A. INTRODUCTION

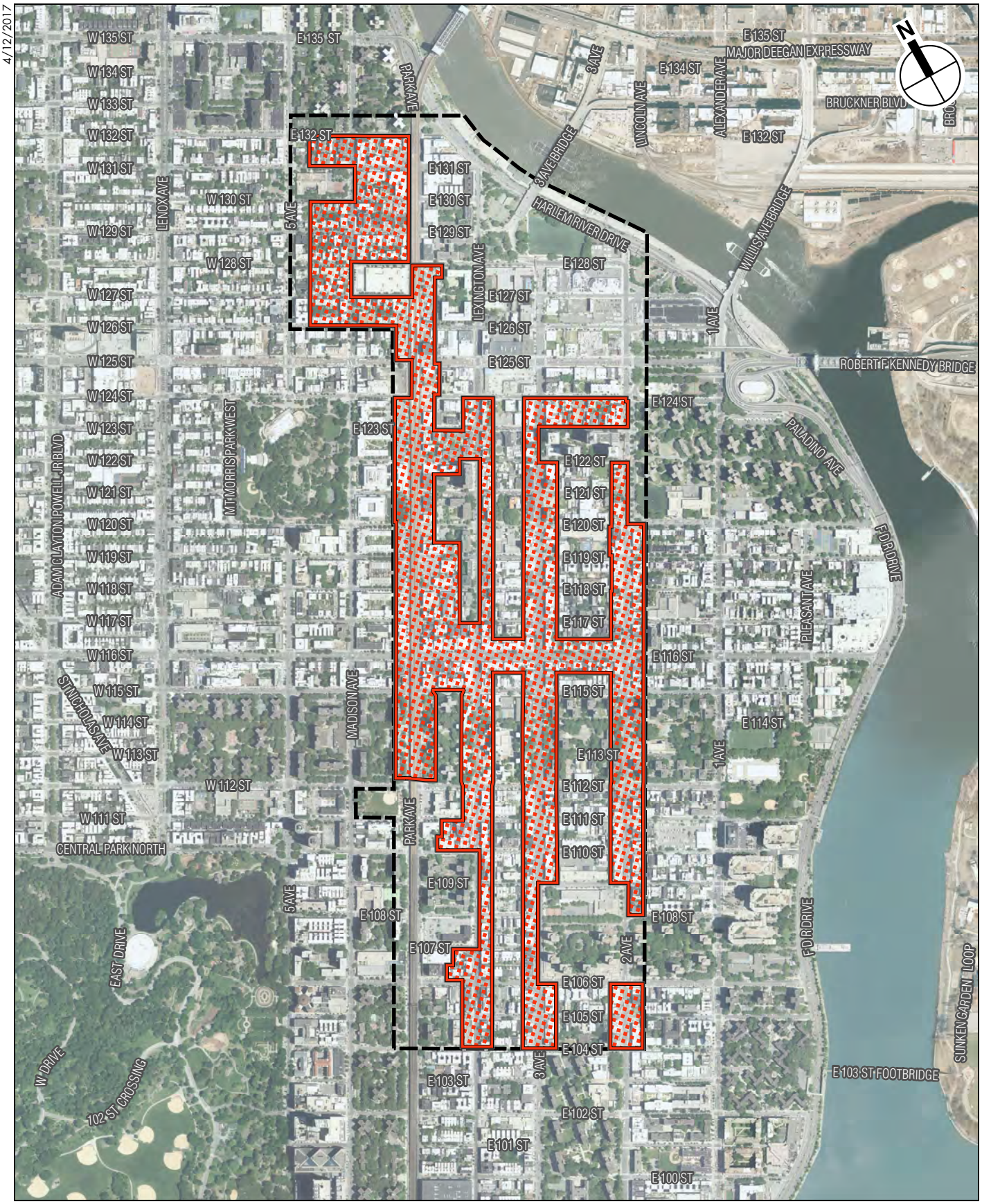
The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Milbank Frawley Circle-East Urban Renewal Plan (collectively, the "Proposed Actions")—as a component of the East Harlem Neighborhood Study (the "Neighborhood Study"), a comprehensive, community-focused effort aimed at identifying opportunities for the creation of new mixed-income housing and the preservation of existing affordable units consistent with Mayor de Blasio's housing plan, *Housing New York: A Five-Borough, Ten-Year Plan*. The Proposed Actions are intended to facilitate the development of affordable housing, preserve existing neighborhood character, improve the pedestrian experience, and create new commercial and manufacturing space to support job creation adjacent to existing and future transit nodes. Further, in conjunction with other City agencies, the Neighborhood Study will also identify complementary initiatives to address community needs related to key infrastructure, economic development, workforce, and community wellness issues. The Proposed Actions would affect an approximately 96-block area of the East Harlem neighborhood of Manhattan, Community District 11.

The area that is subject to the Proposed Actions is generally bounded by East 104th Street to the south, East 132nd Street to the north, Park Avenue to the west, and Second Avenue to the east (the "Project Area") (see **Figures S-1a and S-1b**). The Proposed Actions are expected to result in a net increase of approximately 3,500 dwelling units, a substantial proportion of which are expected to be affordable; approximately 122,500 square feet (sf) of commercial retail space (which includes local retail, destination retail, grocery, and restaurant use); approximately 105,000 sf of community facility space; and approximately 132,400 sf of manufacturing space. The Proposed Actions are also expected to result in net decreases of approximately 10,600 sf of auto-related space, 33,000 sf of hotel use; and 57,600 sf of warehouse/storage space (see Section G, "Analysis Framework," for discussion of the Reasonable Worst Case Development Scenario [RWCDS]).

The Proposed Actions build upon and respond to the land use and zoning recommendations in the East Harlem Neighborhood Plan (EHNP), which was developed through a holistic, community-based planning process by a Steering Committee comprised of local stakeholders led by New York City Council Speaker Melissa Mark-Viverito, Manhattan Borough President Gale A. Brewer, Manhattan Community Board 11 and Community Voices Heard. Through a series of meetings on various neighborhood topics ranging from open space to zoning and land use, the Steering Committee produced the EHNP

The Proposed Actions reflect DCP's on-going engagement with Community Board 11, the Steering Committee, DCP's interagency partners, and local elected officials to achieve the following land use objectives:

4/12/2017



0 1,000 FEET

Project Area

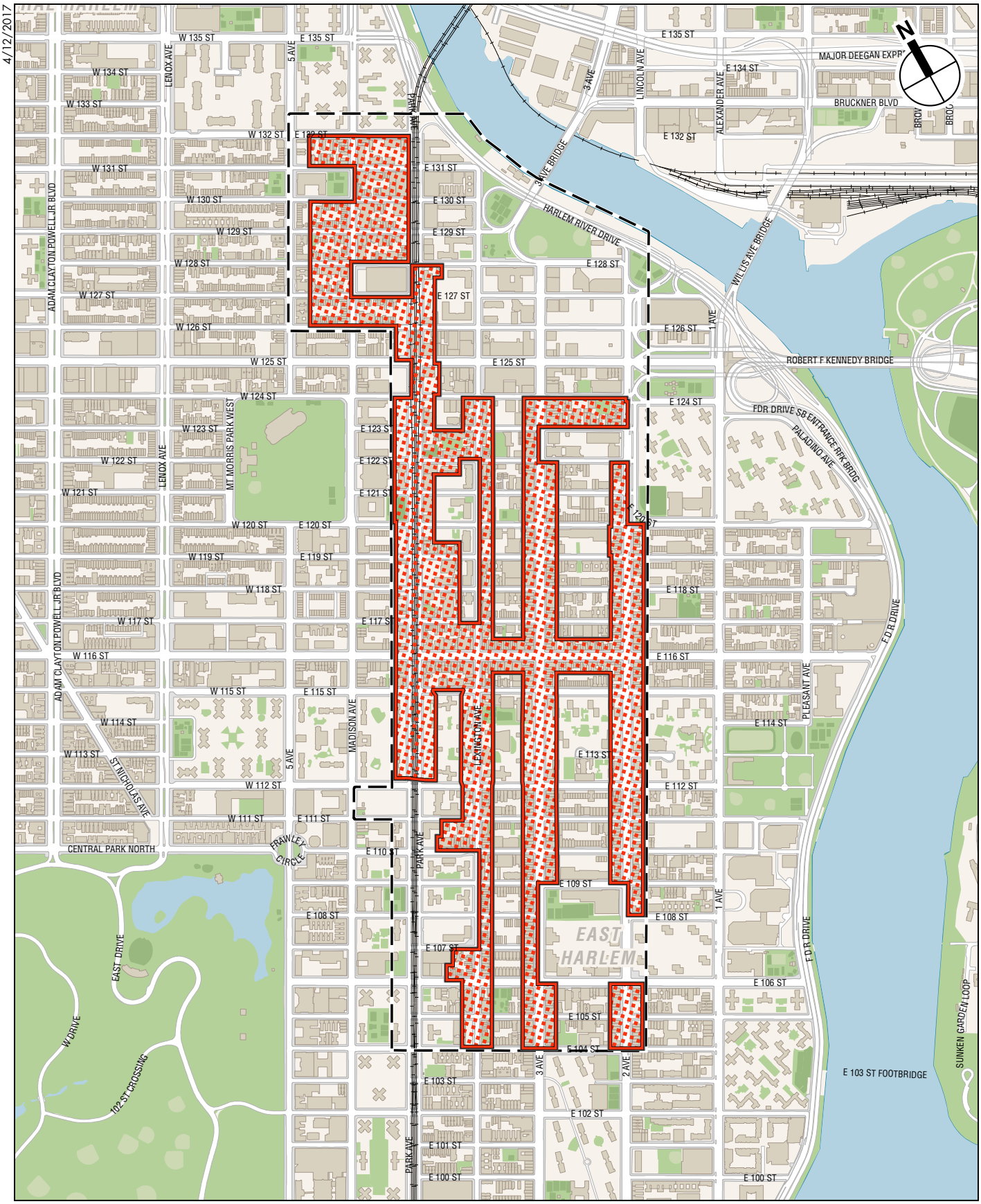
Neighborhood Study Area

EAST HARLEM REZONING

Project Location - Aerial View

Figure S-1a

4/12/2017



EAST HARLEM REZONING

Project Location
Figure S-1b

- Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs;
- Modify the existing zoning, where appropriate, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of the existing commercial and manufacturing uses;
- Establish a Special District that establishes urban design controls that balance new development in response to existing neighborhood context and scale and improves the pedestrian experience; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demand and future growth.

An overview of the Project Area, the purpose and need for the Proposed Actions, and the specific components of the Proposed Actions are discussed below in Sections C through F. The New York City Planning Commission (CPC) has determined that an EIS for the Proposed Actions will be prepared in conformance with City Environmental Quality Review (CEQR) guidelines, with DCP acting on behalf of the CPC as the lead agency. The environmental analyses in the EIS assume a development period of 10 years for the RWCDS for the Proposed Actions (i.e., an analysis year of 2027). DCP has conducted a coordinated review of the Proposed Actions with involved and interested agencies.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The Proposed Actions encompass discretionary actions that are subject to review under the Uniform Land Use Review Procedure (ULURP), Section 200 of the City Charter, and CEQR process. The discretionary actions include:

- ***Zoning map amendment.*** The proposed rezoning would replace all or portions of existing R7-2, C8-3, M1-2, M1-4, C4-4, C4-4D, R8A, R7A, and C6-3 districts within the rezoning area with M1-6/R9, M1-6/R10, C4-6, C6-4, R10, R9, R7A, R7B, and R7D districts. In addition, the proposed rezoning would replace or eliminate portions of existing C1-4, C2-4, and C1-5 overlays with C1-5 or C2-5 overlays and establish new C1-5 overlays. The proposed rezoning action would also amend the Zoning Map to include the boundaries of the Special East Harlem Corridors District (EHC) along major thoroughfares within the rezoning area, as well as modified boundaries of the Special Transit Land Use District (TA).
- ***Zoning text amendments.*** The Proposed Actions include amendments to the text of the City's Zoning Resolution to:
  - Establish the EHC Special District along major corridors within the rezoning area including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue, and East 116th Street corridors to establish special use, bulk, ground-floor design and parking regulations;
  - Create a new special permit related to the development, conversion, or enlargement of hotels within the proposed EHC Special District;
  - Modify the boundaries of the TA District to reflect the current plans of the Metropolitan Transportation Authority (MTA) for prospective Second Avenue Subway locations, accommodate ancillary support facilities for the future phase of the Second Avenue Subway, and introduce bulk modifications to facilitate the inclusion of necessary

transportation-related facilities in new developments within Special District boundaries; and;

- Amend Appendix F of the Zoning Resolution to apply the Mandatory Inclusionary Housing (MIH) program to portions of the proposed rezoning area, including areas where zoning changes would promote new housing.

- ***Urban Renewal Plan (URP) amendments.*** The Proposed Actions include amendments to the Milbank Frawley Circle-East URP; to make the URP compatible as warranted with the above zoning actions.
  - Remove the supplementary setback control on Sites along Park Avenue between East 110th Street and East 123rd Street.
  - Change the designated land use of Site 9 from 'residential/public and semi-public' to 'residential.'
  - Change the designated land use of Site 25A from 'residential, residential/commercial, and commercial/semi-public' to 'residential.'
- ***Determination of consistency with the Waterfront Revitalization Program (WRP)***. Portions of the rezoning area are within the Coastal Zone and will require review by the CPC, in its capacity as the City Coastal Commission (CCC), to determine if they are consistent with the relevant WRP policies.

