ENVIRONMENTAL ASSESSMENT STATEMENT

535 Morgan Avenue Rezoning EAS

CEQR No. 25DCP027K

Applicant:
Me & Morgan LLC/Hemmer 2 LLC

Lead Agency:
New York City Department of City Planning

Prepared by:
Philip Habib & Associates, an AKRF Division

Revised July 21, 2025*

*Shortly before the issuance of the EAS and Negative Declaration on April 4, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding assessment of Disadvantaged Communities. This assessment has been added to this Revised EAS.

535 Morgan Avenue Rezoning EAS

Environmental Assessment Statement (EAS)

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ENVIRONMENTAL ASSESSMENT STATEMENT SHORT FORM

City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 535 Morgan Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 25DCP027K	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) 250090ZMK	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Department of City Planning (DCP)			NAME OF APPLICANT Me & Morgan LLC/Hemmer 2 LLC		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Lauren Sanders		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 430 Park Avenue, Suite 201		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10022
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE (646)-292-4935	EMAIL lsanders@midwoodid.com	

5. *Project Description*

Me & Morgan LLC/Hemmer 2 LLC (the "Applicant") is seeking approval for one discretionary action (the "Proposed Action") that would affect the "Project Area," which consists of the entirety of Brooklyn Block 2817 in the East Williamsburg neighborhood of Brooklyn Community District 1. Block 2817 consists of one tax lot (Lot 1). The proposed discretionary action is a zoning map amendment to rezone the Project Area from M1-1 to C7-1. The Proposed Action would apply only to Block 2817, and therefore the Project Area and the "Development Site" are coterminous.

The Proposed Action would enable a new supermarket greater than 10,000 sf in an existing destination retail development. This change in use would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building (the "East Retail Building"). The new supermarket would occupy an approximately 20,265-gsf portion of the East Retail Building. The remainder of the retail building would continue to contain a mix of retailers. No new construction or alteration/expansion of the existing one-story building is proposed; the Proposed Action would only allow a portion of an existing building to be re-tenanted by a supermarket use greater than 10,000 sf, which is not currently permitted as-of-right in the existing M1-1 zoning district.

The western portion of the zoning lot, which contains a fast-food restaurant (a McDonalds – Use Group VI [Service], less than 10,000 sf), would remain through 2054, given a lease that extends for that duration. The parking lot would be improved with landscaping and bicycle parking to improve the pedestrian experience of the Development Site, although the number of parking spaces would remain at 110, same as under existing conditions.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 1	STREET ADDRESS 535 Morgan Avenue
TAX BLOCK(S) AND LOT(S) Block 2817, Lot 1		ZIP CODE 11222
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Project Area is bounded by Meeker Avenue to the north, Lombardy Street to the south, Kingsland Avenue to the west, and Morgan Avenue to the east.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1		ZONING SECTIONAL MAP NUMBER 13a

6. *Required Actions or Approvals* (check all that apply)

***City Planning Commission*:** ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☐ UDAAP
☐ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☐ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☐ OTHER, explain:	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO ☐ Cogeneration Facility ☐ Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION	☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING	☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES	☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL	☐ PERMITS, specify:
☐ OTHER, explain:	

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)	☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
	☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

7. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP	☒ ZONING MAP	☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP	☐ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)	

☒ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 100,750 sf

Waterbody area (sq. ft) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): 100,750 sf

Other, describe (sq. ft.): N/A

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 20,265 gsf

NUMBER OF BUILDINGS: Portion of the East Retail Building (interior renovations only)

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 20,265-gsf portion of a 39,726-gsf retail building

HEIGHT OF EACH BUILDING (ft.): 26 ft (existing building to remain)

NUMBER OF STORIES OF EACH BUILDING: 1 (existing building to remain)

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO

If "yes," specify: The total square feet owned or controlled by the applicant: 100,750 sf

The total square feet not owned or controlled by the applicant: 0 sf

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☐ YES ☒ NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: 0 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 0 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 0 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	0 gsf	20,265 gsf	0 gsf	0 gsf
Type (*e.g.,* retail, office, school)	0 units	Supermarket	N/A	N/A

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☒ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS:

Provide a brief explanation of how these numbers were determined: No residential uses proposed. Workers calculated based on the following rates: 1 worker per 333 sf of retail space; 1 worker per 333 sf of restaurant space; number of supermarket employees (35) based on estimates provided by Applicant in consultation with prospective supermarket tenant.

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 6 months

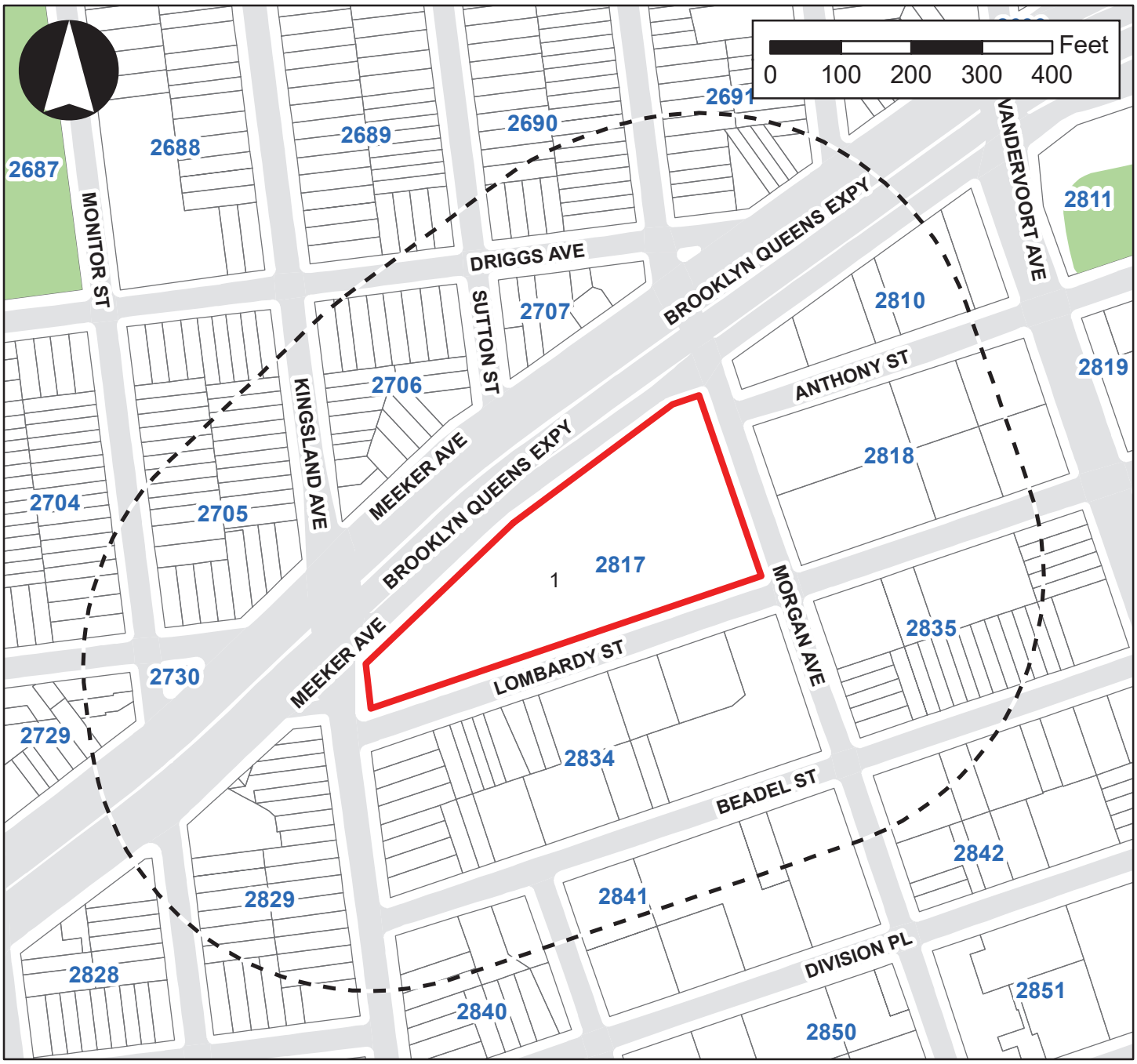
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO | IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: It is anticipated that the Proposed Action would be approved in 2025. Assuming the completion of the ULURP process by 2025, and allowing for time to obtain the necessary permits from DOB, it is anticipated that construction would start in 2026. Given that the Proposed Development requires only interior renovations, it is assumed that construction would require approximately six months. Therefore, completion of the Proposed Development (i.e., re-tenanting of a portion of the existing retail building) is expected to be completed by late-2026 or early 2027. Accordingly, the environmental documents will conservatively use 2027 as the Analysis Year for assessing future conditions pursuant to *CEQR Technical Manual* guidance.

10. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☐ PARK/FOREST/OPEN SPACE ☐ OTHER, specify:

Figure 1a
Project Location



Legend

- Project Area
- 400-Foot Radius
- 2817 Blocks
- 1 Lots
- Open Space





Legend

Project Area
400-Foot Radius

Figure 2
Land Use



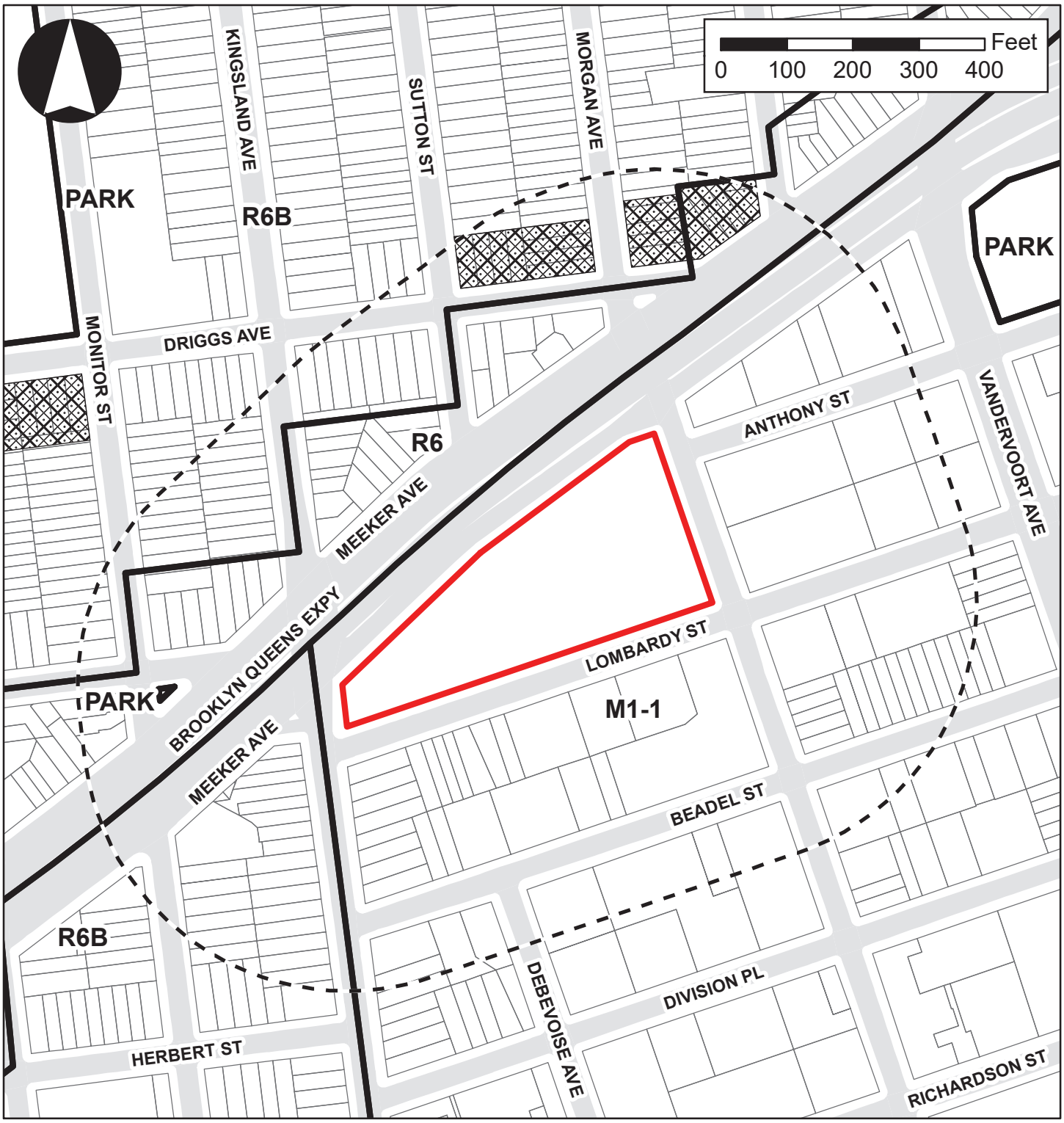
Legend

- Project Area
- 400-Foot Radius

LandUse

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

Figure 3
Zoning



Legend

- Project Area
- 400-Foot Radius
- Zoning District
- C2-4 Commercial Overlay

NYC Digital Tax Map

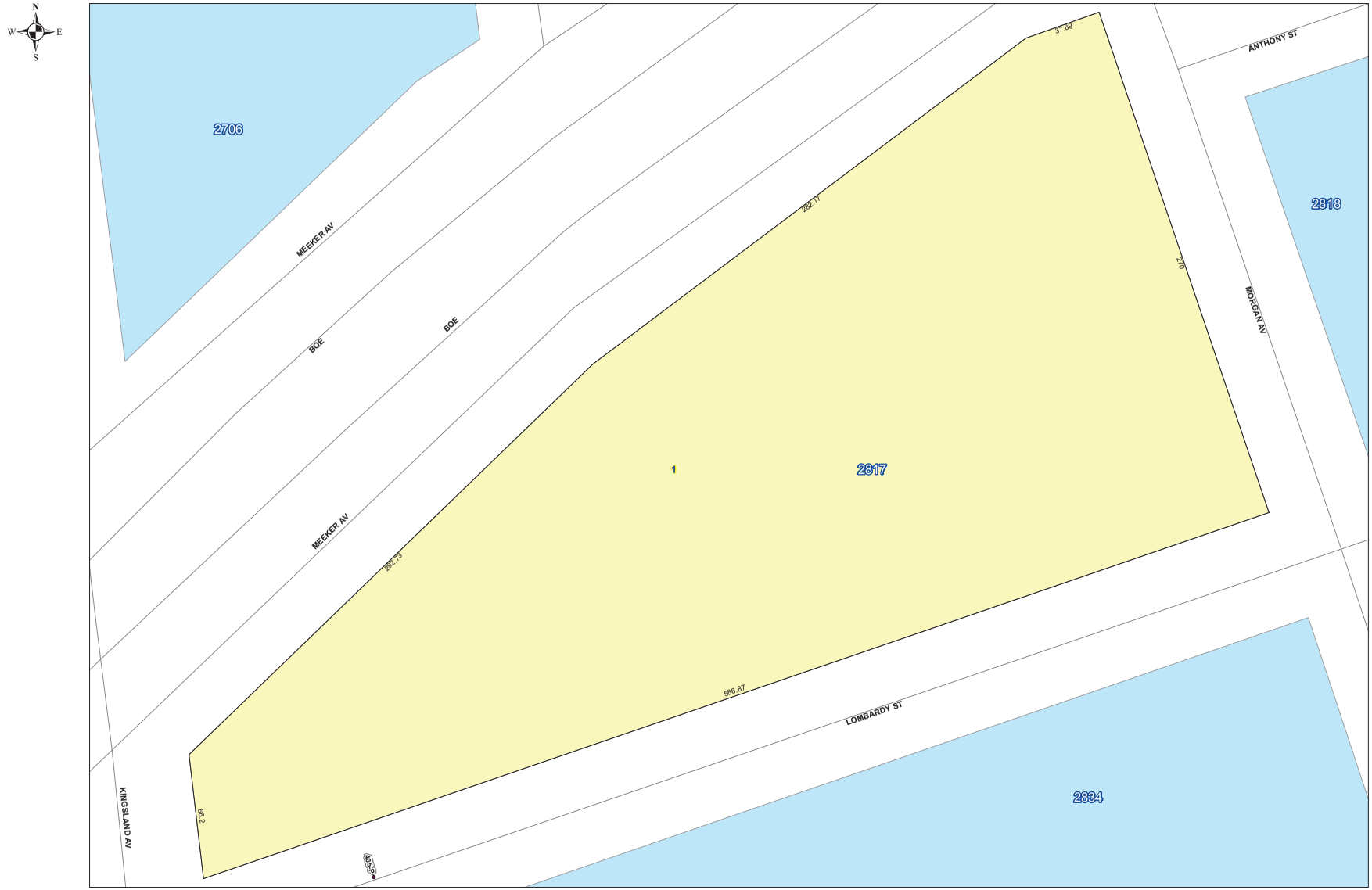


Figure 4
Tax Map

Figure 5a
Project Area Photos Key



Legend

- Project Area
- Open Space
- 400-Foot Radius
- 1 → Photo Location



1. View looking northwest at the Project Area from the intersection of Morgan Avenue and Lombardy Street.



2. View looking east at the Project Area from the intersection of Kingsland Avenue and Meeker Avenue.



3. View looking west at the Project Area from the midblock of Lombardy Street between Kingsland Avenue and Morgan Avenue.



4. View looking southwest at the Project Area from the intersection of Meeker Avenue and Morgan Avenue.



5. View looking southeast from the intersection of Morgan Avenue and Lombardy Street.



6. View looking southeast from the midblock of Lombardy Street between Kingsland Avenue and Morgan Avenue.



7. View looking northwest from the intersection of Kingsland Avenue and Meeker Avenue.



8. View looking east from the intersection of Meeker Avenue and Morgan Avenue.

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☐	☒
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☐	☒
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. Refer to Attachment C.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Early Childhood Programs:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☐	☒
○ **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☐	☒
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		

	YES	NO
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☐	☒
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	☐	☒
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒

	YES	NO
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 12,271 lb/week		
○ Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 9,276,674 BTUs/yr		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
○ Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☐	☒
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☐	☒

	YES	NO
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☐	☒
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☐	☒
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☐	☒
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☐	☒
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.		

