra cotta units at the cornice and frieze. The crack appears to align with the steel structure behind, indicating corrosion of the steel structure. The PACA report did not identify these conditions.



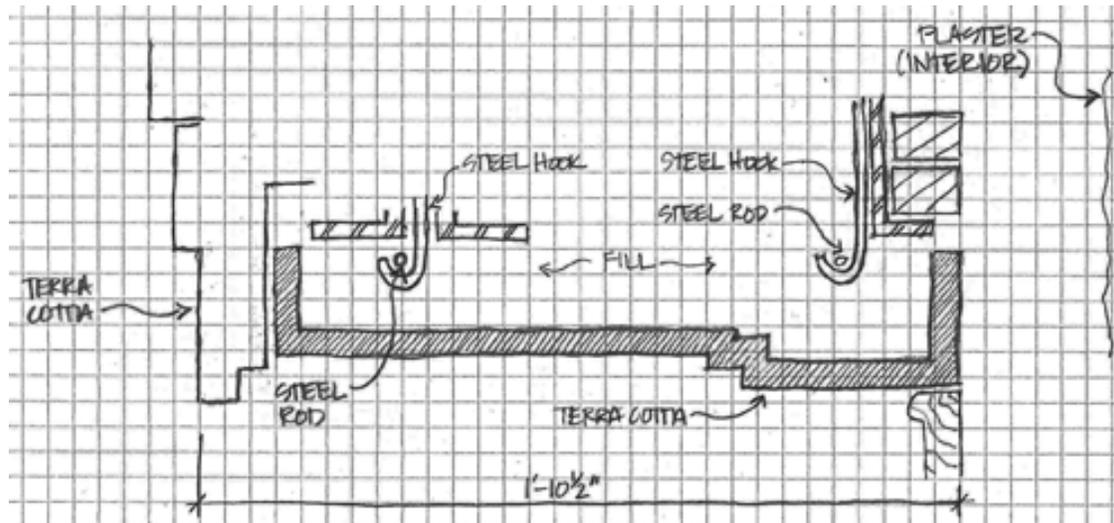
**Figure: 32** Location: South Façade

Spalling terra cotta at decorative frieze below cornice. BCA also found small pieces of spalled terra cotta on the roof of the marquee. The PACA report did not identify spalling terra cotta as a condition.



**Figure: 33** Location: South Façade

Crack in terra cotta soffit above third story, east window. The PACA report did not identify this condition.



**Figure: 34** Location: South Façade

BCA Probe X3, located at the cracked soffit above the third floor, east window (Figure 33), revealed the construction of the hanging terra cotta units. The steel rods, anchors and structure exhibit corrosion.



**Figure: 35** Location: South Façade

Abandoned anchors and conduits are typical on the façade. Barbed wire is installed at the perimeter of the marquee. The PACA report did not identify these conditions.



**Figure: 36** Location: South Façade  
Corroding abandoned anchors are causing cracks and spalls in terra cotta. The PACA report did not identify this condition.



**Figure: 37** Location: South Façade  
Cracks and previous patching material at non-original marquee anchor. The PACA report noted that cracking was typical at marquee anchors.



**Figure: 38** Location: South Façade

Cracks and previous patching material at what appears to be the original decorative marquee anchor. The PACA report noted that cracking was typical at marquee anchors. Corrosion of the anchor has resulted in ferrous stains on column below.

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**Figure: 39** Location: South Façade

Cracking and spalling terra cotta flutes at the west column. The PACA report identified these columns as not accessible for survey.

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**Figure: 40**    **Location:**    South Façade  
BCA Probe X4, located at the cracked based of the column between the west and center bays, revealed brick backup construction with corroded steel straps anchors.

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**Figure: 41**    **Location:**    South Façade  
Inappropriate and failed water protection at terra cotta sills. Cracks and spalls are typical at sills and bases of columns. The PACA report identified the columns as not accessible for survey.

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**Figure: 42** Location: South Façade  
The terra cotta sills are lifting, cracking, and spalling. The PACA report did not identify these conditions.



**Figure: 43** Location: South Façade  
BCA probe X5, located at the terra cotta sill below the center window, revealed severely corroded/missing steel rods and structure. Note the loss of section at the flanges of the spandrel beam below the removed terra cotta unit.



**Figure: 44** **Location:** South Façade  
Deteriorated waterproofing material. The PACA report did not identify this condition. Behind the failed bitumen material, BCA identified stucco with faux joints. The origin of the material is unknown.



**Figure: 45** **Location:** South Façade  
Terra cotta units are missing near edges of marquee. These units were likely removed during marquee alterations. The PACA report did not identify these missing units.



**Figure: 46** **Location:** South Façade  
The PACA report noted only minor damage to wood window frames. Wood windows and frames now exhibit significant deterioration. Broken glass was visible at center window.



**Figure: 47** **Location:** Marquee  
As noted in the PACA report, portions of the steel frame to the original marquee are concealed within the modern marquee.



**Figure: 48** Location: Marquee

As noted in the PACA report, the existing marquee is hung from the frame of original marquee.

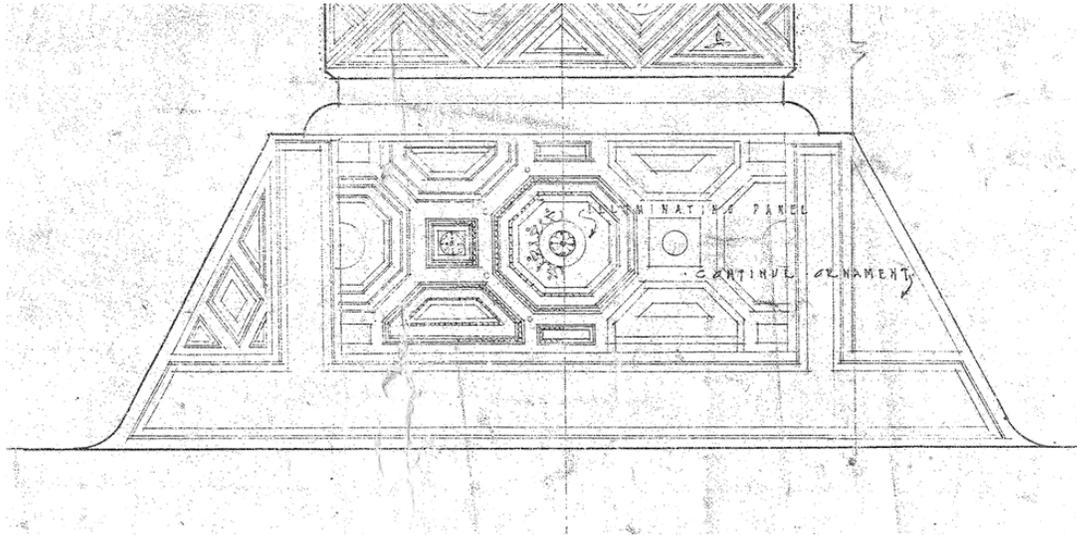
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**Figure: 49** Location: Marquee

Intersection of the steel structure of the marquee and the south façade.

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**Figure: 50** Location: Entrance

Archival drawing of the ceiling at the entrance shows the ceiling was decorative with an illuminating panel at the center.



**Figure: 51** Location: Entrance

Looking west within existing ceiling of the entrance at a small section of extant terra cotta.



**Figure: 52** Location: Entrance  
Looking south within existing ceiling of the entrance at the border of the original terra cotta ceiling.

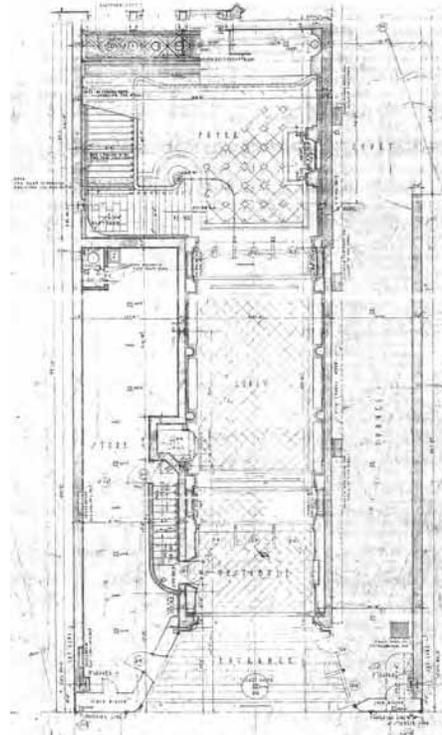


**Figure: 53** Location: Entrance  
A small section of decorative terra cotta remains at the ceiling at the west end of the entrance.



**Figure: 54** Location: Entrance

As noted in the PACA report, the chamfered walls of the original entrance have been reconfigured, and the rolling gates, ticket booth, entrance doors, tiled walls, and tile floor were installed during building alterations. The wall tiles are painted.



**Figure: 55** Location: Entrance

The archival drawing of the 1st floor plan shows a store was initially located west of the vestibule and lobby. East of the vestibule and lobby was a tunnel leading from the interior courtyard to doors set in the east chamfered wall of the entrance.



Figure: 56 Location: Entrance

An abandoned storefront now occupies the east corner. Archival images show a vitrine with an ornamental frame at this location (See Figure 17).

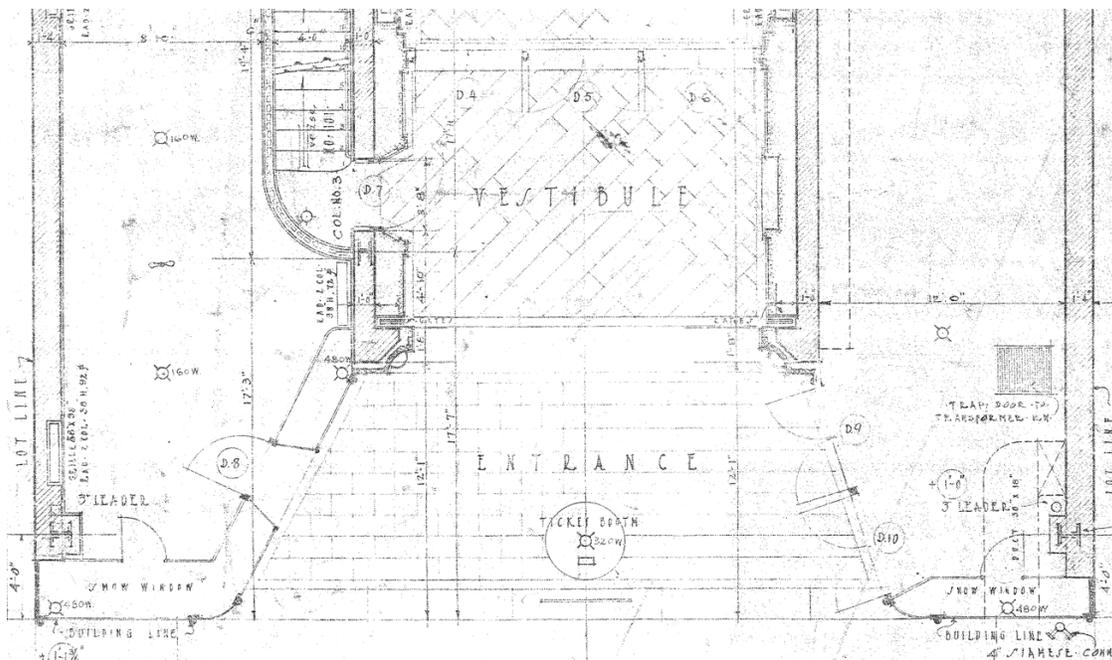


Figure: 57 Location: Entrance

Archival drawing showing the original layout of the exterior entrance and vestibule. The area of the current vestibule and ticket booth was open to the area under the marquee. A free-standing ticket booth was centered at the entrance (See Figure 17).



**Figure: 58** Location: Entrance

The existing doors are set farther back from the street than the line delineating the vestibule area on archival drawings (See Figure 57).

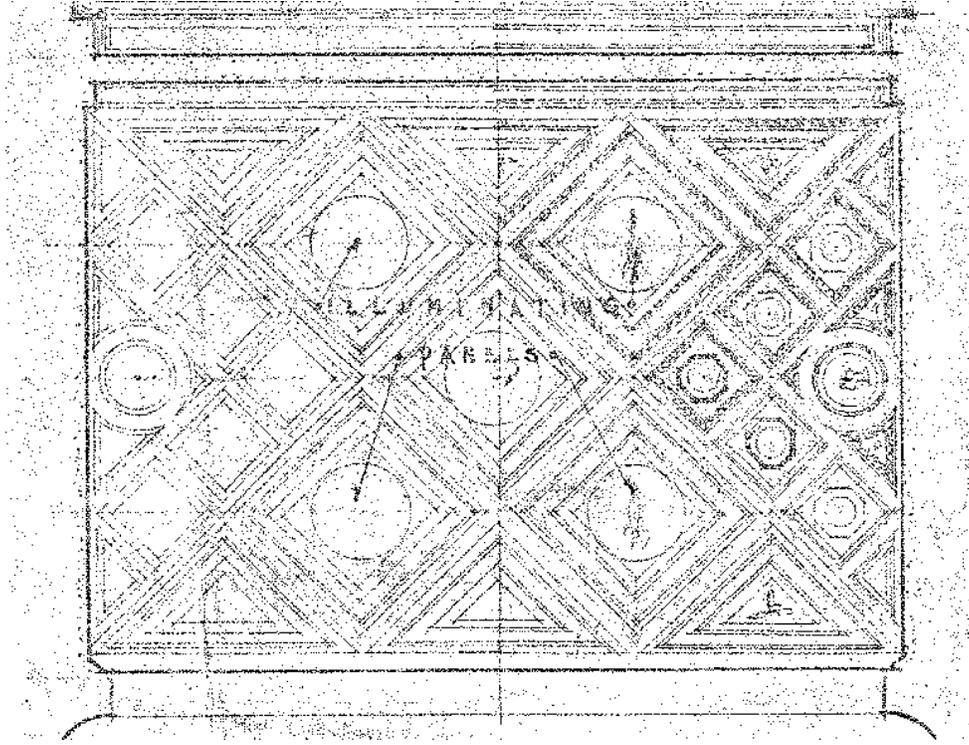
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**Figure: 59** Location: Vestibule

The vestibule walls are decorated with tiles and marble installed during previous alterations. The PACA report did not discuss finishes or conditions in this area.

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**Figure: 60** Location: Vestibule

Archival drawings indicate the original vestibule ceiling was highly decorative, with five illuminating panels in the center of the room. The ceiling and panels are no longer extant.



**Figure: 61** Location: Vestibule

The vestibule ceiling is covered with galvanized sheet metal and fluorescent lighting, installed during previous alterations. The PACA report did not discuss finishes or conditions in this area.



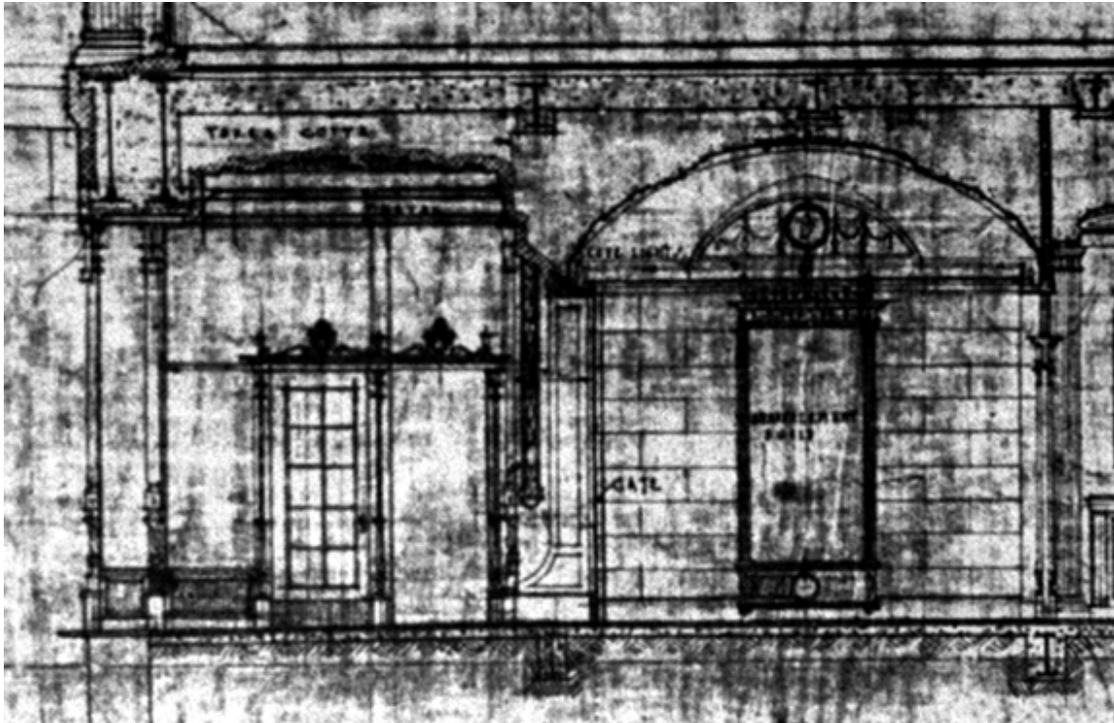
**Figure: 62** Location: Existing Ticket Booth

BCA Probe 8 above the ticket booth ceiling determined that the vaulted ceiling over the vestibule, shown in Figure 60, was removed during previous alterations.



**Figure: 63** Location: Existing Ticket Booth

BCA Probe 5 revealed floor tiles under the carpet in the existing ticket booth. The tiles appear to be part of the building alterations; the original floor is no longer extant. Their installation date is undetermined.



**Figure: 64** Location: Existing Ticket Booth

An archival drawing shows what appears to be a mirror with a decorative frame at the original west wall of the vestibule. However, an archival floor plan shows a door at this location that opened to a stairway leading to the second floor.



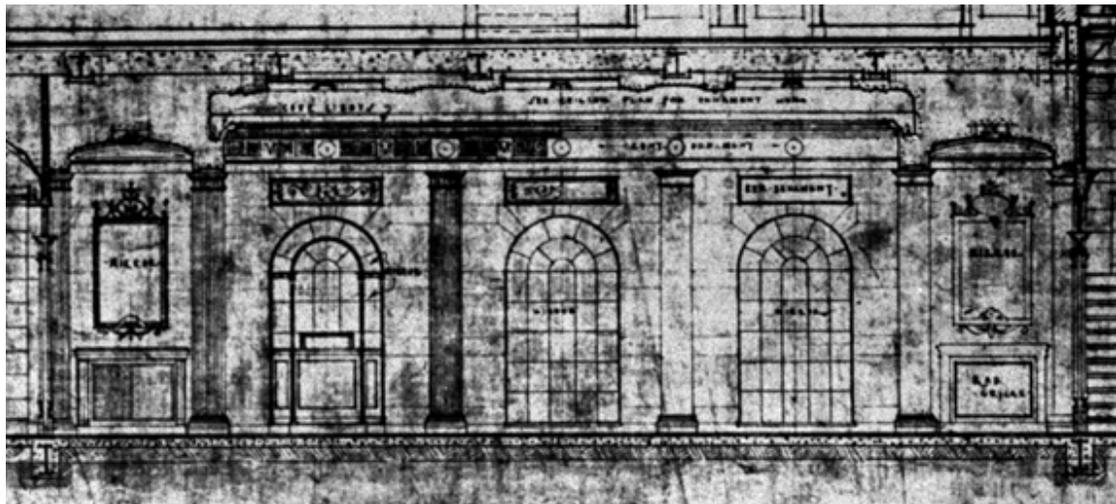
**Figure: 65** Location: Existing Ticket Booth

BCA Probe 6. An archival drawing shows masonry joints on the west wall (Figure 64); it remains undetermined if the vestibule walls were initially finished with a stone veneer or a faux stone finish. The original finishes were removed from this location.



**Figure: 66** Location: Existing Ticket Booth

Marble and tile at west wall were installed during previous building alterations, as was done in the entrance vestibule.



**Figure: 67** Location: Lobby

Archival elevation of west wall of lobby, showing three arched mirrors and radiators at the north and south ends of the room.

PACA probe 4 revealed all historic finishes at the west wall were removed during previous alterations.



**Figure: 68** Location: Lobby

Archival photo c. 1918. Alterations removed the arched mirrors, pilasters, columns, cove lighting, illuminating panels at the perimeter soffit and ceiling (except center panel), railings, flooring and stained glass doors separating the lobby and foyer.



**Figure: 69** Location: Lobby

The PACA report noted the presence of the candelabrum but could not determine if it was original or a replica. Figure 68 indicates that a chandelier was not originally installed at this location.



**Figure: 70** Location: Lobby

BCA Probe 18 through the ceiling in the ticket booth allowed for review of the interstitial space above the lobby ceiling. The plaster ceiling in the lobby is suspended from concrete with ferrous attachments.



**Figure: 71** Location: Lobby

Water damage is visible at northeast corner of the center lobby ceiling. The PACA report did not identify this damage.



**Figure: 72** Location: Lobby

Active water infiltration in the northeast corner of lobby. Gypsum board and plywood wall finishes were previously removed, exposing plaster. The plaster is saturated with water. The PACA report did not identify damage in this area.



**Figure: 73** Location: Lobby

Raised plaster ornament is missing and detached in isolated locations. As noted in the PACA report, paint flaking is typical at the decorative ceiling.



**Figure: 74** Location: Lobby

Recessed ceiling light fixtures typical at both ends of lobby. The PACA report did not identify this lighting. Archival drawings suggests that the fixtures would have originally been illuminating panels.



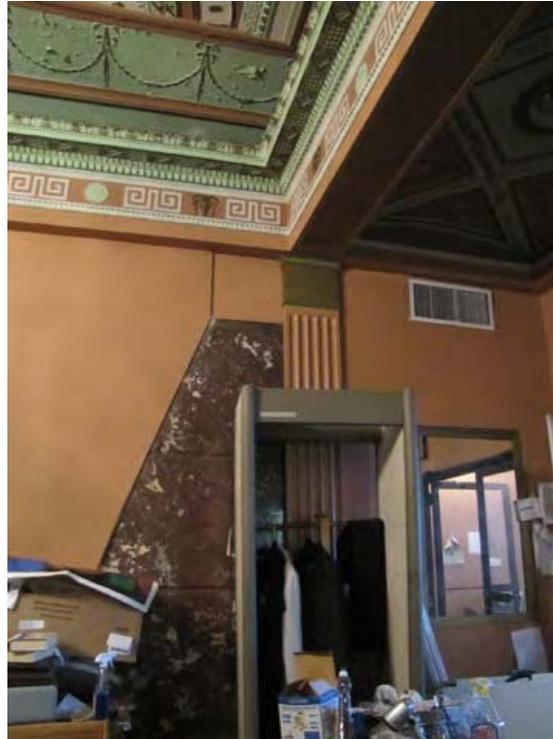
**Figure: 75** Location: Lobby

Existing door opening marks original location of ticket office in archival drawings. The door frame and adjacent finishes are modern. Figure 67 shows the door behind the ticket booth at this location to be an arched mirror.



**Figure: 76** Location: Lobby

The PACA report noted that the vitrine frames were an earlier finish and were painted gold. These vitrines are not shown in archival drawings and were likely installed during building alterations. See Figure 67.



**Figure: 77** Location: Lobby

The engaged pilasters visible in the lobby are composed of wood and were installed during previous building alterations. As noted in the PACA report, the flat wall surfaces were built up with fire blocks and gypsum wallboard during previous alterations.



**Figure: 78** Location: Lobby

BCA Probe 10A revealed the profile of the original capital of the south pilaster left by soiling on the historic east wall. The original pilaster was installed at approximately the same location but was much deeper.



**Figure: 79** Location: Lobby

BCA Probe 10B. Archival drawings indicate a total of four engaged columns were originally installed on both the east and west walls of the lobby. This probe revealed the profile of a column capital left by soiling on the historic east wall.



**Figure: 80** Location: Lobby  
BCA Probe 10C. Archival drawings indicate a total of four engaged columns were originally installed on both the east and west walls of the lobby. This probe revealed the profile of a column base left by soiling on the historic east wall.



**Figure: 81** Location: Lobby  
BCA Probe 10D revealed the location of one of the arched mirrors originally installed on the east wall of the lobby. As noted in the PACA report, the historic marble wall cladding is still present on the east wall, behind gypsum wall board and fire block.



**Figure: 82** Location: Lobby

BCA Probe 10D revealed the location of one of the decorative panels originally installed above the arched mirror. See Figure 67 for the configuration of these panels.



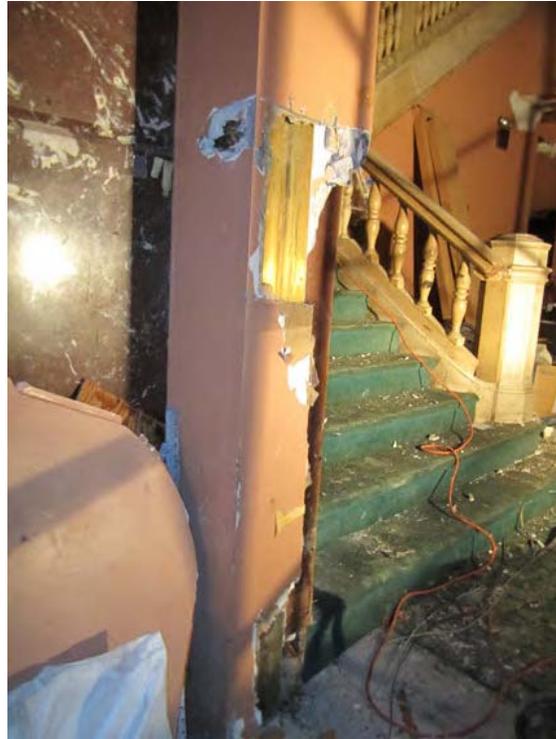
**Figure: 83** Location: Lobby

BCA Probe 9 removed a section of the carpet at the southwest corner of the lobby. The probe revealed tiles, which were installed as part of the building alterations. The original flooring is no longer extant.



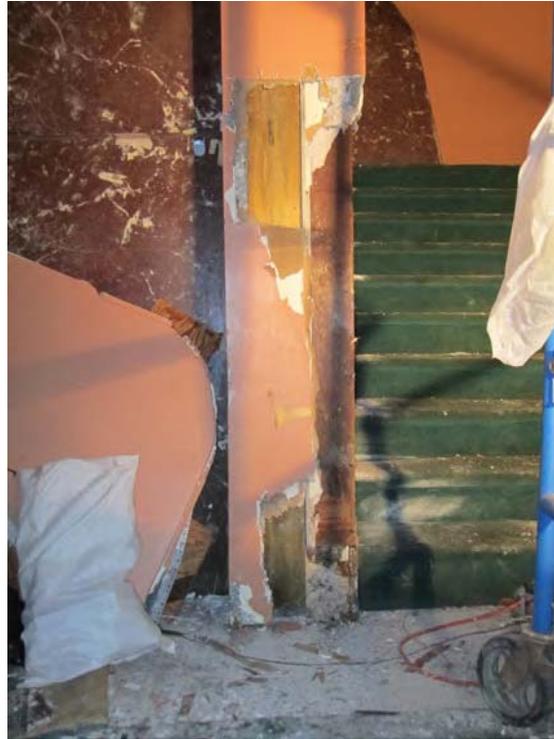
**Figure: 84** Location: Lobby

BCA Probe 7A revealed a copper alloy frame at the entrance doors between the lobby and existing ticket booth, abutting the west wall. Construction at this wall indicates that this frame was not original.



**Figure: 85** Location: Lobby

BCA Probe 11A revealed a copper alloy frame at the doors that were once located between the lobby and foyer. Construction at this wall indicates that this frame was not original. Figure 68 shows copper and leaded glass doors originally in this location.



**Figure: 86** Location: Lobby

BCA Probe I IA shows the west end of the non-original copper alloy door frame between the lobby and foyer. The finishes visible to the right of the frame were built-up during previous alterations.

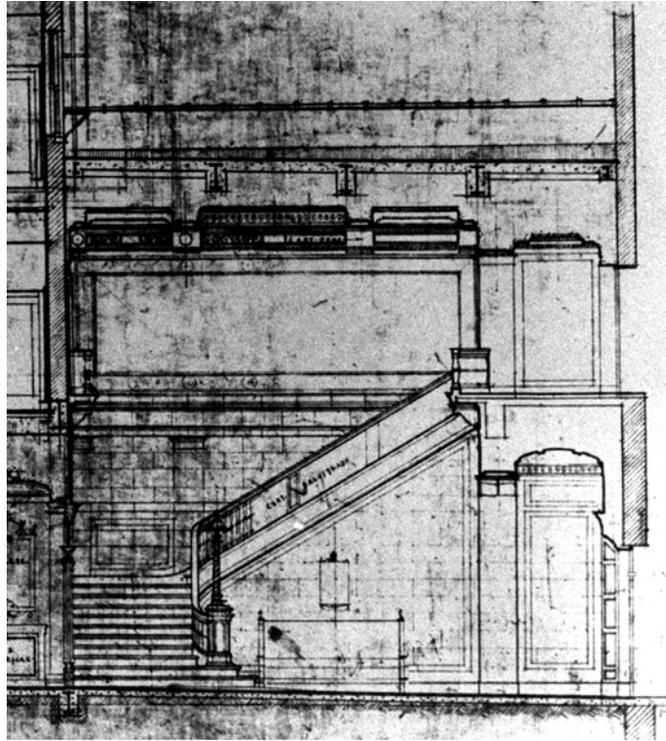
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**Figure: 87** Location: Lobby

BCA Probe I IA revealing the east end of the non-original copper alloy door frame between the lobby and foyer. Water infiltration is ongoing at this location. The PACA report did not identify water damage in this area.

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**Figure: 88** Location: Foyer

Archival drawings of the foyer looking east show imitation Caen stone joints on the lower foyer walls. The upper portions of the walls are currently covered with mirrors.



**Figure: 89** Location: Foyer

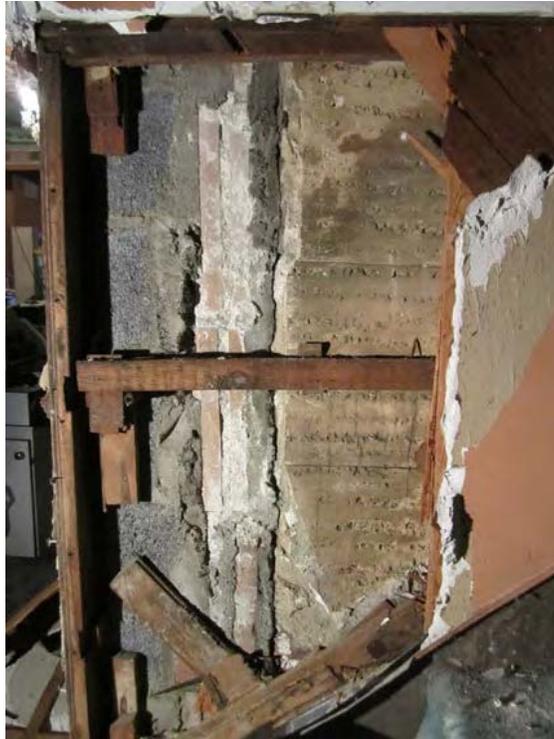
Marble inset at southwest corner. The marble is typical of that found in the vestibule, ticket booth, and lobby. The PACA report noted this was an earlier finish.



**Figure: 90** Location: Foyer

BCA Probe 12 revealed wood boards directly behind the gypsum wallboard; these were installed during earlier alterations. Removal of the wood boards revealed the original imitation Caen stone walls (faux stone walls produced with plaster).

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**Figure: 91** Location: Foyer

BCA Probe 11B revealed the original imitation Caen stone on the south wall of the foyer. Note the layers of built-up finishes over the Caen stone at the wall return (left side of the image).

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**Figure: 92** Location: Foyer  
BCA Probe 13A revealed the original imitation Caen stone wall under modern finishes below the stair face stringer.

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**Figure: 93** Location: Foyer  
BCA Probe 13B revealed the original imitation Caen stone wall below the stairs. Note the layers of built-up finishes over the imitation Caen stone at the wall return (right side of the image).

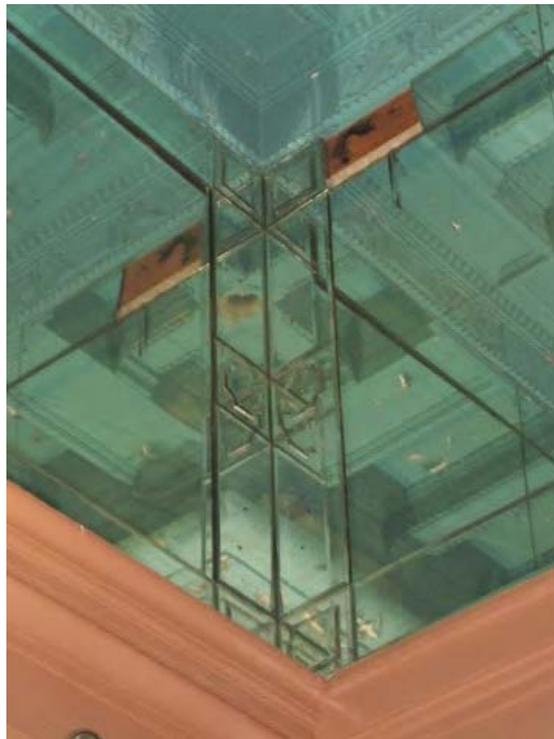
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**Figure: 94** Location: Foyer

The faux joints of original imitation Caen stone are visible through the paint on the west wall of the closet under the stairs.

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**Figure: 95** Location: Foyer

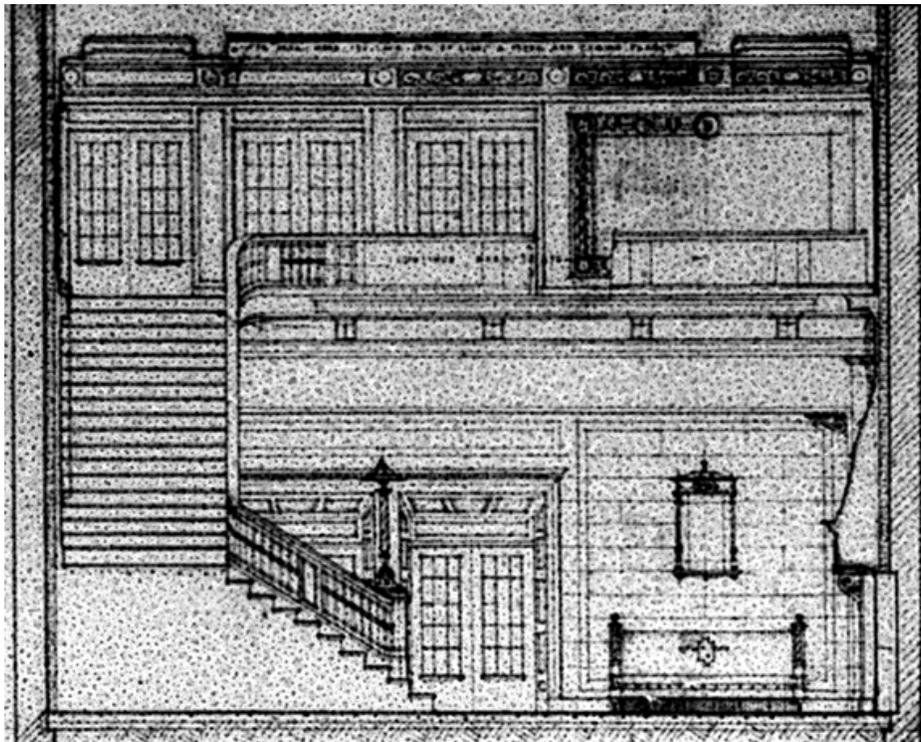
As noted in the PACA report, mirrors are applied to the upper west half of the foyer walls. These mirrors include raised decorative sections. Some mirror panels are visibly detached and missing; the PACA report did not note this condition.

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**Figure: 96** Location: Foyer

Unlike the west half of the foyer, mirrors applied to the upper east half are flat panels, without decorative elements.



**Figure: 97** Location: Foyer

Archival drawings of the north wall of the lobby show a decorative light fixture mounted on the top of the newel post at the bottom of the stairs. See Figure 98 for the current configuration of the newel post.



**Figure: 98** Location: Foyer

The PACA report noted the grand staircase to be very steep. In actuality, the stair treads measure between 10-3/4" to 10-7/8" and risers measure between 7-1/8" to 7-1/4".

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**Figure: 99** Location: Foyer

BCA Probe 14 removed carpet near the stair. As noted in the PACA report, the original terrazzo and tile flooring exists under the carpet. BCA stripped a small section of mastic from the floor finishes. The condition of the entire floor is undetermined.

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**Figure: 100** Location: Foyer

The PACA report noted water infiltration at the perimeter of the room. The water damage appears to be significantly worse than during the PACA survey. The finishes above and below the balcony have fallen. Mold is visible on the walls.



**Figure: 101** Location: Foyer

BCA Probe 1, located at the west side of the balcony, reveals the decorative bracket below the balustrade was removed in an earlier alteration, however the profile is still visible from soiling on the marble stair stringer. See Figure 104.



**Figure: 102** Location: Foyer

BCA Probe 1, view looking east under the projecting balcony. This probe revealed that no historic finishes remain under the balustrade above.

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**Figure: 103** Location: Foyer

BCA Probe 1 revealed the intersection of the marble finish wall below the stairs and the concrete beneath the balcony.

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**Figure: 104** Location: Foyer

BCA Probe 1 revealed the profile of a removed decorative bracket located under the balcony, abutting the stairs. Corroded steel is visible at the base of the balcony, on the right side of the image.



**Figure: 106** Location: Foyer

Water infiltration is ongoing over the balcony, where the south building and north building connect. Historic and modern finishes at the ceiling have fallen. Mold is visible on the walls. The PACA report did not identify damage in this area.



**Figure: 106** Location: Foyer

Water infiltration is ongoing at the balcony. Ceiling finishes have fallen. The ferrous metal framing and expanded lath that supported the plaster coffers are corroded. Mold is visible on the walls. The PACA report did not identify damage in this area.



**Figure: 107** Location: Foyer

Ceiling debris fallen onto balcony. The PACA report did not identify damage in this area.



**Figure: 108** Location: Foyer

Damage from water infiltration at the underside of the balcony, where modern finishes at the ceiling have fallen. Mold is visible on the walls. The PACA report did not identify damage in this area.



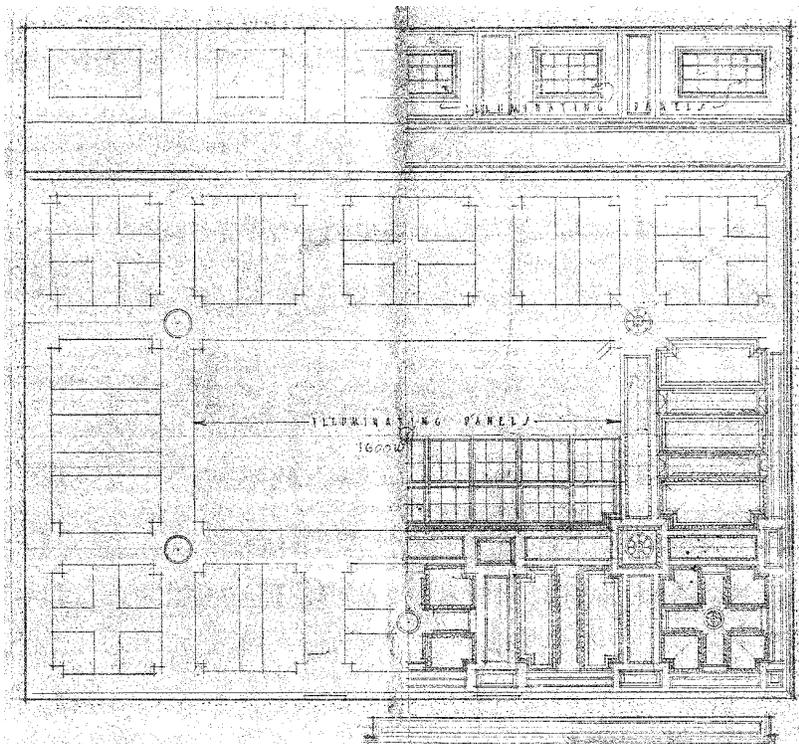
**Figure: 109** Location: Foyer

Ongoing water infiltration below the balcony, at the entrance to the north building. Ceiling finishes have fallen and the ferrous armature above is corroded. Mold is visible on the walls. The PACA report did not identify damage in this area.



**Figure: 110** Location: Foyer

The PACA report noted there are no light fixtures in the Foyer, however recessed fixtures are located in the center suspended ceiling panel as well as in ceiling coffers. Archival drawings suggest these lights were added during building alterations.



**Figure: 111** Location: Foyer

Archival drawings indicate a large illuminating panel was initially installed at the center of the ceiling. Similarly, five smaller panels were located in the coffered ceiling above the balcony.



**Figure: 112 Location:** Foyer

Figure 111 shows illuminated panels originally located at the center of these coffers above the balcony.



**Figure: 113 Location:** Foyer

The PACA report suggested the panel at the center of the ceiling was installed due to previous ceiling failure in this area.

Archival drawings suggest illuminated panels were originally installed in this area; the alteration date is unknown.



**Figure: 114** Location: Foyer

The PACA report identified the large panel suspended from the center of the ceiling to be gypsum board. BCA Probe 2 revealed it to be plaster. The top edge of suspended panel is shown. The frieze between panel and coffered ceiling is visible.