HPD may provide construction funding in the future through any of its several financing programs intended to facilitate the development of new affordable housing and the preservation of existing affordable units. In addition, the New York City Housing Development Corporation (HDC) may decide to fund construction of new affordable multi-family apartment buildings and the rehabilitation of existing multi-family apartment buildings.

As part of a separate action, the City is proposing a series of land use actions to facilitate the creation of a substantial amount affordable housing related to an HPD project adjacent to the Project Area that involves the development of an entire city block bounded by East 111th Street, East 112th Street, Park, and Madison Avenues ("the Sendero Verde Site"). The land use actions necessary to facilitate the development of the Sendero Verde Site, are described under "Actions to Support the Sendero Verde Development Alternative" in Section F, "Description of the Proposed Actions," and are expected to be under public review concurrent with the Proposed Actions.

C. BACKGROUND TO THE PROPOSED ACTIONS

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

EAST HARLEM NEIGHBORHOOD PLAN

In May 2014, Mayor de Blasio released Housing New York, the Administration's plan to build and preserve affordable housing throughout New York City in coordination with strategic infrastructure investments that together would foster a more equitable and livable New York City through an extensive community engagement process. Housing New York calls for 15 neighborhood studies to be undertaken in communities across the five boroughs that are aimed at offering opportunities for new affordable housing. In 2015, after recognizing East Harlem's neighborhood assets and its position as an area of opportunity, the Mayor announced East Harlem as one of the neighborhoods included in an effort to increase affordable housing opportunities as well as to address other neighborhood-wide needs. In response, City Council

Speaker Melissa Mark-Viverito announced the creation of the EHNP Steering Committee, which is comprised of local community stakeholders charged with engaging the community in identifying community needs.

Structured around 12 subgroups focused on neighborhood themes ranging from open space to zoning and land use, the main objective of the Steering Committee process was to create a neighborhood plan that could inform the City's efforts. As a result, the Committee produced a plan that provided 232 recommendations for addressing key neighborhood concerns raised during the community engagement process. In February 2016, the EHNP Steering Committee submitted their East Harlem Neighborhood Plan to the City for review and to help inform planning efforts in East Harlem.

PROJECT AREA HISTORY

The Lenni Lenape and Munsee Delaware groups were the first to inhabit the area now known as Harlem, which was part of a fertile farming plain stretching from the Hudson to the East Rivers with several hundred inhabitants. The area that is today known as East Harlem contained farming plots where corn, beans, squash, and other crops were grown, as well as a seasonally occupied village near where 125th Street today meets the Harlem River.

Beginning in the 17th century, Dutch settlers drawn by the grandiose advertising of the Dutch West India Company began to settle in Lower Manhattan, with some intrepid attempts to range farther north into the Harlem area, then known as Muscoota. Eventually, several large plantations owned by Dutch settlers occupied much of the former Lenape and Delaware lands in Harlem, although these were abandoned and rebuilt at various points as conflicts with the native peoples flared and cooled. The administration of Peter Stuyvesant established the farming community of Nieuw Haarlem in 1658, with a town center near what is now 121st Street, east of Lexington Avenue, and 25-acre plots of farmland granted to settlers willing to move uptown.

Dutch rule was short-lived and the British seized New Amsterdam in 1664, renaming Nieuw Haarlem as Lancaster. The new name never stuck, however, and the area continued to be known as simply Harlem from that point forward. A small but thriving village grew in the area of East Harlem, which contained several inns and a ferry terminal at East 126th Street that connected Harlem with lower Manhattan and Spuyten Duyvil. The area included several small settlements of free and enslaved Africans who provided much of the labor force for the village and were interred in a burial ground located at East 126th Street. During the Revolutionary War, portions of Harlem served as an important American military encampment before the village was burned to the ground by the British.

Growth in the area was limited in the post-Revolutionary period until the watershed development in the 1830s of the New York and Harlem Railroad along what would become Park Avenue. The completion of the railroad brought Harlem within commuting distance of Lower Manhattan and enabled residents from the crowded tenements in Lower Manhattan to relocate uptown. Distinct from the wealthier rowhouse precincts of West Harlem and the industrial area of Manhattanville, East Harlem was primarily occupied by poorer residents who resided in a shantytown of small shacks. Among the first residents to settle in East Harlem were German Jewish and Irish immigrants with a significant African-American community growing over time. By the late 1800s, however, Italian immigrant families became the dominant ethnic community in East Harlem, which eclipsed the Lower East Side in population and eventually formed the largest Italian community in the nation.

In the 40 years between 1870 and 1910, approximately 65,000 tenement apartments were built in East Harlem, and the neighborhood became segregated into distinct areas divided by ethnicity that found themselves not infrequently in conflict. As East Harlem became more accessible with the completion of the subway and more housing was constructed, more ethnic groups from the Lower East Side began to populate the area.

During the same period, African-Americans—including migrants from the American South as well as West Indian transplants—began to displace the European immigrants and their descendants, eventually leading to East Harlem becoming the City's second-largest black community by the late 1800s. Puerto Ricans also began to arrive in large numbers during the early decades of the 20th century, joined by immigrants from the Dominican Republic and Cuba, eventually leading to a portion of the neighborhood populated by these newcomers to be called "Spanish Harlem." Given the opportunities in the dress and textile industries, as well as institutionalized racism that prevented their settling in other areas of the City, East Harlem became the natural destination for these newly arriving immigrants looking for employment opportunities. By the 1950s, East Harlem was predominantly African-American and Latino.

The arrival of the black and Latino communities changed the dynamics of the community as stores and markets changed to meet the needs of these newcomers, and both groups ignited wide-reaching cultural and political movements that are still felt to this day. As early as the 1930s, East 116th Street was crowded with stores, restaurants, and music shops reflecting the thriving Puerto Rican culture. A pushcart market under the Park Avenue viaduct between East 111th and East 116th Streets dates back to the 1920s; in the 1930s, Mayor Fiorello LaGuardia enclosed and equipped it with sheds where it has since evolved into the La Marqueta marketplace.

However, as the population increased and the Great Depression and subsequent economic shifts away from manufacturing took their toll on East Harlem's residents, the area began to experience economic decline, which had a devastating effect on housing stock and social stability. Even as the old tenement buildings deteriorated, more and more newcomers crammed into them.

In response to East Harlem's growing population and the deteriorating conditions of its tenements, the City, with the assistance of the federal government, used urban renewal programs and funds to create new housing. The federal slum clearance program, as outlined in the Federal Housing Act of 1937, was used to raze dilapidated buildings in East Harlem. Starting in 1938, the New York City Housing Authority (NYCHA) began razing existing tenement buildings and replaced approximately 171 acres with modern high-rise housing projects over the ensuing 20 years.

The population grew after World War II to a peak of 210,000 in the 1950s, a density of 142,000 people per square mile. The push for slum clearance accelerated and public housing projects began replacing many of the old tenement buildings. However, the need for the large tracts of vacant land to construct such housing resulted in the demolition of rowhouses, brownstones, clubs and meeting places, small businesses, and neighborhood centers. Low-rise buildings were also replaced by massive high-rise developments, and by 1967, 15,657 units were built, primarily in high-rise buildings. Despite the "greenbelt" of open space created by this new housing typology, these housing projects cut across old neighborhoods and communities and created physical barriers in the street grid.

In 1967, Mayor John Lindsay formalized the need for community input to the planning process by creating community planning boards, building upon a process that had started earlier under then Manhattan Borough President Robert F. Wagner, Jr. Through this geographic subdivision of the City, the southern portion of the neighborhood, by then known as El Barrio (Spanish Harlem), was merged with the predominantly African-American northern section to form Manhattan Community Board 11, or "East Harlem."

Also included in East Harlem were Randall's and Wards Islands in the East River, which are located opposite the stretch from East 103rd to East 125th Streets. During the 19th century, these islands were used mainly for garbage disposal, cemeteries, and poorhouses. Wards Island was also used to process immigrants until the operation was transferred to Ellis Island at the end of the 19th century. The islands also became known for their hospitals. The earliest was built in 1843, followed by the Manhattan State Hospital in 1890 and by two 10-story buildings in 1918, which served as a military hospital.

During the 1930s, the islands became accessible with the completion of the Triborough Bridge and shortly after, then Parks Commissioner, Robert Moses set about developing them into recreational parkland. Commissioner Moses connected the islands by landfilling, thereby adding 46 acres. Facilities that were also created included the 22,000-seat Downing Stadium, athletic fields, and a parking lot for 4,000 vehicles. In 1951, the area became further accessible from East Harlem via a footbridge at East 103rd Street to Wards Island, where a park and ballfields were developed.

PROJECT AREA

The Proposed Actions would affect a 96-block area of Manhattan Community District 11, extending from East 104th Street to the south to East 132nd Street to the north, generally between Fifth and Second Avenues (see **Figures S-1a and S-1b**). The area is defined by a series of north–south corridors, with 125th Street dividing the north and central sections and East 116th Street dividing the central and southern sections. Major corridors and areas of the neighborhood are described below.

NORTH OF 125TH STREET

The project area north of East 125th Street extends along portions of both sides of Park Avenue extending west to the midblock between Madison and Fifth Avenues and is comprised of a mix of land uses, ranging from residential, commercial, automotive-oriented uses, manufacturing uses, and parking. The area west of Park Avenue between East 125th and East 132nd Streets is characterized by well-maintained three- to four-story brownstones on the mid-blocks and five- to seven-story mid-rise buildings on the avenue. The surrounding area is predominantly residential with a few ground-floor retail uses along portions of Madison Avenue.

The northern portion of Park Avenue has a different neighborhood character from that found along Madison Avenue. The MTA Metro-North Railroad viaduct is a dominant structure along Park Avenue and the area beneath the structure provides both area for public parking as well as parking for vehicles owned by the Department of Sanitation (DSNY). The predominant uses in this area are automotive-oriented uses and manufacturing. Along the west side of Park Avenue there are residential and commercial uses as well as a structures and surface parking, a gas station, and a large storage facility with office space and community facility uses on the ground floor. The east side of Park Avenue is characterized by manufacturing uses and parking. DSNY leases a large parking facility on the east side of the avenue, and Consolidated Edison has a substation, which is also on the east side of the avenue. There are also community facility,

institutional, and parking uses along the east side. Although residential uses are only zoned in the most northern portion of Park Avenue, there are residential uses along the west side of Park Avenue in non-residential districts that predate the 1961 Zoning Resolution.

EAST 125TH STREET AND PARK AVENUE

The area surrounding the intersection of East 125th Street and Park Avenue represents the meeting of two critical neighborhood corridors that connect the northern portion of Park Avenue to the mid-section of East 125th Street. In 2008, this portion of East Harlem was rezoned; however, there were maximum height and setback rules embedded in the zoning that limited building heights. The southwestern corner was mapped with a higher density zoning to accommodate a known development at the time of the rezoning. The northwestern corner of 125th Street is occupied by the prominent and historic Corn Exchange Building. This building, originally known as the Mount Morris Bank, had been a mixed-use building with retail, office, and residential uses, however, the building fell into disrepair after the 1970s. In recent years it was restored, offering new opportunities for retail and office space. The northeast corner is occupied by a 12-story building that is used as office space with ground-floor retail, and the southeast corner is occupied by a number of smaller buildings with ground-floor retail space with residential use above.

In additional to the retail and office uses located at this commercial node, the elevated Harlem-125th Street Metro-North Railroad station is located on the northern portion of the intersection of East 125th Street and Park Avenue and is a major regional transit node. The current station was built in 1897, and regional rail service provides connections to Grand Central Terminal to the south and to the Bronx, Westchester County, and Connecticut to the north. The southern portion of the block is occupied by a non-functioning comfort station, which has not been used in a number of years. In 2013, a New York City Department of Transportation (DOT) Plaza program reactivated the space in front of the comfort station as a public plaza.

BETWEEN EAST 125TH AND EAST 116TH STREETS

The project area between East 125th and East 116th streets includes portions of Park, Lexington, Third, and Second Avenues. This segment of Park Avenue is characterized by the elevated Metro-North Railroad viaduct structure, flanked by residential, institutional, and manufacturing uses with surface parking, including public and institutional parking, some of which are located beneath the viaduct. The west side of Park Avenue is mainly characterized by a number of parking lots and institutional uses with few residential uses located in the southern portion of this area. The Milbank Frawley Circle-East URP prohibits residential development within 100 feet of the western side of the Metro-North viaduct. The east side of Park Avenue, roughly from East 123rd Street to 119th Street, is characterized by active manufacturing uses while the southern portion on both sides of the avenue is primarily residential with few commercial uses. Because of the number of parking lots fronting onto Park Avenue and the disconnected and limited amount of commercial space, Park Avenue has very limited pedestrian activity and is mainly crossed by those moving in easterly or westerly directions on the numbered streets and beneath the Metro-North viaduct structure.