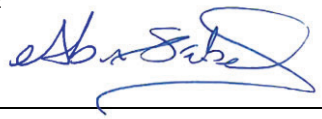
20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	DATE
Abir Sabet, AICP	July 21, 2025

SIGNATURE



PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

REVISED NEGATIVE DECLARATION*

Statement of No Significant Effect

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the proposed actions sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the Environmental Assessment Statement (EAS). The applicant, Me & Morgan LLC/Hemmer 2 LLC, seeks a zoning map amendment to rezone an existing M1-1 district to a C7-1 district (the "Proposed Action") for the entirety of Block 2817 in the East Williamsburg neighborhood of Brooklyn, Community District 1 (the "Affected Area"). Block 2817 consists of one 100,750-square-foot tax lot, Lot 1, which comprises both the development site and the affected area. The Proposed Action would enable a 20,265 gross square foot (gsf) space (the "Proposed Development") within the existing East Retail Building on the development site to be re-tenanted as a supermarket, which exceeds 10,000 gsf—a use not currently permitted under M1-1 district regulations. While the Proposed Development would reduce parking requirements, the existing 110 parking spaces on the development site would remain, and the applicant proposes improvements to landscaping and bicycle parking to complement the Proposed Development. The Proposed Action would not result in significant adverse impacts on land use, zoning, or public policy. The large-scale supermarket use facilitated by the Proposed Action would be compatible with the site's location along a limited-access highway, adjacent to residential uses to the north and west, and manufacturing uses to the south and east. The proposed C7-1 district would maintain conformance with existing uses within the affected area while permitting a large supermarket. Additionally, the Proposed Action would not contradict the policies of the North Brooklyn Industrial Business Zone (IBZ), which is located directly adjacent to the affected area. Therefore, the Proposed Action would not result in significant adverse impacts on land use, zoning, or public policy, and no further analysis is warranted.

Transportation

A Level 1 and Level 2 screening for a preliminary trip generation assessment and travel demand factors (TDF) are included in the EAS. The screening determined that the Proposed Actions would not result in significant adverse traffic impacts. The Level 1 screening, which projected trip generation, indicated that expected peak-hour vehicle trips would exceed the maximum of 50 trips set by Table 16-1 in Chapter 16 of the *2021 CEQR Technical Manual*. However, the Level 2 trip assignment concluded that no intersections would exceed the 50-trip maximum during any peak hour, nor would any pedestrian element exceed the 200-trip maximum during any peak hour. As a result, the Proposed Actions would not result in any significant adverse impacts related to transportation, and no further analysis is warranted.

Disadvantaged Communities Assessment

An assessment of the Proposed Action potential effect on disadvantaged communities is included in this EAS. The Project Site is located within a census tract identifies as a DAC having comparatively higher burdens and vulnerabilities, according to the New York State Department of Environmental Conservation's Disadvantaged Community Assessment Tool (DCAT). As the CEQR Technical Manual has not been updated to include guidance for an assessment of Effects of Disadvantaged Communities, the SEQRA Environmental Assessment Form (EAF) has been consulted for guidance for this analysis. The Proposed Action would not result in significant adverse impacts on land use, zoning, or public policy nor any technical area analyzed in the supplemental screening (Transportation, Hazardous Material and Noise). Therefore, the Proposed Action would not disproportionately affect any disadvantaged communities, nor would it cause or increase a disproportionate pollution burden on such communities.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Claudia Kohn at +1 212-720-3394.

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME	DATE
Stephanie Shellooe, AICP	8/8/2025
SIGNATURE	



*Shortly before the issuance of the EAS and Negative Declaration on April 4, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding assessment of Disadvantaged Communities. This assessment has been added to this Revised EAS

Project Name: 535 Morgan Avenue Rezoning
CEQR # 25DCP027K
SEQRA Classification: Unlisted

TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE 8/11/2025
SIGNATURE	

ATTACHMENT A:
PROJECT DESCRIPTION

I. INTRODUCTION

Me & Morgan LLC/Hemmer 2 LLC (the "Applicant") is seeking approval for a discretionary action (the "Proposed Action") that would affect the entirety of Brooklyn Block 2817, which consists of one tax lot, Lot 1 (the "Project Area") in the East Williamsburg neighborhood of Brooklyn Community District 1. The Proposed Action is a zoning map amendment to rezone the Project Area from M1-1 to C7-1. The Proposed Action would apply only to Block 2817, and therefore the Project Area and the "Development Site" are coterminous.

The Proposed Action would enable a new supermarket greater than 10,000 sf in an existing retail development (the "Proposed Development"). This change in use would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building. The new supermarket would occupy an approximately 20,265-gsf portion of the East Retail Building. The remainder of the retail building would continue to contain a mix of retailers. No new construction or expansion of the existing one-story building is proposed; the Proposed Action would only allow a portion of an existing building to be re-tenanted by a supermarket use greater than 10,000 sf, which is not currently permitted as-of-right in the existing M1-1 zoning district.

This attachment provides a summary and description of the Proposed Action, the Project Area, existing conditions, project's purpose and need, RWCDS under future No-Action and future With-Action conditions, and the governmental approvals required. The attached supplemental studies examine the potential for the Proposed Action to result in impacts in any City Environmental Quality Review (CEQR) technical areas, including a separate attachment with an analysis of land use, zoning, and public policy in **Attachment C**. All other technical areas either screened out in the EAS Form or warranted preliminary screening assessments, which are summarized in **Attachment B, "Supplemental Screening."**

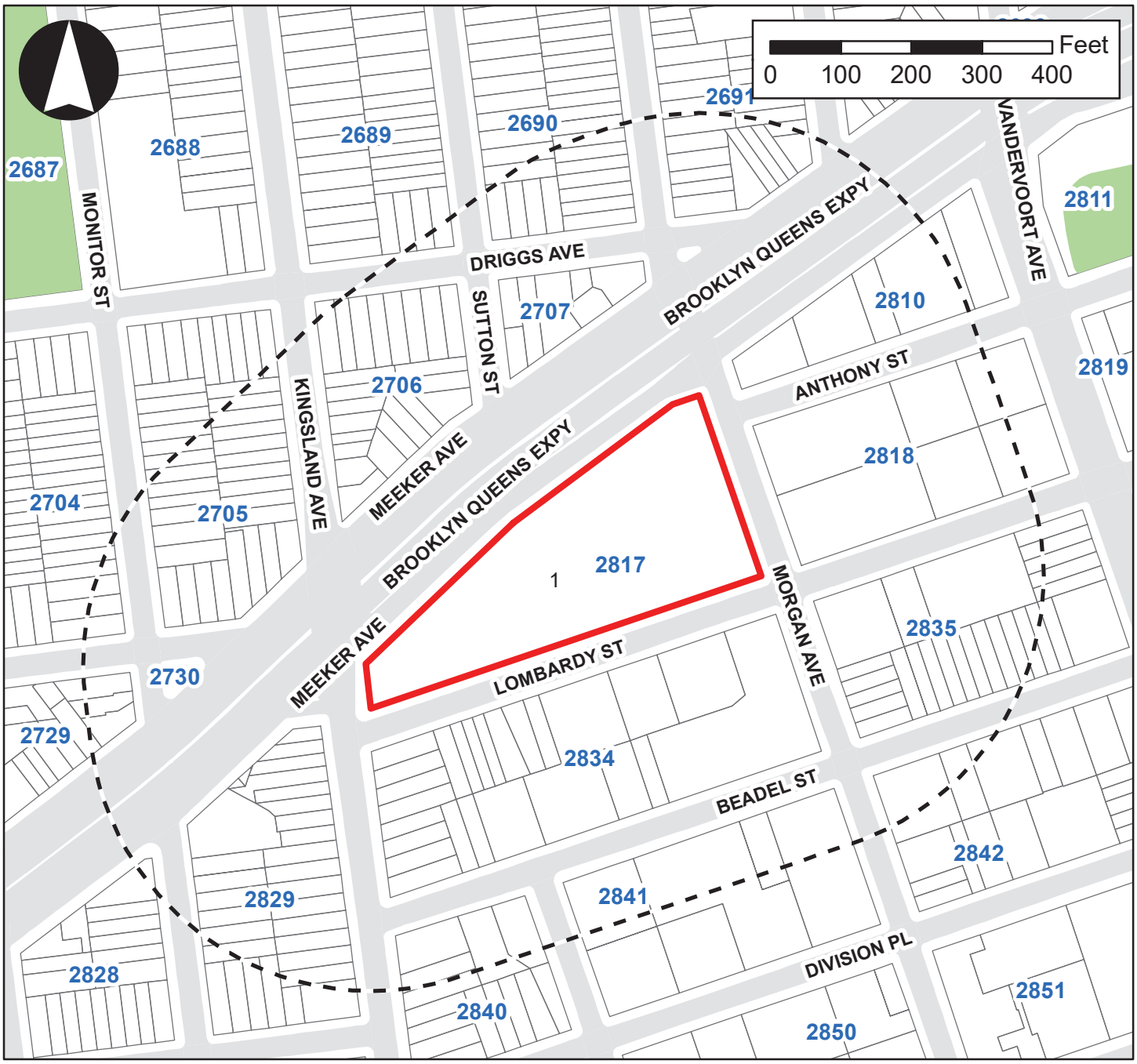
II. EXISTING CONDITIONS

Project Area

The Project Area (area directly affected by the Proposed Action) comprises the entirety of Brooklyn Block 2817, which is an irregularly-shaped block bounded by Kingsland Avenue to the west, Meeker Avenue to the north, Morgan Avenue to the east, and Lombardy Street to the south (see **Figure A-1a**). It comprises a total of approximately 100,750 sf of lot area, consisting of one privately-owned tax lot, the Applicant-owned Lot 1. Therefore, the Proposed Action is site-specific, and would apply only to the Applicant-controlled Development Site and would not affect any other lots.

Kingsland Avenue is a narrow street with a mapped width of 70 feet. Immediately west of the Project Area, it has two moving lanes for motor vehicles, operating two-way, and no parking on either side. It has an approximately 15-foot-wide sidewalk on the eastern side and approximately 12-foot-wide sidewalk on the western side. Meeker Avenue is a wide street bisected by the elevated Brooklyn Queens Expressway (BQE), with two eastbound vehicle moving lanes on the southern side and two westbound vehicle moving lanes on the northern side. The southern portion of Meeker Avenue has a width of 45 feet, with

Figure A-1a
Project Location



Legend

- Project Area
- 400-Foot Radius
- 2817 Blocks
- 1 Lots
- Open Space



approximately 15-foot-wide sidewalks to the south and approximately 10-foot-wide sidewalks to the north. Its northern portion has a width of 42 feet, with approximately 12-foot-wide sidewalks on its northern side and approximately 5-foot-wide sidewalks on its southern side. The elevated BQE is approximately 85-feet-wide, with metered public parking underneath the overpass across from the Development Site. The total width of the Meeker Avenue right-of-way and the BQE overpass is approximately 165 feet. Morgan Avenue is a narrow, 60-foot-wide street east of the Project Area, with two vehicle moving lanes operating in both directions. It has no on-street parking and approximately 15-foot-wide sidewalks on either side. Lombardy Street is a narrow street with a mapped width of 60 feet. South of the Project Area, it has one vehicle moving lane operating eastbound and on-street parking on both sides. It has approximately 15-foot-wide sidewalks on both sides.

The Project Area is improved with two single-story commercial retail buildings with a total of 42,888 gross square feet (gsf) of built floor area for a built FAR of 0.43. The one-story retail building on the eastern portion of the site consists of 39,726 gsf, and contains three retail tenants (an AutoZone Auto Parts store, a Dollar Tree, and a Staples office supply store) ("East Retail Building"). The one-story building on the western portion of the site is a McDonalds fast food restaurant and drive-thru consisting of 3,162 gsf of floor area. The remainder of the Project Area consists of approximately 57,862 sf of surface parking, with 110 total spaces between the McDonalds and the East Retail Building (refer to **Figure A-1b**). The eastern parking lot located in the middle of the block (serving the East Retail Building) consists of 94 parking spaces accessible via two curb cuts, one each along Lombardy Street and Meeker Avenue, and the western parking lot (serving the McDonalds) consists of 16 parking spaces.

The western portion of the Project Area contains three curb cuts (one from Lombardy Street and two from Meeker Avenue) to access the McDonalds and in terms of parking and ingress/egress, is separated from the larger retail building on the eastern portion of the zoning lot. The two parking areas are separated by a curb, with no internal vehicular connection provided.

The Project Area is mapped within an M1-1 manufacturing zoning district, which is a high-performance, low density light industrial district often mapped as buffer districts between M2 or M3 districts and adjacent residential or commercial districts. The existing zoning allows for a maximum manufacturing and commercial FAR of 1.0 and a maximum community facility FAR of 2.4. Residential uses are not permitted in M1-1 districts.

Surrounding Area and Context

The Project Area is located within the East Williamsburg neighborhood of Brooklyn Community District 1. Land use in the 400-foot surrounding area is a mix of residential, industrial, commercial, and transportation uses, and also includes several vacant lots. The predominant land uses in the area are light industrial and residential.

The area to the west and north of the Project Area is characterized by two- to three-story residential buildings and four- and five-story pre-war multi-family walkup apartment buildings. There are also several three-to-four story residential buildings located to the southeast of the Project Area along Beadel Sreet. The largest residential building in the vicinity of the Project Area, a seven-story multi-family elevator building, is located at 62 Monitor Street.

Situated along Driggs Avenue and the northern side of Meeker Avenue are several mixed commercial/residential buildings, which consist of two to three residential stories over ground-floor retail. Retailers in the mixed commercial/residential buildings in the surrounding area mostly consist of delicatessens, coffee shops, and small restaurants. The two entirely commercial lots in the 400-foot radius



Legend

Project Area
400-Foot Radius

of the Project Area are located at the intersection of Kingsland and Meeker Avenues, and are occupied by a single, one-story restaurant.

The prevailing built form immediately to the east and south includes low-scale, high-lot-coverage industrial buildings that contain warehousing and distribution facilities for construction materials, food and beverage wholesalers, and auto parts shops. Also located to the east and south of the Project Area are two auto-related uses, including a BP gas station at 546 Morgan Avenue and an automotive repair shop at 48 Beadel Street.

There is only one designated open space in the surrounding area, a small pedestrian plaza named Fidelity Triangle, which is located at 601 Meeker Avenue to the northwest of the Project Area. The 388-sf plaza is administered by NYC Parks.

The area is well-served by public transit, and is within a Transit Zone. The Nassau Avenue station serviced by the G train is approximately 0.50 miles to the northwest of the Project Area and the Graham Avenue station serviced by the L train is approximately 0.65 miles to the southwest. Stops for the B24 bus, which provides service from the Williamsburg Bridge Plaza to Sunnyside, Queens, and points further north in Greenpoint, are located along Meeker Avenue. The area is also served by a Citibike station located at the intersection of Morgan Avenue and Lombardy Street, immediately adjacent to the Project Area. A two-way protected bike lane is located on the northern side of Meeker Avenue, providing a connection to Queens via the Kosciuszko Bridge.

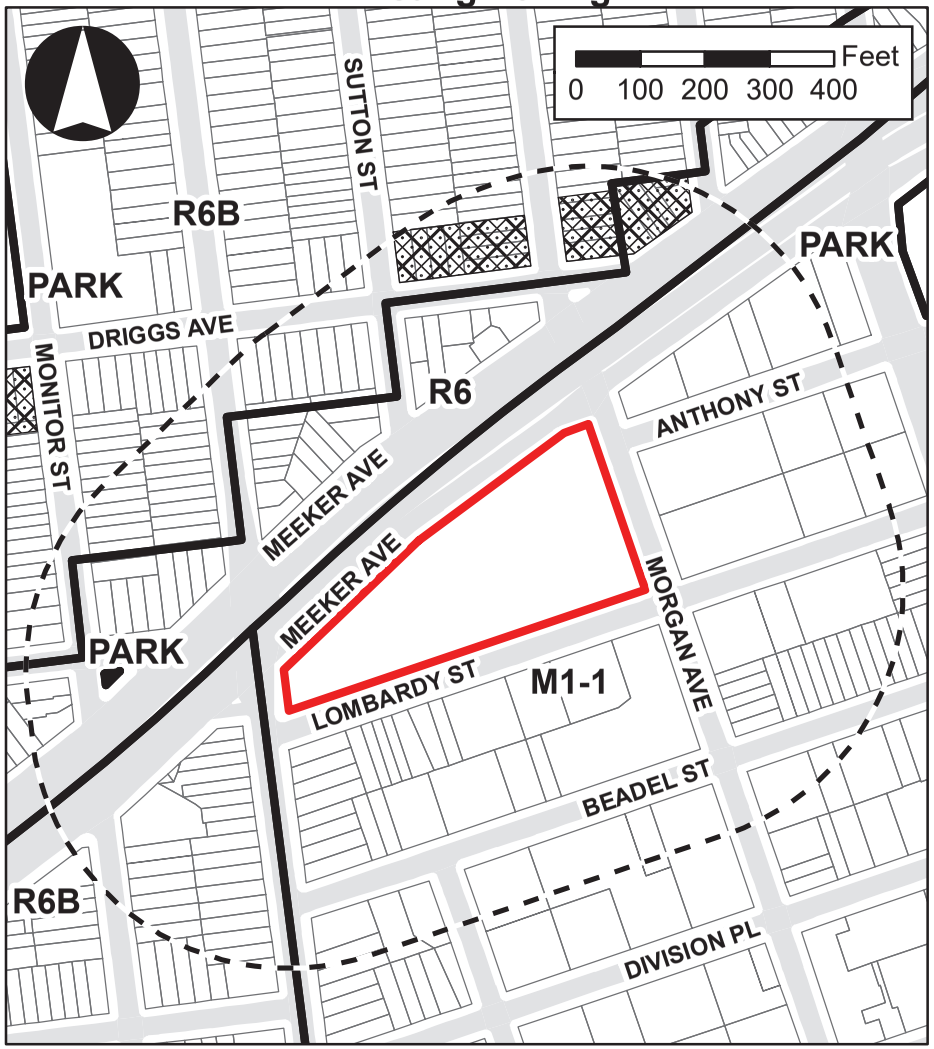
Zoning

As shown in **Figure A-2** and noted above, the Project Area is mapped within an M1-1 manufacturing zoning district, which is a high-performance, low density light industrial district often mapped as a buffer between M2 and M3 districts and commercial and residential districts. Zoning districts within 400 feet of the Project Area include R6 and R6B, to the north, with a C2-4 commercial overlay along some portions of Driggs Avenue, R6B to the west, and M1-1 to the east and south.