**Figure: 115** Location: Foyer

Top edge of suspended plaster panel at center of ceiling. The frieze between panel and coffered ceiling is missing at the south edge, allowing a view of the interstitial space between the panel and ceiling.



**Figure: 116** Location: Foyer

BCA Probe 2 was located through the plaster panel at the center of the ceiling. This probe revealed what appears to be original faux wood finishes on plaster at the perimeter of the large suspended panel.



**Figure: 117** Location: Foyer

The anchors supporting the plaster ceiling panel are corroding. The PACA report did not describe conditions above the panel.



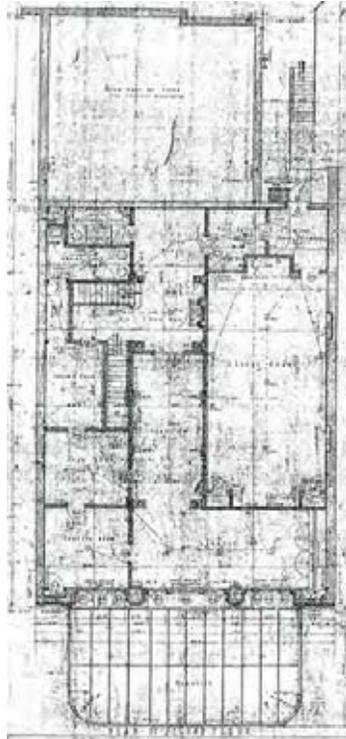
**Figure: 118** Location: Foyer

The plaster above the suspended plaster panel exhibits water damage in the form of cracks and efflorescence. Water damage is also visible at the adjacent plaster cornice to the north, west, and east.



**Figure: 119** Location: Foyer

Interstitial space above suspended ceiling panel at center of room. Note decorative faux-wood cornice, the back-side of the frieze between the suspended panel and coffered ceiling, and steel supports anchoring the panel to the structure above.



**Figure: 120** Location: 2nd Floor

Archival plan of second floor, showing original wall configurations. Most of the partitions and finishes were removed during building alterations. The 2nd floor is now essentially one large room with restrooms and stairs in the northwest corner.



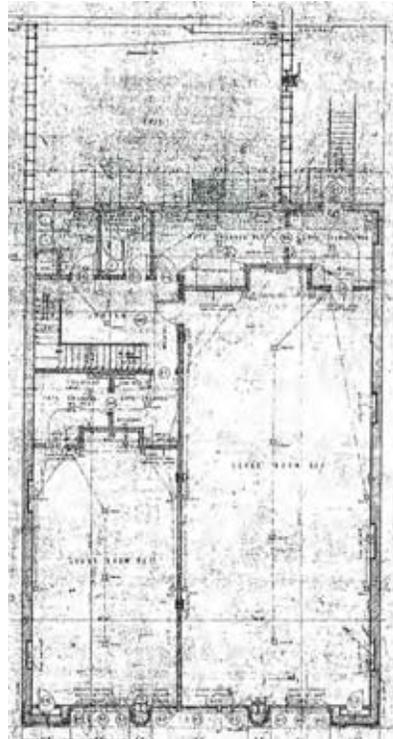
**Figure: 121** Location: 2nd Floor

West elevation of the second floor. As noted in the PACA report, the tin ceiling has suffered severe water damage and the room is filled with discarded furniture, debris, and bird matter.



**Figure: 122** Location: 2nd Floor

Southeast corner of the building. As noted in the PACA report, the rooms are in very poor condition and exhibit water damage. Water infiltration is ongoing at the four corners of the building.



**Figure: 123** Location: 3rd Floor

Archival plan of third floor showing original wall configurations. Most of the partitions and finishes were removed during building alterations.



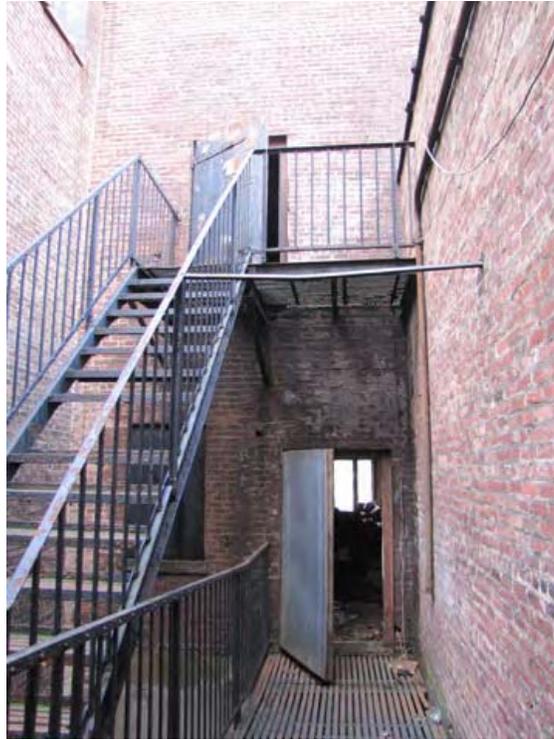
**Figure: 124** Location: 3rd Floor

Southeast corner of the building. As noted in the PACA report, the rooms are in very poor condition and exhibit water damage. Water infiltration is ongoing at the four corners of the building.



**Figure: 125** Location: 3rd Floor

Southwest corner of the building. As noted in the PACA report, the rooms are in very poor condition and exhibit water damage. Water infiltration is ongoing at the four corners of the building.



**Figure: 126 Location:** Interior Courtyard

The fire escape is corroding and is missing a tread at stairs leading to third floor. As noted in the PACA report, doors to the south building do not latch closed.

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## NORTH BUILDING

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**Figure: 127** Location: North Façade

As noted in the PACA report, the exit doors are difficult to open due to corrosion of the steel components, and window openings have been filled with concrete masonry units. The open door at the ground level is a non-original door opening.

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**Figure: 128** Location: North Façade

The PACA report identified corroded steel units with hairline cracks in the adjacent masonry and mortar joints. Concrete is now spalling at corroded ferrous beams outside the emergency exits at the second level of the fire-escape.

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**Figure: 129** Location: North Façade

Concrete at corroded ferrous beams has spalled and fallen onto the fire escape, outside the emergency exits at the second level of the fire-escape. The PACA report did not identify this condition.



**Figure: 130** Location: Orchestra Level: South Promenade

Ongoing water infiltration in the hall leading to the southwest stairs. Modern ceiling finishes have fallen, revealing sections of the damaged decorative plaster ceiling. Mold is visible on the walls. The PACA report did not identify damage in this area.



**Figure: 131** Location: Orchestra Level: South Promenade

Original plaster ceiling above the drop ceiling exhibits large losses, water damage, and penetrations for the installation of the modern ceiling, ductwork, and conduits. The PACA report did not identify these conditions.



**Figure: 132** Location: Orchestra Level: South Promenade

Ongoing water infiltration in the hall leading to theaters 1 and 5 from the foyer. Ceiling finishes have fallen, revealing corroded armatures. The PACA report did not identify damage in this area.



**Figure: 133** Location: Orchestra Level: South Promenade

Debris from modern and original ceiling and wall finishes on wet floor in the hall leading to theater 1 and 5 from the foyer. See Figure 132 for condition of ceiling in this area. The PACA report did not identify damage in this area.



**Figure: 134** Location: Orchestra Level: South Promenade

Ongoing water infiltration in the hall leading to theater 5 from the foyer. Deterioration is visible in the form of mold and flaking and peeling paint. The PACA report did not identify damage in this area.



**Figure: 135** Location: Orchestra Level: Theater 1

Ongoing water infiltration is visible along the south elevation of southwest theater. Deterioration is visible in the form of mold, flaking and peeling paint, and fallen original ceiling plaster. The PACA report did not identify damage in this area.



**Figure: 136** Location: Orchestra Level: Theater 2

Archival drawings show columns at approximately the same locations and in the same style as those currently found in theaters 1 and 2.



**Figure: 137** Location: Orchestra Level: Theater 2

Flaking and peeling paint is visible at the southwest corner of the ceiling in the northwest theater. The PACA report identified the plaster ceilings under the balcony as stamped metal. The PACA report did not identify damage to the ceiling.



**Figure: 138** Location: Orchestra Level: Between Theaters 2 and 5

Water infiltration is ongoing in the hall between the southwest and east theaters. Modern ceiling and wall finishes have fallen, exposing corroded armature. Mold is visible on the walls. The PACA report did not identify this damage.



**Figure: 139** Location: Stage & Backstage: Theater 5

Water infiltration is ongoing in the east theater, at the location of the original backstage area. The PACA report noted water damage at the east and south walls and the baseboard. Ceiling finishes have since fallen, exposing the steel framing high above.



**Figure: 140** Location: Stage & Backstage: Theater 5

The PACA report noted water damage at the east and south walls and the baseboard. BCA noted ongoing water infiltration in the southwest and northwest corners of the theater. The damage in the southwest corner is shown above.



**Figure: 141** Location: Orchestra Level: West Promenade

Historic plaster above modern drop ceiling has been damaged by the installation of ductwork, conduits, and anchors for the modern ceiling. The PACA report did not identify the presence of these historic finishes or their condition.



**Figure: 142** Location: Orchestra Level: Women's Restroom

Historic plaster, visible above modern drop ceiling, has been damaged by the installation of ductwork, conduits, and anchors for the modern ceiling. The PACA report did not identify the presence of these historic finishes or their condition.



**Figure: 143** Location: Orchestra Level: Southeast Corner

Water infiltration is ongoing at the southeast corner of the north building. These rooms are accessible at the south end of Theater 5. The steel doors and lintels in this area exhibit heavy corrosion. The PACA report noted damage in the adjacent theater.



**Figure: 144** Location: Orchestra Level: Northeast Corner

Water infiltration is ongoing at the northeast corner of the north building. The ferrous stairs in this area are corroded. The plaster finish has detached, exposing brick backup. The PACA report did not identify damage in this area.



**Figure: 145** Location: Northwest Stair

Below the northwest stairs is a small room with extensive water damage. The window in this room appears to be original, although it is badly damaged and sealed from the exterior with brick. The PACA report did not identify damage to this area.

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**Figure: 146** Location: Northwest Stair

Water damage at northwest corner of stairs leading from first to second floor. The PACA report noted the plaster in this area was in good condition.

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**Figure: 147** Location: Southwest Stair

Water damage at the walls and soffit of the stairs leading from first to second floor. The balustrade in this area is corroding. The PACA report noted the plaster and railing in this area were in good condition.

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**Figure: 148** Location: First Mezzanine: Northwest Anteroom

The PACA report noted the mosaic of a fountain was relocated from a niche in oval foyer and the existing basin was added. The mosaic is currently in good condition, except for paint on tiles in isolated areas.

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**Figure: 149** Location: First Mezzanine: Northwest Anteroom

On the left of the above image is an abandoned door at the reverse side of existing mosaic in the north anteroom, as viewed from a closet at the northeast corner of the oval foyer.



**Figure: 150** Location: First Mezzanine: Northwest Anteroom

The ceiling at the north anteroom is in relatively good condition, with flaking and peeling paint but minimal mold or water damage. The PACA report did not describe the condition of this area.



**Figure: 151** Location: First Mezzanine: Southwest Anteroom

Significant mold accumulation is currently visible on the ceiling of the south anteroom. The PACA report did not identify damage in this area.



**Figure: 152** Location: First Mezzanine: Southwest Anteroom

Significant mold accumulation is currently visible on the walls of the south anteroom. The PACA report did not identify damage in this area.



**Figure: 153** Location: First Mezzanine: Southwest Anteroom

The bottoms of the mosaics in the first mezzanine anterooms do not have the same border as their top edges, suggesting that either the mosaics were truncated during their move or were originally designed to blend into the fountains at their base.



**Figure: 154** Location: First Mezzanine: Southwest Anteroom

BCA Probe 4A, adjacent to the top right corner of the mosaic on the east wall, revealed decorative paint on plaster in this area. This mosaic replaced an original door to a coat room. The opening behind the mosaic was filled with CMU (See figure 149).



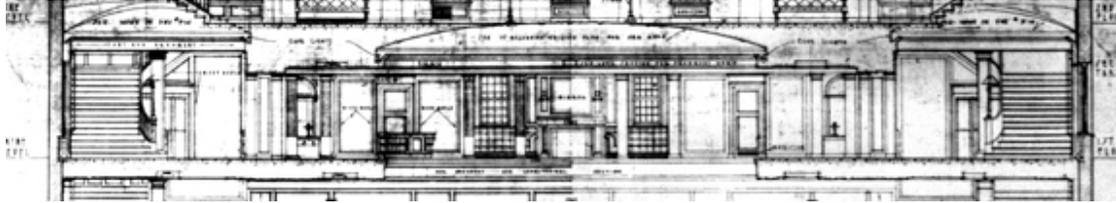
**Figure: 155** Location: First Mezzanine: Southwest Anteroom

BCA Probe 4B, adjacent to the bottom right corner of the mosaic on the east wall, revealed decorative paint on plaster in this area. The adjacent plaster appeared to be cut for the installation of the mosaics, as no finished edge was found.



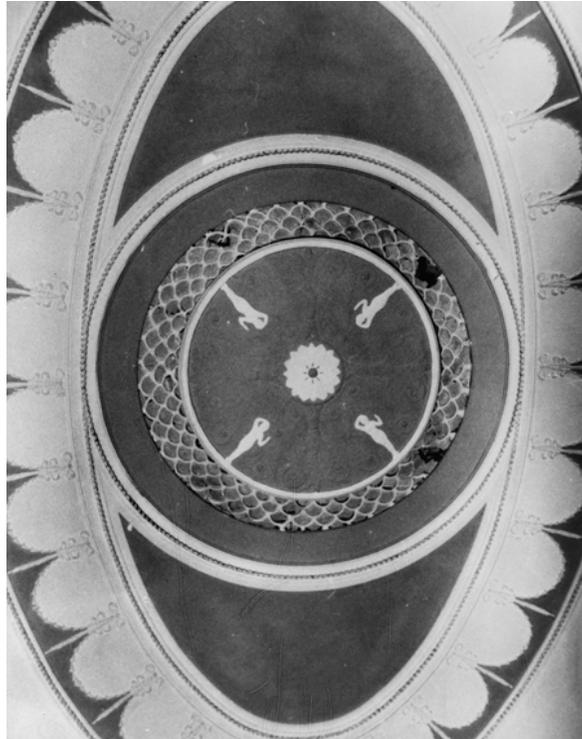
**Figure: 156** Location: First Mezzanine: South Promenade

Water infiltration is ongoing in the south hall, where the buildings connect. Historic and modern finishes have fallen. The ferrous metal framing above exhibits corrosion. Mold is visible on the walls. The PACA report did not identify damage in this area.



**Figure: 157** Location: First Mezzanine: Oval Foyer

As noted in the PACA report, the center of the room was open to below, with a balustrade at the perimeter of the opening. Cove lighting was installed around the interior cornice of the oval ceiling; the fixtures are no longer extant.



**Figure: 158** Location: First Mezzanine: Oval Foyer

Ceiling medallion and decorative ventilation grille at center of oval ceiling, c. 1985.



**Figure: 159** Location: First Mezzanine: Oval Foyer

The PACA report noted that the central portrait covered the original ceiling medallion and decorative ventilation grille, however the flush nature of the existing portrait suggests the previous elements (shown in Figure 158) were removed.



**Figure: 160** Location: First Mezzanine: Oval Foyer

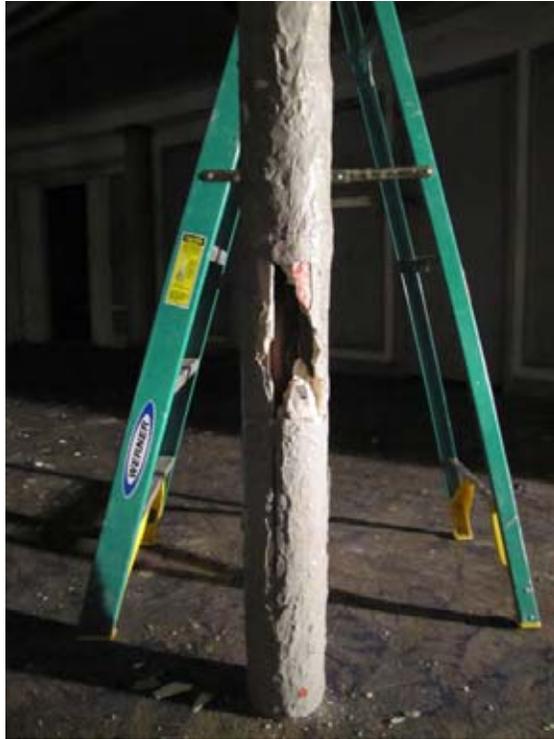
BCA Probe 3A, located near the center of the oval ceiling, revealed 1" thick plaster on expanded metal lath.



**Figure: 161** Location: First Mezzanine: Oval Foyer  
BCA Probe 3B, located near the center of the oval ceiling, revealed 1" thick plaster on expanded metal lath.

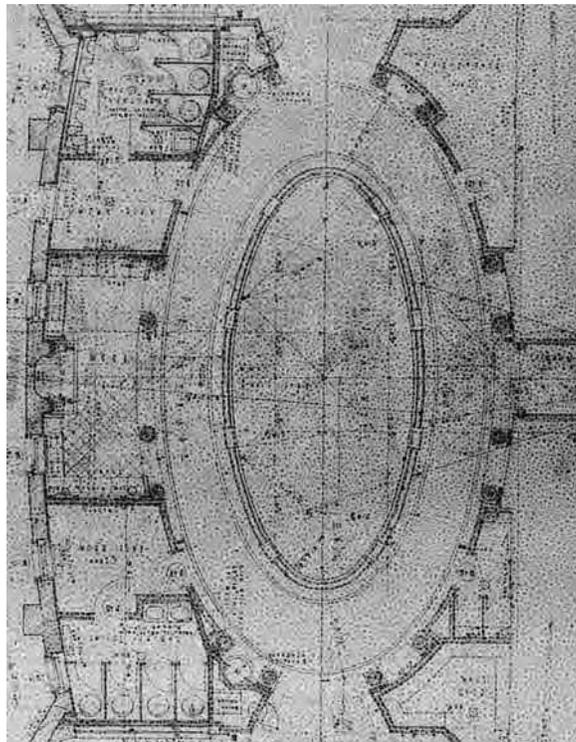


**Figure: 162** Location: First Mezzanine: Oval Foyer  
View of interstitial space above the perimeter of the oval ceiling through a circular opening at the east side of the room.



**Figure: 163** Location: First Mezzanine: Oval Foyer

The free-standing columns at the north and south ends of the oval ceiling are steel encased in plaster.



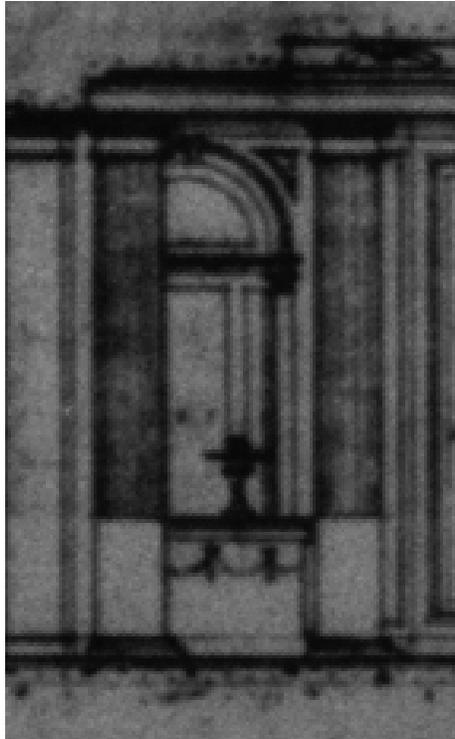
**Figure: 164** Location: First Mezzanine: Oval Foyer

As noted in the PACA report, a fireplace was originally located along the west wall of the oval foyer. Archival drawings show the fireplace in a small anteroom at the center of the west wall, flanked by exterior windows. See the elevation in Figure 157.



**Figure: 165** Location: First Mezzanine: Oval Foyer

The openings between four columns, leading from the oval foyer to its west anteroom, were sealed with fire blocks and covered with wood panels. This allowed for expansion of the restrooms located behind the wall, along the west edge of the oval foyer.



**Figure: 166** Location: First Mezzanine: Oval Foyer

The PACA report noted that the mosaics in the north and south anterooms were relocated from niches in the oval room. Archival drawings suggest they were originally located at the entrances to the current restrooms, with circular fountains at their base.



**Figure: 167** Location: First Mezzanine: Oval Foyer

The restroom doors were relocated to adjacent the main east and west entrances to the room, where fountains were believed to have been previously located. The current door to the women's restroom is shown above.



**Figure: 168** Location: First Mezzanine: Oval Foyer

The original walls and columns at the perimeter of the room are wood. Unpainted wood is visible where a detached plaster capital was removed.



**Figure: 169** Location: First Mezzanine: Oval Foyer  
Detached plaster column capital removed from west elevation of the oval foyer.

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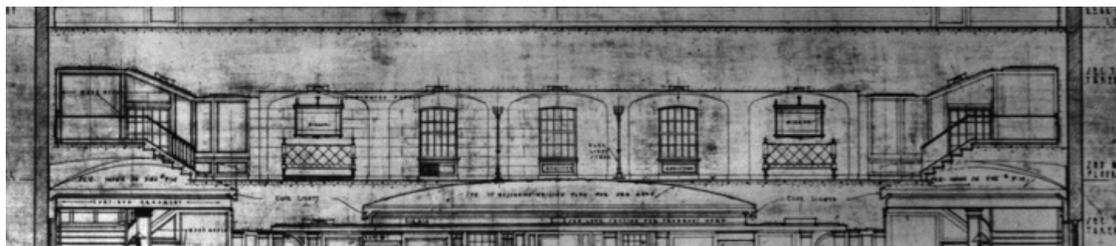
**Figure: 170** Location: First Mezzanine: Oval Foyer  
The bases of the engaged columns at the perimeter of the room are wood on a painted marble plinth.

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**Figure: 171** Location: First Mezzanine: Balcony Vomitorium

The passage between the center of the oval room and the balconies was converted to a closet during previous building alterations. This image shows the view within the passage, looking towards the former entrance to the balcony seats.



**Figure: 172** Location: Second Mezzanine: West Promenade

Archival drawings show exterior windows along the west wall of the promenade. These were infilled during previous alterations.



**Figure: 173** Location: Second Mezzanine: West Promenade

Flaking and peeling paint are currently visible on the walls and ceiling in the west promenade, in addition to accumulations of mold. The PACA report did not identify damage in this hallway.



**Figure: 174** Location: Second Mezzanine: West Promenade

The walls in this area were originally finished to resemble masonry. The faux joints are visible behind the existing paint finish. Water infiltration has resulted in flaking paint.



**Figure: 175** Location: Balcony: Theater 3

Location of PACA Probe 14, at the south wall of Theater 3. Water infiltration is ongoing. A large section of wall and ceiling finishes have fallen since the PACA report. The mural was previously removed, probably during the 1986 renovations.



**Figure: 176** Location: Balcony: Theater 3

Image of mural in south balcony theater c. 1985. Water damage was apparent at this wall before the installation of the gypsum wallboards. Note the missing plaster and exposed brick at the right of the image. The PACA report did not identify this damage.



**Figure: 177** Location: Balcony: Theater 4  
Original balustrade and wall paneling remain visible in Theaters 3 and 4.

---



**Figure: 178** Location: Balcony: Theater 4  
As noted in the PACA report, the drop ceiling is anchored through historic plaster. Small plaster losses have occurred at the anchor points. The PACA report noted the anchors were found every 18 inches; BCA measured 48 inches between visible anchors.

---



**Figure: 179** Location: Balcony: Theater 4

Location of PACA probe 14. As noted in the PACA report, the gypsum board is attached to wall studs anchored through the painted canvas. The anchors are located approximately 48 inches o.c. horizontally (every other stud) and two anchors vertically.



**Figure: 180** Location: Balcony: Theater 4

Location of PACA Probe 14. As noted in the PACA report, the mural is obscured by heavy surface deposition and the canvas is sagging and has been punctured by the gypsum wallboard supports. BCA did not identify any active leaks in this area.



**Figure: 181** Location: Balcony: Theater 4

BCA Probe 17 exposed decorative plaster at the base of the north balcony mural. As noted in the PACA report, the plaster surround is deteriorated. The plaster is friable and some ornament is missing. Paint is flaking and peeling.



**Figure: 182** Location: Balcony: Theater 4

Image of mural in north balcony theater c. 1985. Water damage was apparent at this wall before the installation of the gypsum wallboards.



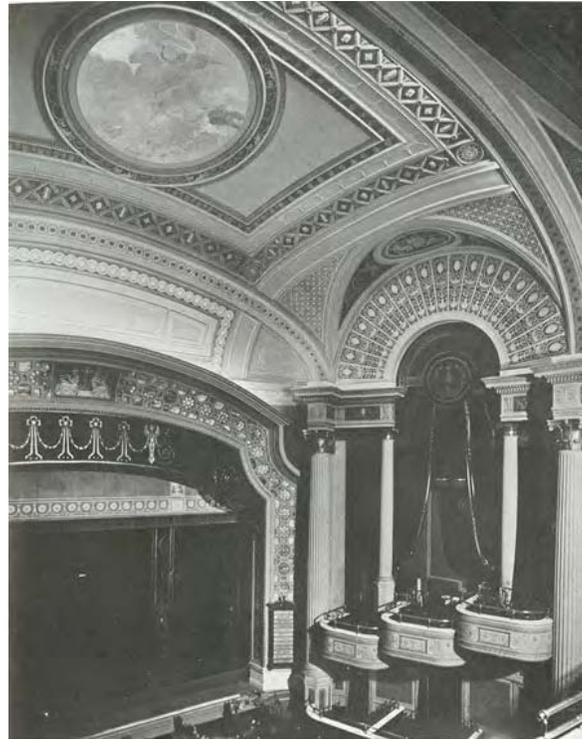
**Figure: 183** Location: Balcony: Theater 4

At isolated locations, gypsum wallboard was installed so that it intersects exposed historic moldings. In some areas, such as that shown above, the wall board was cut to retain the profile of the adjacent wall moldings.



**Figure: 184** Location: Balcony: Upper Projection Booth

At isolated locations, gypsum wallboard was installed so that it intersects exposed historic moldings. In some areas, such as that shown above, the decorative ornament was removed and the wallboard abuts the historic wall flush.



**Figure: 185** Location: Balcony: Theater 3 - Projection Booth Closet  
Archival image of theater boxes c.1918.



**Figure: 186** Location: Balcony: Theater 3 - Projection Booth Closet  
Archival image of theater boxes c.1985. Note change in paint scheme from the c.1918 image. Water damage was apparent at this wall before the demolition of the boxes.



**Figure: 187** Location: Balcony: Theater 3 - Projection Booth Closet

Ceiling above stairs leading to removed south theater boxes. As noted in the PACA report, the plaster is extremely damaged. Ceiling finishes in this area have collapsed, revealing corroded armature above. A small section of decorative plaster remains.



**Figure: 188** Location: Balcony: Theater 3 - Projection Booth Closet

Location of PACA Probe 8A, through the east wall of a closet, exposed stairs leading to the location of removed theater boxes. Painted finishes remain on plaster at isolated locations, including extant columns and capitals.



**Figure: 189** Location: Attic

Small areas of corroding ferrous metal are visible at spalled sections of the reinforced concrete beams supporting the roof. The PACA report did not identify this condition.

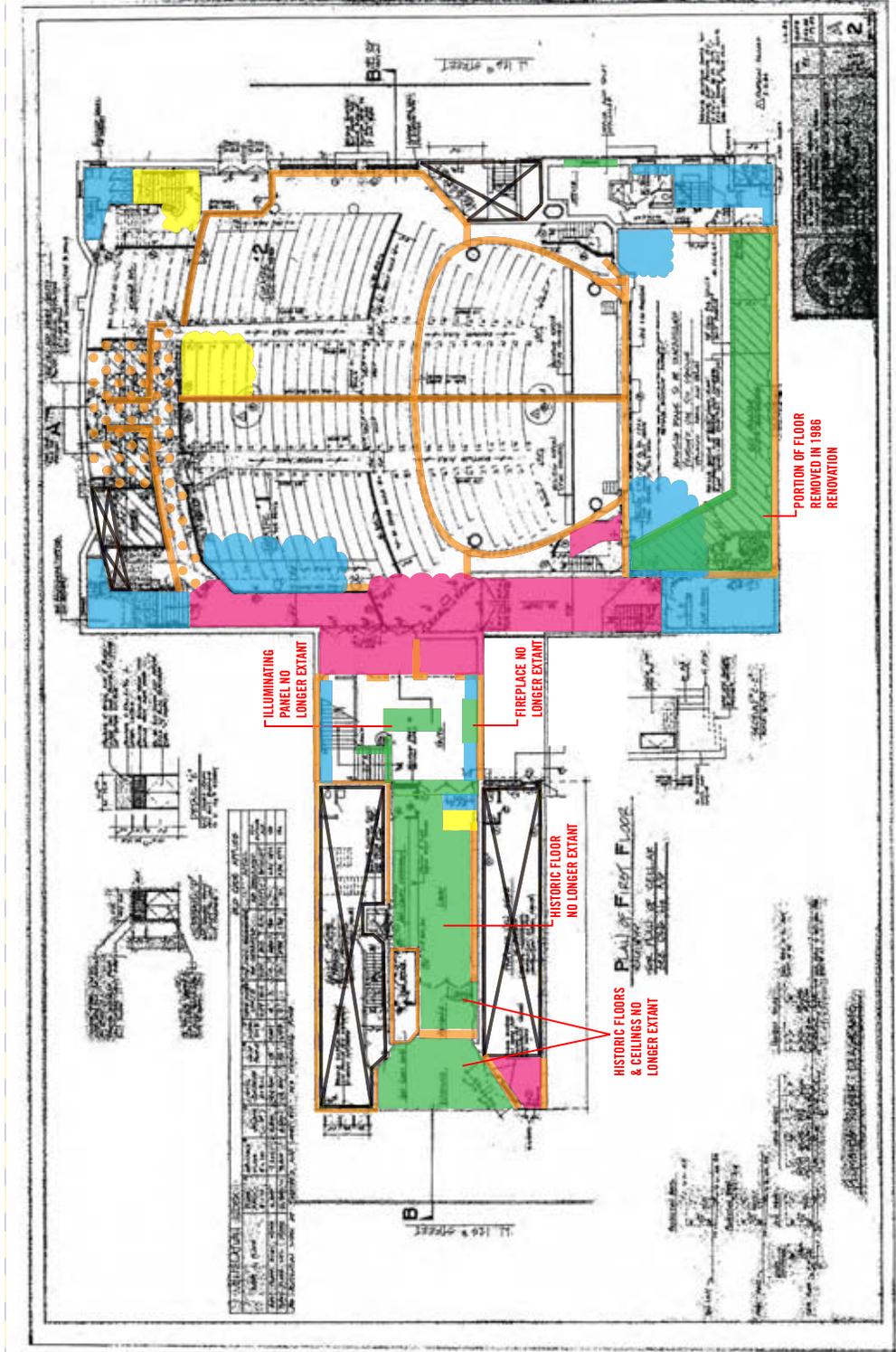
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Appendix A  
Diagrammatic Plans  
Existing Conditions

VICTORIA THEATER  
EXISTING CONDITIONS  
FIRST FLOOR PLAN

LEGEND:

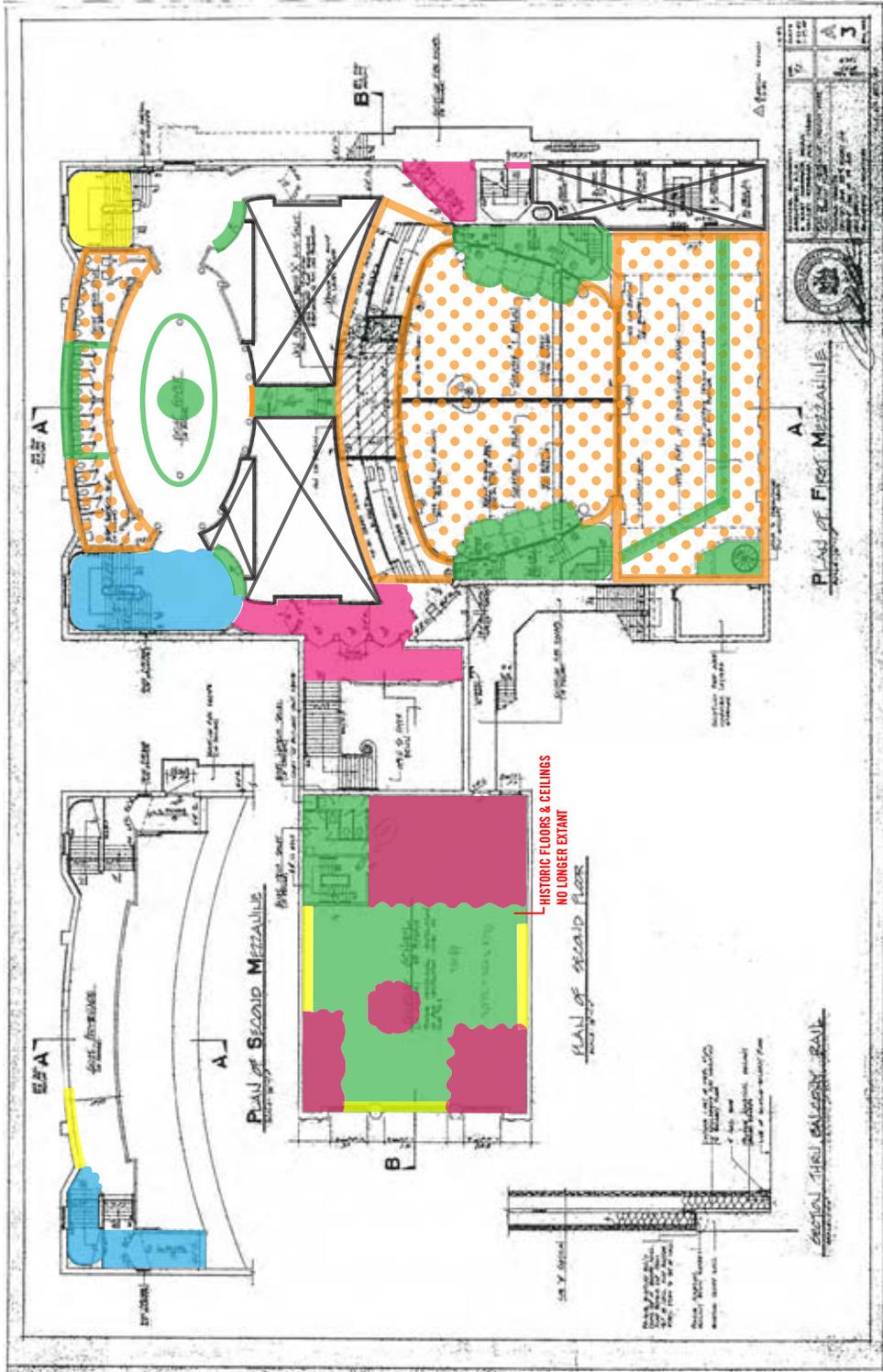
- Element removed/relocated & altered
- Materials collapsed
- Materials compromised by water infiltration and/or heavy mold growth
- Materials likely compromised based on visual evidence
- Modern wall construction (attached to historic finishes with studs)
- Modern wall construction - partial height of room (stage front at theaters 3 & 4 with projection booth behind)
- Modern ceiling installed; historic finishes above damaged by ceiling attachments and installation of ductwork and conduits
- Area inaccessible



VICTORIA THEATER  
EXISTING CONDITIONS  
SECOND FLOOR PLAN

**LEGEND:**

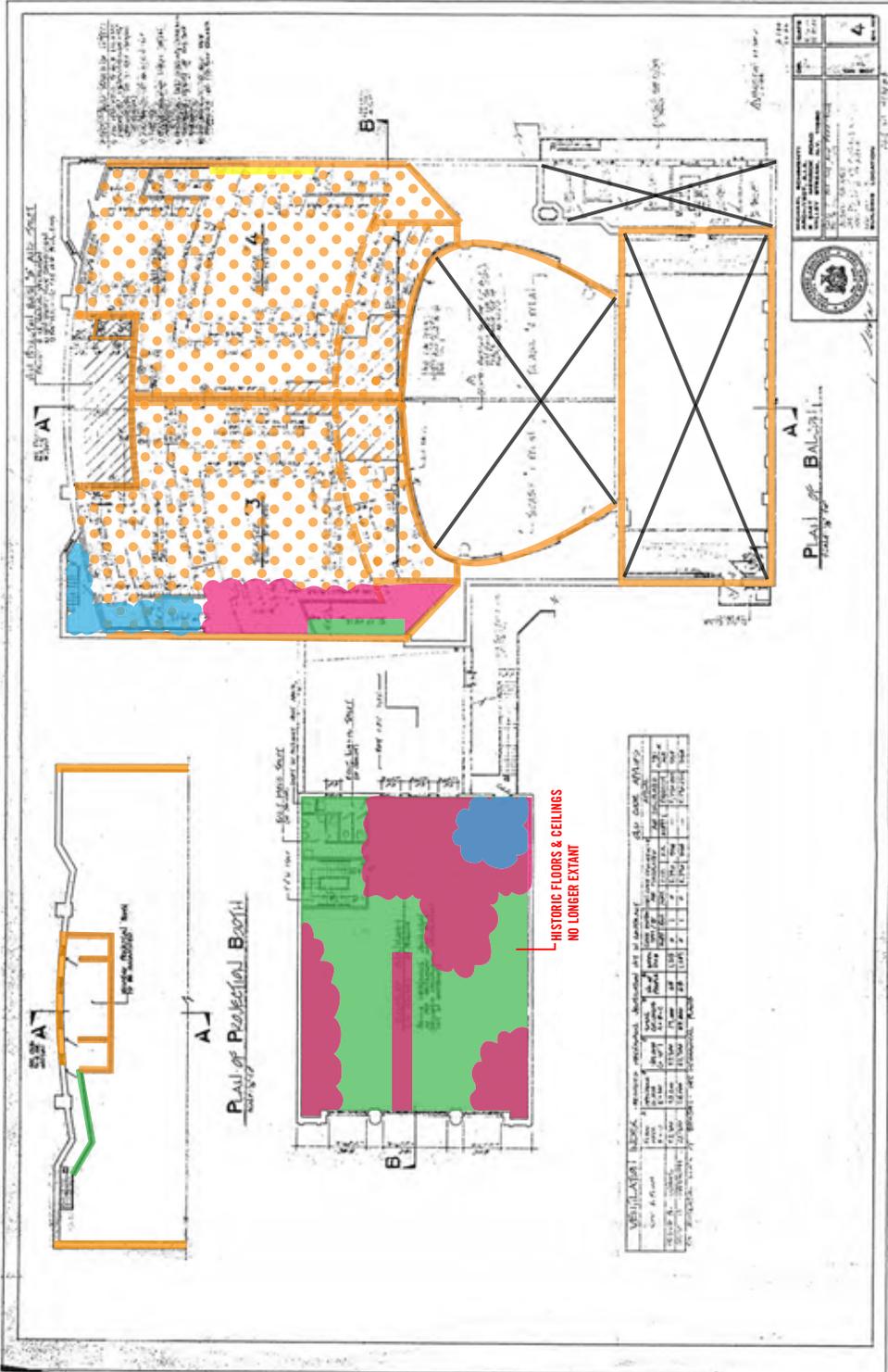
- Element removed/relocated & altered
- Materials collapsed
- Materials compromised by water infiltration and/or heavy mold growth
- Materials likely compromised based on visual evidence
- Modern wall construction (attached to historic finishes with studs)
- Modern wall construction - partial height of room (stage front at theaters 3 & 4 with projection booth behind)
- Modern ceiling installed; historic finishes above damaged by ceiling attachments and installation of ductwork and conduits
- Area inaccessible



VICTORIA THEATER  
 EXISTING CONDITIONS  
 THIRD FLOOR PLAN

LEGEND:

