1014 Brook Avenue Rezoning

Environmental Assessment Statement

CEQR No. 26DCP001X

Prepared for:
NYC Department of City Planning

Prepared by:
Philip Habib & Associates, an AKRF Division

July 18, 2025

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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 1014 Brook Avenue Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
26DCP001X	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
TBD	(*e.g.*, legislative intro, CAPA)

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY **New York City Department of City Planning**			NAME OF APPLICANT **1004 Brooks LLC**		
NAME OF LEAD AGENCY CONTACT PERSON **Stephanie Shellooe, AICP, Director EARD**			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON **William Bollinger**		
ADDRESS **120 Broadway, 31st Floor**			ADDRESS **15 Verbena Ave**		
CITY **New York**	STATE **NY**	ZIP **10271**	CITY **Floral Park**	STATE **NY**	ZIP **11001**
TELEPHONE **212.720.3328**	EMAIL **sshellooe@planning.nyc.gov**		TELEPHONE **516.821.2003**	EMAIL **bill@madddequities.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)(5)(v)**

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*

The Applicant, 1004 Brooks LLC, is seeking zoning map and zoning text amendments (collectively the "Proposed Actions") to facilitate the development of two mixed-use buildings on the western portion of Bronx Block 2386 in the Morrisania neighborhood of Bronx Community District (CD) 3. The Proposed Actions are intended to enable the redevelopment of a 159,677 square foot (sf) site, comprised of Block 2386, Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 65, 66, 67, 74 and 164, which have frontage along East 165th Street, East 164th and Brook Avenue (the "Projected Development Site"). The Projected Development Site is proposed to be redeveloped with mixed-use buildings containing residential use, local retail, a recreation facility, light industrial/manufacturing space, and below-grade accessory parking, as well as at-grade publicly accessible open space (the "Proposed Development"). The Applicant also intends to seek discretionary funding to facilitate construction of the Proposed Development, which is intended to be 100 percent affordable pursuant to NYC Department of Housing Preservation and Development ("HPD") term sheets. The Proposed Development would comprise approximately 1.2 million gross square feet (gsf), consisting of two buildings (20-and 16-stories tall), which include a total of 988,843 gsf of residential use (1,128 dwelling units [DUs]), 167,243 gsf of commercial use, which is expected to accommodate an approximately 153,005 gsf sports complex and 14,238 gsf of local retail, 10,086 gsf of light industrial/manufacturing use, as well as 31,208 gsf of accessory parking (135 spaces).

The Proposed Actions would rezone the existing M1-1 and M1-1/R7-2 (MX-7) zoning districts mapped on the western portion of Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, part of ("p/o") 59, 65, 66, 67, 74, p/o 136, and p/o 164 (the "Proposed Rezoning Area") to the Special Mixed Use ("MX") district designated MX-7 pairing R8 and R7-3 residential zoning districts with an M1-4 manufacturing district. In addition, the Proposed Actions include a zoning text amendment modifying Zoning Resolution ("ZR") Appendix F: Mandatory Inclusionary Housing ("MIH") Areas and former Inclusionary Housing Designated Areas for CD 3, Bronx to establish an MIH Area coterminous with the Proposed Rezoning Area.

Under the reasonable worst-case development scenario (RWCDS), the With-Action development would maximize the allowable building envelope, including maximum height and blended FAR, under the proposed M1-4/R8 and M1-4/R7-3 districts. The Projected Development Site would be improved with of two high-rise buildings (26-and 22-stories tall), which

would comprise a total of approximately 1,204,274 gsf (1,030,952 zsf; 6.46 FAR) with approximately 995,737 gsf of residential (935,391 zsf; 5.86 FAR), consisting of 1,129 income-restricted units (average DU size of approximately 882 gsf), and approximately 208,537 gsf of non-residential use (95,561 zsf; 0.60 FAR). The non-residential programming of the With-Action development is expected to include a 153,005 gsf sports complex located on portions of the ground floor and cellar level of Buildings A and B, 10,086 gsf of light industrial/manufacturing space (distillery and/or maker space, including cabinetry, finishes, and woodworking) on the ground floor of Building B and 14,238 gsf of local retail on the ground floor of Building A.

It is expected that the Proposed Development would be constructed in three phases and would be completed and fully occupied by 2032.

Project Location

BOROUGH **Bronx**	COMMUNITY DISTRICT(S) **3**	STREET ADDRESS **421 to 451 East 164th Street, 992 to 1014 Brook Avenue, 412 to 446 East 165th Street**
TAX BLOCK(S) AND LOT(S) **Block 2386, Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, 59 (p/o), 65, 66, 67, 74, 136 (p/o), and 164 (p/o)**		ZIP CODE **10451**

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS **The western portion of Block 2386 beyond 150 feet of Washington Avenue. Bronx Block 2386 is bound by East 165th Street to the north, Washington Avenue to the east, East 164th Street to the south, and Brook Avenue to the west.**

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY **M1-1 and M1-1/R7-2, Special Mixed-Use (MX-7) District**

ZONING SECTIONAL MAP NUMBER **3d, 6c**

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: **Discretionary funding will be sought from HPD and/or HDC.**

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) **(comprises the Proposed Rezoning Area)**

Total directly affected area (sq. ft.): **165,369 sf** Waterbody area (sq. ft.) and type: **0 sf**

Roads, buildings, and other paved surfaces (sq. ft.): **165,369 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): **1,204,274 gsf (RWCDS)**

NUMBER OF BUILDINGS: **2 (Buildings A and B)** GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): **Building A: 878,196 GSF Building B: 326,078 GSF**

HEIGHT OF EACH BUILDING (ft.): **Building A: 264'; Building B: 230'** NUMBER OF STORIES OF EACH BUILDING: **Building A: 26-stories; Building B: 22-stories**

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO **165,369 sf Proposed Rezoning Area**

If "yes," specify: The total square feet owned or controlled by the applicant: **78,188 sf (Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, & 74)**

The total square feet not owned or controlled by the applicant: **87,181 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: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

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

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): **2032**

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: **46 months**

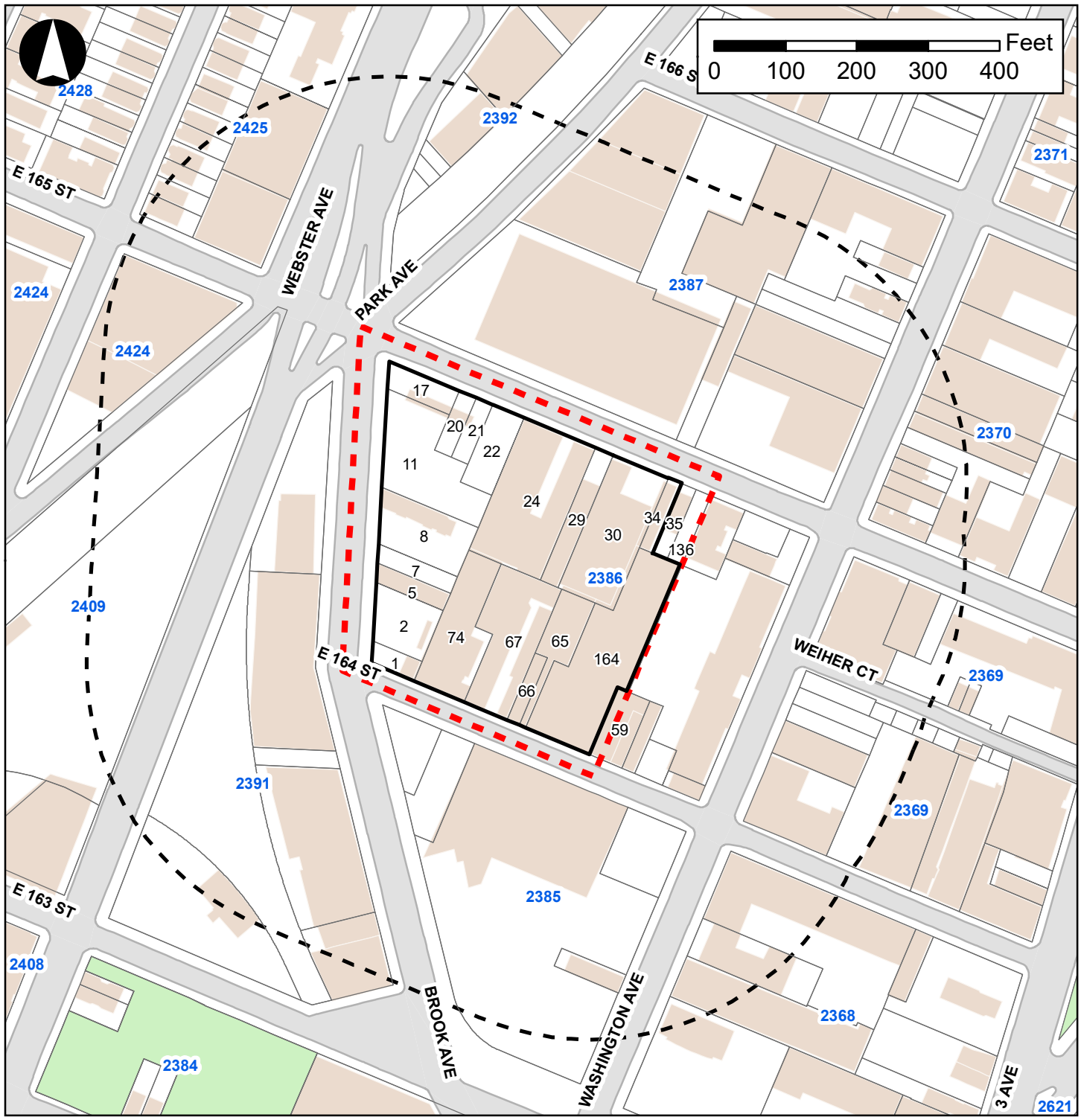
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? **3**

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: **The construction of the Proposed Development would consist of three phases and is expected to commence in mid-to late 2027 with a total duration of approximately 46 months. As currently envisioned, the first closing is expected in 2027, the second in 2028, and the third in 2029. At this preliminary stage, it is envisioned that during the first phase of the project's construction the base of Building A as well as the first two of the three building segments of Building A (including A1 and A2) would be constructed (total of approximately 492 DUs). Phase 2 would consist of the final building segment of Building A (A3 containing 263 DUs) and phase 3 would include all of Building B (374 Dus).**