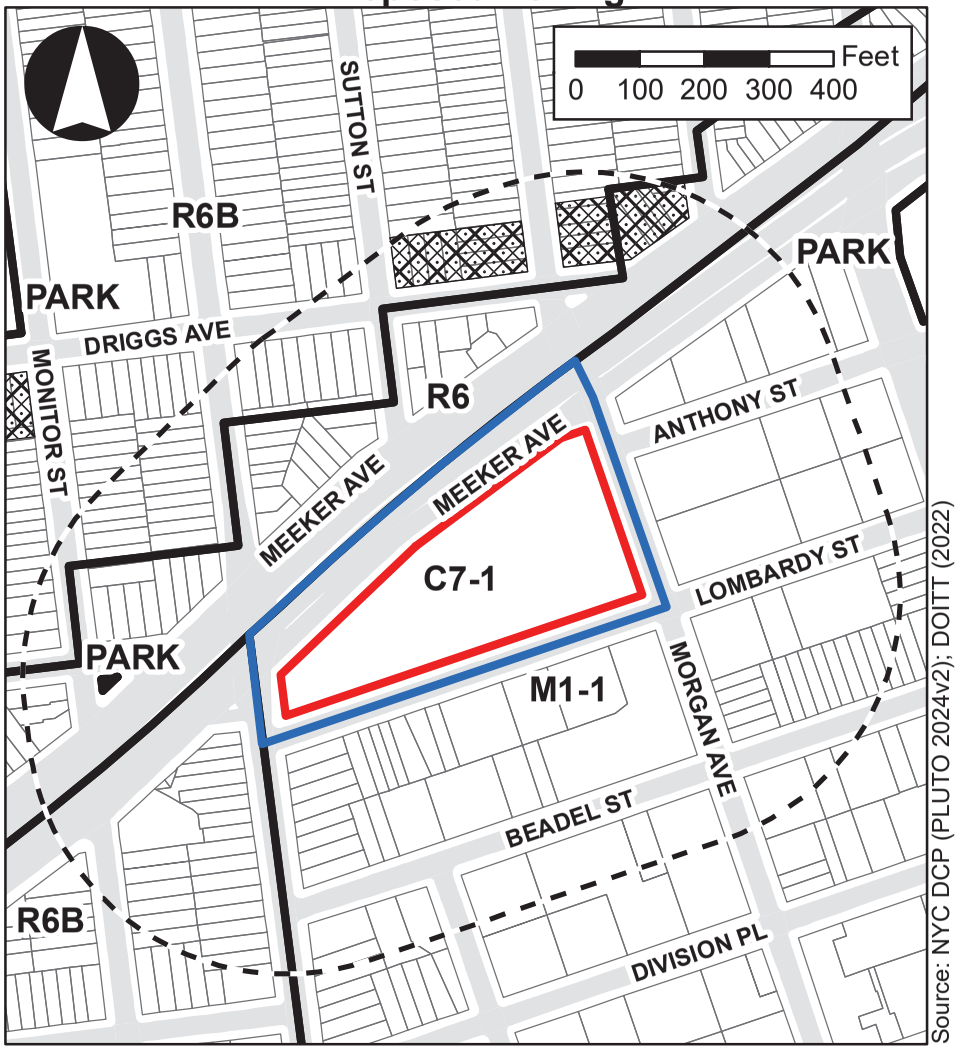
III. THE PROPOSED ACTION

- The Applicant is proposing a zoning map amendment to rezone the Project Area (Brooklyn Block 2817, Lot 1) from the existing M1-1 zoning district to a C7-1 district. **Table A-1** compares the use and bulk regulations under the existing and proposed zoning districts, and **Figure A-2** provides a map of the existing and proposed zoning. The proposed C7-1 commercial district would allow for commercial uses above 10,000 sf not currently allowed under existing zoning, as well as reduce parking requirements for commercial uses.

Existing Zoning



Proposed Zoning



Source: NYC DCP (PLUTO 2024v2); DOITT (2022)

Legend

- Project Area
- 400-Foot Radius
- Zoning District
- C2-4 Commercial Overlay

Legend

- Project Area
- 400-Foot Radius
- Zoning District
- C2-4 Commercial Overlay
- Proposed C7-1 District

Figure A-2
Existing and Proposed Zoning

TABLE A-1
Comparison of Allowable Uses and Maximum FAR for the Existing and Proposed Zoning

	Existing Zoning	Proposed Zoning
Zoning District	**M1-1**	**C7-1**
Allowed Uses[1]	Light Manufacturing, Commercial Retail and Office, Community Facilities, Public Service Facilities, Transient Accommodations (by Special Permit), Recreational and Entertainment Uses, Storage, and Open Uses[2]	Some Light Manufacturing (by Special Permit), Commercial Retail and Office, Community Facilities, Public Service Facilities, Transient Accommodations (by Special Permit), Recreational and Entertainment Uses, Storage, and Open Uses [3]
Maximum FAR		
Residential	N/A	N/A
Community Facility	2.4	2.0
Commercial	1.0	2.0
Manufacturing	1.0	N/A
Height and Setback		
Maximum Base Height	30'/2 stories'	45'
Maximum Building Height	Sky Exposure Plane	65'

Source: *Zoning Resolution of the City of New York.*
Notes: [1]Allowed uses are based on recent amendments to the zoning text passed on June 6, 2024 as part of City of Yes for Economic Opportunity. Only certain sub-uses within each larger use group are permitted within a certain zoning district. Therefore, Table A-1 provides an overview, rather than a specific list, of allowed uses.
[2] Limitations on specific uses outlined under ZR 42-10
[3] Limitations on specific uses outlined under ZR 32-10

IV. PURPOSE AND NEED FOR THE PROPOSED ACTION

Although the Project Area's existing M1-1 zoning allows a maximum FAR of 1.0 for commercial uses, most retail establishments (Use Group VI) above 10,000 sf are not permitted as-of-right, including food and beverage retailers. In addition, the M1-1 zoning district has high parking requirements for commercial uses, with one space per 300 sf required for most retail uses and one space per 200 sf required for food stores. Additionally, the existing M1-1 zoning within the Project Area is not reflective of its current and historic use as a shopping center containing big box stores and a fast-food restaurant.

As such, a C7-1 zoning district is proposed to replace the M1-1 zoning district. C7-1 districts, which are general service districts that permit 2.0 FAR for commercial uses, are generally mapped to accommodate a range of retail service uses and would generally lower required parking spaces for commercial retail uses. A zoning map amendment from M1-1 to C7-1 would be appropriate for this area, as the Project Area is already developed with a retail complex located near a limited-access freeway. The proposed C7-1 zoning district would continue to support the existing retail uses on the site, while expanding the range of permitted retail service uses to enable the Applicant to add a food store, which is not currently permitted as-of-right beyond 10,000 sf, which is too limited in size to support a viable grocery store for adjacent residential communities that continue to increase in population. The addition of a supermarket would provide greater access to fresh and affordable food to the predominantly residential areas to the north and southwest of the Project Area. Given the residential area that surrounds the Project Area, it is appropriate for increased density in retail service uses, as well as a reduced parking requirement, and the replacement of a big box store with a supermarket would additionally activate an underperforming and underutilized site.

V. PROPOSED DEVELOPMENT

The Proposed Development consists of a new retail establishment reoccupying a space greater than 10,000 gsf in an existing retail building. This change would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building. The new retail establishment, a supermarket, would occupy an approximately 20,265-gsf portion of the East Retail Building on the Development Site, and would exceed the size limit currently permitted as-of-right in the M1-1 zoning district. Given that the supermarket would reoccupy a portion of an existing building, the Proposed Development would require interior renovations to the building. However, no structural exterior changes or additional development/expansion of the existing one-story building would occur as part of the Proposed Development. The remainder of the retail building would continue to contain a mix of retailers.

The western portion of the zoning lot, which contains a fast-food restaurant (a McDonalds), would remain through 2054, given a lease that extends for that duration. The parking lot would be improved with landscaping, bicycle parking, and street trees as part of the Proposed Development to improve the pedestrian experience of the Development Site, although the number of spaces would remain at 110, same as under existing conditions.

VI. ANALYSIS FRAMEWORK

Identification of Development Sites

As discussed above, the Proposed Action would affect the Project Area, which consists of the entirety of Brooklyn Block 2817 containing one tax lot (Lot 1). The proposed zoning map amendment would apply only to the Applicant-controlled Project Area and would not affect any other lots. As such, the Project Area is the only site that could be developed under the Proposed Action. Since the Proposed Action is site-specific, there would be no additional "soft" sites according to *CEQR Technical Manual* criteria. As such, for CEQR analysis purposes, the Applicant's Development Site (refer to **Figure A-1**) is the only development site analyzed in this EAS.

Analysis Year

It is anticipated that the Proposed Action would be approved in 2025. Assuming the completion of the ULURP process by 2025, an interior construction period of approximately 6 months, and allowing for time to obtain the necessary permits from DOB, the Proposed Development (i.e., re-tenanting of a portion of the existing retail building) is expected to be completed by late-2026 or early 2027. Accordingly, the EAS will conservatively use 2027 as the Analysis Year for assessing future conditions pursuant to *CEQR Technical Manual* guidance.

Future without the Proposed Action (No-Action Condition)

In the 2027 future without the Proposed Action (the "No-Action condition"), it is anticipated that no development would occur within the Project Area, and that the existing businesses would remain.

Future with the Proposed Action (With-Action Scenario)

In the future with the Proposed Action (With-Action condition), the proposed zoning map amendment would be approved. As such, a C7-1 zoning district would be mapped on the Project Area, replacing the existing M1-1 zoning.

As described above, in the future with the Proposed Action, the Applicant would replace an existing retail tenant with a supermarket within a 20,265 gsf portion of the 39,726 sf commercial building on the eastern end of the site. The other retail and fast food restaurant businesses occupying the remainder of the Project Area are expected to remain. Although there are proposed landscaping and infrastructure improvements to the parking lot as part of the Proposed Development, it is expected that the 110-space parking lot would remain as currently configured. It is assumed that no additional development would occur in the Project Area in the With-Action scenario.

The With-Action scenario is based on the Applicant's plans for the Project Area. Redevelopment of the site to maximize allowable FAR according to the proposed C7-1 zoning district is infeasible due to the long-term leases of the current tenants, the impracticability of tenant-in-place enlargement of the existing building, and the expected increase in parking demand due to the change in use group. Therefore, the With-Action condition is limited to the replacement of an existing retail tenant with a supermarket, and the Applicant's proposal constitutes the RWCDS for analysis purposes.

Possible Effects of the Proposed Action

Table A-2 below provides a comparison of the No-Action and With-Action conditions identified for CEQR analysis purposes. As shown, the incremental (net) change that would result from the Proposed Action is the addition of approximately 20,265 gsf of supermarket space and the net decrease of 20,265 gsf in commercial (destination retail) space resulting from the replacement of the existing Staples with a supermarket. The total building area, fast food restaurant space, and total number of surface parking lot spaces would remain unchanged. In terms of population, the Proposed Action is expected to result in an incremental decrease of an estimated 26 employees, as compared to the 2027 No-Action condition.

TABLE A-2
Comparison of No-Action and With-Action Development Scenarios

	No-Action	With-Action	Increment
Land Use			
Commercial Big Box Retail (gsf)	39,726	19,461	**-20,265**
Fast Food Restaurant (gsf)	3,162	3,162	**0**
Supermarket (gsf)	0	20,265	**+20,265**
Total Building Area (gsf)	**42,888**	**42,888**	**0**
Surface Lot Parking Spaces	110	110	**0**
Population			
Employees[1]	128	102	**-26**

Notes:
[1] Employees calculated using rates of 1 worker per 333 sf of retail space; 1 worker per 333 sf of restaurant space; number of supermarket employees (35) based on estimates provided by Applicant in consultation with prospective supermarket tenant. The supermarket employee estimate was based on the number of workers per shift (3-6) and the number of employees at other, similarly-sized stores.

VII. REQUIRED APPROVALS

The proposed zoning map amendment is a discretionary public action that is subject to both the Uniform Land Use Review Procedure (ULURP) and CEQR.

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: the Community Board; the Borough President; the CPC and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by CPC that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn Community Board 1). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Brooklyn Borough President then has up to 30 days to review the application. The CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If CPC approved, the application is then forwarded to the City Council, which has 50 days to review the ULURP application.

CEQR is a process by which agencies review discretionary actions to identify the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). In addition, the city has published a guidance manual for environmental review, the *CEQR Technical Manual*.

ATTACHMENT B:
SUPPLEMENTAL SCREENING

I. INTRODUCTION

This Environmental Assessment Statement ("EAS") has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review ("CEQR") Technical Manual*. For each technical area, thresholds are defined, which if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Action to determine whether detailed analysis of any technical area may be appropriate.

As described in **Attachment A, "Project Description,"** the Proposed Action consists of a zoning map amendment that would affect the Project Area, which consists of Brooklyn Block 2817, Lot 1 in the East Williamsburg neighborhood of Brooklyn Community District (CD) 1. The Proposed Action would enable a new supermarket greater than 10,000 sf in an existing retail development (the "Proposed Development"). This change in use would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building. The new supermarket would occupy an approximately 20,265-gsf portion of the East Retail Building. The remainder of the retail building would continue to contain a mix of retailers. No new construction or expansion of the existing one-story building is proposed; the Proposed Action would only allow a portion of an existing building to be re-tenanted by a supermarket use greater than 10,000 gsf, which is not currently permitted as-of-right in the existing M1-1 zoning district.

Part II of the EAS Form identifies those technical areas that warrant additional assessment. For those technical areas that warranted a "Yes" answer in Part II of the EAS Form, supplemental screening assessments are provided in this attachment. The supplemental screenings contained herein identified that additional analysis is required in the area of Land Use, Zoning, and Public Policy. This analysis is provided in **Attachment C**. The remaining technical areas detailed in the *CEQR Technical Manual* were not deemed to require supplemental screening because the project increment did not trigger initial CEQR thresholds and/or are unlikely to result in significant adverse impacts. **Table B-1** presents a summary of analysis screening information for the Proposed Action.

TABLE B-1
Summary of CEQR Technical Areas Screening

CEQR TECHNICAL AREA	SCREENED OUT PER EAS FORM	SCREENED OUT PER SUPPLEMENTAL SCREENING	ANALYSIS REQUIRED
Land Use, Zoning, & Public Policy			X
Socioeconomic Conditions	X		
Community Facilities and Services	X		
Open Space	X		
Shadows	X		
Historic & Cultural Resources	X		
Urban Design & Visual Resources		X	
Natural Resources	X		
Hazardous Materials		X	
Water and Sewer Infrastructure	X		
Solid Waste & Sanitation Services	X		

Energy	X		
Transportation - Traffic & Parking - Transit - Pedestrians		 X X	 X
Air Quality - Mobile Sources - Stationary Sources	 X X		
Greenhouse Gas Emissions	X		
Noise		X	
Public Health	X		
Neighborhood Character	X		
Construction	X		

II. SUPPLEMENTAL SCREENING AND SUMMARY OF DETAILED ANALYSES

Land Use, Zoning, and Public Policy

Refer to **Attachment C, "Land Use, Zoning, and Public Policy."**

Urban Design and Visual Resources

The 2021 *City Environmental Quality Review* (CEQR) *Technical Manual* states that the urban design components and visual resources determine the "look" of a neighborhood – its physical appearance, including the street pattern, the size and shape of buildings, their arrangement on blocks, streetscape features, natural resources, and noteworthy views that may give an area a distinctive character. Pursuant to CEQR methodology, actions that would allow a project to 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 may warrant a detailed urban design and visual resources analysis.

The Proposed Action would increase the maximum allowable FAR within the Project Area, and the proposed C7-1 zoning would permit greater height within the Project Area than what is allowed by current zoning. However, as described in **Attachment A, "Project Description,"** redevelopment of the site to maximize allowable FAR according to the proposed C7-1 zoning district is infeasible due to the long-term leases of the current tenants, the impracticability of tenant-in-place enlargement of the existing building, and the expected increase in parking demand due to the change in use group. Therefore, the With-Action condition is limited to the replacement of an existing retail tenant with a supermarket, and the Applicant's proposal constitutes the RWCDS for CEQR analysis purposes.