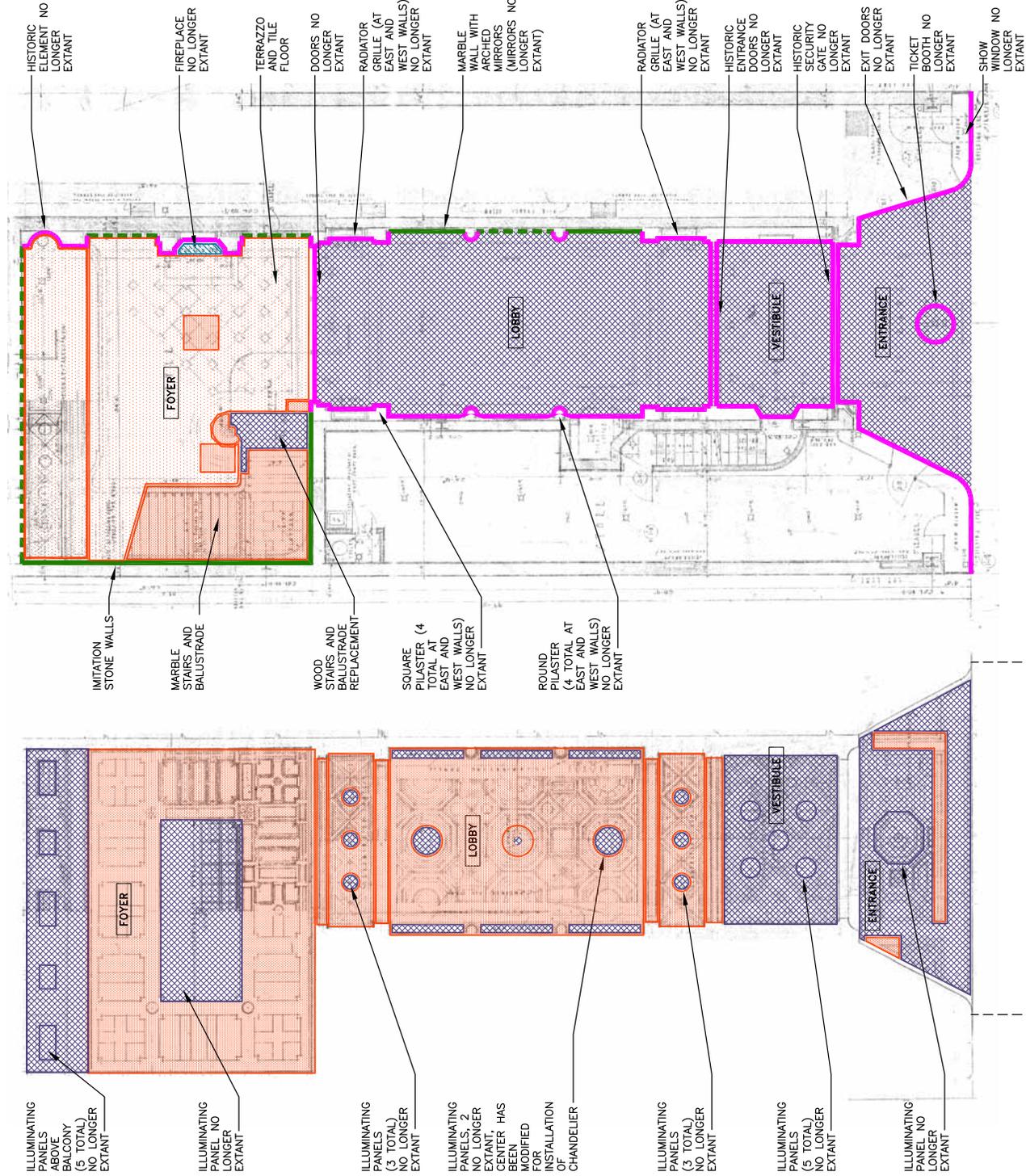
- Element removed/relocated & altered
- Materials collapsed
- Materials compromised by water infiltration and/or heavy mold growth
- Materials likely compromised based on visual evidence
- Modern wall construction (attached to historic finishes with studs)
- Modern wall construction - partial height of room (stage front at theaters 3 & 4 with projection booth behind)
- Modern ceiling installed; historic finishes above damaged by ceiling attachments and installation of ductwork and conduits
- Area inaccessible



**Appendix B**  
**Diagrammatic Plans**  
**Building Alterations**

# VICTORIA THEATRE BUILDING ALTERATIONS SOUTH BUILDING

## FIRST FLOOR PLAN AND REFLECTED CEILING PLAN



FIRST FLOOR PLAN

REFLECTED CEILING PLAN

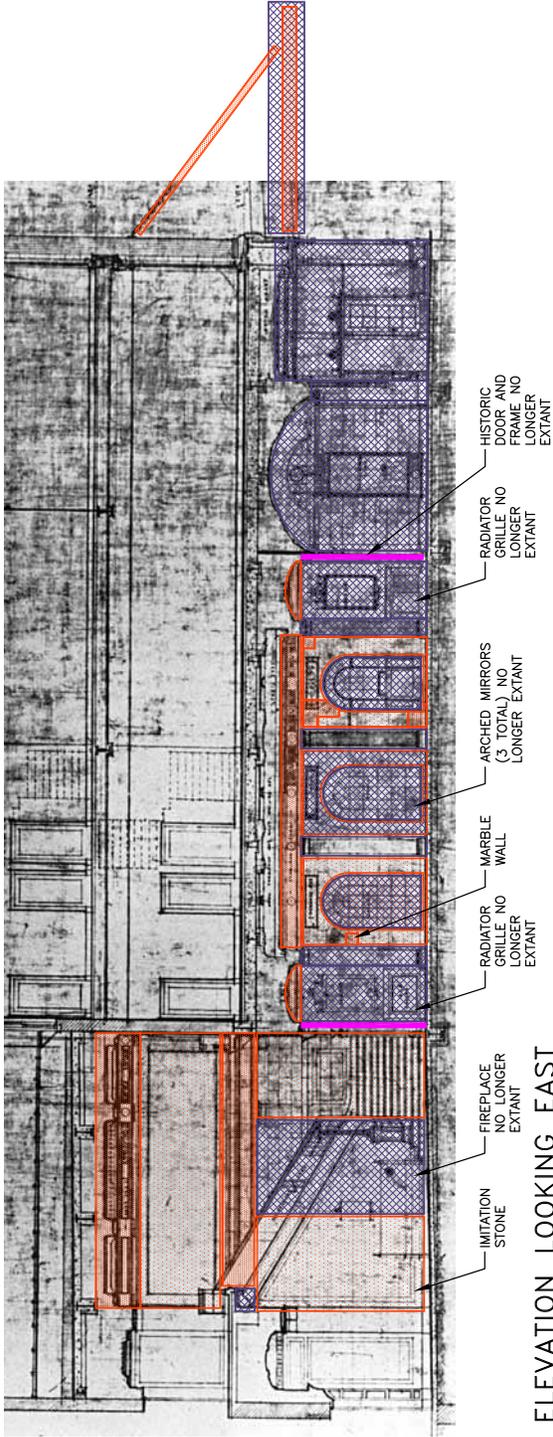
VICTORIA THEATRE  
BUILDING ALTERATIONS  
SOUTH BUILDING

INTERIOR ELEVATIONS

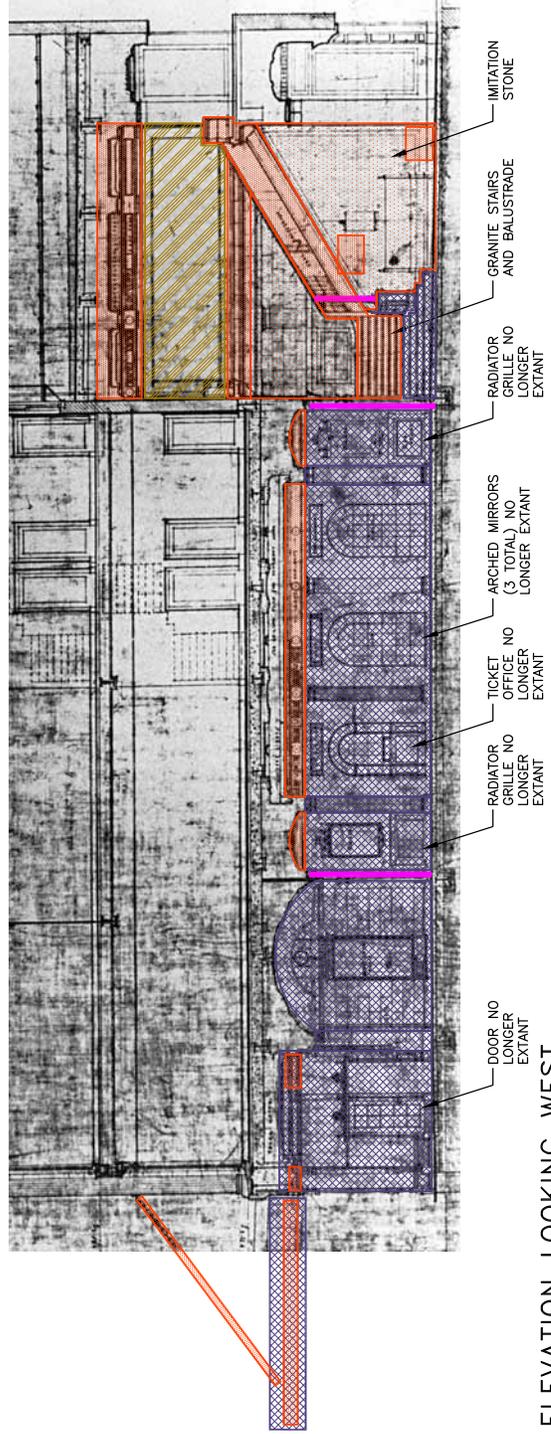
LEGEND:

- VERTICAL ELEMENT, HISTORIC MATERIAL, EXPOSED
- VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST
- VERTICAL ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED
- VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED
- EXPOSED ELEMENT, HISTORIC MATERIAL, EXPOSED
- CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST
- EXPOSED ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED
- CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED
- NON-EXPOSED ELEMENT, AREA INACCESSIBLE
- UNKNOWN

NOTE: ITEMS NOTED AS EXPOSED REFER TO HISTORIC MATERIALS FROM 1917 THAT WERE REVEALED BY PROBES OR WERE NEVER HIDDEN BY MODERN MATERIALS. ASSUMED AREAS ARE THOSE THAT WERE EXPOSED FROM THE PROBES RELATED FROM THE 1986 RENOVATION DRAWINGS OR THE 1986 RENOVATION DRAWINGS. ITEMS NOTED AS EXPOSED AND REMOVED WERE CONFIRMED WITH PROBES OR FROM AREAS WHERE THE MODERN FINISHES HAVE FALLEN.



ELEVATION LOOKING EAST  
(BACKGROUND DRAWING MIRRORED FROM WEST ELEVATION)



ELEVATION LOOKING WEST

VICTORIA THEATRE  
BUILDING ALTERATIONS  
SOUTH BUILDING

FOYER ELEVATIONS

LEGEND:

 VERTICAL ELEMENT,  
HISTORIC MATERIAL  
EXPOSED

 VERTICAL ELEMENT,  
HISTORIC MATERIAL  
ASSUMED TO EXIST

 VERTICAL ELEMENT,  
HISTORIC MATERIAL  
PREVIOUSLY REMOVED

 VERTICAL ELEMENT,  
HISTORIC MATERIAL  
ASSUMED TO HAVE  
BEEN PREVIOUSLY  
REMOVED

 EXPOSED ELEMENT,  
HISTORIC MATERIAL  
EXPOSED

 CONCEALED ELEMENT,  
HISTORIC MATERIAL  
ASSUMED TO EXIST

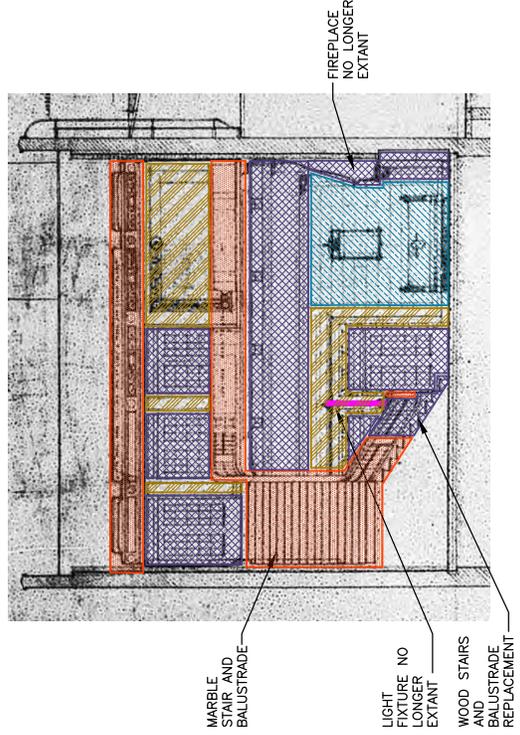
 EXPOSED ELEMENT,  
HISTORIC MATERIAL  
PREVIOUSLY REMOVED

 CONCEALED ELEMENT,  
HISTORIC MATERIAL  
ASSUMED TO HAVE  
BEEN PREVIOUSLY  
REMOVED

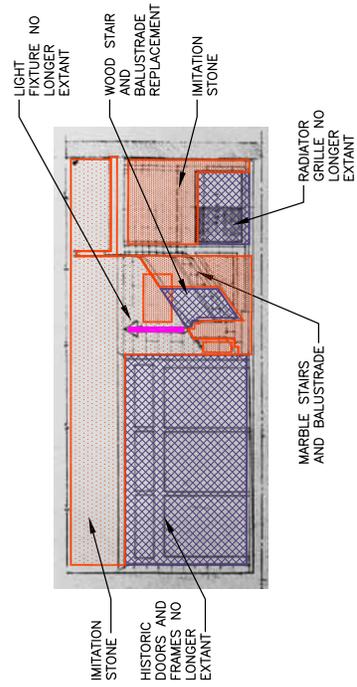
 NON-EXPOSED ELEMENT,  
AREA INACCESSIBLE

 UNKNOWN

NOTE: ITEMS NOTED AS EXPOSED REFER TO HISTORIC MATERIALS FROM 1917 THAT WERE HIDDEN BY MODERN MATERIALS. ASSUMED AREAS ARE THOSE THAT WERE EXPOSED FROM THE PROBE. AREAS ISOLATED FROM THE 1986 RENOVATION DRAWINGS OR THE 1986 RENOVATION DRAWINGS ARE NOTED AS EXPOSED AND REMOVED ITEMS NOTED AS EXPOSED WITH PROBES OR FROM AREAS WHERE THE MODERN FINISHES HAVE FALLEN.



FOYER ELEVATION LOOKING NORTH



FOYER ELEVATION LOOKING SOUTH

VICTORIA THEATRE  
BUILDING ALTERATIONS  
NORTH BUILDING

FIRST FLOOR PLAN/  
REFLECTIVE CEILING PLAN  
(AS NOTED)

LEGEND:

SOLID GREEN LINE: VERTICAL ELEMENT, HISTORIC MATERIAL, EXPOSED

DASHED GREEN LINE: VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST

SOLID MAGENTA LINE: VERTICAL ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED

DASHED MAGENTA LINE: VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED

SOLID ORANGE LINE: EXPOSED ELEMENT, HISTORIC MATERIAL, EXPOSED

DASHED ORANGE LINE: CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST

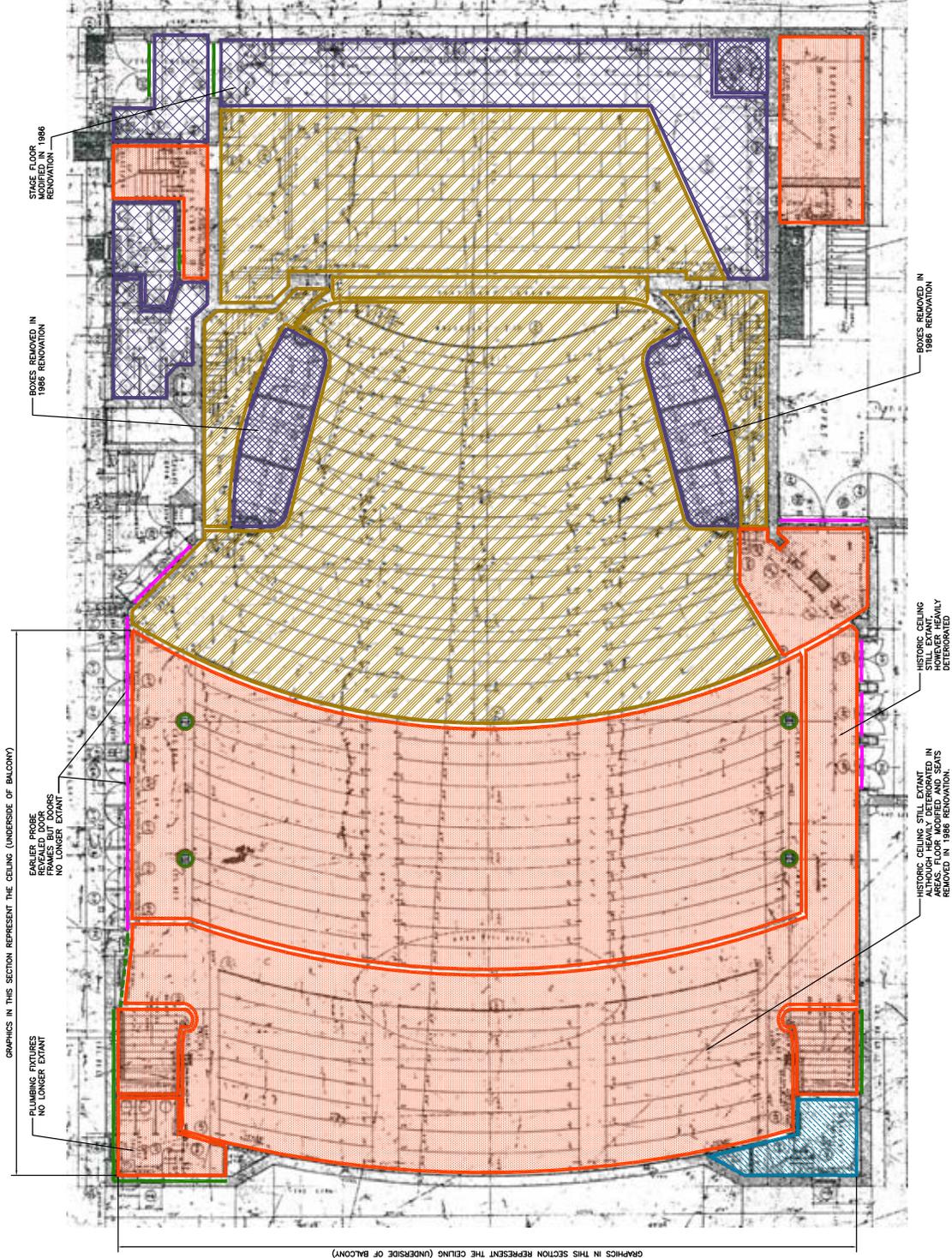
SOLID BLUE LINE: EXPOSED ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED

DASHED BLUE LINE: CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED

SOLID LIGHT BLUE LINE: NON-EXPOSED ELEMENT, AREA INACCESSIBLE

SOLID YELLOW LINE: UNKNOWN

NOTE: ITEMS NOTED AS EXPOSED REFER TO HISTORIC MATERIALS FROM 1917 THAT WERE REVEALED BY PROBES OR WERE NEVER HIDDEN BY MODERN MATERIALS. ASSUMED AREAS ARE THOSE THAT WERE NOT REVEALED BY PROBES OR WERE EXTRACTED FROM THE 1986 RENOVATION DRAWINGS. ITEMS NOTED AS EXPOSED AND REMOVED WERE CONFIRMED WITH PROBES OR FROM AREAS WHERE THE MODERN FINISHES HAVE FALLEN.



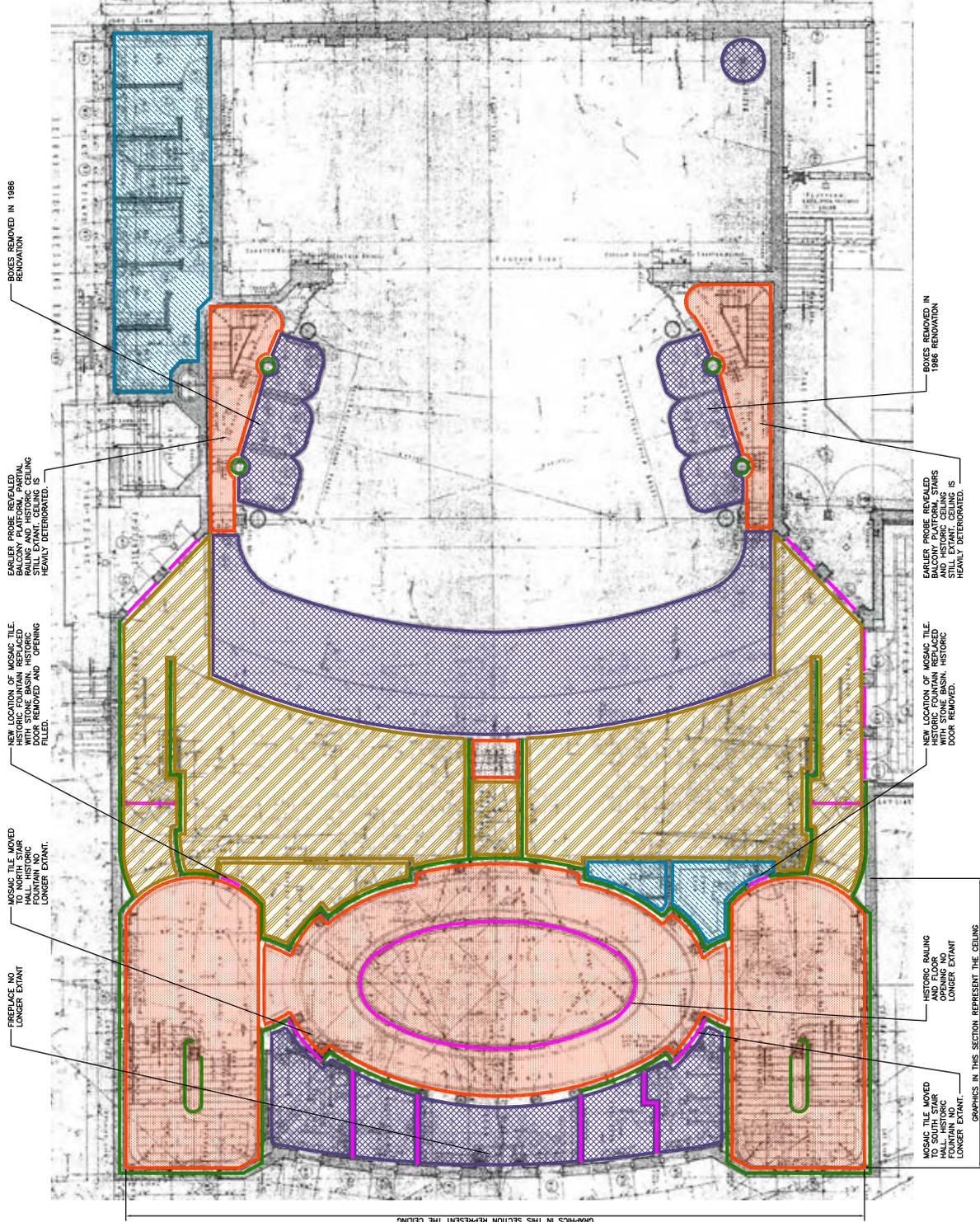
# VICTORIA THEATRE BUILDING ALTERATIONS NORTH BUILDING

## SECOND FLOOR PLAN/ REFLECTIVE CEILING PLAN (AS NOTED)

### LEGEND:

- VERTICAL ELEMENT, HISTORIC MATERIAL, EXPOSED
- VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST
- VERTICAL ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED
- VERTICAL ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED
- EXPOSED ELEMENT, HISTORIC MATERIAL, EXPOSED
- CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO EXIST
- EXPOSED ELEMENT, HISTORIC MATERIAL, PREVIOUSLY REMOVED
- CONCEALED ELEMENT, HISTORIC MATERIAL, ASSUMED TO HAVE BEEN PREVIOUSLY REMOVED
- NON-EXPOSED ELEMENT, AREA INACCESSIBLE
- UNKNOWN

NOTE: ITEMS NOTED AS EXPOSED REFER TO HISTORIC MATERIALS FROM 1917 THAT WERE REVEALED BY PROBES OR WERE NEVER HIDDEN BY MODERN MATERIALS. ASSUMED AREAS ARE THOSE THAT WERE EXTRACTED FROM THE PROBE LOGS RELATED TO THE 1986 RENOVATION DRAWINGS. ITEMS NOTED AS EXPOSED AND REMOVED WERE CONFIRMED WITH PROBES OR FROM AREAS WHERE THE MODERN FINISHES HAVE FALLEN.





**APPENDIX B.2**

**PAGE AYRES COWLEY ARCHITECTS  
EXISTING CONDITION REPORT**

# VICTORIA THEATER

233 WEST 125<sup>TH</sup> STREET, HARLEM, NY

## EXISTING CONDITION REPORT



PREPARED FOR

**DANFORTH DEVELOPMENT PARTNERS, LLP**  
115 WEST 120<sup>TH</sup> STREET NEW YORK, NEW YORK

PREPARED BY

**PAGE AYRES COWLEY ARCHITECTS**  
636 BROADWAY, NEW YORK, NEW YORK  
REVISED OCTOBER 10, 2008

# Victoria Theater Existing Condition Report

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## I. INTRODUCTION

Page Ayres Cowley Architects, LLC (PACA), on behalf of Danforth Development Partners, LLP, has prepared this Existing Conditions Report (“report”) regarding the Victoria Theater located at 233 West 125<sup>th</sup> Street. Using the few surviving sheets of the 1916 Thomas Lamb drawings, photographs taken in 1984<sup>1</sup>, architectural drawings produced for the 1985 rehabilitation and the results of a building survey, PACA was able to assess the theater’s existing condition and determine the extent of historic fabric, features and components remaining behind contemporary alterations. As detailed in the following pages, the theater has unfortunately suffered significant water damage since the 1985 rehabilitation and much of the significant historic fabric has been lost to removal or irreversible environmental damage.

The potential landmark status of the building is well documented. In 1983, the Harlem Urban Development Corporation made an application to the National Parks Service for a Determination of Eligibility Notification. The opinion of the State Historic Preservation Office was that the building was “eligible” for the National Register of Historic Places, but further information was requested. In 1985, when the building was rehabilitated and altered as a multiplex, the Advisory Council On Historic Preservation (Council) drafted a Memorandum of Agreement that made certain stipulations among the signatories permitting the conversion of the theater to a multiplex. The City of New York, the New York State Preservation Officer (SHPO) and the Council agreed to the undertaking with the understanding that the conversion would have an “effect” on the historic fabric. This Agreement made two requirements:

[that] “an architect experienced in the rehabilitation of historic buildings be retained to supervise project so that permanent damage to the significant architectural features will be minimized and made as reversible as possible, ” and that “the main auditorium of the theater will be recorded prior to any construction or demolition so that there will be a permanent record of its appearance.”

This report is presented in four sections reflecting the scope of work completed for this assessment. The first section provides the theater’s historic context and discusses its significance and architectural character. This section of the report also describes the alterations to the theater known to have occurred since its original construction.

The second section provides an architectural description of the two buildings that comprise the theater complex, including describing and locating key character defining features. The third section provides a discussion of interim contemporary repairs to the theater.

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<sup>1</sup> The photographic documentation followed Historic American Building Survey (HABS), standards as part of the mitigation called for in the Memorandum of Agreement when the building was converted to a multiplex cinema in 1984-1985.

The final section provides the existing conditions assessment. The description of the theater's existing condition is based upon the findings of the first three sections of the report together with the findings of a survey of the major exterior and interior building components, including: (1) the South Building's entrance lobby, ticketing areas, main floor and large meeting rooms on the second and third floors; and (2) the North Building's theater auditorium and service and operations areas. This section of the report also summarizes the extent of change, deterioration and permanent damage to the theater that has occurred since its original construction.

## **ACKNOWLEDGEMENTS**

This report gratefully acknowledges the participation of several State and City Agencies, which opened their files and helped to restructure the chronology of the previous alterations and the road to designation. Our research would not have been possible without the assistance of Rachael Schatz, Director of Planning and Environmental Review, Design & Construction, Kathy Howe and Beth Cumming from the New York State Office of Parks Recreation and Historic Preservation, and Wayne Benjamin, Executive Director, Harlem Community Development Corporation who listened and helped with the public review during the many meetings and scoping sessions. The New York City Department of Buildings was also helpful in gaining access to the building files.

The Library of Congress, Historic American Buildings collection, provided some of the copies of the Lamb drawings, as well as the record photographs taken in 1985.

Several libraries and museums provided information in the form of clippings and theater histories that helped to understand the social and cultural history of this former vaudeville theater. These repositories of primary information included: Avery Library at Columbia University, The Municipal Archives, The New York Public Library Map Room, The New-York Historical Society and the Museum of the City of New York.

Photographs used to describe the existing conditions in this report were taken by Page Ayres Cowley Architects, LLC in 2008. Additional archival Lamb drawings were obtained from Avery Library at Columbia University and the Department of Buildings that provided copies of the adaptive re-use when the theater was converted and used as multiplex movie theater 1986.

## II. ARCHITECTURAL SIGNIFICANCE & CHANGES OVER TIME

At the turn of the Twentieth Century, the prosperity and promise of Harlem attracted significant personalities in the entertainment business including Marcus Loew (who according to city directories lived on 111<sup>th</sup> Street in 1909), Adolph Zukor, George and Ira Gershwin, Irving Berlin, the Marx brothers, and Sigmund Romberg. Theater and entertainment flourished in Harlem, an uptown extension of Broadway, in the home neighborhood for many of the performing artists and impresarios.<sup>2</sup>

### *The Victoria Theater*

The Victoria, built as a vaudeville theater, opened in 1917. In May of that year *Harlem Magazine* reported that the Victoria would add to Harlem's growing reputation for "splendid playhouses:"

The promise of the architects and builders is, that the new theatre will be not only the largest in Harlem but the most attractive in Greater New York, which means something. It will be devoted to high class vaudeville and the best of motion pictures." . . . The two upper floors will be given over to lofts and a number of lodge and meeting rooms. Below the auditorium of the theatre will be an immense hall, with 20,000 feet of floor space and on top of the building will be either a roof garden or a moving picture studio. A novel feature of the building will be a club room, with an expensive organ built into it, where theatre parties may meet before or after the show. Every convenience will be provided for the patrons, and the . . . stage equipment and lighting will make possible spectacles which can be staged in only a few theatres. [*Harlem Magazine*, May 1916 quoted in *Village Views IX*].

In the Victoria, as in some other major vaudeville theaters, auxiliary rooms such as luxuriously appointed lounges, parlors, smoking rooms, lobbies and promenades seemed to have as much attention to decorative detail as the main auditorium, reflecting the fact that often the social activities and opportunities to mingle and be seen in such surroundings were as important to theater goers as the action on the stage itself.

The following year the *New York Telegraph* reported the opening of the Victoria on September 30, 1917 calling it "the most beautiful and costly theatre Loew ever built." "The greatest collection of celebrities. . . . that ever graced a Loew theatre" opening night would be in attendance, including Fatty Arbuckle, Irving Berlin, and Elsie Ferguson, popular star of the featured movie, *Barbary Sheep*, which shared the bill with several vaudeville acts [*Village Views*, IX (February 2005, p. 15.)].

The Victoria remained a Loew's theater showing films for 60 years until 1977, when the company decided that business there was no longer profitable and the building was offered for sale. The Harlem Urban Development Corporation took over the old theater and in the mid 1980s leased it to

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<sup>2</sup> Michael Henry Adams, "New Development Plans for the Victoria Theatre Site: A Harlem Scholar Sees "A Kind of Fig Leaf" in the Concessions," *Village Views*, IX (February, 2005), 3.

Leonard Clark who opened it as a five-plex, “Moviecenter Five” in 1986, after a \$3,000,000 renovation using some state funds. In 1992, the theater was refurbished again and reopened as the Victoria 5 under a new manager, Warren Blake, a well-known retired police detective from Harlem. A few years later, in 1995, Blake formed a partnership with the Roger Furman Theatre, among the oldest African-American non-profit theater groups in New York, and redesigned the house to accommodate live theater.

### ***Recent Appreciation of the Victoria Theater***

Based on a Determination of Eligibility in 1983 and again in 1985 when a HABS report was prepared by Linda Mayo-Perez [HABS No. NY-6283], the Loew’s Victoria Theater was documented and determined eligible for the National Register of Historic Places. More recently, in a Resource Evaluation of January 11, 2002, the SHPO determined that the Victoria still met the criteria of eligibility for the National Register as a surviving early vaudeville and motion picture theater building, and one of few remaining New York examples by Thomas Lamb, a significant architect noted for this building type, with more than three hundred theaters to his credit:

The Loew’s Victoria Theater enjoys the special distinction of being designed by one of America’s great theater architects. . . . The Victoria is typical of Lamb’s theater designs prior to 1930 which were classically-inspired, with interiors often based on seventeenth-century Baroque or eighteenth-century English (Adamesque) or French (Louis XVI) sources. During the late 1920s and 1930s, his designs became more exotic or “fantasy” based.

### ***Theater Builders and Designers***

Brief biographies of Marcus Loew, Thomas Lamb and Arthur Brounet are provided in Appendix III attached to this report.

### III. ARCHITECTURAL DESCRIPTION

#### *Introduction*

The architectural description begins with an overall summary of the building, followed by a description of the exterior subdivided by sections: The South Building and the North Building (Auditorium), as well as individual features or materials, such as ornamental plaster work, murals and light fixtures.

#### *South Building*

The Victoria Theater consists of two distinguishable buildings located on the same block and lot.<sup>3</sup> The South Building is constructed of load-bearing brick with timber framed floors and hollow clay tile interior walls and partitions.

The façade is recessed at the entry level and is faced with light gray terracotta. A pair of two-story, engaged and fluted Ionic columns are placed at the center above the entrance. These are flanked by half columns forming three, equally spaced window bays. Located above the columns is an ornamental frieze and dentiled cornice that spans the width of the building. A parapet wall with a central raised portion is capped with two over-sized terracotta cornucopia sculptures with fourteen terracotta acroterion standing in between them. Large wood frame tripartite windows with transoms above are located on the second and third floors. The center panel is fixed and the two on the side are operable casement type. The entrance at the pavement level has two pairs of contemporary metal entrance doors. At the eastern side is a second pair of double doors leading to an



<sup>3</sup> Reference NYC Department of Buildings, Building Information System (BIS) lists the Victoria Theater as Block 1931, Lot 17. 104 Job Actions are listed which include Alterations (type 1, 2 and 3), Building Notices, Certificates of Occupancy, Electric Sign Applications, Fire Protection Plans, New Building, Permits, Plumbing Repair Slips, Public Assembly, Special Reports, Unsafe Building Notices and Violations.

enclosed space with access to an internal courtyard. A replacement marquee has been constructed over the original steel frame, which is cantilevered over the sidewalk.

The theater façade is characterized by the classically modulated façade with the marquee that easily identifies this building as a place for entertainment. Other defining features include the classically inspired terracotta ornamentation, and the low building height typical of theater entrances.

#### *Roof:*

The extant roof over the South Building is at two levels. The first is above the third story over the meeting rooms. The second covers the double-height foyer below. Both are essentially flat, with a slight pitch and covered with a built-up asphalt roofing system. This has been patched and repaired in places, along with the perimeter inside faces of the brick parapets that have been tarred over. There is an exterior fire balcony that connects the second floor meeting room to the second floor of the auditorium. This area has no weather protection.

#### *Masonry Walls:*

The exterior masonry of the façade is constructed of load-bearing brick and steel framing. The 125<sup>th</sup> street façade is faced in light gray terracotta. The manufacturer is recorded in Architecture and Building in 1917 as the South Amboy Terra Cotta Company. All of the exterior ornament appears also to be constructed of terracotta. Exterior walls that are visible from the internal courtyard are of common red brick in a running bond pattern.

The main entry level has been modified. The locations of the entrance doors and the symmetrical chamfered walls that exist have been altered. On the west side, the wall has been built out and enlarged replacing the original angled walls. The east side retains the chamfered wall but has replacement entrance doors. The placement of the entrance doors is also different in that the opening is now of two pairs of doors rather than the three indicated on the original Lamb drawings. The entrance is in fair condition, but the modifications do not suit the original classical and symmetrical design.

#### *Entrance:*

All of the existing exterior doors are replacement doors differing in material and configuration. These are metal framed in an anodized yellow brass color and fully glazed. A roll-up security grill is placed in front of the doors at the main entrance. The flooring in the entrance recess has been modified. Contemporary floor tiles have been placed over or replace what may have been a terrazzo inset design.

*Interior:*

Once past the entrance doors, the lobby conforms to the size and configuration of the original design. The existing walls have been covered over in places with layers of gypsum wallboard. Earlier finishes that remain visible are sections of tiered coursing of marble, similar to *Royal Fleuri* quarried in the United States. Inset framed vitrines in metal remain but have been painted over in gold. The floors have been covered over with glue-down carpet. The only area that was spared alteration is the ceiling,



which consists of a delicate geometrical design in the manner of Robert Adam (see photograph above right). The color palette is reminiscent of the “antique” using muted and pale colors. There is an existing brass candelabrum, but whether it is original or a replica is unknown, as it does not look out of place.

The second major public space is a double-height foyer (see photograph at right). While the grand open staircase remains, the remainder of the floor is used as a passageway and contains a concession counter for soft drinks and snacks. The walls, as those in the foyer, are covered with gypsum wallboard. The staircase is remarkable despite the steep risers and narrow treads as the balustrade is constructed of marble, similar to *Botticino Light* quarried in Italy. The staircase terminates at a



balcony, which provides access to the second level of the auditorium. The walls at this level are covered in mirror panels. The ceiling retains what appears to be the original square coffered panels, is painted over in a uniform medium blue.

***North Building***

The North Building, that contains the auditorium space, fronts onto 126<sup>th</sup> street. This façade is flush with the property line and is utilitarian in character and appearance. This façade, which is approximately one hundred and fifty (150'-0”) feet long, is constructed entirely of red brick. At the street level are five pairs of metal panel egress doors. Three of these pairs exit directly from the

auditorium space. The others exit the western staircase and the southern stage door. A three-level fire escape is affixed to the exterior brick and is covered with corrugated metal. Exit doors on the balcony, are of a similar design as those on the street level, and exit from different levels of the interior theater space. Adjoining the South Building is an internal courtyard. This contains affixed exit balconies and stairs that are also covered with corrugated metal.

The interior space has been divided into five movie theaters. Three are located on the main floor, and there are two on the second floor. The sloping floors have been leveled using wood framing and plywood decking to separate the floors. All of the



walls have been covered with gypsum wallboard and surface-mounted acoustic panels. The ceilings have been lowered using a suspended lay-in ceiling system. These are affixed to either lightweight sub-framing or attached with pencil rods bolted through to the original plaster ceiling above. The consequence is that the original auditorium ceiling is no longer visible. The underside of the existing balcony, which still spans the full width of the auditorium, has been divided into two sections. While there is a partition along its length, the underside of the original stamped metal ceiling is visible from the main floor level and is painted black. Theater no. 5 is located on what would have been the stage and back stage area. This is in excess of double height and also has a suspended ceiling hung from the former back of the house catwalks that remain.

The only room in the North Building that remains, although altered, is the second floor foyer or former promenade (see photograph at right). The room is oval with a square anteroom at each side with staircases to access the different levels of the auditorium. Former seating areas have been removed and replaced with public toilets, and the opening in the floor has been filled in and covered over. The slender cast iron support columns remain at either side marking the extent of the former opening in the floor as do the engaged columns at the perimeter of the



room which frame the openings to the stair wells, theater and current toilet areas. The other interesting feature is the suspended plaster promenade ceiling, which is ornamented in the Adam style with Greco-Roman applied ornamentation painted in pale grays and blues (see photograph at right). Missing components are the lighting and wall coverings. The center medallion and ventilation grille has been covered over with a contemporary painting.



The water fountains which were originally located in niches in this oval room have been relocated to the stair foyers, one in each landing. These fountains have been modified with the basins mounted over the gold and green mosaics (see photograph below, right).

### ***Building Services***

There have been piecemeal alterations to toilets, concession and maintenance areas. The electrical wiring appears to be of two generations: the original dating to 1917 and supplemental conduit added in 1984-85 to suit the sub-divided cinemas. In the attic space over the auditorium, above the original plaster and metal lath domed ceiling are the abandoned fresh air ducts and fans. Also located in the attic are the projection rooms fitted in and around this obsolete and disused ventilation system. At present the electrical service has been terminated in the majority of the spaces. Housekeeping outlets are active but as there is no maintenance to the theaters, the access lighting and lamping has not been replaced for years.



#### IV. PREVIOUS REPORTS

Two important previous studies of this building have been made. The first, prepared in 2000 by STV Incorporated focused on the structural framing systems and exterior features and recorded only the condition of components that were visible. The North Building was reported to have defects and deformations to steel lintels over door openings, displaced brickwork on the 126<sup>th</sup> street elevation, clogged drains on the North Building roof (referenced in the report as the “Main Building”), water damage and active leaks as evidenced by six inches of standing water on the roof. The South Building (referenced as the “Lobby Building”) was described as in poor condition on the second and third floors with some significant sagging to the second floor. No reference was made to the main floor lobby. Water infiltration was also reported as having damaged the interior of the South Building over time. These conditions continue today.

The second report, commissioned by the Harlem Community Development Corporation in 2002, was prepared by the team of: M. Castedo Architects (Architectural), Goldreich Engineering P.C. (Structural), and John J. Guth Engineering. P.C. (Mechanical, Electrical and Plumbing). This report evaluated the interior of the building and building services, including the air-conditioning, heating, plumbing, electrical and fire-suppression systems. This report was aimed at determining the extent of repair necessary to keep the building usable, presumably as a public assembly space or theater. In summary, from the notations in this report, most of the accessible areas<sup>4</sup> listed some degree of water infiltration as the primary cause for damage. Damage to a majority of the interior plasterwork was noted on ceilings and walls. Broken windows, dislodged doors and window frames were noted to be a source of the water infiltration to the perimeter of the building.

In addition, exterior components of the South building noted as requiring remediation included steel supports of the building's front marquee, deteriorated terra cotta window sills and corroded steel window spandrel beams. Minor damage to wood components such as window frames and doors was also noted.

In addition to setting forth numerous defects and maintenance issues, this report also listed recommended remedial work. Although construction documents are referenced in the report, no such drawings were able to be located. Therefore, it is not clear how much of the remedial work was carried out, as the electrical service is minimal and the mechanical and plumbing systems were not active at the time this report was prepared. The custodians who provide periodic surveillance of the property reported these systems as non-operational.

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<sup>4</sup> There were several areas, principally the theaters, where access was not possible and consequently, repair recommendations were not included.