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

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

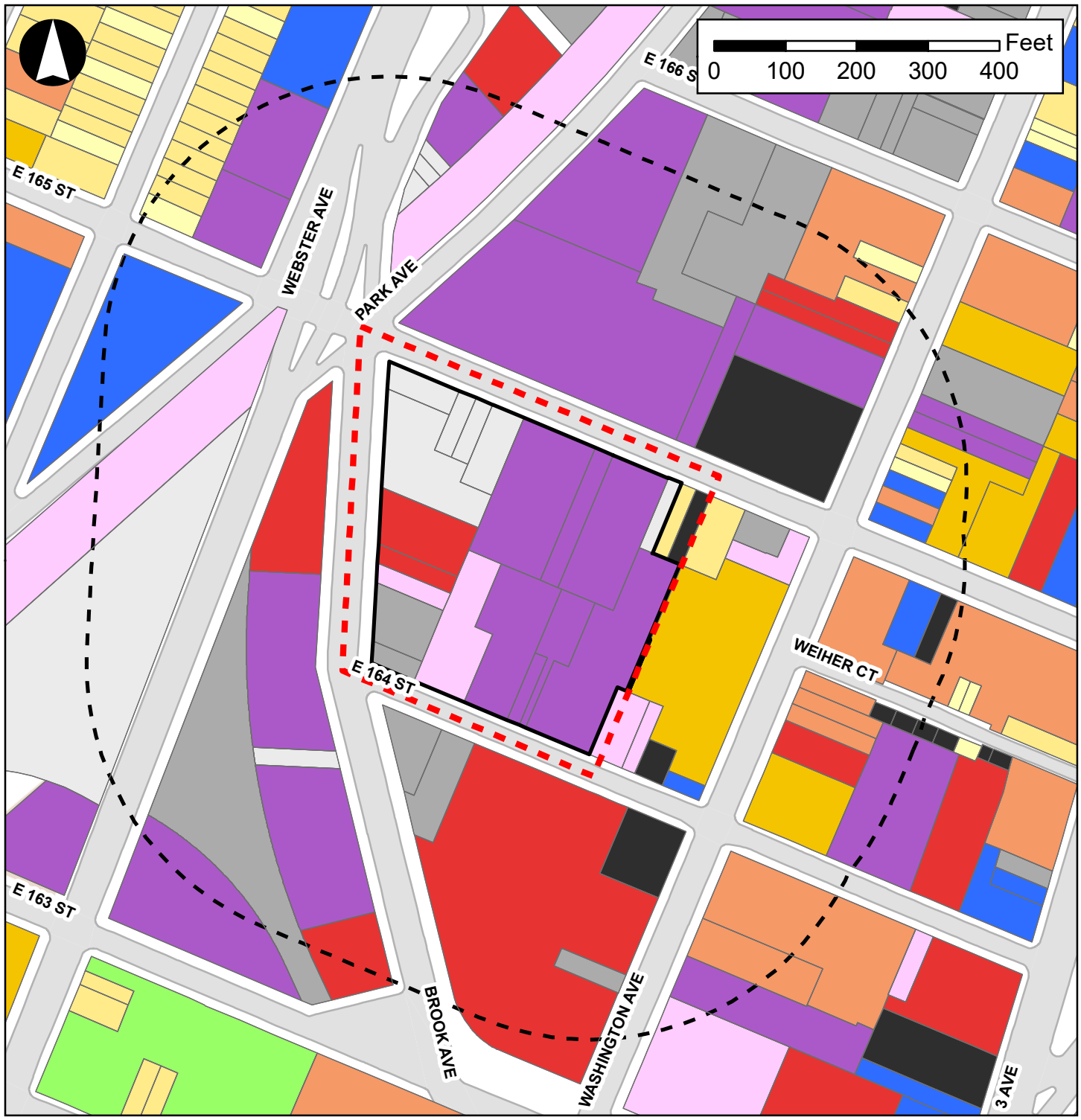
Figure 1
Project Location



Legend

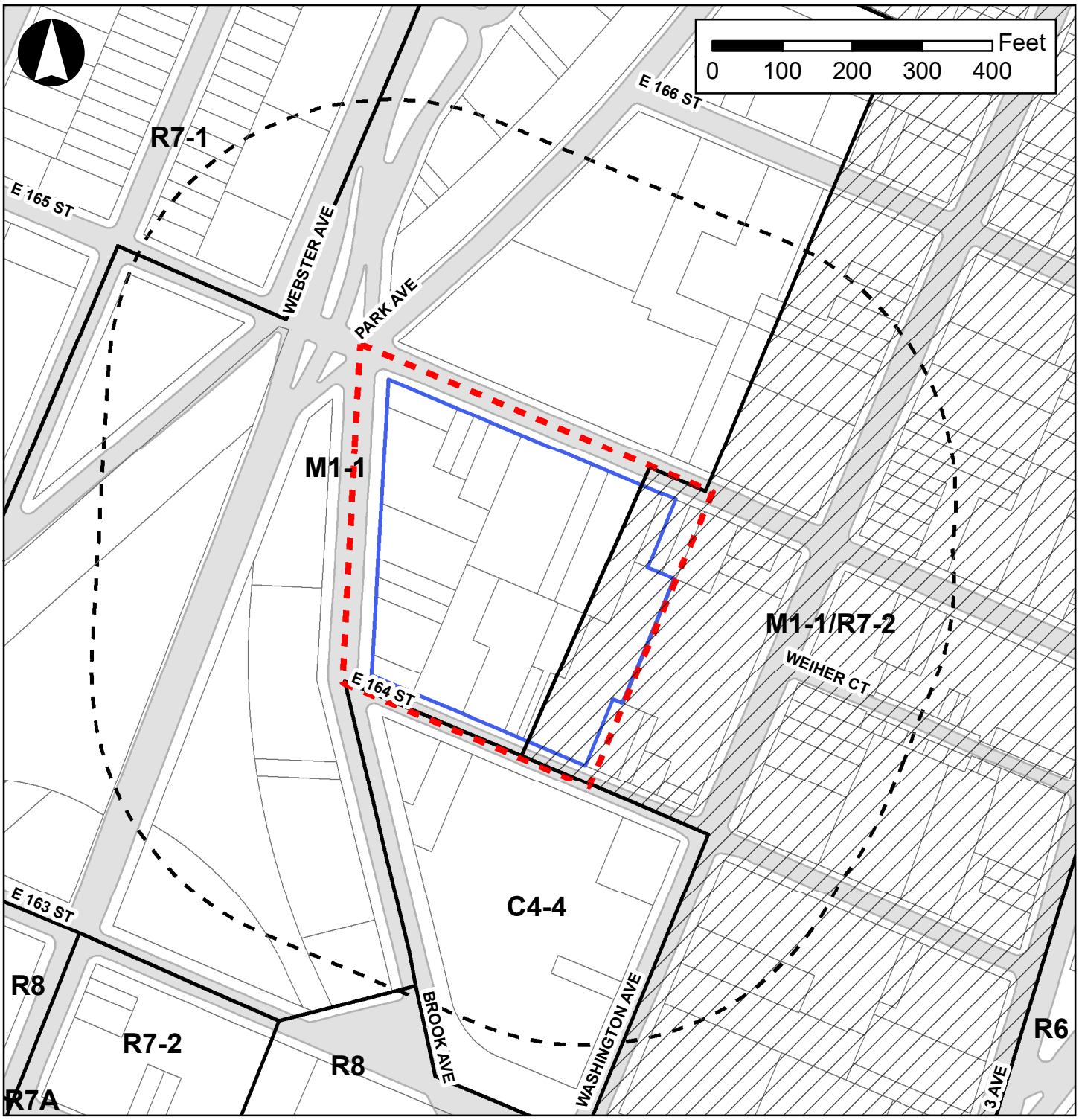
- Projected Development Site
- Proposed Rezoning Area
- Open Space
- 400-foot Radius
- Existing Buildings
- 2386 Tax Block
- 24 Tax Lot





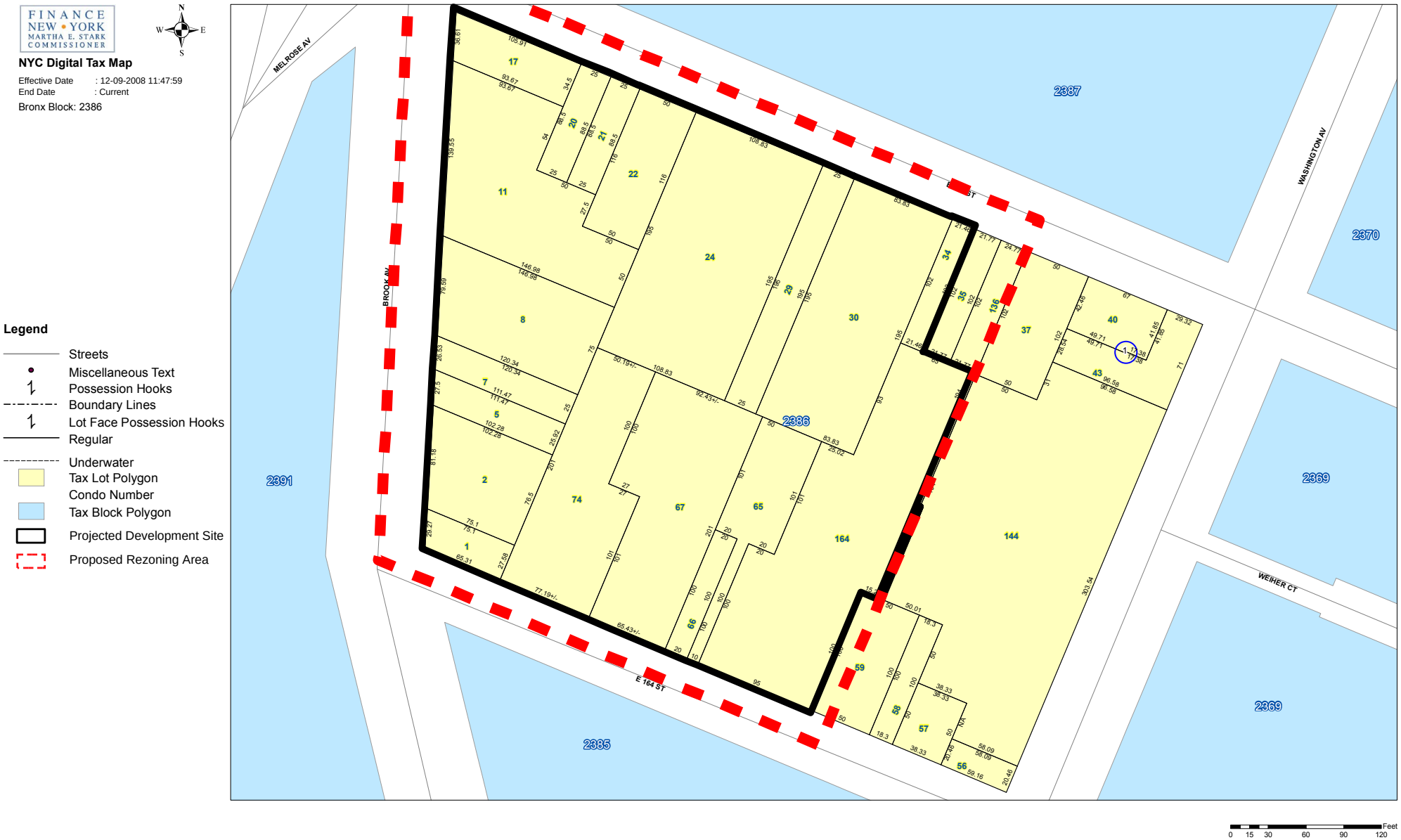
Legend

- Proposed Rezoning Area
- Projected Development Site
- 400-foot Radius
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Other or No Data



Legend

- Proposed Rezoning Area
- Zoning District Boundaries
- Projected Development Site
- 400-foot Radius
- Special Mixed Use District (MX-7)



1014 Brook Avenue Rezoning EAS

Figure 4
Tax Map



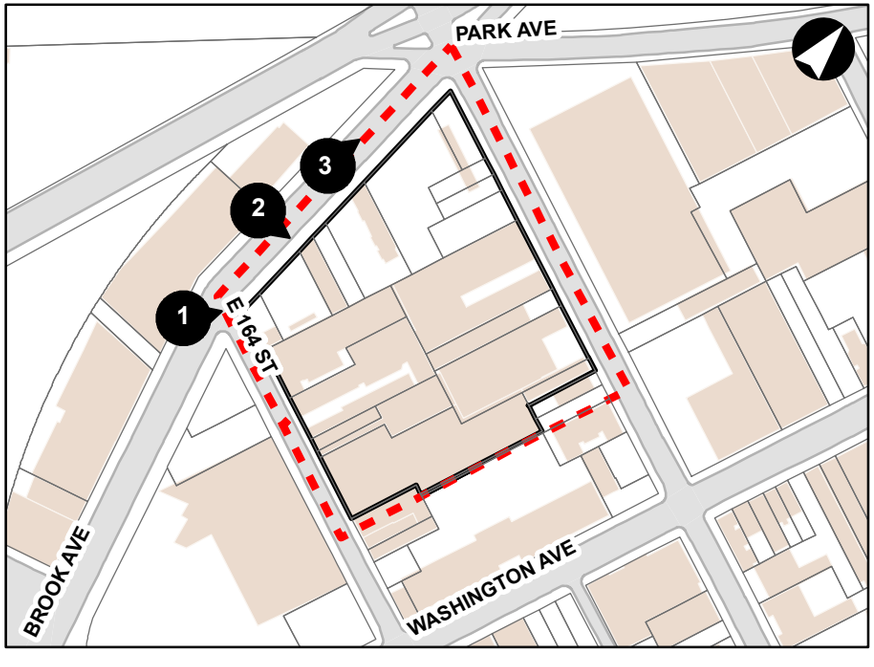
1) Looking northeast to the Projected Development Site from East 164th Street and Brooke Avenue.



2) Looking east from Brook Avenue between East 165th and East 164th Streets to the Projected Development Site.



3) Looking north on Brook Avenue between East 165th and East 164th Streets.





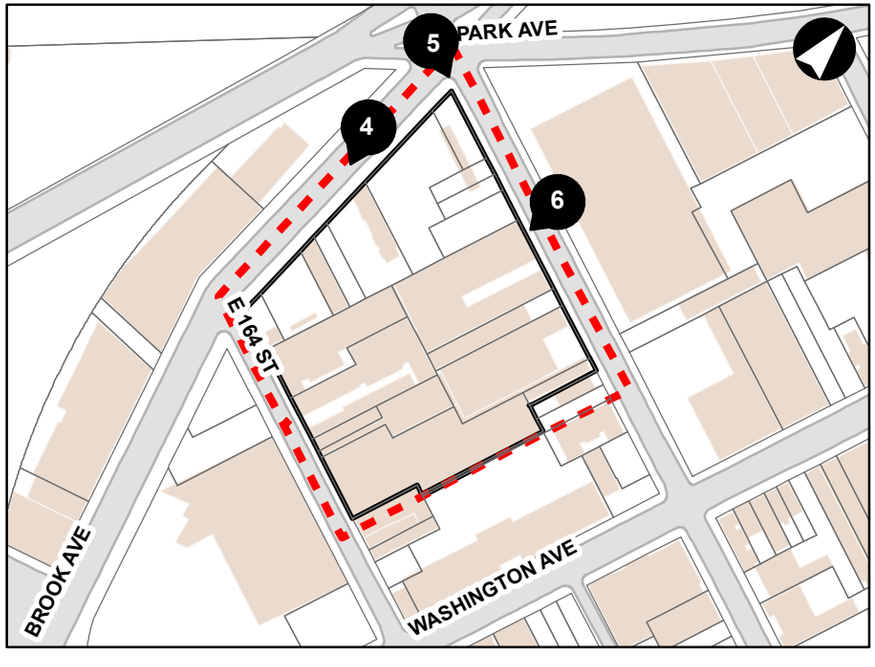
4) Looking south on Brook Avenue between East 165th and East 164th Streets.



5) Looking southeast to the Projected Development Site at intersection of Melrose Avenue and East 165th Street.



6) Looking south to the Projected Development Site from East 165th Street between Brook and Washington Avenues.





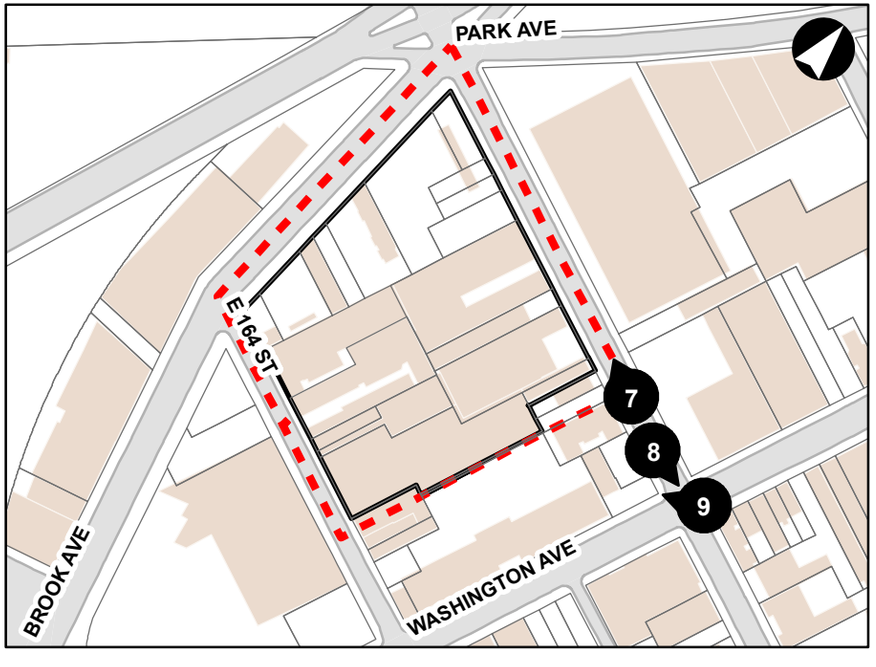
7) Looking west on East 165th Street between Brook and Washington Avenues.



8) Looking east on East 165th Street between Brook and Washington Avenues.



9) Looking southwest at intersection of Washington Avenue and East 165th Street.





