

**STATE ENVIRONMENTAL
QUALITY REVIEW (SEQR)
DRAFT SCOPING DOCUMENT
FOR THE
DRAFT GENERIC ENVIRONMENTAL
IMPACT STATEMENT (DGEIS)

PROPOSED ACTION:
MIDTOWN REVITALIZATION
PROJECT**

LEAD AGENCY:

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**DRAFT SCOPING DOCUMENT for the
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)
MIDTOWN REVITALIZATION PROJECT**

The Draft Generic Environmental Impact Statement (DGEIS) shall include a title page, contact information, scoping schedule information, table of contents and other formal requirements described in 6 NYCRR Part 617. The DGEIS shall also include the following:

1. EXECUTIVE SUMMARY

The DGEIS will include an Executive Summary that provides a clear and concise overview of the proposed action and its purpose, the underlying public need and benefit, the setting, the potential environmental impacts, mitigation measures, and alternatives considered in defining the project. This section will also provide background regarding the preparation of a DGEIS and how it differs from an alternative “non-generic” Environmental Impact Statement as well as a description of the basis, purpose, benefits and future implications of its use in this instance.

2. DESCRIPTION of the PROPOSED ACTION

In this section, the DGEIS will first present a summary overview of the proposed action followed by a more detailed description. With respect to the Midtown site, a conceptual redevelopment scenario along with the development parameters established by such will be presented in this section and identified as the preferred alternative. Other development alternatives will be reviewed in a subsequent section of the DGEIS entitled “Analysis of Alternatives”.

In order to provide some context and background, the detailed description of the action will be introduced by a summary overview of the history, underlying purpose, public need, anticipated benefits and relevant existing conditions that were operative in defining the proposed action. This overview will include

references to the more detailed descriptions of purpose, needs, benefits and existing conditions that will be included in the two immediately following sections of the DGEIS.

In order to improve understanding of the action and the efforts to accomplish the underlying goals and objectives, the introduction of the detailed description of the action will also include a summary overview of related actions that are technically outside the scope of this action and already undertaken following a consideration of their potential impacts in a preceding environmental review process. The related actions covered in this summary will include establishment of the Urban Renewal District and associated Plan, acquisition of Midtown properties and subsequent actions taken to vacate, close and/or abate the Midtown Plaza site.

The detailed description of the action will include a review of and, where appropriate, discussion of, the major project components that are proposed. Where helpful, the detailed description of these components will include references to important impacts, mitigation measures and/or alternatives relevant to a particular component that are discussed in later chapters of the document. It is not intended that an exhaustive cross referencing of this section with others of the DGEIS be included in this chapter. Instead, it is merely intended that the document provide key references as to where the reader might turn to answer important questions that are likely to arise during a review of the project components. For example, when describing parking provisions or the demolition of a particular building, the document will refer the reader to later chapters of the DGEIS in which descriptions of the criteria relevant to a particular set of alternatives and reviews of the individual alternatives would be found.

Regarding the constituent components of the action, the detailed description will include, at a minimum, the following aspects of the action under review:

- **Urban Renewal Plan and District. Amendments to the existing Urban Renewal Plan** proposed for adoption and their relationship to other project components and proposed revisions to the Urban Renewal District boundaries, if any.
- **Redevelopment principles.** Redevelopment principles, guidelines, land use regulations or requirements proposed for adoption as amendments to the Urban Renewal Plan.

- **Acquisition and clearance.** Any proposed additions or modifications to the land acquisition and clearance activities previously described and reviewed at the time the Urban Renewal District was first established.
- **Land Disposition.** Plans for **proposed** disposition of lands acquired by, or proposed for acquisition by, the City of Rochester and/or for the subdivision of lands within the Urban Renewal District.
- **Phase I demolition and development.** The description will identify proposed Phase I redevelopment activities closely associated with and expected to be undertaken as part of PAETEC's anticipated relocation to the site and distinguish these from Phase II redevelopment expected to follow at a later date on the remainder of the site. With respect to Phase I, plans for Phase I redevelopment of land within the Urban Renewal District will be described, including:
 - Any proposed Phase I demolition of or modifications to:
 - Skyway bridges and related structures, utilities or infrastructure;
 - Existing parking garage and tunnel beneath Midtown and any associated utilities or infrastructure; and,
 - Buildings situate on the Midtown properties acquired by the City in May of 2008, or of any other buildings within the district proposed for demolition or modification;
 - Any proposed abandonment, relocation, reconstruction or extensions to water mains, sewers, steam lines, conduits, conductors or other infrastructure bordering on or serving the site;
 - Any proposed abandonment, realignment or other significant changes proposed to existing roadways in the area or key vehicular access points such as those serving the existing tunnel, the Midtown parking garage or surrounding sites as well as any proposed development of new streets, roadways or points of vehicular access;