As the Proposed Development involves only interior renovations and minor exterior renovations (i.e. exterior repainting and new signage) to a 20,265 gsf portion of the existing East Retail Building, the Proposed Action would not result in a building that is noticeably different in scale or appearance from existing conditions. Given that the Proposed Development does not involve any changes to the bulk of the East Retail Building, no pedestrian view corridors would be altered or obstructed, and the pedestrian experience along the abutting streets would not be negatively affected. Additionally, although the Proposed Development involves landscaping and infrastructure upgrades to the existing 110-space lot within the Project Area, the parking lot is expected to remain as currently configured. Although the Proposed Development would not substantially change the surrounding streetscapes, it would result in

minor streetscape improvements through the addition of new street trees. Therefore, because the Proposed Action would not change the scale or appearance of the existing building from existing conditions, would not obstruct any view corridors from the surrounding streets, and would result in minor improvements to surrounding streetscapes, a detailed analysis of Urban Design and Visual Resources is not warranted.

Hazardous Materials

As defined in the 2021 *CEQR Technical Manual*, a hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs) and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). According to the *CEQR Technical Manual*, the potential for significant adverse impacts from hazardous materials can occur when: (a) hazardous materials exist on a site, and (b) an action would increase pathways to their exposure; or (c) an action would introduce new activities or processes using hazardous materials.

Detailed analysis of the Proposed Development's potential for impacts related to hazardous materials is not warranted for several reasons. First, the Proposed Development would involve only interior renovations to the existing building, which would not require any new in-ground disturbance. Hence, the Proposed Development, i.e., the re-tenanting of a portion of an existing commercial building, would not involve exposure to potentially hazardous materials in the ground soil since no soil would be disturbed during the interior renovation.

Second, the Proposed Development would not involve renovation of interior space on a site with the potential for compromised air quality (i.e. through vapor intrusion or the presence asbestos, PCBs, mercury, lead-based paint) given the existing uses and building within the Project Area. As described in **Attachment A, "Project Description,"** the Proposed Development involves interior renovation to accommodate a supermarket in the portion of the existing East Retail Building currently occupied by a Staples office supply store, and is therefore unlikely to experience compromised air quality conditions. The two retail tenants anticipated to remain in the East Retail Building in the future with the Proposed Action– an Autozone and Dollar General— are likewise retail tenants that do not have the potential to compromise air quality within the proposed supermarket. In addition, there is no potential for exposure to asbestos or lead-based paint involved in renovation activities associated with the Proposed Development given that the East Retail Building was constructed in 1999, after use of such materials in construction was prohibited by Federal laws. Moreover, all interior renovation activities will be undertaken in accordance with all applicable City, State, and Federal regulations.

Lastly, the re-tenanting of a portion of an existing commercial building by a supermarket would not introduce any new activities or processes using hazardous materials.

Therefore, given that the Proposed Development involves only interior renovations which do not require in-ground disturbance, and interior renovations would occur in an existing commercial building that is unlikely to contain hazardous materials, exposure to hazardous materials would not occur as a result of the Proposed Action and no further analysis is warranted.

Transportation

The *CEQR Technical Manual* identifies minimum development densities that have the potential to result in significant adverse impacts to transportation and therefore require a detailed transportation analysis. As shown in Table 16-1 of the *CEQR Technical Manual*, actions that result in fewer than 50 peak hour vehicle trips are generally not likely to cause significant adverse impacts. For projects in Zone 3 (which includes areas within 0.5-miles of a subway station in Brooklyn), the development thresholds requiring trip generation analysis are 20,000 gsf of destination retail space and 15,000 gsf of local retail space.

The RWCDS would result in a net increase of 20,265 gsf of supermarket space, a net decrease of 20,265 gsf of destination retail space, and no net change in fast food restaurant space (3,162 gsf) and parking spaces (110 spaces). Given the supermarket uses exceed the thresholds in Table 16-1 of the *CEQR Technical Manual*, per *CEQR Technical Manual* guidance, a preliminary trip generation assessment is warranted and has been provided in **Appendix 1.** Per CEQR guidance, a screening assessment was completed to determine if the Proposed Actions and RWCDS warrant detailed analyses of traffic, parking, transit, or pedestrians. The screening assessment consisted of a Level 1 Project Trip Generation and a Level 2 Project-Generated Trip Assignment, as presented in the "Transportation Planning Factors and Travel Demand Forecast" memo presented in **Appendix 1.**

As detailed in **Appendix 1**, the Proposed Action does not warrant detailed analyses of traffic, transit, parking, or pedestrians. It is not expected that any subway or bus lines near the Project Area would experience an increase of more than 200 peak hour rail or 50 peak hour bus transit riders, the CEQR thresholds for a detailed transit analysis. However, the Level 1 assessment found that the expected peak hour vehicle trips would exceed the maximum of 50 set by the *CEQR Technical Manual* during the PM and Saturday peak hours. Additionally, pedestrian trips would exceed the maximum of 200 set by the *CEQR Technical Manual* during the midday, Saturday, and PM peak hours. As such, a Level 2 trip assignment was performed, the results of which are provided in **Appendix 1**. The Level 2 assignment found that no intersections would exceed the 50-trip maximum during any peak hour, nor would any pedestrian element exceed the 200-trip maximum during any peak hour. Therefore, no detailed transportation analysis is warranted and no impacts to transportation are expected as a result of the Proposed Action.

Noise

As detailed in **Appendix I, "Transportation Planning Factors and Travel Demand Forecast Technical Memorandum"** the Reasonable Worst Case Development Scenario ("RWCDS") facilitated by the Proposed Action would generate approximately 26, 34, 77, 80 incremental vehicle trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. Therefore, operation of the Proposed Development would change traffic patterns and volumes in the general vicinity of the Project Area. As local vehicular traffic is a major source of ambient noise in the area surrounding the Project Area, vehicular traffic generated by the RWCDS facilitated by the Proposed Action could lead to changes in the ambient noise levels.

As noted in **Attachment A, "Project Description,"** the Proposed Development involves a use group change from a big box retail business (a Staples) to a supermarket within an existing commercial retail building. Given that commercial retail uses are not considered a sensitive receptor according to the *2021 CEQR Technical Manual*, no sensitive receptors currently exist within the Project Area nor would any new receptors be introduced to the Project Area as part of the Proposed Development. Hence, given the lack of on-site receptors, there would be no potential for noise impacts to the Project Area as a result of the Proposed Action.

As also described in **Attachment A, "Project Description,"** the Project Area is situated along the Brooklyn-Queens Expressway (BQE), a six-lane, limited-access highway that is elevated as it passes the Project Area. Due to the proximity of the elevated BQE, existing noise levels within the Project Area are high. Additionally, per the traffic assignment, the Proposed Development would introduce a maximum of 34 automobiles in any peak hour in any street segment, which would be unlikely to double noise PCEs on any adjacent roadways. Therefore, it is unlikely that any project-generated traffic would be substantial enough to have a noticeable impact on noise levels in the surrounding area, as the elevated highway is the predominant source of ambient noise for both the Project Area and the surrounding neighborhood and noise PCEs are unlikely to doubled as a result of the Proposed Development.

As the Project Area does not currently contain any sensitive receptors, the Proposed Development would not introduce any new receptors to the Project Area, and the project-generated traffic would not be substantial enough to affect existing ambient noise in the surrounding area, the Proposed Action would not result in any noise impacts and no further analysis is warranted.

ATTACHMENT C:
LAND USE, ZONING, AND PUBLIC POLICY

I. INTRODUCTION

Under 2021 *CEQR Technical Manual* guidance, a land use analysis evaluates the uses and development trends in the area that may be affected by a proposed action(s) and determines whether the action(s) would be compatible with those conditions or potentially adversely affect them. Similarly, the analysis considers the proposed action's compliance with, and effect on, the area's zoning and other applicable public policies.

As discussed in **Attachment A, "Project Description,"** the Proposed Action involves a zoning map change that would affect a single tax block consisting of one tax lot (Brooklyn Block 2817, Lot 1, a.k.a. the "Project Area") in the East Williamsburg neighborhood of Brooklyn Community District (CD) 1. The Project Area is bounded by Kingsland Avenue to the west, Meeker Avenue to the north, Morgan Avenue to the east, and Lombardy Street to the south, and has a total lot area of approximately 100,750 square feet (sf). The Proposed Action consists of a zoning map amendment to rezone the Project Area from M1-1 to C7-1.

The Proposed Action would enable a new supermarket greater than 10,000 sf in an existing retail development (the "Proposed Development"). This change in use would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building. The new supermarket would occupy an approximately 20,265-gsf portion of the East Retail Building. The remainder of the retail building would continue to contain a mix of retailers. No new construction or expansion of the existing one-story building is proposed; the Proposed Action would only allow a portion of an existing building to be re-tenanted by a supermarket use greater than 10,000 gsf, which is not currently permitted as-of-right in the existing M1-1 zoning district.

Under 2021 *CEQR Technical Manual* guidance, a preliminary assessment, which includes a basic description of existing and future land use and zoning, should be provided for all projects that would affect land use or would change the zoning on a site, regardless of the project's anticipated effects. If the preliminary assessment cannot succinctly describe land use conditions in the study area, or if a detailed assessment is required in the technical areas of Socioeconomic Conditions, Neighborhood Character, Transportation, Air Quality, Noise, Infrastructure, or Hazardous Materials, a detailed land use analysis is appropriate. As the Proposed Action is site-specific and does not trigger a detailed assessment for any of the technical areas listed above, a detailed analysis of land use and zoning is not warranted and a preliminary assessment is provided below.

II. METHODOLOGY

The purpose of this attachment is to examine the effects of the Proposed Action and determine whether it would result in any significant adverse impacts on land use, zoning, or public policy. The analysis methodology is based on the guidance of the *CEQR Technical Manual* and examines the Proposed Action's consistency with land use patterns and development trends, zoning regulations, and other applicable public policies. As described in **Attachment A, "Project Description,"** in order to assess the possible effects of the Proposed Action, a RWCDS was established for the future without the Proposed Action (the No-Action condition) and future with the Proposed Action (the With-Action condition) for the 2027 analysis year.

The preliminary assessment includes a description of existing land uses and zoning within the directly affected area and the broader study area. Following the guidance of the *CEQR Technical Manual*, the assessment describes existing and anticipated future conditions to a level necessary to understand the relationship of the Proposed Action to such conditions, assesses the nature of any changes on these conditions that would be created by the Proposed Action, and identifies those changes, if any, that could be significant or adverse.

Existing land uses were identified through review of a combination of sources including field surveys and secondary sources, as well as the City's Primary Land Use Tax Lot Output (PLUTO™) data files for 2023 and websites, such as New York City's Zoning and Land Use Map (ZoLa, https://zola.planning.nyc.gov) and NYCityMap (http://gis.nyc.gov/doitt/nycitymap/). New York City Zoning Maps and the Zoning Resolution (ZR) of the City of New York were consulted to describe existing zoning districts and provided the basis for the zoning evaluation of the future No-Action and future With-Action conditions. Relevant public documents including documents recognized by the New York City Department of City Planning (DCP) and other City agencies were utilized to describe existing public policies pertaining to the study areas.

Analysis Year

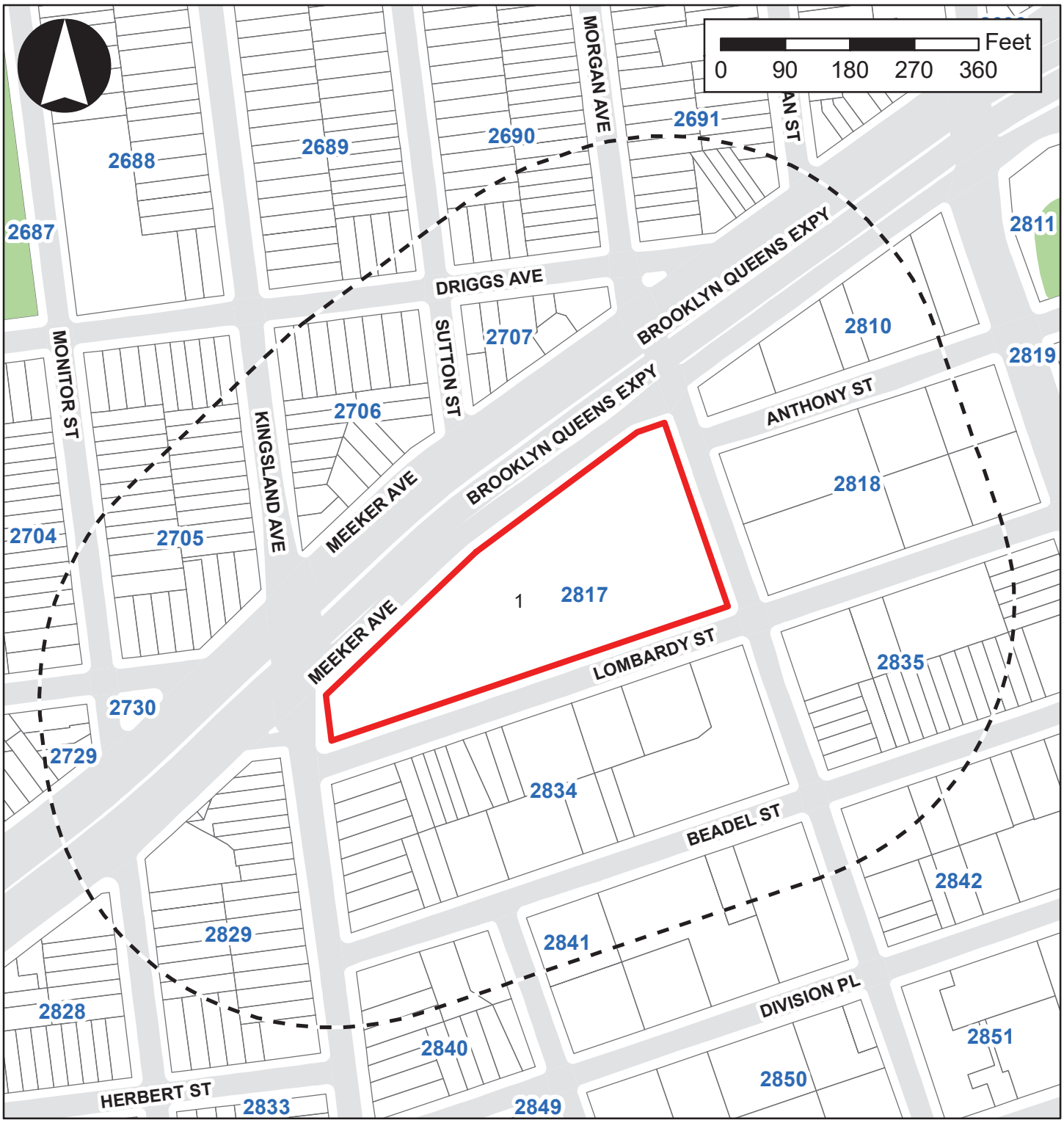
As discussed in **Attachment A, "Project Description,"** the Proposed Development is expected to be completed by 2027. Therefore, for the purposes of determining potential impacts, this analysis assesses current conditions and forecasts those conditions to 2027. Future No-Action conditions account for planned development projects, initiatives, and proposals that are anticipated to be completed by 2027.

Study Area Definition

According to the *CEQR Technical Manual*, the appropriate study area for land use, zoning, and public policy is related to the type and size of an action, as well as the location and context of the area that could be affected. Study area boundaries vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project. The study areas for the Proposed Action have been established in accordance with *CEQR Technical Manual* guidance and are shown in **Figure C-1**.

As shown in **Figure C-1**, land use, zoning, and public policy are addressed and analyzed for two geographical areas for the Proposed Action: (1) the primary study area, which comprises the Project Area (Block 2817, Lot 1); and (2) a secondary study area that encompasses an area that has the potential to experience indirect impacts as a result of the Proposed Action. The secondary study area extends an approximate 400-foot radius from the boundary of the primary study area. The secondary study area is bounded by Driggs Avenue to the north, lots fronting Beadel Street to the south, extends east to midblock between Morgan Avenue and Vandervoort Avenue, and extends west to Monitor Street.

Figure C-1
Land Use Study Areas



Legend

- Project Area (Primary Study Area)
- 1 Lots
- 400-Foot Radius (Secondary Study Area)
- 2817 Blocks

III. EXISTING CONDITIONS

Land Use

Primary Study Area (Project Area)

The primary study area is the area that would be directly affected by the Proposed Action. The area includes a single tax block consisting of a single lot (Brooklyn Block 2817, Lot 1), and is bounded by Meeker Avenue to the north, Lombardy Street to the south, Kingsland Avenue to the west, and Morgan Avenue to the east. It has a total lot area of approximately 100,750 square feet (sf), with approximately 575 feet of frontage along Meeker Avenue, 587 feet of frontage along Lombardy Street, 66 feet of frontage along Kingsland Avenue, and 270 feet of frontage along Morgan Avenue.

The Project Area, which is owned by the Applicant, is currently occupied by two buildings. The one-story retail building on the eastern portion of the site consists of 39,726 gsf, and contains three retail tenants (an AutoZone Auto Parts store, a Dollar Tree, and a Staples office supply store and will be referred to as the "East Retail Building". The one-story building on the western portion of the site is a McDonalds fast food restaurant and drive-thru consisting of 3,162 gsf of floor area. The remainder of the Project Area consists of approximately 57,862 sf of surface parking, with 110 total spaces between the McDonalds and the East Retail Building. The eastern parking lot located in the middle of the block (serving the retail building) consists of 94 parking spaces accessible via two curb cuts, one each along Lombardy Street and Meeker Avenue, and the western parking lot (serving the McDonalds) consists of 16 parking spaces.