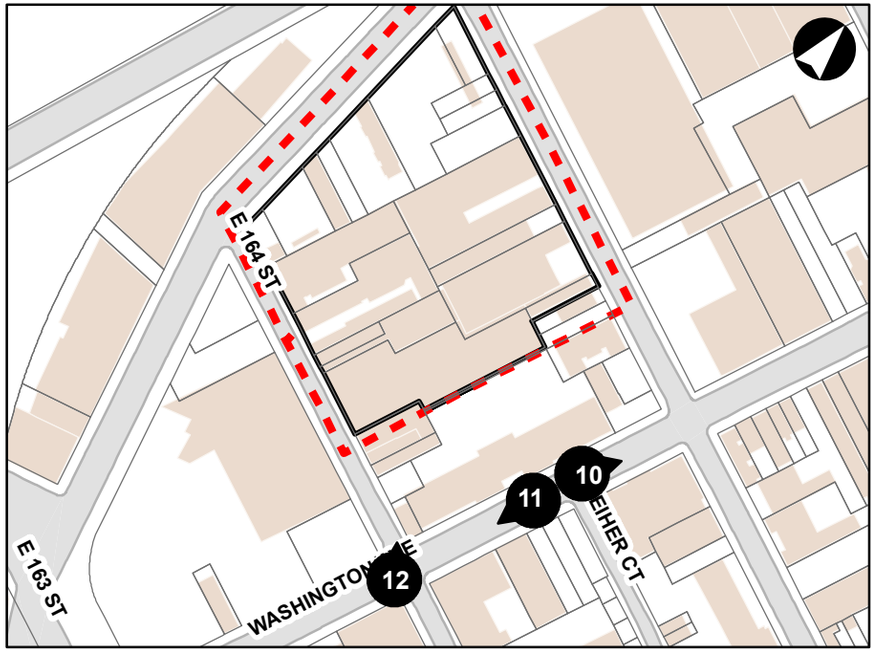
10) Looking north on Washington Avenue between Weiher Court and East 164th Street.



11) Looking south on Washington Avenue between Weither Court and East 164th Street.



(2) Looking northwest at intersection of East 164th Street and Washington Avenue.

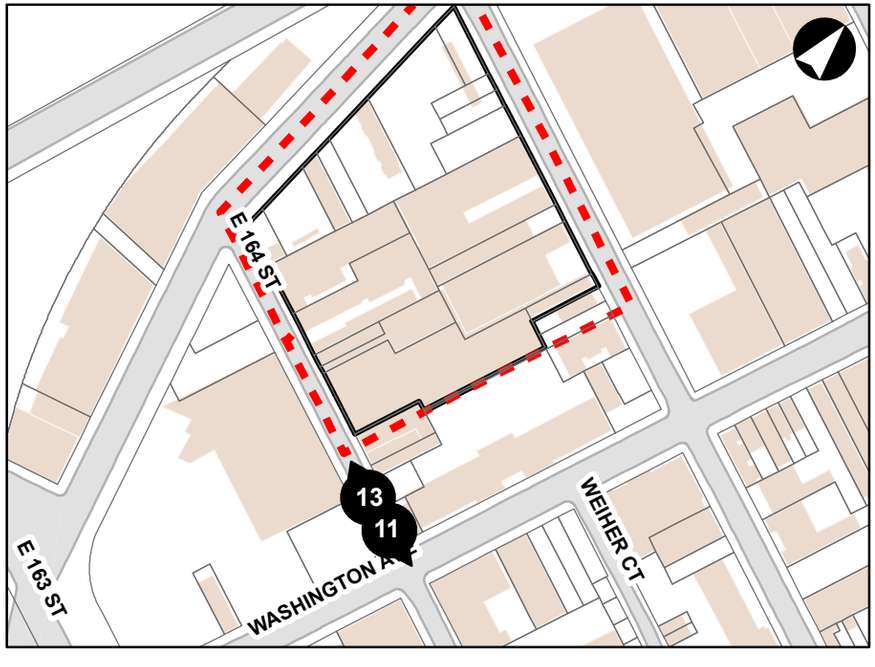




13) Looking west on East 164th Street between Washington and Brook Avenue



14) Looking east on East 164th Street between Washington and Brook 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.

	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			**Mixed-Use Multiunit**	**Mixed-Use Multiunit**
No. of dwelling units			**1,129 DUs**	**1,129 DUs**
No. of low- to moderate-income units			**1,127 DUs**	**1, 127 DUs**
Gross floor area (sq. ft.)			**995,737 gsf**	**995,737 gsf**
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	**Automotive**	**Retail, Automotive**	**Retail, Sports Complex**	**Sports Complex**
Gross floor area (sq. ft.)	**15,919 gsf**	**24,798 gsf**	**167,244 gsf**	**+ 142,446 gsf**
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	**Moving/Storage/ Warehouse, Vacant industrial Bldgs.**	**Maker Space, Warehouse, Vacant Industrial Bldg. to be reoccupied.**	**Maker Space/Distillery**	
Gross floor area (sq. ft.)	**120,413 gsf**	**179,098 gsf**	**10,086 gsf**	**-169,012 gsf**
Open storage area (sq. ft.)	**40,314 sf**	**6,785 sf**	**N/A**	**-6,785 sf**
If any unenclosed activities, specify:	**Vehicle and open storage (Lots 1, 2 7, 11, 17, 20, 21, & 22)**	**Vehicle/open storage (Lot 2)**	**N/A**	
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
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):			**not mapped, private publicly accessible open space,**	**+ 25,465 sf of public open space, and 20,002 sf of semi-public open space (i.e., open designated hours)**
Other Land Uses	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	**0**	**0**	**0**	
No. of accessory spaces	**0**	**122 spaces**	**135 spaces**	**+ 13 spaces**
Operating hours	**N/A**	**Business hours**	**24/7**	
Attended or non-attended		**Non-attended**	**Non-attended**	
Lots	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	**0**	**0**	**0**	
No. of accessory spaces	**6 spaces**	**57 spaces**	**0**	- 57 spaces
Operating hours	**Business hours**	**Business hours**	**N/A**	
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
If "yes," describe:				
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:			3,093 residents	+ 3,093 residents
Briefly explain how the number of residents was calculated:	Based on 100 percent occupancy and assuming the average household size of Bronx CD 3 according to the 2020 Census (2.74 persons).			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Automotive service, moving and storage/ warehousing	Automotive service, local retail, moving and storage/warehousing, & light industrial/maker space	Local retail, recreation/sport complex, light industrial/maker space	
No. and type of workers by business	Automotive: 13 workers Moving/Warehouse: 58 workers Total: 71 workers	Retail: 66 workers Automotive: 3 workers Moving/Warehouse: 81 Light Industrial/Maker: 99 workers Parking: 3 workers Total: 252 workers	Residential: 45 workers Retail: 43 workers Sports Center: 383 workers Light Industrial/Maker: 10 workers Parking: 3 workers Total: 484 workers	+232 workers
No. and type of non-residents who are not workers	N/A	N/A	N/A	N/A
Briefly explain how the number of businesses was calculated:	N/A			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:	N/A	N/A	N/A	N/A
Briefly explain how the number was calculated:	Worker population estimates are based on one worker per 25 DUs, three retail workers per 1,000 sf, one worker per 400 gsf of sports complex, one worker per 50 attended parking spaces, and one worker per 1,000 sf of automotive/warehouse/makerspace. It is anticipated that the vacant industrial building at 429 E. 164th St (Lot 164) would be tenanted by light industrial/warehouse uses in the No-Action condition.			
ZONING				
Zoning classification	**M1-1 & M1-1/R7-2 (MX-7)**	**M1-1 & M1-1/R7-2 (MX-7)**	**M1-4/R8, M1-4/R7-3, M1-4/R7-2 (MX-7)**	**Zoning Change**
Maximum amount of floor area that can be developed	**RES: 168,436 ZSF; COM FAC: 521,067 ZSF; COM/IND: 159,677 ZSF**	**RES: 168,436 ZSF; COM FAC: 521,067 ZSF; COM/IND: 159,677 ZSF**	**RES: 1,033,570 ZSF; COM FAC: 1,037,900 ZSF; COM/IND: 319,222 SF**	**RES: +865,134 ZSF; COM FAC: +516,833ZSF; COM/IND: 159,545 ZSF**
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	R7-1 zoning district to the west, M1-1/R7-2 (MX-7) district to the east and C4-4 (R7-2 equivalent) to the south. The area surrounding the Project Area is mixed use. Within the M1-1 zoning, there is a mix of industrial and commercial uses, including self-storage, a hotel, grocery store, auto repair, warehouses, and light industrial uses. The R7-1, M1-1/R7-2 and C-4 districts support	R7-1 zoning district to the west, M1-1/R7-2 (MX-7) district to the east and C4-4 (R7-2 equivalent) to the south. The area surrounding the Project Area is mixed use. Within the M1-1 zoning, there is a mix of industrial and commercial uses, including self-storage, a hotel, grocery store, auto repair, warehouses, and light industrial uses. The R7-1, M1-1/R7-2 and C-4 districts support	R7-1 zoning district to the west, M1-1/R7-2 (MX-7) district to the east and C4-4 (R7-2 equivalent) to the south. The area surrounding the Project Area is mixed use. Within the M1-1 zoning, there is a mix of industrial and commercial uses, including self-storage, a hotel, grocery store, auto repair, warehouses, and light industrial uses. The R7-1, M1-1/R7-2 and C-4 districts support	No change.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
	a mix of medium density multifamily and mixed-use buildings.	a mix of medium density multifamily and mixed-use buildings.	a mix of medium density multifamily and mixed-use buildings.	
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. ***Please refer to the Draft Scope of Work***		
(e) Is the project a large, publicly sponsored project?	☒	☐
○ If "yes," complete a PlaNYC assessment and attach. **To be included in the EIS**		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 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? **To be determined in the EIS**	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent? **To be determined in the EIS**	☐	☐
▪ 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? **To be determined in the EIS**	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected? **To be determined in the EIS**	☐	☐
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?	☐	☐

	YES	NO
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it?	☐	☐
iv. Indirect Business Displacement To be determined in the EIS		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area? **To be determined in the EIS**	☐	☐
○ 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 **Refer to Attachment B**		
(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? **To be determined in the EIS**	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined in the EIS**	☐	☐
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? **To be determined in the EIS**	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate? **To be determined in the EIS**	☐	☐
○ 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? **To be determined in the EIS**	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area? **To be determined in the EIS**	☐	☐
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?	☒	☐

	YES	NO
(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. **Please refer to Attachment B**		
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. **Please refer to Attachment B**		
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. **Please refer to Draft Scope of Work**		
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: **To be included in the EIS**	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? **To be included in the EIS**	☐	☐
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?	☐	☒

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☒
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or 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. **To be included in the EIS**		
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): **57,061**		
○ 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): **167,925,209 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) **The Proposed Development would use electric for HVAC and hot water**	☐	☒
(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. **To be included in the EIS**		
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?	☒	☐
○ 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.	☐	☐

	YES	NO
To be included in the EIS		
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. **To be included in the EIS**		
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. **To be included in the EIS**		
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. **To be included in the EIS**		
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. **To be included in the EIS**		

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
Lisa Jourdy, AICP, Philip Habib & Associates, An AKRF Division		07/18/2025

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? ☒ YES ☐ NO

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).

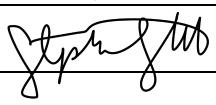
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. 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	City Planning Commission
NAME	**DATE**
Stephanie Shellooe, AICP	July 18, 2025

SIGNATURE



Attachment A

Project Description

1014 BROOK AVENUE REZONING
Attachment A: Project Description for EAS Part I

I. INTRODUCTION

This section provides descriptive information about the requested discretionary land use actions and the development project that could be facilitated by the requested actions. The purpose of this section is to convey project information relevant to the environmental review.

The Applicant, 1004 Brooks LLC, is seeking zoning map and zoning text amendments (collectively, the "Proposed Actions"), as well as public financing approvals, to facilitate the redevelopment of Bronx Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 65, 66, 67, 74, and 164 (the "Projected Development Site") with two new mixed-use buildings at 16- and 20-stories and a single below-grade cellar level, with approximately 1,128 dwelling units (DUs), local retail, a recreation facility, light industrial/manufacturing space, and a cellar level parking garage, as well as publicly accessible open space (the "Proposed Development") in the Morrisania neighborhood of Bronx Community District (CD) 3. The Applicant intends to construct the Proposed Development as 100 percent affordable pursuant to New York City Department of Housing Preservation and Development ("HPD") term sheets. The Proposed Development would have approximately 1.2 million gross square feet (gsf) including 988,843 gsf of residential use (1,128 DUs), 167,243 gsf of commercial use, which is expected to accommodate an approximately 153,005 gsf sports complex and 14,238 gsf of local retail, 10,086 gsf of light industrial/manufacturing use, as well as 31,208 gsf of accessory parking (135 spaces). It is expected that the Proposed Development would be completed and fully occupied by 2032.

II. BACKGROUND AND EXISTING CONDITONS

Project Area/Proposed Rezoning Area

The Project Area ("Proposed Rezoning Area") consists of the western portion of Block 2386 (refer to **Figure 1** in EAS Form**)**. As shown in **Figure 4** of the EAS Form, the Proposed Rezoning Area encompasses approximately 165,369 square feet (sf) and includes all or portions of 22 contiguous privately-owned tax lots on Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, 59 (p/o) 65, 66, 67, 74, 136 (p/o), and 164 (p/o). The Proposed Rezoning Area is bounded by Brook Avenue to the west, East 165th Street to the north, East 164th Street to the south, and a line 150 feet from and parallel to Washington Avenue to the east.

Brook Avenue is 80 feet wide and is considered a wide street. It is two-way with one travel lane in each direction and on-street parking along both curbs. In addition, Brook Avenue intersects with Melrose Avenue, Webster Avenue, Park Avenue, and the railroad tracks for the MTA's Metro North Harlem Line to the west/northwest of the Proposed Rezoning Area. This effectively creates a wider street condition for a portion of the Proposed Rezoning Area. East 165th Street and East 164th Street are narrow streets with widths of 60 and 50 feet, respectively. East 164th Street is one way eastbound and East 165th Street is two-way.

Existing land uses include commercial shipping, transport and distribution, auto-related uses, a single multifamily walkup apartment building at 446 East 165th Street, and a former lumber yard occupied by temporary tenants. There are low-rise, non-descript warehouse buildings, a two-story wood-framed multiunit residential building, and two- and five-story vacant factory buildings. There are also open storage areas for vehicles and materials storage. There are no (E) designations within the Proposed Rezoning Area.

Most of the Proposed Rezoning Area is zoned M1-1, which was established in 1961 as a part of the *City of New York Zoning Resolution* (ZR) and has remained M1-1 to the current day (see **Figure 3** in EAS Form). M1-1 allows a maximum floor area ratio (FAR) of 1.0 for light industrial and commercial uses and a FAR of 2.4 for limited community facility uses. M1-1 districts typically result in low-rise buildings, and do not permit residential uses. The MX-7 (M1-1/R7-2) special district was mapped along the eastern portion of the Proposed Rezoning Area in 2003 as part of the larger Morrisania Rezoning,[1] which rezoned all or portions of 12 blocks bounded by East 168th Street to the north, Washington Avenue to the west, and Third Avenue to the east, in Bronx CD 3. On Block 2386, the MX-7 (M1-1/R7-2) special district is mapped 250 feet west of Washington Avenue. That rezoning proposal sought to encourage new residential and economic development, bring residential uses into conformance with zoning and stabilize the mixed-use character of the area by replacing M1-1 zoning with M1-1/R7-2, a special mixed-use district permitting both light industry and moderate density housing as well as neighborhood retail and community facilities uses.