Below is a summary of the repairs that were carried out between 2004 and 2007 based on detailed work orders that were reviewed and verified against existing conditions, where possible. While these repairs provided some remedial benefit in keeping the building in a state of good repair, further deterioration has continued.

<u>Date</u>	<u>Discipline</u>	<u>Item</u>
July 2007	Plumbing	Repairs at roof tank supply pipes
May 2007	Plumbing	Repairs between roof and roof tank pipe connections
April 2007	Plumbing	Repairs to water supply for roof tank
March 2006	HVAC	Replacement of fan motor, air flow switch and blower cage Unit # 3
January 2006	HVAC	Repair to Thermal Couple Replacement of Transformer Replacement of Belts for fan motor Replacement of Wiring and Fuses Replacement of unit # 3 transformer and contactor Replacement of unit #2 (2) relays and (2) contactors
August 2005	Fire alarm Fire Suppression	Testing and major repairs
June 2005	Plumbing Fire Suppression	Roof Tank Repair- Cleaning and caulking Remedial repairs to two sprinkler systems Replacement of copper piping Replacement of Siamese female coupling with plug and adapters
March 2005	Plumbing Fire Suppression	Major repairs and upgrades to building sprinkler system
July 2004	Plumbing Fire Suppression	Installation of new standpipe section and sidewalk repair

As this list demonstrates, there were no repairs to the exterior of the building to keep the structure weather resistant. The concentration of the effort was to maintain the fire suppression system, as essential for an unoccupied building. Unfortunately, there appears to have been no allocation of funding towards the structure and the interior of the building and the conditions that are cited in this report have continued and worsened.

## V. EXISTING CONDITIONS ASSESSMENT

### *Introduction*

The Victoria Theater was taken out of service as a vaudeville and movie theater in 1969 and re-opened in 1985 as a five-cinema multiplex. The multiplex operated for approximately four years before it closed in 1989.<sup>5</sup> For the following eight years, the building remained in partial use for small theater performances, concerts and film screenings until 1997. The building has been considered as vacant since that time.

The potential landmark status of the building is well documented. In 1983, the Harlem Urban Development Corporation made an application to the National Parks Service for a Determination of Eligibility Notification. The opinion of the State Historic Preservation Office was that the building was “eligible” for the National Register of Historic Places, but further information was requested. In 1985, when the building was rehabilitated and altered as a multiplex, the Advisory Council On Historic Preservation (Council) drafted a Memorandum of Agreement that made certain stipulations among the signatories permitting the conversion of the theater to a multiplex. The City of New York, the New York State Preservation Officer (SHPO) and the Council agreed to the undertaking with the understanding that the conversion would have an “effect” on the historic fabric. This Agreement made two requirements:

that “an architect experienced in the rehabilitation of historic buildings be retained to supervise project so that permanent damage to the significant architectural features will be minimized and made as reversible as possible, ” and that “the main auditorium of the theater will be recorded prior to any construction or demolition so that there will be a permanent record of its appearance.”

### *Survey Methodology*

After review of the documentation discussed above, a systematic three-day survey of the exterior and interior of the theater was conducted. The field survey was accomplished primarily from the ground as no scaffolding or access ladders could be easily erected or safely installed. In addition, the roofs of the North and South Buildings were deemed unsafe due to noticeable water infiltration causing the structural integrity of the roofs to be questioned. For the exterior elevations, binoculars and the naked eye were used. Structural and mechanical systems are only referenced if they impact the exterior or the intelligibility of the interior decoration. There are no operating systems currently in the building as power and water remains only in certain areas and the entrance lobby.

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<sup>5</sup> From “Cinema Treasures’ internet website [www.cinematreasures.org/theater/560](http://www.cinematreasures.org/theater/560).

The different components and materials used in the construction of both the exterior and the interior of the theater exhibit a range of conditions. These varying conditions are attributable to the inconsistent alterations, removals and cosmetic treatments of portions of interior and exterior components coupled with years of inconsistent maintenance. These conditions were likely exacerbated by the lack of heat, ventilation or seasonal maintenance during the years when the theater did not operate.

### ***Probes***

The historic Victoria Theater once displayed a unique and richly decorated interior. However, conversion of the auditorium and modification of the principal public foyers and the lobby have significantly reduced the charm, character and quality of the once grand spaces. To identify these changes and to assist with the planning of design and building conservation work being considered, interior probes were carried out to determine if the 1984-85 alteration and previous upgrading concealed original fabric or removed original features and ornamentation. A series of diagrams were made, by overlaying the original Lamb drawings and the 1985 conversion plans, to evaluate where the alterations may have effected original or earlier architectural features. Where there was a delineated conflict, a potential probe was indicated. These locations were mapped and are referenced in the attached annotated drawings PL-1 through PL-4 and captioned pictures that follow.

Once a determination was made as to the number and size of the exploratory openings to be made, a walk-through was conducted on January 14, 2008 prior to the selective removal work to confirm probe locations. The probes were limited to areas believed to have original historic fabric remaining after the 1980's rehabilitation. Specific probe locations were reviewed and approved by the Harlem Community Development Corporation and the New York State Economic Development Corporation.

On February 11, 2008 at 8 AM, with temperatures ranging from 15 to 25 degrees Fahrenheit, two man construction crews provided by Plaza Construction, assembled in the lobby of the theater to discuss methods of removal and the objectives of the work. Using both a copy of the original 1916 Lamb drawings and the HABS photographs, the search for original features began. Contractors used hand held tools and small claw hammers to locate cavities in the contemporary wall linings, wallboard and floor framing and to make initial pilot holes. Once penetration of the surface layer had been achieved, the workmen graduated to larger tools and crow bars, and finally to small hand held Makita type saws, to open and frame the holes made in walls, floors and ceilings. Successive layers of materials were removed, including various thicknesses of gypsum wallboard, carpet, wood paneling, metal studs and secondary wood framing and furring. All of the probe locations were documented with digital flash photography.

Based upon the terms of the Memorandum of Agreement stipulating that new construction should be installed with minimal harm or at least be reversible, these coverings were thought to conceal original finishes and decorative elements. This was found not to be the case throughout all of the probe areas as some degree of damage to the substrate was encountered at each probe. Once visible, the damage and deterioration of uncovered earlier and original features varied from moderate to severe. Some findings were surprising as underneath the present wall covering (gypsum wallboard) was an earlier wood wall paneling and beneath this layer a previous marble wall. The extent and wall pattern was not determined, as this would involve substantial demolition of existing walls. In the foyer at the grand staircase, a terrazzo floor covering was found under the glue-down carpet. At the second floor promenade, additional marble flooring was uncovered. The extent of this material and design could not be determined, as to do so would involve substantial demolition and it was agreed that it was better to leave these materials intact at this time. The other important discovery was the loss of a companion wall painting that was originally located on the south wall of the auditorium. Only the wall painting on the north wall survives and even that is heavily compromised by the attachment of lightweight metal framing.

## PROBE PHOTOGRAPHS AND DESCRIPTIONS



1.

Probe location was selected as original Lamb drawings indicate a fireplace surround as a feature for the double-height foyer.

As found condition:

A 2 ft. x 2 ft. probe hole was made through ceramic tile behind a food service center on the east wall of the foyer. Wall construction revealed contemporary metal studs supporting gypsum wall board, which conceals a cavity. No fireplace was found. Inspection of the cavity indicated that this space is used for distribution of new ductwork, electrical conduit and undefined cables.

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2.

Probe location was selected as original Lamb drawings indicate a decorative floor pattern, which appeared to be of a type of tile in the foyer.

As found condition:

A 2-ft. square of the existing carpet was cut out and removed to reveal the original Terrazzo floor. The floor was found to be in poor condition.

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3.

Probe location was selected as original Lamb drawings indicate a marble finish on the foyer walls.

As found condition:

A probe was made on the east wall of the foyer. A 2-ft. wide section of the gypsum wallboard was removed exposing a layer of wood paneling with wood furring behind it placed over a layer of fire block. Portions of the original marble wall finish were found behind the fire block.



4.

Probe location was selected as original Lamb drawings indicate a marble finish on the foyer walls.

As found condition:

A probe was made on the west wall of the foyer. A 2 ft. x 6 ft. section of the gypsum wallboard was removed exposing a layer of wood paneling with wood furring behind it over a layer of fire block. Behind the fire block was a cavity and then a layer of fire brick. No marble finish was found at this location.



5.

Visual inspection was selected as original Lamb drawings indicate a marble railing at stairs leading to the mezzanine floor of the foyer and also leading across the mezzanine floor that overlooks the first floor.

As found condition:

The original marble railing remains, except for the lower section of the railing which was replaced with wood made to resemble the existing original marble railing.





Ceiling at center of foyer

6.

Probe location was selected as original Lamb drawings indicate an ornamented ceiling. Due to ceiling height, visual inspection was conducted in place of probes.

As found condition:

A visual inspection of the ceiling was conducted in the foyer. In the middle section of the foyer the original ornamented ceiling remains. There are visible areas of cracking and flaking paint. In the area above the stairs and mezzanine, the ceiling is covered with gypsum boards.



Ceiling above stairs and mezzanine

7.

Probe location was selected based on first-floor ceiling condition and investigation of second-floor ceiling condition.

As found condition:

A visual inspection was made of the second-floor ceiling at the south end of the building. It was apparent that sections of the original tin ceiling remained, however, the ceiling is in a state of deterioration beyond repair.





A. Probe at southern balcony

8.

Probe locations were selected as original Lamb drawings indicate balcony boxes over theater.

8A.

As found condition:

A probe hole approximately covering a 4 ft. x 5 ft. section of the gypsum wall board was made on the southern side of the theater where one half of the box balconies originally were located. Behind the gypsum wall were stairs leading down to the balcony. The stairs were covered with plywood and could not be determined as original. The balcony platform remains but not the balcony boxes. This area is currently used for HVAC equipment. The decorative plaster ceiling remains but in an extremely deteriorated condition.



B. Probe at northern balcony. Note entrance to balcony below new stairs

8B.

As found condition:

A probe hole approximately covering a 4 ft. x 4 ft. section of the plywood wall was made on the northern side of the theater where one half of the box balconies originally were located. A storage area with stairs was built in the location of the entrance to the balcony. Behind the stairs and behind the plywood remained only the balcony platform with a section of the railing attached at the edge. The balcony boxes, the stairs leading down to the balcony platform, and the rest of the railings are no longer there. The decorative plaster ceiling remains, but in a heavily deteriorated condition.



B. Northern balcony. Note that the only remaining piece is the platform with attached railing at edge.



9.

Probe location was selected as original Lamb drawings indicate decorative floor pattern at the foyer on the second floor of the theater.

As found condition:

The foyer on the second floor of the theater on the west end of the building is covered with carpet. A section of the carpet was rolled up and a 1 ft. x 1 ft. probe was made removing the padding and revealing original marble floor tile.

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10.

Visual inspection was selected as original Lamb drawings indicate drinking fountains at the second floor theater foyer.

As found condition:

The original drinking fountains with mosaic tile surround remain flanking the outer areas of the second floor theater foyer. The tiles surrounding the fountains as well as the fountains are in good condition.

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11.

Visual inspection was selected as original Lamb drawings indicate marble/stone stairs and cast iron railings leading to the second floor of the theater at the west end of the building.

As found condition:

The marble stairs and cast iron railings remain on both ends of the west end of the building. They appear in good condition.



First probe done at west foyer wall

12.

Probe location was selected as original Lamb drawings indicate a fireplace along the interior of the exterior west wall on the second floor of the theater. This was made on the west wall of the second floor foyer (oval room).

As found condition:

The first probe was made on the western wall of the second floor foyer where the original drawings showed a passage way to the fireplace. Removing the plywood revealed a CMU wall covering the passage way. Behind the CMU wall were the restrooms.



Second probe done at south wall of restroom behind CMU wall

Second probe to locate the fireplace was made in the men's restroom. The second probe was made cutting a 2 ft. x2 ft. hole into the south wall of the restroom behind the CMU wall which would be the passage way. The probe revealed steel framed construction supporting gypsum wall board. Within the wall was a cavity with ducts. No passage way was found.



Third probe done at west wall of restroom at interior of exterior west wall

The third probe to locate the fireplace was made in the women's restroom. The third probe was made cutting a 2 ft. x2 ft. hole into the west wall of the restroom. There was a layer of plaster followed by concrete. No fireplace remains.



13.

Probe location was selected as original Lamb drawings indicate exit doors which were not visible.

As found condition:

Three 4 ft. x 2 ft. probe holes were made at the north wall of the theater. Each probe hole was situated at the location where the fire doors once were. Behind the gypsum wall board and metal stud framing were the original wood door trims painted red and the openings, now filled in with fire block.



North wall mural and trim with metal stud wall support spanning across mural

14.

Probe locations were selected as the 1985 Historic American Building Survey (HABS) photographs of the Victoria Theater showed murals on both the north and south walls. These murals were features of the theater.

As found condition:

North Wall Mural

A 4 ft. x 4 ft. probe was made through the existing gypsum wall board and acoustic panel at the lower east portion of the north wall in the main north theater. Wall construction consisted of gypsum wall board, acoustical paneling, and metal stud work. The original mural screen and plaster surround still remain. Missing portions of the plaster ornamentation is evident. The mural has been damaged with the stabilization of the furred out gypsum board. The approximate size of the mural and trim is 30 ft. x 15 ft.



North wall mural, note metal studs piercing through mural fabric

As found condition:

#### South Wall Mural

A 4 ft. x 4 ft. probe was made through the existing gypsum wall board and acoustic panel at the lower west portion of the south wall in the main south theater. Wall construction consisted of gypsum wall board, acoustical paneling, and metal stud work. The original mural screen was not found, however the plaster surround still remains. Missing portions of the plaster ornamentation is evident. The approximate size of the trim is 30 ft. x 15 ft., the same as the North side.



South wall mural trim with metal stud wall support spanning across area. No mural found at this location.

## ***General Observations***

The building's envelope is in fair condition, with the exception of those areas subject to continuous wetting and pigeon infestation and nesting. These areas include the roofs to both the South and North Buildings and the courtyard, where rainwater leaders are missing and water overflows over brick walls and is subject to freeze-thaw action. The roofs of both the North and South Buildings lack structural integrity and were deemed un-safe. There were noticeable areas where water was seeping down the interior courtyard walls. Water was also entering the building through doors that could no longer be properly closed. At these locations, pigeons easily entered the building and had nested. Carcasses and bird droppings were evident on the third floor of the South Building and in and around the auditorium fire-escape doors. The water tank at the eastern side over the former stage had a steady leak and water continuously dripped and saturated the exterior wall.

The following conditions observed are of a generic nature and apply to the entire component or assembly. These conditions are described as follows:

### ***South Building***

#### ***Roof***

- The condition of the roof covering and the parapet is poor.
- Flashings are no longer serviceable and have been tarred over. The lower flat roof is in marginally better condition but water damage is visible on the interior and underside of the double height foyer.
- Terracotta coping tiles are visible from the ground using binoculars, and show signs of lifting and deterioration.

#### ***Masonry***

- The terracotta appears to have stood up well.
- The majority of the unit breakage is at the connection of the steel frame that supports the marquee and at locations where the joints have been filled with non-compatible mortars and sealants.
- There is some discoloration and previous patching to the flatter surfaces.
- Minor crazing and some cracks are visible in the smooth faced units as well. This may have been why some units are painted or mortared over.
- It was not possible to determine the condition of the ornamental elements and engaged columns, as this will require scaffolding. Material losses are visible on the eastern cornucopia and at least seven acroterion are missing.
- Given the age and extent of ornament, the terracotta is in fair to good condition.

- Terracotta mortar joints appear in fair to good condition. Some repointing is evident as are open joints. While only a few units were inspected, re-pointing may be advisable owing to hairline cracks at the joints.
- The exterior marquee is non-historic and needs repair and re-wiring for the signage.

## *Interiors*

### *Entrance Lobby*

- The walls are concealed and only gypsum wallboard is visible with the exception of some marble panels. These are in fair to poor condition.
- All interior doors are replacements and are in fair to poor condition. The door hardware is functional, but does not meet current egress compliance.
- The ceiling remains intact although there is minor plaster cracking and delaminating areas. The deformation of the plaster may be caused by the sagging floor framing, previously cited in the 2000 STV Incorporated report, and still apparent.
- The perimeter cornice has been modified at the south, east and west sides. This appears to have dark stained plywood veneer over earlier plaster and wood framing.
- The floor covering is glue-down carpet and conceals what is thought to be remains of the original terrazzo floor.

### *Foyer*

- The walls are covered with gypsum wallboard and coated with several paint layers. Tile is placed around and above the concession counter. The walls are in fair to poor condition as there are numerous holes made for removals of grillwork and successive exploratory holes.
- The grand staircase does not conform to current egress as a prime means of escape as the treads and risers are respectively too narrow and too high and the railing is too low.
- The marble newel post is intact, but the lower section of the balustrade is missing and non-matching material (wood) has been installed.
- The upper level of the foyer walls is covered with applied mirrored panels. There is evidence of water streaks, which originate from the ceiling at the perimeter.
- The ceiling is discolored and various areas of ornamental plaster are missing or have delaminated due to water damage. It should be noted that the center area of the foyer ceiling is covered with gypsum wallboard, which suggests that this area has already failed and has been covered over.
- No light fixtures exist in this area.

### *Meeting Rooms*

- Both the second and third floor meeting rooms are in very poor condition and the party-wall brick is visible.
- Some pieces of the second floor pressed metal ceiling remain.
- Water damage is clearly visible on the interior of the two levels of meeting rooms.
- The ceiling on the third floor has fallen away and the timber roof framing (beams and joists) is exposed.
- Both floors contain discarded building equipment and used theater seating which is a fire hazard, collects moisture and blocks access.

### *North Building*

#### *Roof*

- The condition of the roof covering and the parapet is poor. Although not accessible, water and ice could be seen as overflow from the gutters and leaders visible in the interior courtyard.
- Water damage is clearly visible on the interior within the attic, at the upper walls of the second floor movie theater, and in the cinema located where the former stage existed. This room is musty, and mold is visible on the baseboard and on the gypsum wallboard along the east and south walls.

#### *Masonry*

- Almost every opening on this façade has been blocked up with concrete masonry units or closed off. It was not possible to open all of the metal egress doors to determine the condition of the doors, frames and spandrel lintels. Many of these embedded steel units have rusted and deflected as hairline cracks in the adjacent masonry in the mortar joints are noticeable. There is also heavy soiling, which makes observation difficult without scaffolding.

### *Interiors*

#### *Auditorium*

- The ceiling under the balcony remains intact, but has been modified at the center where the space was divided into two cinemas.
- The walls that enclose the cinemas are furred out over original plaster walls. Because the original plaster is concealed and water infiltration, leaking from the roof, has been seeping over time, there is ornamental plaster loss indiscriminately over portions of the north wall.

- Where the wall painting located on the north wall was encapsulated, there is water damage, which has blistered and lifted the canvas. The plaster substrate has deteriorated by expansion and has torn the rotted canvas in various locations. The plaster frame that surrounds the large canvas has also deteriorated from excessive water damage over time. Mold and mildew have compromised the majority of the painting.
- Plaster delamination, deterioration and losses behind the canvas, may have long-range impact on future conservation efforts, as the substrate may contain a white lead coating which is often used to adhere canvas to plaster. No testing for hazardous containing materials was performed where the artwork is located or at any areas uncovered as part of the exploratory probe work. The extent of material loss and a determination whether the mural could be recovered with any degree of intelligibility would need to be evaluated by specialist painting conservators.
- The original cantilevered balcony seating loggias, adjacent to the former stage, have been cut off. The steps leading to these former boxes remain, but there are no knee-walls remaining. Pilasters, which form the arched opening over this area, also appear to have been compromised and protruding ornamentation cut back to support the acoustic wall linings. The extent of removals could not be determined without additional scaffolding and removal of all of the gypsum wallboard lining and of the sound proofing panels. Only one small section of the original wood railing remains on one side.
- On the balcony level, which contains two cinemas, the original domed ceiling has been concealed by a suspended lay-in tiled ceiling. The black iron used to support the ceiling has been affixed through the plaster at approximately 1'-6" intervals. There is chipping and/or spalling adjacent to each penetration. Further investigation is recommended before any action is proposed for repair or removals as shifting of the weight as the black iron grid is removed may cause further damage. There is concern that removal of the ceiling grid could place eccentric loading on remaining members as it is taken away and could cause plaster larger sections to come away.
- The perimeter of the walls at the suspended ceiling shows signs of minor to severe water infiltration. The extent of damage behind the walls is not known. Given the appearance of the concealed wall surfaces made at the probe locations in the walls below, similar conditions are expected. There are some sections of the former balcony railing remaining, but these will require re-anchoring as these have become loose over time and are too low to meet current safety railing standards. Further investigation is recommended before any action is proposed for repair or removals.

- No lighting exists and the ventilation system is nonfunctional.

### *Second Floor Foyer and Stairwells*

- In each stairwell, the relocated mosaic panel and marble fountain basins remain.
- The ceilings to both stairwells are intact (although heavily over-painted) and appear in good condition. These are constructed of metal lath and ornamental plaster suspended from the wood floor framing.
- The walls have had their applied molding removed in almost all locations, although some sections remain.
- The ornamental metal stair railings are intact and in good condition.
- The flooring in the stairwell and the second floor foyer is covered with glue-down carpet. Marble and /or terrazzo flooring may exist underneath (see probes).
- The oval foyer configuration remains intact, although the walls have been modified by closure of original openings or the creation of new doorways into toilet areas.

### *Conclusion*

While the auditorium was the focus of the 1985 documentation, the extent of the selective demolition undertaken to convert the large space to smaller cinemas may not have been fully appreciated or anticipated, as all of the interventions were expected to have been “reversible” as required in the Memorandum of Agreement. In order to achieve new plumb walls and permit acoustic and gypsum wall panels to be installed, ornamentation was cut away to make the substrate level for anchorage of the new interior wall linings. While the furring out of walls was thought to protect original wall surfaces, there was no provision for monitoring or ventilating the internal cavity, which has been subjected to condensation, water infiltration, insect and rodent attack. Elsewhere in the building, roof leaks, open doors and broken windows have contributed to the decay and deterioration of wood framing, the delamination of plaster and the corrosion of pressed metal ceilings resulting in substantial loss and ultimately failure of the ornamental ceiling and wall finishes. The North Building, which houses the auditorium, has substantial ornamental plaster losses at the stage and the adjacent loggias, even though the center portions of the ceilings above the proscenium stage and the middle domed ceiling remain. The upper perimeter of the auditorium, with the exception of the west wall, is in fair to poor condition and the larger concealed wall surfaces along the north wall are in exceptionally poor condition where the wall painting was concealed. Over the stage, which has a flat roof over the stage, there is evidence of water damage at all of the perimeter walls. The worst affected areas are at the eastern end where a

gravity-supplied sprinkler system is piped from a wood water tank that seeps water continuously. The South Building, which contains the primary façade, is in a far more retrievable condition as the majority of the finishes and materials remain.

# Victoria Theater

## APPENDIX I: Lamb Archival Drawings

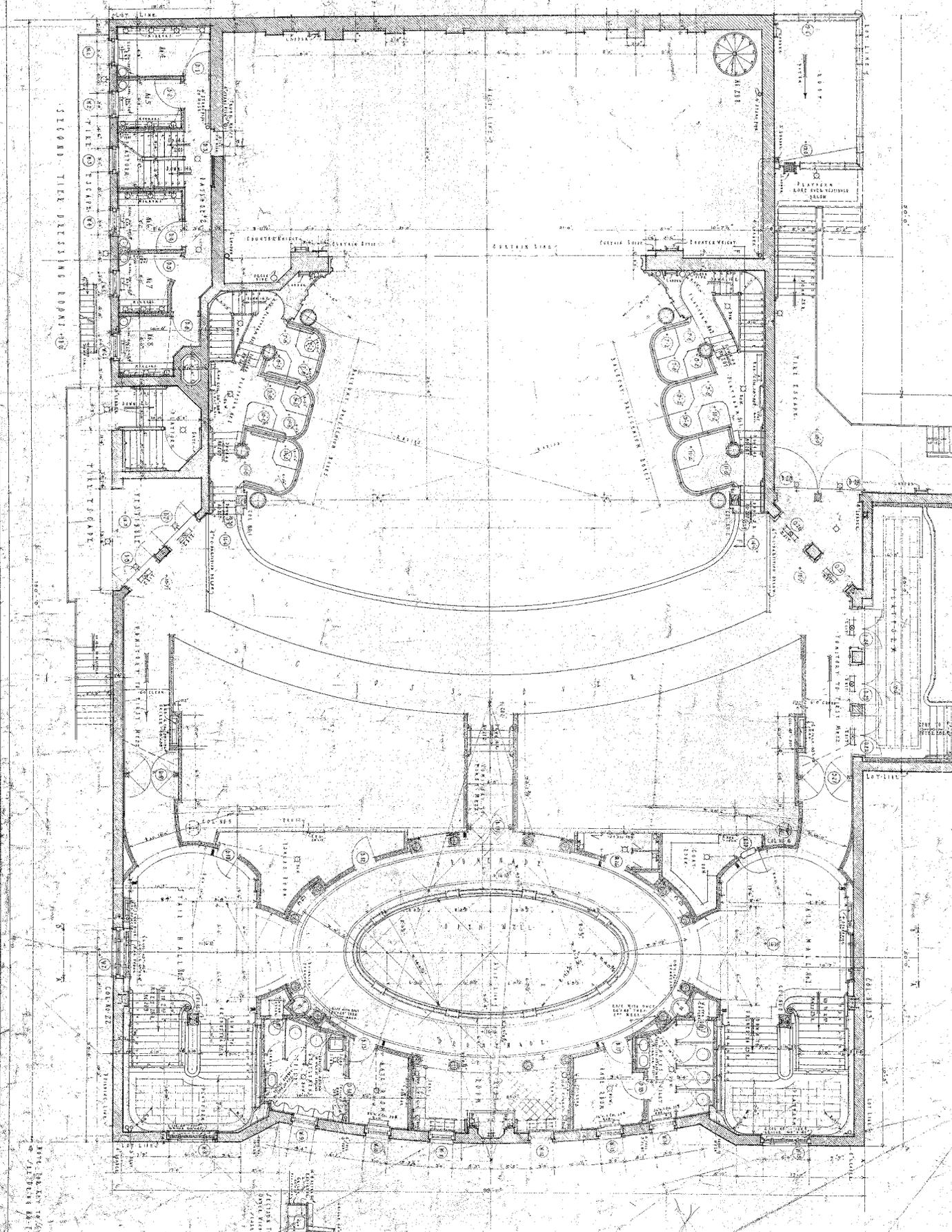




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MAYNARD THEATRE

SEATING CHART

THEATRE SEATING CHART  
FOR THE  
MAYNARD THEATRE

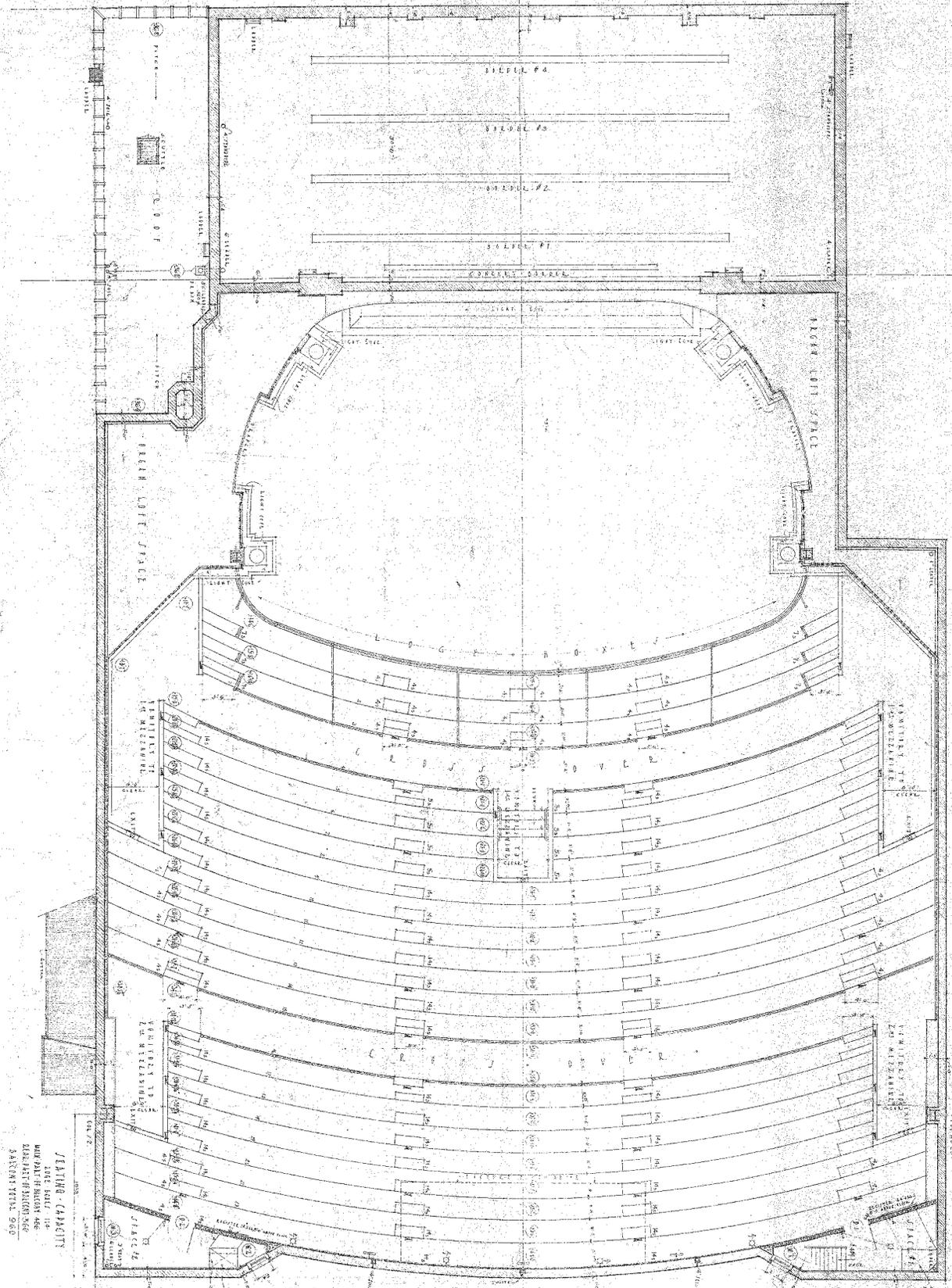


THEATRE SEATING CHART  
FOR THE  
MAYNARD THEATRE

THEATRE SEATING CHART  
FOR THE  
MAYNARD THEATRE

THEATRE & OFFICE BUILDING  
 JOHN H. ALLEN ARCHT. & ENGRS. INC.  
 100 W. WASHINGTON ST. CHICAGO, ILL.

PLAN OF BALCONY



SEATING CAPACITY  
 2000 SEAT  
 MIN. 1000 SEAT  
 MAX. 3000 SEAT  
 3000 SEAT

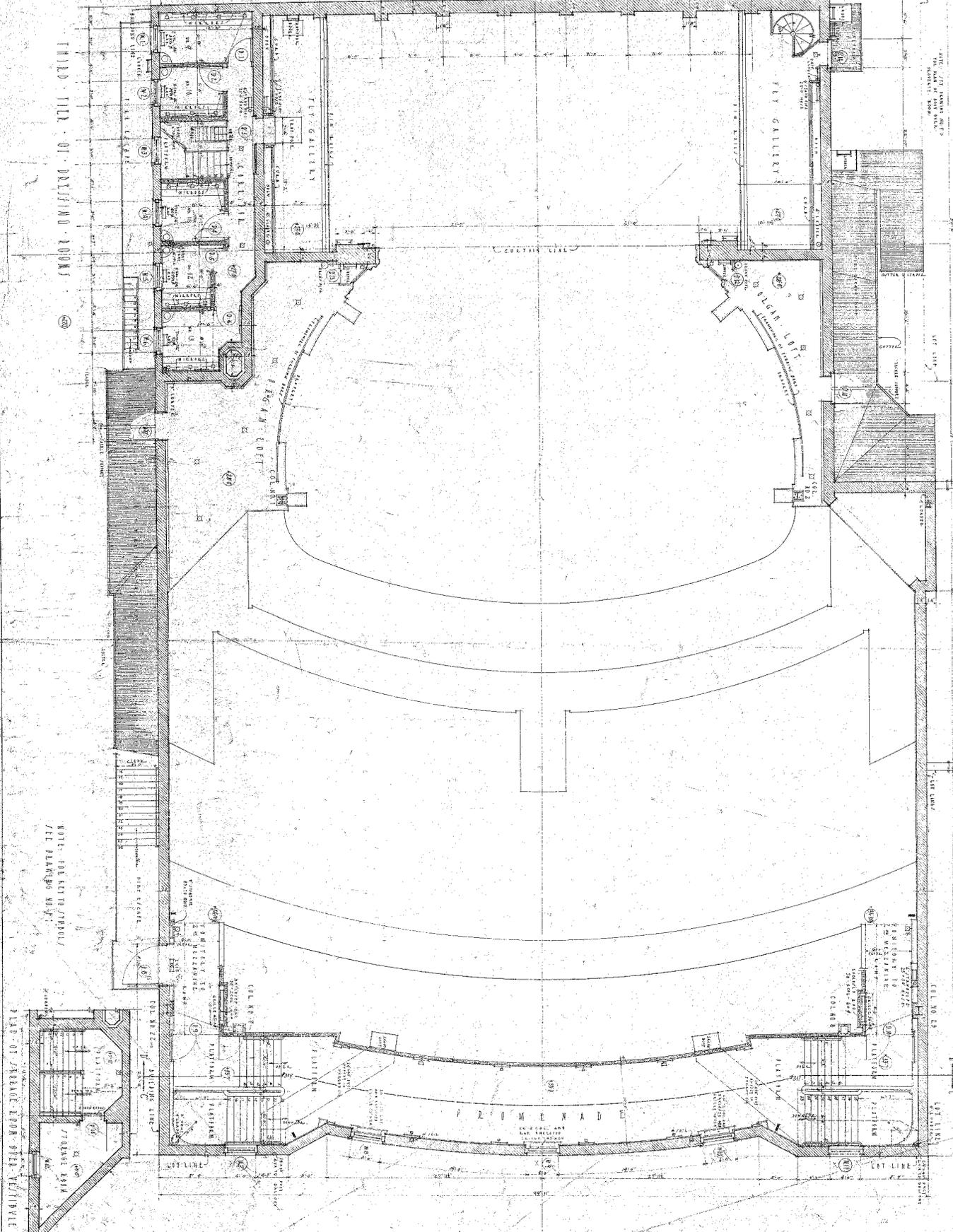
NOTE: SEE CITY'S ORDINANCE  
 711 ORDINANCE 40-11

THEATRE & OFFICE BUILDING  
 JOHN H. ALLEN ARCHT. & ENGRS. INC.  
 100 W. WASHINGTON ST. CHICAGO, ILL.

THEATRE & OFFICE BUILDING  
 107 WEST ALLEMAN STREET  
 CHICAGO, ILL.  
 ARCHITECTURAL FIRM

PLAN OF 2ND FLOOR

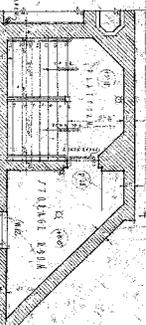
THE FLOOR ARCHITECT  
 ARCHITECTURAL FIRM  
 CHICAGO, ILL.



THIRD FLOOR OF DRESSING ROOMS

NOTE: FOR LIGHT FIXTURES  
 SEE PLANS ON NEXT PAGE

PLAN OF PROSCENIUM-BOX SEAT ARRANGEMENT



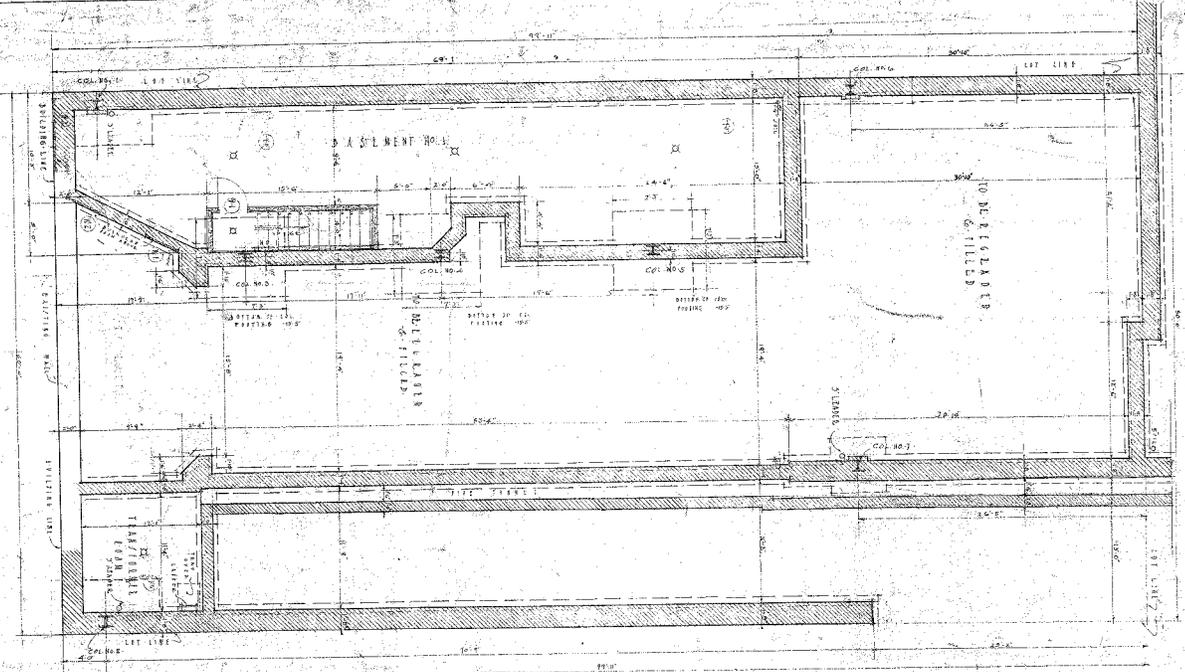
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 COL. NO. 100



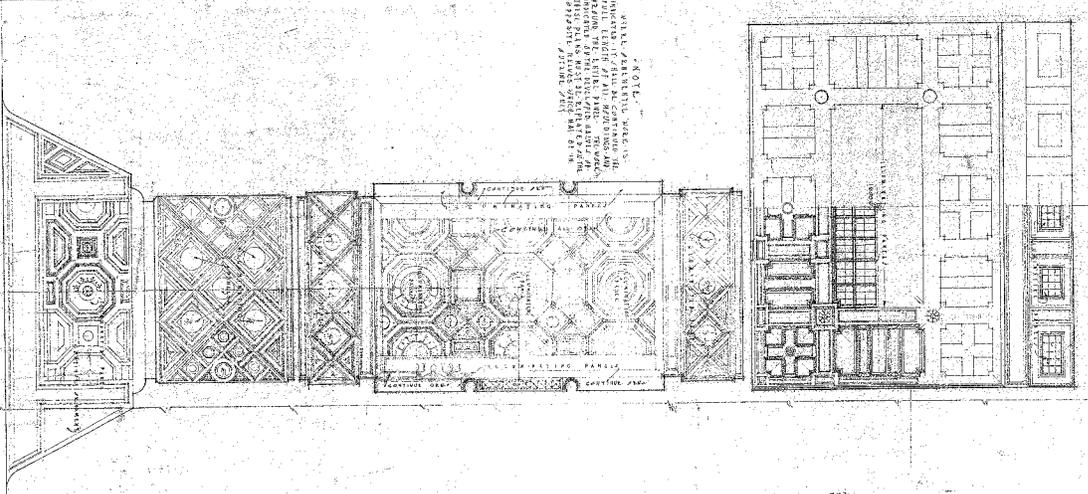
HEATH & WHITE BUILDING  
 100 N. 1ST ST. ST. LOUIS, MO.  
 ARCHT. AND ENGR. COMPANY

BASMENT, 1ST FLOOR & CEILING PLANS OF BUILDING ON 25TH ST.

