Park Avenue Brooklyn Rezoning
Environmental Assessment Statement

CEQR #24DCP124K

Prepared for:
Park Ave. Rezoning Partners LLC.

Prepared by:
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April 30, 2024

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Environmental Assessment Statement

(EAS) Form

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

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME Park Avenue Brooklyn Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP124K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
240218ZMK, N240219ZRK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT Park Ave. Rezoning Partners		
NAME OF LEAD AGENCY CONTACT PERSON Stephanie Shellooe, AICP, Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Isaac Levy		
ADDRESS 120 Broadway			ADDRESS 116 Skillman Street, Suite 1		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11205
TELEPHONE 212-720-3328	EMAIL sshellooe@planning.nyc.gov		TELEPHONE 718-907-9315	EMAIL ilevy176@gmail.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(6)(vi)

Action Type (refer to CEQR Technical Manual Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

5. *Project Description*

The Applicant, Park Ave. Rezoning Partners, requests a zoning map amendment and zoning text amendments to facilitate the rezoning of portions of Blocks 1715, 1716, 1717, 1735, and 1736 in the Bedford-Stuyvesant neighborhood of Brooklyn Community District (CD) 3. The Project Area is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736 (refer to **Figure 1**). The proposed zoning map amendment would rezone portions of existing M1-1 and M1-2 zoning districts to R6-1/M1-4 and R7D/M1-4 mixed-use districts. A zoning text amendment to Appendix F of the Zoning Resolution is requested to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area. A zoning text amendment is also requested to establish a new R6-1 zoning district designation.

Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. In total, development on the Applicant-controlled Projected Development Sites would include approximately 391 dwelling units (DUs), of which approximately 101 would be permanently affordable pursuant to the MIH program, approximately 65,072 gross-square-feet (gsf) of local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office space (refer to **Attachment A, "Project Description,"** for a breakdown of uses and density for each Applicant-controlled Projected Development Site).

In the With-Action reasonable-worst case development scenario (RWCDS), in addition to the Applicant's nine Projected Development Sites described above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites (Block 1716, Lots 59-60 [Projected Development Site 7], Block 1735, Lots 61-62 [Projected Development Site 11] and Block 1717, Lot 2 [Projected Development Site 12]). Together it is assumed that development at these three sites as a result of the Proposed Actions would result in approximately 88 DUs, 23 of which would be permanently affordable pursuant to MIH, and approximately 15,083 gsf of retail space (refer to **Attachment A, "Project Description,"** for a breakdown of uses and density for each Applicant-controlled Projected Development Site).

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. The total RWCDS With-Action Scenario comprises 450,663 gsf of residential space, 80,155 gsf of local retail space, 244,088 gsf of private school space, 11,590 gsf of medical office space, and approximately 150 off-street parking spaces on 12 Projected Development Sites. The With-Action total RWCDS would include 479 total DUs, of which approximately 124 would be permanently affordable pursuant to MIH.

For RWCDS purposes, the Proposed Actions are also assumed to have the potential to result in development at two additional non-Applicant-controlled sites (Block 1736, Lot 68 [Potential Development Site A] and Block 1735, Lots 58-60 [Potential Development Site B]). As discussed in **Attachment A, "Project Description,"** the Proposed Actions have the potential to facilitate the development of approximately 57 DUs, 15 of which would be permanently affordable pursuant to MIH, and approximately 10,900 gsf of community facility (house of worship) space at the two Potential Development Sites.

The Park Avenue Rezoning is proposed to facilitate the legalization of existing educational uses within the Project Area, the development of three new private schools within the Project Area and provide the development of much-needed housing for a growing community where legacy manufacturing zoning districts no longer represent existing land uses and no longer supports the needs of local community members.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 3	STREET ADDRESS N/A
TAX BLOCK(S) AND LOT(S) Block 1715, Lots 3, 103, and p/o 54; Block 1716, Lots 1, 2, 59, 60, 61, 66, 70 and p/o 3; Block 1717, Lots 1, p/o 2 and 60; Block 1735, Lots 1, 3, 4, 5, 11, 12, 13, 14, 58, 59, 60, 61, and 62; Block 1736, Lots 1, 10, 11, 13, 14, 61, 62, 63, 68, and p/o 18.		ZIP CODE 11205

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1/M1-2	ZONING SECTIONAL MAP NUMBER 13b

5. *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:

6. *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.): 212,944 sf

Waterbody area (sq. ft.) and type: 0 sf

Roads, buildings, and other paved surfaces (sq. ft.): 212,944 sf

Other, describe (sq. ft.): 0 sf

7. *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): 798,644 gsf across 12 Projected Development Sites

NUMBER OF BUILDINGS: 12

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Refer to Table A-2 in **Attachment A, "Project Description"**

HEIGHT OF EACH BUILDING (ft.): Ranging in height from 60'-115' tall

NUMBER OF STORIES OF EACH BUILDING: Refer to Table A-2 in **Attachment A, "Project Description"**

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: 158,684 sf

The total square feet not owned or controlled by the applicant: 54,260 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 disturbance (if known):

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

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

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

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2030

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: Refer to Attachment B

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO

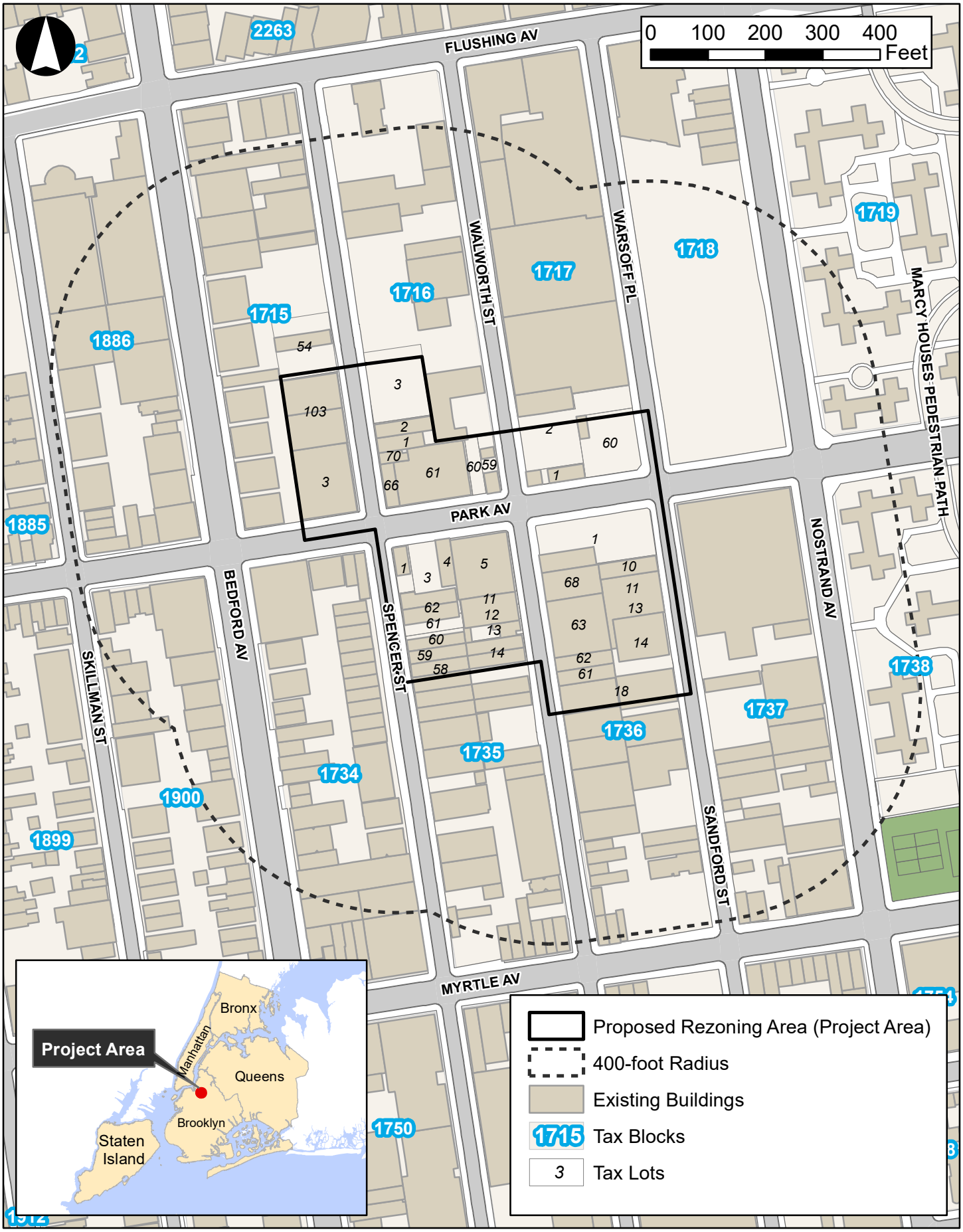
IF MULTIPLE PHASES, HOW MANY? Refer to Attachment B

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: Refer to Attachment B

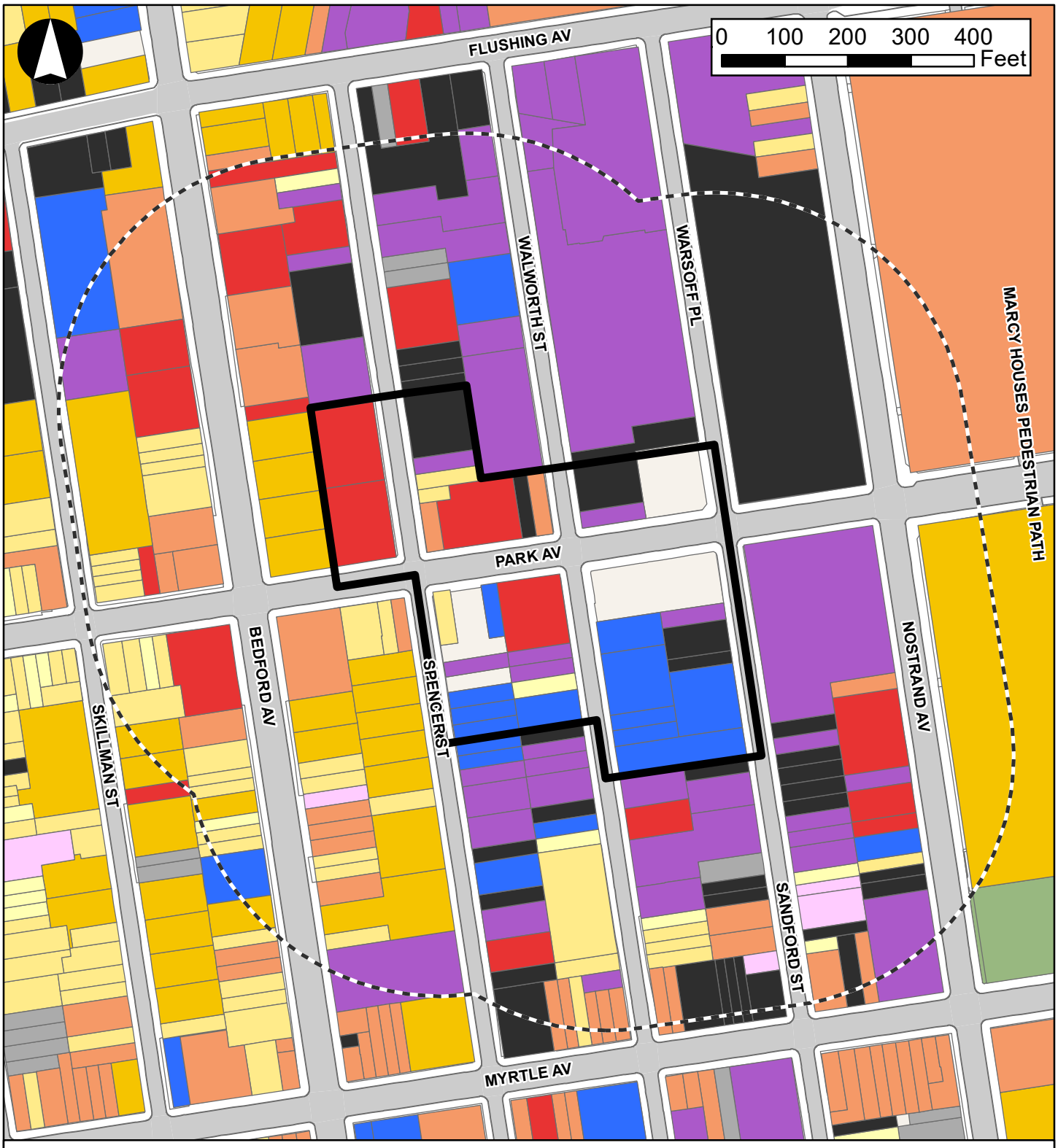
9. *Predominant Land Use in the Vicinity of the Project* (check all that apply)