Projected Development Site

The Projected Development Site comprises the majority of the Proposed Rezoning Area. It consists of nineteen lots on Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 65, 66, 67, 74, and 164 (see **Figure 4** in the EAS Form). The Applicant currently owns/controls Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74, and is in negotiations to acquire lots 2, 5, 29, 30, 34, 65, 66, 67 and 164, after approval of the Proposed Actions. The Projected Development Site has approximately 159,677 sf of lot area with approximately 333 feet of frontage on the north side of East 164th Street, 420 feet of frontage on the east side of Brook Avenue, and 445 feet of frontage on the south side of East 165th Street.

The portions of the Projected Development Site within 100 feet of the intersection East 165th Street and Brook Avenue and within 100 feet of the intersection East 164th Street and Brook Avenue are considered corner lots. Other portions of the Projected Development Site are considered interior and through lots. The Projected Development Site is located primarily within an M1-1 zoning district, which was established in 1961, with the eastern portion of the site mapped as M1-1/R7-2 (MX-7) (refer to **Figure 3** in EAS Form).

Much of the western portion of the Projected Development Site is unimproved and is occupied by parking, and vehicle and open storage uses. Other existing land uses on the Projected Development Site include commercial shipping, transport and distribution, auto-related uses, and a former lumber yard occupied by temporary tenants. The Projected Development Site includes several low-rise, non-descript garage and warehouse buildings that range in size from less than 1,000 gsf to upwards of 27,840 gsf with one to five-stories. Two of the larger buildings on the Projected Development Site, including a five-story 24,120 gsf warehouse at 429 East 164th Street (Lot 67) and a single-story, 19,300 gsf warehouse at 422 East 165th Street (Lot 24), are vacant and do not support any existing uses.

[1] CEQR 03DCP046X

Remainder of Project Area

The Project Area also includes portions of three additional privately-owned lots, including Lot 35, p/o 59, and p/o 136, which are mapped within the M1-1/R7-2 (MX-7) district. All of which have separate ownership. Lot 35 is a rectangular interior lot with approximately 2,168 sf of lot area and approximately 22 feet frontage on the south side of East 165th Street. It contains a two-story, wood-framed, walkup residential building with three DUs at 446 East 165th Street. Lot 59 is a rectangular interior lot with 5,000-sf of lot area and 50 feet of frontage on the north side of East 165th Street that is partially within the Project Area. It is occupied by two low-story buildings that comprise 5,250 gsf and are occupied by auto-related uses. Lot 136 is an irregular-shaped interior lot with approximately 3,109 sf of lot area and approximately 25 feet of frontage on the south side of East 165th Street. Lot 136 is unimproved and is used for vehicle storage purposes.

Neighborhood Context

The Proposed Rezoning Area is in the Morrisania neighborhood of Bronx Community District (CD) 3. The surrounding area is varied and supports a mix of residential, commercial, light industrial, community facility, park, and vacant/parking uses (see **Figure 2** in EAS Form). Zoning districts within the surrounding area include the M1-1 zoning district mapped within the Proposed Rezoning Area, R7-1 to the west, R7X/C2-4 to the northwest, M1-1/R7-2 (MX-7) immediately to the east, and C4-4 (R7-2 equivalent) to the south. The built form in the surrounding area varies by use.

As shown in **Figure 2,** residential uses and mixed commercial and residential buildings are located to the east of the Proposed Rezoning Area, as well as further to the northwest, north of East 165th Street and west of Webster Avenue. Within the M1-1 district there is a mix of industrial and commercial uses, including self-storage facilities, a hotel, auto-repair and industrial businesses and warehouses. A grocery store, Food Bazaar, is located directly south of the Proposed Rezoning Area at 445 East 163rd Street. The MTA's Metro North Harlem commuter rail line is located to the west of the Proposed Rezoning area and extends below street level within a depressed, open rail cut.

Surrounding the Proposed Rezoning Area within R7-1, M1-1/R7-2 (MX-7), C4-4, R7A and R8 districts to the east, south and northwest, the built context is primarily medium-density, multifamily residential and mixed-use buildings. Melrose Commons Park, owned and operated by the New York City Department of Parks and Recreation (DPR), is located two blocks to the south of the Proposed Rezoning Area. Its green space includes a synthetic turf field, adult fitness equipment, a dog run, seating areas, and the adjacent El Coqui Liberation Community Garden.

The surrounding area is well served by public transit. Several bus lines serve the area, including the Bx41, Bx15, Bx21, Bx6, Bx13 and Bx6-SBS. The Proposed Rezoning Area and surrounding area are within the Greater Transit Zone, in the Outer Transit Zone, where special lower accessory parking requirements apply for housing and accessory parking for affordable housing is not required. The surrounding area is also located within a FRESH zone where zoning and discretionary tax incentives are available under the FRESH program.

III. PROPOSED ACTIONS

To facilitate the construction of the Proposed Development, the Applicant is seeking the following actions with respect to the Project Area:

- Zoning map amendment to change the existing M1-1 and M1-1/R7-2 (MX-7) zoning districts mapped on the western portion of Block 2386, including Lots 1 ,2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, p/o 59, 65, 66, 67, 74, p/o 136 and p/o 164 (the Proposed Rezoning Area) to the Special Mixed Use ("MX") district designated MX-7 pairing R8 and R7-3 residential districts with an M1-4 manufacturing district (see **Figure A-1**).

- Zoning text amendment to the Zoning Resolution (ZR) of the City of New York to amend Appendix F of the ZR to map a MIH area coterminous with the Proposed Rezoning Area\.

The zoning map and zoning text amendments are referred to collectively as the "Proposed Actions." In addition, public financing from HPD and/or the New York City Housing Development Corporation (HDC) will be sought by the Applicant to facilitate the Proposed Development.

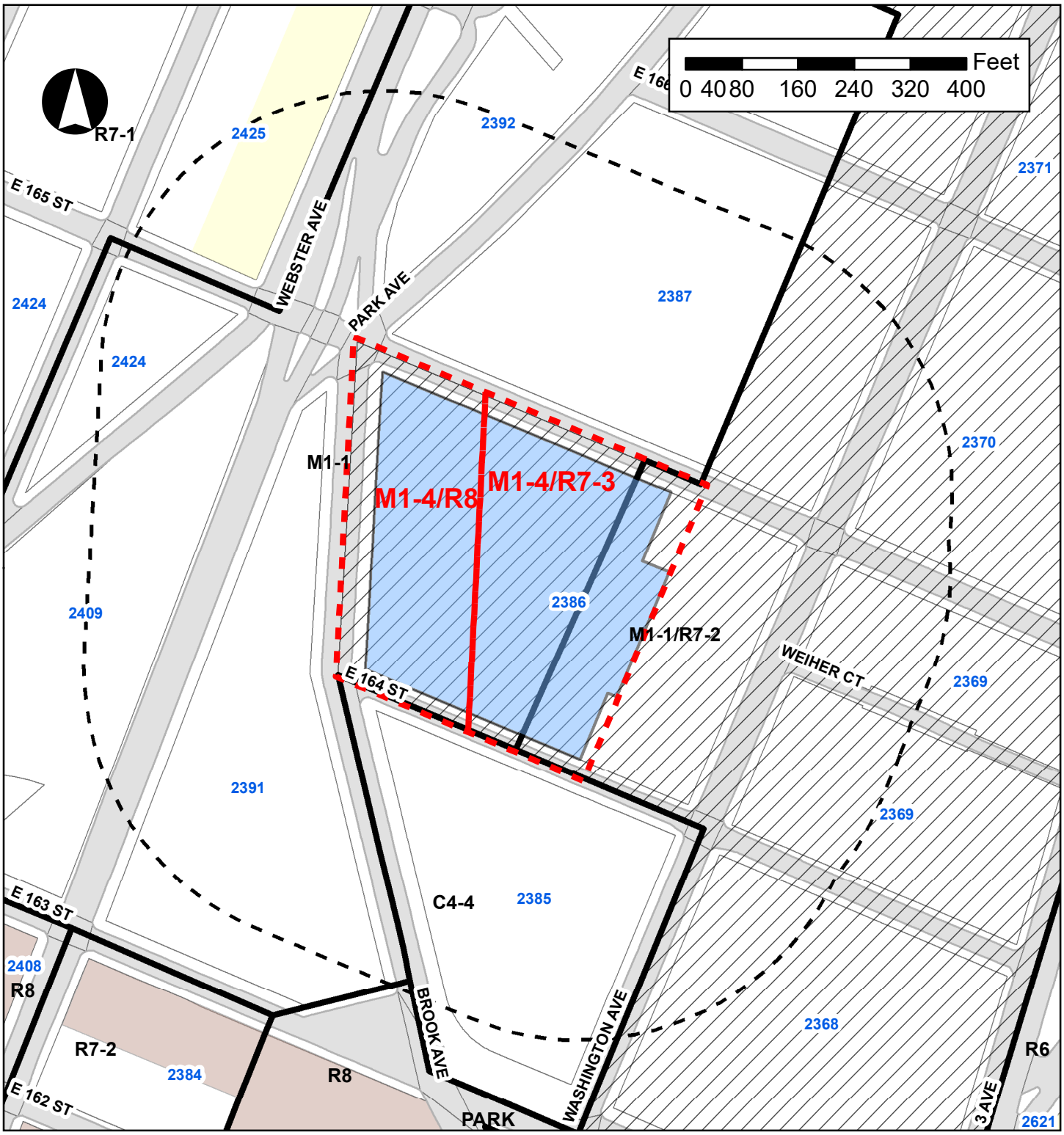
The proposed zoning map amendments would extend the existing MX-7 district west to Brook Avenue between East 165th and East 164th Streets. An M1-4/R8 (MX-7) district would be established within 150 feet of Brook Avenue. An M1-4/R7-3 (MX-7) district would be established beyond 150 feet from Brook Avenue and beyond 150 feet from Washington Avenue. The proposed extension of the existing MX-7 special district, pairing M1-4 with R8 and R7-3 zoning districts, would be consistent with land use actions in the area since 2003, which sought to revitalize this area by promoting new housing development at former industrial/manufacturing sites.

The Special Mixed-Use (MX) District was established in 1997 to encourage investment in and enhance the vitality of existing neighborhoods, such as Morrisania, with mixed residential and industrial uses in proximity, and to create expanded opportunities for new mixed-use communities. New residential and non-residential uses (commercial, community facility, semi-industrial and light industrial) can be developed as-of-right and be located side-by-side or within the same building. Pairing a manufacturing district with a residential district (e.g., the proposed pairing of M1-4 with R8 and R7-3 zoning districts) ensures a balanced variety of available uses.

Within MX districts, residential uses are subject to the bulk controls of the governing residence district; commercial, industrial and community facility uses are subject to the M1 district bulk controls, except that community facilities are subject to residential FAR limits. Most light industrial uses are permitted in each MX district as-of-right, others are subject to restrictions and certain uses are excluded altogether. The proposed M1-4/R8 (MX-7) allows a maximum residential FAR of 7.2 within MIH Areas, commercial FAR of 2.0, community facility FAR of 6.5, and manufacturing FAR of 2.0. Within the M1-4/R8 (MX-7), the maximum base height is 105 feet, and the maximum building height is 215 feet. The proposed M1-4/R7-3 (MX-7) allows a maximum residential FAR of 5.01 within MIH Areas, commercial FAR of 2.0, community facility FAR of 6.5, and manufacturing FAR of 2.0. Within the M1-4/R8 (MX-7), the maximum base height is 105 feet, and the maximum building height is 185 feet.

The proposed zoning text amendment would establish an MIH Area coterminous with the Proposed Rezoning Area. Within MIH Areas, all housing developments, enlargements, and conversions that meet the criteria set forth in the MIH program must comply with the requirements of MIH Option 1, Option 2, or Option 3 as described below.

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with 10 percent at 40 percent AMI and no unit targeted at a level exceeding 130 percent of AMI.



Legend

- Proposed Rezoning Area
- Projected Development Site
- 400 foot buffer
- Existing Zoning Districts
- Special Mixed Use District (MX-7)
- C1-4
- C2-4
- 2381 Tax Block

- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of AMI, with no unit targeted at a level exceeding 130 percent of AMI.

- Option 3: 20 percent of the total residential floor area must be for housing units for residents with incomes averaging 40 percent of AMI and no direct subsidies could be used for these units except where needed to support more affordable housing.

In addition to the options above, the City Council may elect to map Option 4 (except in Manhattan Community Districts 1-8), which requires that 30 percent of the total residential floor area must be for housing units for residents with incomes averaging 115 percent of AMI, with no units above 135 percent AMI; and no direct subsidies.

The Applicant proposes to map the Proposed Rezoning Area with both MIH Options 1 and 2. As such, a minimum of 25 percent of residential floor area would be provided at an average of 60 percent of AMI with no unit at a level exceeding 130 percent of AMI. The MIH requirement ensures that a percentage of residential floor area in any future development within the MIH Area is permanently affordable.

IV. PROPOSED DEVELOPMENT

Upon approval of the Proposed Actions, the Applicant would acquire Lots 2, 5, 29, 30, 34, 65, 66, 67 and 164 on Block 2386 and combine them with the Applicant-owned lots to form a single 159,677-sf zoning lot, the "Projected Development Site". All existing buildings at the Projected Development Site would be demolished and the existing auto repair and commercial shipping/transport uses would be directly displaced. The Proposed Development would consist of two new high-rise (up to 20- and 16-story) mixed use residential, commercial, and/or industrial buildings (Buildings A and B), which would have an interconnected single below-grade cellar level that would accommodate a sports complex as well as accessory parking.

Figure A-2 shows an illustrative site plan of the Proposed Development and **Figure A-3** provides an illustrative schematic 3-D massing of the development. On the northern portion of the Projected Development Site, Building A would rise to a maximum of approximately 204 feet (20-story) after setting back 10 and 15 feet above the 10-story base height. On the southern portion of the Projected Development Site, Building B would rise to a maximum of approximately 170 feet (16-stories) after setting back 15 feet above the 7-story base height.