- o Proposed development of any new sidewalks, pedestrian ways or other improvements affecting pedestrian access and/or walkability at and adjoining the site;
 - o Proposed development of any new automobile parking structures, spaces or facilities at the site or within the district;
 - o Proposed public spaces, plazas, parks, squares or other open spaces or similar contributing elements of the public realm proposed for development; and,
 - o Proposed development of, and site plan for, PAETEC facilities. The description of PAETEC facilities shall include any retail or other ancillary spaces anticipated for development within PAETEC buildings and any utility, street, pedestrian, parking, open space or other improvements proposed for development as part of the PAETEC facility.
- **Phase II development.** This section of the DGEIS will provide a description of all Phase II redevelopment activities anticipated to follow construction of PAETEC's facilities. The Phase II description will include, at a minimum:
 - o Proposed development of, or modifications to, buildings, utilities, streets, pedestrian ways, parking facilities, public and open spaces or other project improvements identified at the schematic level as essential project components necessary to successful redevelopment within the district. Examples might include, but are not limited to, essential water mains, parking facilities or key public spaces;
 - o Where applicable, floor-plates, building footprints or other designations intended to delineate potential sites for the eventual development of certain buildings or facilities. These will be described generically and, for that reason, may be subject to some later revisions, modifications or accommodations in response to specific redevelopment proposals; and,
 - o Generic guidelines and thresholds for subsequent/additional assessment. Generic guidelines, thresholds and criteria intended to both guide and constrain the later revisions, modifications and accommodations referenced in the foregoing bullet that are proposed for incorporation into the plan for redevelopment of the site. This section shall also

identify the generic thresholds developed to establish a set of compliance requirements that would enable the City to subsequently approve the plans of a complying developer without encountering the need to initiate a second environmental review separate from this effort, or conversely, when additional review might be required via a supplemental EIS.

- **Schedule.** The description will include a review of the anticipated timeline for proposed demolition, abatement and construction of buildings as well as any associated or necessary improvements to utilities, roadways or other identified improvements.
- **Transition plans and improvements.** This section will describe any plans and/or improvements proposed to ensure the orderly progression of redevelopment in future years, proposed to ensure the functional use of and value of the site in the interim and/or proposed to constrain or manage negative conditions that might otherwise develop on the site prior to full build out. Examples of such proposals to be described include the development of, requirements for and/or agreements regarding such matters as installing waterproof membranes, soil and landscaping over undeveloped portions of the site, fencing, security and maintenance of temporary utilities or other facilities.
- **Funding, Approvals and Involved Agencies.** The description of the proposed action provided in the DGEIS will specify the approvals and funding commitments anticipated by the City of Rochester and Empire State Development Corporation. The funding commitments described will include those related to supporting infrastructure improvements as well as those committed directly to remediation, demolition or construction on the site. This section will also summarize any discretionary approvals required from other municipalities, authorities or agencies.

3. PURPOSE, PUBLIC NEED AND BENEFITS OF PROPOSED ACTION

In this section, the DGEIS will review the background and history of the project, focusing upon the conditions and circumstances that have led to consideration of the proposed action and its preferred form.

This section will also present a statement of the goals and objectives underlying the efforts of the City of Rochester and Empire State Development Corporation to sponsor, undertake and fund the activities described in the foregoing chapter.

This section of the DGEIS will also describe the public need for the project, including an overview of the environmental, social and/or economic benefits anticipated due to the proposed action. The results of relevant studies undertaken to characterize or quantify expected benefits (the anticipated Economic Impact Analysis being one example) will also be reviewed.

This chapter will review the potential advantages of locating additional corporate employees at this key city location and will discuss various relevant urban planning concepts and approaches including placemaking techniques, creating a more walkable environment, opportunities to improve connectivity to other downtown areas, to improve approachability, and a sense of arrival, to provide better access throughout the site and to key public spaces, to break down the “superblock” with new fully developed streets, to enhance and engage both the public realm and street level retail uses and other such planning priorities being relied upon to catalyze revitalization and promote investment in downtown properties within the area.

In order to present a balanced and complete description, this section will also provide a summary overview of potential outcomes or constraints that could impede or offset the intended benefits. For example, the demand for additional parking associated with the proposed action and the risk that a lack of sufficient parking could impede or limit revitalization and investment is one example of a potential outcome that should be referenced to complete a review of project’s purpose, public need and benefits. This section will provide only a summary overview of such considerations and will also reference the more detailed descriptions of such constraints to be provided in other chapters of the DGEIS including those chapters describing existing conditions, identifying impacts and mitigation or evaluating project alternatives.

4. EXISTING CONDITIONS AND ENVIRONMENTAL SETTING

4.1 Geology, Soils and Topography

The DGEIS will review surface and subsurface soils and bedrock conditions within the project area as well as known conditions such as soil bearing capacity, depth to groundwater, depth to bedrock, erodability potential, and others needing to be taken into account in development of the site.