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

Project Location



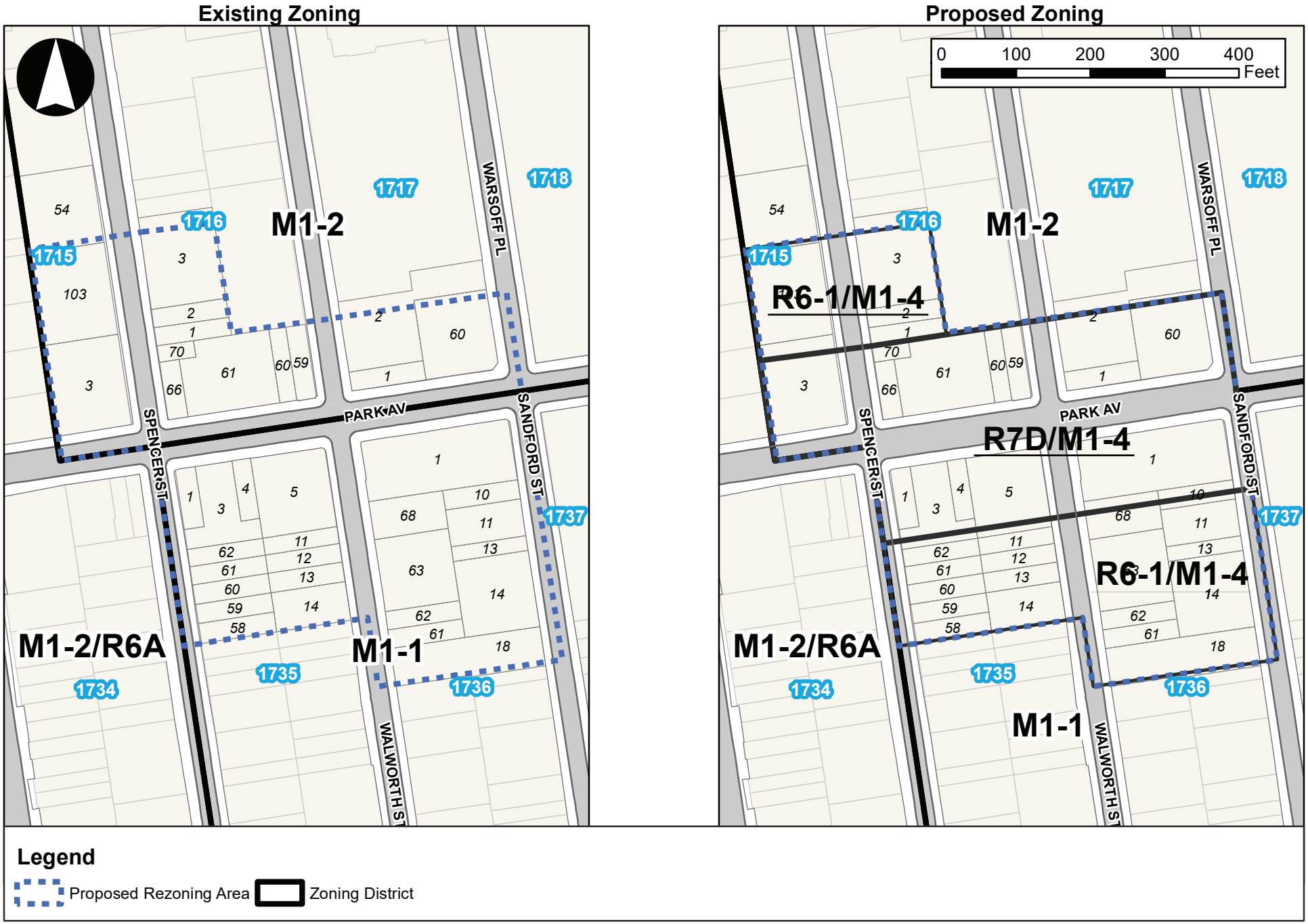
Land Use



Proposed Rezoning Area (Project Area)
400-foot Radius

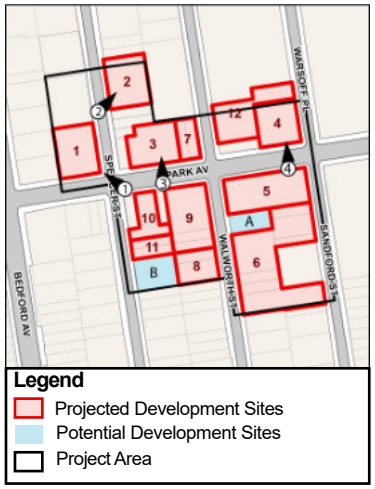
Land Use

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


Existing Zoning
Proposed Zoning
0 100 200 300 400
Feet
M1-2
M1-2/R6A
M1-1
R6-1/M1-4
R7D/M1-4
R6-1/M1-4
1715
1716
1717
1718
1734
1735
1736
1737
PARK AV
SPENCER ST
WARSOFF PL
SANDFORD ST
WALWORTH ST
Legend
Proposed Rezoning Area
Zoning District



1. View looking northwest at the Projected Development Site 1 from the corner of Park Avenue and Spencer Street.



Photos taken on March 14, 2024



2. View looking northeast at the Projected Development Site 2 from Spencer Street midblock between Park Avenue and Flushing Avenue.



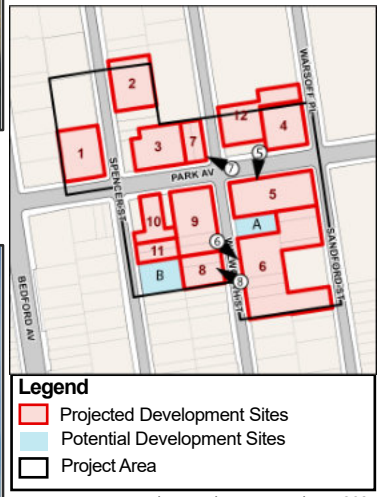
3. View looking north at the Projected Development Site 3 from Park Avenue midblock between Spencer Street and Walworth Street.



4. View looking north at the Projected Development Site 4 from Park Avenue midblock between Walworth Street and Warsoff Place.



5. View looking south at the Projected Development Site 5 from Park Avenue midblock between Sandford Street and Walworth Street.



Photos taken on March 14, 2024



6. View looking southeast at the Projected Development Site 6 from Walworth Street midblock between Park Avenue and Myrtle Avenue.



7. View looking north at the Projected Development Site 7 at the corner of Park Avenue and Walworth Street.



8. View looking west at the Projected Development Site 8 from Walworth Street midblock between Park Avenue and Myrtle Avenue.



9. View looking southwest at the Projected Development Site 9 from the corner of Park Avenue and Walworth Street.



Legend

- Projected Development Sites
- Potential Development Sites
- Project Area

Photos taken on March 14, 2024



10. View looking southeast at the Projected Development Site 10 from Park Avenue midblock between Spencer Street and Walworth Street.



11. View looking north at the Projected Development Site 11 from Spencer Street midblock between Park Avenue and Myrtle Avenue.



12. View looking northwest at the Projected Development Site 12 from Walworth Street midblock between Flushing Avenue and Park Avenue.

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions. **Information shown is for total RWCDS**

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Two one- and two-family residential buildings	Two one- and two-family residential buildings	Nine multi-family residential buildings	
No. of dwelling units	3 (Block 1716, Lot 59 and Block 1735, Lot 13)	3	479	+ 476 DU
No. of low- to moderate-income units	0	0	124	+ 124 DU
Gross floor area (sq. ft.)	2,300 (Block 1716, Lot 59 and Block 1735, Lot 13)	2,300	450,662	+ 448,362 gsf
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Local retail	Local retail/Office	Local retail	- Office use
Gross floor area (sq. ft.)	35,653	70,619	80,156	+ 9,536 gsf
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use	Warehouse and Tire Shop	Warehouse and Tire Shop	N/A	- Office use
Gross floor area (sq. ft.)	35,653	70,619	80,156	+ 9,536 gsf
Open storage area (sq. ft.)	11,400	11,400	0	-11,400 gsf
If any unenclosed activities, specify:	18,950	18,950	0	-18,950 gsf
Community Facility	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type	Medical Office, School, House of Worship	Medical Office, School, House of Worship	Medical Office/School	- House of Worship
Gross floor area (sq. ft.)	58,840	94,090	255,678	+161,588 gsf
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	22,444	9,944	0	-9,944 sf
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):	N/A	N/A	N/A	N/A
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	N/A
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	N/A	0	0	N/A
No. of accessory spaces	N/A	251	150	-101 spaces
Operating hours	N/A	24/7	24/7	N/A
Attended or non-attended	N/A	Attended	Attended	N/A
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	N/A
No. of accessory spaces	N/A	N/A	N/A	N/A
Operating hours	N/A	N/A	N/A	N/A
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	N/A

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	8	8	1,227	+ 1,219 residents
Briefly explain how the number of residents was calculated:	Based on the average household size of Brooklyn CD 3 (2.56) (2020 Census)			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Warehouse, Retail, House of Worship, Hardware/Plumbing Supply Stores, Schools	Warehouse, Retail, House of Worship, Hardware/Plumbing Supply Stores, Schools	Local Retail, Medical Office, Schools	
No. and type of workers by business	205	461	504	+43 employees
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Assumes one retail worker per 333 gsf. One office worker per 250 gsf. One House of Worship (CF) worker per 333 gsf. One medical office worker per 333 gsf. One warehouse worker per 1,000 gsf. One school employee per 11 students. One worker per attended parking garage. One per 25 DU.			
Other (students, visitors, concert-goers, *etc.*)	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If any, specify type and number:	384 students	384 students	2,219 students	+ 1,835 students
Briefly explain how the number was calculated:	Assumes 1 student per 110 gsf.			
ZONING				
Zoning classification	M1-2 / M1-1	M1-2 / M1-1	R7D/M1-4 and R6-1/M1-4	
Maximum amount of floor area that can be developed				
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	One- and two-family residential, retail, manufacturing, community facility	One- and two-family residential, retail, manufacturing, community facility	Multi-family residential Mixed-use residential and commercial, Community facility	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

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 Full 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 B, "Supplemental Screening"**		
(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. **Refer to Attachment B, "Supplemental Screening"**		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☒	☐
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☒	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☒
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☒	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☒	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☒
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☒

	YES	NO
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☒
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☒
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
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, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. 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)	☒	☐
○ If "yes," would the project result in a collective utilization rate of the Early Childhood Programs in the study area that is greater than 100 percent?	☐	☒
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☒
ii. 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)	☐	☒
○ If "yes," would the project result in a utilization rate of the elementary or middle schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate?	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iii. 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)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
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?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **Refer to Attachment B, "Supplemental Screening"**		

	YES	NO
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(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. **Refer to Attachment B, "Supplemental Screening"**		
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?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10.		
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 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: **Refer to Attachment B, "Supplemental Screening"**	☒	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? **Refer to Attachment B, "Supplemental Screening"**	☐	☒
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 that listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the 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?	☐	☒

	YES	NO
(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 contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. **Refer to Attachment B, "Supplemental Screening"**		
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): Approximately 48,254 lb. per 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?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
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): 140,074,155 MBtu		
(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 appropriate screening analyses, attach 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, 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) **Refer to Attachment B, "Supplemental Screening"**	☒	☐
(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?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **Refer to Attachment B, "Supplemental Screening"**		
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) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☒	☐

	YES	NO
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation. **Refer to Attachment B, "Supplemental Screening"**	☐	☒
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?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **Refer to Attachment B, "Supplemental Screening"**		
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?	☒	☐
(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. **Refer to Attachment B, "Supplemental Screening"**		
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. **Refer to Attachment B, "Supplemental Screening"**		
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. **Refer to Attachment B, "Supplemental Screening"**		

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	SIGNATURE	DATE
Abir Sabet, AICP	Abir Sabet	04/26/2024

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.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☒	☐
Community Facilities and Services	☐	☒
Open Space	☒	☐
Shadows	☐	☒
Historic and Cultural Resources	☐	☒
Urban Design/Visual Resources	☒	☐
Natural Resources	☐	☒
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☒	☐
Solid Waste and Sanitation Services	☐	☒
Energy	☐	☒
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☒	☐
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☒	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ ☒

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

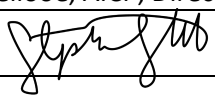
☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	April 30, 2024

SIGNATURE 

Attachment A

Project Description

I. INTRODUCTION

The Applicant, Park Ave. Rezoning Partners LLC, is requesting several discretionary actions from the New York City Planning Commission (CPC) to facilitate the redevelopment of several blocks in the Bedford-Stuyvesant neighborhood of Brooklyn Community District (CD) 3. Development in the Project Area would include three new private schools, new housing, and local retail uses. The Project Area consists of portions of Blocks 1715, 1716, 1717, 1735, and 1736. As shown in **Figure A-1a**, the Project Area is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736.

The Applicant seeks the following discretionary approvals (collectively, the "Proposed Actions"):

1) A zoning map amendment to rezone portions of existing M1-1 and M1-2 zoning districts to M1-4/R7D and M1-4/R6-1 mixed-use districts.

2) A zoning text amendment to Appendix F of the Zoning Resolution is requested to establish the Project Area as a Mandatory Inclusionary Housing (MIH) area.