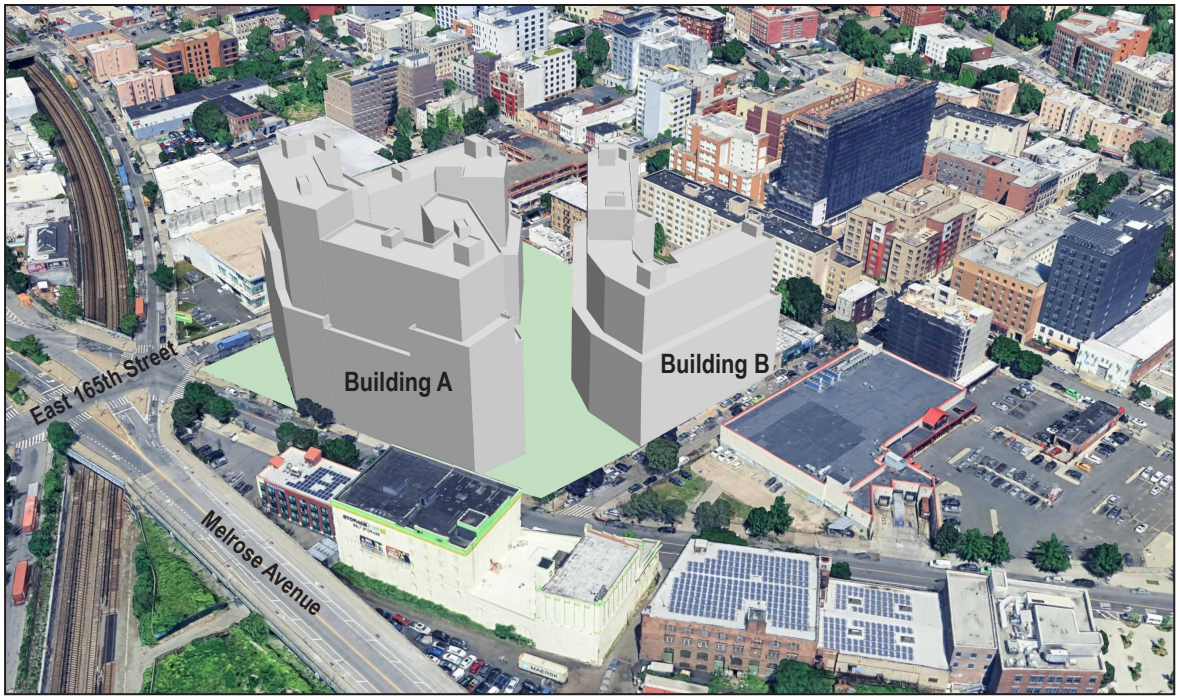
The Proposed Development would have a total of approximately 1,032,631 zoning square feet (zsf) of floor area (6.46 FAR) with approximately 936,666 zsf of residential floor area (5.84 FAR) and approximately 95,965 zsf of non-residential floor area (0.62 FAR). In terms of gross square feet, the Proposed Development would have 1,197,381 gross square feet (gsf) including 988,843 gsf of residential use, 167,244 gsf of commercial use and 10,086 gsf of manufacturing use, as well as 31,208 gsf of accessory parking. The non-residential programming of the Proposed Development is expected to include an approximately 153,005 gsf sports complex, 14,238 gsf of local retail, 31,208 gsf of accessory parking, and 10,086 gsf of light industrial/manufacturing space, with a combined total of 3,708 gsf of loading along Brook Avenue for Building A and on East 164th Street for Building B, respectively.

Building A would have ground floor local retail spaces along Brook Avenue and East 165th Street frontages, at the corner of East 164th Street and Brook Avenue. The sports complex would occupy portions of the



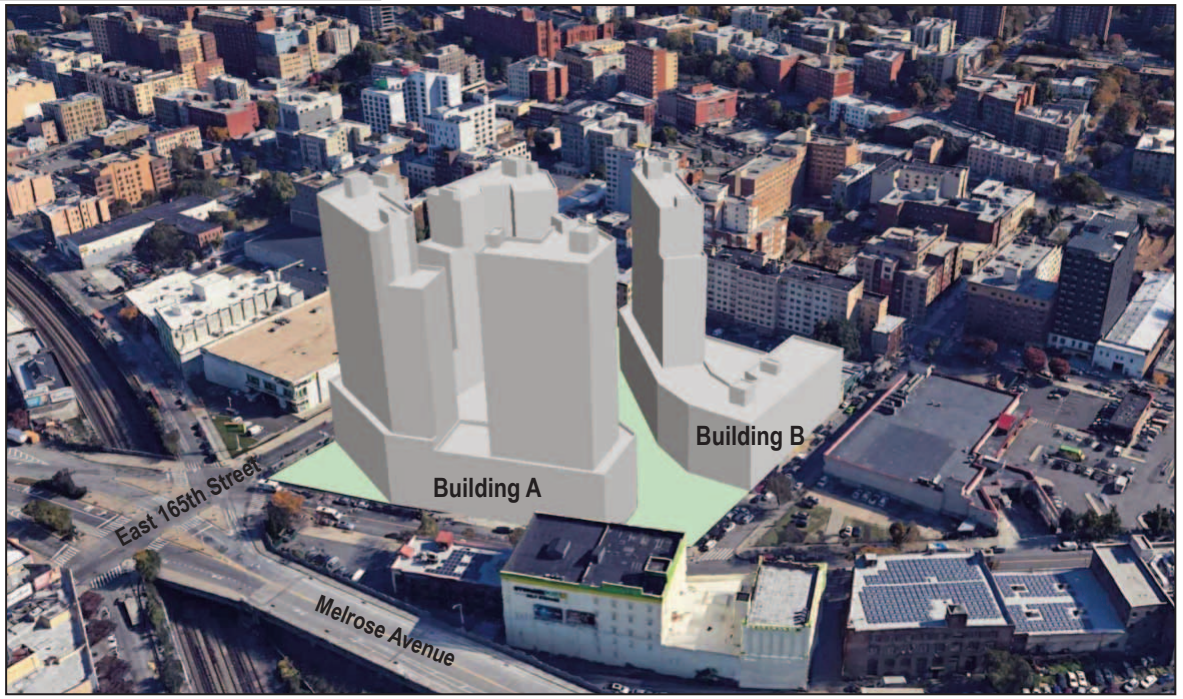
1014 Brook Avenue Rezoning EAS

Figure A-2
Schematic Plot Plan for the Proposed Development



3D schematic massing of the Proposed Development, consisting of 20-story Building A (204’ tall) and a 16-story Building B (170’ tall).

3D schematic massing of the With-Action RWCDS, consisting of 26-story (264' tall) Building A and a 22-story (230' tall) Building B.



For illustrative purposes only

3D Massings prepared by Aufgang

Figure A-3
Comparison of the Illustrative Schematic 3D Massing- for the Proposed Development and With-Action RWCDS

ground floor and cellar level of Buildings A and B with the facility's main entrance at the corner of Brook Avenue and East 165th Street, another entrance would be provided along East 164th Street. It is envisioned to be a facility used by the community as well as to serve as athletic/recreation/gym facilities for public and charter schools, which often lack on-site facilities for school athletics/sports teams. There is a known demand for sports facilities in the area. The proposed sports complex is expected to accommodate athletic facilities, such as basketball courts, a hockey rink, and/or swimming pools, and would operate seven days per week. The manufacturing space would occupy a portion of the first floor in Building B with entrances along East 164th Street. It is expected to accommodate a distillery and/or light industrial maker space and/or artist studios that could include woodworking and furniture making.

The Proposed Development would contain 1,128 DUs, including 1,126 income-restricted units pursuant to an HPD-financed affordable housing term sheet and two superintendents' units. Pursuant to the MIH program, 25 to 30 percent of the residential floor area in the Proposed Development (282-339 DUs) would be permanently affordable under the Applicant's preferred MIH Options 1 and 2. Approximately 135 accessory off-street parking spaces would be provided in the cellar level of Building B, which would be accessible via a ramp, from a curb cut on the north side of East 164th Street at the southeast corner of the building.

The two buildings would be separated by an at-grade pedestrian corridor featuring landscaped open space that would extend between East 165th and East 164th Streets providing the surrounding area with an additional pedestrian connection through the development site. A separate landscaped open space area would also be provided at the northwest corner of the site at the intersection of Brook Avenue and East 165th Street, activating the corner with pedestrians. The provided at-grade open space at the site would be constructed, operated, and maintained by the Applicant. At this time, it is envisioned that the open space would include a mix of passive and active programming, including playgrounds/children's play areas, landscaping, pathways, and seating. Approximately 25,465 sf of the open space would always be accessible to the public, which would be located at the corner of Brook Avenue and East 165th Street, as well as at the southwest corner of the site at the corner of Brook Avenue and East 164th Street and the northernmost portion of the pedestrian corridor at East 164th Street. Approximately 20,002 sf of open space, which would consist of the pedestrian corridor extending between the two buildings, would be considered semi-public and available to the public at designated hours that could be closed off to the public at times with gated access.

V. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions would allow for new mixed-use development consistent with the existing character of the surrounding area, while introducing new housing and space for job creating businesses near public transportation. The proposed higher density, broader range of uses, and lower parking requirements permitted in the proposed M1-4/R8 and M1-4/R7-3 (MX-7) zoning districts would be consistent with the built context of the surrounding area, neighborhood character, and area-wide planning goals.

The existing M1-1 zoning district mapped over most of the Project Area, which was established in 1961 as part of the *City of New York Zoning Resolution*, is surrounded by zoning districts that permit medium-density, multi-family residential development. There is an R7-1 zoning district to the west, an M1-1/R7-2 (MX-7) district to the east and C4-4 (R7-2 equivalent), R7A and R8 districts to the south. Several nearby rezonings approved since 2003 reflect an interest in revitalizing this area by promoting new housing development at former industrial/manufacturing sites, including 2003 Morrisania Rezoning (ULURP No.

C030333ZMX and N030334ZRX and CEQR No. 03DCP046X) that mapped MX-7 M1-1/R7-2 on the eastern portion of the subject block and 2015 Melrose Commons (150153 HUX) that mapped R8 and R8/C1-4 in the surrounding area. In addition, in 2021 the City Council approved the 1099 Webster Avenue Rezoning (C 210103 ZMX, effective March 25, 2021), approximately one block northwest of the Project Area along Webster Avenue between East 166th Street and East 167th Street. The rezoning changed existing M1-1, R7-1 and R7-1/C1-4 zoning districts to an R7X with a C2-4 commercial overlay and established an MIH Area with MIH Option 1. The 1099 Webster Avenue Rezoning was intended to facilitate the development of two residential buildings with approximately 238 units pursuant to financing from HPD under the ELLA term sheet.

The proposed M1-4/R8 and M1-4/R7-3 (MX-7) zoning districts are consistent with City policy to position higher density developments near transit along wide streets that can support such development. Brook Avenue is 80 feet wide and is considered a wide street. In addition, Brook Avenue intersects with Melrose Avenue, Webster Avenue, Park Avenue, and the railroad tracks for the MTA Harlem Line to the west/northwest of the Proposed Rezoning Area. This effectively creates a wider street condition for a portion of the Proposed Rezoning Area. Several bus lines serve the area, including the Bx41, Bx15, Bx21, Bx6, Bx13 and Bx6-SBS. Therefore, the proposed zoning is appropriate for this area. Moreover, the proposed MX M1-4/R8 and M1-4/R7-3 zoning districts are consistent with the surrounding multi-family residential context that has been established through rezonings in the area since 2003. The MX zoning designation would allow a range of non-residential uses that reflect the mix of uses in the surrounding area and the adjacent MX-7.

The proposed zoning change from the existing M1-1 zoning district would reinforce existing residential and mixed-use land use patterns in the surrounding area by introducing new multifamily housing and complementary non-residential uses. In addition, the proposed M1-4/R8 and M1-4/R7-3 (MX-7) zoning districts are consistent with the City's New York Works Plan, which seeks to create 20,000 jobs within the industrial and manufacturing sectors, 10,000 jobs within the creative and cultural sectors, and 25,000 jobs in office districts in Manhattan and in emerging commercial centers such as the Morrisania section of the Bronx. The proposed MX zoning permits a range of commercial, semi-industrial and light industrial uses that would facilitate job creation in various sectors, including the sectors emphasized in New York Works.

Thus, the Proposed Actions would facilitate the redevelopment of an underutilized site with new affordable housing, including permanently income-restricted housing under MIH at an appropriate location within the Outer Transit Zone.

VI. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area. The 2021 *CEQR (City Environmental Quality Review) 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. For each technical area, the analysis will include a description of existing conditions, an assessment of conditions in the future without the Proposed Actions (the No-Action condition), and an assessment of future conditions with the Proposed Actions (the With-Action condition). The incremental difference between the No-Action and With-Action conditions will serve as the basis for the impact analysis of the environmental review.

Analysis Year

The Applicant's Proposed Development would be constructed over a period of 46 months, with expected completion and occupancy by 2032. The analysis year assumes approval of the Proposed Actions and completion of the land use process by the end of 2026 and three phases of construction. Assuming approximately six months for financing approvals and New York City Department of Buildings (DOB) permitting approvals, construction of the Proposed Development is expected to commence in mid-to late 2027. Accordingly, the EIS will use a 2032 build year.

Reasonable Worst-Case Development Scenario (RWCDS)

No other development sites have been identified within the Proposed Rezoning Area. While the Proposed Actions would also rezone the three additional non-Applicant-owned sites at Lots 35, 59 (p/o), and 136 (p/o) on Block 2386 within the Project Area, none of these lots are expected to be redeveloped by 2032. There are no known development plans on any of these lots that would result in new development by the 2032 build year. As each of the non-Applicant-owned lots are small, contain 5,000 sf in lot area or less, are irregularly shaped (i.e., irregular lot configuration), and/or would be partially rezoned, and as they do not share common ownership (and thus, are unlikely to be assembled in the future), the non-Applicant-owned lots fully or partially within the Proposed Rezoning Area would not meet CEQR's "soft site" criteria, and therefore are unlikely to be redeveloped in the future with the Proposed Actions. Accordingly, the environmental documents will use 2032 as the build year for analysis of future conditions with 2021 *CEQR Technical Manual* guidance.

In accordance with 2021 *CEQR Technical Manual* guidance, to assess the possible impacts of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was developed for both the current (future No-Action) and proposed zoning (future With-Action) conditions for the 2032 future build year. The incremental difference between the future No-Action and future With-Action conditions will serve as the basis for the impact analysis of the Environmental Impact Statement (EIS). To determine the Future With-Action and No-Action conditions, standard methodologies have been used following *CEQR Technical Manual* guidance employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

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

In the 2032 future without the Proposed Actions (the "No-Action condition"), the Project Area would not be rezoned. Under the No-Action scenario, a 78,187-sf portion of the Projected Development Site would be developed on an as-of-right basis by the Applicant pursuant to the existing M1-1 zoning district. It is anticipated that the Applicant would demolish existing structures on the Applicant-controlled lots of the Projected Development Site (i.e., Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74), and construct a new mixed-use commercial and manufacturing building with the required accessory parking in accordance with the existing M1-1 zoning. Although the Applicant has not filed DOB permits, given that the existing tenants at the Applicant-controlled lots have vacated and those lots are currently occupied by temporary tenants for open and vehicle storage uses, as well as existing trends in the area, it is reasonable to assume that this property would be redeveloped pursuant to the site's existing zoning. The portion of the site under the Applicant's control is mostly unimproved and occupied by low-intensity, temporary uses. While the Applicant believes the Proposed Development would be more appropriate for the area and more compatible with ongoing development trends and housing demands, the No-Action scenario would be feasible, given the site's location and current market conditions, and represents a reasonable as-of-right baseline for environmental review analysis.