4.2 Water Resources

The DGEIS will describe surface and groundwater resources within the project area, including any known instances of groundwater contamination. The DGEIS will locate and describe all surface water features within the project area and the downtown vicinity. The DGEIS will also describe and illustrate existing site drainage conditions in regards to storm water management and any floodplain areas.

4.3 Vegetation and Wildlife

The potential presence of threatened and endangered species as listed by U.S. Fish and Wildlife Service and NYSDEC will be reviewed in the DGEIS.

4.4 Air

The DGEIS will review any existing air quality issues pertaining to the project area.

4.5 Aesthetic/Visual Resources

The DGEIS will provide a description of the existing aesthetic/visual resources and urban design characteristics of the study area and their relationship to the surrounding neighborhood. Important viewshed resources will be identified, including parks as well as scenic and historic resources. Site photos or other illustrative materials will be provided to assist in portraying views to and from the site.

4.6 Historic, Cultural and Archeological Resources

Because the project would involve funding administered by State of New York agencies, it would be subject to review pursuant to Section 14.09 of the New York State Historic Preservation Act (“Section 14.09”. Section 14.09 requires consultation with the New York State Office of Park, Recreation, & Historic Preservation (OPRHP) on potential effects on resources on or eligible for inclusion on the State and National Registers of Historic Places (S/NRHP).

The DGEIS will identify and describe existing sites, structures and districts with significant historic and archeological value within the project area and vicinity. Historic background, significance and historic setting will also be provided.

A phase IA archeological resource reconnaissance survey will be conducted for the project area. The DGEIS will include the findings and recommendations of the phase IA archeological survey in accordance with the OPRHP regulations.

The DGEIS will describe determinations of OPRHP regarding the presence of historic buildings or structures on the site and the characteristics identified as significant by OPRHP in any relevant determinations of eligibility. OPRHP has determined that portions of structures within the project site, specifically interior spaces comprising the Midtown Plaza, are eligible for inclusion on the S/NRHP; the DGEIS will review and summarize the “character-defining features” of S/NRHP-eligible structures within the proposed project site.

4.7 Parks, Recreation and Open Space

The DGEIS will document and describe the current inventory of public parks, recreation facilities and open space areas within and adjacent to the proposed project area and the City of Rochester. The inventory will map and identify all public parks, open space and recreation facilities. A brief overview of each resource will be presented, noting key amenities that are available and its general condition.

4.8 Critical Environmental Areas

The DGEIS will identify the presence and status of any critical environmental areas within the Center City District.

4.9 Land Use and Zoning

This section will describe the historic and existing land uses and zoning standards for the project site and its vicinity. The DGEIS will identify current property usage and occupancy along with the current parcel configuration. Current land use policies and regulations in regards to the Central City District (CCD) as reflected in the City of Rochester Zoning Code, the Center City Master Plan, and the Midtown Urban Renewal District will also be presented. The emphasis of the Zoning Ordinance on form and design for buildings and the emphasis on the impacts of development on the public realm will be described and explained. This section will also describe the site plan review and approval process as well as any other applicable approvals required by the City of Rochester prior to redevelopment of this site.

4.10 Site Development Capacity

In order to complete the description of existing conditions and support the analysis of development alternatives, this section will review a determination of the apparent maximum build out capacity of the site given its dimensions, location and other relevant parameters. Constraints related to market demand or other economic considerations will not, however, be reflected in this baseline analysis.

4.11 Building Conditions, Studies and Evaluations

The DGEIS will review previous studies and evaluations of buildings and structures located on the project site. The review will include Midtown buildings, site conditions, utility connections, parking garage conditions and other existing characteristics that would support or constrain redevelopment.

The findings of a condition appraisal recently completed for the Midtown Parking Structure will be reviewed.

This section will also review efforts already underway to abate or remediate recognized environmental conditions on the site and the conditions expected to prevail when these efforts are complete.

4.12 Transportation: Traffic and Parking

The DGEIS will review traffic and parking conditions for the project site and within the surrounding area. Information regarding existing loading docks, delivery truck routes, the underground service tunnel and entries to the Midtown Parking garage will be included in the review.

The findings of a comprehensive parking study recently conducted in regards to the downtown area will be reviewed.

The results of a traffic study describing existing conditions will be presented in context with all other development projects in the CCD which are approved or underway, including the Renaissance Square project and the Eastman Savings and Loan Headquarters.

This section will also review how the existing traffic and parking conditions are expected to be changed by completion of the Renaissance Square project.