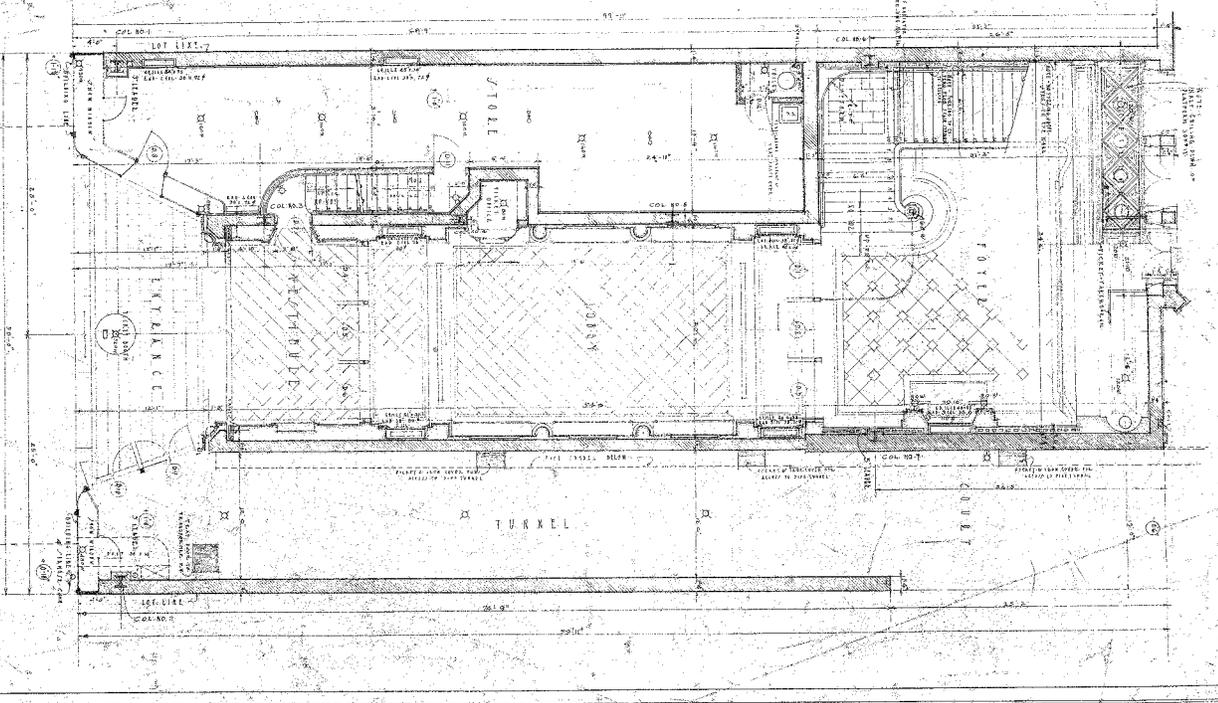
BASMENT PLAN



CEILING PLAN

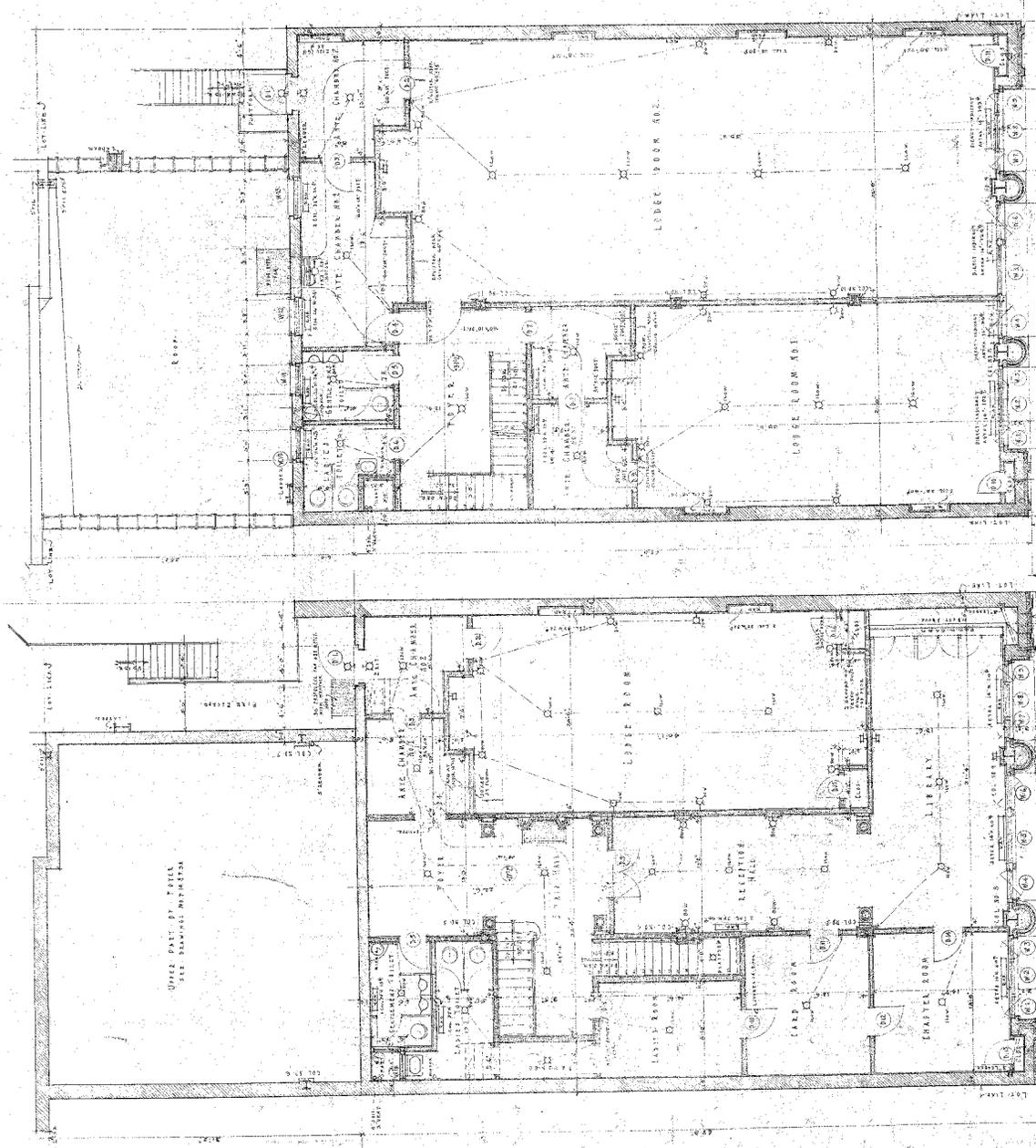


1ST FLOOR PLAN

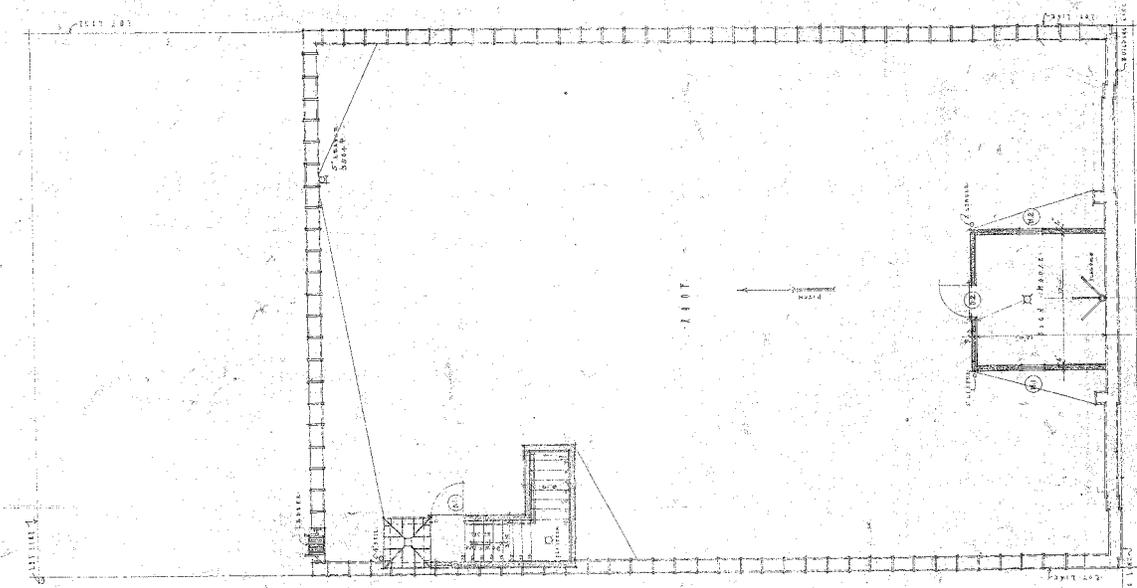


THE PLAN SHEETS  
 DRAWN BY  
 CHECKED BY  
 APPROVED BY

NOTE: FOR E.C.T. JOINTS  
 SEE DRAWING NO. 1-1



PLAN OF THIRD FLOOR



PLAN OF ROOF

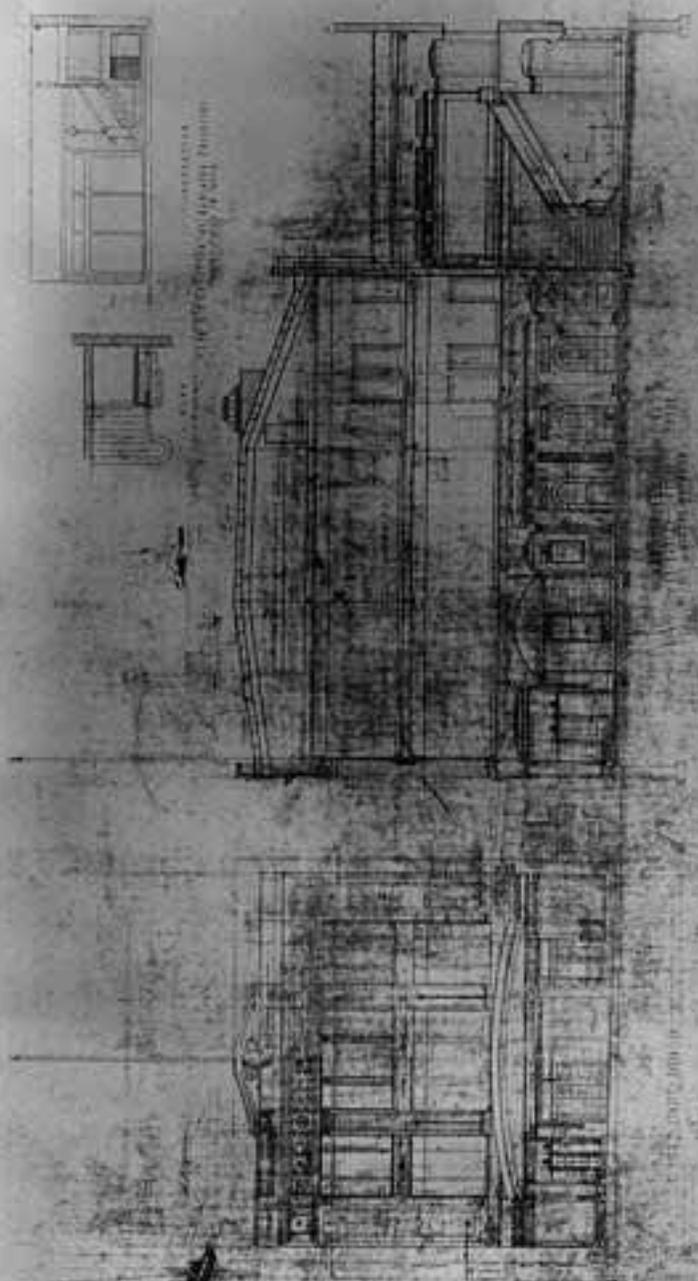
NOTE: FOR KEYS, DIMENSIONS SEE DET. H. 11

THE ARCHITECTS  
 111 N. W. 10th St. N.W.  
 OMAHA, IOWA

W. ANDERSON & CO. PLANNERS & ARCHITECTS

THE ARCHITECTS  
 111 N. W. 10th St. N.W.  
 OMAHA, IOWA

1888



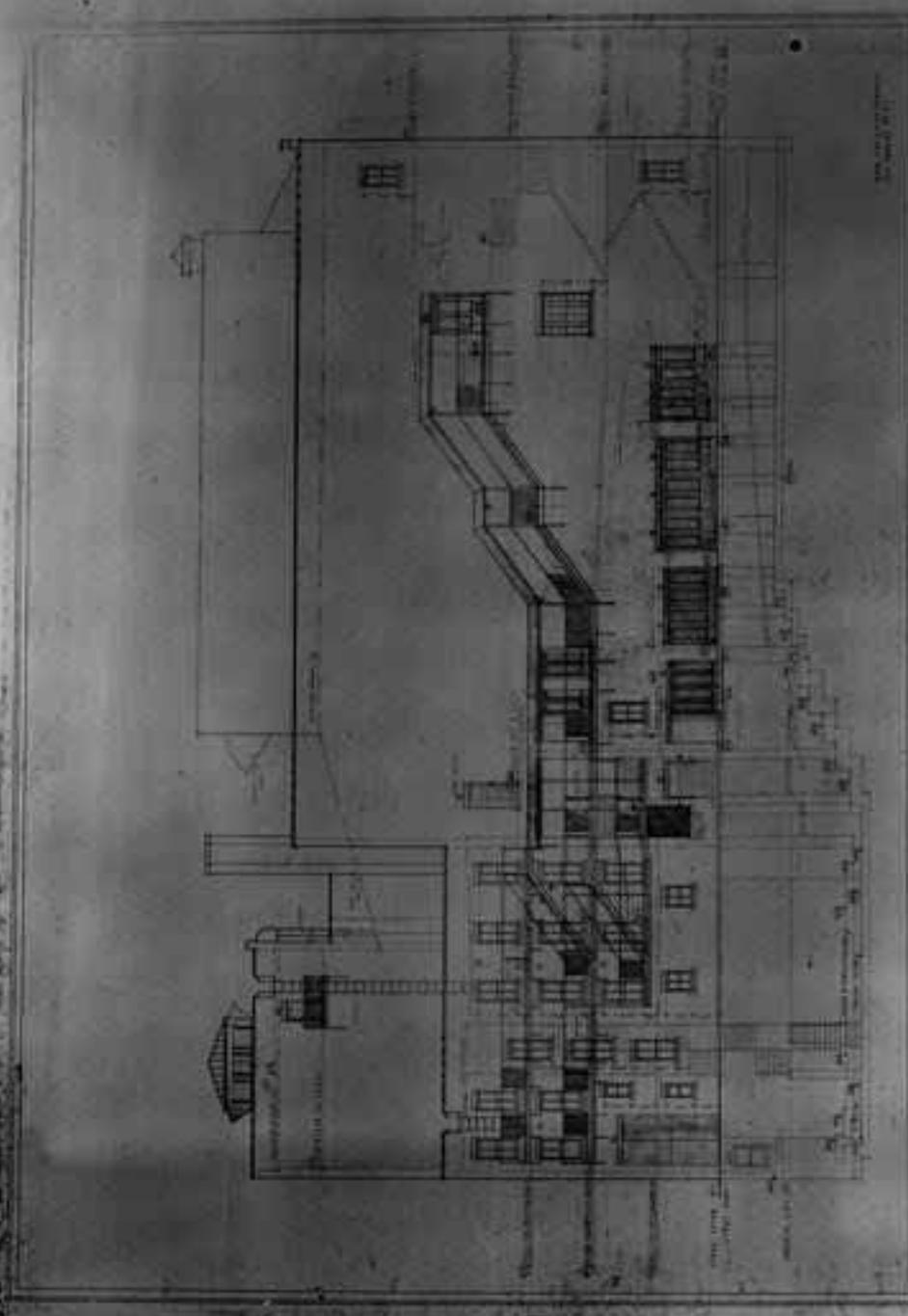
Architectural drawing

Architectural drawing

Architectural drawing

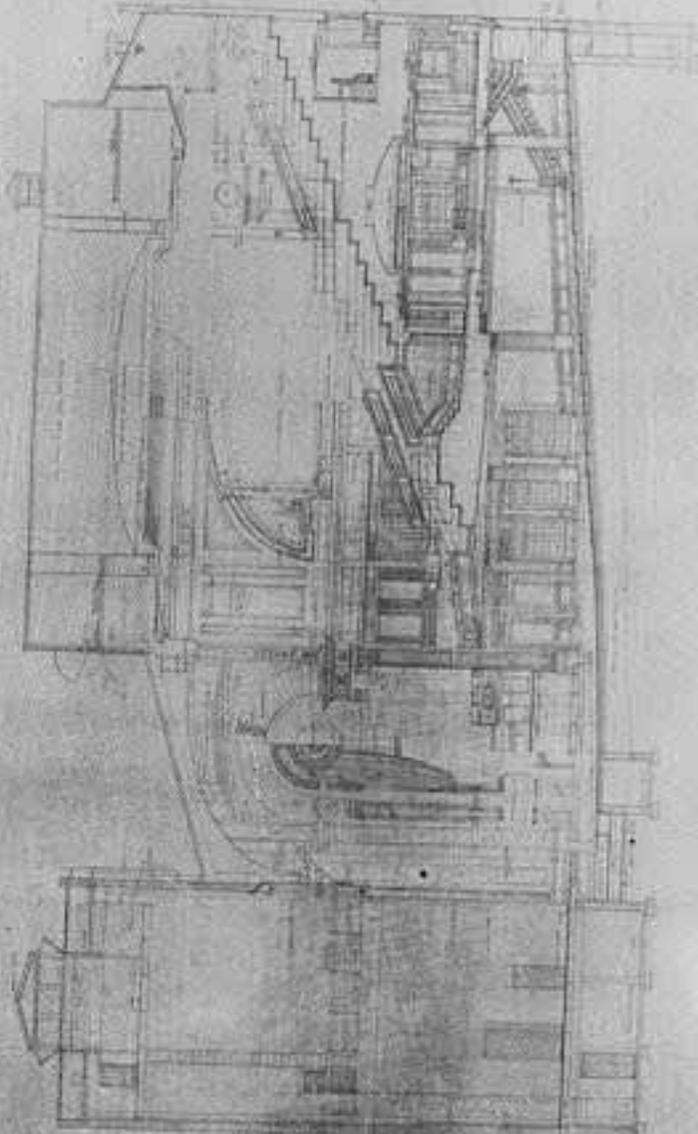
Architectural drawing





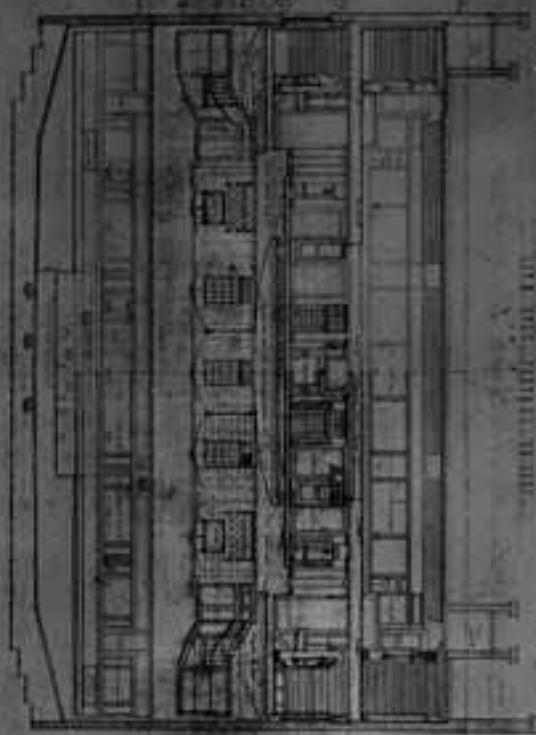
1126TH STREET ELEVATION

1126TH STREET  
ELEVATION  
ARCHITECTS



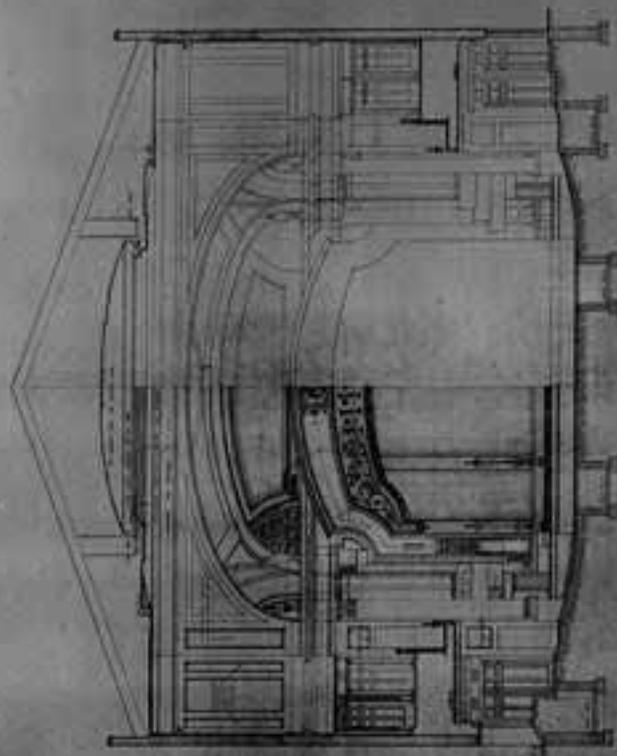
PLANNING DEPARTMENT  
UNIVERSITY OF CALIFORNIA

OS-5870-74-11-1955



Architectural drawing showing a floor plan of a building with multiple rooms and corridors. The drawing is oriented vertically on the page.

1-884-71-1-1074



SECTION THROUGH THE  
ARCH

SCALE 1/4" = 1'-0"

SECTION THROUGH THE ARCH

SECTION THROUGH THE ARCH

1103 11-11-1982-55

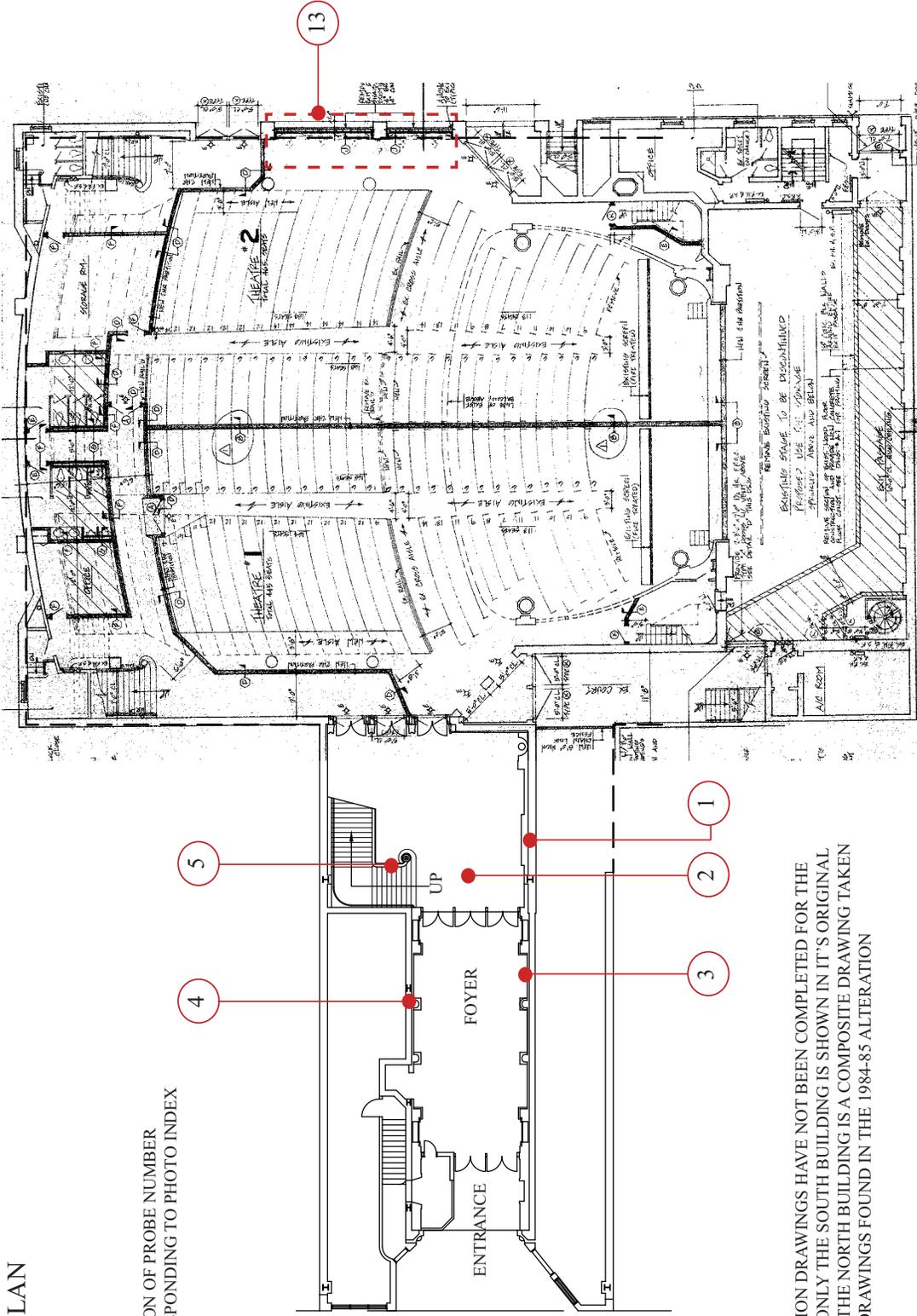
# Victoria Theater

## APPENDIX II: Diagrammatic Probe Location and Alteration Drawings

# FIRST FLOOR PLAN

## LEGEND

# ● LOCATION OF PROBE NUMBER CORRESPONDING TO PHOTO INDEX



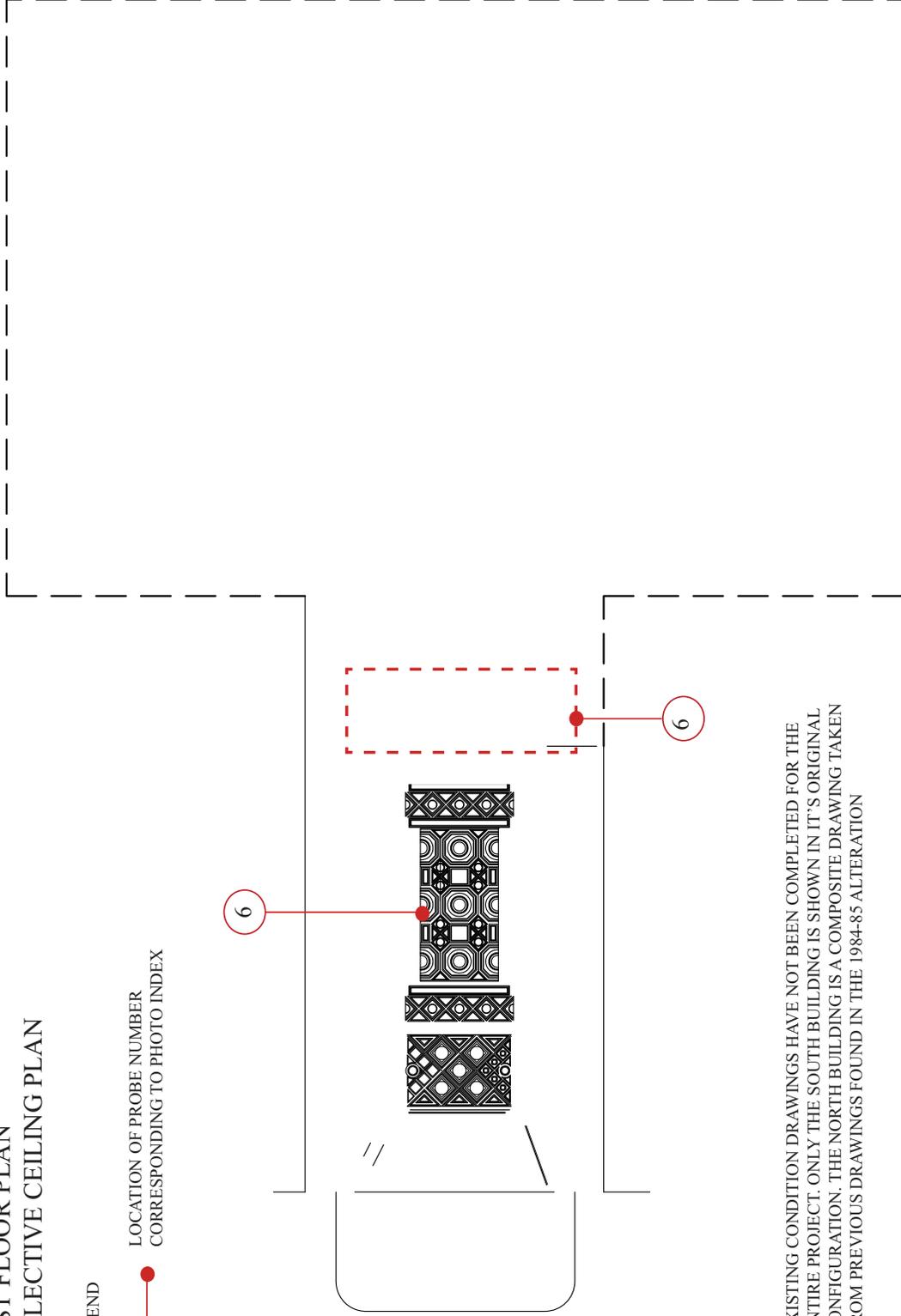
NOTE: EXISTING CONDITION DRAWINGS HAVE NOT BEEN COMPLETED FOR THE ENTIRE PROJECT. ONLY THE SOUTH BUILDING IS SHOWN IN IT'S ORIGINAL CONFIGURATION. THE NORTH BUILDING IS A COMPOSITE DRAWING TAKEN FROM PREVIOUS DRAWINGS FOUND IN THE 1984-85 ALTERATION

<b>VICTORIA THEATER</b> CLIENT DANFORTH DEVELOPMENT PARTNERS LLP 115 WEST 120TH STREET GROUND FLOOR New York, NY 10027 (212) 931-5740	ARCHITECT PACE AYRES COWLEY ARCHITECTS, LLC 636 Broadway Suite 720 New York, NY 10012 (212) 673-6910	DRAWING TITLE DIAGRAMMATIC PLAN, DRAWING AND PHOTOGRAPHIC PROBE LOCATIONS	
		SCALE: N.T.S. PROJ. NO. 346	DATE APRIL 15 2008
233-235 WEST 125TH STREET NEW YORK, NEW YORK	DRAWING NO. PL-1	DRAWN BY: DC CHECKED BY: PC	DATE APRIL 15 2008

FIRST FLOOR PLAN  
REFLECTIVE CEILING PLAN

LEGEND

# LOCATION OF PROBE NUMBER  
CORRESPONDING TO PHOTO INDEX



NOTE: EXISTING CONDITION DRAWINGS HAVE NOT BEEN COMPLETED FOR THE ENTIRE PROJECT. ONLY THE SOUTH BUILDING IS SHOWN IN IT'S ORIGINAL CONFIGURATION. THE NORTH BUILDING IS A COMPOSITE DRAWING TAKEN FROM PREVIOUS DRAWINGS FOUND IN THE 1984-85 ALTERATION

VICTORIA THEATER

233-235 WEST 125TH STREET  
NEW YORK, NEW YORK

CLIENT  
DANFORTH DEVELOPMENT PARTNERS LLP

115 WEST 120TH STREET  
GROUND FLOOR  
New York, NY 10027  
(212) 931-5740

Architect  
PAGE AYRES COWLEY ARCHITECTS, LLC

636 Broadway  
Suite 720  
New York, NY 10012  
(212) 673-6910

DIAGRAMMATIC PLAN, DRAWING  
AND PHOTOGRAPHIC PROBE LOCATIONS

DRAWING TITLE

DRAWN BY: DC  
CHECKED BY: PC  
SCALE: N.T.S.  
PROJ. NO. 346

DATE  
APRIL 15 2008

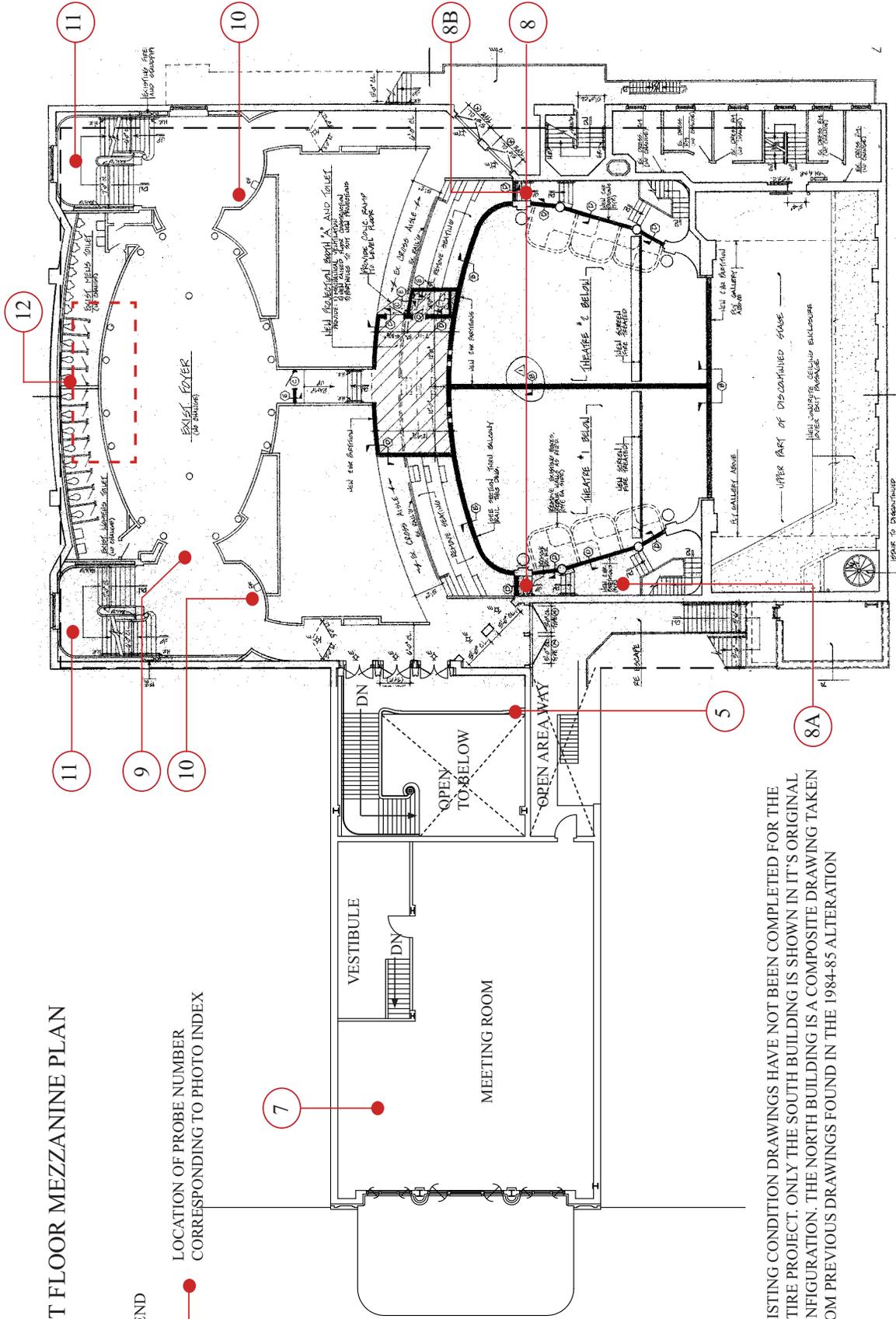
PL-2

DRAWING NO.

# FIRST FLOOR MEZZANINE PLAN

## LEGEND

# ● LOCATION OF PROBE NUMBER CORRESPONDING TO PHOTO INDEX



NOTE: EXISTING CONDITION DRAWINGS HAVE NOT BEEN COMPLETED FOR THE ENTIRE PROJECT. ONLY THE SOUTH BUILDING IS SHOWN IN IT'S ORIGINAL CONFIGURATION. THE NORTH BUILDING IS A COMPOSITE DRAWING TAKEN FROM PREVIOUS DRAWINGS FOUND IN THE 1984-85 ALTERATION

### VICTORIA THEATER

CLIENT  
DANFORTH DEVELOPMENT PARTNERS LLP  
115 WEST 120TH STREET  
GROUND FLOOR  
NEW YORK, NY 10027  
(212) 931-5740

ARCHITECT  
PAGE AYRES COWLEY ARCHITECTS, LLC  
636 Broadway  
Suite 720  
New York, NY 10012  
(212) 673-6910

### DIAGRAMMATIC PLAN, DRAWING AND PHOTOGRAPHIC PROBE LOCATIONS

DRAWING TITLE

DRAWN BY:	DC	SCALE:	N.T.S.
CHECKED BY:	PC	PROJ. NO.:	346
		DATE:	APRIL 15 2008

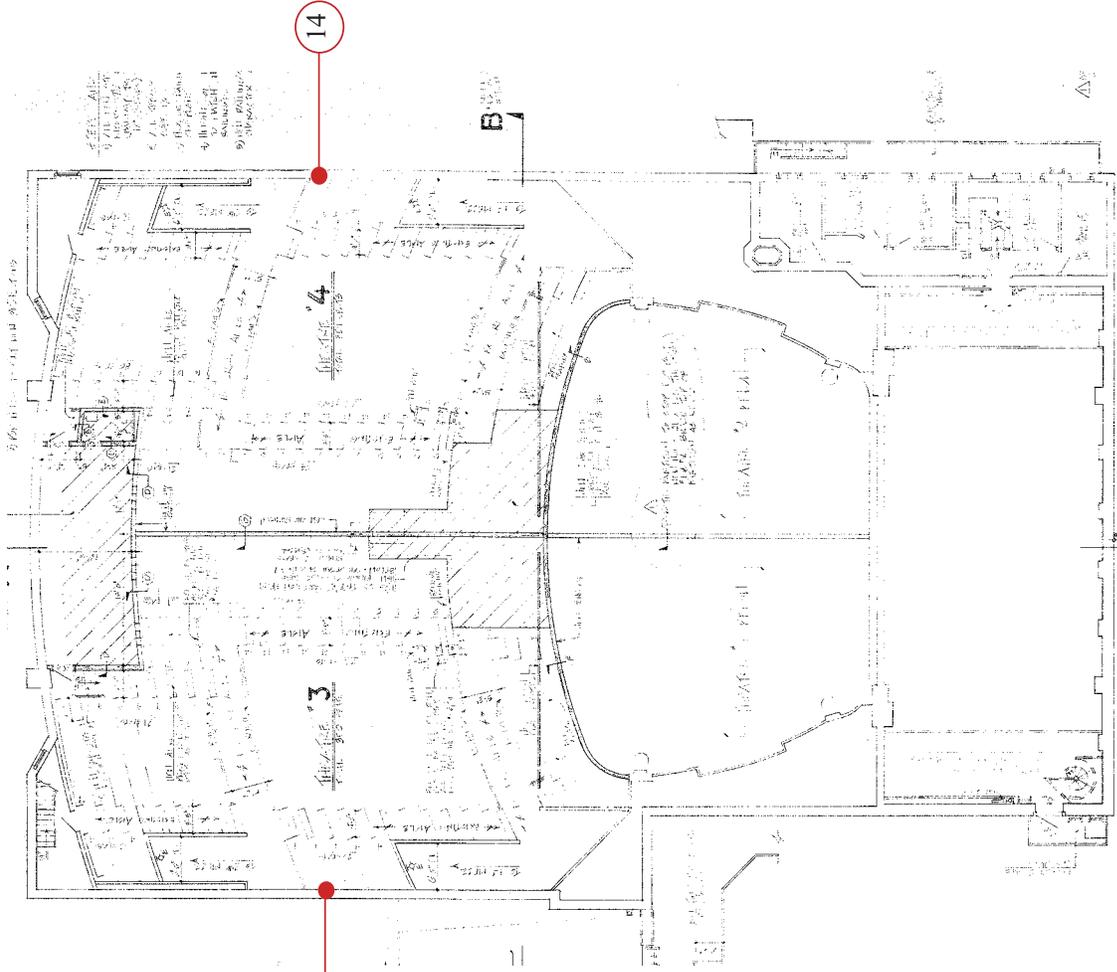
PL-3

DRAWING NO.

# BALCONY PLAN

## LEGEND

# ● LOCATION OF PROBE NUMBER CORRESPONDING TO PHOTO INDEX



NOTE: EXISTING CONDITION DRAWINGS HAVE NOT BEEN COMPLETED FOR THE ENTIRE PROJECT. ONLY THE SOUTH BUILDING IS SHOWN IN IT'S ORIGINAL CONFIGURATION. THE NORTH BUILDING IS A COMPOSITE DRAWING TAKEN FROM PREVIOUS DRAWINGS FOUND IN THE 1984-85 ALTERATION

**VICTORIA THEATER**  
 233-235 WEST 125TH STREET  
 NEW YORK, NEW YORK

CLIENT  
 DANFORTH DEVELOPMENT PARTNERS LLP  
 115 WEST 120TH STREET  
 GROUND FLOOR  
 New York, NY 10027  
 (212) 931-5740

Architect  
 PAGE AYRES COWLEY ARCHITECTS, LLC  
 636 Broadway  
 Suite 720  
 New York, NY 10012  
 (212) 673-6910

DIAGRAMMATIC PLAN, DRAWING  
 AND PHOTOGRAPHIC PROBE LOCATIONS

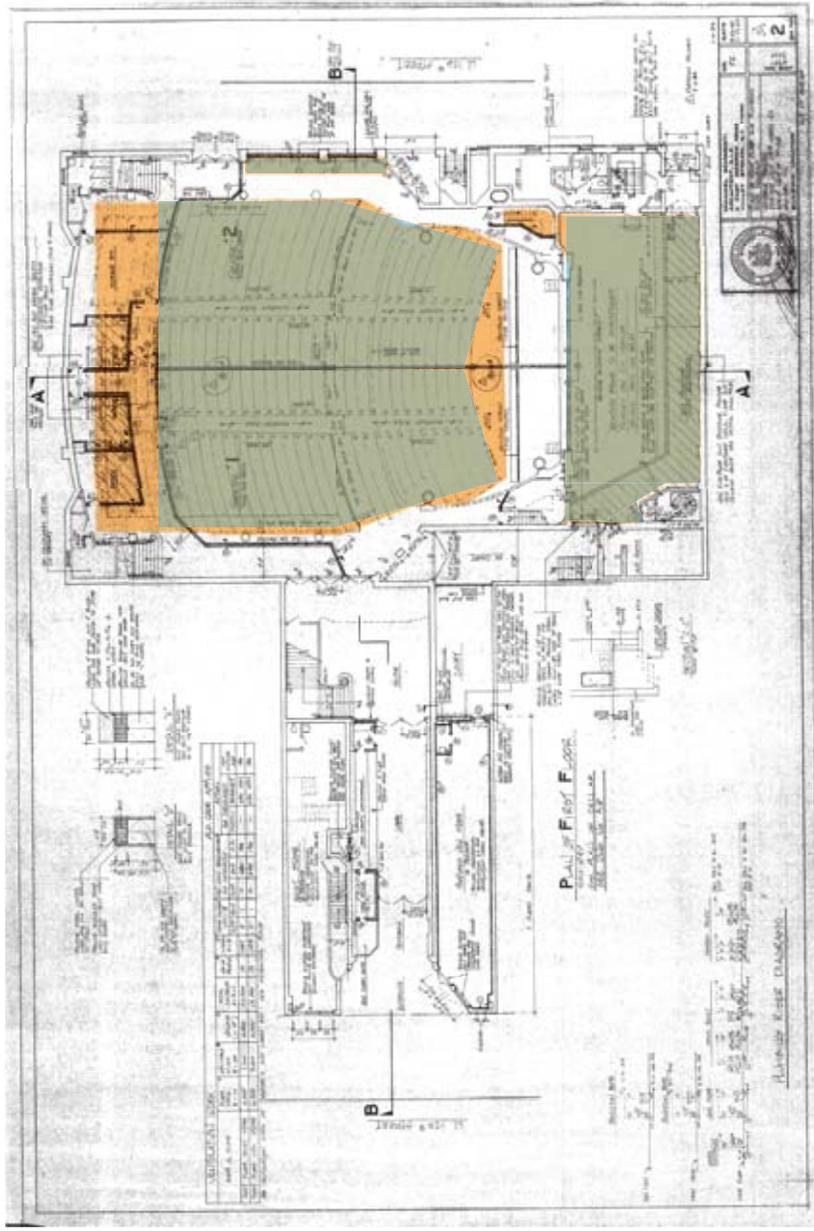
DRAWING TITLE

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 CHECKED BY: PC  
 SCALE: N.T.S.  
 PROJ. NO. 346  
 DATE: APRIL 15 2008

PL-4

DRAWING NO.