Lexington Avenue, while being narrower in width than other East Harlem Avenues, is a major north–south corridor in East Harlem. The subway operates along Lexington Avenue with stations at East 103rd, East 110th, East 116th, and East 125th Streets. Express service is also provided at the East 125th Street station. Lexington Avenue is characterized by mixed-use buildings with residential and ground-floor retail space. South of East 115th Street, the residential

character of Lexington Avenue is predominately tenement-style buildings ranging in height from four to six stories. This building form changes between East 118th and 122nd Streets, where tower-in-the-park buildings are located on the west side of Lexington Avenue with heights ranging from 11 to 32 stories. Between East 115th and East 112th Streets, the building heights are typical of the tower-in-the-park building typology with 14-story buildings located on both sides of Lexington Avenue. The midblocks between Lexington and Park Avenues are predominantly residential in character with some community facility uses. The residential buildings range in height from five to seven stories and the community facility uses include churches and schools. Some of the midblocks contain open spaces that are accessory to the residential towers along Lexington Avenue. There are no commercial uses between Park and Lexington Avenues except along East 116th and 124th Streets, where commercial overlays are currently mapped.

Third Avenue is an extraordinarily wide street at 100 feet in width and, unlike Park Avenue, has greater pedestrian activity with active local retail uses. Although a 2003 East Harlem Rezoning did not result in many new residential developments utilizing the higher density envelopes, the corridor remains an active commercial destination for local residents. However, the lack of development has resulted in the underutilization of many sites and buildings with vacant upper stories along Third Avenue. Several buildings along Third Avenue have upper stories that are sealed off and/or used as storage. Although a few recent developments have resulted in building envelopes that reflect the existing zoning, most buildings along Third Avenue have very few residential units and/or are occupied by one-story commercial uses. Taino Towers, located at East 122nd and East 123rd Streets between Third and Second Avenues, is one of largest residential developments in East Harlem. Built in 1979 with federal assistance, Taino Towers includes four 35-story residential towers with 656 units atop a four-story commercial base. Portions of the Robert Wagner Houses, a NYCHA development, are located on a superblock along Second Avenue between East 120th and East 124th Streets.

The portion of the Project Area along Second Avenue extends from East 108th to East 122nd Street, which is primarily characterized by tenement-type buildings with ground-floor retail. Newly constructed developments along Second Avenue are typically seven-story or higher apartment buildings with elevators (e.g. 2147 Second Avenue and 2167 Second Avenue). The Jefferson Cartier School (P.S. 102) is located at East 113th Street, within the President Thomas Jefferson NYCHA complex.

EAST 116TH STREET

East 116th Street is one of the major commercial corridors in East Harlem and a major east–west connector between East Harlem and Central Harlem. This corridor is the center of the El Barrio/Spanish Harlem Neighborhood and provides a variety of local retail uses that cater to Latino residents. The built form is characterized by four- to seven-story tenement-style residential buildings with ground-floor retail. At Park Avenue and East 116th Street is La Marqueta, a retail space originally created as the Park Avenue Retail Market under Mayor LaGuardia. This underutilized market space was once a thriving market where as many as 500 local vendors operated, selling ethnic food for the Caribbean and Latino diaspora. However, the limited pedestrian traffic and commercial uses along Park Avenue have affected the vitality of the La Marqueta space. Two important nodes along East 116th Street are at Lexington Avenue, where the local subway line is located, and Third Avenue, which connects 116th Street to the Third Avenue commercial corridor.

BETWEEN EAST 104TH STREET AND EAST 116TH STREET

The project area between East 104th and East 116th streets includes portions of Park, Lexington, Third, and Second Avenues. Much of Park Avenue within this area is typified by large, tower-in-the-park NYCHA developments. The Lehman and Carver houses are located on the west side of Park Avenue between East 104th and 110th Streets. The Metro-North Railroad viaduct transitions at East 110th Street from an open steel to a solid stone structure. The stone viaduct allows pedestrians to cross at each intersection; however, the pedestrian conditions along and underneath the viaduct require improvements to enhance safety and create a more welcoming walking environment. The east side of Park Avenue is characterized by a mix of uses ranging from public housing, commercial uses to, community gardens.

This section of Lexington Avenue has a neighborhood character that is similar to that of the northern part of Lexington Avenue, with mixed-use residential and commercial buildings. With the exception of the 18-story NYCHA buildings on the west side of Lexington Avenue, the building heights step down to a range of between four and eight stories.

The conditions along Third Avenue south of East 116th Street are similar to those above 115th Street. Despite the 2003 East Harlem Rezoning, which increased the residential density, much of the area is still characterized by four- to seven-story tenement-style buildings with ground-floor retail. Although the area is residentially zoned, there are a number of properties where the upper stories are vacant and ground-floor retail is the only use. Franklin Plaza Co-op Houses is the largest residential development in this area. Created in 1960, it is a multi-family development with fourteen 20-story buildings along segments of Third and Second Avenues.

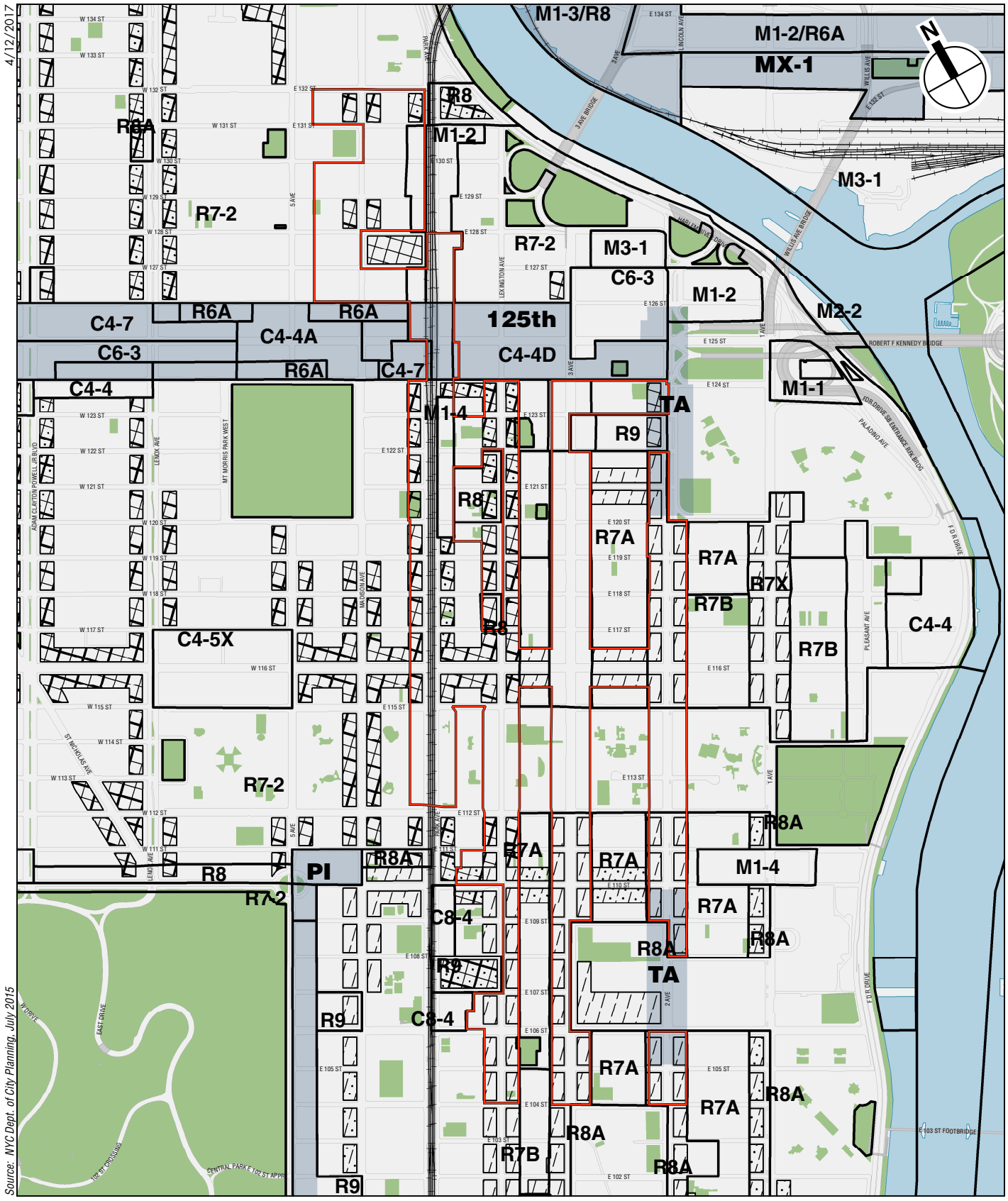
Second Avenue, similar to Third Avenue, is characterized by four- to seven-story residential buildings and ground-floor retail. However, there has been some new residential development on small lots with buildings as tall as 10 stories.

D. EXISTING ZONING

East Harlem in Community District 11 is comprised of approximately 2.4 square miles in Upper Manhattan. The portions of the Community District not affected by the Proposed Actions are generally east of Second Avenue, west of Park Avenue, south of East 104th Street, and Randall's and Wards Islands.

Much of the current zoning has remained unchanged since the 1961 Zoning Resolution was established, with the exception of three zoning map amendments adopted over the last 13 years. The East Harlem Rezoning, adopted in 2003, changed most of the mapped R7-2 and C4-4 districts to contextual districts in an effort to facilitate additional residential and commercial opportunities. The 2003 rezoning boundaries were from East 96th to 124th Streets and east of Lexington Avenue. The 125th Street Rezoning, which rezoned portions of East Harlem, was adopted in 2008, and mapped the 125th Street corridor as a special district from Broadway to Second Avenue between 124th and 126th Streets. The East 125th Street rezoning, also in 2008, rezoned the block bounded by East 125th and East 126th Streets and Second and Third Avenues to C6-3 to facilitate the development of a mixed-use project, including residential, commercial, entertainment, and community facility uses.

Existing zoning districts are shown in **Figure S-2** and discussed below.



EAST HARLEM REZONING

Existing Zoning
Figure S-2

M1-2 AND M1-4

M1 districts generally allow one- or two-story warehouses for light-industrial uses, including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the City's Zoning Resolution (ZR). The M1-2 district mapped on the east side of Park Avenue between East 128th and East 131st Streets allows manufacturing and commercial uses at a maximum FAR of 2.0 and community facility uses at a maximum FAR of 4.80. M1 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1-4 is a light manufacturing district mapped on the east side of Park Avenue, roughly between East 124th and East 119th Streets, and allows 6.5 FAR for community facility uses and 2.0 FAR for commercial and manufacturing uses. Residential uses and community facility uses with sleeping accommodations are not permitted in M1 districts, but commercial uses and a wide range of light manufacturing, warehousing, and auto service uses are permitted. Many commercial uses are restricted to 10,000 sf in M1-4 districts.

Existing land uses within the M1-2 and M1-4 districts include warehouses/storage for light industrial uses, auto-related businesses such garages and surface parking, wholesale market office, flooring business, a moving facility, and vacant or underutilized land.

C8-3

There are two C8-3 districts mapped in the northern portion of the Project Area along the west side of Park Avenue between East 126th and East 127th Streets and between East 128th and East 131st Streets. C8-3 districts are designed for heavy commercial uses, such as auto service, sales, and repairs. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. C8 districts have a base height limit, above which a structure must fit with a sloping sky exposure plane; this base height is 60 feet in C8-3 districts, and typically produces low-rise, one-story structures. C8-3 districts also permit community facility uses at a maximum FAR of 6.5. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels and amusements, such as theatres are also permitted. No new residential uses are permitted.

Existing land uses within the C8 districts include gas stations, car sales lots, auto-repair shops, small local retail shops mixed with grandfathered residential uses above the ground floor, storage and office space.

C6-3

The C6-3 district is mapped along a portion of Park Avenue within the Special 125th Street District. The C6-3 district, outside of the Core Subdistrict of the Special 125th Street District, allows a maximum residential and commercial FAR of 6.0 (8.0 with Voluntary Inclusionary Housing or Visual or Performing Arts Bonus) and community facility FAR of 6.0. As included in the Special 125th Street District provisions, there are special height and setback regulations pertaining to the C6-3 district. The minimum and maximum base height of the streetwall is 60 to 85 feet and the maximum building height is 160 feet. Regarding streetwall location, all portions of buildings or other structures that exceed a height of 85 feet in the C6-3 district shall be set back at least 15 feet from the street line. Additionally, the maximum length of any story located above a height of 85 feet shall not exceed 150 feet.

R7-2

R7-2 districts are currently mapped on approximately 39 full or partial blocks along the Park Avenue corridor, on portions of the mid-blocks between Park and Lexington Avenues, and between Madison and Park Avenues from East 126th and East 132nd Streets. R7-2 districts are medium-density residential districts that permit a maximum FAR of 4.0 for residential uses on wide streets (an FAR of 3.44 is allowed along narrow streets) and 6.5 for community facility uses. Commercial overlays mapped in this district permit a maximum allowable FAR of 2.0. The R7-2 district regulations encourage residential towers on large lots and allow new development that could be out of scale or that could conflict with the context of certain portions of the neighborhood. R7-2 districts do not have provisions for new buildings to line up with adjacent buildings, allowing new development to break the continuity of the streetwall.

However, the optional Quality Housing Program is available in R7-2 districts, with height, setback, and bulk regulations designed to produce a building form that is consistent with the contextual characteristic of the neighborhood. The Quality Housing Program permits a slightly denser development in exchange for height limits and consistent streetwalls. In R7-2 districts on narrow streets (less than 75 feet wide), the Quality Housing Program allows 3.44 residential FAR with a maximum base height of 60 feet and maximum building height of 75 feet. On wide streets, the Quality Housing Program allows buildings up to 4.0 residential FAR with a maximum base height of 65 feet and a maximum building height of 85 feet.