4.13 Public Transit

The current public transit system is run by the Rochester-Genesee Regional Transportation Authority (RGRTA). Information will be provided in the DGEIS that identifies existing bus routes and stops in the Regional Transit System (RTS) network as it applies to the project area. This section will also review relevant public transit conditions expected to prevail following completion of the Renaissance Square project and other projects approved or underway.

4.14 Pedestrian

The DGEIS will describe existing pedestrian circulation systems that are located within and adjacent to the project area. The project area includes street level sidewalks as well as pedestrian structures, such as skyway connections (above street level) and tunnel connections (below street level) that are used to connect to adjoining buildings and parking garages.

4.15 Utilities

The DGEIS will review the existing utilities including current capacities, function and condition for the proposed project area. The following utilities will be reviewed: natural gas, electric, telephone, cable, fiber optics, domestic and fire water service, steam, sanitary & storm sewers, lighting and traffic controls. The findings of completed utility reports will be reviewed and referenced.

4.16 Energy

The proposed development will be located within an existing metropolitan area already serviced by utilities. The DGEIS will estimate the quantity of energy currently utilized by the project site.

4.17 Building Shadows

The DGEIS will review a study of building shadows and how public open spaces, residential units, important natural features and other sunlight-sensitive uses within the area potentially affected by the proposed redevelopment are currently affected under the existing conditions found to prevail.

4.18 Noise/Odor

The DGEIS will identify, delineate and assess an appropriate study area for the noise and odor analysis. Adjacent receptors, their location and sensitivity with respect to the project will be described.

4.19 Public Health and Safety

The DGEIS will review whether the existing project site includes any threats to public health and safety such as risk of explosion, release of hazardous substances, burial of any wastes, disturbance of previously buried wastes or excavation in proximity to any location previously used for solid or hazardous wastes. The preceding abatement of A.C.M. will also be summarized and referenced.

4.20 Community Facilities and Services

The DGEIS will review and summarize existing community services that pertain to the proposed project area. The review will include the following services: police, fire protection, emergency service, ambulance, and the local school district.

4.21 Community/Neighborhood Character and Growth

The DGEIS will describe the community character of the primary project area and its surrounding neighborhood. Socioeconomic conditions relevant to the project and prevailing in the area will be described. The general characteristics of existing residential, institutional, commercial and mixed-use buildings in the study area will be identified. Recent patterns and trends in residential, commercial, manufacturing, and institutional uses will also be described.

4.22 Economic/Fiscal

The DGEIS will review and summarize the current economic and fiscal conditions providing a context for the proposed project. The review will include property values of the existing project site and adjacent parcels, economic factors related to maintenance of public infrastructure, property assessments, property tax rates and sales tax generation.

4.23 Studies and Community Initiatives Related to Urban Redevelopment

The DGEIS will review relevant studies and community initiatives focused on the need or potential for urban redevelopment and opportunities or recommendations related to prospects for catalyzing revitalization within the CCD. The studies reviewed shall include, at a minimum:

- Urban Land Institute Advisory Services Panel Report and Findings
- Rochester Regional Community Design Center Downtown Charette Report

4.24 Studies Related to Office, Retail, Hospitality and Housing Markets

The DGEIS will review studies completed regarding the existing and anticipated supplies and demand for office, retail, hospitality and housing space or facilities within the community, within the CCD and at the Midtown site. An assessment and forecast of the market capacity for absorption of new facilities and a discussion of the underlying demographic forces and assumptions will be included. The studies relied upon for this review shall include, at a minimum:

- Midtown Plaza Market Feasibility Analysis
- City-Wide Rochester Housing Market Study & Recommendations
- Surveys of Downtown Rental Housing and Office Space
- Office Supply and Demand
- Housing and Residential Supply, Demand & Utilization & Forecast Conversions

5. POTENTIAL ENVIRONMENTAL IMPACTS and MITIGATION

5.1 Geology, Soils and Topography

The DGEIS will evaluate constraints imposed by existing soils, geology and topographic conditions. The proposed project could require construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. Impacts to surface and subsurface soils and bedrock will be addressed including area of disturbance potential need for blasting or other impacts to shallow bedrock. Mitigation for impacts will be presented, including proposed mitigation for blasting (if anticipated).

5.2 Water Resources

The DGEIS will evaluate the potential for impacts to groundwater resources that may be caused by installation of subsurface facilities along with proposed means of avoiding or mitigating such impacts. The DGEIS will analyze potential impacts to surface water resources resulting from development. The DGEIS will identify any project-related impacts to floodplains, if any.

The DGEIS will analyze the impact of the proposed action on storm-water management within the project area. The capacity of existing infrastructure to accept and convey storm water runoff from the site will be reviewed. The DGEIS will include appropriate mitigation measures for managing the rate, quantity and quality of storm water runoff during and after construction.

Temporary impacts to water resources related to construction activities will be described separately in Section 5.26.