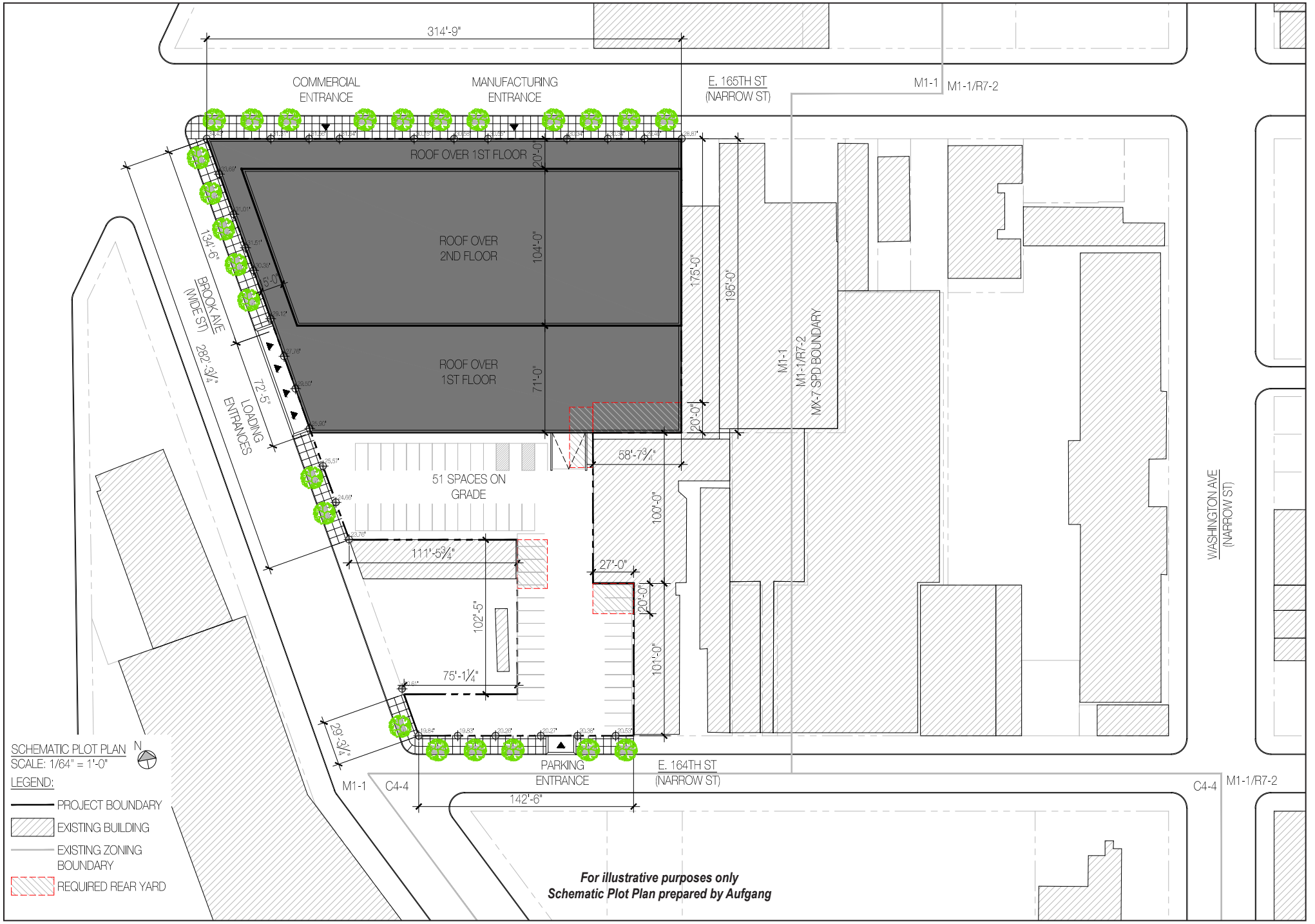
In the future No-Action Condition, the Applicant would demolish the existing structures on the Applicant-controlled lots and redevelop that portion of the site (78,187 sf of lot area) with a single two-story (approximately 30-feet tall) plus single below-grade cellar level, approximately 150,041-gsf (78,120 zsf) mixed-use commercial and manufacturing building (1.0 FAR). An illustrative schematic site plan is shown in **Figure A-4** for the No-Action building on Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74. The No-Action development would have a building footprint of approximately 67,000 sf and would be constructed at the northern portion of the site at the intersection of East 165th Street and Brook Avenue. The No-Action building would have frontage along the south side of East 165th Street and the east side of Brook Avenue. An at-grade, 20,925 sf accessory parking lot (51 spaces) would occupy the southern portion of the site with a curb cut on the north side of East 164th Street. The building's loading area would be along Brook Avenue. The No-Action building would contain approximately 22,073 gsf of local retail space, 98,536 gsf of light industrial makerspace, and 29,433 gsf of parking. The building's main pedestrian entrance would be located on East 165th Street. The 173 required accessory parking spaces would be accessible from a new curb cut on East 164th Street and provided within a 29,433 gsf garage with a ramp entrance from the accessory lot. 122 accessory parking spaces would be in a portion of the building's below-grade cellar level and within an at-grade lot (51 spaces).

The Applicant would not acquire Lots 2, 5, 29, 30, 34, 65, 66, 67 and 164 in the No-Action condition. The existing auto repair and commercial shipping uses are expected to remain on those nine lots, and no development would occur on the non-Applicant-owned lots of the Projected Development Site in absence of the Proposed Actions. It is anticipated that the vacant, two-story, 24,120 gsf warehouse at 429 East 164th Street (on Lot 67) would be re-occupied by light industrial/warehousing uses in the absence of the Proposed Actions. In addition, the three other lots in the Project Area, including Lots 35, 59, and 136, which are not part of the Projected Development Site, would remain unchanged from existing conditions. These lots would continue to accommodate three residential DUs at 446 East 165th Street, automotive repair at 451 East 164th Street, and vehicle storage.

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

In the future with the Proposed Actions, the proposed zoning map and text amendments would be approved. The Applicant would acquire Lots 2, 5, 29, 30, 34, 65, 66, 67 and 164, and combine them with Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74 (which are already owned by the Applicant) to establish a single 159,677 sf zoning lot comprising the Projected Development Site. The Applicant would demolish all existing buildings and construct two new, high-rise, mixed-use buildings (Buildings A and B) on the Projected Development Site. Building A would include residential and commercial uses with frontage on Brook Avenue and East 165th Street, and Building B would include residential, commercial, and light industrial uses with frontage on East 164th Street. Buildings A and B would be separated by an at-grade pedestrian corridor featuring landscaped open space and would have a single below-grade interconnected cellar level that would accommodate a sports complex and off-street accessory parking.

Under the With-Action scenario, the maximum blended FAR under the proposed MX (M1-4/R8 and M1-4/R7-3) at the Projected Development Site would increase up to 6.47 adjusted FAR. Based on preliminary plans prepared by the project architect, the With-Action development would nearly maximize the available blended FAR under the proposed M1-4/R8 and M1-4/R7-3 zoning and existing M1-1/R7-2. It would consist of two high-rise buildings (26- and 22-stories) and include a total of approximately 1,204,274 gsf (1,030,952 zsf; 6.46 FAR) with approximately 995,737 gsf of residential (935,391 zsf; 5.86 FAR), consisting of 1,129 income-restricted units (average DU size of approximately 882 gsf), and approximately 208,537 gsf of non-residential use (95,561 zsf; 0.60 FAR). The non-residential programming of the Proposed Development is expected to include a 153,005 gsf sports complex located on portions of the ground floor and cellar level of Buildings A and B, 10,086 gsf of light industrial/manufacturing space


314'-9"
COMMERCIAL ENTRANCE
MANUFACTURING ENTRANCE
E. 165TH ST (NARROW ST)
M1-1
M1-1/R7-2
ROOF OVER 1ST FLOOR
20'-0"
ROOF OVER 2ND FLOOR
104'-0"
ROOF OVER 1ST FLOOR
71'-0"
134'-6"
BROOK AVE (WIDE ST)
282'-3¼"
72'-5"
LOADING ENTRANCES
175'-0"
195'-0"
M1-1
M1-1/R7-2
MX-7 SPD BOUNDARY
20'-0"
58'-7¾"
51 SPACES ON GRADE
100'-0"
111'-5¾"
27'-0"
20'-0"
102'-5"
101'-0"
75'-1¼"
29'-3¼"
PARKING ENTRANCE
E. 164TH ST (NARROW ST)
142'-6"
M1-1
C4-4
C4-4
M1-1/R7-2
WASHINGTON AVE (NARROW ST)
SCHEMATIC PLOT PLAN
SCALE: 1/64" = 1'-0"
N
LEGEND:
PROJECT BOUNDARY
EXISTING BUILDING
EXISTING ZONING BOUNDARY
REQUIRED REAR YARD
For illustrative purposes only
Schematic Plot Plan prepared by Aufgang

(distillery and/or maker space, including cabinetry, finishes, and woodworking) on the ground floor of Building B and 14,238 gsf of local retail on the ground floor of Building A fronting on East 165th Street and Brook Avenue. Loading for Building A would be located along Brook Avenue from a new curb cut and loading for Building B would be provided from East 164th Street from a new curb cut. In addition, 135 off-street accessory parking spaces would be provided within the cellar level of Building B within approximately 31,208 gsf. The below-grade garage would be accessible from a new curb cut and ramp from East 164th Street located at the southeast corner of the Projected Development Site.

The With-Action scenario would also maximize the allowable building envelope, including maximum height, under the proposed M1-4/R8 and M1-4/R7-3 districts due to increased flexibility permitted with the adoption of the City's Housing Opportunity (CHO) zoning text. Under the With-Action Scenario, in the M1-4/R8 district, Building A would have a maximum building height of approximately 264 feet with a maximum base height of approximately 64 feet, and in the M1-4/R7-3 district, Building B would have a maximum building height of approximately 230 feet with a maximum base height of approximately 66 feet (refer to **Figure A-3** which provides a comparison of illustrative 3-D massings for both the RWCDS and the Applicant's Proposed Development). This would represent the reasonable worst case (RWCDS) development for CEQR analysis purposes.

Increment for Analysis

Table A-1 provides a comparison of the RWCDS No-Action and With-Action scenarios identified for analysis purposes for the Projected Development Site. As shown in **Table A-1**, the Proposed Actions would result in an incremental (net) increase of 1,129 DUs, which are expected to be 100 percent affordable and would include 226 to 339 DUs that are permanently affordable pursuant to the MIH program[2], 153,005 gsf of recreation/sports complex, and 1.04 acres of publicly accessible open space, as well as a net decrease of 7,834 gsf of local retail, 88,449 gsf of light industrial/makerspace, 2,725 sf of automotive, 80,563 gsf of warehousing, and 44 parking spaces. In addition, the RWCDS for the Proposed Actions is estimated to result in a net increase of 3,093 residents and 232 workers within the Project Area, as compared to the No-Action condition.

Construction Phasing for Proposed Development

For RWCDS purposes, the construction of the Proposed Development is expected to occur over a period of approximately 46 months and would consist of three phases. Given the scale of the project, the Proposed Development is expected to have three separate closings with HPD. As currently envisioned, the first closing is expected in 2027, the second in 2028, and the third in 2029.

The existing buildings' demolition is expected to commence in mid-to late 2027 followed by site excavation and foundation work for both Building A and B. It is envisioned that during the first phase of the project's construction the base of Building A as well as the first two of the three building segments of Building A (including segments A1 and A2) would be constructed (total of approximately 492 DUs). Phase 2 would consist of the final building segment of Building A (segment A3 containing 263 DUs) and phase 3 would include all of Building B (374 Dus). It is assumed that completion and full occupancy of the Proposed Development would occur by 2032. As such, the environmental review will use a 2032 analysis year.

[2] The number of permanently affordable MIH units is based on a percentage of floor area under the RWCDS and could range from 20 percent affordable under MIH Option 3 to up to 30 percent under MIH Option 2.

TABLE A-1
Comparison of No-Action and With-Action RWCDS for the Projected Development Site

Use		**No-Action Scenario**	**With-Action Scenario**	**Project Increment**
Residential	Affordable Units	--	1,127 DUs	+1,127 DUs
	Market-Rate Units	--	2 DUs	+2 DUs
	Total Residential Units [1]	--	1,129 DUs (995,737 gsf)	+1,129 DUs (+995,737 gsf)
Local Retail		22,073 gsf	14,239 gsf	-7,834 gsf
Recreational [2]		--	153,005 gsf	+153,005 gsf
Light Manufacturing/Makerspace		98,535 gsf	10,086 gsf	-88,449 gsf
Automotive Use		2,725 gsf	--	- 2,725 gsf
Warehouse/Storage		80,563 gsf	--	-80,563 gsf
Parking		179 spaces [4] (29,433 gsf)	135 spaces (31,208 gsf)	- 44 spaces (+1,775 sf)
Publicly Accessible Open Space [3]		--	45,467 sf (1.04 acres)	+45,467 sf (1.04 acres)
Population/Employment [5]		**No-Action Scenario**	**With-Action Scenario**	**Project Increment**
Residents		0 residents	3,093 residents	+3,093 residents
Workers		252 workers	484 workers	+232 workers

Notes:

[1] The Applicant intends to construct the Proposed Development as 100 percent affordable pursuant to HPD term sheets. Pursuant to the MIH program, 20 to 30 percent of the Proposed Development's residential floor area would be permanently affordable (226 to 339 DUs) depending on which MIH Option is mapped. The Applicant intends to map MIH Options 1 and 2. The two market-rate units would be superintendent units for the overall development.

[2] The With-Action development would include a sports complex, which is expected to accommodate athletic facilities, such as basketball courts, a hockey rink, and/or swimming pools, and would operate seven days per week.

[3] The With-Action development would include approximately 25,465 sf of open space that would always be accessible to the public and approximately 20,002 sf of open space that would be considered semi-public and would be available to the public at designated hours and could be closed off to the public at times with gated access.

[4] The No-Action development on Lots 1, 7, 8, 11, 12, 20,21, 22, 24, and 74) is anticipated to include an at-grade 20,925 sf accessory parking lot (51 spaces) and a 26,909 gsf garage with 122 spaces, as well as six existing parking spaces on Lot 164.

[5] Based on 2.74 people per DU (2020 Census average household size for Bronx CD 3). Estimates of workers based on standard rates used in prior EIS documents and are as follows: three employees per 1,000 sf of retail, one employee per 25 DU, one employee per 400 sf of sports complex, one employee per 1,000 sf of automotive/warehouse/maker space uses, and one employee per 50 attended parking spaces.