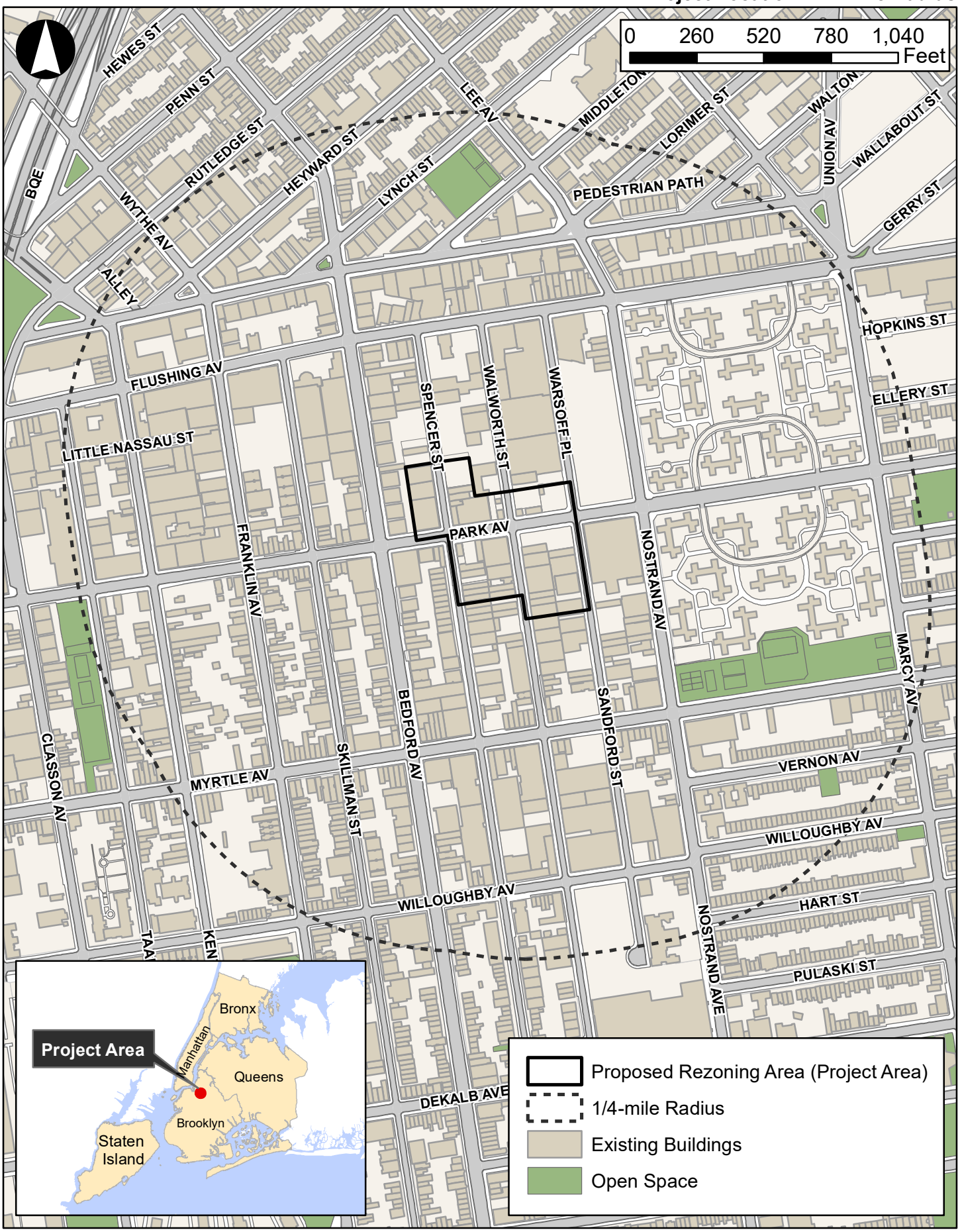
3) A zoning text amendment to Article II would establish a new R6-1 zoning district designation.

4) A zoning text amendment to modify Section 123-90 of the Zoning Resolution to modify the Special Mixed Use District MX-4 (Flushing/Bedford) to include M1-4/R6-1 and M1-4/R7D zoning designations. Specifically, ZR 123-63 will be modified to include R6-1 and R7D districts as designated Residence Districts within Special Mixed Use District MX-4.

Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. In total, development on the Applicant-controlled Projected Development Sites would include approximately 391 dwelling units (DUs), of which approximately 101 would be permanently affordable pursuant to the MIH program, approximately 65,072 gross-square-feet (gsf) of ground floor local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office.

In the With-Action reasonable-worst case development scenario (RWCDS), in addition to the Applicant's nine Projected Development Sites described above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites (Block 1716, Lots 59-60 [Projected Development Site 7], Block 1735, Lots 61-62 [Projected Development Site 11] and Block 1717, Lot 2 [Projected Development Site 12]). Together it is assumed that development at these three sites, as a result of the Proposed Actions, would total approximately 88 DUs, 23 of which would be permanently affordable pursuant to MIH, and approximately 15,083 gsf of ground floor local retail.

Project Location - 1/4-mile Radius



For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. The total RWCDS With-Action Scenario comprises 450,663 gsf of residential space, 80,155 gsf of local retail space, 244,088 gsf of private school space, 11,590 gsf of medical office space, and approximately 150 off-street parking spaces on 12 Projected Development Sites. The With-Action total RWCDS would include 479 total DUs, of which approximately 124 would be permanently affordable pursuant to MIH.

For RWCDS' purposes, the Proposed Actions are also assumed to have the potential to result in development at two non-Applicant-controlled sites (Block 1736, Lot 68 [Potential Development Site A] and Block 1735, Lots 58-60 [Potential Development Site B]). The Proposed Actions have the potential to facilitate the development of approximately 57 DUs, 15 of which would be permanently affordable pursuant to MIH, and approximately 10,900 gsf of community facility (house of worship) space at the two Potential Development Sites.

II. BACKGROUND AND EXISTING CONDITIONS

Project Area/Proposed Rezoning Area

The Project Area (a.k.a. Proposed Rezoning Area) is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736.

A description of each of the tax lots within the Project Area is provided below and summarized in **Table A-1 (**refer to **Figure A-1b)**.

Block 1715, north of Park Avenue and west of Spencer Street, contains a two-story approximately 23,861 gross-square-foot (gsf) health care center with pharmacy, medical office, and retail space on the corner (Lot 3[1]). Lot 3 is a 12,271-sf corner lot. Lot 103 is a 12,500-sf interior lot occupied by a three-story approximately 37,500 gsf warehouse building used as a nonconforming yeshiva, Yeshiva Letzirim Satmar. The yeshiva occupies approximately 34,700 gsf of the building's floor area. The remaining 2,800 gsf is occupied by an appliance/hardware store on the ground floor. Approximately 229 square feet (sf) of the 10,600 sf Lot 54 is located within the Proposed Rezoning Area. Lot 54 is occupied by a one-story 2,500 gsf warehouse, the rest of the lot is utilized as open storage.

Block 1716, north of Park Avenue between Spencer and Walworth streets, includes a three-story approximately 3,375 gsf pre-existing nonconforming residential building that contains four dwelling units (DUs) on the 2,508-sf Lot 1. Lot 2 is a 2,483-sf lot that contains an approximately 2,489 gsf one-story warehouse. Lot 3 is a vacant 12,500 sf interior lot. Lot 59 is a 2,444-sf lot that contains a vacant one-story approximately 1,000 gsf commercial building at the corner of Park Avenue and Walworth Street. Along the Walworth Street frontage of Lot 59 is a two-story 900 gsf pre-existing nonconforming single family residential building. Lot 60 is an approximately 2,444 sf lot used for open storage. Lot 61 is a 11,657-sf lot that contains a one-story 11,657 gsf commercial building utilized as a plumbing supply store. Lot 66 is a

[1] Based on information provided by the Applicant.

Project Location - Tax Blocks/Lots



1,900-sf lot that is occupied by a three-story 4,175 gsf nonconforming mixed-use residential and commercial building. The 1,875 gsf commercial area on the ground floor is occupied by a payroll service. On the second and third floors are four DUs. Lot 70 is a 1,100-sf lot that contains a nonconforming four-story approximately 2,772 residential building that contains three DUs.

Block 1717, north of Park Avenue between Walworth Street and Warsoff Place, includes a one-story 1,783 gsf building occupied by a signage and awning business on the 2,500 sf Lot 1. Lot 1 is located at the northeast corner of Park Avenue and Walworth Street. Lot 2 is a 13,613-sf lot used for surface parking. Approximately 7,599 sf of the lot is located within the rezoning area. Lot 60 is a 10,775-sf surface parking lot utilized by a rental car company. Approximately 10,000 sf of the lot is located within the Project Area.

TABLE A-1
Project Area Tax Lots

Block	Lot	Address	Lot Area (sf)	Building Area (gsf)	Existing Zoning	Use
1715	3	517 Park Avenue	12,271	23,861	M1-2	Retail/Medical Office
1715	54	38 Spencer Street	10,600	2,500	M1-2	Warehouse
1715	103	48 Spencer Street	12,500	37,500	M1-2	Appliance Hardware Store/School
1716	1	53 Spencer Street	2,508	3,375	M1-2	Residential
1716	2	51 Spencer Street	2,483	2,489	M1-2	Warehouse
1716	3	49 Spencer Street	12,500	-	M1-2	Vacant
1716	59	537 Park Avenue	2,444	1,900	M1-2	Residential/Commercial
1716	60	535 Park Avenue	2,444	-	M1-2	Vacant
1716	61	533 Park Avenue	11,657	11,657	M1-2	Industrial Supply Store
1716	66	523 Park Avenue	1,900	4,175	M1-2	Residential/Retail
1716	70	55 Spencer Street	1,100	2,772	M1-2	Residential
1717	1	63 Walworth Street	2,500	1,783	M1-2	Retail
1717	2	55 Walworth Stret	13,613	-	M1-2	Parking
1717	60	547 Park Avenue	10,775	-	M1-2	Parking
1735	1	512 Park Avenue	2,056	5,000	M1-1	Residential
1735	3	514 Park Avenue	6,612	2,500	M1-1	Parking/Warehouse
1735	4	518 Park Avenue	2,056	7,051	M1-1	Ambulatory Service
1735	5	520 Park Avenue	10,725	10,725	M1-1	Retail
1735	11	82 Walworth Street	2,500	2,500	M1-1	Warehouse
1735	12	84 Walworth Street	2,500	2,500	M1-1	Warehouse
1735	13	86 Walworth Street	2,500	1,400	M1-1	Residential
1735	14	88 Walworth Street	5,000	5,000	M1-1	House of worship
1735	58	83 Spencer Street	2,500	2,500	M1-1	House of worship
1735	59	81 Spencer Street	2,500	2,500	M1-1	
1735	60	79 Spencer Street	2,500	3,911	M1-1	
1735	61	75 Spencer Street	2,500	-	M1-1	Vacant
1735	62	77 Spencer Street	2,500	1,400	M1-1	Warehouse
1736	1	528 Park Avenue	16,450	-	M1-1	Tire repair shop – no permanent structures
1736	10	76 Sandford Street	2,500	2,500	M1-1	Warehouse
1736	11	78 Sandford Street	5,500	-	M1-1	Vacant
1736	13	82 Sandford Street	2,000	-	M1-1	Vacant
1736	14	84 Sandford Street	10,000	40,500	M1-1	Private school
1736	18	96 Sandford Street	10,750	22,250	M1-1	Private school
1736	61	89 Walworth Street	2,500	5,000	M1-1	Private school
1736	62	87 Walworth Street	2,500	5,000	M1-1	Private school
1736	63	79 Walworth Street	10,000	10,000	M1-1	Private school
1736	68	75 Walworth Street	5,000	5,000	M1-1	House of worship