5.3 Vegetation and Wildlife

The DGEIS will assess the extent to which the proposed action would have an impact on ecological resources. A description of proposed measures to avoid, minimize or mitigate for impacts to these resources will be provided. The DGEIS will also describe any potential wildlife impacts associated with construction and operation of the project (e.g., mortality, loss of habitat, disturbance/displacement, etc.) and appropriate measures to mitigate these impacts. The DGEIS will identify any state or federally-listed endangered, threatened or special concern species occurring within or near the project area and describe mitigation measures designed to offset, reduce, or eliminate losses of listed species and associated habitat.

5.4 Air

The DGEIS will discuss the potential impacts of the proposed action on air quality. It is important to note that demolition will have been preceded by remediation as part of another action.

Temporary impacts to air resources related to construction activities will be described separately in Section 5.26. That section of the DGEIS will identify proposed means of mitigating construction-related impacts to local air quality, including those related to demolition, construction and the operation of construction equipment or vehicles.

5.5 Aesthetic/Visual Resources

The DGEIS will address any potential visual/aesthetic impacts for the proposed project. The DGEIS will evaluate potential project visibility and visual impact in the following manner:

- Determine the extent of potential project visibility within the visual study area;
- Evaluate the change in visual character that will result from implementation of the proposed action, based on the preparation and evaluation of computer-assisted visual simulations; and,
- Develop a model to forecast shadowing of existing building and spaces that would result from the proposed development.

The DGEIS will recommend mitigation measures required to minimize any impacts to visual/aesthetic resources.

Temporary impacts to aesthetic or visual resources related to construction activities will be described separately in Section 5.26. This description will include a review of short-term visual impacts associated with project construction.

5.6 Historic, Cultural and Archeological Resources

The DGEIS will describe potential adverse impacts on historic and archaeological resources within the project area. The DGEIS will review the extent to which demolition and development activities will take place wholly or partially within or substantially contiguous to any facility or site on or eligible for inclusion on the S/NRHP. The findings of a phase IA archeological resource reconnaissance survey conducted for the project area relevant to the prospect for impacts to sub-surface resources will be reviewed and any mitigation identified as necessary will be described.

The DGEIS will include the findings and recommendations of the phase IA archeological survey in accordance with the OPRHP regulations.

The DGEIS will review the potential impacts resulting from the proposed development to buildings or resources located on neighboring properties and identified as having historic significance.

The DGEIS will review consultations undertaken with the OPRHP, the Landmark Society of Western New York and other resource agencies or entities regarding the potential effects to buildings or resources

on the project site determined to be eligible for inclusion on the S/NRHP (e.g., interior spaces defining the Midtown Plaza). Where applicable, the DGEIS will summarize consultation activities conducted with OPRHP, resource agencies, and other entities in considering reasonable and prudent alternatives, mitigative measures, and/or modifications intended to avoid or lessen the severity of potential adverse effects to S/NRHP-eligible resources on the project site.

5.7 Parks, Recreation and Open Space

The DGEIS will summarize the potential impacts to parks and open space as a result of the proposed project. It will address how any new park or open space contributes to the aesthetics, marketability and revenue generation of the project. The DGEIS will identify mitigation measures to reduce or eliminate significant adverse impacts to parks and open space expected as a result of the proposed project.

5.8 Critical Environmental Areas

The DGEIS will identify and discuss any impacts to critical environmental areas. Any required mitigation measures to offset or lessen potential impacts will be identified.

5.9 Land Use and Zoning

The DGEIS will evaluate anticipated impacts regarding the proposed action's compatibility with the character and development trends in the area, as well as with surrounding land uses and community resources. The DGEIS shall evaluate the relationship of the proposed action to existing land use and the surrounding community as well as conformance to existing zoning and land use controls. The evaluation will include potential impact on property values along with a discussion of potential cumulative effects of the development considered with respect to other adjacent projects. If necessary, mitigation measures will be developed to reduce or eliminate significant adverse land use, zoning or public policy impacts anticipated to result from the proposed project.

5.10 Site Development Density

The DGEIS will review the proposed density of development and how it relates to the development capacity of the site and available infrastructure. This section will also review how the proposed density of development compares to the density of development on surrounding parcels.

5.11 Building Demolition and Adaptive Reuse

The DGEIS will review the potential for adverse impacts to the built environment from the proposed demolition of existing structures as well as from the construction of new buildings proposed for development. The DGEIS will also present a construction and demolition schedule and demolition and construction details with attention to the following:

- Demolition and construction will require temporary development of staging areas;
- Temporary construction related closures and detours for traffic (autos and trucks) and public transit;
- Temporary construction related closures and detours for pedestrians;
- Temporary construction/demolition impacts for noise, dust and vibration;
- Impacts from blasting including rock removal and /or building implosions; and,
- Review any energy or other utilities requiring relocation as a consequence of proposed demolition/construction including temporary disruption of service.