Parking is required for 50 percent of the residential units but may be waived or reduced.

The existing land uses in these areas include parking lots, multi-family residences and community facilities, and vacant land and community gardens.

R8A

The R8A district is mapped mostly in the southern portion of Third Avenue between East 112th and East 104th Streets and along entire portion of Second Avenue within the Project Area (and is a result of the 2003 rezoning of East Harlem). However, an R8A district is mapped on the south side of East 111th Street between Park and Madison Avenues. In R8A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage 10- to 12-story apartment buildings set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. R8A districts allow a maximum residential floor area of 6.02 and maximum community facility FAR of 6.5. Commercial overlays mapped in this district allow a maximum FAR of 2.0. The maximum allowable building height is 120 feet (125 feet with a qualifying ground-floor use) and minimum and maximum base height between 60 and 85 feet.

R7A

The R7A district is mapped along East 116th Street, east of Lexington Avenue (and is a result of the 2003 rezoning of East Harlem). In R7A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage buildings up to 80 feet in height. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. R7A districts allow a maximum residential and community facility floor area ratio of 4.0. Commercial overlays mapped in this district allow a maximum FAR of 2.0. The maximum allowable building height

is 80 feet (85 feet with a qualifying ground-floor use) and minimum and maximum base height between 40 and 75 feet.

C4-4 AND C4-4D

There is one C4-4 district mapped on the west side of Third Avenue between East 122nd and 123rd Streets and on both sides of Third Avenue between East 123rd and East 124th Streets. C4-4 districts are intended for larger stores serving an area wider than the immediate neighborhood. Commercial uses in C4-4 districts have a maximum FAR of 3.4. Residential and community facility uses in C4-4 districts must comply with the R7-2 bulk requirements; the maximum residential FAR is 3.44 under the standard R7-2 height factor regulations, or 4.0 on wide streets under the Quality Housing Program. The maximum FAR for community facility uses is 6.5. One off-street parking space per 1,000 feet of commercial floor area is required; however, parking is waived if the retail use requires less than 40 parking spaces.

A C4-4D district is mapped along the entire portion of Third Avenue from East 115th Street to East 122nd Street. The C4-4D district allows the same range and density of commercial uses as the C4-4 but has a greater residential density. The C4-4D must comply with the R8A bulk requirements; the maximum residential FAR is 6.02 and the community facility FAR is 6.5. Similar to the C4-4 district, the maximum commercial FAR is 3.4. Building and streetwall heights must comply with the R8A bulk regulations.

C1-9

The C1-9 district is a commercial district that is predominantly residential in character. These commercial districts are mapped along major thoroughfares in medium and higher-density areas. The C1-9 has a maximum commercial FAR of 2.0 and a maximum residential and community FAR of 10.

The C1-9 district in East Harlem is mapped on the westernmost portion of a city block bounded by Third and Second Avenues between East 122nd and East 123rd Streets. The district was designated to accommodate the Taino Towers, a federally funded residential complex with four 35-story towers atop a four-story commercial base.

COMMERCIAL OVERLAYS

Commercial district overlays permitting local commercial retail uses are mapped along Park, Lexington, Third, and Second Avenues, as well as along much of East 116th Street.

C1-2, C1-4, AND C1-5

There are C1-2, C1-4, and C1-5 commercial overlays mapped throughout the Project Area and along the corridors within the Special District. Residential, community facility, and specific commercial uses are permitted within these commercial overlays. C1 districts facilitate local shopping that serves the immediate surrounding residences (Use Group 6). Commercial buildings in C1 overlays have a maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C1 commercial overlays are regulated by the bulk regulations of the underlying residential districts. In addition, commercial uses in mixed commercial and residential buildings in these districts cannot be located above the second floor. Often mapped only in high-density residential areas, C1-4 districts typically require one parking space per 1,000 sf of commercial use, whereas C1-5 districts do not require parking accessory to commercial use. C1-2 districts are typically mapped in a low-density area and require one parking space per 300 sf of commercial floor area.

C2-4 AND C2-5

C2-4 and C2-5 commercial overlays are mapped along select block frontages on Park and Lexington Avenues. The C2-4 districts are mapped along portions of Park Avenue north of East 116th Street and along portions of Park and Lexington Avenues below East 112th Street. The C2-5 districts are mapped in the southern portion of the Project Area along Third Avenue between East 104th and East 112th Streets. C2 commercial overlays are intended to provide local shopping needs, as well as meet broader shopping and service needs than daily activities typically require (Use Groups 6 through 9). Commercial buildings in C2 district overlays have a maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C2 commercial district overlays are regulated by the bulk regulations of the underlying residential districts. C2-5 districts do not require parking accessory to commercial use, but C2-4 districts typically require one parking space per 1,000 sf of commercial use.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

East Harlem is a transit-rich community with vibrant commercial corridors and an existing housing stock that is largely affordable. However, like many other neighborhoods throughout the City with similar assets, East Harlem is facing increasing pressure as new, market-rate development permitted under existing zoning holds the potential to affect East Harlem's continued affordability and neighborhood character. The Neighborhood Study is the City's effort to leverage these community assets and preserve existing affordability while creating new opportunities for housing and economic development. The Proposed Actions were informed by and draw from the recommendations included in the EHNP, a community-based plan created by local stakeholders and residents.

DCP is proposing these land use actions in response to the recommendations identified in the EHNP and the Community Board's 11 East Harlem Land Use and Rezoning Initiative. DCP, in conjunction with other City agencies, developed a plan to achieve these goals through new zoning and other land use actions, expanded programs and services, and capital investments.

Under the current zoning in the neighborhood, much of which dates to the original zoning districts mapped in 1961, many of the recommendations highlighted in the Plan would not be implementable. New residential developments in key areas and along major corridors are not permitted due to the presence of manufacturing zoning districts. In areas where residential use is permitted, the existing zoning restricts new development to densities that limit the production of substantial amounts of housing, particularly affordable housing pursuant to the Mandatory Inclusionary Housing (MIH) provisions, which inhibits the potential of the major corridors from becoming vibrant pedestrian destinations.

The Proposed Actions seek to facilitate a vibrant, inclusive residential neighborhood with a wide variety of local and regional commercial activities, job opportunities, and attractive streets that are safe and inviting for residents, workers, and visitors. Opportunities for new housing, including affordable housing, along key corridors, particularly Park, Third, and Second Avenues, would provide more housing choices for current and future residents. Modification of the zoning, as per the Proposed Actions, would unlock development opportunities and allow for a growing and diverse residential population. As a part of the Proposed Actions, a new special permit for hotel use would be established to ensure that new hotel development does not conflict with thriving residential districts or the creation of opportunities for requiring permanently affordable housing. These actions would also facilitate the expansion of customer bases for

existing and new businesses, such as grocery stores, pharmacies, and other services, which would help these businesses continue to flourish. The Proposed Actions also seek to reinforce and protect the existing character and context of the residential core by focusing new residential density along the major north–south corridors in the Project Area, and by introducing contextual residential districts on select mid-blocks.

Additionally, though not part of the Proposed Actions, DCP's East Harlem Neighborhood Study calls for strategic infrastructure investments to support anticipated development activity. These improvements and investments could include streetscape improvements along key corridors, and would be implemented separately from the Proposed Actions. While the Proposed Actions are a key component to facilitate the implementation of the City's overall Plan, they are not dependent on these additional components and as such are not part of a coordinated environmental review. Moreover, there are components of the City's overall Plan for the neighborhood that are not yet known to a sufficient level of detail to include in the EIS analyses. The Proposed Actions reflect DCP's on-going engagement with Community Board 11, the East Harlem Steering Committee, DCP's interagency partners, and local elected officials to achieve the following land use objectives:

- Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs;
- Modify the existing zoning, where needed, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of existing commercial and manufacturing uses;
- Establish a Special District that improves the pedestrian experience and establishing urban design controls that balance new development in response to existing neighborhood context and scale; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demands and future growth.

CREATE OPPORTUNITIES FOR REQUIRING PERMANENTLY AFFORDABLE HOUSING AND PRESERVE EXISTING AFFORDABILITY TO ENSURE THAT THE NEIGHBORHOOD CONTINUES TO SERVE DIVERSE HOUSING NEEDS.

The Proposed Actions would promote the development of permanently affordable housing and facilitate mixed-income communities by requiring affordable housing units to be included in any new residential development, which is not required by zoning today.

As asking rents continue to increase and wages remain stagnant throughout the City, East Harlem, like other neighborhoods, is experiencing a shortage of available affordable housing. In East Harlem, more than 30 percent of the population is living in poverty, approximately 12 percent of the population is unemployed, and nearly 50 percent of households are rent burdened. These conditions have threatened the housing security of existing residents and affect the economic development potential of the neighborhood.

Park, Third, and Second Avenues present the greatest opportunity for the development of affordable housing. The width of the streets, access to transit, and the presence of a number of significant sites with potential for redevelopment provide these corridors with the capacity to support significant growth. Zoning changes to allow residential development at higher densities

would enable the construction of affordable apartment buildings along these corridors and would expand the neighborhood's supply of affordable housing.

New multifamily housing in the vicinity of the Project Area has consisted of privately developed and publicly financed housing developments. The proposed MIH program would require that residential development include an affordable component, ensuring that new market-rate development would facilitate mixed-income communities. In addition, it is expected that a variety of City and State financing programs for affordable housing will continue to be available to help support the new development and preservation of affordable housing in the area.

MODIFY THE EXISTING ZONING, WHEREAPPROPRIATE, TO PRESERVE THE BUILT NEIGHBORHOOD CHARACTER.

East Harlem's rich cultural and social history has made it a community of choice for a number of immigrants, who are drawn to the cultural allure of this vibrant neighborhood. The northern portion of Project Area, bounded by East 126th and East 132nd Streets and Park and Madison Avenues, reflects the neighborhood's historic built character with well-maintained mid-rise row houses and brownstones in the midblock. The existing zoning in this area of East Harlem may encourage development that is out of scale with the existing built context. Changing the existing medium-density height factor district currently mapped in this area would provide a greater level of protection for the existing built context, and would discourage teardowns and the development of out-of-scale buildings. The proposed zoning will preserve residential neighborhoods and promote contextual infill development. Contextual zoning would ensure that new infill development complements the existing residential character by promoting consistent building height and size.

CREATE OPPORTUNITIES FOR ECONOMIC DEVELOPMENT WHILE PRESERVING THE VITALITY OF THE EXISTING COMMERCIAL AND MANUFACTURING USES.

A vital component of DCP's Neighborhood Study is the creation of new economic development and commercial opportunities along key corridors, especially within the areas surrounding Park Avenue and East 125th Street. Key corridors in East Harlem, such as East 125th Street, East 116th Street, and Third Avenue, are currently fragmented, disconnected, and do not operate at their full potential. Although the 2003 East Harlem Rezoning and the 125th Street Rezoning in 2008 were both aimed at increasing the commercial capacity of these key corridors, the amount of commercial development envisioned for these areas was never realized. Given the potential Second Avenue Subway terminus and the existing regional Metro-North Railroad Station at East 125th Street and Park Avenue, these key corridors have the potential for becoming a center for local and regional commercial and economic development activity.

Park Avenue, both in the northern and mid-section of the Project Area, has growth potential that can accommodate new economic development opportunities like life sciences, office space, and commercial uses without precluding residential development. Growth in this area will activate the Park Avenue corridor and facilitate the transformation of this underutilized corridor to accommodate the proposed residential growth.

Although Third Avenue and East 116th Street each have a strong local retail corridor, the Proposed Actions would strengthen the opportunities along these corridors and better situate them economically within the district.

ESTABLISH A SPECIAL DISTRICT THAT IMPROVES THE PEDESTRIAN EXPERIENCE AND ESTABLISHES URBAN DESIGN CONTROLS THAT BALANCE NEW DEVELOPMENT IN RESPONSE TO EXISTING NEIGHBORHOOD CONTEXTAND SCALE.

The Proposed Actions would establish a new special district known as the Special East Harlem Corridors District (EHC). The special district would cover the key corridors within the Project Area: East 116th Street and Park, Third, and Second Avenues. The Proposed zoning changes would promote active non-residential ground-floor uses along the key corridors to facilitate a better pedestrian experience by activing the streetscape. This would also create a more active and safe environment along Park Avenue, which is currently underutilized and has very limited pedestrian activity.

The Special District would also introduce a new requirement for a special permit for the creation of any new hotel floor area. This discretionary action ensures that new hotel development will not conflict with the Proposed Actions' goals of creating new housing opportunities and ensuring safe and active residential corridors.

The urban design controls that would be included in the Special District would regulate streetwall conditions, minimum and maximum base heights, parking requirements, and eliminate the plaza bonus. These provisions within the special district would allow for the introduction of flexible streetwalls along the key corridors and ensure a balance between existing and new development. These provisions would also strengthen the commercial corridors by requiring base heights that are harmonious with the existing built context and allowing for streetwall continuity. Further, the reduction in the amount of required parking would allow for more active ground-floor uses.

ENSURE A SUCCESSFUL NEIGHBORHOOD PLAN BY ESTABLISHING A PLANNING FRAMEWORK THAT IS INCLUSIVE OF THE RELEVANT CAPITAL INFRASTRUCTURE NEEDS AND SERVICES TO SUPPORT CURRENT DEMANDS AND FUTURE GROWTH.