Source: NYC MapPLUTO 23v1

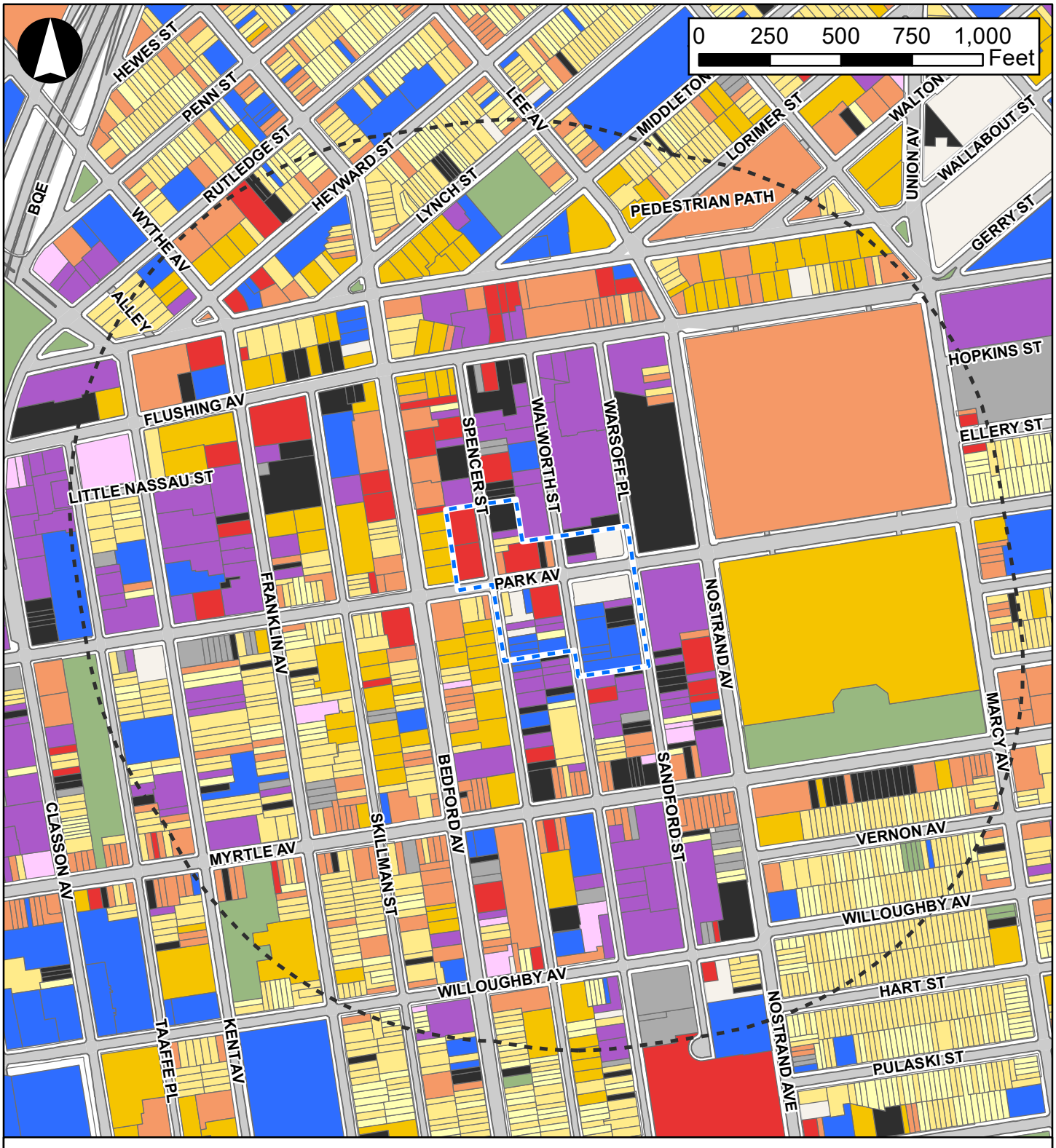
Block 1735, south of Park Avenue between Spencer and Walworth streets, includes a pre-existing nonconforming three-story 5,000 gsf residential building with 3 DUs on the 2,056 sf Lot 1. Lot 3 is a 6,612-sf surface parking lot. Lot 4 is a 2,056-sf lot that is occupied by a four-story 7,051 gsf building used as a Hatzolah volunteer firehouse. Lot 5 is a 10,725-sf lot that is occupied by a one-story 10,725 gsf commercial building occupied by several businesses including a bakery, clothing store, shoe store, and a mailing service. Lots 11 and 12 are each 2,500 sf lots that are occupied by a one-story 5,000 gsf commercial building occupied by a HVAC supply store. Lot 13 is a 2,500-sf lot occupied by a nonconforming two-story 1,400 gsf residential building containing two DUs. Lot 14 is a 5,000-sf lot that is occupied by a 5,000 gsf one-story house of worship. Lots 58-60 have a combined lot area of 7,500 sf under common ownership and are occupied by a one-story 8,911 gsf house of worship. Lots 61 and 62 are each 2,500 sf lots. Lot 62 is occupied by a one-story 1,400 sf warehouse. Lot 61 is used for open storage.

Block 1736, south of Park Avenue between Walworth and Sandford Streets, includes a tire shop at the 16,450 sf Lot 1. Lot 10 is a 2,500-sf lot occupied by a one-story 2,500 gsf commercial building that is owned by the school on Lot 14. Lots 11 and 13 are 5,500 sf and 2,000 sf, respectively, and are undeveloped and used as open storage. Lot 14 is occupied by a six-story 40,500 gsf building occupied by a yeshiva. The building on Lot 14 received a special permit from the NYC Board of Standards and Appeals (BSA) in 2008 (BSA Cal No. 97-08-BZ and CEQR No. 08BSA084K). The special permit permitted a 40,742 gsf, 75-foot-tall school building on the 10,000 sf Lot 14. Lot 18 is a 10,750-sf lot that includes two buildings, a three-story building along Sandford Street and a one-story building along Walworth Street. These buildings total 22,250 gsf and are used as part of the Central United Talmudic Academy on Lot 14. Lots 61 and 62 are each 2,500 sf lots that include a two-story 10,000 gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Lot 63 is a 10,000-sf lot that contains a one-story 10,000 gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Finally, on Lot 68 a 5,000-sf lot, is a 5,000 gsf one-story building used as a house of worship.

Neighborhood Context

The Project Area is located in the Bedford-Stuyvesant neighborhood in Brooklyn CD 3. Land uses within a ¼-mile radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, residential, and mixed residential and commercial uses, as well as utility uses and open space. As shown in **Figure A-2**, the area north and south of the Project Area within ¼-mile of the Project Area is generally used for manufacturing and transportation/utility purposes. The area west of the Project Area is generally occupied by multi-family residential uses. To the east of the Project Area is the Marcy Houses, a complex of 27 six-story buildings built and operated by the New York City Housing Authority (NYCHA). The complex consists of approximately 1,705 apartments. Buildings within the ¼-mile radius generally range in height between three- and eight-stories. Open spaces in the ¼-mile radius include Middleton Playground, Taaffe Playground, Marcy Playground, Stockton Playground, and Vernon New Harvest.

Recent rezonings near the Project Area include: 1) the 15-block 2001 Flushing/Bedford Rezoning (C 000109 ZMK; N 000110 ZRK) which allowed residential uses in existing manufacturing districts and allow for existing industrial uses south of Flushing Avenue to expand; 2) the 140-block 2012 Bedford-Stuyvesant North Rezoning (C 120294 ZMK) which zoned the area with contextual residential districts to preserve the existing character and building patterns while allowing modest enlargements of existing homes; and 3) the 722-733 Myrtle Avenue Rezoning (C 170025 ZMK; N 170026 ZRK) which changed an existing M1-1 and M1-2 zoning district to an R7D/C2-4 and R6A/C2-4 zoning district.



Proposed Rezoning Area (Project Area)
1/4-mile Radius

Land Use

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

The Project Area is located within a Transit Zone. The closet subway stations to the Project Area are the Flushing Avenue and Myrtle-Willoughby Avenues Stations which are served by the G train. These stations are approximately 0.5-mile from sites in the Project Area. The B44 and B44 SBS buses run northbound on Bedford Avenue and southbound on Nostrand Avenue and connect the neighborhood to Sheepshead Bay. The B54 bus runs east and west along Myrtle Avenue between Downtown Brooklyn and Ridgewood just south of the Project Area.

III. DESCRIPTION OF THE PROPOSED ACTIONS

Zoning Map Amendment

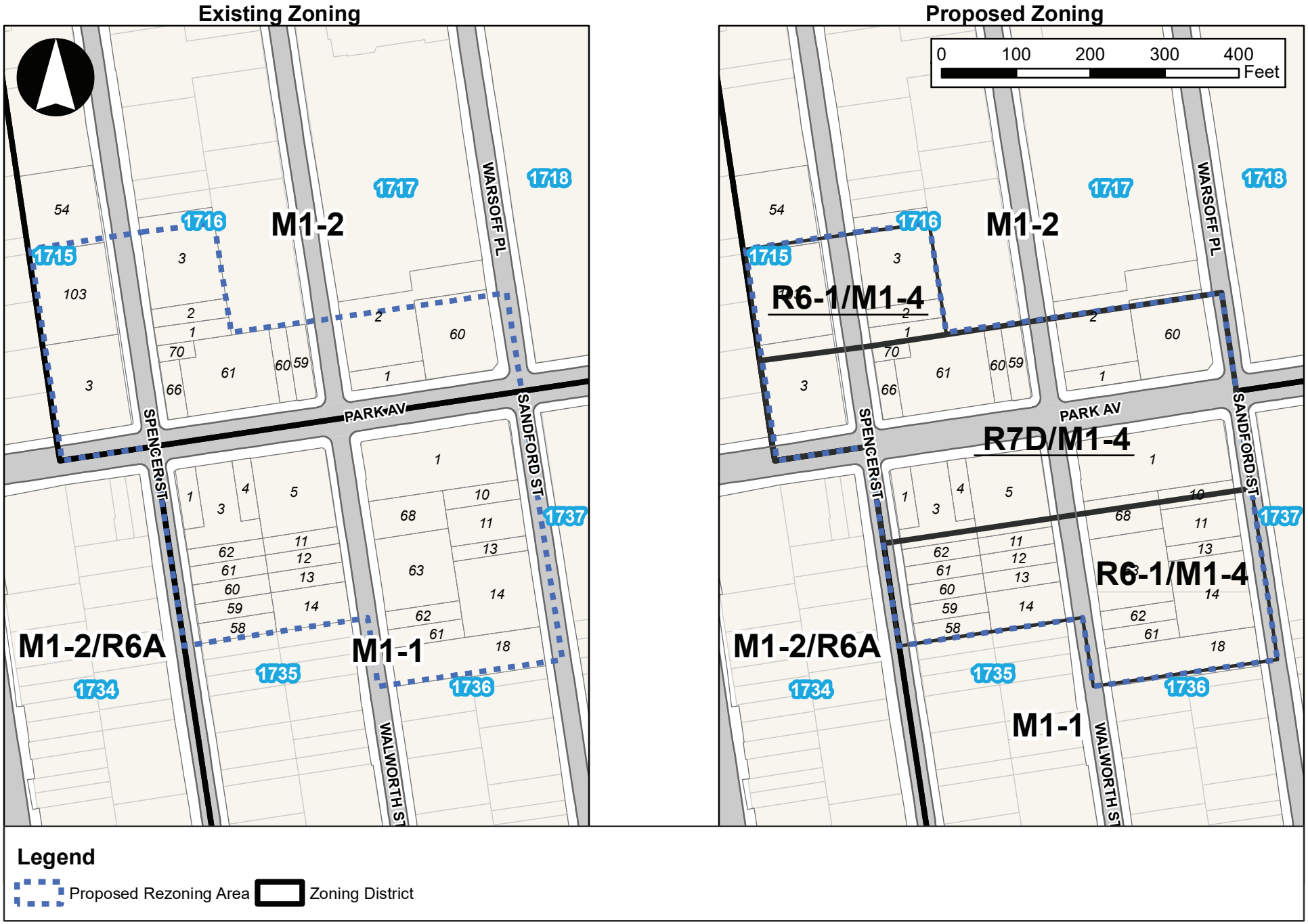
The proposed zoning map amendment would rezone the portion of the Project Area within 100-feet of Park Avenue as M1-4/R7D. The area beyond 100 feet of Park Avenue within the Project Area would be rezoned M1-4/R6-1 (refer to **Figure A-3**). Currently, sites north of Park Avenue are zoned M1-2 and sites south of Park Avenue are zoned M1-1. Sites within the proposed M1-4/R7D district would be permitted to develop up to 5.6 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.2 FAR of community facility uses. Sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.6 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.8 FAR of community facility uses. The proposed zoning map amendment would allow residential uses to an FAR between 3.6-5.6 FAR that is not currently permitted within the Project Area. The proposed zoning map amendment would allow the maximum commercial and manufacturing FAR within the Project Area on sites currently zoned M1-1 to increase from 1.0 to 2.0. Sites currently zoned M1-2 would allow for the same amount of commercial and manufacturing FAR as a result of the Proposed Actions. For sites currently zoned M1-1, the proposed zoning map amendment would increase the maximum permitted community facility FAR to increase from 2.4 to 4.2-4.8, depending on whether the site is rezoned to M1-4/R7D or M1-4/R6-1, respectively. Sites that would be rezoned from M1-2 to M1-4/R7D would reduce their maximum permitted community facility FAR from 4.8 to 4.2. Sites that would be rezoned from M1-2 to M1-4/R6-1 would experience no change in the maximum permitted community facility FAR (refer to **Figure A-3**).

Zoning Text Amendment

The proposed zoning text amendment would: a) establish the Project Area as an MIH area; b) amend Article II of the Zoning Resolution to establish and define the R6-1 zoning district; and c) modify the Special Mixed-Use District MX-4 (Flushing/Bedford) to include M1-4/R6-1 and M1-4/R7D zoning designations.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions are being requested to meet the growing demand for additional schools in the neighborhood. The existing M1-1 and M1-2 manufacturing districts do not permit Use Group 3 schools in the Project Area. The requested special mixed-use M1-4/R7D and M1-4/R6-1 districts would permit Use Group 3 school uses and allow for new housing and local retail uses to be built in a neighborhood with a growing population.


Existing Zoning
Proposed Zoning
0 100 200 300 400
Feet
M1-2
M1-2/R6A
M1-1
R6-1/M1-4
R7D/M1-4
R6-1/M1-4
1715
1716
1717
1718
1734
1735
1736
1737
PARK AV
SPENCER ST
WARSOFF PL
SANDFORD ST
WALWORTH ST
Legend
Proposed Rezoning Area
Zoning District

Existing schools in the Project Area and in the surrounding community are experiencing an increase in demand that is greater than their existing facilities can accommodate. Schools in the area that comprise the Applicant have developed extensive waiting lists in the last few years. However, these schools are greatly hampered in their ability to open new schools near the communities their schools serve. M1-1 and M1-2 zoning districts, which are mapped over the Project Area currently and extensively throughout the surrounding neighborhood, prohibit Use Group 3 schools as-of-right.

The proposed zoning map amendment would allow for additional schools to operate within the Project Area, address their capacity issues, meet demand for their services in the neighborhood, and allow for the development of new housing in an area with need for additional housing. The proposed M1-4/R7D and M1-4/R6-1 zoning districts would match allowable uses and density permitted in the existing M1-2/R6A special mixed-use district mapped to the west of the Project Area.

As discussed above, the Project Area is currently characterized by existing schools, warehouse/storage uses, local retail, supply stores, medical office space, and pre-existing non-conforming residential uses. The proposed zoning map amendment would allow these existing uses to continue to exist in the Project Area, bring the pre-existing non-conforming residential uses into compliance, and incentivize the redevelopment of vacant/underdeveloped sites within the Project Area with new schools or mixed-use residential and local retail buildings.