The Project Area borders four streets. Kingsland Avenue is a narrow street with a mapped width of 70 feet. Immediately west of the Project Area, it has two moving lanes for motor vehicles, operating two-way, and no parking on either side. It has an approximately 15-foot-wide sidewalk on the eastern side and approximately 12-foot-wide sidewalk on the western side. Meeker Avenue is a wide street bisected by the elevated Brooklyn Queens Expressway (BQE), with two eastbound vehicle moving lanes on the southern side and two westbound vehicle moving lanes on the northern side. The southern portion of Meeker Avenue has a width of 45 feet, with approximately 15-foot-wide sidewalks to the south and approximately 10-foot-wide sidewalks to the north. Its northern portion has a width of 42 feet, with approximately 12-foot-wide sidewalks on its northern side and approximately 5-foot-wide sidewalks on its southern side. The elevated BQE is approximately 85-feet-wide, with metered public parking underneath the overpass across from the Development Site. The total width of the Meeker Avenue right-of-way and the BQE overpass is approximately 165 feet. Morgan Avenue is a narrow, 60-foot-wide street east of the Project Area, with two vehicle moving lanes operating in both directions. It has no on-street parking and approximately 15-foot-wide sidewalks on either side. Lombardy Street is a narrow street with a mapped width of 60 feet. South of the Project Area, it has one vehicle moving lane operating eastbound and on-street parking on both sides. It has approximately 15-foot-wide sidewalks on both sides.

Secondary Study Area (400-foot Radius)

As shown in **Figure C-2**, the secondary study area is characterized by a mix of industrial and residential land uses. The blocks directly to the south and east of the Project Area mostly contain industrial or manufacturing uses on larger lots, while residential and commercial uses on smaller lots are concentrated to the Project Area's north and west. There are also some parking facilities and transportation uses within the secondary study area.

Figure C-2
Land Use Map



Legend

- Project Area (Primary Study Area)
- 400-Foot Radius (Secondary Study Area)

LandUse

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

Residential uses are the predominant use in the secondary study area, and are mostly located to the north and west of the Project Area. Residential uses in the secondary study area are characterized by two- to three-story one-family buildings and four- and five-story pre-war multi-family walkup apartment buildings. There are also several three-to-four story residential buildings located to the southeast of the Project Area along Beadel Street. The largest residential building in the vicinity of the Project Area, a seven-story multi-family elevator building, is located at 62 Monitor Street.

Situated along Driggs Avenue and the northern side of Meeker Avenue are several mixed commercial/residential buildings, which consist of pre-war buildings with two-to-three residential stories over ground-floor retail. Retailers in the mixed commercial/residential buildings in the surrounding area mostly consist of delicatessens, coffee shops, and small restaurants. There are also two mixed commercial/residential buildings to the south of the Project Area at 8 and 10 Lombardy Street. The two entirely commercial lots in the secondary study area are located at the intersection of Kingsland and Meeker Avenues, and are occupied by a single, one-story restaurant.

Low-rise industrial facilities and warehouses with high lot coverage are the predominant land uses to the south and east of the Project Area. The majority of industrial buildings in the secondary study area contain warehousing and distribution facilities for construction materials, food and beverage wholesalers, and auto parts shops. This also includes an autobody shop located at 48 Beadel Street, which is classified as industrial according to PLUTO data. There are additionally three lots categorized as "All Others or No Data" according to PLUTO data, all of which appear to be utilized for industrial purposes. Two of the lots are located to the east of the Project Area at 30 Anthony Street and 509 Vandervoort Avenue, with the remaining lot to the south of the Project Area at 10 Beadel Street.

There are several transportation-related lots in the secondary study area. Four lots in the secondary study area are occupied by parking facilities, characterized by surface lots for private vehicle storage. The remaining transportation-related lot in the secondary study area is a BP gas station directly across from the Project Area at 546 Morgan Avenue. There is only one lot designated as open space in the secondary study area, a small 388-sf pedestrian plaza named Fidelity Triangle, which is located at 601 Meeker Avenue to the northwest of the Project Area. Finally, there are five vacant lots in the secondary study area.

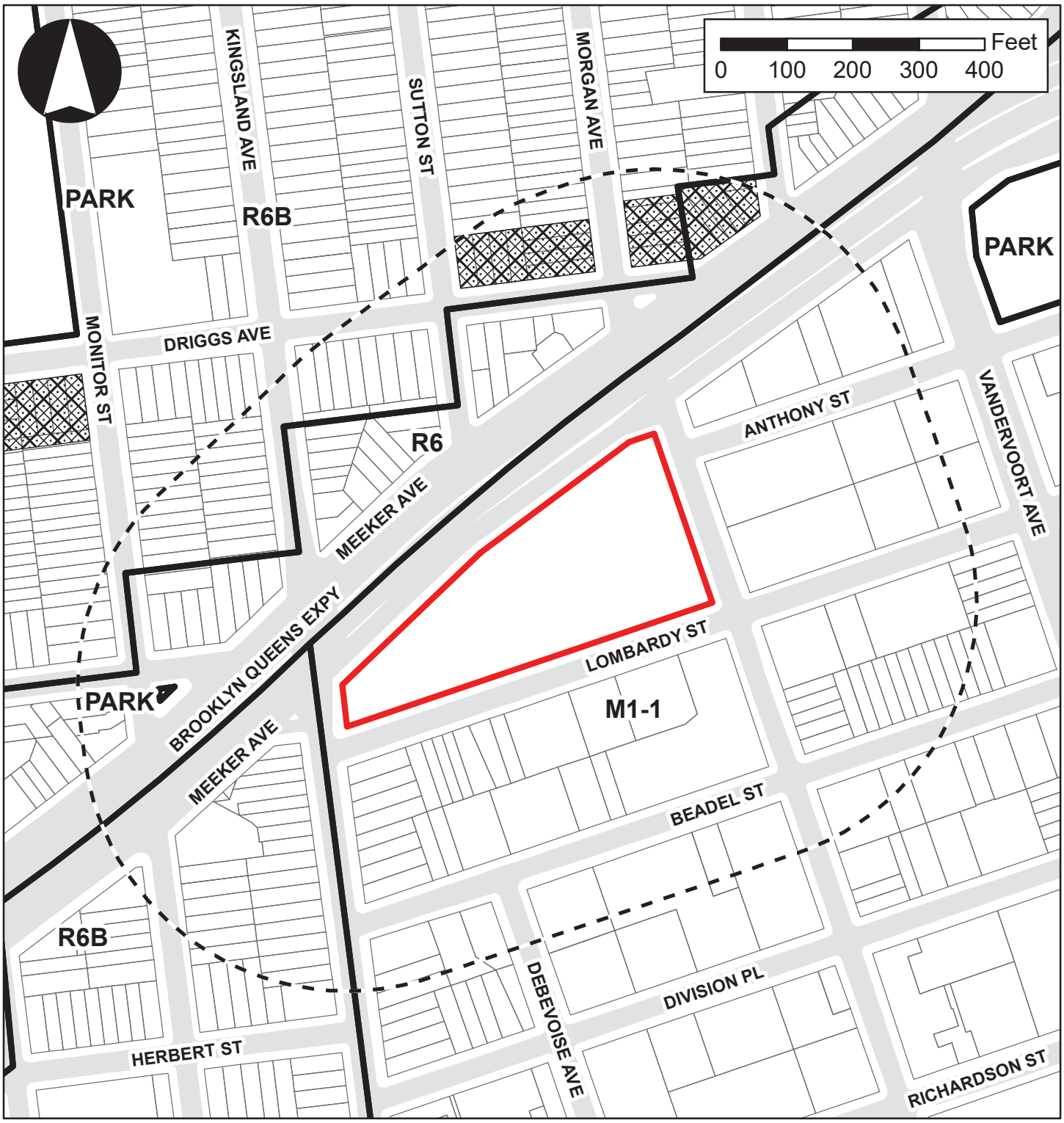
Zoning

Primary Study Area

As shown in **Figure C-3**, the primary study area is zoned M1-1. The maximum allowable floor area ratio (FAR) in M1-1 districts is 2.4 for community facility uses and 1.0 for manufacturing and commercial uses. The Project Area currently has a built FAR of approximately 0.43.

Secondary Study Area

Zoning classifications within the secondary study area are shown in **Table C-1**, and consist of residential districts and a commercial overlay, as well as an M1-1 manufacturing district. The M1-1 district that encompasses the Project Area extends to the east and south, and is generally bounded by Meeker Avenue to the north and Kingsland Avenue to the west. Other zoning designations in the secondary study area include R6, which is mapped along Meeker Avenue, R6B, which is mapped to the northwest and southwest of the Project Area, and a C2-4 commercial overlay, which is mapped to the north of the Project Area along Meeker Avenue and Driggs Avenue. **Figure C-3** shows the existing zoning districts in the secondary study area.



Legend

- Project Area
- 400-Foot Radius
- M1-1 Zoning District
- C2-4 Commercial Overlay

TABLE C-1: Existing Zoning Districts within the Secondary Study Area

Name	Definition/General Use	Maximum FAR
Residential Districts		
R6	R6 districts are widely mapped in built-up, medium-density areas. Developers can choose between standard and Height Factor bulk regulations.	R: 2.2-3.0 (Standard); 0.78-2.43 (HF)[1]; 3.90 (UAP/MIH)[2]; C: Not permitted; CF: 4.8; M: Not permitted
R6B	R6B districts are contextual residential districts and are often traditional rowhouse districts. The base height must be between 30 and 40 feet, and a maximum building height after setback is 50 feet.	R: 2.0/2.4 (UAP)[2] CF: 2.0 C: Not permitted; M: Not permitted
Commercial Districts		
C2-4 Overlay	C2 commercial overlays are mapped within residential districts along streets that serve local retail needs. In mixed-use buildings, commercial uses are limited to one or two floors, and except for some cases, must be situated below residential floors.[3] C2 commercial overlay districts permit a slightly wider range of uses than C1 districts.	R & CF: Same as underlying R strict; C: 1.0 within R1-R5 districts & 2.0 within R6-R10 districts; M: Not permitted
Manufacturing Districts		
M1-1	M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards. Office and most retail uses are also permitted. Hotels permitted by special permit only. Certain community facility uses are allowed by special permit, but houses of worship are allowed as-of-right.	R: Not permitted; C: 1.0; CF: 2.4; M: 1.0

Source: Zoning Resolution of the City of New York
Notes: R=Residential; C=Commercial; CF=Community Facility; M=Manufacturing; HF: Height Factor; MIH: Mandatory Inclusionary Housing
[1]Maximum residential FAR for "height factor" residential zoning districts such as R6, R7-1, and R7-3 vary depending on the number of stories and the open space ratio, i.e., lot coverage
[2] UAP increases maximum FAR in residential districts for developments so long as the added floor area is utilized for affordable housing.

Public Policy

According to the *CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to substantially affect land use regulation or policy controlling land use, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, which pertain to the study area. If a proposed project could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

The primary and secondary study areas are located within the Food Retail Expansion to Support Health Program (FRESH) zoning and discretionary tax incentive area. Portions of the secondary study area are located within the North Brooklyn Industrial Business Zone (IBZ), although the Project Area does not fall within the IBZ. Although portions of the secondary study area are located within New York City's designated Coastal Zone Boundary (CZB), the Project Area is not within the CZB and therefore the Proposed Action is not subject to review of consistency with the City's Waterfront Revitalization Program (WRP). The study areas are not part of, or subject to, an Urban Renewal Plan, adopted community 197-a Plan, or Business Improvement District (BID). The Proposed Action also does not include a largely publicly sponsored project, and as such, consistency with the City's OneNYC for sustainability is not warranted.

Food Retail Expansion to Support Health Program (FRESH)

The Food Retail Expansion to Support Health Program (FRESH) was developed in response to a citywide study, *Going to Market*, conducted by the Department of City Planning in 2008, which highlighted the widespread shortage of neighborhood grocery stores providing fresh food options in several communities of New York City. The FRESH Program offers zoning incentives and financial benefits in these underserved communities. Its goal is to encourage the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables, and other perishable goods in addition to a full range of grocery products. The program offers a set of zoning incentives that provide additional floor area in mixed buildings, reduce the amount of required parking for food stores and permit larger grocery stores as-of-right in light manufacturing districts. The financial benefits, administered by the NYC Industrial Development Agency, exempt or reduce certain taxes for qualifying FRESH food stores.

In 2021, the City modified and expanded the FRESH program (Z 210380 ZRY) into ten additional neighborhoods in the Bronx, Brooklyn, Queens, and Staten Island, as well as introduced a mechanism to prevent saturation of FRESH supermarkets, include a modification to the glazing requirement for conversions, changes to parking regulations, as well as zoning text clarifications.

Brooklyn CD 1 is a FRESH food store designated area. The Project Area therefore qualifies for the above-referenced zoning and financial incentives to provide a FRESH food store. To utilize the incentives related to the FRESH program, an applicant must demonstrate that the primary business of the commercial use is associated with the FRESH program, and the store must provide at least 6,000 sf toward the use. In addition, a percentage of the ground floor street wall must be glazed and transparent.

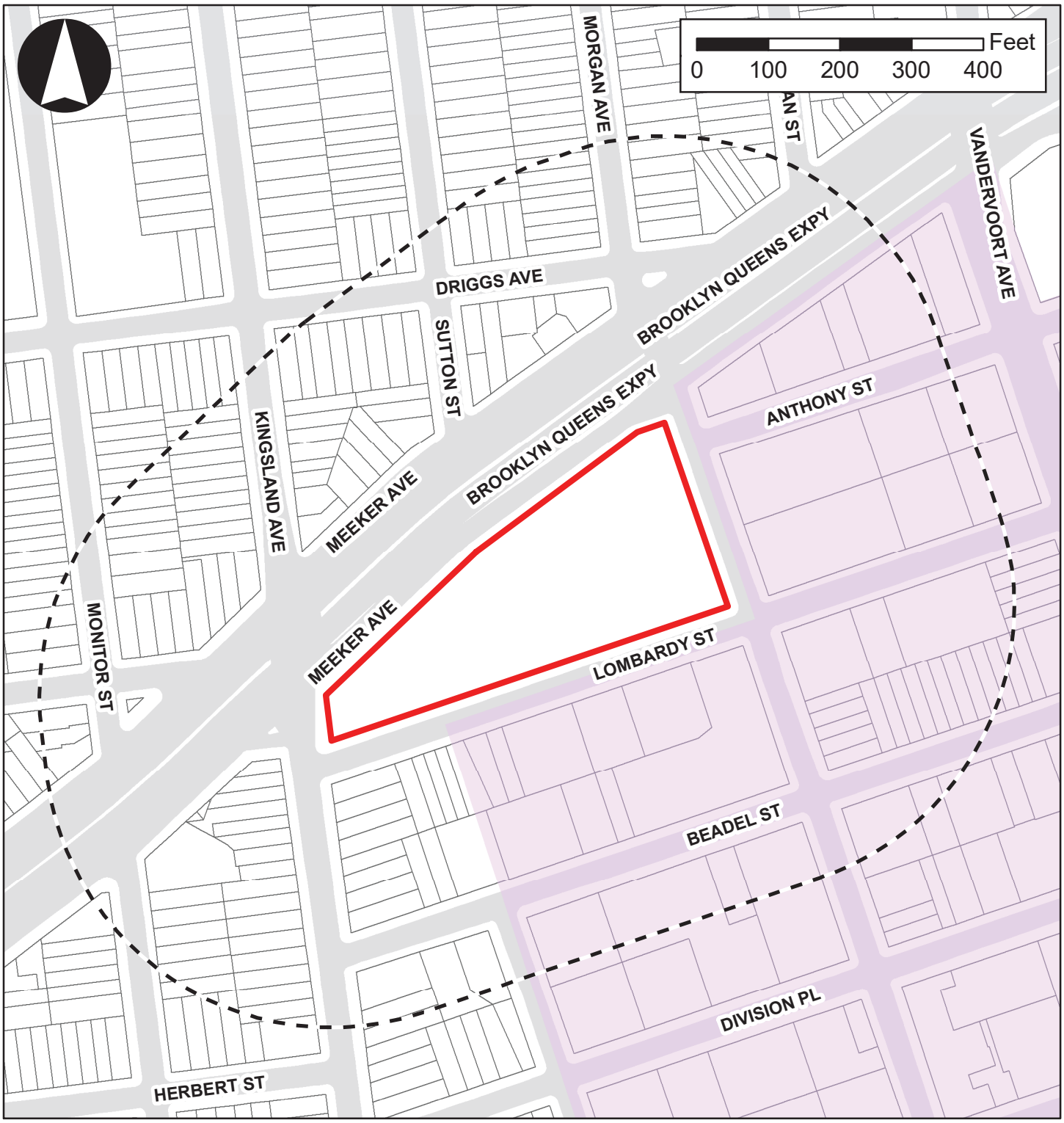
North Brooklyn Industrial Business Zone (IBZ)

As shown in **Figure C-4**, portions of the secondary study area south and east of the Project Area are located within the North Brooklyn IBZ. The third largest IBZ in the city by employment, the North Brooklyn IBZ covers 164 blocks (or portions thereof) in the East Williamsburg, Greenpoint, and Bushwick neighborhoods, and is generally bounded by Newtown Creek to the east and north, Flushing Avenue to the south, and the more residential areas of Greenpoint and Williamsburg to the west. In 2006, the Mayor's Office for Industrial and Manufacturing Businesses ratified the establishment of 16 IBZs in which the City provides expanded assistance services to industrial firms in partnership with local development groups. Since 2006, additional IBZs have been established and the boundaries of select IBZs have been modified. There are currently 21 IBZs throughout New York City. Usually built upon pre-existing In-Place Industrial Parks, IBZs offer various incentives to prevent industrial uses from relocating outside of the City and represent a commitment by the City not to rezone these areas for residential uses.

Planning studies are performed to determine changes that can be made to improve business efficiency within the City's IBZs. These changes can include traffic and parking monitoring, the clustering of similar businesses, and IBZ-specific marketing. Higher regulation and steeper penalties for illegal conversions, as well as a guarantee not to rezone to residential districts, help to alleviate real estate uncertainty. Tax incentives also encourage new industrial users to move to these areas of the City.