The Proposed Actions would catalyze new development; modifying and enhancing the character of the key corridors included in the Project Area. As a part of the Neighborhood Study, it was essential to coordinate not only with community partners—the Community Board 11 and the Steering Committee—but also DCP's interagency partners to ensure that planning framework was inclusive of the relevant capital infrastructure needs and services to support growth within the Project Area.

Although many of the infrastructure and service needs are outside of the purview of zoning, they are crucial to the planning and development of the community. The EHNP, through its recommendations, highlighted a number of community needs. The Plan has been used as a guide to inform the on-going engagement process between the Community and the City and has been instrumental in formulating the planning framework for this community. DCP, in conjunction with other city agencies, continues to work with Community Board 11 and the Steering Committee to address as many of the recommendations, as feasible, to ensure that relevant infrastructure and service needs are a part of the overall planning process.

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to facilitate the implementation of the objectives of DCP's Neighborhood Study, which shares the long-term vision articulated in the EHNP for the creation

of more affordable housing and more diverse commercial and retail uses, to spur economic development, foster safer streets, and generate new community resources. To accomplish these goals, DCP is proposing zoning map and text amendments that would affect approximately 96 blocks in the three sections in East Harlem, described in detail above. Additionally, HPD is proposing amendments to the Milbank Frawley Circle-East URP to make the plans compatible with the zoning actions.

DCP will be acting as lead agency on behalf of CPC and will conduct a coordinated environmental review. HPD will be the co-applicant for the Urban Renewal Plan amendment and, as the result, will serve as an involved agency under CEQR.

Each of these actions is discretionary and subject to review under ULURP, Section 200 of the City Charter, and the CEQR process. The proposed actions are described in more detail below.

PROPOSED ZONING DISTRICTS

The proposed rezoning would replace all or portions of existing R7-2, C8-3, M1-2, M1-4, C4-4, C4-4D, R8A, R7A, and C6-3 districts within the rezoning area with M1-6/R9, M1-6/R10, C4-6, C6-4, R10, R9, R7A, R7B, and R7D districts. The proposed rezoning would replace or eliminate portions of existing C1-4, C2-4, and C1-5 overlays with C1-5 or C2-5 overlays and establish new C1-5 overlays. The proposed rezoning would also amend the Zoning Map to include boundaries of the new EHC Special District as well as modified boundaries of the TA Special District. A portion of the C6-3 District at the intersection of East 125th Street and Park Avenue within the Special 125th Street District would be replaced with a C6-4 district. **Figure S-3** presents the proposed zoning map changes, which are discussed in greater detail below.

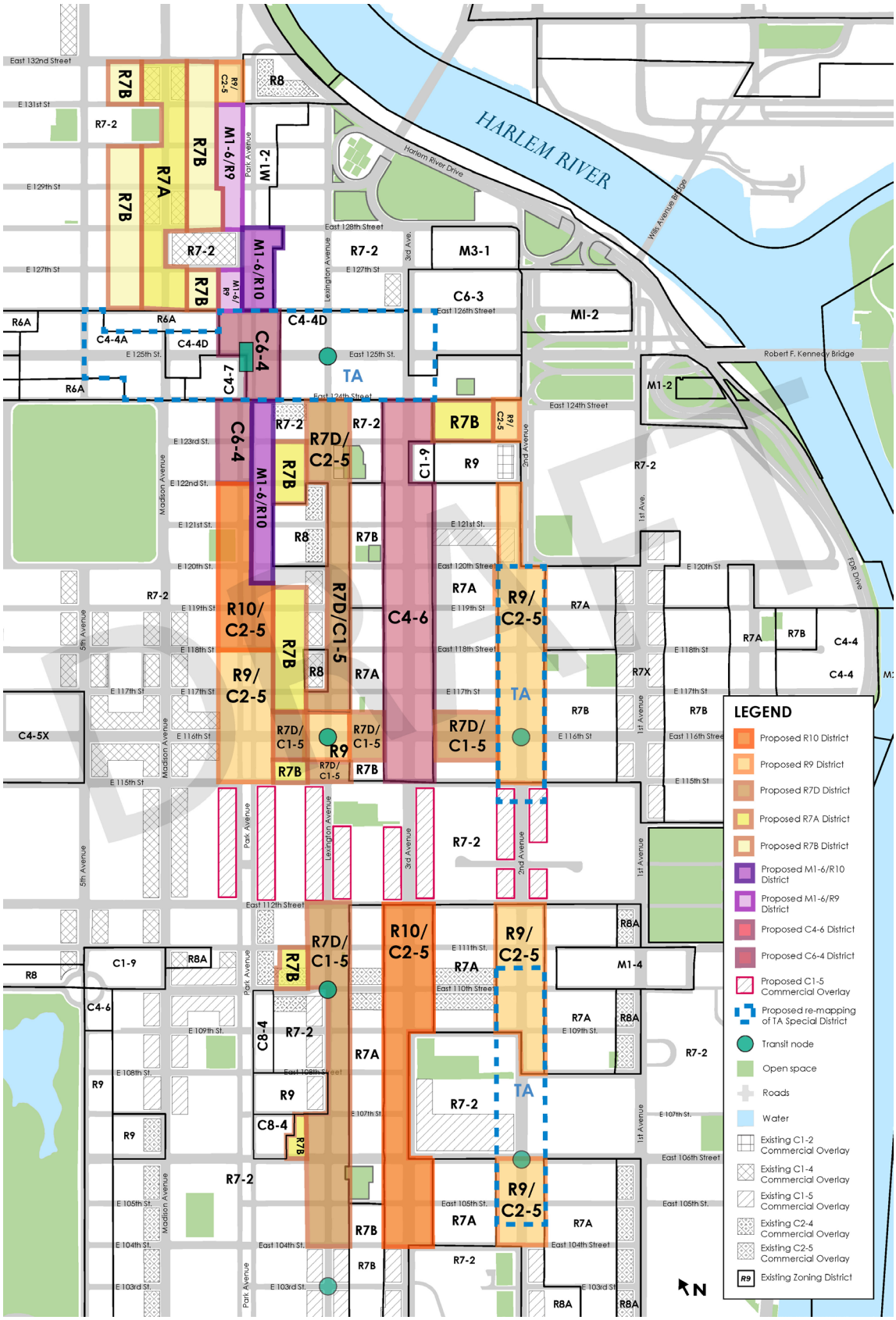
PROPOSED SPECIAL EAST HARLEM CORRIDORS DISTRICT

The proposed Special East Harlem Corridors District (EHC) would be mapped along major corridors within the rezoning area, including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue, and East 116th Street, to establish special use, bulk, ground-floor design, and parking regulations.

Use Regulations: Within proposed M1-6/R9 and M1-6/R10 Districts, the EHC would apply special use regulations similar to that of the Special Mixed Use District (Article XII, Chapter 3). The EHC would allow limited public parking garages to be as-of-right within proposed commercial and manufacturing districts, just as they are currently permitted in the existing districts including C2-4, C4-4,C4-4D, C8-2, and M1-2 districts. The EHC would also introduce a requirement for a new special permit in order to permit the development of new floor area designated for hotel use.

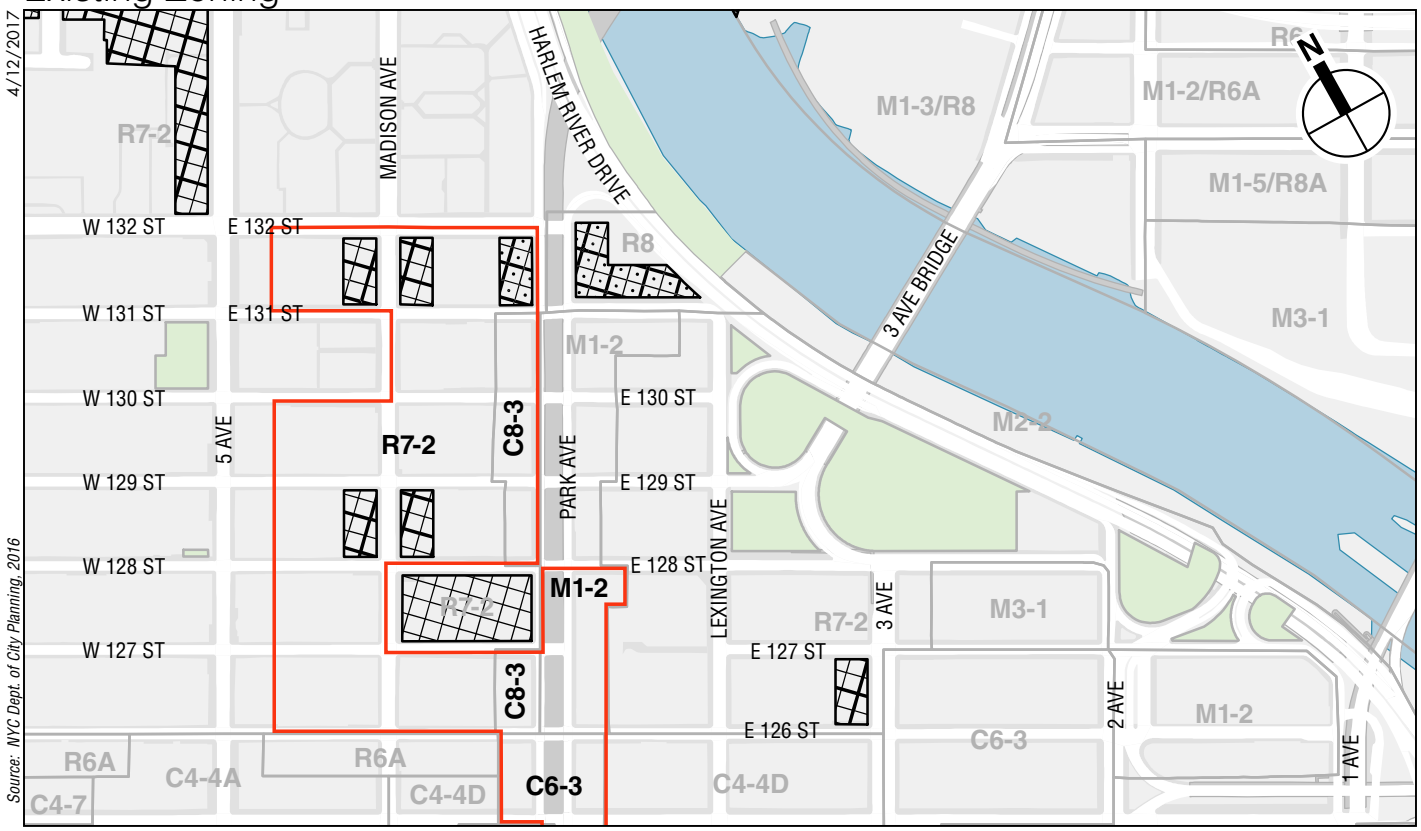
Floor Area Regulations: Within certain high-density residential, commercial, and manufacturing districts, the EHC would apply special FAR regulations, as described in detail below, to ensure a desirable mix of these uses that support the objectives of the plan. The underlying public plaza and arcade floor area bonus provisions of non-contextual commercial and manufacturing districts would be eliminated.

Streetwall Location: The EHC would modify the underlying streetwall location regulations to facilitate the creation of a desirable pedestrian environment and a consistent urban design approach. Along Park Avenue, the EHC would modify the varying streetwall location regulations of proposed districts to apply one consistent streetwall location rule: at least 70 percent of a streetwall must be located within eight feet of a street line. Along Third Avenue, the