The proposed zoning text amendment would map the Project Area as a Mandatory Inclusionary Housing (MIH) area and would require new housing within the Project Area to set aside permanently affordable housing. Therefore, the Proposed Actions would create new affordable housing in the proposed rezoning area, helping to address affordable housing goals set forth by the City in OneNYC 2050.

The second proposed zoning text amendment would modify Section 11-122 and Section 23-154 to create the new R6-1 zoning district. The R6-1 zoning district will allow the same residential and community facility uses that an R6 district allows. It will also allow the same bulk as an R6 district, with the sole exception of the floor area bulk regulations for MIH developments. For floor area regulations, an R6-1 district will allow, for any MIH development, a 3.6 residential FAR.[2] For non-MIH Quality Housing developments and community facility uses, the permitted floor areas are identical to an R6 district: the maximum permitted residential FAR is 2.2, unless the development is within 100 feet of a wide street, in which case the maximum permitted residential FAR is 3.0. For community facility uses, the R6-1 district will allow a 4.8 FAR. The R6-1 district will also allow a lot coverage of 65 percent for MIH developments.

V. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area. The 2021 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

[2] A 3.6 residential FAR is only permitted for MIH and IH developments in R6 districts when located within 100 feet of a wide street. Otherwise, for MIH and IH developments in R6 districts, the maximum permitted residential FAR is 2.42.

Analysis Year

At this time, only three of the Applicant-controlled Projected Development Sites (Sites 2, 6, and 8 – the sites proposed for educational uses) have started to prepare development plans (refer to **Figure A-4**). It is assumed that the other Projected Development Sites would not begin to consider development options until after the Proposed Actions are approved. Assuming approval of the Proposed Actions in 2024, it is likely that the remaining Projected Development Sites within the Project Area would be redeveloped by 2030. Accordingly, this environmental review will use 2030 as the Analysis Year for analysis of future conditions consistent with *CEQR Technical Manual* guidance.

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was established for both the future without the Proposed Actions (No-Action) and the future with the Proposed Actions (With-Action) for an analysis year, or Build Year, of 2030. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses.

The NYC Department of City Planning is proposing a citywide zoning text amendment, the City of Yes for Housing Opportunity "CHO" (CEQR No. 24DCP033Y) to expand opportunities for housing within all zoning districts, and across all 59 of the City's Community Districts. These changes to the City's Zoning Resolution would enable more housing and a wider variety of housing types in every neighborhood, from the lowest-density districts to the highest, to address the housing shortage and high cost of housing in New York City. It is anticipated that this proposed zoning text amendment would be referred into public review in Spring 2024. It has been determined that this project may be affected by the proposals included in the text amendment. In order to present a conservative environmental analysis, a detailed assessment of CHO's effect on this project will be included in the EIS.

Identification of Development Sites

According to the *CEQR Technical Manual*, the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Actions:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

Figure A-4

Applicant and Non-Applicant Projected and Potential Development Sites



Chapter 2, Section 410 of the *CEQR Technical Manual* also indicates that if sites meet both of these criteria, the likelihood of development should be further determined by considering the following:

- the amount and type of recent as-of-right development in the area;
- recent real estate trends in the area;
- recent and expected future changes in residential population and employment in the study area;
- government policies or plans, such as a building on a site being identified for a landmark designation, that may affect the development potential of a site or sites;
- site specific conditions that make development difficult; and
- issues relating to site control or site assemblage that may affect redevelopment potential.

Chapter 2, Section 410 of the *CEQR Technical Manual* also specifies that some uses and types of buildings that meet these soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed actions. These "Excluded Sites" include:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Long-standing institutional uses with no known development plans; or
- Residential buildings with six (6) or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to demolish due to tenant re-location requirements.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2030), while potential sites are considered less likely to be developed over the same period. Each of the Projected and Potential Development Sites are shown in **Figure A-4**.

PROJECTED DEVELOPMENT SITES

Projected Development Site 1 - Block 1715; Lot 3 (517 Park Avenue) - The 12,271-sf corner lot is currently occupied by a two-story 23,861 gsf health care center with a pharmacy, medical office space, and retail space. As this site is under control of the Applicant, it will be referred to as Projected Development Site 1 for CEQR analysis purposes.

Projected Development Site 2 - Block 1716; Lot 3 (49 Spencer Street) - The 12,500-sf interior lot is currently vacant. As this site is under control of the Applicant, it will be referred to as Projected Development Site 2 for CEQR analysis purposes.

Projected Development Site 3 - Block 1716; Lot 61 (533 Park Avenue) - The 11,657-sf interior lot is currently occupied by a one-story 11,657 gsf commercial building utilized as a plumbing supply store. As this site is under control of the Applicant, it will be referred to as Projected Development Site 3 for CEQR analysis purposes.

Projected Development Site 4 - Block 1717; Lot 60 (547 Park Avenue) - The 10,775-sf corner lot is currently undeveloped and is used as parking for a rental car company. As this site is under control of the Applicant, it will be referred to as Projected Development Site 4 for CEQR analysis purposes.

Projected Development Site 5 - Block 1736; Lot 1 (528 Park Avenue) - The 16,450-sf corner lot is currently occupied by a tire shop with no permanent structures. As this site is under control of the Applicant, it will be referred to as Projected Development Site 5 for CEQR analysis purposes.

Projected Development Site 6 - Block 1736; Lots 10, 11, 13, 18, 61-63 (76-82 Sandford Street, 96 Sandford Street, 79-89 Walworth Street) - The 35,750-sf interior site is currently occupied a 2,500 gsf warehouse on Lot 10 and by several one- and two-story buildings, totaling 42,250 gsf, used as accessory buildings for the existing school on Block 1736, Lot 14. As this site is under control of the Applicant, it will be referred to as Projected Development Site 6 for CEQR analysis purposes.

Projected Development Site 7 - Block 1716; Lots 59-60 (535-537 Park Avenue) - The 4,888-sf corner site is evenly divided into two tax lots and is currently occupied a 1,000-gsf one-story retail building and a 900-gsf single-family residential building, each on Lot 59. Lot 60 is vacant. Although this site is not under control of the Applicant, as it has common ownership, is underdeveloped pursuant to the proposed zoning map amendment and is partially vacant, it will be referred to as Projected Development Site 7 for CEQR analysis purposes.

Projected Development Site 8 - Block 1735; Lots 13-14 (86-88 Walworth Street) - The 7,500-sf interior site is currently occupied by a 5,000-gsf one-story building occupied by a house of worship and a 1,400-gsf two-family residential building. As this site is under control of the Applicant, it will be referred to as Projected Development Site 8 for CEQR analysis purposes.

Projected Development Site 9 - Block 1735; Lots 5, 11-12 (520 Park Avenue, 82-84 Walworth Street) - The 15,725-gsf corner site is currently occupied by a 10,725-gsf one-story retail building on Lot 5, and a 5,000 gsf one-story warehouse building on Lots 11 and 12. As this site is under control of the Applicant, it will be referred to as Projected Development Site 9 for CEQR analysis purposes.

Projected Development Site 10 - Block 1735; Lot 3 (514 Park Avenue) - The 6,612-gsf interior lot is currently occupied by a 2,500-gsf one-story building used for warehouse/storage. As this site is under control of the Applicant, it will be referred to as Projected Development Site 10 for CEQR analysis purposes.

Projected Development Site 11 - Block 1735; Lots 61-62 (75-77 Spencer Street) - The 5,000-gsf interior site is currently occupied by a 1,400-gsf one-story warehouse on Lot 62. Lot 61 is vacant. Although this site is not under control of the Applicant, as it has common ownership, is underdeveloped pursuant to the proposed zoning map amendment and is partially vacant, it will be referred to as Projected Development Site 11 for CEQR analysis purposes.

Projected Development Site 12 - Block 1717; Lot 2 (55 Walworth Street) - The 13,613-gsf interior lot is currently undeveloped and used for parking. Although this site is not under control of the Applicant, due to the size of the lot and the lack of development at the site, it will be referred to as Projected Development Site 12 for CEQR analysis purposes.

POTENTIAL DEVELOPMENT SITES

Potential Development Site A - Block 1736; Lot 68 (75 Walworth Street) - The 5,000-sf interior lot is currently occupied by a one-story 5,000 gsf house of worship. As the site is occupied by a community facility use with no known development plans but is underdeveloped pursuant to the requested zoning map amendment, it is analyzed as Potential Development Site A for CEQR analysis purposes.

Potential Development Site B - Block 1735; Lots 58-60 (79-83 Spencer Street) - The 7,500-sf interior site is currently occupied by a one-story 8,911-gsf house of worship. As the site is occupied by a community facility use with no known development plans but is under common ownership and is underdeveloped pursuant to the requested zoning map amendment, it is analyzed as Potential Development Site B for CEQR analysis purposes.

REMAINDER OF PROJECT AREA

Block 1715; Lot 103 (48 Spencer Street) – As discussed above, Lot 103 is a 12,500-sf lot occupied by a nonconforming three-story 37,500 gsf building occupied by the 34,700 gsf Yeshiva Letzirim Satmar and a 2,800 gsf appliance/hardware store on the ground floor (3.0 FAR). The existing building is overbuilt pursuant to the existing 2.0 FAR allowed in M1-2 zoning districts and includes floor plates that extend across 100 percent of the lot - rendering the building non-complying with rear yard regulations. However, these conditions provide a superior floor plate for Use Group 3 school use. It is the Applicant's opinion that this existing non-complying condition provide a superior condition for the proposed school use. As the proposed rezoning would allow for a maximum 4.8 FAR, the existing building is built to more than 50 percent of the future allowable FAR. Approval of the Proposed Actions would legalize the existing bulk located on the site. Given the existing FAR of the site and based on the proposed R6-1/M1-4 zoning district for the site's maximum FAR of 4.8, it is unlikely that the Proposed Actions would facilitate the redevelopment of this site.

Block 1715; Lot 54 (38 Spencer Street) – Lot 54 is a 10,600-sf interior lot occupied by a one-story 2,500 gsf warehouse. As described in Section 2b, approximately 229 sf (approximately two percent of the lot) is located within the Proposed Rezoning Area. Based on the limited amount of lot area included in the Proposed Rezoning Area (representing approximately 2 percent of the overall lot), this lot is unlikely to be redeveloped as a result of the Proposed Actions.

Block 1716; Lot 1 (53 Spencer Street) – Lot 1 is a 2,508-sf lot occupied by a three-story 3,375 gsf residential building containing four dwelling units (DUs) (1.35 FAR). As the lot size is less than 5,000 sf, it is unlikely that the Proposed Actions would result in the redevelopment of the site.

Block 1716; Lot 2 (51 Spencer Street) – Lot 2 is a 2,483-sf lot occupied by a one-story 2,489 gsf warehouse (1.0 FAR). As the lot is less than 5,000 sf, it is unlikely that the Proposed Actions would result in the redevelopment of the site.

Block 1716; Lot 66 (523 Park Avenue) – Lot 66 is a 1,900-sf lot occupied by a three-story residential building containing four DUs. Given its small lot size, it is unlikely that the Proposed Actions would result in the redevelopment of this site.

Block 1716; Lot 70 (525 Park Avenue) – Lot 70 is a 1,100-sf lot occupied by a three-story residential building containing three DUs. Given its small lot size, it is unlikely that the Proposed Actions would result in the redevelopment of this site.

Block 1717; Lot 1 (63 Walworth Street) – Lot 1 is a 2,500-sf lot occupied by a one-story 1,783 commercial retail building. As the lot is less than 5,000 sf, it is unlikely that the Proposed Actions would result in the redevelopment of the site.

Block 1736; Lot 14 (84 Sandford Street) – Lot 14 is a 10,000-sf lot that contains a 40,500 gsf, six-story school building (4.05 FAR). The site is occupied with institutional uses legally established per a special permit approved by the Board of Standards and Appeals. The site is controlled by the Applicant who are seeking the Proposed Actions to build additional school buildings adjacent to Lot 14. Therefore, the site is not expected to be redeveloped as a result of the Proposed Actions.

Block 1735; Lot 1 (512 Park Avenue) – Lot 1 is a 2,056-sf lot occupied by a 5,000 gsf three-story nonconforming residential building containing four DUs (2.43 FAR). As the lot is less than 5,000 sf, it is unlikely that the Proposed Actions would result in the redevelopment of the site.

Block 1735; Lot 4 (518 Park Avenue) – Lot 4 is a 2,056-sf lot that is occupied by a 7,051 gsf four-story nonconforming structure occupied by a Hatzolah volunteer firehouse (3.43 FAR). As the lot is less than 5,000 sf and is occupied by an institutional use with no known development plans and is built to an FAR that is more than 50 percent of the allowable FAR under the Proposed Actions, this site is not expected to be redeveloped as a result of the Proposed Actions.

The Future Without the Proposed Actions (No-Action Condition)

Absent approval of the Proposed Actions, two sites within the Project Area are expected to be redeveloped. At Projected Development Site 2 (49 Spencer Street), the currently vacant site is expected to be redeveloped with a 69,000-gsf mixed-use building containing 28,750 gsf of commercial space (17,969 gsf of office space and 10,781 gsf of local retail space) and 40,250 gsf of medical office space. Development would be consistent with other recent projects on the block including 18 Spencer Street and 31 Spencer Street (DOB NB Job No. 321458481 and 321516640, respectively). At Projected Development Site 12, the currently vacant site would be redeveloped with a 6,216-gsf one-story commercial building that would allow the property owner to incorporate all required parking on the lot without the increased cost of excavation to put parking below grade.