Within an IBZ, Industrial Business Solutions Providers offer industrial firms guidance on accessing appropriate financial and business assistance programs, navigating and complying with regulatory requirements, developing workforces, and ensuring the neighborhood is well-maintained.

Figure C-4
North Brooklyn Industrial Business Zone (IBZ)



Legend

- Project Area (Primary Study Area)
- 400-Foot Radius (Secondary Study Area)
- North Brooklyn IBZ

IV. THE FUTURE WITHOUT THE PROPOSED ACTION (NO-ACTION CONDITION)

Land Use and Zoning

Primary Study Area

As presented in **Attachment A, "Project Description,"** In the 2027 future without the Proposed Action (the "No-Action condition"), it is anticipated that no development would occur within the Project Area, and that the existing businesses would remain.

Secondary Study Area

There are no new developments anticipated within the secondary study area by the anticipated build year of 2027. Additionally, in the 2027 future without the Proposed Action, no changes to zoning are expected to occur in the secondary study area.

Public Policy

In the absence of the Proposed Action, no changes in public policy are anticipated that would affect conditions in the primary or secondary study areas.

V. THE FUTURE WITH THE PROPOSED ACTION (WITH-ACTION CONDITION)

In the future with the Proposed Action (With-Action condition), the proposed zoning map amendment would be approved. As such, a C7-1 zoning district would be mapped on the Project Area, replacing the existing M1-1 zoning. The Proposed Action would facilitate the replacement of an existing retail tenant with a supermarket within a 20,265 gsf portion of the 39,726 sf commercial building on the eastern end of the site. The other retail and fast food restaurant businesses occupying the remainder of the Project Area are expected to remain. Although there are proposed landscaping and infrastructure improvements to the parking lot as part of the Proposed Development, it is expected that the 110-space parking lot would remain as currently configured. It is assumed that no additional development would occur in the Project Area in the With-Action scenario.

Land Use

Primary Study Area

The Proposed Action would result in changes to land use within the primary study area by introducing a supermarket use at a size not permitted under existing zoning. As described in **Attachment A, "Project Description,"** approval of the Proposed Action would allow for food stores above 10,000 sf which are not permitted as-of-right pursuant to the existing M1-1 zoning. In the future with the Proposed Action, manufacturing uses would no longer be permitted within the Project Area. As outlined in more detail in **Attachment A, "Project Description,"** it is assumed that no additional development would occur as a result of the Proposed Action due to existing leases and parking constraints. Therefore, compared to No-Action conditions, the Proposed Action under the RWCDS would result in the replacement of an existing retail tenant with a supermarket within a 20,265 gsf portion of the 39,726 sf commercial building on the eastern end of the site, with no additional development expected in the future with the Proposed Action.

The other retail and fast food restaurant businesses occupying the remainder of the Project Area are expected to remain. The parking lot would be improved with landscaping, bicycle parking, and street trees as part of the Proposed Development, although the number of spaces would remain at 110, same as under existing conditions.

Secondary Study Area

No additional changes to land use are anticipated in the secondary study area as a result of the Proposed Action. The Proposed Action is site-specific and is not expected to alter development trends or patterns in the secondary study area.

Assessment

The Proposed Action would facilitate a change in land use on one lot (the Project Area), allowing the replacement of an existing retail business (a Staples) with a new supermarket in a 20,265-gsf portion of the East Retail Building. A zoning map amendment from M1-1 to C7-1 would be appropriate for this area, as the Project Area is already developed with a retail complex located along a corridor with a limited access freeway. The proposed C7-1 zoning district would continue to support the existing retail uses on the site, while expanding the range of permitted service uses. This would enable the Applicant to add a food store, which is not currently permitted as-of-right beyond 10,000 sf, a maximum too limited in size to support a viable grocery store for adjacent residential communities that continue to increase in population. The addition of a supermarket would provide greater access to fresh and affordable food to the predominantly residential areas to the north and west of the Project Area. Given the residential area that surrounds the Project Area, it is appropriate for increased density in service uses, as well as a reduced parking requirement, and the replacement of a big box store with a supermarket would additionally activate an underperforming and underutilized site. Therefore, the With-Action condition is in line with existing land uses in the primary and secondary study areas, and no significant adverse impacts to land use are anticipated.

Zoning

Primary Study Area

In the future with the Proposed Action, the Project Area would be rezoned from M1-1 to C7-1. C7-1 districts are general service commercial zoning districts introduced to the Zoning Resolution as part of City of Yes for Economic Development, which was adopted on June 6, 2024. C7-1 districts allow for a maximum commercial and community facility FAR of 2.0, with residential and manufacturing uses not permitted. Within the Greater Transit Zone, no parking is required for C7-1 districts.

Secondary Study Area

The Proposed Action would only affect the primary study area, and no changes in zoning would occur in the secondary study area as a result of the Proposed Action.

Assessment

The Proposed Action would not result in a significant adverse impact to zoning in the primary or secondary study areas. The proposed zoning map amendment would align with the City's policy objective to increase access to affordable, healthy food for all New Yorkers, given the Project Area's proximity to residential

areas to the north and west and its accessibility to both transit and the BQE. In addition, the proposed zoning change would be consistent with the Project Area's existing use as an auto-oriented retail center along a highway corridor, as well as its proximity to manufacturing districts to the south and east.

Although the Proposed Action would increase the allowable FARs for commercial uses and expand the mix of allowable uses, redevelopment of the site to maximize allowable FAR according to the proposed C7-1 zoning district is infeasible due to the long-term leases of the current tenants, the impracticability of tenant-in-place enlargement of the existing building, and the expected increase in parking demand due to the change in use group. Therefore, the With-Action condition is limited to the replacement of an existing retail tenant with a supermarket, and no other changes to the site are expected as a result of the Proposed Action.

Public Policy

Assessment

The Proposed Action would be consistent with all applicable public policies in both the primary and secondary study areas, and no significant adverse impact to public policy would occur as a result of the Proposed Action.

FRESH Program

The Proposed Action would facilitate the creation of a new supermarket in an existing retail establishment. Although the Applicant is not seeking discretionary FRESH tax and/or zoning incentives, the Proposed Action would be compatible with and support this public policy.

North Brooklyn IBZ

As discussed above, the North Brooklyn IBZ encompasses much of the secondary study area, although the Project Area itself is not within its boundaries. Regardless, the Proposed Development would not conflict with the goals of the IBZ.

ATTACHMENT D
DISADVANTAGED COMMUNITIES ASSESSMENT

I. INTRODUCTION

Effective December 30, 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that environmental review documentation includes a statement of the effects of the Proposed Actions on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden. The 2021 *CEQR Technical Manual* does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed draft State Environmental Quality Review Act (SEQRA) Amendments to implement this new statutory provision. This assessment of the effects on disadvantaged communities considers the impacts identified using *CEQR Technical Manual* guidance.

As discussed in **Attachment A, "Project Description,"** the Proposed Action involves a zoning map change that would affect a single tax block consisting of one tax lot (Brooklyn Block 2817, Lot 1, a.k.a. the "Project Area") in the East Williamsburg neighborhood of Brooklyn Community District (CD) 1. The Proposed Action would enable a new supermarket greater than 10,000 sf in an existing retail development (the "Proposed Development"). This change in use would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building (the "East Retail Building"). The new supermarket would occupy an approximately 20,265-gsf portion of the East Retail Building. The remainder of the retail building would continue to contain a mix of retailers. No new construction or expansion of the existing one-story building is proposed; the Proposed Action would only allow a portion of an existing building to be re-tenanted by a supermarket use greater than 10,000 gsf, which is not currently permitted as-of-right in the existing M1-1 zoning district.

II. IDENTIFICATION OF DISADVANTAGED COMMUNITIES

Disadvantaged communities (DAC) in New York State were identified based on criteria adopted in 2023 by the Climate Justice Working Group (CJWG), a group composed of representatives from State Agencies and Environmental Justice groups across the State. The CJWG used 45 indicators to identify 35 percent of census tracts within New York State as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerabilities that can contribute to more severe adverse effects of climate change. Each census tract was scored based on relative burden, risk, vulnerability, or sensitivity. Specifically, the percentile ranks of the indicators for each census tract were combined to produce a value measuring a census tract's relative level of "Environmental Burdens and Climate Change Risks" as well as "Population Characteristics and Health Vulnerabilities" relative to other census tracts. Census tracts with higher scores relative to other census tracts statewide or to their region (i.e., New York City) were identified as DACs.

NYSDEC's Disadvantaged Community Assessment Tool (DACAT) compares three scores (Combined Score, Burden Component Score, and Vulnerability Component Score) for each census tract. It also displays the percent difference between the three scores and the statewide mean or median for each. The DACAT compares the three scores with the identified aggregate denominators. If the Combined Score is 25 percent higher than its aggregate denominator, and one or both the Burden and Vulnerability Component

Scores are 35 percent higher than their aggregate denominators, then DACAT highlights the census tract as having comparatively higher existing burdens or vulnerabilities. This indicates an increased likelihood that a proposed action may have a moderate or large impact on the disadvantaged community. If the conditions above are not met, then the DACAT highlights the census tract as having comparatively lower existing burdens or vulnerabilities, and therefore a decreased likelihood that a proposed action may have a moderate or large impact on the DAC.

III. ASSESSMENT

As shown in **Figure D-1**, the Project Area is located within a census tract (Brooklyn Tract 449.01) that is identified as a DAC with higher burdens and vulnerabilities.[1] Per DACAT, this DAC has a combined component score of 128.01. As shown in **Figure D-1**, there are two additional DACs, or portions thereof, identified as having comparatively higher burdens and vulnerabilities (Census Tract 449.02 and 199.02) and six additional DACs identified as having comparatively lower burdens and vulnerabilities (Census Tracts 481, 501, 573, 593, 589.01, and 589.02) located within the 0.5-mile study area.

Census Tract 449.01 is identified as having "higher" burdens and vulnerabilities, with a high burden component score in the 99th percentile, indicating that the Environmental Burdens and Climate Change Risks for this census tract are higher than other tracts state- and/or City-wide. The indicators used to determine this include:

Environmental Burdens and Climate Change Risk:

Land Use and Facilities Associated with Historical Discrimination or Disinvestment. Proximity to remediation sites; proximity to regulated management plan sites; proximity to major oil storage facilities; proximity to power generation facilities; proximity to active landfills; proximity to scrap metal processors; industrial/ manufacturing/mining land use; and housing vacancy rate.

Potential Climate Change Risks. Extreme heat projections; flooding in coastal and tidally influenced areas (projected); flooding in inland areas (projected); low vegetative cover; agricultural land; and driving time to hospitals or urgent/critical care.

Potential Pollution Exposures. Vehicle traffic density; diesel truck and bus traffic; particulate matter ($PM_{2.5}$); benzene concentration; and wastewater discharge.

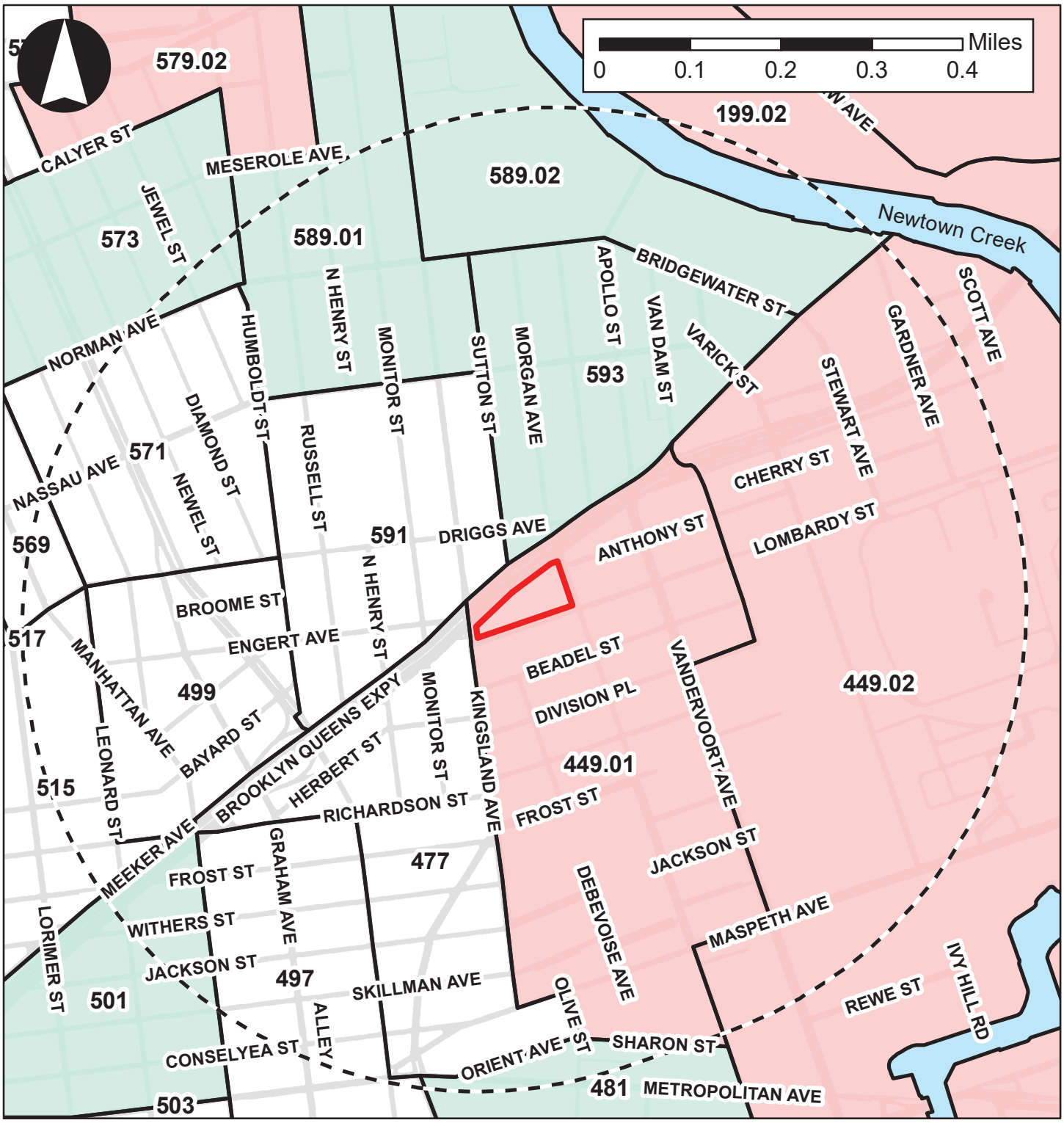
Population Characteristics and Health Vulnerability

Income. Percent <80% area median income; percent <100% of federal poverty line; percent without bachelor's degree; unemployment rate; and percent single-parent households.

*Race and Ethnicity***.** Percent Latino/a or Hispanic; percent Black or African American; percent Asian; percent Native American or Indigenous; limited English proficiency; historical redlining score.

Health Outcomes and Sensitivities. Asthma emergency department visits; COPD emergency department visits; heart attack (MI) hospitalization; premature deaths;

[1] In the NYSDEC Disadvantaged Community Assessment Tool, Census Tracts 449.01 and 449.02 are presented as Census Tract 449, in accordance with 2010 census data. This assessment uses the updated census tract boundaries in 2020 census data.



Legend

- Project Area
- 1/2-Mile Radius
- 449.01 Census Tract
- DAC with higher burdens and vulnerabilities
- DAC with lower burdens and vulnerabilities

low birthweight; percent without health insurance; percent with disabilities; percent of adults age 65+.

Housing Mobility and Communications. Percent renter-occupied homes; housing cost burden (rental costs); energy poverty / cost burden; manufactured homes; homes built before 1960; percent without internet.

For Environmental Burdens and Climate Change Risk, Census Tract 449.01 has high scores (90th percentile or higher) for three land use and facilities indicators: proximity to remediation sites, proximity to scrap metal processors, and industrial/manufacturing use; and for two potential pollution exposure indicators: diesel truck and bus traffic and wastewater discharge. For Population Characteristics and Health Vulnerability, Census Tract 449.01 has high scores (90th percentile or higher) for three income indicators: percent <100% of federal poverty line, unemployment rate, and percent single-parent households; two race and ethnicity indicators: percent Latino/a or Hispanic and historical redlining score; and one housing mobility and communications indicator: percent renter occupied homes.

While this DAC has elevated burdens and vulnerabilities, the Proposed Action would not result in significant adverse impacts to land use, zoning, and public policy, which is the only technical area analyzed in the EAS, nor any technical areas analyzed in the supplemental screening, which are described in more detail below.

As described in the Hazardous Materials section of **Attachment B, "Supplemental Screening,"** the Proposed Development involves only interior renovations to the existing commercial building within the Project Area, and would not require any new in-ground disturbance. Second, the Proposed Development would not involve renovation of interior space on a site with the potential for compromised air quality (i.e. through vapor intrusion or the presence asbestos, PCBs, mercury, lead-based paint) given the existing retail uses within the Project Area are unlikely to cause or experience compromised air quality conditions, and given that the East Retail Building was constructed in 1999, after use of asbestos, PCBs, mercury, and lead-based paint in construction was prohibited by Federal laws. Moreover, all interior renovation activities will be undertaken in accordance with all applicable City, State, and Federal regulations. Lastly, the re-tenanting of a portion of an existing commercial building by a supermarket would not introduce any new activities or processes using hazardous materials. Therefore, given that the Proposed Development involves only interior renovations which do not require in-ground disturbance, and interior renovations would occur in an existing commercial building that is unlikely to contain hazardous materials, exposure to hazardous materials would not occur as a result of the Proposed Action. As such, the Proposed Action would not cause or increase a disproportionate hazardous materials pollution burden on a DAC.