The DGEIS will identify mitigation measures to reduce or eliminate significant adverse construction and demolition impacts expected as a result of the proposed project.

The DGEIS will also review the potential for retention of buildings considered for demolition or potential for adaptive reuse of existing buildings in order to mitigate impacts related to their demolition or removal.

5.12 Transportation: Traffic and Parking

This section of the DGEIS will review permanent potential impacts to traffic and parking from the proposed project. The DGEIS will review anticipated potential impacts to parking supply, demand and utilization. The DGEIS will present any potential impacts to loading docks or delivery truck routes. A review of access and egress to the project site will be presented. The DGEIS will review any impacts related to development of new street right of ways and to any proposed street abandonments. The DGEIS will also describe any impacts to the underground service tunnel.

The DGEIS will identify mitigation measures to reduce or eliminate significant adverse transportation and parking impacts expected as a result of the proposed project.

Temporary impacts to transportation, traffic and parking resources will be described separately in Section 5.26 of the DGEIS including reviews of traffic and parking impacts anticipated to occur during the construction period.

5.13 Public Transit

The DGEIS will review potential impacts to RTS bus service for routes and stops adjacent to the project area and will present the results of agency consultation. The DGEIS will identify mitigation measures to reduce or eliminate significant adverse public transit impacts expected as a result of the proposed project.

Temporary impacts to public transit anticipated as a consequence of construction and development activities will be described separately in Section 5.26 of the DGEIS.

5.14 Pedestrian

The DGEIS will describe potential impacts to pedestrian circulation systems and structures, such as the skyway system. The review will address both temporary and permanent impacts and inconvenience to pedestrians. Any required mitigation measures to offset or lessen potential impacts shall be identified.

Temporary impacts to sidewalks and other pedestrian ways anticipated as a consequence of construction and development activities will be described separately in Section 5.26 of the DGEIS.

5.15 Utilities

The DGEIS will discuss any associated impacts as a result of improvements necessary to connect the proposed project to the existing public utilities. Impacts to the following utilities will be described: gas, electric, telephone, cable, fiber optics, public water, fire protection water supply, steam, and sanitary/storm sewers. Any required mitigation measures to offset or lessen potential impacts shall be identified.

Temporary impacts to utilities anticipated as a consequence of construction activities will be described separately in Section 5.26 of the DGEIS.

5.16 Energy

The DGEIS will describe the proposed development's location within an existing metropolitan area, which is already served by energy utility companies. The DGEIS will describe any anticipated effect upon sources of fuel, energy supply, use of any form or energy or any anticipated need to create or extend any transmission or supply system. The DGEIS will include discussion on the positive impacts of utilizing "Green Technology" in the redevelopment plan. The DGEIS will include a brief narrative forecasting approximate energy usage based on estimated number of square feet, occupants and anticipated reliance on current supply and distribution systems. A review of any energy related utilities requiring relocation as a consequence of proposed demolition will be presented. The DGEIS will identify mitigation measures to reduce or eliminate significant adverse energy impacts expected as a result of the proposed project.

5.17 Building Shadows

The DGEIS will examine any potential shadow effects of the proposed project. A three-dimensional study of the proposed buildings will determine the incremental shadow impacts on sunlight-sensitive uses, including publicly accessible open space resources, proposed residential units, important natural features and historic landscapes and adjoining properties.

5.18 Noise/Odor

The DGEIS will review and determine if the project will result in any objectionable noise or odors. The noise and odor assessment will address the potential noise and odor impacts on properties in the vicinity of the project area, particularly noise and odors generated by heavy vehicle traffic. The DGEIS will identify mitigation measures to reduce or eliminate significant adverse noise and odor impacts expected as a result of the proposed project.

Temporary impacts to noise or odor anticipated as a consequence of construction and development activities will be described separately in Section 5.26 of the DGEIS. A review of potential noise generation of construction activities will be included.

5.19 Public Health and Safety

The DGEIS will address any potential public health and safety issues associated with the proposed project. Restrictions on public access and other means of avoiding or minimizing public safety risks will be discussed, along with proposed plans to respond to public safety incidents. The DGEIS will identify mitigation measures to reduce or eliminate significant adverse public health and safety impacts expected as a result of the proposed project.

Temporary impacts to public health and safety anticipated as a consequence of construction and development activities will be described separately in Section 5.26 of the DGEIS. The DGEIS will review the project to address concerns involving any risk of explosion, release of hazardous substances, burial of any wastes, disturbance of previously buried wastes or excavation in proximity to any previously used location for solid or hazardous wastes. The preceding abatement of A.C.M. will also be referenced.