All other sites within the Project Area are expected to remain the same as under existing conditions.

The Future With the Proposed Actions (With-Action Condition)

Each of the Projected and Potential Development Sites are described below. Table A-2 includes the uses at each site under the With-Action Condition.

Projected Development Site 1 - Block 1715; Lot 3 (517 Park Avenue) – Approval of the Proposed Actions would facilitate the expansion of existing uses into an 11-story 76,627 gsf mixed-used residential, commercial, and community facility building at the site. The building would contain approximately 56 DUs, of which 14 would be permanently affordable pursuant to MIH. The existing 12,271 gsf of retail space and 11,590 gsf of medical office space would remain on-site in the With-Action condition. The site would include 21 accessory off-street parking spaces for the residential units.

Projected Development Site 2 - Block 1716; Lot 3 (49 Spencer Street) – At 49 Spencer Street, the Applicant intends to develop a 497-seat private high school for girls, also known as the Beth Chana School[3]. The school would be a five-story, 60-foot-tall, 54,625 gsf school (the Beth Chana School). The building would achieve a FAR of 3.8 and would not fully maximize the allowable 4.8 FAR for the proposed M1-4/R6-1 mixed-use district. For each of the Projected Development Sites for schools (Sites 2, 6, and 8), the Applicant intends to build schools that reach the maximum base height of 60 feet allowed in the proposed M1-4/R6-1 zoning district. Each of these schools are designed to maximize windowed classroom space, minimize construction costs, and provide a continuous roof deck for active recreation. The schools' programming includes recreational activities that require sufficient space. To accommodate recreational activity, the schools are exploring development plans that include the provision of roof decks roughly the size of the building footprints.

Projected Development Site 3 - Block 1716; Lot 61 (533 Park Avenue) - At 533 Park Avenue, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 72,244 gsf building would include approximately 66 DUs, 17 of which would be permanently affordable pursuant to MIH, and 10,054 gsf of ground floor local retail. Approximately 25 accessory off-street parking spaces would be required for the residential use.

Projected Development Site 4 - Block 1717; Lot 60 (547 Park Avenue) - At 547 Park Avenue, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 66,778 gsf building would include approximately 61 DUs, 16 of which would be permanently affordable pursuant to MIH, and 9,293 gsf of ground floor local retail. Approximately 23 accessory off-street parking spaces would be required for the residential use.

Projected Development Site 5 - Block 1736; Lot 1 (528 Park Avenue) - At 528 Park Avenue, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 101,949 gsf building would include approximately 93 DUs, 24 of which would be permanently affordable pursuant to MIH, and 14,188 gsf of ground floor local retail. Approximately 35 accessory off-street parking spaces would be required for the residential use.

Projected Development Site 6 - Block 1736; Lots 10, 11, 13, 18, 61-63 (76-82 Sandford Street, 96 Sandford Street, 79-89 Walworth Street) - At 84 Sandford Street (Block 1736, Lots 10, 11, 13, 14, 18, 61, 62, and 63), the Applicant intends to expand the existing K-12 Central United Talmudic Academy across two new buildings. On Lots 10, 11, and 13, the Applicant would construct a five-story 43,700 gsf building on Sandford Street as part of the expansion of the existing school on Lot 14 described above. The building on Lots 10, 11, and 13 would be constructed to the maximum 60-foot base height permitted in the requested R6-1/M1-4 zoning district. On Lots 18, 61, 62, and 63, the Applicant would construct a five-story 112,988 gsf building. The building would be constructed to the maximum 60-foot base height permitted in the requested R6-1/M1-4 zoning district. The building would have frontage on Sandford Street and Walworth Street. The existing building on Lot 14 would remain unchanged. Assuming one student per 110 gsf, it is expected that the development of this Projected Development Site would add an additional 1,425 students.

Projected Development Site 7 - Block 1716; Lots 59-60 (535-537 Park Avenue) - At 535-537 Park Avenue, a site that is not under control of the Applicant, it is assumed for RWCDS purposes that an 11-story mixed-

[3] Assumes 110 gsf per student.

use residential and commercial building would be constructed as a result of the Proposed Actions. The 30,293 gsf building would include approximately 28 DUs, 7 of which would be permanently affordable pursuant to MIH, and 4,216 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site.

Projected Development Site 8 - Block 1735; Lots 13-14 (86-88 Walworth Street) - A 298-seat private K-12 school, Yeshiva Bnos Ahavas Israel, is proposed at 86-88 Walworth Street (Block 1735, Lots 13 and 14). The school would be an approximately 32,775 gsf (3.8 FAR) five-story building and would be constructed to the maximum 60-foot base height permitted in the proposed R6-1/M1-4 zoning district. Similar to the Beth Chana School (Projected Development Site 2), the lack of a setback in the proposed school on this site would allow the Applicant to maximize the size of windowed classroom space, minimize construction costs, and allow the Applicant to construct an approximately 7,500 sf outdoor recreation space on the roof.

Projected Development Site 9 - Block 1735; Lots 5, 11-12 (520 Park Avenue, 82-84 Walworth Street) - At 520 Park Avenue, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 86,546 gsf building would include approximately 77 DUs, 20 of which would be permanently affordable pursuant to MIH, and 13,563 gsf of ground floor local retail. Approximately 29 accessory off-street parking spaces would be required for the residential use.

Projected Development Site 10 - Block 1735; Lot 3 (514 Park Avenue) - At 514 Park Avenue, it is assumed for RWCDS purposes that a 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 40,978 gsf building would include approximately 38 DUs, 10 of which would be affordable pursuant to MIH, and 5,703 gsf of ground floor local retail. No parking would be required.

Projected Development Site 11 - Block 1735; Lots 61-62 (75-77 Spencer Street) - At 75-77 Spencer Street, a site not under the control of the Applicant, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 19,988 gsf building would include approximately 17 DUs, five of which would be permanently affordable pursuant to MIH, and 4,313 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site.

Projected Development Site 12 - Block 1717; Lot 2 (55 Walworth Street) - At 55 Walworth Street, a site not under the control of the Applicant, is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 47,095 gsf building would include approximately 43 DUS, 11 of which would be permanently affordable pursuant to MIH, and 6,554 gsf of ground floor local retail. Sixteen accessory off-street parking spaces would be required.

POTENTIAL DEVELOPMENT SITES

Potential Development Site A - Block 1736; Lot 68 (75 Walworth Street) – At Potential Development Site A, it is assumed that the redevelopment of the site would include a 11-story mixed-use residential and community facility building and would incorporate 23 DUs, six of which would be permanently affordable pursuant to MIH, and 4,200 gsf of house of worship space on the ground floor.

Potential Development Site B - Block 1735; Lots 58-60 (79-83 Spencer Street) – At Potential Development Site B, it is assumed that the redevelopment of the site would include a 11-story mixed-use residential and community facility building and would incorporate 34 DUs, nine of which would be permanently affordable pursuant to MIH, and 6,700 gsf of house of worship space on the ground floor.

TABLE A-2
With-Action Scenario Projected Development Sites

Projected Development Site	Total GSF	Residential GSF	Total DU	Affordable DU	Retail GSF	Medical Office GSF	School GSF	Parking Spaces
1	76,627	52,766	56	14	12,271	11,590	-	21
2	54,625	-	-	-	-	-	54,625	-
3	72,244	62,190	66	17	10,054	-	-	26
4	66,778	57,485	61	16	9,293	-	-	23
5	101,949	87,861	93	24	14,188	-	-	35
6	156,688	-	-	-	-	-	156,688	-
7	30,293	26,077	28	7	4,216	-	-	-
8	32,775	-	-	-	-	-	32,775	-
9	86,456	72,893	77	20	13,563	-	-	29
10	40,978	35,275	38	10	5,703	-	-	-
11	19,988	15,675	17	5	4,313	-	-	-
12	47,095	40,541	43	11	6,554	-	-	16
Total	**786,495**	**450,662**	**479**	**124**	**80,155**	**11,590**	**244,088**	**150**

Possible Effects of the Proposed Actions

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. **Table A-3** below provides a comparison of the total RWCDS No-Action and With-Action scenarios identified for analysis purposes, for all 12 Projected Development Sites (i.e., total RWCDS). As shown, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 476 DUs, including 124 affordable units, 201,838 gsf of school space, 27,505 gsf of local retail space, and a net decrease of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, and a net decrease of 104 parking spaces. **Table A-3** provides an estimate of the number of residents and workers generated by the total RWCDS for the Proposed Actions. As shown in **Table A-3**, the total RWCDS for the Proposed Actions is estimated to result in a net increase of approximately 1,219 residents, approximately 43 workers, and approximately 1,835 students within the Project Area, as compared to the No-Action conditions.

TABLE A-3
Comparison of No-Action and With-Action Development Scenarios for Project Area (RWCDS)

Use		**No-Action Scenario [GSF]**	**With-Action Scenario [GSF]**	**Increment**
Residential	Affordable	-	*124*	***+124 DU***
	Market-Rate	3	*355*	***+352 DU***
	Total Residential Units	*3*	479	**+476 DU**
Medical Office		51,840 gsf	11,590 gsf	**-40,250 gsf**
School		42,250 gsf	244,088 gsf	**+201,838 gsf**
House of Worship		5,000 gsf	-	**-5,000 gsf**
Local Retail		52,650 gsf	80,155 gsf	**+27,505 gsf**
Office		17,969 gsf	-	**-17,969 gsf**
Warehouse		11,400 gsf	-	**-11,400 gsf**
Parking Spaces		251 spaces	150 spaces	**-101 spaces**
Population/Employment[1]		**No-Action Scenario**	**With-Action Scenario**	**Increment**
Residents		8 residents	1,227 residents	**+ 1,219 residents**
Workers		461 workers	504 workers	**+ 43 workers**
Students		384 students	2,219 students	**+1,835 students**

Notes:
[1] Based on 2.56 persons per DU (2020 Census average household size for Brooklyn Community District 3). Estimate of workers assumes one retail worker per 333 gsf. One office worker per 250 gsf. One House of Worship (CF) worker per 333 gsf. One medical office worker per 333 gsf. One warehouse worker per 1,000 gsf. One school employee per 11 students. One worker per attended parking garage. One worker per 25 DU. One student per 110 gsf of school space.

VI. PUBLIC REVIEW PROCESS

The Proposed Actions are subject to the City's land use and environmental review processes, described below.

Uniform Land Use Review Procedure

The City's Uniform Land Use Review Procedure (ULURP), mandated by Sections 197-c and 201 of the City Charter, is a process specifically designed to allow public review at four levels: the Community Board, the Borough President, the CPC, and the City Council. The procedure sets time limits at each review, with a maximum period of approximately seven months.

The process begins with DCP certification that the land use application is complete. The application is then referred to the Community Board in which the project takes place (for the Proposed Actions, Brooklyn Community Board 3). The Community Board has up to 60 days to review the proposal, hold a public hearing, and adopt a resolution regarding the proposal. Next, the Borough President has up to 30 days to perform the same steps. The CPC then has up to 60 days, and, during that time, a ULURP public hearing is held. The CPC then forwards the application to the City Council. Following the Council's vote, the Mayor, at their discretion, may choose to veto the action. The City Council can override that veto.

Environmental Review

The Proposed Actions are subject to CEQR. CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The CEQR process requires City agencies to assess, disclose, and mitigate to the greatest extent practicable the significant environmental consequences of their decisions to fund, directly undertake, or approve a project. DCP, acting on behalf of the CPC, is the lead agency for the proposed actions.

Attachment B

Supplemental Screening

PARK AVENUE BROOKLYN REZONING EAS
Attachment B: Additional Information for EAS Part II: Technical Analysis

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. Based on this guidance, preliminary analyses were conducted for all aspects of the Proposed Actions to determine whether detailed analyses of any technical areas would be appropriate.

1. LAND USE, ZONING, AND PUBLIC POLICY

Under New York City Environmental Quality Review (CEQR), a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for a project to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. An assessment of land use is appropriate if a project would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendment.

The Proposed Actions include zoning map and text amendments, which would affect regulations and policies governing land use within the Project Area in the Bedford-Stuyvesant neighborhood of Brooklyn Community District (CD) 3. In addition, several public policies are applicable to the Project Area and surrounding area, including the Waterfront Revitalization Program (WRP), Housing New York, and the City's sustainability goals outlined in PlaNYC/OneNYC. Therefore, consistent with 2021 *CEQR Technical Manual* guidance, an assessment of land use, zoning, and public policy is warranted, and will be provided in the EIS, as described in the Draft Scope of Work.

2. SOCIOECONOMIC CONDITIONS

According to the *CEQR Technical Manual,* the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. A socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the

neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

As detailed below, the development facilitated by the Proposed Actions warrants an assessment of socioeconomic conditions with respect to indirect residential displacement and direct business displacement.

The Proposed Actions would facilitate the construction of a net increment of 476 new residential units, which would exceed the *CEQR Technical Manual* threshold of 200 units for assessing the potential indirect effects of a project. Therefore, an assessment of indirect residential displacement will be provided in the EIS, as described in the Draft Scope of Work.