As also discussed in the noise section of **Attachment B, "Supplemental Screening,"** the Proposed Development would not result in significant adverse impacts related to transportation (traffic, transit, pedestrians), given that no intersection or element surrounding the Project Area would experience 50 or more trips as a result of the Proposed Development. Air and noise emissions associated with traffic may have the potential to create a burden on a DAC, but traffic itself does not constitute pollution. As such, the Proposed Action would not cause or increase a disproportionate pollution burden on a DAC related to transportation.

Attachment B, "Supplemental Screening" also concludes that the Proposed Development would not result in significant adverse impacts related to noise. Although the Proposed Development would introduce new vehicle trips warranting a detailed noise analysis, no sensitive noise receptors would be

introduced by the Proposed Development as retail uses are not considered sensitive according to *CEQR Technical Manual* Methodology. Additionally, it is unlikely that vehicle trips introduced by the Proposed Development would have a noticeable effect on noise levels in the surrounding area, given that the Project Area is adjacent to the elevated Brooklyn Queens Expressway (BQE), which creates a high level of ambient noise in the vicinity of the Project Area. As such, the Proposed Action would not cause or increase a disproportionate noise pollution burden on a DAC.

As concluded from the **EAS Form**, the Proposed Action would result in incremental increases in water demand and solid waste generation lower than the thresholds that would require a detailed assessment of these technical areas per *CEQR Technical Manual* guidance. As also discussed in the **EAS Form**, the Proposed Action would not result in any conditions outlined in the CEQR Technical Manual warranting further air quality analysis. Therefore, no such combination of moderate impacts or significant adverse impacts would cause or increase a disproportionate pollution burden on a DAC.

As such, the Proposed Action would not cause a disproportionate impact on DACs with respect to any of these technical areas, including cumulative effects from multiple technical areas. On the contrary, the Proposed Action will benefit the surrounding area by replacing an underperforming retail store with an approximately 20,000-sf discount supermarket, the first in the neighborhood.

As the *CEQR Technical Manual* has not been updated to include guidance for an assessment of Effects of Disadvantaged Communities, the SEQRA Environmental Assessment Form (EAF) has been consulted for guidance for this analysis. The EAF Full Form identifies direct or indirect impacts that may affect a DAC, including new noise sources or expansions/modifications of existing noise sources (i.e., noise from operational sources or construction activities); emissions of air pollutants including mobile emissions; wastewater discharges; generation of odors; light pollution; new or modified radiation sources; or new or modified sources of solid waste generation, management, or disposal. The Proposed Action would not result in significant adverse impacts in any of these technical areas, nor would it cause a combination of moderate effects which together may result in a pollution impact in the Project Area or in the surrounding study area. Additionally, the Proposed Action would not require any State agency approvals or any DEC Permits.

Based on the foregoing assessment, the Proposed Action would not disproportionately affect disadvantaged communities, nor would it cause or increase a disproportionate pollution burden.

APPENDIX I:
TRANSPORTATION PLANNING FACTORS AND TRAVEL DEMAND FORECAST MEMORANDUM

Philip Habib & Associates
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TECHNICAL MEMORANDUM

TO: **NYCDCP**

FROM: **Philip Habib & Associates**

DATE: **January 6, 2024**

PROJECT: **535 Morgan Avenue Rezoning EAS (PHA No. 2418)**

RE: **Transportation Planning Factors and Travel Demand Forecast**

This memorandum summarizes the transportation planning factors to be used for the assessment of traffic, parking, transit, and pedestrian conditions for the 535 Morgan Avenue Rezoning. Estimates of the peak travel demand for the Proposed Actions' reasonable worst-case development scenario (RWCDS) are provided in the below sections.

THE PROPOSED ACTIONS

The Applicant, Me & Morgan LLC/Hemmer 2, seeks approval for the following discretionary action (the "Proposed Action") to facilitate development of a new one-story retail establishment (the "Proposed Development") at 535 Morgan Avenue (Brooklyn Block 2817, Lot 1; the "Proposed Development Site") (**Figure 1**) in the East Williamsburg neighborhood of Brooklyn Community District (CD) 1:

(1) a zoning map amendment to rezone the Proposed Rezoning Area (Brooklyn Block 2817, Lot 1) from a M1-1 district to a C7-1 district.

The Proposed Action, which is a discretionary public action that is subject to both the Uniform Land Use Review Procedure (ULURP) and City Environmental Quality Review (CEQR), would enable a new supermarket greater than 10,000 sf in an existing retail development (the "Proposed Development") . This change would occur on the eastern end of the zoning lot, where existing retail establishments are already located in a one-story, 39,726-gsf building. The new establishment would be a supermarket that consists of an approximately 20,265-gsf portion of the Development Site, which is not currently permitted as-of-right in the M1-1 zoning district.

DEVELOPMENT SCENARIOS

In order to assess the potential effects of the Proposed Actions, a RWCDS for both "future without the Proposed Actions" (No-Action) and "future with the Proposed Actions" (With-Action) conditions are analyzed for an analysis year of 2027.

Future without the Proposed Actions (No-Action Condition)

In the future without the Proposed Actions (the No-Action condition), no new development or changes to the Proposed Rezoning Area are assumed as the Project Site's existing M1-1 zoning would remain.

Future with the Proposed Actions (With-Action Condition)

In the future with the Proposed Action (With-Action condition), the proposed zoning map amendment would be approved. As such, a C7-1 zoning district would be mapped on the Project Area, replacing the existing M1-1 zoning.

As described above, in the future with the Proposed Action, the Applicant would replace an existing retail tenant with a supermarket within a 20,265 gsf portion of the 39,726 gsf commercial building on the eastern end of the site. The other retail and restaurant businesses occupying the remaining 22,623 gsf of commercial floor area are expected to remain. Although there are proposed landscaping and infrastructure improvements to the parking lot as part of the Proposed Project, it is expected that the 110-space parking lot would remain as currently configured. It is assumed that no additional development would occur in the Project Area in the With-Action scenario.

RWCDS Increment

As shown in **Table 1**, for the purposes of transportation forecasting, compared to the No-Action condition, the Proposed Actions would result in a net incremental increase of 20,265 gsf of supermarket use and a net incremental decrease of 20,265 gsf of destination retail use.

TABLE 1: 2027 Comparison of No-Action and With-Action Development Scenarios

Land Use	No-Action	RWCDS With-Action	Increment
Supermarket (gsf)	-	20,265 gsf	20,265 gsf
Destination Retail	40,000 gsf	19,735 gsf	-20,265 gsf
Restaurant	3,162 gsf	3,162 gsf	-
Parking Spaces	110 spaces	110 spaces	-

TRANSPORTATION PLANNING FACTORS

The trip generation rates, temporal and directional distributions, modal splits, vehicle occupancies and truck trip factors used to forecast travel demand for the RWCDS's uses are summarized in **Table 2**. They were based on factors cited in the 2021 *City Environmental Quality Review (CEQR) Technical Manual,* factors developed from *Gowanus Neighborhood Rezoning FEIS* (2021), and factors provided by the New York City Department of Transportation (NYCDOT). Factors are shown for the weekday AM and PM peak hours (typical peak periods for commuter travel demand) and the weekday midday and Saturday peak hours (typical peak periods for retail demand).

Supermarket

Person trip generation rates, temporal distributions, and in/out splits for supermarket use were based on data from the 2021 *CEQR Technical Manual*. A weekday trip generation rate of 256 person trips per 1,000 sf and a Saturday trip generation rate of 300 person trips per 1,000 sf were utilized to forecast supermarket demand. Temporal distributions of 4.0 percent, 7.0 percent, 10.6 percent, and 9.5 percent were also utilized for the weekday AM, midday, PM, and Saturday peak hours, respectively. Modal splits were based on data provided by NYCDOT. The modal splits used to forecast supermarket demand during the weekday periods were 25.0 percent, 5.0 percent, 5.0 percent, 6.0 percent, and 59.0 percent for autos, taxi, subway, bus, and walk /other, respectively. The modal splits used to forecast supermarket demand during Saturday were 25.0 percent, 5.0 percent, 2.0 percent, 6.0 percent, and 62.0 percent for autos, taxi, subway, bus, and walk /other, respectively. Vehicle occupancy and truck trip factors were based on factors cited in the *Gowanus Neighborhood Rezoning FEIS* (2021). An auto occupancy and taxi vehicle occupancy of 1.58 was utilized during the weekday and 1.90 during Saturday. Vehicle occupancy and truck trip factors were based on factors cited in the *Gowanus Neighborhood Rezoning FEIS* (2021).

Destination Retail

Person trip generation rates, temporal distributions, and in/out splits for destination retail were based on data from the 2021 *CEQR Technical Manual*. A weekday trip generation rate of 78.2 person trips per 1,000 sf and a Saturday trip generation rate of 92.5 person trips per 1,000 sf were utilized to forecast destination retail demand. Temporal distributions of 3.0 percent, 9.0 percent, 9.0 percent, and 11.0 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were also utilized. Mode splits, vehicle occupancies, and truck trip factors were based on factors cited in the *Gowanus Neighborhood Rezoning FEIS*. The weekday modal splits used to forecast destination retail demand were 59.0 percent, 3.0 percent, 18.0 percent, 15.0 percent, and 5.0 percent for autos, taxi, subway, bus, and walk /other, respectively. The Saturday modal splits used to forecast destination retail demand were 59.0 percent, 5.0 percent, 18.0 percent, 13.0 percent, and 5.0 percent for autos, taxi, subway, bus, and walk /other, respectively. An auto and taxi vehicle occupancy of 2.00 was utilized during the weekday. An auto vehicle occupancy of 2.70 and a taxi vehicle occupancy of 2.80 were utilized during Saturday.

TABLE 2: Transportation Planning Factors

Land Use:	**Supermarket**		**Destination Retail**	
Trip Generation:	(1)		(1)	
Weekday	256		78.2	
Saturday	300		92.5	
	per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(1)		(1)	
AM	4.0%		3.0%	
MD	7.0%		9.0%	
PM	10.6%		9.0%	
SAT	9.5%		11.0%	
	(3)		(2)	
Modal Splits:	Weekday	SAT	Weekday	SAT
Auto	25.0%	25.0%	59.0%	59.0%
Taxi	5.0%	5.0%	3.0%	5.0%
Subway	5.0%	2.0%	18.0%	18.0%
Bus	6.0%	6.0%	15.0%	13.0%
Walk/Other	59.0%	62.0%	5.0%	5.0%
	100.0%	100.0%	100.0%	100.0%
	(1)		(1)	
In/Out Splits:	In	Out	In	Out
AM	51%	49%	63%	37%
MD	51%	49%	53%	47%
PM	50%	50%	49%	51%
SAT	49%	51%	52%	48%
Vehicle Occupancy:	(2)		(2)	
	Weekday	SAT	Weekday	SAT
Auto	1.58	1.90	2.00	2.70
Taxi	1.58	1.90	2.00	2.80
Truck Trip Generation:	(2)		(2)	
	Weekday	SAT	Weekday	SAT
	0.35	0.04	0.35	0.02
	per 1,000 sf		per 1,000 sf	
Temporal Distribution:	(2)		(2)	
AM	8.0%		7.7%	
MD	11.0%		11.0%	
PM	2.0%		1.0%	
SAT	11.0%		11.0%	
In/Out Splits:	In	Out	In	Out
All Periods	50.0%	50.0%	50.0%	50.0%

Notes:

(1) 2021 *City Environmental Quality Review (CEQR) Technical Manual*

(2) Based on data from the *Gowanus Neighborhood Rezoning FEIS* (2021).

(3) Based on data provided by NYCDOT.

TRIP GENERATION

The net incremental change in person and vehicle trips expected to result from the Proposed Actions by the 2027 analysis year was derived based on the net change in land uses shown in **Table 1** and the transportation planning factors shown in **Table 2. Table 3** shows estimate of the net incremental change in peak hour person trips and vehicle trips at the Proposed Development Site, which would occur in 2027 under the Proposed Action. As shown in **Table 3**, compared to the No-Action condition, the Proposed Actions would generate a net increase of approximately 26, 34, 77, and 76 vehicle trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. The Proposed Action would also generate a net increase of approximately three subway trips in the weekday AM and PM peak hours and a net decrease of nine and 26 subway trips in the weekday midday and Saturday peak hours. Bus demand would increase by approximately six, one, 10, and eight trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. Walk-only trips are expected to have a net increase of approximately 120, 208, 316, and 347 during the weekday AM, midday, PM, and Saturday midday peak hours, respectively. Additionally, the Proposed Actions' RWCDS would generate an incremental increase of approximately 129, 200, 329, and 329 total pedestrian trips (including walk-only, subway, and bus person trips) in the weekday AM, midday, PM, and Saturday midday peak hours, respectively.

LEVEL 1 SCREENING ASSESSMENT

The *CEQR Technical Manual* describes a two-level screening procedure for the preparation of a "preliminary analysis" to determine if quantified operational analyses of transportation conditions are warranted. As discussed in the following sections, the preliminary analysis begins with a trip generation (Level 1) analysis to estimate the numbers of person and vehicle trips attributable to the Proposed Actions. According to the *CEQR Technical Manual*, if the Proposed Actions are expected to result in fewer than 50 vehicle or ferry trips in each peak hour and fewer than 200 peak hour transit or pedestrian trips, further quantified analyses are not warranted. When these thresholds are exceeded, detailed trip assignments (a Level 2 assessment) are to be performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. If the trip assignments show that the Proposed Actions would generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route, 25 or more peak hour trips by Citywide Ferry Service ("CWFS") in a single direction on a single route, 50 or more at a ferry landing, or 200 or more peak hour pedestrian trips traversing a sidewalk, corner area or crosswalk, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic, transit, ferry, pedestrians, vehicular and pedestrian safety, and parking.

TABLE 3: Travel Demand Forecast

Land Use:	Supermarket		Destination Retail		Total *(Net Increment WA - NA)*	
Size/Units:	20,265 gsf		-20,265 gsf			
Peak Hour Person Trips:						
AM	208		-48		160	
MD	363		-144		219	
PM	550		-144		406	
SAT	578		-206		372	
Person Trips:						
AM	In	Out	In	Out	In	Out
Auto	26	25	-18	-10	8	15
Taxi	5	5	-1	-1	4	4
Subway	6	5	-5	-3	1	2
Bus	7	7	-5	-3	2	4
Walk/Other	62	60	-1	-1	61	59
Total	106	102	-30	-18	76	84
MD	In	Out	In	Out	In	Out
Auto	46	44	-45	-40	1	4
Taxi	9	9	-2	-2	7	7
Subway	9	9	-15	-12	-6	-3
Bus	11	11	-11	-10	0	1
Walk/Other	110	105	-4	-3	106	102
Total	185	178	-77	-67	108	111
PM	In	Out	In	Out	In	Out
Auto	69	69	-42	-43	27	26
Taxi	14	14	-2	-2	12	12
Subway	14	14	-12	-13	2	1
Bus	16	16	-11	-11	5	5
Walk/Other	162	162	-4	-4	158	158
Total	275	275	-71	-73	204	202
SAT	In	Out	In	Out	In	Out
Auto	71	74	-63	-58	8	16
Taxi	14	15	-5	-5	9	10
Subway	6	6	-20	-18	-14	-12
Bus	17	18	-14	-13	3	5
Walk/Other	175	182	-5	-5	170	177
Total	283	295	-107	-99	176	196
Vehicle Trips :						
AM	In	Out	In	Out	In	Out
Auto	16	16	-9	-5	7	11
Taxi	3	3	-1	-1	2	2
Taxi Balanced	6	6	-2	-2	4	4
Truck	0	0	0	0	0	0
Total	22	22	-11	-7	11	15
MD	In	Out	In	Out	In	Out
Auto	29	28	-23	-20	6	8
Taxi	6	6	-1	-1	5	5
Taxi Balanced	12	12	-2	-2	10	10
Truck	0	0	0	0	0	0
Total	41	40	-25	-22	16	18
PM	In	Out	In	Out	In	Out
Auto	44	44	-21	-22	23	22
Taxi	9	9	-1	-1	8	8
Taxi Balanced	18	18	-2	-2	16	16
Truck	0	0	0	0	0	0
Total	62	62	-23	-24	39	38
SAT	In	Out	In	Out	In	Out
Auto	45	47	-23	-21	22	26
Taxi	9	9	-2	-2	7	7
Taxi Balanced	18	18	-4	-4	14	14
Truck	0	0	0	0	0	0
Total	63	65	-27	-25	36	40

Traffic

Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if the Proposed Actions would result in 50 or more vehicle trip-ends in a peak hour at one or more intersections. As shown in **Table 3**, under the Proposed Actions there would be a net increase of 26, 34, 77, and 76 vehicle trips (including auto, taxi, and truck trips) in the weekday AM, midday, and PM and Saturday peak hours, respectively. As the numbers of trips would exceed the 50-trip *CEQR Technical Manual* threshold during the weekday PM and Saturday peak hours, a Level 2 screening assessment is warranted to determine if any intersections would require quantified analysis.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if the Proposed Action is projected to result in fewer than 200 peak hour rail or bus transit riders. If the Proposed Action would result in 50 or more bus passengers being assigned to a single bus route in one direction, or if it would result in an increase of 200 or more passengers at a single subway station or on a single subway line, a detailed bus and/or subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM commuter peak hours, as it is during these periods that overall demand on the subway and bus systems is usually highest.

As shown in **Table 3**, the Proposed Action is expected to generate a net increase of three subway trips in the weekday AM and PM peak hours. As these trips would not exceed the 200-trip *CEQR Technical Manual* analysis threshold, further subway analysis is not warranted. As also shown in **Table 3,** there is expected to be a net increase of approximately six and 10 incremental bus trips in the weekday AM and PM peak hours, respectively. As these trips would not exceed the 50-trip *CEQR Technical Manual* analysis threshold, further bus analysis is not warranted. Therefore, significant adverse impacts to transit bus services are not expected to occur under the Proposed Actions, and a detailed analysis of bus conditions is not warranted based on *CEQR Technical Manual* guidance.