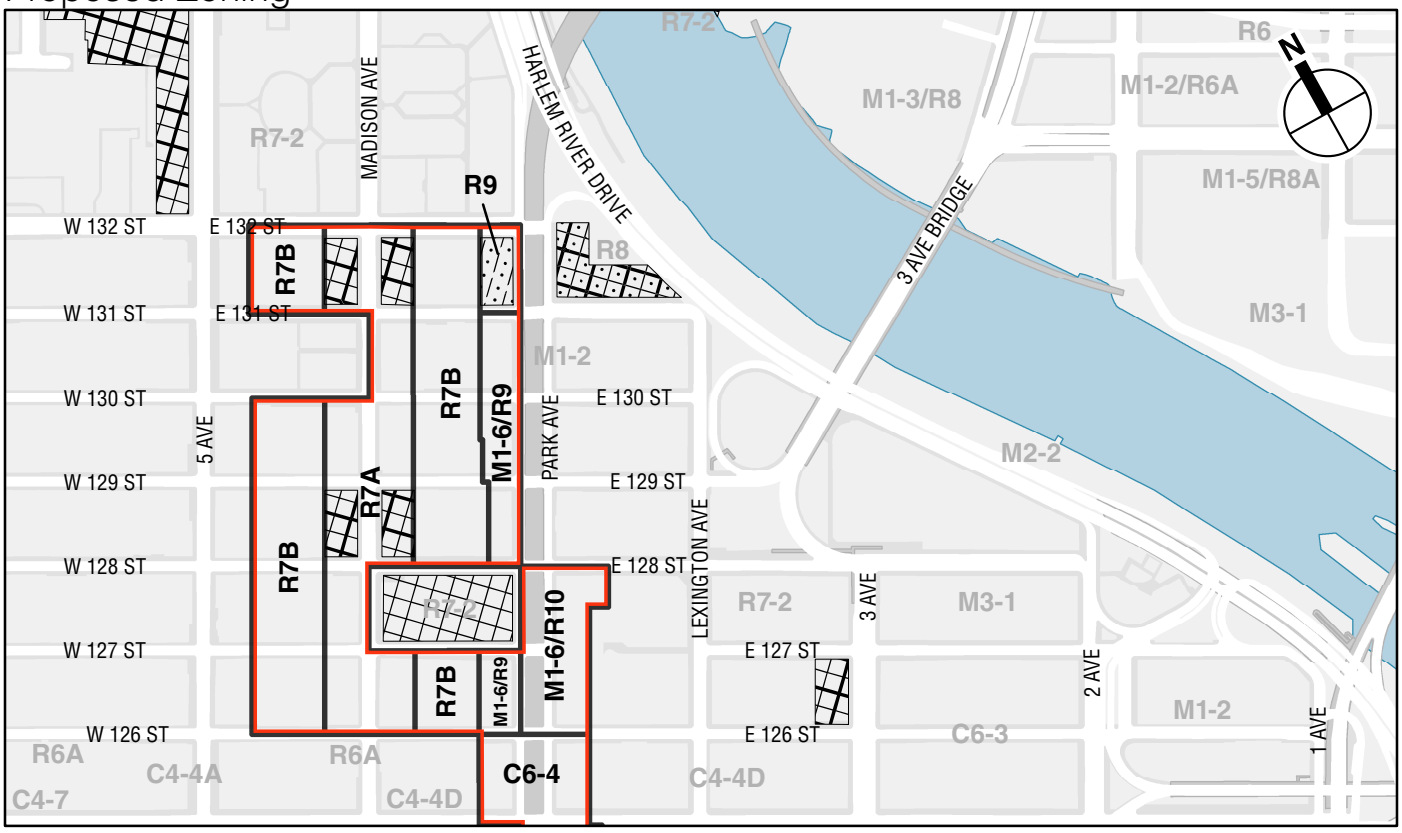


Proposed Zoning
Figure S-3

Existing Zoning



Proposed Zoning



Project Area | *Zoning Districts* | *PARK*

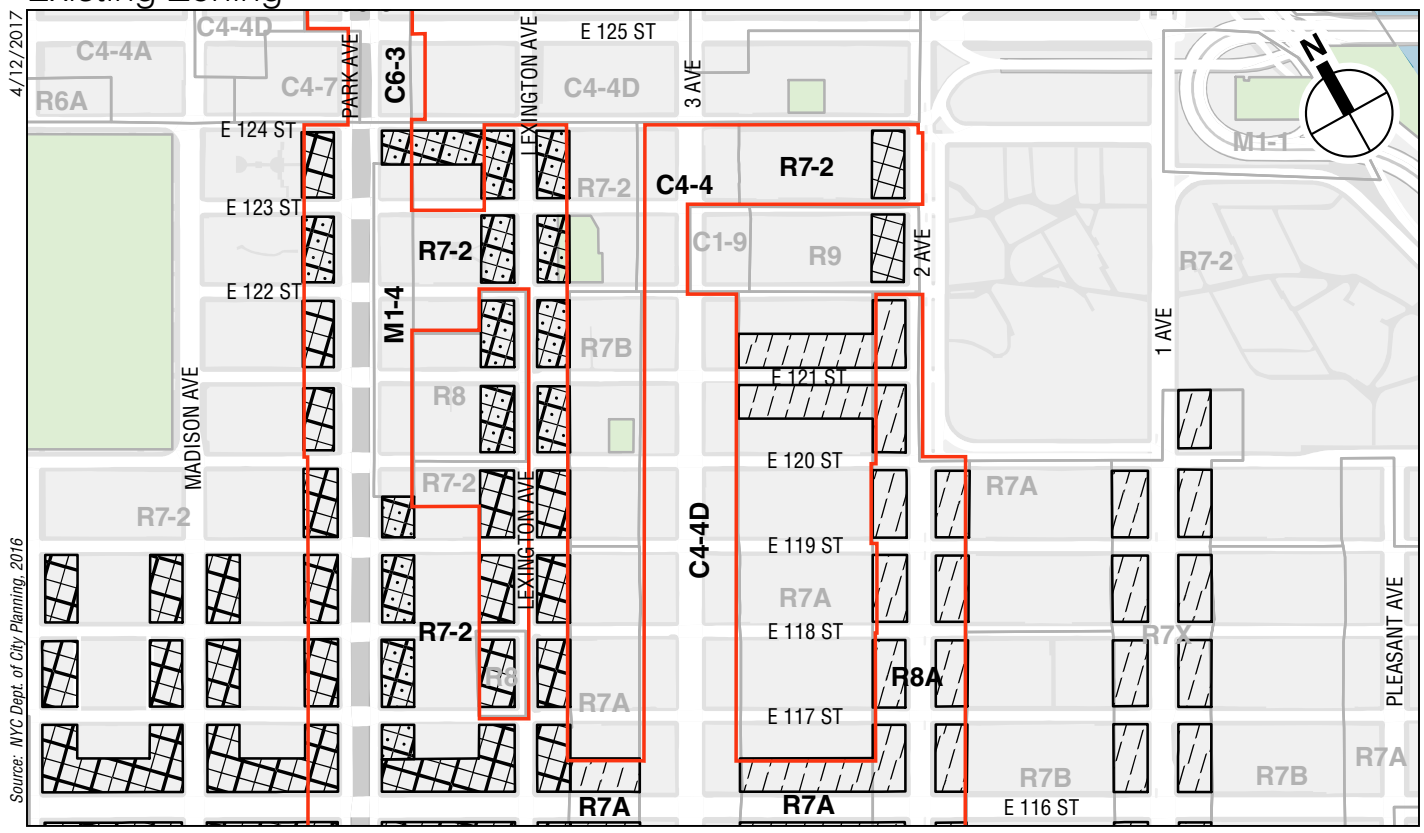
C1-1 *C1-2* *C1-3* *C1-4* *C1-5* *C2-4* *C2-1* *C2-2* *C2-3* *C2-5*

0 500 FEET

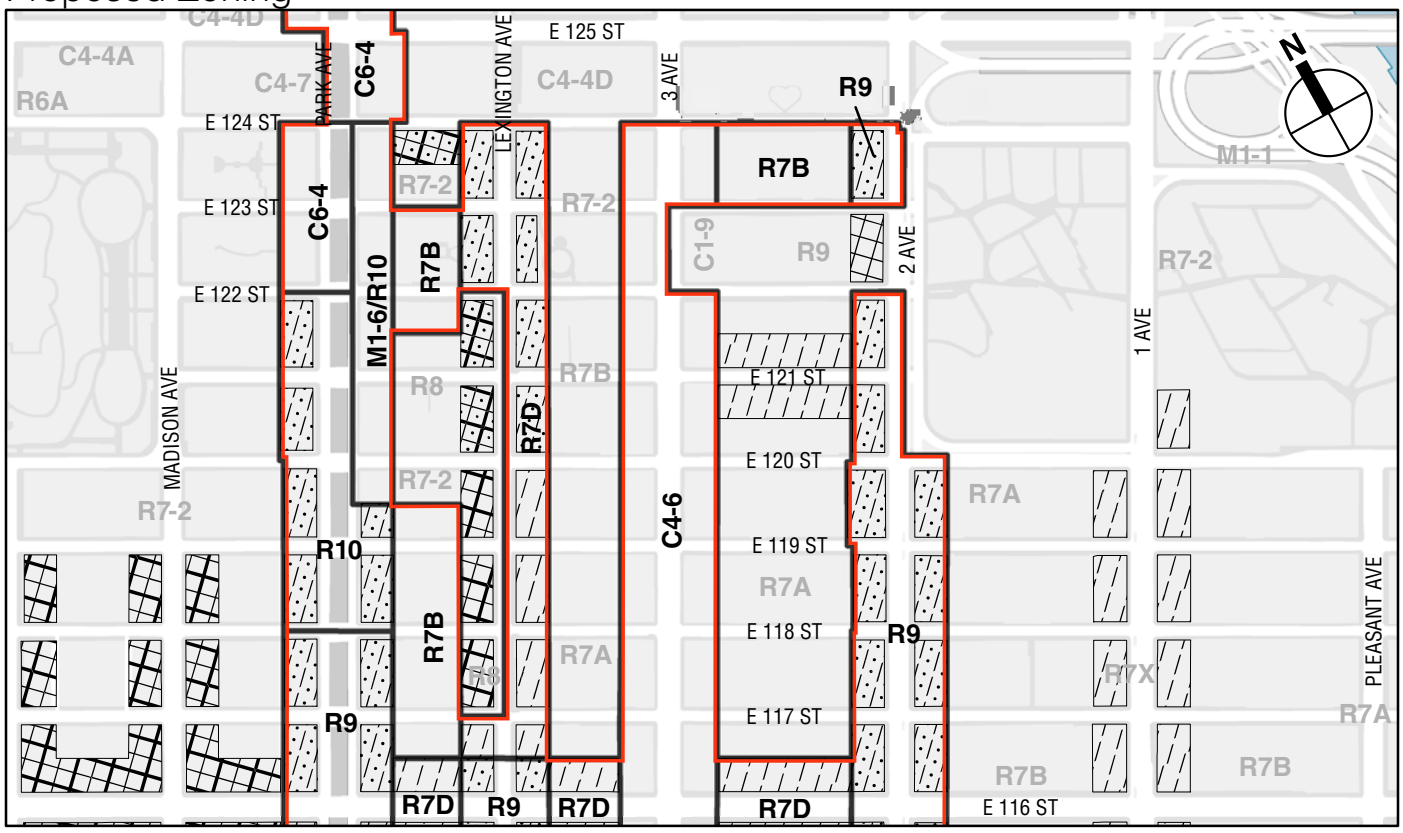
Proposed Zoning Changes
North of East 125th Street
Figure S-3a