5.20 Community Facilities and Services

The DGEIS will discuss the potential impact from the proposed project on community facilities and services (police, fire, emergency, and schools) and the resources of the entity providing the services. The adequacy and capacity of existing services and facilities will be reviewed, along with the added burden that would likely be imposed by development of the proposed project. The potential need for increased or more technical responses by local emergency service providers will be discussed. The DGEIS will also present a projection of new students residing at the project area and potential impacts to the city school district will be assessed. Any required mitigation measures to offset or lessen potential impacts shall be identified.

5.21 Community/Neighborhood Character and Growth

The DGEIS will identify potential impacts to the socioeconomic conditions for the proposed project area and adjacent community. The DGEIS will review factors that influence the general character of the project area and the adjoining neighborhoods and the relationship and connectivity between them. The DGEIS will review potential effects of the project on local land use, including impacts to office, hospitality, retail and residential uses in the area and the potential for direct or indirect displacements of businesses and employment from the project. The DGEIS will discuss how significant impacts may be

avoided and mitigated to ensure that the new development is compatible with the existing community and character of downtown.

5.22 Economic/Fiscal

The DGEIS will discuss the implications of future taxes, public revenue and property values resulting from the proposed project. This will include such impacts that could be expected from development on the site as well as from additional development within the area were the project to catalyze additional redevelopment within the region.

5.23 Studies and Community Initiatives Related to Urban Redevelopment

In reviewing studies and community initiatives related to urban development, the DGEIS will present any potential impacts or conflicts anticipated to arise as a result of the proposed project.

5.24 Studies Related to Office, Retail, Hospitality and Housing Markets

In reviewing studies related to office, retail, hospitality and housing markets, the DGEIS will present any potential impacts to supply, demand or other aspects of the office, retail, hospitality or housing markets anticipated to result from development of the proposed project. This section will include a review of the anticipated market absorption of new spaces or facilities proposed for development as part of the project.

5.25 Environmental Justice

The DGEIS will discuss issues of environmental justice and the impact created from the proposed project. Any required mitigation measures to offset or lessen potential impacts shall be identified.

5.26 Temporary Impacts Related to Construction Activities

This section of the DGEIS will describe and characterize temporary impacts anticipated as a consequence of construction activities. These will include, at a minimum, impacts to the following resources or conditions prevailing in the CCD:

- Water Resources;
- Air;
- Aesthetic/Visual Resources;

- Transportation: Traffic and Parking;
- Public Transit;
- Pedestrian;
- Utilities;
- Noise/Odor; and,
- Public Health and Safety

6. UNAVOIDABLE ADVERSE IMPACTS

This section of the DGEIS will identify impacts that are likely to occur despite mitigation measures, and will compare the beneficial and adverse implications of any such unavoidable impacts.

7. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section of the DGEIS will identify those natural and man-made resources consumed, converted or otherwise made unavailable for future use as a consequence of the proposed action.

8. CUMULATIVE IMPACTS

The DGEIS will evaluate the potential cumulative impacts of the proposed project. In particular, this section will assess how impacts of the proposed project could be increased or enhanced when combined with similar impacts from development of the proposed Renaissance Square project.

9. GROWTH INDUCING ASPECTS

This section of the DGEIS will describe potential growth-inducing aspects the proposed action may have, particularly the potential for additional redevelopment projects in the vicinity of the project area.

10. IMPACTS ON USE AND CONSERVATION OF ENERGY RESOURCES

This section of the DGEIS will describe the impact of the proposed action on the use and conservation of energy resources.

11. IMPACT ON SOLID WASTE MANAGEMENT

The DGEIS will review the impact of the proposed action on solid waste management and its consistency with the state or local solid waste management plan.

12. ANALYSIS of ALTERNATIVES

The DGEIS will include a description and evaluation of the range of available reasonable alternatives to the proposed project. Each alternative will be addressed in sufficient detail to enable a comparison of associated environmental impacts as well as the effectiveness of the alternative in promoting or attaining the goals and objectives of the proposed project. Additional criteria identified for the purposes of evaluating each of the alternatives will also be presented in the DGEIS.

At a minimum, the following alternatives available to the proposed action will be presented in the DGEIS:

No Action Alternative. The DGEIS will present an evaluation of the potential adverse and beneficial impacts that would result in the foreseeable future were the proposed action not to be undertaken.

Preferred Alternative. The DGEIS will identify and evaluate the preferred redevelopment alternative incorporated in the description of the action provided in Section 2 of the DGEIS.

Development Density Alternatives. The DGEIS will review concept site plans and other aspects of three redevelopment alternatives that can be distinguished from one another primarily with respect to the proposed density of development:

- **Alternative A:** This alternative does not include development of a PAETEC facility and is characterized by a low density development with a higher percentage of public open space than the other alternatives.
- **Alternative B:** This alternative includes development of a PAETEC facility and is characterized by a moderate density development with a moderate percentage of public open space.