The socioeconomic assessment with respect to indirect business and institutional displacement considers whether a proposed project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. The total RWCDS for the Proposed Actions would result in an incremental (net) decrease of approximately 17,969 gsf of commercial office space, 40,250 gsf of medical office space, 11,400 gsf of light manufacturing space compared to the No-Action condition and would introduce an increment of approximately 27,505 gsf of local retail space. As such, the Proposed Actions would not exceed the 200,000 sf CEQR threshold for "substantial" new development, and an assessment of potential socioeconomic effects due to indirect business and institutional displacement is not warranted.

As the 12 Projected Development Sites comprising the existing conditions in the RWCDS include a total of three DUs, the Proposed Actions would result in the direct displacement of less than 500 residents. Therefore, an assessment of the potential socioeconomic effects due to direct residential displacement is not warranted for the Proposed Actions.

The 12 Projected Development Sites identified in the RWCDS currently include approximately 205 employees. These employees could be directly displaced as a result of the Proposed Actions, which would exceed the *CEQR Technical Manual* threshold of 100 employees for assessing the potential direct business displacement. Therefore, an assessment of direct business displacement is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

An assessment is appropriate if a project is expected to affect conditions within a specific industry. As the Proposed Actions do not include any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes, the Proposed Actions would not result in significant adverse impacts on specific industries, and no further analysis of this issue is warranted.

3. COMMUNITY FACILITIES

Community facilities are public or publicly-funded schools, libraries, child care centers, health care facilities and fire and police protection. An analysis looks at an action's potential effect on the services provided by these facilities. An action can affect community facility services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

As described in **Attachment A, "Project Description,"** Projected Development Site 8 is currently occupied by a community facility use, a 5,000 gsf house of worship. As a result of the Proposed Actions, the site would be redeveloped with a 32,775 gsf private school. It is the Applicant's intention to allow for the house of worship to conduct services in the new school building on weekends and outside of school hours. As such, the Proposed Actions would not result in any permanent direct effects to existing community facility. The Proposed Actions would not affect the physical operations of or access to and from any police or fire stations. The total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 476 DUs (and 479 total DUs), including approximately 124 affordable units. A discussion of the Proposed Actions' potential effects on community facilities is provided below.

Public Schools

According to *CEQR Technical Manual* guidance, if an action introduces 50 or more elementary and middle school age children, or 150 high school students, an assessment of school facilities is required. According to updated 2019 student generation ratios for Brooklyn Community School District (CSD) 13[1], the total RWCDS for the Proposed Actions would introduce approximately 29 elementary/middle school students and 24 high school students. As the number of additional students introduced by the Proposed Actions would not exceed the elementary/intermediate school, and high school thresholds, further analysis is not warranted and no significant adverse impact would occur.

Early Childhood Programs

The *CEQR Technical Manual* requires a detailed analysis of publicly-funded child care centers when a proposed action would produce substantial numbers of subsidized, low- to moderate-income affordable housing units that may therefore generate a sufficient number of eligible children to affect the availability of slots at group child care facilities. Typically, a proposed action that generates 20 or more eligible children under age six requires further analysis. Based on *CEQR Technical Manual* multipliers, 110 affordable housing units in Brooklyn would yield more than 20 children under age six eligible for publicly-funded child care.

As noted above, the total RWCDS for the Proposed Actions would facilitate the construction of up to 124 affordable dwelling units pursuant to MIH. Of those 124 affordable units, approximately 100 (80% of the total number of affordable DU) would be for households earning less than 80% AMI, pursuant to MIH Option 1. As this number would not exceed the *CEQR Technical Manual* analysis threshold of 110 units in Brooklyn, the total RWCDS for the Proposed Actions would not generate more than 20 children under age six eligible for publicly funded child care, and further detailed assessment is not warranted.

Libraries

According to *CEQR Technical Manual* guidance, a detailed analysis of libraries is warranted if a proposed action would introduce a large residential population (i.e., greater than a five percent increase in the housing units served). In Brooklyn, if a proposed action would introduce 834 or more units, a detailed analysis is triggered. As the number of additional DUs introduced by the total RWCDS for the Proposed Actions (476 DUs) would not exceed this threshold, a detailed libraries analysis is not warranted and no significant adverse impact would occur.

[1] The Project Area is split between CSD 13 and 14. For conservative analysis purposes, the higher student generation rates for CSD 13 were used for the screening.

Police/Fire Services and Health Care Facilities

A detailed analysis of police and fire services and health care facilities is required if a proposed action would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As discussed in **Attachment A, "Project Description,"** Projected Development Site 1 (Block 1715, Lot 3) is currently occupied by a two-story existing health care center with a pharmacy, medical office space, and retail space. The total RWCDS for the Proposed Actions assumes that this Applicant-controlled site would be expanded as a result of the Proposed Actions with the addition of residential uses. Although the existing health care center/pharmacy/medical office uses would experience temporary construction disruptions, they would continue to operate under the With-Action condition, and therefore the Proposed Actions would not result in displacement of those uses. As the total RWCDS for the Proposed Actions would not introduce a sizeable new neighborhood where one has not previously existed, or displace or alter a hospital or public health clinic, no significant adverse impacts would be expected to occur, and a detailed analysis of police/fire services and health care facilities is not required.

4. OPEN SPACE

An open space assessment is typically warranted if a project would directly affect an open space or if it would increase the population by more than 200 residents or 500 employees. As shown in on page 5 of the EAS Form, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 1,219 residents and 43 workers compared to No-Action conditions. As such, the total RWCDS for the Proposed Actions would exceed the CEQR screening threshold for residents. Therefore, an open space analysis for the residential population generated by the total RWCDS for the Proposed Actions is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

5. SHADOWS

A shadows assessment considers proposed actions that result in new shadows long enough to reach a publicly accessible open space or historic resource (except within an hour and a half of sunrise or sunset). For proposed actions resulting in structures less than 50 feet high, a shadow assessment is generally not necessary unless the site is adjacent to a park, historic resource, or important natural feature (if the features that make the structure significant depend on sunlight). According to the 2021 *CEQR Technical Manual*, some open spaces contain facilities that are not sunlight-sensitive, and do not require a shadow analysis including paved areas (such as handball or basketball courts) and areas without vegetation.

As described in the EAS Form, development resulting from the Proposed Actions would range in height between 60 and 115 feet. Projected Development Sites 1, 3, 4, 5, 7, 9, 10, 11, and 12 would each reach 115-feet-tall. Potential Development Sites A and B would also stand 115-feet-tall. Projected Development Sites 2, 6, and 8 would each stand 60-feet-tall. Therefore, a Tier I and Tier II analysis was conducted to determine whether the development facilitated by the Proposed Actions could cast an incremental shadow on any sunlight-sensitive resource.

Tier I and II Screening Assessment

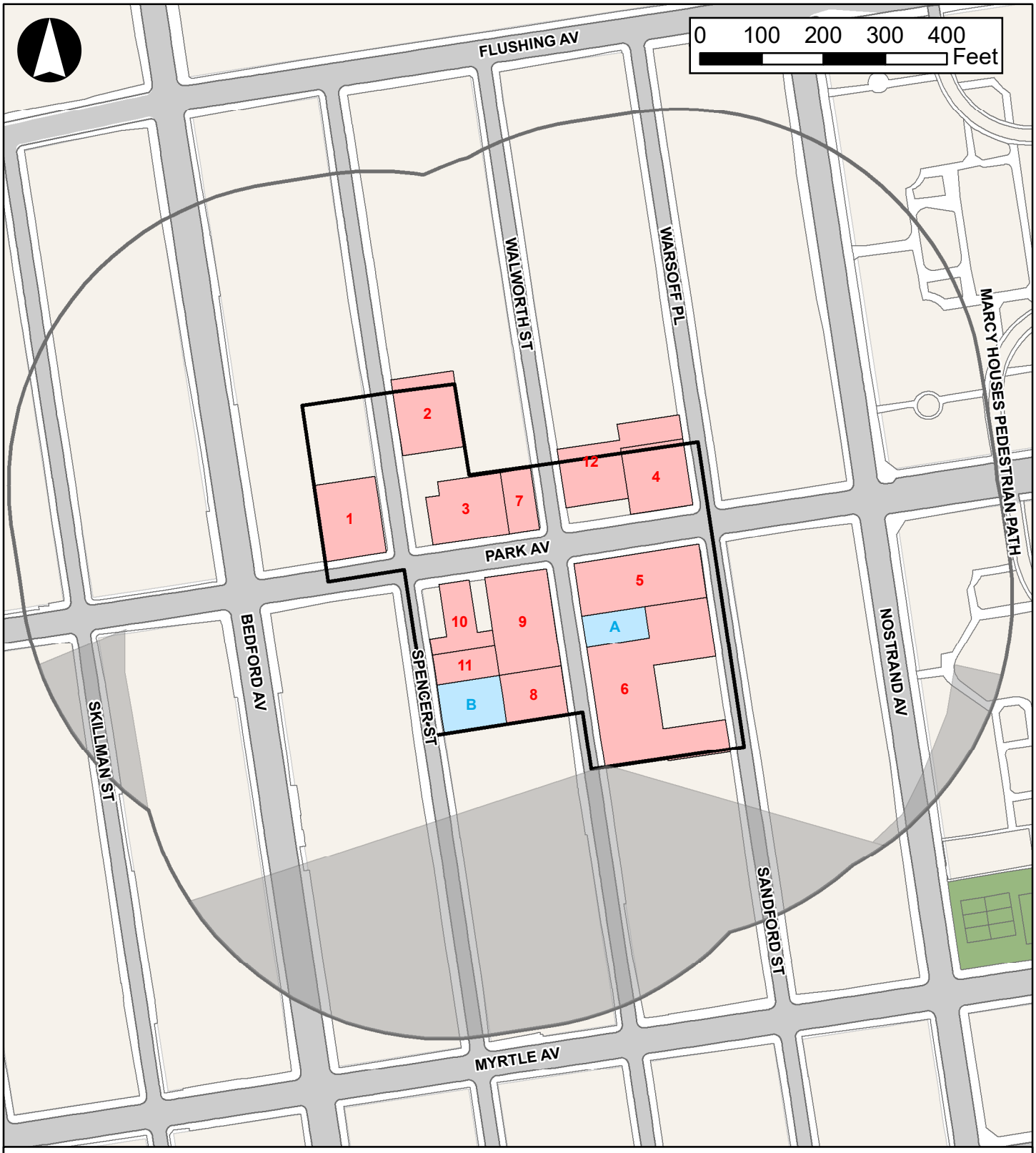
According to the *CEQR Technical Manual*, the longest shadow a structure will cast in New York City – except for periods close to dawn or dusk – is 4.3 times its height and occurs on December 21 (the winter solstice). The Tier I Longest Shadow Study Area was determined by multiplying the maximum height of each Projected and Potential Development Sites times 4.3. The Tier I Longest Shadow Study Area is shown in **Figure B-1**.

The *CEQR Technical Manual* defines sunlight-sensitive resources of concern as those resources that depend on sunlight, or for which direct sunlight is necessary to maintain the resource's usability or architectural integrity. Sunlight-sensitive resources of concern include:

- *Public open space* (e.g., parks, playgrounds, plazas, schoolyards, greenways, and landscaped medians with seating). Planted areas within unused portions or roadbeds that are part of the Greenstreets program are also considered sunlight-sensitive resources. The use of vegetation in an open space establishes its sensitivity to shadows. This sensitivity is assessed for both (1) warm-weather dependent features, like wading pools and sandboxes, or vegetation that could be affected by loss of sunlight during the growing season (i.e., March through October); and (2) features, such as benches, that could be affected by a loss of winter sunlight. Uses that rely on sunlight include: passive use, such as sitting or sunning; active use, such as playfields or paved courts; and such activities as gardening, or children's wading pools and sprinklers. Vegetation requiring direct sunlight includes the tree canopy, flowering plants, and plots, particularly plots for food production in community gardens. The amount of sunlight typically considered to be the minimum that plantings and vegetation would need is six to eight hours of direct sunlight. However, certain plantings and vegetation can tolerate partial sun, with a reduced minimum requirement of four to six hours of direct sunlight. Examples of areas that can tolerate partial sun are established tree canopies, shrubs or perennials.
- *Features of historic architectural resources that depend on sunlight for their enjoyment by the public.* Only the sunlight-sensitive features of an architectural resource are considered in a shadows analysis. Sunlight-sensitive features include the following: design elements that are part of a recognized architectural style that depends on the contrast between light and dark (e.g., deep recesses or voids, such as open galleries, arcades, recessed balconies, deep window reveals, and prominent rustication); elaborate, highly carved ornamentation; stained glass windows; exterior building materials and color that depend on direct sunlight for visual character (e.g., the polychromy [multicolored] features found on Victorian Gothic Revival or Art Deco facades); historic landscapes, such as scenic landmarks, including vegetation recognized as an historic feature of the landscape; and structural features for which the effect of direct sunlight is described as playing a significant role in the structure's importance as an historic landmark.
- *Natural resources where the introduction of shadows could alter the resource's condition or microclimate.* Such resources could include community gardens, surface water bodies, wetlands, or designated resources, such as coastal fish and wildlife habitats.

As shown in **Figure B-1,** there are no sunlight-sensitive resources within the Tier I Area. Therefore, no significant adverse impacts from shadows are anticipated and further analysis is not warranted.