# 1984 FIRST FLOOR PLAN



## LEGEND



INDICATES AREAS MODIFIED /  
DEMOLISHED IN 1984-85



INDICATES AREAS THAT WERE  
SUBDIVIDED IN 1984-85

NOTE: DIAGRAMMATIC DRAWINGS ARE TAKEN FROM THE 1984-85  
ALTERATION BY ARCHITECT MICHAEL SCHIMENTI, A.I.A.

## VICTORIA THEATER

233-235 WEST 125TH STREET  
NEW YORK, NEW YORK

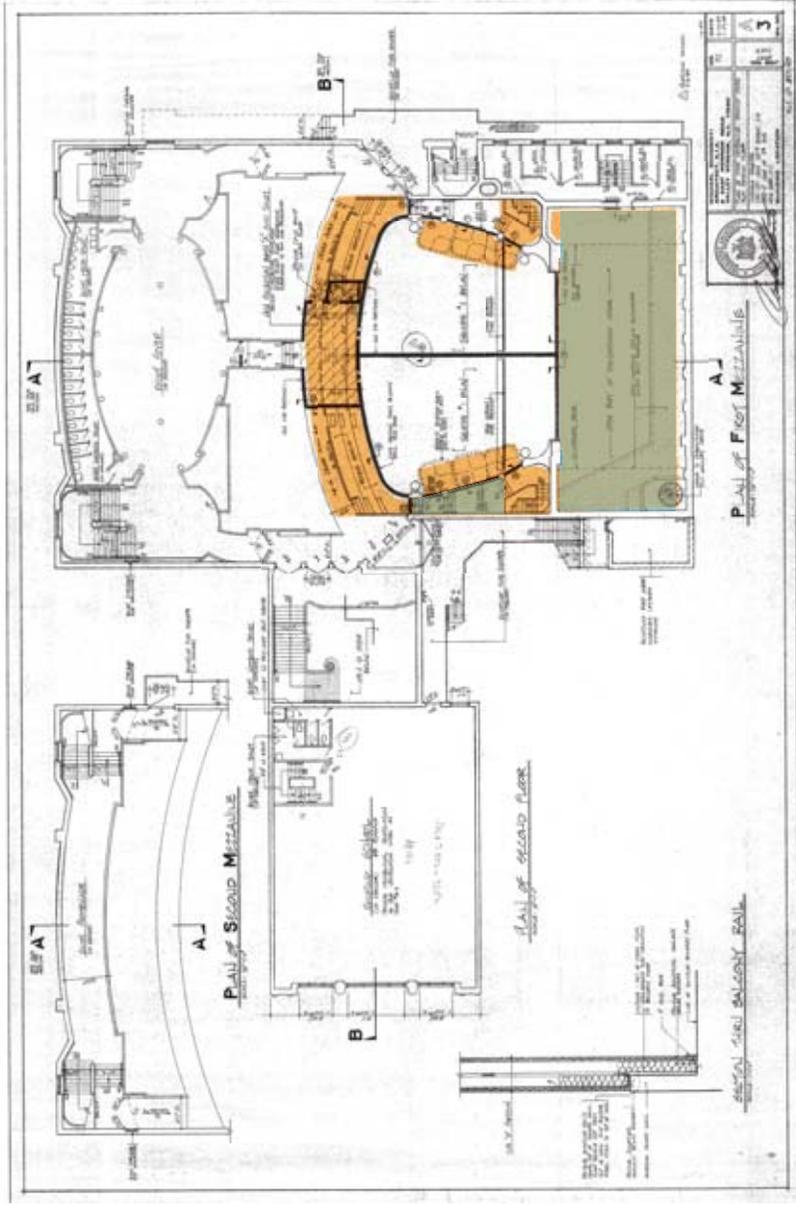
CLIENT  
DANFORTH DEVELOPMENT PARTNERS LLP  
115 WEST 120TH STREET  
GROUND FLOOR  
New York, NY 10027  
(212) 931-5740

ARCHITECT  
PAGE AYRES COWLEY ARCHITECTS, LLC  
636 Broadway  
Suite 720  
New York, NY 10012  
(212) 673-6910

DIAGRAMMATIC PLAN, DRAWING  
AND PHOTOGRAPHIC PROBE LOCATIONS  
DRAWING TITLE

DRAWN BY: DC  
CHECKED BY: PC  
SCALE: N.T.S.  
PROJ. NO.: 346  
DATE: APRIL 15 2008  
DRAWING NO.: PL-5

1984 FIRST FLOOR  
MEZZANINE PLAN



LEGEND



INDICATES AREAS MODIFIED /  
DEMOLISHED IN 1984-85



INDICATES AREAS THAT WERE  
SUBDIVIDED IN 1984-85

NOTE: DIAGRAMMATIC DRAWINGS ARE TAKEN FROM THE 1984-85  
ALTERATION BY ARCHITECT MICHAEL SCHIMENTI, A.I.A.

VICTORIA THEATER

CLIENT  
DANFORTH DEVELOPMENT PARTNERS LLP  
115 WEST 120TH STREET  
GROUND FLOOR  
New York, NY 10027  
(212) 931-5740

Architect  
PAGE AYRES COWLEY ARCHITECTS, LLC  
636 Broadway  
Suite 720  
New York, NY 10012  
(212) 673-6910

DIAGRAMMATIC PLAN, DRAWING  
AND PHOTOGRAPHIC PROBE LOCATIONS

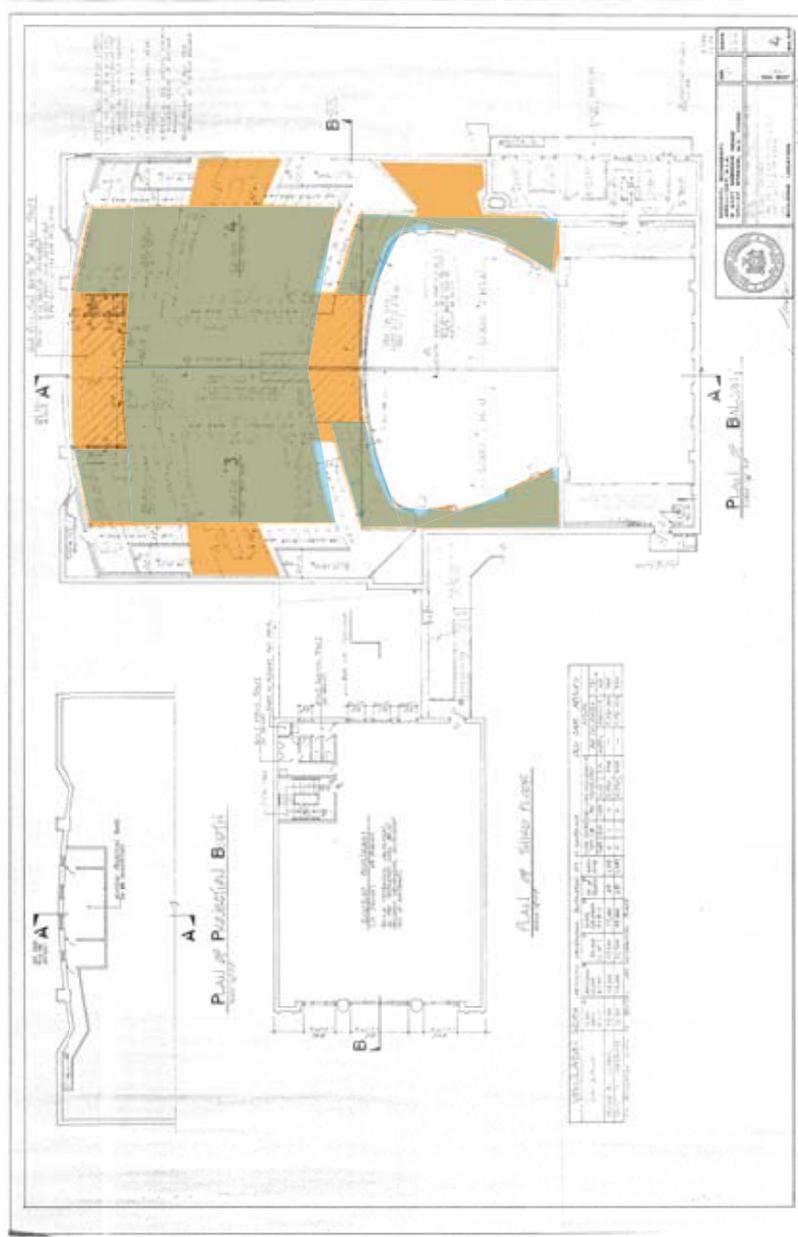
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DRAWN BY: DC  
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SCALE: N.T.S.  
PROJ. NO. 346  
DATE: APRIL 15 2008

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DRAWING NO.

# 1984 BALCONY FLOOR PLAN



## LEGEND



INDICATES AREAS MODIFIED /  
DEMOLISHED IN 1984-85



INDICATES AREAS THAT WERE  
SUBDIVIDED IN 1984-85

NOTE: DIAGRAMMATIC DRAWINGS ARE TAKEN FROM THE 1984-85  
ALTERATION BY ARCHITECT MICHAEL SCHIMENTI, A.I.A.

## VICTORIA THEATER

CLIENT  
DANFORTH DEVELOPMENT PARTNERS LLP  
115 WEST 120TH STREET  
GROUND FLOOR  
New York, NY 10027  
(212) 931-5740

## Architect

PAGE AYRES COWLEY ARCHITECTS, LLC  
636 Broadway  
Suite 720  
New York, NY 10012  
(212) 673-6910

## DIAGRAMMATIC PLAN, DRAWING AND PHOTOGRAPHIC PROBE LOCATIONS

DRAWING TITLE

DRAWN BY: DC

CHECKED BY: PC

SCALE: N.T.S.

PROJ. NO. 346

DATE APRIL 15 2008

PL-7

DRAWING NO.

# Victoria Theater

## APPENDIX III: Biographies

**Marcus Loew** (1870-1927), a vaudeville and motion picture entrepreneur of great accomplishment, was the son of immigrants from Vienna. He began selling newspapers at age six. He left formal schooling after third grade and expanded his newspaper distribution business, first by taking over additional street corners through franchise operations and then, while still a teenager, by publishing and co-owning the newspaper, the *East Side Advertiser*. After a stint in the fur business he got started in the moving picture business where he would soon make his fortune. Loew established himself with his own penny arcade emporium, People's Vaudeville. Inspired by an enterprise he saw in Cincinnati, Loew set up a nickelodeon, where he showed three-minute films for a nickel. With an opening-day audience of nearly 5,000 people, Loew knew the public had an appetite for movies.<sup>6</sup> By the 1920s the theaters were huge palaces holding thousands of people and offering them opulent surroundings most would never find at home. Loew used to say "I sell tickets to theaters, not movies."<sup>7</sup> Upscale vaudeville and movie theaters provided entertainment and fantasy both on and off stage or screen.

### **Thomas White Lamb (1870-1942)**

Like Loew, his contemporary, architect Thomas Lamb, was among the first to recognize the possibilities of the movie theater as a distinct form of architecture and as a pleasure dome for the ordinary citizen. He designed hundreds of theaters—in the US and in far flung cities of the world including Cairo and Bombay [Mumbai]. Loew and Lamb were of like mind in appreciating the social and entertainment functions of the building type for which they both became noted. "The theatre is the palace of the average man," stated Thomas Lamb in a 1928 interview:

To make our audience receptive and interested, we must cut them off from the rest of the city life and take them into a rich and self-contained auditorium, where their minds are freed from their customary thoughts. In order to do this, it is necessary to present to their eyes a general scheme quite different from their daily environment, quite different in color scheme, and a lot more elaborate. The theatre can afford this, and must afford it for our public is large and in the average, not wealthy. The theatre is the palace of the average man. As long as he is there, it is his, and it helps him to lift himself out of his daily drudgery.<sup>8</sup>

---

<sup>6</sup> Terry Ramsaye, "Little Journeys to the Homes of Famous Film Magnates," *Photoplay*, August, 1927, in Alfred Balk, ed., *Movie Palace Masterpiece: Saving Syracuse's Loew's State Theatre*, Syracuse, N. Y.: Landmark Theatre Foundation. Distributed by Syracuse University Press, 1998, 4.

<sup>7</sup> Tom Vanderbilt, "City Lore: Such Stuff as Dreams Are Made On," *The New York Times*, 29 February 2004.

<sup>8</sup> "An Interview with Thomas W. Lamb." *Motion Picture News*, 30 June 1928, in Alfred Balk, ed., *Movie Palace Masterpiece*, 14.

Thomas W. Lamb was born in Dundee, Scotland, in 1871. His father worked for an engineering firm. In 1894 Lamb enrolled at Cooper Union in the General Science program, receiving a B. S. degree in 1898. He was not in the architecture program but did take courses in mechanical drawing and acoustics. He established an architecture business before finishing school and also worked as a building inspector and plan examiner for the City of New York. His related course studies and experience with the building department gave him knowledge of acoustics and building codes, and contact with developers drew him to his specialty of theater design. The Victoria Theater also has mural work by an important decorative painter of the period. The large mural on the north wall of the auditorium at balcony level is by Arthur Brounet.

**Arthur Brounet (ca. 1866-1941)** was born in France and came to the United States as a young man in 1888. He reportedly established a decorating business in New York in that year. His studio was for many years located at 1133 Broadway. He advertised that he did work for general interiors and mural decorations noting his specialty of “Color Schemes Submitted for High Class Theaters and Buildings.” [See notice in *Architecture and Building*, December 1912.] Brounet decorated many theaters designed by Thomas W. Lamb including in addition to the Victoria, the former Eltinge [now AMC Empire] on 42<sup>nd</sup> Street in New York; the Maryland Theatre in Hagerstown, MD; and the Byrd Theatre, Richmond, VA. He also designed the decorative scheme for other important buildings, among them the St. James Building and the New Weston Hotel as well as other hotels, office buildings, and banks, and the residence of Charles M. Schwab in New York. Brounet Studios seems to have survived until 1940, then located in the Bronx.

**APPENDIX B.3**

**EXECUTED LETTER OF RESOLUTION**

**LETTER OF RESOLUTION  
AMONG  
THE NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC  
PRESERVATION  
THE NEW YORK STATE URBAN DEVELOPMENT CORPORATION D/B/A EMPIRE  
STATE DEVELOPMENT  
THE HARLEM COMMUNITY DEVELOPMENT CORPORATION  
AND  
DANFORTH DEVELOPMENT PARTNERS, LLC  
REGARDING THE VICTORIA THEATER REDEVELOPMENT PROJECT  
NEW YORK, NEW YORK COUNTY**

**WHEREAS**, the New York State Urban Development Corporation d/b/a/ Empire State Development (ESD) has requested that the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) review the Victoria Theater Redevelopment Project, a mixed-use development to be constructed on West 125th and West 126th Streets (New York City Block 1931, Lot 17) between Frederick Douglass Boulevard and Adam Clayton Powell Junior Boulevard on property owned by the Harlem Community Development Corporation (HCDC), a subsidiary of ESD (the “Project”); and

**WHEREAS**, Danforth Development Partners, LLC (the “Developer”) was conditionally designated in 2007 by HCDC to redevelop the Victoria Theater as a community and economic revitalization initiative ; and

**WHEREAS**, Developer intends to form with investor/development partners a single purpose entity that will be an affiliate of Developer and whose sole purpose will be to undertake the development of the Project; and

**WHEREAS**, the Project site contains the Victoria Theater (the “Theater”), which has been determined eligible for listing on the State and National Register of Historic Places; and

**WHEREAS**, the Theater consists of two buildings: the South Building fronts onto West 125th Street and contains the original entrance and lobby of the theater; and the North Building is located on West 126th Street and contains the former auditorium and other accessory public spaces. The auditorium and stage area were subdivided into five movie theaters in 1984-1985; and

**WHEREAS**, the Theater has been vacant since 1997 and is in a deteriorated condition; and

**WHEREAS**, key goals of the Project are to redevelop a long vacant state owned property on a major commercial corridor; bring jobs and vitality to the surrounding area; provide affordable and market rate housing to address the needs of the community; construct a hotel in a significantly underserved Upper Manhattan market; provide a venue for local arts, entertainment and cultural programming and private space for local cultural organizations; and preserve and foster Harlem’s cultural heritage through the retention and restoration, to the extent practicable, of significant elements of the Theater; and

**WHEREAS**, the Developer proposes to demolish the North Building to construct a new building in its place and to reuse the South Building and to restore its exterior and first floor spaces; and

**WHEREAS**, the Project would result in an Adverse Impact; and

**WHEREAS**, all prudent and feasible alternatives to this Adverse Impact have been explored and determined to not be feasible; and

**WHEREAS**, the Apollo Theater, listed on the State/National Registers of Historic Places is located adjacent to the Project site and would require protection during Project construction;

**WHEREAS**, OPRHP has evaluated the archaeological sensitivity of the Project site and has determined that there are no archaeological concerns; and

**NOW, THEREFORE**, in accordance with Section 14.09 of the New York State Parks, Recreation, and Historic Preservation Law, the Developer for itself, its affiliates, successors and/or assigns, OPRHP, ESD and HCDC, agree that the Project may proceed subject to the Stipulations below.

### **Stipulations**

1. 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.
2. 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 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. The project architect and historic preservation consultants, in consultation with HCDC, ESD, and OPRHP, shall identify other architectural elements in the North Building 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.
3. Within the proposed mixed-use development, 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.
4. 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.

In compliance with and in satisfaction of the requirements of Section 14.09 of the State Historic Preservation Act, execution of this Letter of Resolution by ESD, HCDC, Developer and OPRHP, and implementation of its terms evidences that ESD has taken into account the impact of the undertaking on historic properties.

NEW YORK STATE OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION

BY: Ruth Pierpont DATE: 1/23/13  
Ruth Pierpont, Deputy State Historic Preservation Officer

NEW YORK STATE URBAN DEVELOPMENT CORPORATION, d/b/a EMPIRE STATE DEVELOPMENT

BY: Rachel Shatz DATE: 1/24/13  
Rachel Shatz, VP Planning & Environmental Review

HARLEM COMMUNITY DEVELOPMENT CORPORATION

BY: Curtis L. Archer DATE: 1/25/13  
Curtis Archer, President

DANFORTH DEVELOPMENT PARTNERS, LLC

BY: Steven Williams DATE: 1/25/13  
Steven Williams, Principal

## **APPENDIX C**

### **COMMENTS ON THE DEIS AND GPP**

**APPENDIX C.1**  
**WRITTEN COMMENTS**



**Congress of the United States**  
**House of Representatives**

**Victoria Theater Redevelopment Project**  
**Public Hearing testimony from Congressman Rangel**  
**December 10, 2012**

On the occasion of this public hearing for the Victoria Theater Redevelopment Project, I am pleased to take the opportunity to again convey my firm and enthusiastic support of the project as the representative of the 15th Congressional District.

In October 2007, Harlem CDC conditionally designated Danforth Development Partners as the preferred developer for the Victoria Theatre Redevelopment Project. In the spring of 2011, Danforth formed a joint venture with Exact Capital LLC, bringing additional equity to the table. Since then the development partners have worked and continue to work diligently with Harlem CDC to advance the plans to redevelop the Victoria Theatre as an iconic 26-story, mixed-use facility of over 360,000 square feet consisting of hotel, cultural arts, retail, residential, entertainment, dining and parking uses. The project includes over 200 units of housing; 50% will be affordable to low, moderate and middle income individuals and households. My office strongly supports providing affordable housing for the community and believes that incorporating affordable housing is an essential part of economic development.

Four local arts organizations - Harlem Arts Alliance, Jazzmobile, the Classical Theatre of Harlem and the Apollo Theatre Foundation - are included in the team as cultural partners that will occupy the Project's cultural space. This is important as it serves to preserve and sustain Harlem's prominence as the artistic capital of Black America.

The project has enormous potential to be a catalyst for further economic activity on the 125<sup>th</sup> Street corridor. It will provide hundreds of construction and permanent new jobs for Harlem residents, space for local retailers enrich 125th Street with 24-hour uses, including two black box theaters and dining and entertainment venues, and dramatically improve and enliven the streetscape of 126<sup>th</sup> Street.

The project also include a historic preservation program that includes, among other things, retention and restoration of the theater's south building, it historic lobby, original facade marquee and blade sign. The project design marries the old and the new, Harlem's past with its future.

The Victoria Theater project embodies the goals of the 125<sup>th</sup> Street Corridor Rezoning, that is, to encourage the production of residential, commercial, retail, arts and entertainment uses to enliven the street during the day and evening; and to support and enhance the ongoing revitalization of 125<sup>th</sup> Street and neighboring areas. Although it does not fully conform to all respects the rezoning, in particular the height of the building would exceed the height limitation ultimately set forth in the rezoning, given the significant beneficial economic and community development impacts this unique and thoughtful Project will generate, the additional building height is a fair trade-off.

My staff and I have worked very diligently to assist Harlem CDC and the Danforth team to balance competing needs and to achieve a balance that represents the best this project has to offer. In these times of continued high economic need and financial distress, the Victoria Theater Redevelopment Project will create jobs, enhance Harlem's rich cultural legacy and continue its economic resurgence.

**INEZ E. DICKENS**  
ASSISTANT DEPUTY MAJORITY LEADER  
9<sup>TH</sup> DISTRICT, MANHATTAN

DISTRICT OFFICE  
163 WEST 125TH STREET, SUITE 729  
NEW YORK, NY 10027  
TEL: (212) 678-4505  
FAX: (212) 864-4379

CITY HALL OFFICE  
250 BROADWAY, ROOM 1875  
NEW YORK, NY 10007  
TEL: (212) 788-7397  
FAX: (212) 442-2732



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OF  
THE CITY OF NEW YORK

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PLANNING, DISPOSITIONS & CONCESSIONS

CO-CHAIR  
CITYWIDE TASK FORCE ON  
FINANCIALLY-DISTRESSED RENTAL HOUSING

December 10, 2012

Statement for the Victoria Theater Redevelopment Public Hearing

I am here today as a board member of the Victoria Theater Redevelopment Project, which involves the redevelopment of the Victoria Theatre as an ambitious 26-story, mixed-use facility of over 360,000 square feet consisting of hotel, cultural arts, retail, residential, entertainment, dining and parking uses. The Victoria Theatre is owned by Harlem Community Development Corporation or Harlem CDC, a subsidiary of the New York State Urban Development Corporation doing business as Empire State Development. I serve as a Harlem CDC Board member.

The Project is subject to a New York State approval process. The General Project Plan for the Project was presented to the Boards of Harlem CDC and ESD in July 2012; each Board unanimously adopted the GPP. Harlem CDC worked diligently for years and against many odds to advance the project to where it is today.

The Project includes a 25,000 square foot not-for-profit arts and culture facility that will be delivered by the Developers debt-free, over 100 units of rental housing that will be affordable to low and moderate-income households, a 210 key-hotel that will offer a full-service experience (the first in Harlem), and a historic preservation program that consists of the retention and restoration of the theater's south building, including its lobby, grand stair, facade, marquee and blade sign. The Project will generate nearly 600 construction-related jobs and nearly 400 permanent jobs. Further, the Developers, Danforth Development Partners and Exact Capital, have committed to exceeding the 30% MWBE participation goal established by the State for the Project and to, with their hotel and other partners, create training programs to prepare local residents for the permanent jobs generated by the project.



Although the Project does not fully conform to the 125th Street Corridor Rezoning adopted by the City Planning Commission and the City Council, it hopes to enhance the vitality of 125th Street, strengthening it as a destination for business, tourism and the arts. It hopes to generate significant economic and community development benefits for the 125th Street corridor, for Harlem and for local residents and was cited by the New York City Regional Council in its Five-Year Plan as a transformative project for 125th Street.

When I negotiated the 125th Street Rezoning plan, my intention was to preserve the corridor's historic landscapes and to avoid over development. I understand that the Project as proposed will not conform in all respects with the requirements of the 125th Street Corridor Rezoning as adopted by the Planning Commission and the City Council. In particular, the portion of the development on 126th Street, which would include a tower containing the hotel and apartment units, would exceed the height limitation set forth in the zoning, and limitations on allowable floor area would also be exceeded. However, I also want to ensure that the 125th Street corridor remains a viable economic engine to create jobs and opportunities for residents of my district. Therefore, although certain aspects of zoning, inclusive of building height and density, that are required to facilitate development of the Project, give the considerable benefits generated by this thoughtful, unique development and the high level of economic need and distress in Harlem, I believe that it is essential that the Project advance and that the offices of State and City government do all they can to ensure its success.

Victoria Theater Redevelopment Project Public Hearing, December 10<sup>th</sup>, 2012  
Testimony of Assemblyman Keith L. T. Wright

Today's public hearing and the unanimous adoption of the General Project Plan for the Victoria Theater Redevelopment Project by the Boards of Harlem CDC and Empire State in July represent major milestones in the development of a project that Harlem CDC and many others have collectively worked to advance from a RFP in 2004, to developer selection in 2007, and through capital and real estate market changes in 2008 and 2009. As the Assemblyman for the 70<sup>th</sup> District, Chair of the Board of Directors of Harlem CDC and a life-long resident of Harlem I am pleased to voice my continued support for the project.

The Victoria Theater project will generate significant economic and community development benefits for the 125<sup>th</sup> Street corridor and for the community; enhancing the vitality of 125<sup>th</sup> Street, strengthening it as a destination for business, tourism and the arts; and provide much needed affordable housing. It will also generate construction and permanent jobs, as well as tax revenues for New York City and New York State.

The Project does not offer a token gesture of say, 5% or 10% of its development program towards community needs and concerns. It includes a 25,000 square foot not-for-profit arts and culture facility that will be built by the developers debt-free; 229 units of rental housing of which half will be affordable to low and moderate-income households; a 210 key-hotel that will offer guests a full-service experience; a 5,000 square foot ballroom; and an historic preservation program that honors and respects the historic theater structure.

The Project has the potential to be a transformative initiative, heralding further growth and resurgence in Harlem. Indeed it was cited by the New York City Regional Council in its 2011 Five-Year Plan as a transformative project for 125<sup>th</sup> Street. Further, the Project embodies the goals of the 125<sup>th</sup> Street Corridor Rezoning adopted by the Planning Commission and the City Council, that is, to encourage the production of residential, commercial, retail arts and entertainment uses to enliven the street during the day and in the evening; and to support and enhance the ongoing revitalization of 125<sup>th</sup> Street and neighboring areas.

The Victoria Theater Redevelopment project is an important community and economic redevelopment undertaking that will serve as a symbol of Harlem's revived economy. It is important that the project receive all the support we can offer. I appreciate this opportunity to reiterate my steadfast support of this essential project.

Public Hearing – Victoria Theatre  
Empire State Development Corporation  
NYS Harlem Office Building = 163 West 125<sup>th</sup> Street  
Monday December 10, 2012

Sumbitted by: Community Board #10 Manhattan

My name is Stanley Gleaton and I am Chair of the Land Use Committee of Community Board 10 speaking on behalf of the Board and our Chair Henrietta Lyle. This project was presented to the Land Use/LandMarks committee earlier this year and the general consensus was favorable. We were excited to see that finally there was a concrete plan being presented to address the issue of developing the Victoria Theatre after over almost two decades(or more) of non activity and continuing internal decay. Steven Williams and his team gave a thorough presentation to the committee and public members present of the future plans for this important community edifice which has played a major role in Harlems rich history and in the past several years many questions on its future.

I would like to say that the committee although did not have to vote approved on the overall project. We were very happy to see that this project addressed the cultural and historic as well as the housing and economic development needs of our growing and thriving community but just as we were happy to see it finally come to fruition there were some concerns voiced by the community and board members. One of the issues brought up was the communitys input and work that had been done by community preservationist to restore the theatre. It appears that their years of work had come to a halt and it was felt that this group was left out of the process. At this same juncture board members were annoyed, as they have been for many years, that there was really no community input or vote when it comes to state sponsored projects. It was suggested that there be a mechanism as it is with city projects that the community input is vital and warranted as we are able to vote rather than be “advised”. The issue of height was also raised and employment another. It

is hoped that community residents will be able to get construction jobs when the project begins and permanent jobs once this project is completed. This was an issue which is important, discussed at length and hopefully will be one of the priorities of this development team.

The committee was very happy to see how all the components of housing, cultural activity, entertainment, a hotel and economic development has been combined into one major development. Our hope is that as you draw nearer to putting the shovel in the ground our community board and our residents will fully be able to reap the benefits of this project. With so many residents out of work and looking for housing this will be an excellent opportunity to address these issues and feel proud that the time was taken to address the socio-economic needs of the community while also embracing the abundance of talent right here in our community as you realize your dream of this magnificent project. This would be a “win-win” situation for us all.

Submitted by:  
Stanley N. Gleaton  
Chair, Land Use/Land Marks  
CB 10- Manhattan

## ENVIRONMENTAL REVIEW

**Project number:** EMPIRE STATE DEVELOPMENT CORP / SEQRA-M  
**Project:** VICTORIA THEATER REDEVELOPMENT PROJECT  
**Address:** 233 WEST 125 STREET, **BBL:** 1019310017  
**Date Received:** 7/24/2012

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**No architectural significance**

**No archaeological significance**

**Within study area Designated New York City Landmark or Within Designated Historic District**

**Listed on National Register of Historic Places**

**Appears to be eligible for National Register Listing**

**May be archaeologically significant; requesting additional materials**

**Comments:**

The LPC is in receipt of the DEIS and Appendices dated July, 2012. The LPC has determined that the Victoria Theater no longer appears eligible for LPC designation as a result of this action.

Regarding potential shadow impacts to the LPC designated Metropolitan Baptist Church, 151 W. 128 St., documentation of the analysis used for this sun sensitive resource that supports the DEIS conclusion that there are no shadow impacts to this designated sun-sensitive resource is requested for review and comment. The analysis shall conform to standards described in the CEQR Technical Manual of 2012 (revised 6/18/12).

Cc: SHPO



8/10/2012

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SIGNATURE  
Gina Santucci, Environmental Review Coordinator

DATE

**File Name:** 25225\_FSO\_GS\_08102012.doc



## Upper Manhattan Empowerment Zone Development Corporation

55 West 125<sup>th</sup> Street, 11<sup>th</sup> Floor

New York, New York 10027

Tel: (212) 410-0030 Fax: (212) 410-9616

[www.umez.org](http://www.umez.org)

Testimony for a Public Hearing by Empire State Development on the  
Victoria Theater Redevelopment Project

from

Upper Manhattan Empowerment Zone Development Corporation  
Verdery Roosevelt, SVP, Program & Nonprofit Investments

*Monday, December 10, 2012 at 5:00 p.m.*

*Adam Clayton Powell, Jr. State Office Building*

The Upper Manhattan Empowerment Zone Development Corporation (UMEZ) is pleased to provide this testimony in support of the Victoria Theater Redevelopment Project (Victoria) on 125th Street in Harlem.

The Victoria represents a major step forward in the evolution of 125th Street as a premier arts, culture and entertainment destination in New York City. Under the provisions of the Special 125th Street District and its innovative Arts and Entertainment Subdistrict, the Victoria project will incorporate the creation of non-profit performing arts spaces with hotel, residential, and retail components to generate a dynamic economic presence on this important thoroughfare.

UMEZ has long championed the role of arts and culture as a driving force for the economic revitalization of 125<sup>th</sup> Street, and played a central role in the rezoning efforts and the provisions of its Arts and Entertainment Subdistrict. We therefore wholeheartedly endorse the inclusion in this development of a 25,000-square-foot cultural arts center that features performance, exhibition, rehearsal, and administrative office spaces.

Four cultural organizations have been actively engaged with the Harlem Community Development Corporation to inform the schematics for the cultural spaces and to serve as future residents of the Cultural Arts Condominium Unit. Each of these organizations – the Harlem Arts Alliance, Jazzmobile, Classical Theatre of Harlem, and the Apollo Theater – has demonstrated a deep and longstanding commitment to serving the residents of Harlem and New York City.

The two flexible theater spaces envisioned for the site will provide small and mid-sized organizations throughout Harlem and Upper Manhattan with the opportunity to showcase their creative vision in a highly professional environment, side by side with major cultural institutions along 125th Street, such as the Apollo Theater and Studio Museum.

The project's architecture and design will incorporate the restoration of the Victoria Theater's original lobby, grand staircase, and south building façade and marquee, thereby providing a fitting recognition of the site's rich cultural history while adding unmistakable glamour to the entire project.

UMEZ supports the Victoria and its multiple cultural components as a welcome addition to the vibrancy of 125th Street. We are confident that it will bring new vitality to the area and generate a dynamic environment for the many growing businesses in the Zone.

Thank you for your consideration.

DECEMBER 10, 2012

**Ref: WHGA Support for the Redevelopment of the Victoria Theatre**

Dear Commissioner, Honorable State and city representatives and concern community members. Thank you for this opportunity to present this testimony on behalf of West Harlem Group Assistance Inc. in support of the redevelopment of the Victoria Theatre. West Harlem has been an active housing and economic development Corporation in the Harlem Community for over forty years. As a local development organization, West Harlem supports the redevelopment of the Victoria Theatre for the many constructive outcomes redevelopment will present to the community. The Theatre, when redeveloped, will be a catalyst for the continuation of the artistic and cultural contributions Harlem has so richly and unselfishly given to this nation. With the redevelopment of the Victoria Theatre, Harlem will add a quality venue for enlightened artistic and creative expressions. A state of the art Theatre on 125<sup>th</sup> will positively impact the ongoing revitalization of the 125<sup>th</sup> St corridor, bringing new creative energies, tourism dollars, jobs and most important: a state of the art <sup>community</sup> ~~community~~ outlet for Harlem artists.

As proposed, the project will also encompass 229 units of housing, which will be affordable to community residents whose incomes are 50, 30 and 20

percent of the Area Median Income. West Harlem, an organization whose primary mission is to provide affordable housing is keenly aware of the dearth of quality, clean and affordable housing in our community and the positive impact these additional 229 housing units will have on area residents.

A hotel component will provide jobs and elegant meeting spaces for special functions for area residents and their guests. Redeveloping the Victoria Theatre will also add to the community's cultural infrastructure while enabling the community to nurture the rich and diverse creative legacy for which Harlem is known. For over a century Harlem has been a creative storm in this nation's cultural landscape. Redeveloping this theatre will give the Harlem community a unique and special setting to showcase the distinct creativity and artistic talents of Harlem, New York.

With Regards,

**Donald Fulp, Deputy Director**  
Programs & Development  
West Harlem Group Assistance, Inc.  
1652 Amsterdam Avenue  
New York, New York 10031

From: Laurent Delly [mailto:[ldelly009@yahoo.com](mailto:ldelly009@yahoo.com)]

Sent: Monday, December 17, 2012 2:46 PM

To: VictoriaTheaterProject

Subject: RE: Victoria Theater Project:

Dear Mr. Wayne A. Benjamin,

As a Civil Engineer and a NYS Licensed Real Estate Broker in Manhattan as well as the Vice President of the Mount Morris Park Community Improvement Association (MMPCIA), I approve the mixed-used proposed Victoria's project. However, I would like to see some office spaces available to local non-profits and a percentage of affordable units to be reserved for local residents.

Best,

Laurent Delly  
VP MMPCIA

Co-Founder  
[www.propertyroster.com](http://www.propertyroster.com)  
1485 Fifth Avenue  
Suite 6C  
New York, NY 10035  
646.752.0430



carthageadvisors

---

To: Wayne Benjamin  
From: Edward Poteat

December 3, 2012

RE: Victoria- Public Hearing

The Victoria Theater project is essential to the Harlem community. As we face an increase in rent in the area and rise of condos/co-ops due to gentrification, affordability in rent has been a daily struggle for many long time members of the community. The Victoria Theater project will set aside over 100-units for the much needed low income families and individuals in the Harlem community.

As a Harlem native and a Harlem based affordable housing developer, I completely support the Victoria Theater Project for taking an initiative to cater to lower income families and individuals. The Victoria Theater project has committed to ensure the units remain affordable for an extended term. This commitment will ensure housing for those in need and ensure that Harlem remains a diverse and culturally rich neighborhood on which it was founded on.

Sincerely,

Ed Poteat

December 10, 2012

My objection to Mr. Williams being permitted to continue dragging out the Victoria Project based on a Memorandum of Understanding.

My name and Juanita Thomas, I came tonight to voice my objections to the Victoria Project in its present form.

We, the community members, have followed for years the Victory Project and to- date nothing, I repeat nothing has come to fruition. However, this one from beginning to end has been misrepresented from its inception.

When the community first heard of Mr. Williams, we were misinformed and told that he had the contract to do the project; not so, we found out that Mr. Williams only had a Memorandum of Understanding. We would like to know since when is a MOU considered a contract?

I for one, am tired of the people that represent us going behind closed doors and doing what ever they want to and leaving their constituents without jobs, housing, or equity in any of the projects that these Politian support.

Remember all the broken promises i.e. Pathmark, located on E. 125 Street. The Magic Johnson Theater Project and car dealer ship? We need to galvanize our community to demand a piece of the pie, no matter how small, because up to now it has been nothing.

If we are not vigilant, we may find that Mr. Williams, like all the others, so called developers, in our community will end up with a fee but no equity. This means that once again the community has been raped!!!!?

I would like everyone that is discontent with this project in its present form to protest to the State and have it reevaluate and make sure whoever gets this project will set aside to some of our non-profit organizations an equity piece so that they are helped to sustain themselves over the years.

If there are others in this room of the same mine set as myself, please talk to me outside.

*CENTRAL HARLEM SENIOR CITIZEN'S COALITION, INC.*

120 West 140 Street  
New York, NY 10030  
Tel. (212) 926-4465  
Fax (212) 926-4911  
E-Mail Central Harlem  
srctr@NYC.nyc.com

Kennedy Center  
34 West 134 Street  
New York, NY 10037  
Tel. (212) 926-4871  
Fax (212) 368-6909  
E-Mail CHSCC34W  
@AOL.com

**Attn: Curtis Archer, HCDC – Adam Clayton Powell State Office Bldg -18 floor**  
**Statement for Loew's Victoria Project**  
**From Central Harlem Senior Citizens' Centers**  
**January 4, 2013**

JAN 10 2013  
H

To All in Attendance:

We the Executive Board of Directors and Staff of Central Harlem Senior Citizens Centers would like to take this opportunity to congratulate Harlem Community Development Corporation (HCDC), Danforth Construction, Exact Capital Management, Clarion Comfort Inn and other equity partners in formation in this project on a long awaited refurbishment of our beloved Theatre. As an agency that has represented seniors in Harlem and neighboring locations for 40 years, we appreciate the opportunity to be able to voice our praise as well as concerns that we hope will be addressed through the Public Hearing and subsequent process.

As the advocates for Senior Citizens of this community, we are requesting that considerations be made to the Loew's project to accommodate the seniors who are the backbone of this community. Because of (respective living and deceased) people like Fred Samuels, James Banks, Elaine Marius, Eloise Banks (all cofounders of Central Harlem Senior Citizens Centers), J. Raymond Jones (The Harlem Fox), Congressman Charlie Rangel, Hon. Percy Sutton, Former Mayor David Dinkins, Harlem Hospital's Dr. Muriel Pettioni, institutions like Abyssinian Baptist and St. Cecilia's Churches, modern day Harlem has developed a rich heritage and fabric. Our community story is legendary and complete because of the vision, bravery and strength of the strategic leaders of this community who have taken stands accordingly over the course of time as needed to make endeavors right.

We ask that seniors have a designated space in that project where both living and deceased seniors can be honored. ***A lounge where a "Wall of Fame" of stalwart heroes of the senior movement is necessary – the space would also double as a sanctuary for seniors to feel comfortable in a space that they can identify with in reflection and gratitude. We would like to request a senior discount rate be available in the pre-negotiated parts of the project.*** Thus we would like to see a ***senior rate in the Hotel, set aside number of apartments for senior occupants, senior rate for admission in the Cultural spaces, 10% discount restaurant,*** etc. As the ***often times ignored*** equity partners in Harlem, we are voicing our requests as solicited in the public hearing in the hopes of fair and impartial justice that our voices will be heard.