- **Alternative C:** This alternative also includes development of a PAETEC facility and supports a higher density of development with a lower percentage of public open space when compared to the other alternatives.

Component Alternatives. The configuration, scale and other characteristics of each of the foregoing three alternatives represent the combined product of a number of decisions regarding multiple topics or parameters. For example, each of the foregoing alternatives will represent the selection of a particular approach with respect to the demolition of existing buildings, to the development of new roadways, to the provision of additional parking, to the development of open space, and to the development of street level retail uses. The DGEIS will review each of these constituent topics or parameters, the range of reasonable alternatives available in each instance, and how the alternatives compare to one another when evaluated according to their potential environmental impacts and according to their effectiveness in furthering the urban redevelopment and revitalization goals and objectives of the action.

With respect to each of the following aspects of the proposed project, the DGEIS will identify the selected alternative as well as the underlying selection criteria and will provide further identification, description, comparison of and evaluation of the available range of alternatives considered:

- Site plan configuration and arrangement of buildings and other spaces;
- Subdivision and disposition of land;
- Acquisition of additional property or inclusion of additional parcels in redevelopment plans;
- Development density;
- Proposed mix of uses;
- Demolition or adaptive reuse of the Midtown Mall Atrium;
- Demolition or adaptive reuse of the existing Midtown Tower;
- Methods and limits of demolition activities;
- Effects upon recognized historic buildings or resources;
- Preservation and disposition of the existing parking garage;
- Preservation of, disposition of and additions to existing utilities and related public infrastructure;
- Preservation and disposition of existing truck tunnel and related infrastructure;
- Preservation and disposition of existing parking and provision of additional parking;

- Changes to or preservation of the existing array of vehicular site entry or exit points;
- Abandonment of existing roadways and development of new roadways;
- Development, abandonment or interruption of new or existing pedestrian ways;
- Impacts to and disposition of affected segments of the existing skyway system;
- Preservation or development of open spaces;
- Development of open spaces to be owned or supported by public entities;
- Breaking down of the current super block configuration found on the site;
- Development of enhanced connectivity between the site and other key areas in the vicinity;
- Utilization of place making techniques, engagement of Main Street and creation of destinations;
- Provisions for new or enhanced retail spaces, particularly at street level;
- Project schedule, phasing and transition plans;
- Project staging and related approaches to the construction and demolition process;
- Reliance on energy efficiency or green technologies;
- Amendment of Urban Renewal District land use controls or guidelines; and,
- Public funding.

13. APPENDICES TO ACCOMPANY DGEIS

The Appendix shall contain relevant studies, plans, maps and technical reports that supplement and support the narrative in the DGEIS. The following, at a minimum, are specific documents to be included in the Appendix to the DGEIS and referenced in the preceding DGEIS narrative sections:

- Relevant Technical Maps, Figures and Exhibits included to support the foregoing narratives
- Project Plans
- Construction/Demolition Information and Schedules
- Cultural Resource Management Report – Phase IA (RMSC)
- NYSOPRHP Determination of Eligibility
- Technical Memorandum Regarding Impacts to Midtown Atrium, Alternative and Consultation
- Visual Impact and Building Shadow Illustrations
- Transportation/ Traffic Study
- Comprehensive Downtown Parking Study: Rochester NY (Walker Parking

Consultants, January 2008)

- Parking Impact Study (Walker)
- Utility Report – Site
- Midtown Plaza Building Utility Inventory
- Condition Appraisal – Midtown Parking Structure (Walker Parking Consultants, May 2008)
- Midtown Project Goals and Objectives
- Summary of Utility Impacts
- Midtown Demolition Analysis of the Plaza and Tower Structures (LeChase)
- Parking Garage Structural Assessment (LaBella)
- Midtown Plaza Market Feasibility Analysis (Cushman & Wakefield)
- Competitive Location Assessment (Cushman Wakefield)
- City of Rochester Center City Master Plan
- City of Rochester 2010 Plan
- City of Rochester Zoning Code & CCD Zoning
- Main Street and Tower Design Districts Zoning
- City of Rochester Midtown Urban Renewal District Plan
- Condition Analysis Report for the Midtown Project Area (CMA Architecture PC, November 2006)
- An Advisory Services Panel Report: Rochester NY (Urban Land Institute, June 2005)
- Midtown Building Assessment (Bergmann Associates, December 2006)
- City-Wide Rochester Housing Market Study (July 2007)
- A Community-Based Vision Plan for Downtown Rochester (Rochester Regional Community Design Center, May 2008)
- Survey of Downtown Office Space (Rochester Downtown Development Corporation, May 2007)
- Survey of Downtown Rental Housing (Rochester Downtown Development Corporation, June 2007)
- Relevant Agency Correspondence