Tier I: Shadows Screening



Legend

- Projected Development Sites
- Potential Development Sites
- Project Area
- Tier I: Longest Shadow Study Area
- Tier II: Area that Cannot be Shaded
- Open Space

6. HISTORIC AND CULTURAL RESOURCES

Historic and cultural resources are defined as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties that have been designated or are under consideration for designation as New York City Landmarks or Scenic Landmarks, or are eligible for such designation; properties within New York City Historic Districts; properties listed on the State and/or National Register of Historic Places; and National Historic Landmarks. An assessment of architectural and/or archaeological resources is usually needed for projects that are location adjacent to historic or landmark structures or projects that require in-ground disturbance, unless such disturbance occurs in an area that has already been excavated.

According to *CEQR Technical Manual* guidance, impacts on historic resources are considered on those sites affected by proposed actions and in the area surrounding identified development sites. In a letter dated July 24th 2023, the Landmarks Preservation Commission (LPC) indicated that the Projected and Potential Development Sites within the Project Area are not architecturally or archaeologically sensitive; and in a letter dated April 2, 2024 LPC indicated that there are no additional concerns regarding architectural and archaeological resources (refer to Appendix I for LPC correspondence). Therefore, no further analysis is warranted.

7. URBAN DESIGN AND VISUAL RESOURCES

An assessment of urban design is required when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. A preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: (1) projects that permit the modification of yard, height, and setback requirements; and (2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the Proposed Actions. A detailed analysis is stipulated for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Actions would result in physical changes to the Project Area beyond the bulk and form currently permitted as-of-right. This would include construction of 12 Projected Development Sites identified in the total RWCDS for the Proposed Actions. These changes could affect a pedestrian's experience of public space, requiring an urban design assessment. Therefore, an assessment of urban design and visual resources will be provided in the EIS, as described in the Draft Scope of Work.

The *CEQR Technical Manual* indicates that construction of large buildings at locations that experience high wind conditions may result in an exacerbation of wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. The need for a wind analysis is based on a number of factors, including whether the location is exposed to high wind conditions, such as along west and northwest-facing waterfronts, as well as the size and orientation of the buildings that are proposed to be constructed. As the Project Area is not located along a west- and northwest-facing waterfront, a pedestrian wind condition analysis is not warranted for the Proposed Actions.

8. HAZARDOUS MATERIALS

The potential for significant impacts from hazardous materials can occur when: (a) hazardous materials exist on a site and (b) a project would increase pathways to their exposure; or (c) a project would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. The Project Area is currently zoned M1-1 and M1-2 and may have been occupied by industrial uses. The total RWCDS for the Proposed Actions would facilitate construction of new mixed-use and community facility buildings on 12 Projected Development Sites and two Potential Development sites, which would entail new in-ground excavation and subsurface disturbance. Therefore, the EIS will include an assessment of hazardous materials on the Projected and Potential Development Sites identified in the RWCDS, as described in the Draft Scope of Work.

9. WATER AND SEWER INFRASTRUCTURE

Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressures, few actions have the potential to cause significant impacts on this system. Therefore, only very large developments or actions having exceptionally large water demands (e.g., more than one million gallons per day) would warrant a detailed water supply assessment. Based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the RWCDS's total With-Action water demand would be approximately 222,377 gallons per day, a net increase of approximately 165,286 gallons per day compared to No-Action conditions), and therefore, an assessment of water supply is not warranted, and no significant adverse impacts are anticipated.

For wastewater and stormwater conveyance and treatment, the *CEQR Technical Manual* indicates that a preliminary assessment would be needed if a project is in a combined sewer area and would exceed 400 residential units or 150,000 sf of non-residential space outside of Manhattan (compared to No-Action conditions). As the total RWCDS for the Proposed Actions would exceed the residential threshold, an assessment of wastewater and stormwater infrastructure is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

10. TRANSPORTATION

An assessment of transportation will be provided in the EIS. Based on preliminary estimates, the Proposed Actions are expected to facilitate development that would generate more than 50 additional vehicular trips in the weekday AM and PM peak hours, as well as the Saturday midday peak hour. The total RWCDS for the Proposed Actions is also expected to generate 50 or more vehicles per hour during each of these peak hours through one or more intersections. Therefore, detailed traffic analysis is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work. Furthermore, as described in the Draft Scope of Work, if warranted, the EIS will document changes in on-and off-street parking utilization in the future No-Action and With-Action conditions, and will include a parking assessment to determine whether the total RWCDS for the Proposed Actions would result in excess parking demand (including demand from all uses), and whether there is a sufficient number of other parking spaces in the study area to accommodate that excess demand.

Based on preliminary estimates, the total RWCDS for the Proposed Actions is expected to generate more than 200 subway trips at one or more stations in one or more peak hours. Therefore, a screening analysis is warranted and would be provided in the EIS, as detailed in the Draft Scope of Work. The transit analyses will focus on the weekday AM and PM commuter peak hours as it is during these periods that the overall demand on the subway and bus systems is usually highest. As the Project Area is served by one NYCT subway route—the G, the project-generated subway trips would be distributed among two stations within the vicinity of the Project Area (Flushing Avenue and Myrtle – Willoughby Avenue). Therefore, detailed transit analysis is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Based on preliminary estimates, none of the five local bus routes are expected to experience 50 or more bus passenger trips in one direction during any of the peak hours. Therefore, the EIS will not include a quantitative analysis of conditions on local bus routes.

Based on preliminary estimates, there are expected to be more than 200 project-generated pedestrian trips in all peak hours, which include walk-only trips as well as the pedestrian component associated with walking between the Project Area and other modes of travel, such as subway stations and bus stops. Although these pedestrian trips would also be dispersed throughout the surrounding area, concentrations of new pedestrian trips exceeding the 200-trip *CEQR Technical Manual* threshold may occur during one or more peak hours along corridors in the immediate vicinity of Project Area and along corridors connecting the site to area transit services. Therefore, detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

11. AIR QUALITY

Under CEQR, an air quality analysis determines whether a proposed project would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and also considers the potential of existing sources of air pollution to impact the proposed uses. The total RWCDS for the Proposed Actions would require an assessment of both mobile and stationary air quality sources (refer to the Draft Scope of Work).

As discussed in the "Transportation" section above, the total RWCDS for the Proposed Actions is expected to result in an increase in vehicle trips higher than the *CEQR Technical Manual* CO screening threshold of 170 trips at any intersection in the study area. A screening analysis would be performed based on vehicular trip increments resulting from the Proposed Actions and, if it is determined that more than 170 trips would be generated at any intersection, a CO impact analysis would be conducted in accordance with *CEQR Technical Manual* guidance. For mobile source PM, if the Proposed Actions are found to exceed the thresholds specified in the *CEQR Technical Manual*, detailed $PM_{2.5}$ impact analysis will be conducted in accordance with *CEQR Technical Manual* guidance.

In addition, the Proposed Actions would result in the conditions outlined in Section 220 in Chapter 17. For conservative analysis purposes, it is assumed that development as a result of the Proposed Actions would use fossil fuels for heat and hot water systems. Furthermore, given the Project Area's location in a manufacturing zoning district, the presence of industrial uses within a 400-foot radius cannot be ruled out, and therefore an industrial source screening is warranted for the Proposed Actions. A stationary source screening would also be provided for existing large/major sources within 1,000 feet of the Project Area.

Therefore, consistent with the guidance of the *CEQR Technical Manual*, an assessment of air quality will be provided in the EIS. As detailed in the Draft Scope of Work, the air quality assessment will consider the potential impacts on air quality from the RWCDS's heat and hot water systems, potential impacts from existing industrial uses in the surrounding area on the Projected and Potential Development Sites, and mobile sources in the Project Area.

12. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

While the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 gsf or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The total RWCDS would exceed 350,000 gsf, and therefore a GHG assessment will be provided in the EIS, as discussed in the Draft Scope of Work. As a GHG emissions analysis will be provided in the EIS, the total RWCDS's energy consumption will be estimated and disclosed in the Greenhouse Gas Emissions chapter EIS, as described in the Draft Scope of Work.

Depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects of climate change on a proposed project in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for projects at sites located within the 100- or 500-year flood zone. Per the Preliminary Flood Insurance Rate Maps for New York City dated 1/30/2015, which are issued by the Federal Emergency Management Agency (FEMA) and considered the best available flood hazard data, the Project Area is not located within the 100-year or 500-year flood zone. However, the Project Area is located within the 2020s and 2050s 100- and 500-year projections. Therefore, the Project Area is susceptible to storm surge and coastal flooding, and an assessment of climate change is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

13. NOISE

The *CEQR Technical Manual* defines a noise-sensitive receptor as an area where human activity may be adversely affected when noise levels exceed predefined thresholds of acceptability or when noise levels increase by an amount exceeding predefined thresholds of change. Indoor receptors include, but are not limited to, residences, hotels, motels, health care facilities, nursing homes, schools, houses of worship, court houses, public meeting facilities, museums, libraries, and theaters. Outdoor receptors include, but are not limited to, parks, outdoor theaters, golf courses, zoos, campgrounds, and beaches.

A noise analysis is appropriate if a project would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if a project generates or reroutes vehicular traffic, if a project is located near a heavily trafficked thoroughfare, or if a project would be within one mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be

appropriate if the project would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the project would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the project would be located in an area with high ambient noise levels resulting from stationary sources.

A noise analysis will be included in the EIS because the Proposed Actions would introduce new sensitive receptors in the vicinity of heavily trafficked roadways. In accordance with CEQR methodology, future No-Action and With-Action noise levels at the Project Area will be estimated in the EIS to assess the effects of nearby mobile and stationary noise sources, as well as the cumulative effects of each. Building attenuation required to provide acceptable interior noise levels at the Project Area will also be examined and discussed in the EIS, as described in the Draft Scope of Work.

14. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources. For most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified with respect to air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As the relevant analyses have not yet been completed, the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, hazardous materials, or noise, then an assessment of public health will be provided in the EIS, as described in the Draft Scope of Work.

15. NEIGHBORHOOD CHARACTER

A neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. To determine an action's effects on neighborhood character, a neighborhood's contributing elements are considered together.

An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Actions are expected to affect one or more of the constituent elements of the Project Area's neighborhood character. Therefore, an analysis of the Proposed Actions' effects on neighborhood character will be provided in the EIS, as described in the Draft Scope of Work.

16. CONSTRUCTION

Construction activities can be noticeable and disruptive effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts may be found when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and air quality conditions. In addition, because soils are disturbed during construction, any project proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

A preliminary construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility service; (g) located within 400 feet of a historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resource; and/or (i) occurring on multiple sites in the same geographic area.

Construction of the 12 Projected Development Sites is expected to take place over a period greater than two years and is therefore considered long-term. In addition, as the Proposed Actions would facilitate the construction of 12 Projected Development Sites, based on the conceptual construction schedule prepared for the Proposed Actions, there is the potential for on-site receptors on the first building(s) to be completed before the final build-out of all Projected Development Sites. As construction could involve one or more of the aforementioned conditions, a preliminary construction analysis will be undertaken in the EIS. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors, in consideration of the potential for combined effects from construction on the Projected Development Sites and in the surrounding area (see Draft Scope of Work). Given that multiple buildings would be developed within the Project Area and the anticipated construction period, it is anticipated that a detailed construction impact analysis will be prepared for one or more technical areas and reported in the EIS, as described in the Draft Scope of Work.

Appendix I

Agency Correspondence

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

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ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: PARK AVENUE REZONING
Date Received: 7/18/2023

Properties with no Architectural or Archaeological significance:

1) 517 PARK AVENUE, BBL: 3017150003
2) 49 SPENCER STREET, BBL: 3017160003
3) 537 PARK AVENUE, BBL: 3017160059
4) 535 PARK AVENUE, BBL: 3017160060
5) 533 PARK AVENUE, BBL: 3017160061
6) WALWORTH STREET, BBL: 3017170002
7) 547 PARK AVENUE, BBL: 3017170060
8) 514 PARK AVENUE, BBL: 3017350003
9) 520 PARK AVENUE, BBL: 3017350005
10) 82 WALWORTH STREET, BBL: 3017350011
11) 84 WALWORTH STREET, BBL: 3017350012
12) 86 WALWORTH STREET, BBL: 3017350013
13) 88 WALWORTH STREET, BBL: 3017350014
14) 83 SPENCER STREET, BBL: 3017350058
15) 81 SPENCER STREET, BBL: 3017350059
16) 79 SPENCER STREET, BBL: 3017350060
17) 77 SPENCER STREET, BBL: 3017350061
18) 75 SPENCER STREET, BBL: 3017350062
19) 528 PARK AVENUE, BBL: 3017360001
20) 76 SANDFORD STREET, BBL: 3017360010
21) 78 SANDFORD STREET, BBL: 3017360011
22) 82 SANDFORD STREET, BBL: 3017360013
23) 96 SANDFORD STREET, BBL: 3017360018
24) 89 WALWORTH STREET, BBL: 3017360061
25) 87 WALWORTH STREET, BBL: 3017360062
26) 79 WALWORTH STREET, BBL: 3017360063
27) 73 WALWORTH STREET, BBL: 3017360068

Gina Santucci

7/24/2023

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37116_FSO_ALS_07202023.docx

Landmarks Preservation Commission

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ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP954K
Project: PARK AVENUE REZONING
Date Received: 4/2/2024

Comments:

The LPC is in receipt of the EAS of 3/18/24. There are no additional concerns.

Gina Santucci 4/2/2024

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37116_FSO_GS_04022024.docx