Our experience tells us to take a stand and be firm with this request. The village of Harlem has lost so much in such a short amount of time that it is shameful.

It is our right to be included and we are seizing the moment to make it so!

Doris R. Conner, / Chairman- Central Harlem Senior Citizens Centers, Inc. (CHSCC)



*NABHOOD Mission Statement: Increase the number of African-Americans developing, managing, operating and owning hotels; increase vendor opportunities & executive level jobs for minorities, thereby creating wealth within the African American community.*



January 10, 2013

Wayne Benjamin  
Harlem Community Development Corporation  
163 West 125th Street, 17<sup>th</sup> Floor  
New York, NY10027

Dear Wayne:

I would like to congratulate your team and Steve Williams of Danforth Development on a hard fought battle to bring economic development to the Harlem community. This mixed use project with its hotel component will be an economic injection to the local community thereby creating jobs and other business activity in the continuing process of revitalizing Harlem. The hotel itself will serve as a beacon to visitors, bringing new activity into the community that will have a multiplying effect in the use of restaurants and other businesses in the area.

As many communities go through the revitalization process, hotels become the economic engine in supporting local businesses who sell to the hotels as well as consumers with business meetings, family reunions and conventions, thereby creating a new paradigm. This hotel with its major brand as a partner will further serve to instill confidence in the Harlem investment market opening the doors for more investments. You and your team and the vision of the Harlem community will open the doors for many others to follow. I am committing to you that the National Association of Black Hotel Owners, Operators & Developers (NABHOOD), of which Steve Williams is a member, will create a workshop for the Harlem business community to show them how they can benefit from the new influx of visitors and tourists to the city.

If I can be of any additional assistance to provide testimony or otherwise, please feel free to call.

Good luck in your quest to create opportunity for your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Andy Ingraham", written in a cursive style.

Andy Ingraham  
President/CEO

**APPENDIX C.2**  
**HEARING TRANSCRIPT**

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EMPIRE STATE DEVELOPMENT CORPORATION  
AND  
HARLEM COMMUNITY DEVELOPMENT CORPORATION

-----x

**PUBLIC HEARING**

RE: For the proposed Victoria Theater Redevelopment  
Land Use Improvement and Civic Project and the  
Draft Environmental Impact Statement ("DEIS") for  
the Project.

-----x

Adam Clayton Powell, Jr.  
State Office Building  
163 West 125th Street, 8th  
floor  
New York, New York

December 10, 2012  
5:05 P.M.

B E F O R E :

KENDRICK HARRIS, ESQ.,  
THE HEARING OFFICER

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A P P E A R A N C E S :

For Harlem Community Development Corporation:

Curtis Archer, President

Wayne Benjamin, Director of Residential &  
Commerical Development

Eunice Jackson, Esq.

For Empire State Development Corporation:

Rachel Shatz

ALSO PRESENT:

The Public

The Press

Marc Russo

Reporter

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THE HEARING OFFICER: Good evening.

Can everyone hear me?

A VOICE: Yeah, I guess.

THE HEARING OFFICER: Can you hear me now?

VOICES: Yes.

MR. ARCHER: Ah, Verizon.

(Laughter.)

THE HEARING OFFICER: Well, good evening, ladies and gentlemen.

My name is Kendrick Harris. And I'm an attorney duly admitted to practice law in the State of New York and I am the independent Hearing Officer for today's public hearing.

I've been asked by the New York State Urban Development Corporation, doing business as Empire State Development, ESD, and Harlem Community Development Corporation, Harlem CDC, a subsidiary of ESD, to conduct today's public hearing, pursuant to Section 6 and 16 of the New York State Urban Development Corporation Act and Article 8 of the New York State Environmental

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Conservation Law.

This hearing is being held pursuant to legal notices published in accordance with the UDC Act and the State Environmental Quality Review Act or SEQRA, in November -- in the November 8th, 2012 edition of the New York Amsterdam News and the November 9th, 2012 edition of the New York Daily News.

The purpose of this hearing is to afford you an opportunity to make statements and comments about ESD's and Harlem CDC's General Project Plan, the Draft Environmental Impact Statement and the essential terms of the proposed ground lease for the proposed Victoria Theater Redevelopment Project.

This is not a question and answer session. It is, instead, an opportunity for you to present your views so that ESD and Harlem CDC can consider them in making their final determinations.

A public hearing for the proposed project, previously scheduled to be held Monday, November -- Monday, October 29th, 2012, was cancelled due to the effects of Hurricane Sandy.

For your information, a

1

2 stenographic transcript of this hearing is being  
3 made. Upon written request and payment of  
4 reproduction costs, a copy of the record of  
5 tonight's hearing and any written comments,  
6 submissions made tonight or during the subsequent  
7 comment period, will be available to any person  
8 making such a request.

9

Comments presented at this hearing  
10 will be taken into consideration by ESD and Harlem  
11 CDC in the review and consideration of the proposed  
12 project.

13

Comments may also be submitted in  
14 writing. Comments must be received by close of  
15 business, January 10th, 2013. Instructions for  
16 submitting written comments after tonight's hearing  
17 can be found at the sign-in table.

18

First, Mr. Wayne Benjamin,  
19 Director of Residential and Commercial Development  
20 for Harlem Community Development Corporation, will  
21 present information about the project on behalf of  
22 Harlem CDC and ESD.

23

Then I will recognize anyone else  
24 who wishes to make a comment about the project. If  
25 you wish to speak at today's hearing, please sign

1

2 the register located at the sign-in table.

3

4 For your information and  
5 convenience, copies of the General Project Plan and  
6 Draft EIS for the proposed project are available on  
7 the table next to the sign-in table.

8

9 Copies of these documents may also  
10 be inspected and upon request and at no charge, be  
11 obtained in the form of a CD at the corporate  
12 offices of Harlem CDC, 163 West 125th Street, 17th  
13 floor, New York, New York 10027 and at ESD at 633  
14 Third Avenue, New York, New York 10017, between  
15 the hours of 9:30 a.m. and 5:00 p.m., Monday  
16 through Friday, public holidays excluded.

17

18 To inspect and/or obtain copies of  
19 the foregoing documents, please contact Francisco  
20 Guzman at Harlem CDC at the address above or at  
21 212-961-4169 or Regina Stephens at ESD at the  
22 address already articulated or you can call at  
23 212-803-3818.

24

25 Copies have also been provided to  
the Clerks of the County and City of New York, the  
Borough President of the Borough of Manhattan and  
Chair of the City Planning Commission and the Chair  
of the Manhattan Community Board No. 10.

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A copy of the complete DEIS also has been provided to branches of the New York Public Library located at 518 West 125th Street, New York, New York 10027 and 9 West 124th Street, New York, New York 10027.

Copies of the General Project Plan, the Executive Summary of the Draft EIS and a copy of the Draft EIS can be viewed at ESD's website.

A copy of the General Project Plan can also be viewed at Harlem CDC's website.

Please refer to the handout available at the sign-in table for the respective website addressees.

In order to give everyone an ample opportunity to speak, I request that speakers keep their oral presentations to no more than three minutes. Speakers representing organizations with a substantial number of members are asked to register and identify themselves as such. And, depending on the number of speakers wishing to be heard, may be afforded up to six minutes for their presentation.

In order to ensure an accurate

2 transcript and to enable all assembled to hear your  
3 remarks, I ask each speaker when called to come to  
4 the front of the room. Please state your name and  
5 address. If you are appearing as a representative  
6 of an organization or governmental entity, please  
7 identify the organization or entity and state its  
8 address.

9 Finally, I would like to remind  
10 you that the purpose of this hearing is to afford  
11 you an opportunity to make comments about the  
12 General Project Plan, including the essential terms  
13 of the proposed ground lease for the proposed  
14 project and the Draft EIS. This is not a question  
15 and answer session.

16 Now I'd like to care of some of  
17 administrative matters by asking the stenographer  
18 to mark the following documents as exhibits to  
19 appear in the transcript:

20 The legal notice that appeared in  
21 the New York Amsterdam News on November 8th, 2012  
22 and the Daily News on November 9th, 2012.

23 (Legal Notice appearing in The New  
24 York Amsterdam News and The Daily News dated  
25 November 8th, 2012 and November 9th, 2012 were

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marked as Hearing Exhibit No. 1.)

THE HEARING OFFICER: Affidavits of publication of the legal notice of the Amsterdam News and the Daily News.

(Affidavits of Publication of public notice that appeared in The Amsterdam News and Daily News were marked as Hearing Exhibit No. 2.)

THE HEARING OFFICER: Document entitled, "Empire State Development and Harlem Community Development Corporation, Victoria Theater Land Use Improvement and Civic Project - General Project Plan," dated July 18th, 2012.

(Document entitled: "Empire State Development and Harlem Community Development Corporation, Victoria Theater Land Use Improvement and Civic Project - General Project Plan," dated July 18th, 2012, was marked as Hearing Exhibit No. 3.

THE HEARING OFFICER: And documents entitled, "Victoria Theater Redevelopment Project, Draft Environmental Impact Statement and Victoria Theater Redevelopment Project, the Draft Environmental Impact Statement, Executive Summary,

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2 each dated July, 2012.

3

4 (Documents entitled, "Victoria  
5 Theater Redevelopment Project, Draft Environmental  
6 Impact Statement and Victoria Theater Redevelopment  
7 Project, the Draft Environmental Impact Statement,  
8 Executive Summary, each dated July, 2012, were  
9 marked as Hearing Exhibit No. 4.

10

11 THE HEARING OFFICER: Now before  
12 the project overview is presented, Curtis Archer,  
13 President of Harlem CDC, will make a few brief  
14 remarks.

15

16 MR. ARCHER: Thank you, Mr.  
17 Harris.

18

19 Can you all hear me?

20

21 VOICES: Yes.

22

23 MR. ARCHER: Good.

24

25 Good evening.

26

27 My name is Curtis Archer. I'm the  
28 President of Harlem Community Development  
29 Corporation.

30

31 And I would like to take this  
32 opportunity to acknowledge some of the people who  
33 have worked diligently to advance the Victoria  
34 Theater Redevelopment Project.  
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They include: -- and if I call your name, just raise your hand.

Rachel Shatz, Vice President for Planning and Environmental Review, Empire State Development Corporation;

Eunice Jackson, Senior Legal Counsel, Empire State Development Corporation;

Steven Williams, Principal of Danforth Development Partners and the Harlem CDC designated project developer for the project;

Michael Callaghan, Craig Livingston and Paul Moore, each a principal of Exact Capital, Danforth's development partner;

R. Peyton Gibson, principal of the Gibson Law Firm, real estate counsel to Harlem CDC for the project;

Kenneth Crystal, managing partner Harlem CDC for the project;

Dave Paget, partner of Sive, Paget & Riesel, environmental legal counsel to ESDC for the project;

Elizabeth Knauer, partner of Sive, Paget & Riesel;

Charlie Fields, Technical

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2 Director, AKRF, the environmental planning firm  
3 that prepared the Draft EIS;

4

Michael Beattie, Technical

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Director, AKRF;

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Ariel Aufgang, principal, Aufgang

7

and Subotovsky, the project architects;

8

Alexa Donaphin, principal, Perkins

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Eastman, the architect for the project's cultural

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component;

11

And, of course, ladies and

12

gentlemen, you know him well, and that is the

13

Project Director for the Victoria Theater project

14

and he is also Director of Residential and

15

Commercial Development, Mr. Wayne Benjamin.

16

I would also like to acknowledge

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the local organizations working with the

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development team as the project's cultural

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partners. They include:

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The Harlem Arts Alliance,

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represented by Voza Rivers;

22

The Classical Theater of Harlem,

23

represented by Ty Jones, but I do see Charles Sims;

24

Jazz Mobile, represented by Robin

25

Bell Stevens. Anybody from Jazz Mobile?

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2

A VOICE: Yeah.

3

MR. ARCHER: Good.

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5

The Apollo Theater Foundation,  
represented by Jonelle Procope. And I also saw  
Lisa -- Lisa.

7

A VOICE: Lisa.

8

MR. ARCHER: Lisa.

9

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12

I, of course, must acknowledge the  
support of Harlem CDC's Board of Directors. And if  
by chance, I've missed anyone, please let me know  
and my -- that was not my intention.

13

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Harlem CDC honors, respects and  
acknowledges each and every contribution made to  
advance this important project. So if some people  
are in the audience who I did not call, might you  
just raise -- raise your hand and acknowledge who  
you're representing and where you're from.

19

UMEZ, I see. Mr. Williams.

20

21

MR. ROGERS: Tony Rogers, Harlem  
Tourism Board.

22

MR. ARCHER: Thank you.

23

Sir.

24

25

MR. UNTHANK: Michael Unthank,  
Victoria Cultural Partners.

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2

MR. ARCHER: Okay. Okay.

3

Thank you very much.

4

THE HEARING OFFICER: Thank you,

5

Mr. Archer.

6

Mr. Benjamin will now present

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information about the project.

8

MR. BENJAMIN: Thank you.

9

Can you hear me?

10

VOICES: Yes.

11

MR. BENJAMIN: Good afternoon.

12

My name is Wayne Benjamin and I'm

13

the Director of Residential and Commercial

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Development for Harlem Community Development

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Corporation.

16

And I'm here to present an

17

overview of the Victoria Theater Redevelopment

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Project and the Draft Environmental Impact

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Statement prepared for it.

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The project, as described in the

21

GPP and analyzed in the Draft EIS, consists of the

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redevelopment of the Victoria Theater, which is

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owned by Harlem CDC as a \$143 million, 26-story,

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approximately 360,000 square-foot mixed used

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development consisting of:

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A 210-room hotel with a 5,000

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square-foot ballroom;

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229-unit mixed income residential

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units in which 50 percent of the units will be

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affordable to households earning between 40 percent

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of area median income and 120 percent --

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A VOICE: Could you speak into the

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mike. We can't hear back here.

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MR. BENJAMIN: Is that Blondel

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back there?

12

A VOICE: Yes.

13

MR. BENJAMIN: And a 120 percent

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of area median income;

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A 25,000 square-foot cultural arts

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center that will be home to the Harlem Arts

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Alliance, JazzMobile, the Classical Theatre of

18

Harlem and the Apollo Theatre Foundation.

19

And would feature a 99-seat and a

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199-seat black box theater;

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Approximately 27,000 square feet

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of retail space that would include a restaurant and

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jazz club; and

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Underground parking for

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approximately 90 cars.

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The project also involves retention of the Theatre's South Building, restoration of its facade, lobby and grand stair and replication of the original marquee and blade sign.

The project will be undertaken by Danforth Development Partners and its development partners, Exact Capital and Falconwood.

Danforth was conditionally designated as the developer of the project in 2007 after an RFP process that began with 11 respondents.

Harlem CDC's board determined that Danforth's proposal best met the RFP's goals of creating an economically viable destination for the arts, entertainment and cultural uses and providing an economic return to Harlem CDC while, at the same time, incorporating preservation of its historic structure.

Harlem CDC entered into a Memorandum of Understanding with Danforth in November of 2007.

The project's total development cost is estimated at \$143 million. The anticipated

1

2 sources of project financing include:

3 Bonds issued by the New York City  
4 Housing Development Corporation or HDC and issued  
5 by the New York City Industrial Development Agency,  
6 IDA;

7 Loans from the Upper Manhattan  
8 Empowerment Zone, Empire State Development, Choice  
9 Hotels;

10 Low-income housing tax credits and  
11 developer equity.

12 In addition, in exchange for the  
13 developer's agreement to keep rents for the low and  
14 moderate income units affordable for a minimum of  
15 50 years, Harlem CDC would give the developer a  
16 credit against the portion of the acquisition price  
17 that is obligated to be secured by the enforcement  
18 mortgage.

19 The project would require  
20 overrides of certain aspects of New York City's  
21 zoning resolution that include increasing the  
22 allowable building height and density and  
23 increasing the maximum number of residential units.

24 The City of New York has been  
25 advised of and supports the project and ESD's

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participation of the types of overrides requested.  
The project would, of course, be built in  
accordance with the New York City Building Code.

The Draft Environmental Impact  
Statement that Harlem CDC and ESD's Board of  
Directors have deemed acceptable for public review,  
sets out specific overrides to discuss the  
potential environmental impacts of the project.

The DEIS examined a number of  
technical areas following the guidance of the New  
York City Environmental Quality Review Technical  
Manual. For most areas, the proposed project would  
not result in significant adverse environmental  
impacts.

In two technical areas, historic  
resources and traffic, the proposed project would  
result in significant adverse impacts that could be  
partially or fully mitigated through proposed  
measures that are detailed in the DEIS.

To summarize briefly, project  
impacts with vehicular traffic at eight approaches  
or lane groups could be mitigated with minor  
adjustments to existing signal timings.

In terms of historic preservation,

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2 the demolition of the North Building of the project  
3 site would constitute a significant adverse impact.  
4 While a significant adverse impact cannot be  
5 entirely avoided considering the goals and  
6 objectives of the proposed project, certain  
7 mitigation measures could be implemented to address  
8 project impacts.

9 As detailed in the DEIS, these  
10 measures can include:

11 Retention, restoration and use at  
12 the South Building, specifically, restoration of  
13 the West 125th Street facade and restoration or  
14 replication of the front entrance doors, the  
15 vertical blade sign, horizontal marquee, the lobby  
16 and foyer;

17 The possible salvage and reuse of  
18 the north canvas mural from the balcony level of  
19 the auditorium and possible salvage and reuse of  
20 water fountain mosaics located in the North  
21 Building;

22 Potential salvage and reuse of  
23 other architectural elements in the North Building  
24 and identification of elements in the North  
25 Building that can be referenced or used to inform

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and influence the design of spaces in the North Building;

The use of new lighting that is referential to the theatre's original design;

Recreation of the theatre's former ticket booth at West 125th Street to serve as a signage element; and

Installation of educational materials within the proposed project explaining the theatre's history and its role as part of Harlem's "Opera Row."

In addition, to avoid potential construction impacts, construction-related impacts on the South Building and the Apollo Theater during project demolition and construction activities, a construction project plan would be prepared and implemented.

Harlem CDC proposes to enter into a ground lease and related documents with the developer that -- that would incorporate the final terms of the transaction, as well as set forth the conditions under which Harlem CDC would transfer ownership of portions of the site to the developer upon completion of construction and issuance of a

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2 new Certificate of Occupancy. The essential terms  
3 of the proposed ground lease are included in the  
4 General Project Plan.

5 On July 13th, 2012 and July 18th,  
6 2012, Directors of Harlem CDC and Empire State,  
7 respectively, unanimously adopted a General Project  
8 Plan or GPP, which includes the essential terms of  
9 the ground lease and deemed the Draft Environmental  
10 Impact Statement complete for the purposes of  
11 public review.

12 Subsequent to the adoption of the  
13 GPP in July 2012, in the process of refining the  
14 architectural design for the project, certain  
15 changes were made to the conceptual design as  
16 included in the GPP and that was used for the basis  
17 analysis in the Draft EIS.

18 The changes include:

19 Increasing the height of the  
20 building by ten feet, from 290 feet to 300 feet and  
21 from 26 stories to 27 stories. And this is done to  
22 accommodate structural design considerations,  
23 including ceiling heights required by the two black  
24 box theaters and the hotel's ballroom;

25 The elimination of the vehicular

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2 driveway, which was to enter the site from West  
3 126th Street and replacing it with a curbside hotel  
4 loading and drop-off zone; and

5 A partial re-staggering of  
6 perimeter elements located in the project's podium  
7 floors, such as located in the relocated -- some of  
8 the retail space to the first floor, creating a  
9 mezzanine floor, which is now referred to as the  
10 fourth floor. And on capturing some of the space  
11 on the third floor which has a double height in  
12 order to accommodate the theaters and locating  
13 portions of the theaters' support functions at this  
14 new floor.

15 These changes will be evaluated as  
16 part of the project in the Final EIS but would not  
17 alter the proposed uses and are not expected to  
18 change the overall conclusions of the environmental  
19 review.

20 The project was cited by the New  
21 York City Regional Council in its 2011 Five-Year  
22 Plan as a transformative project for 125th Street.  
23 It would generate significant economic and  
24 community benefits for the 125th Street Corridor  
25 and for the community. It would enhance the

2 viability of 125th Street. It would strengthen it  
3 as a destination for our business, tourism and the  
4 arts. And it would also generate approximately 576  
5 construction jobs and 373 permanent jobs.

6 It's expected the closing on  
7 project financing and the commencement of  
8 construction will occur in the first quarter of  
9 2013. Construction activities are estimated to be  
10 concluded in 22 months.

11 This concludes the overview of the  
12 Victoria Theater Project and the Draft  
13 Environmental Impact Statement of Danforth Inc.

14 Mr. Kendrick.

15 THE HEARING OFFICER: Thank you,  
16 Mr. Benjamin.

17 We will now begin the public  
18 comment portion of this hearing.

19 The procedures to be followed are  
20 as follows:

21 If you wish to speak at tonight's  
22 hearing and if you haven't already done so, please  
23 register at the sign-in table.

24 Public officials and certain  
25 project participants will be allowed to speak as

1  
2 soon as possible after their arrival at the hearing  
3 room. In all other instances, speakers will be  
4 called on in the order in which they have  
5 registered.

6 At this time, I would like to read  
7 into the record written testimony provided by  
8 public officials who are unable to attend this  
9 hearing in person.

10 This is from Congressman -- this  
11 is from the office of Congressman Charlie Rangel.  
12 And it states:

13 "On the occasion of this public  
14 hearing for the Victoria Theater Redevelopment  
15 Project, I am pleased to take this opportunity to  
16 again convey my firm and enthusiastic support of  
17 the project as a representative of the 15th  
18 Congressional District.

19 On October 2007, Harlem CDC  
20 conditionally designated Danforth Development  
21 Partners as the preferred developer for the  
22 Victoria Theater Redevelopment Project.

23 In the spring of 2011, Danforth  
24 formed a Joint Venture with Exact Capital, LLC,  
25 bringing additional equity to the table.

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Since then, the development partners have worked and continue to work diligently, with Harlem CDC to advance the plans to redevelop the Victoria Theater as an iconic 26-story, mixed-use facility with over 360,000 square feet consisting of a hotel, cultural arts, retail, residential, entertainment, dining and parking uses.

The project included over 200 units of housing, 50 percent will be affordable to low, moderate and middle income individuals and households.

My office strongly supports providing affordable housing for the community and believe that incorporating affordable housing is an essential part of economic development.

Four local arts organizations, Harlem Alliance -- Harlem Art Alliance, JazzMobile, the Classical Theatre of Harlem and the Apollo Theatre Foundation are included in the team as cultural partners that will occupy the project's cultural space. This is important as it serves, preserves and sustains Harlem's prominence as the artistic capital of Black America.

1  
2                   The project has enormous potential  
3 to be the catalyst for future economic activity on  
4 the 125th Street Corridor. It will provide hundreds  
5 of construction and permanent new jobs for Harlem  
6 residents, space for local retailers to enrich  
7 125th Street with 24-hour uses, including two black  
8 box theaters and dining and entertainment venues  
9 and dramatically improve and enliven the  
10 streetscape of 125th Street -- 126th Street.

11                   The project also includes a  
12 historic preservation program that includes, among  
13 other things, retention and restoration of the  
14 theater's South Building and its historic lobby,  
15 original facade marquee and blade sign. The project  
16 design marries the old and new, Harlem's past with  
17 its future.

18                   The Victoria Theater Project  
19 embodies the goals of the 125th Street Corridor  
20 rezoning, that is to encourage the production of  
21 residential, commercial, retail, arts and  
22 entertainment uses to enliven the street during the  
23 day and evening and to support and enhance the  
24 ongoing revitalization of 125th Street and  
25 neighboring areas.

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2                   Although it does not fully conform  
3 to all respects to -- to all aspects of the  
4 rezoning, in particular, the height of the building  
5 will exceed the height limitation ultimately set  
6 forth in the rezoning. Given the significant  
7 benefits to economic and community development  
8 impacts this unique and thoughtful project will  
9 generate, the additional building heights is a fair  
10 trade off.

11                   My staff and I have worked very  
12 diligently to assist Harlem CDC and the Danforth  
13 team to balance competing needs and to achieve a  
14 balance that represents the best this project has  
15 to offer.

16                   In these times of continued high  
17 economic need and financial distress, the Victoria  
18 Theater Redevelopment Project will create jobs and  
19 enhance Harlem's rich cultural legacy and continue  
20 its economic resurgence."

21                   Now I would like to give any other  
22 public officials or representatives of public  
23 officials currently present, the opportunity to  
24 make a presentation or comment.

25                   Are there --

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2

Please step forward.

3

4

A VOICE: You've got to use that  
mike.

5

MR. ARCHER: Yeah.

6

7

MR. SAN YAL: Hi. How are you?  
Can you hear me?

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9

I'm Varun San Yal from Council  
Member Inez Dickens' office.

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I'm here today as a board member  
of the Harlem Community Development Corporation to  
discuss the redevelopment of the Victoria Theater  
as an ambitious 26-story mixed-use facility of over  
360,000 square feet, consisting of hotel, cultural  
arts, retail, residential, entertainment, dining  
and parking uses.

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The Victoria Theater is owned by  
the Harlem Community Development Corporation, a  
subsidiary of the New York State Urban Development  
Corporation doing business as Empire State  
Development.

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The project is subject to the New  
York State approval process not New York City.

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The General Project Plan for the  
-- was presented to the Boards of the Harlem CDC

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and ESD in July 2012. Each board unanimously adopted it -- the plan.

The Harlem CDC worked diligently for years and against many odds to advance the project to where it is today.

The project includes a 25,000 square-foot, not-for-profit arts and culture facility that will be delivered by the developers debt free;

Over 100 units of rental housing that will be affordable to low and moderate income households;

A 210 key-hotel that will offer guests a full-service experience, the first in Harlem;

And a historic preservation program that consists of the retention and restoration of the theater's South Building, including its lobby, grand stair, facade, marquee and blade sign.

The project would generate nearly 600 construction-related jobs and nearly 400 permanent jobs.

Further, the developers, Danforth

1

2 Development Partners and Exact Capital, have  
3 committed to exceeding 30 -- over 30 percent of the  
4 MWBE participation goal, established by the State,  
5 to create training programs to prepare local  
6 residents for the permanent jobs generated by the  
7 project.

8                   Although the project does not  
9 fully conform to the 125th Street Corridor rezoning  
10 adopted by the City Planning Commission and the  
11 City Council, it hopes to enhance the vitality of  
12 125th Street, strengthening it as a destination for  
13 business, tourism and the arts. It hopes to  
14 generate significant economic and community  
15 development benefits for the 125th Street Corridor  
16 for Harlem and for local residents.

17                   And was cited by the New York City  
18 Regional Council in its Five-Year Plan as a  
19 transformative project for 125th Street.

20                   When I negotiated the 125th Street  
21 Rezoning Plan, my intention was to preserve the  
22 corridor's historic landscape and to avoid  
23 overdevelopment.

24                   I understand that the project, as  
25 proposed, would not conform in all respects with

1

2 the requirements of the 125th Street Corridor  
3 rezoning, as adopted by the Planning Commission and  
4 the City Council. In particular, the portion of  
5 the development on 126th Street which would include  
6 a tower containing the hotel and apartment units,  
7 would exceed the eight limitations set forth in the  
8 zoning and limitations on allowable floor area  
9 would be exceeded as well.

10

11 However, I also want to ensure  
12 that the 125th Street Corridor remains a viable  
13 economic engine to create jobs and opportunities  
14 for residents of my district.

15

16 Therefore, although certain  
17 aspects of zoning, inclusive of building height and  
18 density that are required to facilitate the  
19 development of the project, give the considerable  
20 benefits generated by this unique development and  
21 the high level of economic need and distress in  
22 Harlem, I believe that it is essential that the  
23 project advance and that the offices of the State  
24 and City government do all they can to ensure its  
25 success.

26

Thank you.

27

THE HEARING OFFICER: The next

1

2 speaker will be Nnenna Lynch.

3 MS. LYNCH: Good evening.

4 Yes, my name is Nnenna Lynch. And

5 I'm a Senior Policy Advisor to Deputy Mayor Bob

6 Steel, Deputy Mayor for Economic Development.

7 And I'm here on behalf of the

8 Mayor's office today. And I'm here to express my --

9 the administration's support for the Victoria

10 Theater Redevelopment Project.

11 THE STENOGRAPHER: Nnenna, would

12 you mind coming this way just a little?

13 MS. LYNCH: Is it not on?

14 A VOICE: It's on, but you have to

15 be closer.

16 MR. ARCHER: Yeah.

17 MS. LYNCH: Like this?

18 (Laughter.)

19 MS. LYNCH: I'm here to express my

20 support.

21 125th Street is the heart of a

22 thriving business district, a vibrant cultural

23 center. And while there's existing richness and

24 vitality, there's so much more potential in this

25 corridor and neighborhood. And this project is

1

2 another step, a big step, on the road to  
3 actualizing 125th Street and Harlem's potential.

4 This project does three important  
5 -- it does a lot. And there are three things that  
6 I'd like to bring attention to:

7 Reactivate long vacant space. It  
8 does so with a dynamic mix of uses and ones that  
9 are consistent with the vision of the  
10 administration's 2008 rezoning in that area.

11 And, lastly, the plan is  
12 respectful of the historic fabric of this brand new  
13 building. Once known as a dynamic leader on  
14 Harlem's Opera Row, the Victoria Theater building  
15 has been largely vacant for approximately 15 years,  
16 I believe.

17 So what doesn't this project have?  
18 It has housing, over 200 units of housing, over  
19 20,000 square feet of cultural space, over a  
20 200-room hotel, over 220,000 square feet of retail  
21 space, as well as parking.

22 And it will reactivate an historic  
23 building. Can you hear me now?

24 (Laughter.)

25 MS. LYNCH: I might be better off

1

2 without the mike.

3

4                   Anyway, I'm almost done. So this  
5 project will reactivate an historic building while  
6 preserving key elements of the original 1917 design  
7 by the renown theater architect, Thomas Lamb, such  
8 as the facade, lobby and the marble staircase.

8

9                   It is our hope and expectation  
10 that this complex will benefit other community  
11 cultural institutions by creating an arts and  
12 culture hub aptly located just a few steps away  
13 from the iconic Apollo Theater.

13

14                   The mixed-use development plan  
15 under consideration today will yield considerable  
16 long-term benefits for Harlem residents, including  
17 affordable housing, jobs and cultural amenities.

17

18                   The administration supports the  
19 Victoria Theater Redevelopment Project and looks  
20 forward to working with the Empire State  
21 Development Corporation, local elected officials  
22 and the community as this project comes to  
23 fruition.

23

MR. ARCHER: Thank you.

24

THE HEARING OFFICER: Thank you.

25

If we have no further elected

1

2 officials, I would now like to ask our first  
3 speaker to approach the microphone at the front of  
4 the room and that will be Voza Rivers.

5

6 Please state your name, address --  
7 please state your name, address and whether you're  
8 appearing as a representative of any organization.  
9 If you have any prepared remarks and have copies  
10 available, please kindly hand one to the  
11 stenographer.

12

13 You will now be given three  
14 minutes.

15

16 (Laughter.)

17

18 MR. RIVERS: Good evening.

19

20 My name is Voza Rivers and I'm  
21 representing the Harlem Arts Alliance and we are  
22 members of the Victoria Partners.

23

24 The Victoria Partners consist of  
25 the Harlem Arts Alliance, the Classical Theater of  
26 Harlem, JazzMobile and the Apollo Theater  
27 Foundation. Each of us, individually and  
28 collectively, have put our resources together to  
29 make sure that we represent this project in a grand  
30 fashion.

31

32 The Apollo Theater will look at

1

2 the Victoria as a home for its executive staff.

3 And you're going to hear from the Apollo Theater.

4

The Harlem Classical Theater will  
5 be -- will have their offices there and they will  
6 also use the main theater, the 199-seat theater.

7

JazzMobile -- and, I'm sorry.

8

And for workshops. And they will also speak to you  
9 to outline exactly what they're doing.

10

The third group, is JazzMobile.

11

JazzMobile has a 48-year history in this community

12

of representing first-class jazz events and

13

activities year round, will also have the Victoria

14

as its main home. And it will also be involved in

15

workshops and classrooms in that space.

16

There will be a gallery, a

17

900-square foot gallery, the two theaters; the

18

99-seater a 199-seater.

19

The Harlem Arts Alliance will have

20

its main offices in the facility and will also host

21

monthly meetings. The Harlem Arts Alliance now

22

consists of over 1,000 members.

23

Let me just say that for me

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personally, this has been a long journey. I have

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lived in this community for over six decades and

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the Victoria Theater's always been an important component of arts and activities.

I had the pleasure in 1992, when Warren Blake converted the Victoria Theater to the Harlem Victoria Five, and -- and it had five theaters. When that project could not be sustainable, in 1994 I was a part of the group that put stages in front of the screens that were there. And so we developed three, three performance spaces. And that lasted until 1997.

During that time, I was the producer in residence and have a fond memory of seeing the possibility of being in a space like this.

Let me quantify what I believe our goals are:

Is to ensure that we establish the Victoria as a vibrant presentee and educational forum for the arts in Harlem that attracts dedicated audience, outstanding and exciting programs --

(Buzzer.)

(Laughter.)

MR. RIVERS: -- and events for

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residents, visitors and guests. And, ultimately, strengthen 125th Street as a cultural destination.

Do I get more time or is that?

MR. ARCHER: Yes.

(Laughter.)

MR. RIVERS: Thank you.

MR. ARCHER: Thank you.

(Applause.)

THE HEARING OFFICER: I would like now to ask our next speaker to approach the microphone at the front of the room. And that will be Ms. Jeanette Procope?

A VOICE: Jonelle.

THE HEARING OFFICER: Jonelle.

Please state your name, address and whether you're appearing as a representative of any organization.

MS. PROCOPE: Thank you.

THE HEARING OFFICER: If you have any prepared material, please provide copies to the stenographer.

MS. PROCOPE: I'm Jonelle Procope, President and CEO of the Apollo Theater, 253 West 125th Street.

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I'm really honored to be here tonight to talk in support of this amazing project. I mean, what's not to like? I think it's going to be transformative when you listen to the overview that you've just heard.

As one of the cultural participants, this is affecting the Apollo in a slightly different way than it's affecting the other culturals. The Apollo now has all of its administrative functions in the theater. And we have a very robust education program.

For us to be able to move our administrative offices into this new project will free up program space in the theater. It will allow us to expand our education programs. It will allow us to have residencies, for us to have more summer interns, more master classes and to represent the community in a much more aggressive way.

Also, I think that culturally, I think that collaborating with other culturals is a really, really important thing. I think it's the future. And I think for us to all be housed together is -- is like a little laboratory, if you

1

2 will. It allows us to talk, to come up with other  
3 creative ideas and ways that we can use the -- the  
4 black box spaces in the theater. So I'm really  
5 looking forward to that.

6                   And just the last thing is, I  
7 think that we all recognize that, aside from the  
8 richness of culture and the ability to tap into  
9 even more of it on a -- on a substantial level by  
10 this project and the culturals that'll be  
11 participating in it, culture is also an economic  
12 driver. It is -- it creates a reason to get off of  
13 the tour buses, a reason to come to the community.

14                   We're already seeing this new  
15 energy in the Harlem community. And, I think, that  
16 this is only going to enhance it and provide us  
17 with some of the resources that those of us who  
18 live in the community, do business in the  
19 community, need in order for us to kind of take  
20 what we're doing to the next level.

21                   So thanks a lot.

22                   THE HEARING OFFICER: Thank you  
23 very much.

24                   I would like to -- I would like to  
25 ask our next speaker to approach the microphone and

1

2 that is - forgive me - Verdery Roosevelt.

3

You can just hold it close.

4

MS. ROOSEVELT: Thank you.

5

Good evening.

6

My name is Verdery Roosevelt. I'm

7

the Senior Vice President for program and

8

non-profit investments at the Upper Manhattan

9

Empowerment Zone.

10

We, at UMEZ, are very pleased to

11

provide this testimony in support of the Victoria

12

Theater Redevelopment Project on 125th Street in

13

Harlem.

14

The Victoria represents a major

15

step forward in the evolution of 125th Street as a

16

premier arts, culture and entertainment destination

17

in New York City. Under the provisions of the

18

special 125th Street District and its innovative

19

arts and entertain sub district, the Victoria

20

Project will incorporate the creation of non-profit

21

and performing arts spaces with hotel, residential

22

and retail components to generate a dynamic

23

economic presence on this important thoroughfare.

24

UMEZ has long championed the role

25

of arts and culture as a driving force for the

1

2 economic revitalization of 125th Street and played  
3 a central role in the rezoning efforts and the  
4 provisions of its arts and entertainment sub  
5 district.

6

7 We, therefore, wholeheartedly  
8 endorse the inclusion in this development of the  
9 25,000 square-foot cultural arts center that  
10 features performance, exhibition, rehearsal and  
11 administrative art spaces.

12

13 Four cultural organizations have  
14 been actively engaged with the Harlem Community  
15 Development Corporation to inform the schematics  
16 for the cultural spaces and to serve as future  
17 residents of the cultural arts condominium unit.

18

19 Each of these organizations, the  
20 Harlem Arts Alliance, JazzMobile, Classical New  
21 Theater of Harlem and the Apollo Theater, has  
22 demonstrated a deep and long-standing commitment to  
23 serving the residents of Harlem and New York City.

24

25 The two flexible theater spaces  
26 envisioned for the site will provide small and  
27 mid-size arts organizations throughout Harlem and  
28 Upper Manhattan with the opportunity to showcase  
29 their cultural vision in a highly professional

1

2 environment, side-by-side with the major cultural  
3 institutions along 125th Street, such as the Apollo  
4 Theater and Studio Museum.

5

6 The project's architecture and  
7 design will incorporate the restoration of the  
8 Victoria Theater's original lobby, grand staircase  
9 and South Building facade and marquee, thereby  
10 providing a fitting recognition of the site's rich  
11 cultural history, while adding unmistakable glamour  
12 to the entire project.

13

14 UMEZ supports the Victoria and its  
15 multiple cultural components as a welcome addition  
16 to the vibrancy of 125th Street. We are confident  
17 that it will bring new vitality to the area and  
18 generate a dynamic environment for many growing  
19 businesses in the zone.

20

21 Thank you.

22

23 (Buzzer.)

24

25 (Laughter.)

26

27 MR. ARCHER: Excellent. You  
28 timed it perfect.

29

30 THE HEARING OFFICER: I would  
31 like to ask our next speaker, Mr. Walter Edwards to  
32 approach.

33

1

2

MR. EDWARDS: Do I need that?

3

I've been told I'm too loud.

4

(Laughter.)

5

MR. EDWARDS: Good evening.

6

I'm Walter J. Edwards, Chairman of

7

the Harlem Business Alliance, 275 Lenox Avenue.

8

And this evening, you know, I'm

9

just coming to speak about a property that I've

10

seen that was very vibrant, you know, to the

11

theater in years that passed. And we all felt that

12

we were going to the best of the best of the

13

theaters when we attended the Lowes Victoria.

14

And I watched it in decay for so

15

many years on a street, a commercial strip that is

16

underdeveloped. Why, I can't tell you. But this

17

is the commercial strip in New York, out of all the

18

commercial strips that is underdeveloped, that you

19

can find any reasons, I won't. But that's the

20

case.

21

And we have an opportunity and I

22

congratulate Steve Williams, who has been a

23

resident of Harlem for so many, many years. I

24

think he was born here, wasn't he, Steve? Okay.

25

And you've served this community well.

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All of the cultural groups have been here serving this community for so very, very long. And I'm afraid that if you guys don't do this project, since there's very little public properties left on 125th Street, people of color and people from this community, will never get an opportunity to really do a major development.

So I'm here in support of you getting that opportunity and letting the people know that there is hope for us after all. So please continue.

Thank you.

THE HEARING OFFICER: Thank you, Mr. Edwards.

I would like to next ask our next speaker, Ms. Blondel Pinnock, to approach, from the 125th Street BID.

MR. ARCHER: Would you like --

MS. PINNOCK: Oh, no thanks.

(Laughter.)

MS. PINNOCK: Good evening. Good evening. Is this better?

VOICES: Yes.

MS. PINNOCK: Good evening.

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My name is Blondel Pinnock. I'm  
Chair of the 125th Street Business Improvement  
District, also known as the BID.

And I would like to speak  
favorably in support of the development of the  
Victoria Theater Redevelopment Project.

The 125th Street BID is a  
non-profit organization funded primarily from an  
additional tax assessment collected from the  
property owners within the defined boundaries.  
Organized in compliance with State and City laws,  
the property and business owners determine the  
services and programs needed for the district.

Harlem is a vibrant and dynamic  
community both in major world class cultural  
institutions, as well as a great diversity of  
smaller arts organizations and a wealth of emerging  
and established artists.

Harlem's reputation as a world  
renown cultural center is unparalleled and its  
mystique has served as a magnet for both artists  
and audiences for decades.

125th Street has long been known  
as a social, cultural and economic back bone of

1

2 Harlem. Over the past 15 years, Harlem experienced  
3 a period of significant revitalization, a  
4 phenomenon often described as a Second Renaissance.

5 125th Street has attracted new  
6 investments and businesses and re-emerged as a  
7 major cultural and commercial destination anchored  
8 by local and national chain retail outlets, as well  
9 as major cultural institutions such as the Apollo  
10 Theater and the Studio Museum of Harlem.