Attachment B

Technical Analysis for EAS Part II

1014 BROOK AVENUE REZONING
Attachment B: Additional Information for EAS Part II: Technical Analysis

An analysis framework has been established to assess the potential for the Proposed Actions to result in significant adverse impacts. The Environmental Assessment Statement (EAS) examines the potential for significant adverse impacts to result from the Proposed Actions. As detailed in **Attachment A, "Project Description,"** the Applicant, 1004 Brooks, LLC, is seeking zoning map and text amendments (collectively, the "Proposed Actions") to facilitate the development of two mixed-use buildings that would include affordable housing, local retail, a recreation facility, and light industrial/manufacturing space, as well as a cellar level parking garage on the western portion of Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 65, 66, 67, 74 and 164 (the "Projected Development Site"). The Applicant intends to construct 100 percent affordable housing pursuant to NYC Department of Housing Preservation and Development ("HPD") term sheets.

Under the reasonable worst-case development scenario (RWCDS), a 26-story (264-feet), mixed-use residential and commercial building (Building A) would be constructed at the northwest corner of the site and a 22-story (230-feet), mixed-use residential, commercial, and light industrial building (Building B) at the southeast corner. The buildings would be separated by an at-grade pedestrian corridor featuring landscaped open space and would have a single below-grade interconnected cellar level. As compared to the No-Action condition, the RWCDS would result in an incremental (net) increase of 1,129 DUs, which is expected to be 100 percent affordable and would include 226 to 339 DUs permanently affordable pursuant to MIH[1], 153,005 gsf of recreation/sports complex, and 1.04 acres of publicly accessible open space, as well as a net decrease of 7,834 gsf of local retail, 88,563 gsf of light industrial/makerspace, 2,725 sf of automotive, 80,563 gsf of warehousing, and 44 parking spaces.

This 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 CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent 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. A detailed assessment of land use is appropriate if an action 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.

[1] The number of permanently affordable MIH units is based on a percentage of floor area under the RWCDS and could range from 20 percent affordable under MIH Option 3 to up to 30 percent under MIH Option 2.

The Proposed Actions include zoning map and zoning text amendments, which would affect regulations and policies governing land use within the 165,369 square foot (sf; 3.7-acre) Project Area in the Morrisania neighborhood of Bronx Community District (CD) 3. The Project Area comprises the western portion of the block bound by East 165th Street to the north, Washington Avenue to the east, East 164th Street to the south, and Brook Avenue to the west. Several public policies are applicable to the Project Area and surrounding area, including Housing New York, Vision Zero, Where We Live NYC, the Food Retail Expansion to Support Health (FRESH) Program, and the City's sustainability/OneNYC policies. However, the Project Area is not located within the City's Coastal Zone Boundary and therefore would not require an assessment of its consistency with the policies of the City's Waterfront Revitalization Program (WRP).

The Proposed Actions have the potential to significantly affect land use, zoning, and public policy. Therefore, consistent with the 2021 *CEQR Technical Manual* guidance, an assessment of land use, zoning, and public policy will be provided in the EIS, as described in the Draft Scope of Work.

2. SOCIOECONOMIC CONDITIONS

According to the 2021 *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. According to the 2021 *CEQR Technical Manual*, 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.

The following screening assessment considers threshold circumstance identified in the 2021 *CEQR Technical Manual* that can lead to socioeconomic changes warranting further assessment. As detailed in the Draft Scope of Work, the following describes the level of assessment that is warranted and the scope of analysis for the five principal socioeconomic issues of concern.

Direct Residential Displacement

According to the 2021 *CEQR Technical Manual*, if a project would directly displace more than 500 residents, it may have the potential to alter the socioeconomic character of a neighborhood, and a preliminary assessment of direct residential displacement is appropriate. The Projected Development Site does not contain any residential uses or permanent residential population. Therefore, no analysis of direct residential displacement is warranted.

Direct Business Displacement

According to the 2021 *CEQR Technical Manual*, if a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate. Projected Development Site 1 contains active businesses. In the absence of the Proposed Action, the Applicant would redevelop a portion of the Projected Development Site, and would demolish existing structures on the Applicant-controlled lots within the Project Area (i.e., Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74) to construct a new mixed-use commercial and manufacturing building in accordance with the existing M1-1 zoning. The existing businesses and their associated workers on Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74

would be directly displaced irrespective of the Proposed Actions. No changes are expected to occur to the remainder of the Projected Development Site (Lots 5, 29, 30, 34, 65, 66, 67 and 164), and the existing uses and business are anticipated to remain on these eight lots in the No-Action condition. As such, the existing businesses on these eight lots could be directly displaced because of the Proposed Actions by 2032. However, it is possible that the potentially directly displaced businesses identified could close or relocate for reasons independent of the Proposed Actions by 2032.

As shown in **Table B-1,** in the future with the Proposed Actions, an estimated two businesses and 58 associated employees could be directly displaced from the Projected Development Site by 2032. While these two businesses and their associated employment could be directly displaced as a result of the Proposed Actions, there are less than 100 employees, which is below the CEQR threshold for direct business displacement. Therefore, an assessment of direct business displacement is not warranted. The EIS will identify the existing businesses at Projected Development Site 1, including a description of the type and an estimate of the number of employees.

TABLE B-1
Businesses and Employment Potentially Directly Displaced by the Proposed Actions

Lot(s)	Address	Business Type	Industrial Sector	Estimated Employment Displaced
5	994 Brook Ave.	Automotive Repair/Service	Other Service	3
29/30/34/65/66/164	437-441 E. 164th St. 432-442 E. 165th St.	Transport/Moving and Storage	Transportation & Warehousing	55
67	429 E. 164th St.	Vacant- Industrial Building for Lease	N/A	-

Note: Standard industry employment density ratios commonly used in *CEQR* analysis were used to estimate employment figures. One worker per

Indirect Residential Displacement

Under the RWCDS, the Proposed Actions would facilitate the construction of a net increment of 1,129 new residential units, which would exceed the 2021 *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.

Indirect Business Displacement

The concern with respect to indirect business and institutional displacement is 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 Proposed Actions would result in an incremental (net) increase of approximately 142,445 gross square feet (gsf) of commercial development and a net decrease of 169,012 gsf of light manufacturing maker space compared to the No-Action condition. The Proposed Actions would not exceed the 200,000-sf threshold for substantially new commercial development, and therefore, an assessment of indirect business and institutional displacement is not warranted and will not be included in the EIS. In addition, the Proposed Actions would not result in the addition of more than 200,000 sf of retail and therefore, an assessment of potential indirect business displacement due to retail market saturation is not warranted.

Adverse Effects on Specific Industries

Based on 2021 *CEQR Technical Manual* guidance, a preliminary assessment of effects on specific industries is conducted to determine whether the Proposed Actions would significantly affect business conditions in

any industry or category of businesses within or outside the study area, or whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses.

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 affect conditions within a specific industry, affect a substantial number of workers or residents who depend on the goods and services provided by affected businesses, or result in the loss or substantially diminishment of a particularly important product or service within the city due to the Proposed Actions. Therefore, an assessment of adverse effects on specific industries is not warranted.

Based on the screening assessment presented above, the Proposed Actions warrant further analysis of indirect residential displacement (see the Draft Scope of Work) but do not warrant additional analysis for the potential for direct resident displacement, direct business displacement, indirect business displacement due, or adverse effects on specific industries.

3. COMMUNITY FACILITIES AND SERVICES

Community facilities are public or publicly funded schools, libraries, childcare centers, health care facilities and fire and police protection. An analysis examines an action's potential effect on the services provided by these facilities. An action can affect facility services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility.

The Proposed Actions would not result in the direct displacement of any existing community facilities or services, nor would they affect the physical operations of or access to and from any police or fire stations, or health care facilities. Therefore, the Proposed Actions would not have any significant adverse direct impacts on existing community facilities or services.

The 2021 *CEQR Technical Manual* recommends a detailed analysis of indirect impacts on police, fire, and healthcare services in cases where the proposed project would either introduce a sizeable new neighborhood where one has not previously existed or displace or alter an existing facility. The Project Area is in a developed area that is served by existing police, fire, and healthcare services, and would not introduce a sizeable new neighborhood. Therefore, the Proposed Actions do not have the potential to result in significant adverse environmental impacts related to police, fire, and healthcare services, and no further analysis is warranted.

A new population added to the area as a result of an action would use existing services, which may result in potential indirect effects on service delivery. The demand for community facilities and services is related to the type and size of the new population generated by development resulting from a proposed action. As per the 2021 *CEQR Technical Manual*, depending on the size, income characteristics, and age distribution of the new population, an action may have indirect effects on public schools, libraries, or early childhood programs. The RWCDS associated with the Proposed Actions would introduce approximately 1,129 DUs to the area, which are expected to introduce an estimated 3,093 residents. A discussion of the Proposed Actions' potential effects on public schools, libraries, and early childhood programs is provided below.

Public Schools

The threshold for detailed analysis of public school impacts is the number of units that would generate a total of at least 50 elementary/intermediate school students or at least 150 high school students. The

Project Area is located within Community School District (CSD) 9. The RWCDS associated with the Proposed Actions would exceed the thresholds for elementary/intermediate schools. Using New York City School Construction Authority (SCA) 2024 multipliers, the RWCDS would generate an estimated 210 elementary school students, 75 intermediate school students (a total of 285 elementary/intermediate school students), and 90 high school students. As the number of additional PS/IS students introduced would exceed the threshold, a detailed analysis is warranted and will be provided in the EIS (see the Draft Scope of Work). The RWCDS would not exceed the threshold for high school students, and therefore, no further analysis is warranted.

Libraries

According to the guidelines established in the 2021 *CEQR Technical Manual*, if a proposed action increases the number of dwelling units served by the local library branch by more than 5 percent, then an analysis of library services is necessary. In the Bronx, the introduction of 731 DUs would represent a five present increase in DUs per branch. As the RWCDS associated with the Proposed Actions would result in the addition of approximately 1,129 DUs to the study area compared to the No-Action condition, it exceeds the CEQR threshold for a detailed analysis, and an analysis of libraries will be provided in the EIS, as described in the Draft Scope of Work.

Early Childhood Programs

The 2021 *CEQR Technical Manual* requires a detailed analysis of early childhood programs when a proposed action would produce substantial numbers of subsidized, low-to moderate-income family housing units that may therefore generate a sufficient number of eligible children to affect the availability of slots at publicly funded early childhood programs. Typically, proposed actions that generate 20 or more eligible children under age six require further analysis. According to Table 6-1 of the 2021 *CEQR Technical Manual*, the number of affordable housing units needed to yield 20 or more eligible children in the Bronx would be 141 DUs. The RWCDS associated with the Proposed Actions would result in a net increment of approximately 1,129 DUs compared to the No-Action, of which 1,127 DUs would be affordable. As such, the Proposed Actions exceed the threshold for an analysis of early childhood programs and an analysis will be provided in the EIS, as described in the Draft Scope of Work.

4. OPEN SPACE

The 2021 *CEQR Technical Manual* defines open space as publicly accessible, publicly, or privately owned land that is available for leisure, play, or sport is set aside for the protection or enhancement of the natural environment. Open space may be public or private and may include areas used for sports, exercise, or play (active open space) and/or areas used for sitting, strolling, or relaxing (passive open space). The 2021 *CEQR Technical Manual* guidance indicates that an open space analysis should be conducted if an action would result in a direct effect, such as the physical loss or alteration of public open space, or an indirect effect, such as when a substantial new population could place added demand on an area's open spaces. An open space analysis focuses on officially designated existing or planned public open space. The 2021 *CEQR Technical Manual* indicates that if a project would result in an increase of more than 200 residents or 500 employees, then an analysis of open space would be appropriate.

The Proposed Actions and associated RWCDS would not result in a physical loss of public open space, affect the use of an open space so that it no longer serves the same user population, limit public access to an open space, cause increased noise or air pollution emissions, odors, or shadows on public open space that would affect its usefulness, or involves the alienation or conversion of public parkland. Therefore, no analysis of direct effects to open space is warranted.

While direct effects to open space are not anticipated, based on the RWCDS, as discussed in Attachment A, "Project Description," the Proposed Actions would introduce a net increment of approximately 3,093 residents and approximately 232 workers to the area (as compared to No-Action conditions), which exceeds the 200-resident CEQR threshold for open space indirect analysis for the residential population. The RWCDS is not expected to exceed the 500- non-resident CEQR threshold. Therefore, an open space indirect analysis for the residential population will be included in the EIS, as described in the Draft Scope of Work.

5. SHADOWS

The *CEQR Technical Manual* requires a shadow assessment for a proposed action that would result in a new structure(s), or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. The Proposed Actions would permit development of buildings greater than 50 feet in height, some of which would be in the vicinity of sunlight sensitive resources (e.g., Arcilla Playground, etc.). Therefore, the Proposed Actions and RWCDS have the potential to cast new shadows on nearby open spaces or other sunlight sensitive resources. As such, consistent with the guidance of the 2021 *CEQR Technical Manual*, an analysis of the new buildings' potential to result in significant adverse shadow impacts on sunlight sensitive resources is warranted and will be included in the EIS, as described in the Draft Scope of Work.

6. HISTORIC AND CULTURAL RESOURCES

The 2021 *CEQR Technical Manual* identifies historic and cultural resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural and archeological importance. Historic and cultural resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties scheduled for consideration as NYCLs by the New York City LPC of determined eligible for NYCL designation (NYCL-eligible); properties listed in the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or properties contained within a S/NR-listed or eligible district; properties recommended by the New York State Board for listing in the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements). According to the *CEQR Technical Manual*, a historic and cultural resources assessment is warranted if there is potential to affect either archaeological or architectural resources.

Based on a letter provided by the New York City Landmarks Preservation Commission (LPC) on April 15, 2025, there are no New York City designated landmarks (NYCL) or State and/or National Register-listed (S/NR) resources located at the Projected Development Site (refer to Appendix 1). However, the LPC-designated and S/NR-eligible Clay Avenue Historic District and the S/NR- eligible Sheffield Farms Milk Plant Annex at 1045 Webster Avenue are located within approximately 400 feet of the Project Area. Therefore, it is necessary to analyze the potential impacts of the Proposed Actions on historic architectural resources, and this assessment will be provided in the EIS, as described in the Draft Scope of Work.

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century and Indigenous Peoples occupation on the Projected Development Site (refer to Appendix 1). The Proposed Actions would result in additional in-ground disturbance on the Projected Development Site and therefore has the potential to affect archaeological resources that may be present on the site. Therefore, an assessment of archaeological resources will be provided in the EIS, as described in the Draft Scope of Work.