EAST HARLEM REZONING

Existing Zoning



Proposed Zoning



Project Area *Zoning Districts* *PARK*

C1-1 *C1-2* *C1-3* *C1-4* *C1-5* *C2-4* *C2-1* *C2-2* *C2-3* *C2-5*

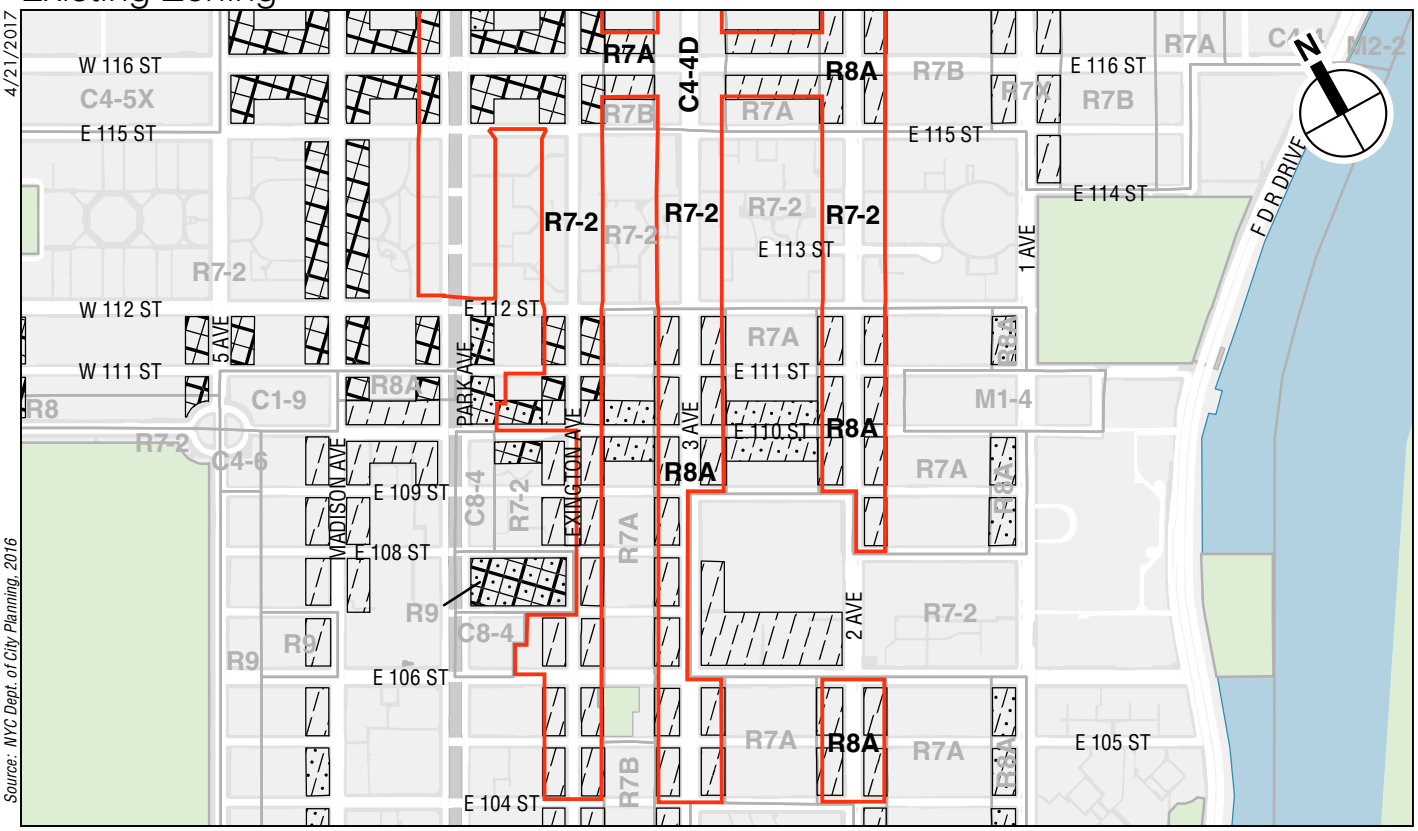
0 500 FEET

Proposed Zoning Changes Between East 116th Street and East 125th Street

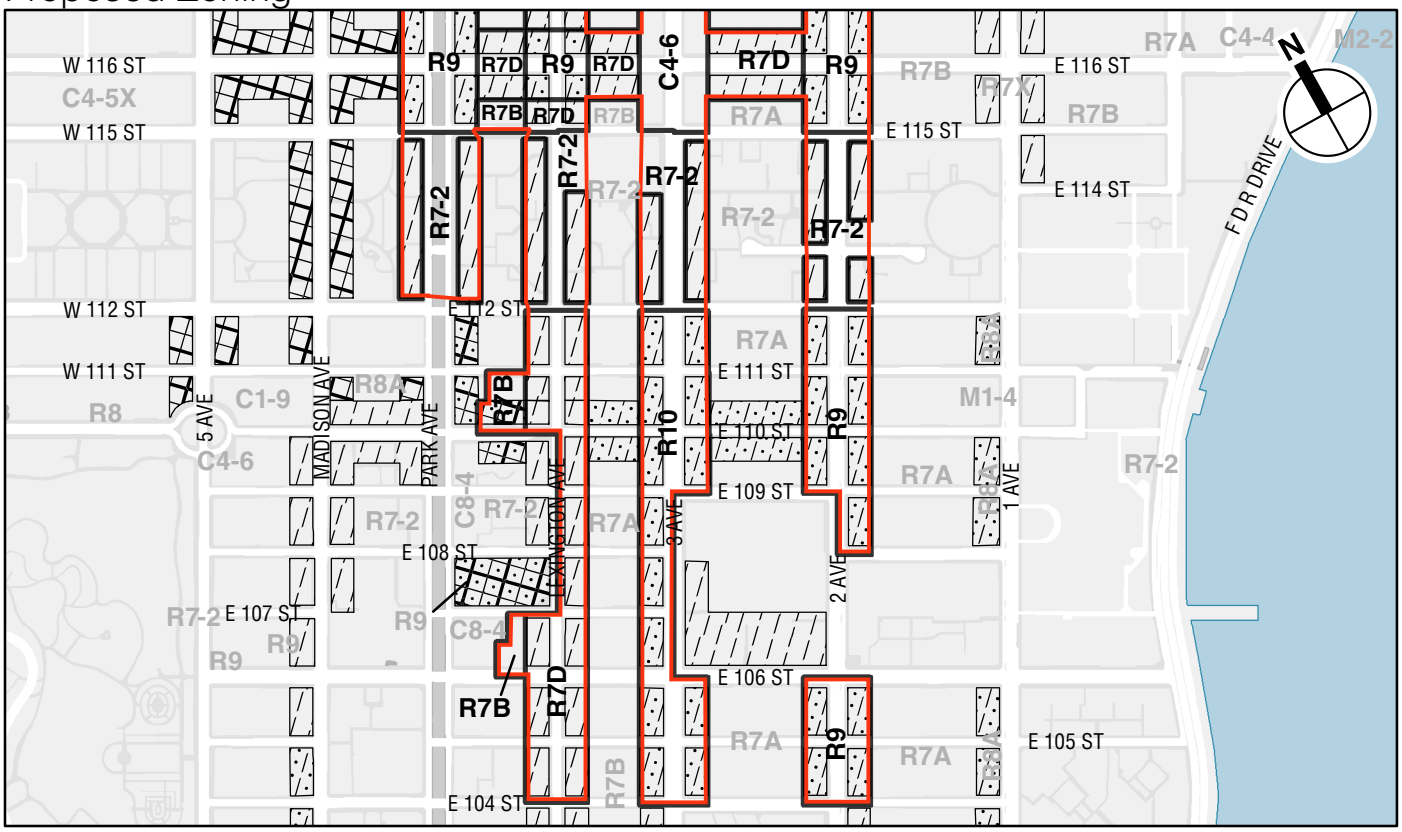
EAST HARLEM REZONING

Figure S-3b

Existing Zoning



Proposed Zoning

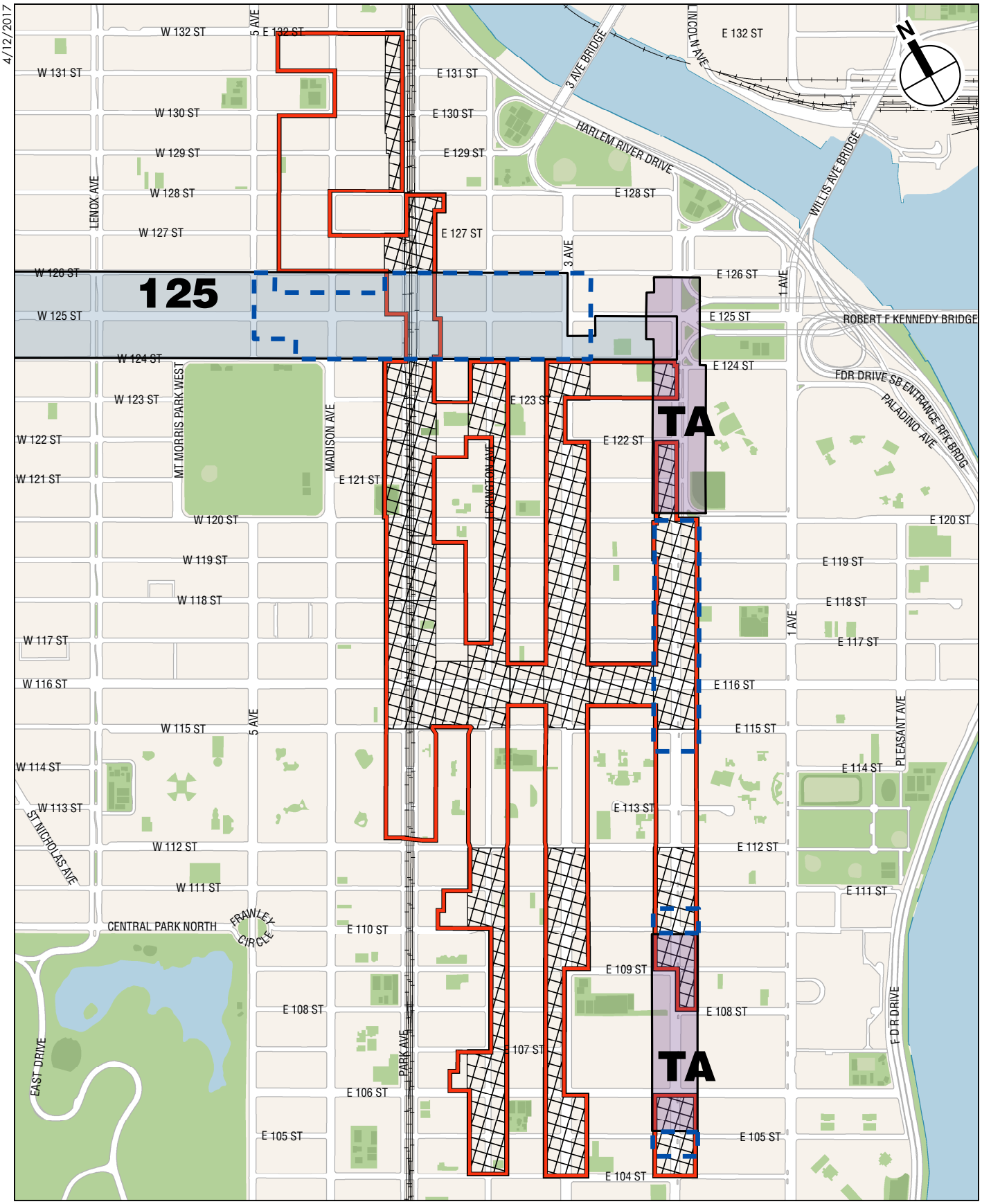


Project Area
Zoning Districts
PARK
C1-1 C1-2 C1-3 C1-4 C1-5 C2-4 C2-1 C2-2 C2-3 C2-5

0 500 FEET

Proposed Zoning Changes
South of East 116th Street
Figure S-3c

EAST HARLEM REZONING



Project Area

Existing Special 125th Street District (125)

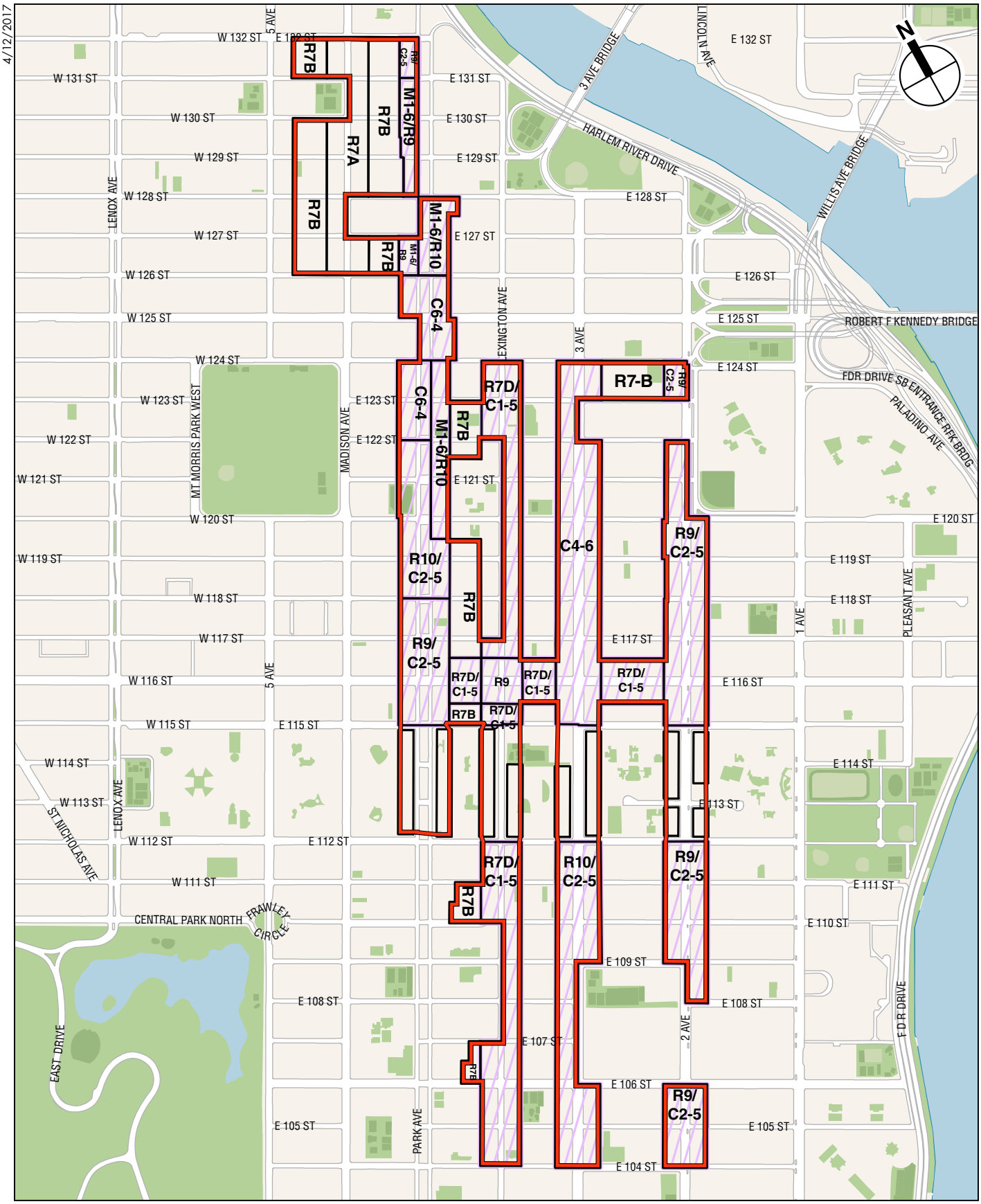
Proposed Special East Harlem Corridors District

Existing Special Transit Land Use District (TA)

Proposed Special Transit Land Use District (TA)

EAST HARLEM REZONING

Special Districts
Figure S-3d



Project Area

Mandatory Inclusionary Housing Area

EAST HARLEM REZONING

Mandatory Inclusionary Housing Area

Figure S-3e

underlying streetwall location regulation of a tower development option will be modified to require a consistent streetwall at the street line except for permitted recesses and courts.

Contextual Quality Housing Option: The EHC would modify the underlying minimum base height requirements of optional contextual Quality Housing bulk regulations of R9, R10, and their equivalent commercial districts. Along Park Avenue, the minimum base height would be lowered to allow the residential portion of a mixed-use building to setback from the Metro-North viaduct. Along other corridors, the minimum base height would be lowered to 60 feet to avoid requiring overly high streetwalls.