11 However, there is much room for  
12 needed growth in several areas. Further community,  
13 economic and cultural investment is needed to  
14 continue to revitalize the area to benefit -- to  
15 the benefit of existing residents and businesses,  
16 new residents and businesses, tourists and  
17 visitors.

18 The Victoria Theater Redevelopment  
19 Project is the kind of dynamic, catalytic,  
20 community and economic revitalization project that  
21 will meet the many identified needs in the  
22 community.

23 It addresses the many regional  
24 needs, including job creation, development of human  
25 capital and exploiting Harlem's location as a

1

2 cultural destination, green technology innovation,  
3 including the quality of life for residents of the  
4 greater Harlem community.

5

6 It acts as a catalyst to grow  
7 local small businesses and tourism-related economic  
8 activity.

8

9 It will generate over 1,000  
10 construction-related jobs, provide a construction  
11 skills training program, create 300 to 400  
12 permanent jobs, provide business opportunities for  
13 local and minority vendors and small businesses and  
14 provide a hotel and hospitality training program  
15 for local residents.

15

16 It will bring the same hotel to  
17 Harlem, something that is regularly needed to meet  
18 the demand that has been demonstrated by a new  
19 hotel.

19

20 More importantly, it sends another  
21 signal that Harlem is a great place to do business.

21

22 On behalf of the BID, thank you.

22

23 (Horn honking.)

23

24 (Laughter.)

24

25 THE HEARING OFFICER: Thank you,

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Blondel.

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MS. PINNOCK: You're welcome.

THE HEARING OFFICER: I would like to ask our next speaker, Mr. Charlie Sims and Ty Jones to approach the microphone in the front of the room.

Please state your name and address, whether you're representing an organization or if you have any prepared remarks, please give them to the stenographer.

MR. JONES: I'm Ty Jones, the Classical Theater of Harlem, 556 West 159th Street.

I will be speaking on behalf of the Classical Theater of Harlem. Charles is out there.

I want to thank you for this opportunity to essentially share the vision of CTH. I've talked to several people and everybody understands and they get why the Harlem Arts Alliance and they get why the Apollo and they get why the JazzMobile. And I'm hoping by at the end of this three minutes you'll get why the Classical Theater of Harlem.

I personally believe that the -- the heart of any revitalization, of any innovative

1

2 community, lands within the arts. A perfect  
3 example is the Upper West Side. I know that  
4 there's some folks here who are life-long New  
5 Yorkers and may remember when the Upper West Side  
6 was a cesspool.

7

8 And now, you know, you look at  
9 parts of the Upper West Side where Lincoln Center  
10 is, which was about to become an ice skating rink.  
11 And in that then you had folks who owned the Color  
12 Blue come in like Rockefeller and help them out.  
13 And now we're looking at glass going down to the  
14 parking areas.

15

16 So it is an amazing way in which  
17 they cultivated and hopefully we can follow that  
18 suit.

19

20 We've done great things to form  
21 relationships and alliances and partnerships to  
22 drive our cultural mission but, most importantly,  
23 to be part of the City of New York's building of  
24 our theater industry.

25

26 New York City is the capital of  
27 the world and Harlem is on the precipice of being  
28 the -- the Boeing jumbo jet economic engine of this  
29 City and I'm ready to inject with some steroids.

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(Laughter.)

MR. JONES: And the way in which we do that is that if you take a look at our programs. So we have the future classics, we essentially call those tomorrow's classics for today. Playwrights Playground - a supportive environment for emerging writers. But we also have project classes. That's our educational component. We go into classes and we go into Manhattanville. We go floor by floor. It's a 21-story building. It's a 13-story buildings, floor by floor to recruit students for our educational component, our educational theater arts program.

And we also send them to professional shows; Broadway and off-Broadway. So they can understand what it is part and to see themselves on stage. We also invite their parents along so they can see they're part of the conversation of theater.

In terms of our programming, if you guys do not yet know, we are having -- we're doing a production of Detroit 67 in partnership with the public theater, in association with the National Black Theater. It's called, Uptown Meets

1

2 Downtown. We've branded it as such. We hope you  
3 guys will come to it.

4

We also are not supposed to be  
5 making this announcement so I won't. But I'll say  
6 this - in the last 50 years, there's only been one  
7 game in town in terms of professional outdoor  
8 theater. There will be another game in town this  
9 summer in 2013.

10

Now why is that part of an  
11 economic engine? If we are successful, if we, you  
12 know, bring a village of business community and  
13 leaders here in Harlem, for folks to come to a park  
14 here in Harlem in the numbers of like 600 to 800  
15 people, our numbers in the past have been anywhere  
16 between 800 to 1,300 people. If we can get those  
17 numbers, that's foot traffic and that's all these  
18 people that are --

19

(Buzzer.)

20

MR. JONES: That's not for me?

21

Okay. Oh, that is me.

22

All right. So -- and what I  
23 wanted to say was is that to close this out, we're  
24 both going to continue to move people in a profound  
25 and pleasurable ways and, ultimately, it's about

1  
2 creating an economic engine and a source of jobs  
3 for other artists that are not just on stage but  
4 those who are directors, those who are designers,  
5 those who will be part of this, the Victoria  
6 Cultural Arts Center, where we want to make sure  
7 that we have the type of center -- that we have the  
8 type of place that many of the downtown  
9 organizations have, meaning a seam shop, a prop  
10 shop. And we have people that will run those  
11 shops. We will have people who will apprentice  
12 those. Those are the things that we have found that  
13 have been a challenge, that we have plenty of  
14 actors but not enough folks on the administrative  
15 side who want to be able to be part of the theater  
16 arts.

17 So that's why we're here.

18 THE HEARING OFFICER: Thank you  
19 very much.

20 (Applause.)

21 MR. JONES: But you can't give an  
22 actor a mike now.

23 (Laughter.)

24 THE HEARING OFFICER: I would now  
25 like to ask our next speaker, Tony Rogers with the

1

2 Harlem Tourism Board, to approach the front of the  
3 room.

4

MR. ROGERS: Thank you very much.

5

6 And this is my first official  
7 presentation as President of the newly formed  
8 tourism board of the newly formed Harlem Tourism  
9 Board, which will actually be launched in January.

9

10 I am also a resident, I live in at  
11 13 West --

11

THE HEARING OFFICER: Hold the  
12 microphone closer.

13

MR. ROGERS: I live at 13 West  
14 142nd Street and I've lived in Harlem most of my  
15 life.

16

17 And I'm also here to talk on  
18 behalf of the City College of New York. We have a  
19 continuing professional service program and we have  
20 been in conversation with CDC as well as Mr.  
21 Williams, in reference to a hospitality initiative  
22 and a construction management initiative, which we  
23 would hope to be able to add some assistance in  
24 making sure that community residents are able to  
25 take advantage of some of the things will take  
place.

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I am co-founder of Harlem Week. In 1974, based on the dream of Percy Sutton and a number of visionaries, it was entitled, The Beginning of the Second Harlem Renaissance.

And we're moving into the 39th year and I think that much of that dream is becoming a reality. And I would like to, again, thank all that have been involved in this particular project. And, again, the Harlem Tourism Board will promote projects such as this.

And I also would like to allow for many of the people who have worked to make this particular event happen. I would like to thank them very much.

And I think that I'm a little ahead of myself so --

(Laughter.)

MR. ROGERS: -- I'll stop before -- it reminds me of Sam -- Sam man sit, (phonetic) you know, I'm talking fast before the hook comes.

MR. ARCHER: Thank you, Mr. Rogers.

(Applause.)

THE HEARING OFFICER: Thank you

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very much.

I would now like to ask our next speaker, Mr. Donald Fulp, from the WHGA to approach the front.

MR. FULP: How you doing?

My name is Donald Fulp. And I'm from West Harlem Group Assistance, a local developer and I would like to read a statement into the record.

"Dear Commissioners, Honorable State and City representatives and concerned community members:

Thank you for this opportunity to present this testimony on behalf of the West Harlem Group Assistance, Incorporated, in support of the redevelopment of the Victoria Theater.

West Harlem has been an active housing and Economic Development Corporation in the Harlem community for over 40 years. As a local development organization, West Harlem supports the redevelopment of the Victoria Theater for the many constructive outcomes redevelopment will present to the community.

The theater, when redeveloped,

1

2 will be a catalyst for the continuation of the  
3 artistic and cultural contributions Harlem has so  
4 recently and unselfishly given to this nation.  
5 With the redevelopment of the Victoria Theater,  
6 Harlem will add a quality venue for enlightened,  
7 artistic and creative expression.

8 A state-of-the-art theater on  
9 125th Street will positively impact the ongoing  
10 revitalization of the 125th Street Corridor,  
11 bringing new creative energies, tourist dollars,  
12 jobs and, most important, a state-of-the-art outlet  
13 for Harlem artists.

14 As proposed, the project will also  
15 encompass 229 units of housing, which will be  
16 affordable to the community residents whose incomes  
17 are 50, 30 and 20 percent of the area median  
18 income.

19 West Harlem, an organization whose  
20 primary mission is to provide affordable housing,  
21 is keenly aware of the dearth of quality, clean and  
22 affordable housing in our community and the  
23 positive impact these additional 229 housing units  
24 will have on area residents.

25 A hotel component will provide

1

2 jobs and elegant meeting spaces for special  
3 functions for area residents and their guests.

4

The redevelopment of the Victoria  
5 Theater will also add to the community's cultural  
6 infrastructure, while enabling the community to  
7 nurture the rich and diverse creative legacy for  
8 which Harlem is known.

9

For over a century, Harlem has  
10 been a creative storm in this nation's cultural  
11 landscape. Redeveloping this theater will give the  
12 Harlem community a unique and special setting to  
13 showcase the distinct creativity and artistic  
14 talents of Harlem, New York.

15

THE HEARING OFFICER: Thank you  
16 very much.

17

MR. FULP: You're welcome.

18

THE HEARING OFFICER: I would now  
19 like to ask our next speaker to approach the front,  
20 Ms. Althea Brown with HAA.

21

MR. ARCHER: Aleathia.

22

THE HEARING OFFICER: Aleathia.  
23 I'm sorry.

24

MS. BROWN: Hi. Good evening.

25

I'm a visual artist and I've been

1

2 in this community my entire life. I'm a visual  
3 artist that also was an arts coordinator with the  
4 Harlem Arts Alliance.

5 So from -- from the entire staff  
6 -- my journey as an artist professionally, I've  
7 always been part of this community. So for this  
8 space to be available for artists like myself, and  
9 I'm also one of the artists that are in residence  
10 at Chashama, (phonetic) which is on 126th Street.

11 So there are 35 of us in that  
12 space that's almost on our way out of the space.  
13 So my hope is that with a space like this that we  
14 will have access to space for exhibiting our work  
15 as visual artists but, also, studio spaces for  
16 artists to both live and work in. So it's a vital  
17 and important thing to have that.

18 And as an example, yesterday I met  
19 a gentleman from Madrid, Spain, who was walking the  
20 streets on 135th Street looking for something  
21 cultural to do and didn't know where to go. So a  
22 place like this is an opportunity because people  
23 off the track at 125th Street on any given day, and  
24 especially the tourists, and they are also looking  
25 for things to be part of the community. So visual

1

2 artists like myself are also a crucial part of  
3 this.

4 I hear a lot about the performing  
5 artists. The visual artists are also an equal  
6 component in having the importance in connecting  
7 with locals, because I do teach in the community  
8 too, at Manhattanville. I do art programs as well  
9 with children and seniors. So it's really a nice  
10 way to bridge this gap between performing and  
11 visual artists having to be under one roof. So  
12 it's not just not on the administrative level.

13 Thank you.

14 THE HEARING OFFICER: Thank you  
15 very much.

16 I would now like to ask our next  
17 speaker, Ms. Juanita Thomas, to approach the front.

18 Ms. Thomas, you have three  
19 minutes. So please state your name, address and  
20 whether you're appearing as a representative of an  
21 organization. And if you have copies of your  
22 remarks, please kindly hand them to the  
23 stenographer.

24 MS. THOMAS: I do and I will.

25 I'm Juanita Thomas. I live here

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in Harlem.

THE HEARING OFFICER: Can you --

MS. THOMAS: I'm Juanita Thomas.

I live here in Harlem.

This is nothing personal, Mr.

Williams, but the person I want to see do this

theater, I want to see a person that's going to

lead the community with equity not someone to come

in and build the theater or redo the theater and

walk away from it and the community has no equity.

And I say that because of the

examples that we've had. The -- the Pathmark, we

were told we were going to receive equity from

that. We didn't. We were told we were going to

receive equity from the dealership, the car

dealership. We didn't. We were told we were going

to get equity from the Magic Johnson. We did not.

So I'm going to read my statement

but it's nothing personal, Mr. Williams, please.

My objective (sic) to anybody

doing the theater without leaving the Harlem

community with any equity -- any equity, doesn't

have to do with you, it's with anybody.

My name is Juanita Thomas. I came

1

2 tonight to voice my objections to the theater, the  
3 Victoria Theater being -- this project being done  
4 at the form it is right now.

5

6 We, the community members, have  
7 followed for years the Victoria Project. And to  
8 date, nothing, I repeat nothing, has come to  
9 fruition. However, this one from beginning to end  
10 has been misrepresented from its inception.

11

12 The community first heard of Mr.  
13 Williams, we were misinformed and told that he had  
14 the contract to do the project. Not so. Not so.  
15 He found -- we found out that Mr. Williams only had  
16 a Memorandum of Understanding. We would like to  
17 know since when is a Memorandum of Understanding a  
18 contract. It's not.

19

20 For one, I am -- for one, I am --  
21 wait a minute. But anyway, it says that we're  
22 tired of doors being closed and the politicians or  
23 whoever represents us, go behind these doors, do  
24 private business and come back and not tell us what  
25 they're doing. And they do something to write us  
26 off.

27

28 We don't have one politician here  
29 that have made sure we got equity and nothing we've

1

2 done here. I don't know how you can all sit here  
3 like this and do this to us?

4

(Applause.)

5

MS. THOMAS: We are the community.  
6 We need you all support to get equity.

7

We've been here how long? This  
8 does make no sense. Remember all the broken  
9 promises, I just talked about that, Pathmark.

10

If we are not vigilant, we'll find  
11 out that whoever does the theater, will merely get  
12 a fee, that's a paycheck and then walk away from  
13 it. And we're left with it. And this is so close  
14 to being like the Apollo, nobody's going to go  
15 there. Well, you can't have plays there.

16

There are people who had the  
17 theater, had the theater plan, that we could have  
18 five or six plays going at one time.

19

That's me. Okay.

20

I'll just -- the actor. I'm going  
21 to be a actor right now.

22

(Laughter.)

23

MS. THOMAS: We had -- we had  
24 someone who was going to do theater. We're going  
25 to have -- you could have -- it holds 2,000 people,

2 almost 2,000 people. You could have five or six, a  
3 program going at one time. People wouldn't have to  
4 pay \$125 for a ticket to go downtown to a play.  
5 They could come right here and pay \$12. That's how  
6 our group that wanted to do it.

7 It was the Victoria Group that I  
8 used to be with. But they gave up because they had  
9 to go up against some much opposition.

10 Ah, man --

11 THE HEARING OFFICER: Thank you.

12 MS. THOMAS: I would like everyone  
13 that's discontent with this and I'll tell you,  
14 nobody but you and myself, Mr. Brother here, to --  
15 let's talk about this. Because there's something  
16 we can do about this still. And I'd like for this  
17 to be re-visited by the State.

18 THE HEARING OFFICER: Thank you,  
19 Ms. Thomas.

20 MS. THOMAS: And have them re-look  
21 at this.

22 You're quite welcome.

23 (Applause.)

24 THE HEARING OFFICER: I would now  
25 like to ask our next speaker, Ms. Linda Walton with

1

2 the JazzMobile, to approach the front.

3

4 And then please state your name  
5 and address and if you have any prepared remarks,  
6 please hand one, a copy to the stenographer.

7

MS. WALTON: Good evening.

8

My name is Linda Walton.

9

Can you hear me?

10

I'm the Vice President of

11 Programming for JazzMobile. And actually have been  
12 a part of the Victoria Theater process from -- at  
13 least since the designation. So I've worn many  
14 hats, certainly through the Harlem Arts Alliance  
15 and now with JazzMobile.

16

One of the things I do want to say

17

is, JazzMobile has nearly 50 years of programming,

18

doing programming with the communities here,

19

neighborhoods here in Harlem. We have another two

20

years to go going into our 50th anniversary. It

21

means a lot to us to have a place on 125th Street

22

which will be our new home.

23

One of the things that's important

24

for us as we watch Harlem change, which it has over

25

the last eight years -- I've been here since 1982,

26

came in during the -- the change and saw what has

1

2 happened and had many conversations that have, I  
3 was going to say argument - that's not the right  
4 word I wanted to use -- that have brought about the  
5 concerns on both sides of the table, I'll put it  
6 that way.

7

8 But it was very important for us  
9 being a part of the Victoria Theater Project was  
10 that we were a Harlem-based organization going into  
11 this new development. And as Harlem changes,  
12 sometimes there's the -- the discomfort with the  
13 change.

13

14 But JazzMobile has a history,  
15 steeped, a long-standing history here in Harlem.  
16 And it's very important that we remain here, that  
17 we're not displaced by the many changes.

17

18 The Victoria Theater project gives  
19 us that opportunity to remain here, to be that  
20 history that continues long after the Victoria  
21 Theater has gone up. And we will be one of the  
22 anchor institutions in the Victoria Theater  
23 Project.

23

24 I hope that you share our  
25 concerns. It's important JazzMobile's new home,  
the Victoria Theater, because we will enjoy a host

1

2 of many collaborations that we have done over the  
3 last many years, certainly with our Saturday Jazz  
4 workshop at the Y, with some of the local  
5 institutions here in Harlem.

6 We have been in just about every  
7 single neighborhood in Harlem, preserving the  
8 tradition of jazz, which is our history. So we'd  
9 like to continue that and preserve that history by  
10 going into the Victoria Theater creating wonderful  
11 programs that will take us into our next 50 years.

12 Thank you.

13 THE HEARING OFFICER: Thank you  
14 very much.

15 I would now like to ask our next  
16 speaker to approach the microphone, Ms. Robin Bell  
17 Stevens with the JazzMobile.

18 MS. STEVENS: Thank you very much.

19 Hi. I am Robin Bell Stevens,  
20 President and CEO of JazzMobile.

21 And it is our pleasure, thank you  
22 -- our pleasure to finally be able to find a new  
23 home for JazzMobile.

24 A lot of you know, we've been on  
25 127th Street for most of our 48-plus years in

1

2 existence. And we have the opportunity to be a  
3 part of an historic building, the Victoria Theater  
4 and to be part of what we say will be - no  
5 disrespect to Apollo --

6 (Laughter.)

7 MS. STEVENS: -- will be the new  
8 destination on 125th Street for our art and  
9 cultural programming. It is an honor for us to be  
10 sure.

11 And, as you know, our history, Dr.  
12 Billy Taylor founded JazzMobile because people  
13 could not afford to buy tickets downtown to go in  
14 hear a quality jazz program and that's how we got  
15 started. We're on the programming side.

16 To that end, we continue to do  
17 free jazz programming throughout the City. And we  
18 can do them for free because of the partnerships  
19 that we brought, not only with our cultures in the  
20 room, not only with neighborhood and block by block  
21 neighborhood associations and communities, but also  
22 because of the goodness of the Parks Departments  
23 here in New York. And, of course, of all the  
24 wonderful grants that we get from the government  
25 agencies to make it possible to provide free

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programming.

Having said that, UMEZ knows better than anyone else in this room, that JazzMobile certainly does need to find new ways to get -- to get earned revenue and not instead of but in addition to.

And the Victoria Theater will give us the opportunity to be that "in addition to" to have affordable tickets so we can be in response to what -- I'm sorry -- to be in response to what people have been saying to JazzMobile for 48 years, why don't we have you year round? Because our free programs are in the parks and it's too cold to do free jazz concerts in the park not only for the musicians but for the audience as well.

The Victoria Theater will give us the opportunity to fulfill the late Dr. Billy Taylor's dream to have year-round programming.

So with this theater project coming up with the partnerships with Harlem Arts Alliance, the Apollo Theater and, certainly, the Classical Theater of Harlem, it will give us the opportunity to not only to have shared vendor space but also with the new classes that'll be there.

1

2 We have our Saturday jazz workshop that maybe it  
3 wasn't mentioned to you, are intended to also use  
4 some of the classroom space in there for a lot of  
5 our students who, quite honestly, for one reason or  
6 another, can't practice at home because their  
7 neighbors, the walls are too thin and the neighbors  
8 are complaining about that.

9 So parents are coming to us. Can  
10 JazzMobile do more? Can you help us out? Well,  
11 this will be a beginning. It's not the full answer  
12 but it's a beginning and a start for us to be able  
13 to address the needs of the community.

14 So why do we think it's a good  
15 idea? It's economic development. It's helping our  
16 personal vision and for the programming that we do.  
17 And, most importantly, I know, Dr. Billy Taylor,  
18 who's smiling down from heaven, when he sees us in  
19 the new space.

20 So thank you very much.

21 THE HEARING OFFICER: Thank you.

22 (Applause.)

23 THE HEARING OFFICER: I would like  
24 to now ask our next speaker to approach the front  
25 of the room, Ms. Syderia Chesterfield.

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Please state your name and address and what organization you're appearing to represent.

MS. CRESTFIELD: Good --

THE HEARING OFFICER: Just hold it close.

MS. CRESTFIELD: Good evening.

My name is Syderia Asbury Crestfield.

I live on 123rd Street, right off Lenox Avenue and I'm the president of the Mount Morris Park Community Improvement Association.

Unfortunately, I got here late because we had a host of other meetings. So I don't want to repeat things that others have said. But there were some things that stood out for me and for the organization, as to why we would like the Victoria Theater to be here.

One of them was the additional units of affordable housing. We will take affordable housing anywhere we can get it. And if we can get that on 125th Street right here next to the Apollo, we're very happy to have it.

A hotel. How many hotels are there

1

2 on 125th Street? None. Would we like to see one?

3 Yes, we would. So that's another reason why we

4 approve this project.

5

Cultural use. JazzMobile just  
6 spoke. JazzMobile would love to be in this space  
7 and we would love to support JazzMobile, as well as  
8 other cultural institutions to have a place to go.

9

As an organization, we don't have  
10 any place to have our meetings. This is an  
11 opportunity for us to be able to have additional  
12 space and a space that other people can use.

13

And then I hear that they are  
14 restoring the historical elements. We're going to  
15 hold you to that. Because we'd like to see Harlem  
16 remain the way it's been. And we know that things  
17 are changing and we're appreciating the change.  
18 But we don't want things changed totally. We want  
19 a space that we can identify.

20

And office space. Again, and I'm  
21 going to hold you to this, we would like to be able  
22 to have office space in the community that the  
23 community can use. So that's something else that  
24 I'm hoping for and I'm hoping to see the Victoria  
25 Theater revamped, restored as soon as possible.

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Thank you.

(Applause.)

THE HEARING OFFICER: Thank you.

I would like to now open up and ask is there anyone present who has not signed in who would like to make a statement regarding the project? Please raise your hand.

MR. ARCHER: We have four more speakers.

THE HEARING OFFICER: Lonnie Williams? All right. Please approach.

MR. WILLIAMS: I'll try this mike.

My name's Lonnie Williams. I do community programs for the Apollo Theater, 233 West 125th Street.

Most of the key points have already been hit. One of the things I do want to say is, when we're talking about being an economic driver, part of what we're trying to do at the theater and part of what makes our mission a little bit different is, when we're successful, in the theater there's a spillover event. and I think that's part of the vision that Mr. Sutton had when he helped to reopen the Apollo Theater.

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I think one of the things that I'm proud of is that when we're doing well at the Apollo, it benefits the entire community in ways that are somewhat obvious and in ways that sometimes people don't think about.

I want people to give consideration to what happens on the occasions when you actually want to go out to see a performance. If you have kids, what do you do? People go get their hair done. People get babysitters. Typically, people go out to a restaurant to eat before or after or after the program is over, they'll go get a drink. They take a cab or they take a bus or what have you.

In all of those cases, they're spending money within the community, getting their hair done, getting their nails done, all of those kind of things.

And so -- and part of how I know that is when we had flyers for particular events that I go to various restaurants or places to drop off flyers and say, hey, we're having an event coming up, can you help us promote it. They are more than happy to do so because they know that the

1

2 better the event does, the better -- more business  
3 they're going to do on that particular day.

4

5 So I think it differs from other  
6 kind of businesses where if that particular  
7 business makes money, they're going to be the only  
8 ones who make money.

8

9 We're a non-for-profit and part of  
10 what we do and part of the opportunities we're  
11 given is, it gives us a chance to figure out how we  
12 work together to make the community stronger.

12

13 We've already had a partnership  
14 with JazzMobile and Harlem where we've done  
15 conference calls and worked with separately with  
16 projects such as Harlem Engage, where we had a  
17 discount program where if you bought a ticket for a  
18 show at the Apollo Theater, then you got to get a  
19 free drink or a discount meal at nine different  
20 Harlem restaurants.

20

21 And those are the kinds of  
22 projects that we've done working separately.  
23 Having the opportunity to actually just go down the  
24 hallway or be within the same building, I think  
25 that we'll have a great opportunity to have our  
creative juices flow and to be able to benefit the

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community.

So I want to just reiterate that we hope the people will support this project and I thank you for your ears and your time.

(Applause.)

THE HEARING OFFICER: Thank you very much.

I would now like to ask our next speaker, Mr. Stanley Gleaton to approach the front.

Mr. Gleaton, please state your name and address and if you representing an organization and if you have any prepared comments, can you please provide a copy to the stenographer.

MR. GLEATON: Am I on?

VOICES: You are.

MR. GLEATON: All right.

Thank you.

I do have prepared text from the Community Board, Community Board --

A VOICE: Hold it closer.

MR. GLEATON: -- Community Board 10 which, in which you are now sitting in.

My name is Stanley Gleaton. I am Chair of the Land Use Committee of Community Board

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10, speaking on behalf of the board and our Chair,  
Henrietta Lyle.

This project was presented to the  
Land Use Landmarks Committee earlier this year and  
the general consensus was favorable.

We're excited to see that finally  
there was a concrete plan being presented to  
address the issue of developing the Victoria  
Theater over -- after over almost two decades or  
more of nonactivity and continuing internal decay.

Steven Williams and his team gave  
a thorough presentation to the Committee and public  
members present of the future plans for this  
important community edifice, which has played a  
major role in Harlem's rich history and in the past  
several years, many questions on its future.

I would like to say the Committee,  
although it did not have to vote -- did not have to  
vote, approved on the overall project. We were  
very happy to see that this project addressed the  
cultural and historic, as well as the housing and  
economic development needs of our growing and  
thriving community.

But just as we were happy to see

1

2 it finally come to fruition, there were some  
3 concerns voiced by the community and board members.

4

One of the issues brought up was  
5 the community's input and work that had been done  
6 by the Community Preservationists to restore the  
7 theater. It appears that their years of work had  
8 come to a halt and it was felt that this group was  
9 left out of the process.

10

At the same juncture, board  
11 members were annoyed, as they have been for many  
12 years, that there was really no community input or  
13 vote when it comes to State-sponsored projects. It  
14 was suggested that there be a mechanism, as it is  
15 with City projects, that the community input is  
16 vital and warranted as we were able to vote rather  
17 than just be "advised."

18

The issue of height was also  
19 raised and employment was another.

20

It is hoped that community  
21 residents will be able to get construction jobs  
22 when the project begins and permanent jobs once  
23 this project is completed. There was an issue,  
24 which is important -- this is an issue which is  
25 important, discussed at length and, hopefully, will

1

2 be one of the priorities of this development team.

3

4 The Committee was very happy to  
5 see how all the components of housing, cultural  
6 activity, entertainment, the hotel and economic  
7 development had been combined into one major  
8 development. Our hope is that -- our hope is that,  
9 as you draw the earth to putting the shovel in the  
10 ground, our Community Board and our residents will  
11 be fully and able to reap the benefits of this  
12 project.

12

13 With so many residents out of work  
14 and looking for housing, this will be an excellent  
15 opportunity to address these issues and feel proud  
16 that the time was taken to address the  
17 socioeconomic needs of the community while also  
18 embracing the abundance of talent right here in our  
19 community as you realize --

19

(Horn honking.)

20

(Laughter.)

21

22 MR. GLEATON: I've got one more  
23 sentence.

23

24 In our community, as you realize  
25 your dream of this magnificent project. This would  
be a win-win situation for us all.

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Submitted by Stanley Gleaton,  
Chair, Land Use Landmarks, CB 10, Manhattan.

THE HEARING OFFICER: Thank you  
very much.

I would like to once again open up  
to the floor to ask if there are any --

A VOICE: One more.

THE HEARING OFFICER: Okay.

MR. BENJAMIN: Well, you should  
sign in and we need a record of it.

Curtis, she should sign in.

MR. ARCHER: I got it.

MR. BENJAMIN: Just keeping order.

THE HEARING OFFICER: Once again,  
please state your name and your address and whether  
you're representing an organization.

MS. BROWN: My name is Carla  
Brown.

A VOICE: Closer.

MS. BROWN: My name is Carla Brown  
and I'm a part of the Harlem Arts Alliance.

What's endearing is that I had to  
come back here to be a part --

A VOICE: Closer.

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MS. BROWN: -- a part of a organization to support the very art that I learned in Harlem.

I grew up in Harlem. I always walked to 125th Street to come to the Apollo, to come to the Victoria Theater. So it was very endearing for me.

And once we moved, I still had to come back here to support the art that I learned right next to the Victoria Five Cash Mart (phonetic.)

I particularly learned how to braid hair in Harlem. But what I've done was take it and teach the art and history and do dolls. I'm hired also for doll collectors to do their hair. And as they mentioned about doing hair, so I don't just do people's hair but I also was able to teach children. I continuously teach children at libraries, talking about the artists like endless employment for me.

I was able to start a course, the Art and History of Braiding. I've been able to travel. I traveled from state, from borough to country. And I always have to come back and see

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Harlem.

So I hope the Victoria Theater is some place that I can send my people and my students because I have proteges out here. They're teaching. They have their own business. I have never been unemployed. I have paid for my education. I'm a graduate of John Jay College and working on my Ph.D. I have professors who are supporting me in what I do because what I learned and was able to give back to the community, I have people who constantly support and push me. And just have different directions.

My cousin, Aleathia, she's constantly pushing me and we are working on a TV show.

MR. ARCHER: Wow.

MS. BROWN: We need that support of what I'm saying in terms of pushing Harlem as the educational place of the world. Because it is.

THE HEARING OFFICER: Thank you very much.

MS. BROWN: Thank you.

THE HEARING OFFICER: Is there anyone else who would like to make a statement

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regarding the project?

(No response.)

THE HEARING OFFICER: Please let the record reflect that no one has answered my question at this time.

We will now hold the hearing open until 7:30 in order to afford any latecomers an opportunity to make a statement.

At this time, I will call a recess of these proceedings until such time as someone requests an opportunity to make a statement.

(Brief recess, 6:32 p.m. - 6:50 p.m.)

THE HEARING OFFICER: At this time -- excuse me -- excuse me. I need to call this meeting back to order.

At this time, I would like to ask Mr. Derrick Fleming of the Red Rooster to please to please approach the front of the room.

MR. BENJAMIN: One moment, please. He's signing in.

THE HEARING OFFICER: Take the microphone.

I would just ask that you -- that

1

2 you approach the center, state your name and  
3 address and whether you're appearing as a  
4 representative of any organization. And if you  
5 have any prepared remarks or have copies, please  
6 kindly hand one to the stenographer.

7

You have three minutes.

8

MR. FLEMING: How are you?

9

10 THE HEARING OFFICER: Pull that up  
close.

11

MR. FLEMING: How are you?

12

13 THE STENOGRAPHER: Give us your  
name, again.

14

15 MR. FLEMING: My name is Derrick  
Fleming.

16

17 I'm a homeowner at 118th Street in  
New York and -- here in Harlem at -- between Lenox  
18 Avenue and Clayton Powell. I've lived here for  
19 almost 14 years.

20

21 And I am very excited to see the  
Victoria Theater Project moving forward. I think  
22 the Victoria Theater has been a rich part of the  
Harlem history and culture and it's exciting to see  
23 this resurgence and the renovation of, activation  
24 of that core part -- part of the Corridor of 125th  
25

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2 Street.

3

4 I think that in terms of the  
5 tourist attraction, in terms of bringing economic  
6 vitality and energy back to Harlem through the  
7 Victoria Theater Project will be incredibly  
8 valuable and helpful to the citizens of Harlem,  
9 particularly central Harlem.

10

11 I'm very excited to see the new  
12 amount of housing that will also be part of the  
13 project. And the mixed-use to further the flavor  
14 of offerings that will be available to not just  
15 tourists the people who live here in Harlem.

16

17 So I'm very excited and I  
18 congratulate the development team who put this  
19 forward and worked very hard and tirelessly to see  
20 this project through for Harlem.

21

22 THE HEARING OFFICER: Thank you  
23 very much.

24

25 At this time, I'd like to once  
again ask if there -- is there anyone who would  
like to make a statement regarding the project?

26

(No response.)

27

28 THE HEARING OFFICER: And once  
29 again, we will continue to hold the hearing open

30

1

2 until 7:30 in order to afford any latecomers an  
3 opportunity to make a statement.

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At this time, I will once again  
5 call for a recess in these proceedings until such  
6 time as someone requests an opportunity to make a  
7 statement.

8

Thank you.

9

(Brief recess - 6:53 p.m. - 7:04  
10 p.m.)

11

THE HEARING OFFICER: Hello,  
12 everyone. I would like again to call this meeting,  
13 this hearing to order.

14

I would like to now ask our next  
15 speaker to approach the center of the room, the  
16 front of the room, Dr. K. Samuels.

17

Doctor, forgive me if I get this  
18 wrong, and Friends of Macombs?

19

DR. SAMUELS: Yes, sir. You got  
20 it correct.

21

THE HEARING OFFICER: Okay.

22

DR. SAMUELS: All right. Do we  
23 have a --

24

THE HEARING OFFICER: Dr. Samuels,  
25 please --

1

2

MR. ARCHER: You gotta use this

3

mike.

4

DR. SAMUELS: Okay.

5

THE HEARING OFFICER: Step to the

6

front. Please state your name, address and whether

7

you're appearing as a representative of an

8

organization and if you have copies of any prepared

9

remarks, please kindly hand one to the

10

stenographer.

11

DR. SAMUELS: My name is Dr. --

12

THE HEARING OFFICER: Just hold it

13

close, ma'am.

14

DR. SAMUELS: My name is Dr.

15

Kathryn Samuels.

16

THE STENOGRAPHER: Could you turn

17

this way, ma'am, so I --

18

Thank you.

19

DR. SAMUELS: My name is Dr.

20

Kathryn Samuels.

21

I am a born and raised Harlemite.

22

And I live at -- well, the way that I'm contacted

23

is via P.O. Box, P. O. Box 847, New York City

24

10039.

25

I represent Friends of Macombs,

1

2 which is a community-based organization that's  
3 primarily concerned about a library and recreation  
4 center in the North Harlem Valley. But we also  
5 concern ourselves with other issues in Harlem.

6 And one of the issues that we've  
7 been concerned about is what has happened with the  
8 Victoria Theatre. Now I know this evening we're  
9 supposed to be addressing the technicality of the  
10 EIS. However, I have to primarily talk about the  
11 fact that thousands of people in this community  
12 have signed that they do not want this project, yet  
13 it's been pushed forward.

14 I remember the night that one of  
15 the representatives of HUDC, left a very well  
16 attended meeting at -- on the second floor here  
17 regarding the rezoning. Because the community was  
18 primarily against the rezoning of 125th Street. We  
19 did not want it to look like 86th Street. And  
20 unfortunately, that looks like what's going to  
21 happen, particularly with this project.

22 We feel that it insults the  
23 cultural integrity of the community.

24 And that meeting was held without  
25 any announcement to the community at large in that

1

2 meeting. So we didn't even know it was happening.

3

4 One of the issues we have is that  
5 it seems to be a problem for community members to  
6 get notifications when hearings are being held by  
7 HUDC. The hearings have been erratic in the past  
8 and you don't know when they're holding hearings.  
9 So the community did not have an opportunity to  
10 come out and speak against this project.

11

12 We have had meetings with HUDC,  
13 again, sporadically, regarding this project. And,  
14 again, we have told them that we do not want this  
15 project. They have yet to hold a town hall with the  
16 community to find out where the community stands on  
17 this project.

18

19 We're not interested in a  
20 hotel/motel Holiday Inn-type structure for the  
21 Victoria Theatre or carving it up so that some  
22 people can make money.

23

24 It appears as though there are  
25 also some so-called community organizations with  
the name of Harlem in their name who feel that they  
have a right to destroy this building or this  
theatre so that they can get free rental or close  
to free rent.

1

2

We disagree with that as well.

3

That may be their personal advancement to have a

4

place but it harms the community. And --

5

THE HEARING OFFICER: Dr. Stevens,

6

--

7

DR. SAMUELS: Okay.

8

THE HEARING OFFICER: -- Dr.

9

Samuels, your time is up but we'll give you a

10

couple of more seconds to close.

11

DR. SAMUELS: Okay. Thank you.

12

The other thing is that I received

13

an e-mail basically, saying to come out and support

14

this. And it appeared as though it came from the

15

HUDC.

16

Well, if we were to come to give

17

our opinion, why are you sending out a document

18

saying that we should come basically only if we

19

support this particular development? And this came

20

from the Community Board of the 50 Blind Mice

21

members (phonetic).

22

The bottomline is that there is a

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woman by the name of Ms. Bates, who had a much

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better plan and who also had a foundation where

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people would be employed and be unionized and not

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just create union -- not just create jobs that people will work at, construction jobs and at the end of it, have no union card.

THE HEARING OFFICER: Thank you, Dr. Samuels.

DR. SAMUELS: Thank you.

THE HEARING OFFICER: At this time I would like to ask our next speaker, Mr. Charles Sims, to approach the front of the room.

Mr. Sims, please state your name, address and whether you're appearing as a representative of any organization. And if you have any prepared remarks, please provide a copy to the stenographer.

MR. SIMS: Yes. My name is Charles Sims. I'm with the Classical Theater of Harlem.

And I'm -- we don't really have a home now. But this will be our home on 125th Street. And one of the things I want to address about the Classical Theater of Harlem, especially as it relates to particular project is, obviously, we have a long history of culture. For the past ten years, we have been instrumental in people

1

2 getting equity cards, actor's equity cards. That  
3 means that they can get jobs working in  
4 professional theaters. That's been our history.

5

6 With this -- what our new home  
7 will allow us to do with a -- with a seam shop, and  
8 a costume shop, is that we're going to be able to  
9 get people to get unionized jobs on how to be  
10 working on -- in seam shops and being costume  
11 people.

12

13 There are many people who are  
14 artistically gifted here in Harlem who -- don't --  
15 can't work in the Broadway theater because they  
16 don't have unionized representation.

17

18 So with this new home that we're  
19 getting, they're going to have opportunity to get  
20 their union cards. And that's what we're very  
21 proud of. So if our past is any indication -- if  
22 the future is any indication of our past, we think  
23 that this project is going to be a great  
24 opportunity for us.

25

26 I just wanted to say that. I  
27 thought that was something that was -- just wanted  
28 to communicate that.

29

(Applause.)

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MR. SIMS: Okay. Thank you very much.

THE HEARING OFFICER: At this time, I would once again like to ask if there is anyone present who would like to make a statement regarding the project?

(No response.)

MR. ARCHER: Nineteen minutes.

(Laughter.)

THE HEARING OFFICER: Please let the record reflect that no one has answered to that question and that the time is now 7:11.

We will, once again, hold the meeting -- hold the hearing open until 7:30 in order to afford any latecomers an opportunity to make a statement.

At this time I will once again, call for a recess in these proceedings until such time as someone requests an opportunity to make a statement.

(Brief recess.)

THE HEARING OFFICER: Hello.

Attention. Attention.

The time is now 7:30 and before we

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close -- before we close the hearing, is there anyone else who would like to make a statement regarding the foregoing project?

(No response.)

THE HEARING OFFICER: Let the record reflect that no one has answered to that question.

The time is now 7:30 p.m.

The hearing is now concluded.

And I thank you all for attending.

Thank you.

(Applause.)

(At 7:30 p.m., the proceedings were concluded.)

\* \* \* \*

I N D E X

3	Exhibit No.	Page:
4	1	Legal Notice appearing in The <u>New York Amsterdam News</u> and <u>The Daily News</u> dated November 8th, 2012 and November 9th, 2012.....11
9	2	Affidavits of publication of the legal notice of the <u>Amsterdam</u> <u>News</u> and the <u>Daily News</u> .....11
12	3	Document entitled: "Empire State Development and Harlem Community Development Corporation, Victoria Theater Land Use Improvement and Civic Project - General Project Plan," dated July 18th, 2012...11
19	4	Documents entitled, "Victoria Theater Redevelopment Project, Draft Environmental Impact Statement and Victoria Theater Redevelopment Project, the Draft Environmental Impact Statement, Executive Summary.....11

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STATE OF NEW YORK )  
SS.  
COUNTY OF NEW YORK )

I, MARC RUSSO, a Shorthand  
(Stenotype) Reporter and Notary Public within and  
for the State of New York, do hereby certify that  
the foregoing pages 1 through 98, taken at the time  
and place aforesaid, is a true and correct  
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have  
hereunto set my name this 22nd day of December,  
2012.

  
-----  
MARC RUSSO