7. URBAN DESIGN AND VISUAL RESOURCES

According to the *CEQR Technical Manual,* an assessment of urban design is warranted 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, and wind. According to the *CEQR Technical Manual*, 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 action. The *CEQR Technical Manual* stipulates a detailed analysis for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Actions do not have the potential to result in the development of multiple tall buildings at or near waterfront sites that would exacerbate wind conditions due to channelization or downwash effects. Therefore, the Proposed Actions are not expected to affect pedestrian wind conditions and, therefore, an assessment is not warranted. However, the Proposed Actions would facilitate development within the Project Area beyond the bulk and form currently permitted under existing zoning. These changes could affect a pedestrian's experience of public space, requiring an urban design assessment. Therefore, a preliminary assessment of urban design and visual resources will be provided in the EIS, as described in the Draft Scope of Work.

8. NATURAL RESOURCES

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife, and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include ground water, soils, and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife.

According to the *CEQR Technical Manual*, a natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. The Project Area is located in a fully developed area of the Bronx, and the affected area and immediate adjacent area are substantially devoid of natural resources. Therefore, the Proposed Actions would not have a significant adverse impact on natural resources, and no further analysis is warranted. Accordingly, an analysis of natural resources will not be provided in the EIS.

9. HAZARDOUS MATERIALS

According to the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials, 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. As the Proposed Actions would result in new in-ground disturbance in an area that was historically zoned for manufacturing, an assessment of hazardous materials is warranted (see the Draft Scope of Work).

10. WATER AND SEWER INFRASTRUCTURE

The 2021 *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. The 2021 *CEQR Technical Manual* states that a preliminary infrastructure analysis would be needed if a project that is located in a combined sewer area within the Bronx that would result in incremental development over the No-Action scenario of more than 400 residential units or 150,000 sf of commercial, public facility, and institution and/or community facility space. As the RWCDS associated with Proposed Actions would result in incremental residential units in exceedance of the 400-unit CEQR analysis threshold, a preliminary assessment of wastewater and stormwater conveyance and treatment is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

11. SOLID WASTE AND SANITATION SERVICES

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that would overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the 2021 *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact.

As shown in **Table B-2**, based on the average daily solid waste generation rates provided in Table 14-1 of the 2021 *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Actions would result in a net increase of approximately 8,167 pounds (lbs.) of solid waste per week (i.e., approximately four tons), compared to No-Action conditions. Therefore, the Proposed Actions would not exceed the 50 tons per week threshold for further analysis. It can therefore be concluded that the Proposed Actions would not result in a significant adverse impact to solid waste and sanitation services and further analysis is not warranted.

TABLE B-2
Expected Solid Waste Generation for the 2032 No-Action vs. 2032 With-Action Conditions [1]

	Land Use	Area (GSF)	Solid Waste Managed by DSNY (lbs./wk.)	Solid Waste Managed by Private Carters (lbs./wk.)	Total Solid Waste (lbs./wk.)
No-Action Condition [2]	Retail/Other Commercial	22,073	0	5,214	5,214
	Industrial	181,823	0	43,680	43,680
No-Action Total			***0***	***48,894***	***48,894***
With-Action Condition[3]	Residential	995,737 (1,129 DUs)	46,289	0	46,289
	Retail/Other Commercial	167,243	0	8,351	8,351
	Industrial	10,086	0	2,421	2,421
With Action Total			***46,289***	***10,772***	***57,061***
Net Difference: No-Action vs. With Action Condition					**8,167**

Notes:

[1] Solid waste generation is based on citywide average waste generation rates presented in Table 14-1 of the 2021 *CEQR Technical Manual*.
Residential: 41 lbs./wk. per DU (household rate).
Retail (Local and Destination): 79 lbs./wk. per employee (general retail rate).
Industrial (includes auto-related and warehouse): Applied the average of the Apparel and Textile Manufacturing and Printing/Publishing rates of 125 lbs./wk. per employee and 240 lbs./wk. per employee, respectively.

[2] Retail uses in the No-Action condition include local retail, as well as other commercial uses. Industrial uses in the No-Action condition include warehouse, auto-related, and other industrial.

[3] Retail uses in the With-Action condition include local retail, as well as other commercial, including the sports complex. Industrial uses in the With-Action condition include makerspace, distillery and other industrial.

12. ENERGY

According to the 2021 *CEQR Technical Manual,* a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). Although significant adverse energy impacts are not anticipated for the Proposed Actions, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions, as this information is required for the assessment of Greenhouse Gas Emissions (see below). Further details are provided in the Draft Scope of Work.

Based on the rates presented in Table 15-1 of the 2021 *CEQR Technical Manual* and as shown in **Table B-3**, it is estimated that the RWCDS associated with the Proposed Actions would result in a total annual energy consumption of approximately 167,925,209 million BTUs, an increment of approximately 62,366,330 million BTUs over the No-Action condition. As noted in the Draft Scope of Work, an assessment of the anticipated additional demand from the Proposed Actions' RWCDS will be provided in the EIS.

TABLE B-3
2032 No-Action Condition and 2032 With-Action Condition Estimated Energy Consumption[1]

	Land Use	Area (GSF)	Consumption Rates (Thousand BTUs [MBTUs]/sf/yr.)	Annual Energy Use (million BTUs)
No-Action Condition [2]	Commercial	22,073	216.3	4,774,390
	Industrial	181,823	554.3	100,784,489
			No-Action Total	***105,558,879***
With-Action Condition [3]	Residential	995,737	126.7	126,159,878
	Commercial	167,243	216.3	36,174,661
	Industrial	10,086	554.3	5,590,670
			With-Action Total	***167,925,209***
			Net Difference: No-Action vs. With Action Condition	**62,366,330**

Notes:
[1] Consumption rates are from the *CEQR Technical Manual* Table 15-1, "Average Annual Whole-Building Energy Use in New York City."
[2] Commercial uses in the No-Action condition include local retail. Industrial uses in the No-Action condition include warehouse, auto-related, and other industrial.
[3] Commercial uses in the With-Action condition include local retail and a sports complex. Industrial uses in the With-Action condition include makerspace, distillery and other industrial.

13. TRANSPORTATION

According to the 2021 *CEQR Technical Manual*, detailed transportation analyses may be warranted if a proposed project results in 50 or more vehicle trips, 50 or more City Wide Ferry trips, and/or 200 or more transit/pedestrian trips during a given peak hour (Level 1). Based on a preliminary assessment of expected project-generated trips, the RWCDS would generate a magnitude of peak hour trips that is expected to exceed Level 1 screening thresholds for vehicle, bus, subway, and pedestrian trips. Therefore, further assessment (Level 2 screening) would be needed to assess the potential impacts to these travel modes due to the RWCDS.

Based on preliminary estimates for the RWCDS, the Proposed Actions are expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday midday peak hour. The RWCDS is also expected to generate 50 or more vehicles per hour during each of the 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.

Based on preliminary estimates, the RWCDS is expected to generate more than 200 subway trips at one or more stations and more than 50 bus passengers in a single direction on one or more bus routes in the weekday AM, midday, and PM peak hours. Therefore, detailed subway and bus transit analyses are 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 peak commuter hours as it is during these periods that the overall demand on the subway and bus systems is usually highest.

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 Projected Development Site and other modes of travel, such as subway stations, bus stops. Therefore, detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

As described in the Draft Scope of Work, the EIS will estimate the net increase in parking demand associated with the Proposed Actions and associated RWCDS. If the projected parking demands cannot be accommodated onsite, then a parking inventory will be conducted pursuant to *2021 CEQR Technical Manual* guidance.

Data on traffic crashes at study area intersections will be obtained from NYCDOT for the most recent three-year period available. As described in the DSOW, these data will be analyzed to determine if any of the studied locations may be classified (based on *CEQR Technical Manual* criteria) as high-crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. In addition, any Senior Pedestrian Focus Areas, Vision Zero Corridors/Intersections, and/or Truck Safety Corridors as defined in the 2021 *CEQR Technical Manual* will be identified. As described in the DSOW, if any high-crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues and avoid the potential for safety related impacts.

14. AIR QUALITY

Under CEQR, an air quality analysis determines whether proposed actions would result in stationary or mobile sources of pollutant emissions that could have a significant adverse impact on ambient air quality and considers the potential of existing sources of air pollution to impact the proposed uses. As discussed below, the Proposed Actions would require an air quality analysis including both mobile and stationary sources.

Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources. Mobile source impacts could also be produced by parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks from industrial plants, hospitals, or other large institutional uses, or a building's boilers that can affect surrounding uses. Additional stationary source impacts could occur with actions that add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks, or when they add structures near such stacks and those structures can change the dispersion of emissions from stacks so that they begin to affect surrounding uses.

The buildings constructed as a result of the Proposed Actions would use electric for HVAC and hot water systems. Mechanisms to ensure electric HVAC will be described in the EIS. Therefore, an analysis of HVAC and hot water systems is not warranted. As such, air quality analyses in the EIS will include a detailed

mobile source analysis, a parking analysis, and potential impacts from both manufacturing/processing facilities or large/major sources, as described in the Draft Scope of Work.

15. GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The *CEQR Technical Manual* notes that 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 sf 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 proposed development associated with the RWCDS would exceed 350,000 sf, 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, pursuant to *CEQR Technical Manual* guidance the Proposed Actions and associated RWCDS's energy consumption will be calculated and provided in the EIS, as described in the Draft Scope of Work.

According to the *CEQR Technical Manual*, 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. Based on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (FIRMs) issued in January 2015, the Project Area is located beyond the 100- and 500-year flood zones and is also located beyond the 2020s and 2050s 100- and 500-year projections. Therefore, the Project Area is not susceptible to storm surge and coastal flooding, and an assessment of climate change is not warranted and will not be provided in the EIS.

16. NOISE

According to the 2021 *CEQR Technical Manual*, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would introduce noise sensitive receptor(s) be in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action introduces noise sensitive receptor(s) located near a heavily trafficked thoroughfare, or if an action would introduce noise sensitive receptor(s) 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 action 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 action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would introduce noise sensitive receptor(s) located in an area with high ambient noise levels resulting from stationary sources.

A noise analysis will be included in the EIS as the Proposed Actions would meet the following *CEQR Technical Manual* thresholds: they would result in additional vehicle trips to and from the Project Area; they would introduce new sensitive receptors (residences) in the vicinity of heavily trafficked roadways; and may introduce stationary noise source generators. Although the proposed open space design is still not finalized, it may include play equipment for children. As this space could meet the CEQR definition of a stationary source (e.g., crowd noise related to playgrounds), a playground noise analysis is warranted for the Proposed Actions. 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.

17. 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. The 2021 *CEQR Technical Manual* indicates that 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 in other CEQR analysis areas, such as 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 none of the relevant analyses have 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, water 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.

18. NEIGHBORHOOD CHARACTER

Per the 2021 *CEQR Technical Manual*, a neighborhood character assessment considers how elements in the environment combined to create the context and feeling of a neighborhood and how a project may affect that context and feeling. To determine a project's effects on neighborhood character, a neighborhood's contributing elements are considered together.

According to the 2021 *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in 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, including land use patterns, urban design, historic and cultural resources, and levels of traffic and noise. 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.

19. CONSTRUCTION

Construction impacts, although temporary, can include disruptive and noticeable 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 are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and air quality conditions. In addition, because soil is disturbed during construction, any action 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; (g) located within 400 feet of an historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resources; and/or (i) occurring on

multiple sites in the same geographic area. As construction facilitated by the Proposed Actions could involve one or more of the aforementioned conditions, a preliminary construction analysis will be undertaken in the EIS. Construction of the RWCDS is expected to take place over a period greater than two years and is therefore considered long-term. This chapter of the EIS will provide a preliminary impact assessment following 2021 *CEQR Technical Manual* guidance and will likely require detailed quantitative analyses of the effects of construction on transportation systems, air quality, and noise. The quantitative analyses will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors and are described in further detail in the Draft Scope of Work.

20. DISADVANTAGED COMMUNITIES

Effective December 30, 2024, Section 8-0109(2)(k) of the New York Environmental Conservation Law requires that EISs include a statement of the effects of the Proposed Action on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden. On January 29, 2025, the New York State Department of Environmental Conservation (NYSDEC) proposed a rule that provides additional considerations regarding this new statutory provision. However, the 2021 *CEQR Technical Manual* does not provide guidance regarding the scope of this analysis. The InfoLocator application maintained by NYSDEC maps the boundaries of Disadvantaged Communities (DAC) in New York State. The EIS will disclose whether the Project Area is in or near a DAC. The EIS will also include a statement on the potential, project-generated disproportionate pollution burden on disadvantaged communities. The findings of the relevant CEQR analyses will be included in this chapter to assist with the determination as to whether the Proposed Actions may result in disproportionate pollution burden affecting DACs.

APPENDIX 1

Landmarks Preservation Commission Historic/Archaeological Resources Determination Letter

Landmarks Preservation Commission

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

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-X
Project: BROOKE AVENUE REZONING
Date Received: 4/2/2025

Properties with Archaeological significance and No Architectural significance:

1) 421 EAST 164 STREET, BBL: 2023860001
2) 992 BROOK AVENUE, BBL: 2023860002
3) 994 BROOK AVENUE, BBL: 2023860005
4) 996 BROOK AVENUE, BBL: 2023860007
5) 1000 BROOK AVENUE, BBL: 2023860008
6) 1004 BROOK AVENUE, BBL: 2023860011
7) 1014 BROOK AVENUE, BBL: 2023860017
8) 412 EAST 165 STREET, BBL: 2023860020
9) 414 EAST 165 STREET, BBL: 2023860021
10) 416 EAST 165 STREET, BBL: 2023860022
11) 422 EAST 165 STREET, BBL: 2023860024
12) 432 EAST 165 STREET, BBL: 2023860029
13) 434 EAST 165 STREET, BBL: 2023860030
14) 442 EAST 165 STREET, BBL: 2023860034
15) 439 EAST 164 STREET, BBL: 2023860065
16) 437 EAST 164 STREET, BBL: 2023860066
17) 429 EAST 164 STREET, BBL: 2023860067
18) 425 EAST 164 STREET, BBL: 2023860074
19) 441 EAST 164 STREET, BBL: 2023860164

Comments:

LPC designated and S/NR eligible Clay Avenue Historic District and S/NR eligible Sheffield Farms Milk Plant Annex, 1045 Webster Avenue, within radius.

LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century and Indigenous Peoples occupation on the project site. Accordingly, the Commission recommends that the following archaeological documentary study be consulted for this site and updated by the applicant to clarify these initial findings (see CEQR Technical Manual 2021). See the following report for further information: An Archaeological Assessment of the Morrisania Urban Renewal Project, Bronx, New York. CEQR No. 91-033X. Prepared for TAMS Consultants Inc. Prepared by, Joan H. Geismar, Ph.D. January, 1992.

Gina Santucci 4/15/2025

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 37611_FSO_GS_04152025.docx