CWFS

According to *CEQR Technical Manual* guidance, detailed analyses of the CWFS are not typically required if a Proposed Action would result in 50 or fewer peak hour CWFS peak hour ferry riders to a ferry landing within a half-mile of the Project Site. As the Proposed Rezoning Area is not located within a half-mile of a CWFS ferry landing, a Level 2 screening analysis is not warranted according to *CEQR Technical Manual* guidance.

Pedestrians

According to *CEQR Technical Manual* guidance, a quantified analysis of pedestrian conditions is typically required if the Proposed Action would result in 200 or more peak hour pedestrian trips at any pedestrian element (sidewalk, corner area or crosswalk). As shown in **Table 3**, the Proposed Actions would generate

a net incremental increase of approximately 129, 200, 329, and 329 total pedestrian trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. These would include walk-only trips as well as pedestrians walking to and from subway stations and bus stops. As the number of trips would exceed the 200-trip threshold in the weekday midday, PM, and Saturday peak hours, a Level 2 screening assessment is warranted, per 2021 *CEQR Technical Manual* guidance.

LEVEL 2 SCREENING ASSESSMENT

As discussed above, when Level 1 screening assessment thresholds are exceeded, detailed trip assignments (a Level 2 assessment) are performed to estimate the incremental trips that could occur at specific transportation elements and to identify potential locations for further analysis. As the Level 1 screening assessment threshold was exceeded for traffic, a Level 2 screening assessment for this mode was prepared and is discussed below. If the trip assignments show that the Proposed Actions would generate 50 or more peak-hour vehicle trips at an intersection, then further quantified operational analyses may be warranted to assess the potential for significant adverse impacts on traffic conditions.

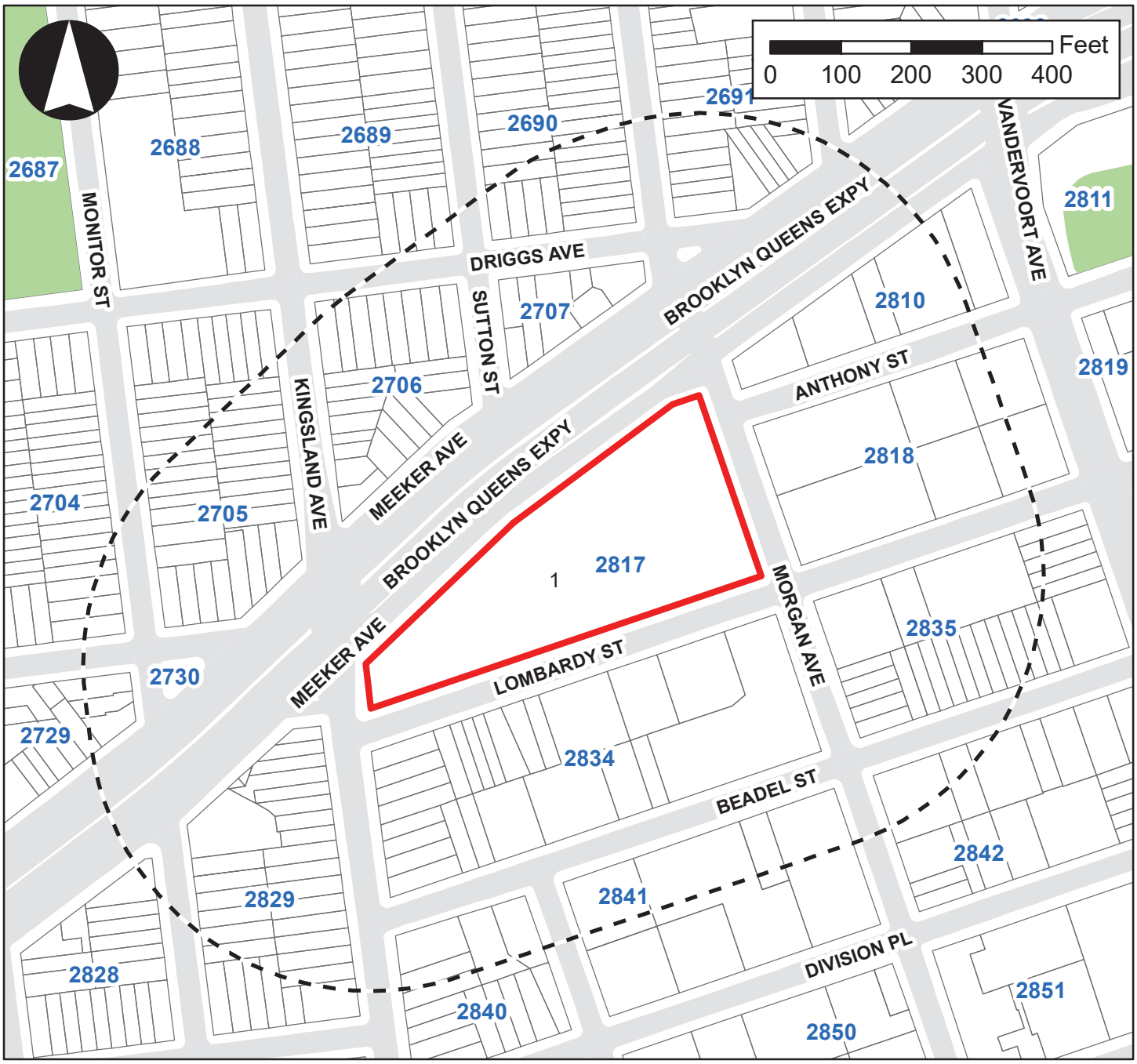
Traffic

As shown in **Table 3** and discussed above, the Proposed Actions would generate approximately 26, 34, 77, and 76 net vehicle trips (including auto, taxi, and truck trips) in the weekday AM, midday, and PM and Saturday peak hours, respectively. The assignments of auto and taxi trips to the street network in proximity to the Project Area were based on the anticipated origins and destinations of vehicle trips associated with the land uses projected under the RWCDS. The action-generated vehicle trips were assigned to/from the street network surrounding the Proposed Rezoning Area. As shown in **Figure 1**, the Proposed Rezoning Area is bounded by Meeker Avenue to the north, Morgan Avenue to the east, Lombardy Street to the south, and Kingsland Avenue to the west. Meeker Avenue is a one-way north-east bound principal arterial that connects to the Brooklyn-Queens Expressway. Morgan Avenue and Kingsland Avenue are two-way minor arterials running northbound and southbound in the vicinity of the Project Area. Lombardy Street is a one-way eastbound local street.

The origins/destinations of trips generated by supermarket and destination retail uses were based on the population density within a one-mile radius of the Project Area. **Table 4** shows the directional distributions of auto and taxi trips by land use based on the origin/destination data. Using these distributions, auto and taxi trips were first assigned to various portals on the periphery of the Proposed Rezoning Area, and from there via the most direct route to each of the three Projected Development Sites.

All vehicle trips were conservatively assigned to the Project Area to concentrate the vehicle trips at the nearest intersections. The auto trips generated by the supermarket use were expected to utilize the existing parking lot or park on-street in vicinity of the Project Area . As such, the auto trips would approach the Projected Development Site. Taxi trips were generally assigned to the building frontages of the Projected Development Site.

Figure 1
Project Location



Legend

- Project Area
- 400-Foot Radius
- 2817 Blocks
- 1 Lots
- Open Space



TABLE 4: Directional Distribution of Auto/Taxi Trips by Land Use

Direction	Supermarket and Destination Retail Use %
North (N)	12.1%
East (E)	4.4%
South (S)	37.0%
West (W)	46.5%
Total	100%

Figure 2 shows the assignment of net incremental vehicle trips during the PM and SAT peak hours from the Proposed Actions' RWCDS at intersections in proximity to the Project Area. As shown in **Figure 2**, no intersections would exceed the 50-trip *CEQR Technical Manual* in one or more peak hours and therefore further detailed analysis is not warranted.

Pedestrian

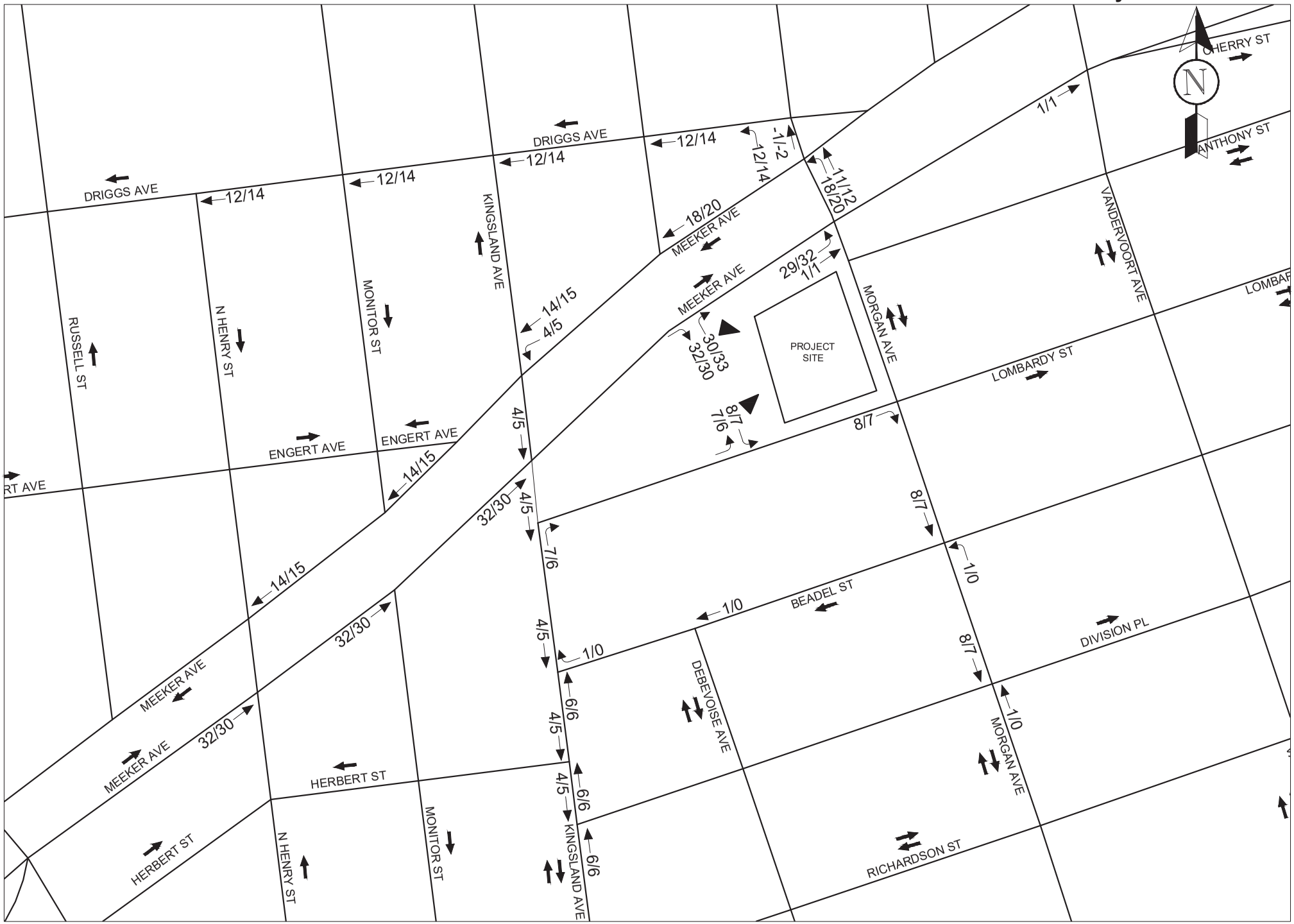
Based on *CEQR Technical Manual* guidance, detailed pedestrian analyses are generally warranted if the Proposed Actions are projected to result in 200 or more new peak hour pedestrians at any sidewalk, corner area, or crosswalk. As shown in **Table 3**, the Proposed Actions would generate a net incremental increase of approximately 129, 200, 329, and 329 total pedestrian trips in the weekday AM, midday, PM, and Saturday peak hours, respectively. As the net incremental total pedestrian trips (including walk-only as well as pedestrians walking to/from subway stations and bus stops) exceeds the 200-prson trip *CEQR Technical Manual* threshold during the weekday midday, PM and Saturday peak hours, a preliminary assignment of net incremental pedestrian trips was conducted and is shown in **Figure 3**.

Subway, bus, and walk-only trips each have different assignment patterns. Bus trips were assigned to stops for the B24 and B48 bus routes along Meeker Avenue and Nassau Avenue, respectively. Subway trips were assigned to the bus stops with the quickest bus routes enroute to the Nassau Avenue (G) and Graham Avenue (L) subway stations. Nassau Avenue subway station is located at Manhattan Avenue and Norman Avenue (approximately 0.67 mile from the Projected Development Site). Graham Avenue subway station is located at Graham Avenue and Metropolitan Avenue (approximately 0.63 mile from the Project Site). Walk-only trips were distributed throughout the local street network.

Overall, as shown in **Figure 3**, no pedestrian elements (sidewalks, corner areas and crosswalks) would exceed the 200-trip *CEQR Technical Manual* in one or more peak hours and therefore further detailed analysis is not warranted.

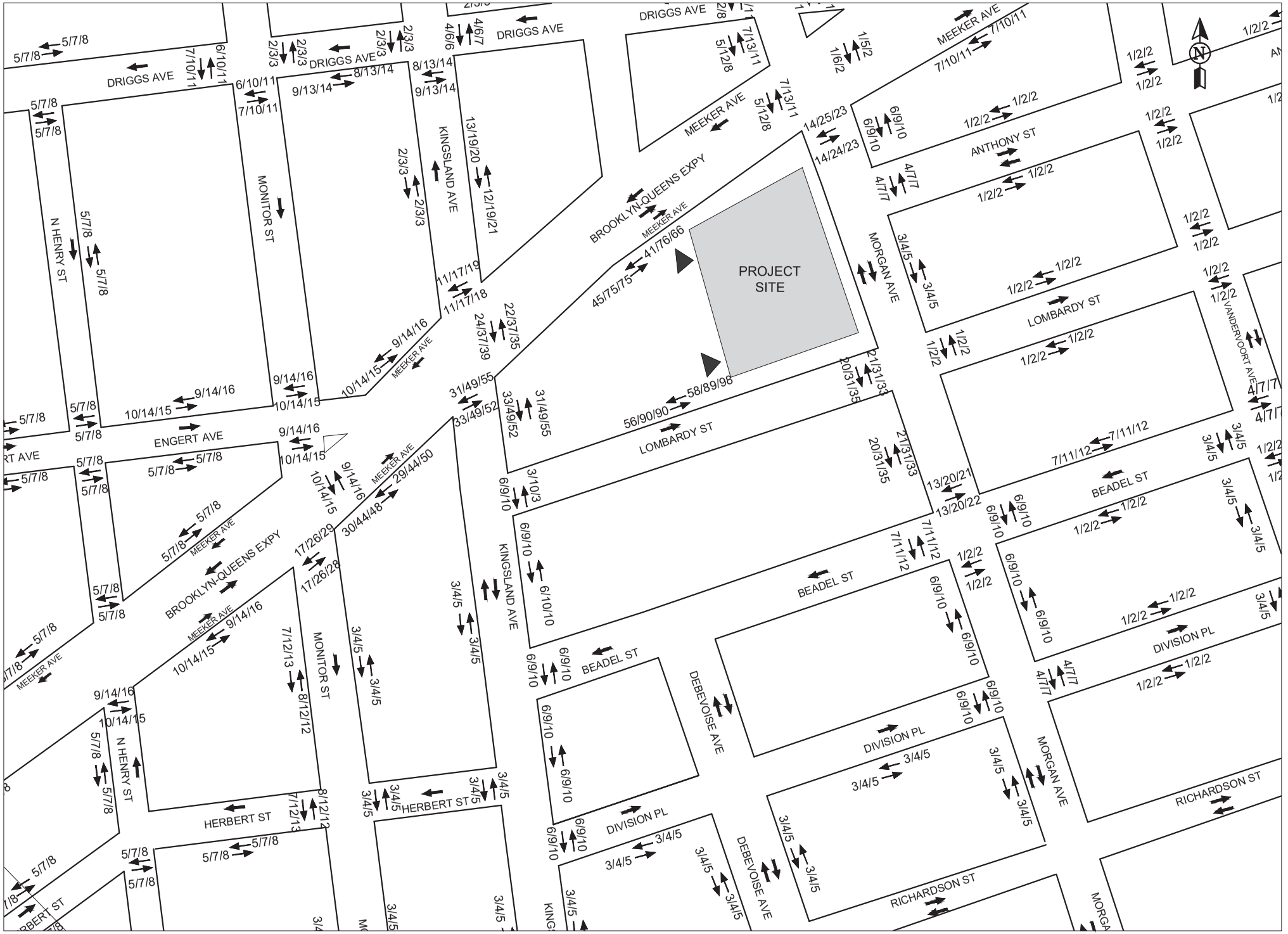
Figure 2

PM/Saturday Traffic Volumes



Legend:

← 2/2 = PM/SAT Volume ▭ Project Site ▶ Site Entrance



535 Morgan Avenue Rezoning EAS

Figure 3

Legend: ← 2/2/2 - MD/PM/SAT Pedestrian Volume ▲ Entrance

MD/PM/SAT Pedestrian Volumes

Parking

Under *CEQR Technical Manual guidance*, on- and off-street parking analyses may be warranted if a quantified traffic analysis is necessary based on the Levels 1 and 2 screening analyses. Based on the screening analyses detailed above, a quantified traffic analysis would not be warranted for the Proposed Action. Therefore, based on *CEQR Technical Manual* guidance, quantified on- and off-street parking analyses would also not be warranted.