Quality Housing Tower Option: In non-contextual R9 and R10 districts, and their equivalent commercial districts, where a tower development option is available, the EHC would modify the underlying tower regulations to require a contextual base to create consistent and active pedestrian environment. The EHC would also require such tower to comply with the Quality Housing provisions of Article II, Chapter 8 of the Zoning Resolution to require a building to provide certain amenities to its residents.

Ground-Floor Design Requirements: The EHC would require a set of ground-floor design requirements including mandatory active, non-residential uses on the ground floor, minimum levels of transparency limiting curb cuts, where appropriate. The controls would foster a safe, varied, and walkable pedestrian experience along these corridors.

Parking Regulations: The EHC would eliminate the underlying accessory residential parking requirements. In addition, the EHC would allow limited public parking garages to be as-of-right within proposed commercial and manufacturing districts, just as they are currently permitted in the existing districts including C2-4, C4-4D, M1-2, and C8-3 districts.

Proposed M1-6/R10 within the EHC
(Existing M1-2 and M1-4 District)

An M1-6/R10 mixed-use district is proposed in two sections of the EHC. In the northern section of the Project Area along the east side of Park Avenue between East 126th and East 128th Streets and in the mid-section roughly along the east side of Park Avenue between East 119th and East 124th Streets. M1-6/R10 districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 12.0 in a mixed-use building. To support the economic development and commercial growth objectives of the plan, the EHC would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized. The special streetwall and minimum base height provisions of Park Avenue within the EHC, as described above, would apply. The maximum base height would be 125 feet and the maximum overall building height would be 350 feet with a penthouse allowance of up to 40 feet. The special ground-floor design and parking provisions of the EHC would apply.

Proposed M1-6/R9 within the EHC
(Existing C8-3 District)

An M1-6/R9 mixed use district is proposed northern section of the Project Area along the west side of Park Avenue between East 126th and East 128th Streets and between East 128th and East 131st Streets. M1-6/R9 districts permit residential and community facility uses within Use Groups 1 through 4, and commercial and manufacturing uses within Use Groups 5 through 15 and 17 at a maximum FAR of 8.5 in a mixed-use building. To support the economic development and commercial growth objectives of the plan, the EHC would impose a non-

residential use requirement of 1.5 FAR before any permitted residential floor area could be utilized. The special streetwall and minimum base height provisions of Park Avenue within the EHC, as described above, would apply. The maximum base height would be 105 feet and the maximum overall building height would be 350 feet with a penthouse allowance of up to 40 feet. The special ground-floor design and parking provisions of the EHC would apply.

Proposed C6-4 within the EHC
(Existing R7-2)

A C6-4 district is proposed on the east side of Park Avenue between East 122nd and East 124th Streets within the EHC Special District.

The C6-4 district would allow a maximum FAR of 10.0 (with MIH requirements) for residential, 10.0 for community facility and commercial uses. The EHC would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized and the overall maximum floor area for a mixed-use development would be 12.0 FAR. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Park Avenue of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R9/C2-5 within the EHC
(Existing R7-2 and R8A)

The proposed R9 district would be mapped within the EHC in the following areas:

- The west side of Park Avenue between East 131st and East 132nd Streets;
- Both sides of Park Avenue between East 115th and East 118th Streets;
- The intersection of East 116th Street and Lexington Avenue;
- The west side of Second Avenue between East 123rd and East 124th Streets;
- The west side of Second Avenue between East 120th and 122nd Streets;
- Both sides of Second Avenue between East 115th and East 120th Streets;
- Both sides of Second Avenue between East 112th and East 109th Streets;
- The east side of Second Avenue between East 108th and East 109th Streets; and
- Both sides of Second Avenue between East 104th and East 106th Streets.

R9 districts, within the EHC, will have maximum FAR of 8.5 for community facility uses and residential uses under the Inclusionary Housing program. Commercial overlays mapped in this district would allow a maximum FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Park Avenue or other avenues, as applicable, of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 125 feet and the maximum building height would be 175 feet after a required setback above the base height. For

the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R10/C2-5 within the EHC
(Existing R8A and R7-2)

The proposed R10 would be mapped within the EHC in the following areas:

- The west side of Park Avenue between East 122nd and East 118th Streets;
- The east side of Park Avenue on the southern portion of the block between East 120th and East 119th Streets;
- Both sides of Third Avenue between East 109th and East 112th Streets;
- The west side of Third Avenue between East 106th and East 109th Streets; and
- Both sides of Third Avenue between East 104th and East 106th Streets.

R10 districts permit residential uses at a maximum FAR of 12.0 in areas designated as part of the Inclusionary Housing program, and a maximum FAR of 10 for community facility uses. Commercial overlays mapped in this district allow a maximum commercial FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Park Avenue or other Avenues, as applicable, of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed C4-6 within the EHC
(Existing C4-4D District)

A C4-6 district is proposed along Third Avenue in the mid-section of the Project Area between East 115th and East 124th Streets, with the exception of the east side of Third Avenue between East 122nd and East 123rd Streets.

The C4-6 district would allow a maximum FAR of 12.0 (with MIH requirements) for residential, 10.0 for community facility and 3.4 for commercial uses. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Avenues, other than Park Avenue, of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

Proposed R7D within the EHC
(Existing R7-2 and R7A)

The proposed R7D would be mapped in the following sections within the study area:

- Both sides of Lexington Avenue from East 104th Street to East 107th Street;
- The west side of Lexington Avenue from East 107th Street to East 110th Street;
- Both sides of Lexington Avenue from East 110th Street to East 112th Street;
- Both sides of the mid-blocks on East 116th Street between Park Avenue and 2nd Avenue;
- Both sides of Lexington Avenue from East 115th Street to midway between East 115th and East 116th Streets;
- Both sides of Lexington Avenue from midway between East 116th and East 117th Streets to East 117th Street;
- The east side of Lexington Avenue from East 117th Street to East 122nd Street; and
- Both sides of Lexington Avenue from East 122nd Street to East 124th Street.

R7D is a mid-density contextual district that has a minimum base height of 60 feet, a maximum base height of 95 feet and a maximum building height of 115 feet with an MIH development with Qualifying Ground Floor. The maximum residential FAR in a Mandatory Inclusionary Housing Area (MIHA) is 5.6. The maximum allowable community facility FAR is 4.2 and commercial overlays mapped in these districts permit a maximum commercial FAR of 2.0. The special ground-floor design and parking provisions of the EHC would apply.

Proposed Amendment to the Special 125th Street District

The Proposed Actions would modify the Special 125th Street District at three of the corners adjacent to the intersection of East 125th Street and Park Avenue. The existing C6-3 currently mapped on both sides of Park Avenue between East 125th and East 126th Streets and on the east side of Park Avenue between East 124th and 125th Streets would be rezoned to a C6-4 and would be subject to provisions consistent with the proposed use, bulk, ground-floor design and parking regulations included in the proposed EHC.

Proposed C6-4
(Existing C6-3)

A C6-4 District is proposed along Park Avenue near the East 125th Street node, within the 125 Special District, at:

- The southeast corner Park Avenue between East 125th and East 124th Streets;
- The northeast corner of Park Avenue between East 125th and East 126th Streets; and
- The northwest corner of Park Avenue between East 125th and East 126th Streets.

The C6-4 district would allow a maximum residential FAR of 10.0 (with MIH requirements), with 10.0 also available for community facility and commercial uses. The proposed text modifications to the Special 125th Street District would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized and the overall maximum floor area for a mixed-use development would be 12.0 FAR. Pursuant to the existing special bulk provisions of the Special 125th Street District, developments would provide a contextual base between 60 feet and 85 feet in height along East 125th Street. The streetwall location and minimum base height provisions along Park Avenue of the EHC would apply to the

portion of a building along Park Avenue. The maximum length of the portion of a building above the contextual base will be limited to 150 feet or less to prevent an excessively wide tower along Park Avenue. The existing special ground-floor design provisions of the 125 Special District would apply. The underlying parking provisions of the 125 would be modified to be consistent with that of the EHC.

Proposed R7A and R7B
(Existing R7-2)

The proposed R7A and R7B districts would be mapped in the northern section of the Project Area outside of the proposed special district and on a number of the mid-blocks between Lexington and Park Avenues between East 104th and East 124th Streets.

The R7A district would be mapped along Madison Avenue between East 126th to East 132nd Streets with the exceptions of the east side of Madison Avenue between East 127th and East 128th Streets and the west side of Madison Avenue between East 130th and East 131st Streets. The R7B would be mapped on the mid-blocks between Fifth and Madison Avenues and Park and Madison Avenues from East 126th to East 132nd Streets. The R7B district will not be mapped on the mid-blocks bounded by East 128th Street, East 127th Street, Madison, and Park Avenues and East 130th and East 131st Streets and Madison and Fifth Avenues.

The R7B district will also be mapped along the midblock between East 123rd and East 124th Streets between Third and Second Avenues, and on the following midblocks between Lexington and Park Avenues:

- Roughly between East 121st and East 123rd Streets;
- Roughly between East 116th and East 120th Streets;
- Roughly between East 115th and East 116th Streets;
- Roughly between East 110th and East 111th Streets;
- Roughly between East 106th and East 107th Streets;
- A portion of the mid-block between East 123rd and East 124th Streets; and
- A portion of the mid-block between East 121st and East 122nd Streets.

The R7A and the R7B are contextual districts that have maximum base heights and maximum building heights. The R7A permits buildings of up to 85 feet in height, with a street minimum and maximum base height between 40 and 65 feet. The maximum residential and community facility FAR is 4.0. The R7B permits buildings of up to 75 feet in height, with a street minimum and maximum base height between 40 and 60 feet. The maximum residential and community facility FAR is 3.0. Commercial overlays mapped in these districts have a maximum FAR of 2.0.

Proposed Commercial Overlays

Existing C1 and C2 commercial overlays are mapped intermittently throughout the Project Area. C1 districts permit commercial Use Groups 5 and 6 while C2 districts permit Use Groups 5 through 9 and 14.

There are C1-5 overlays mapped throughout the Project Area and along the corridors within the Special District. DCP is proactively working with NYCHA to introduce commercial overlays to areas where they do not currently exist, in order to increase the potential supply of retail and commercial services available to NYCHA residents on their campuses. Mapping these commercial overlays on NYCHA campuses does not by itself effectuate any development on

NYCHA properties as additional approvals by others would be required to advance commercial development on these campuses. This proposal would map commercial overlays to a depth of 100 feet to reflect the typical depth of existing lots along these corridors, and to define appropriate zones for potential future commercial uses on NYCHA campuses.

C1-5 commercial overlays are proposed to be mapped over portions of the proposed R7D districts, and in existing R7-2 districts. The proposed rezoning would replace or eliminate portions of existing C1-4 and C2-4 overlays and establish new C1-5 overlays. The affected area is as follows:

- Proposed R7D: five full or partial block frontages on Lexington Avenue between East 116th and East 120th Streets;
- Proposed R7D: two partial block frontages on Lexington Avenue between East 115th and East 116th Streets;
- Proposed R7D: four full or partial block frontages along Lexington Avenue between East 110th and East 112th Streets; and
- Existing R7-2: on Park, Lexington, Third, and Second Avenues, roughly between East 112th and East 115th Streets.

C1-5 overlays permit residential, community facility, and specific commercial uses. C1 districts facilitate local shopping that serves immediate surrounding residences (Use Group 6). Commercial buildings in C1 overlays have a maximum permitted FAR of 2.0 Otherwise, residential, mixed residential/commercial, and community facility uses are regulated by the bulk regulations of the underlying residential districts in C1 commercial overlays. Commercial uses in mixed commercial and residential buildings in these districts cannot be located above the first floor. The C1-5 district does not require parking accessory to the commercial use.

C2-5 commercial overlays are proposed to be mapped over portions of the proposed R7D, R9 and R10 districts as follows. The proposed rezoning would also replace or eliminate portions of existing C1-2, C1-4, C1-5 and C2-4 overlays and establish new C2-5 overlays. The affected area is as follows:

- Proposed R7D: six full block frontages along Lexington Avenue between East 120th and East 124th Streets;
- Proposed R9: one full block frontage along Park Avenue between East 131st and East 132nd Streets;
- Proposed R9: six full block frontages along Park Avenue between East 118th and East 115th Streets;
- Proposed R9: one full block frontage on the east side of Madison Avenue between East 111th and East 112th Streets and one full block frontage on the west side of Park Avenue between East 111th and East 112th Streets;
- Proposed R9: four half block frontages at the intersection of Lexington Avenue and East 116th Street;
- Proposed R9: one block frontage on the east side of Second Avenue between East 123rd and East 124th Streets;
- Proposed R9: 12 full block frontages along Second Avenue between East 115th and East 122nd Streets;

- Proposed R9: seven full block frontages along Second Avenue between East 108th and East 112th Streets;
- Proposed R9: four block frontages along Second Avenue between East 104th and East 106th Streets;
- Proposed R10: six full or partial blocks along Park Avenue between East 118th and East 122nd Streets;
- Proposed R10: 13 full/partial blocks on Third Avenue between East 112th and East 104th Streets; and
- Eight full/partial blocks on the New York Housing Authority superblocks along Park, Third and Second avenues between East 112th and East 115th Streets.

C2-5 commercial overlays allow for local retail uses and commercial development up to 2.0 FAR. In these areas, the C2-5 commercial overlays will support the development of mixed residential/commercial uses. This proposal would map commercial overlays to a depth of 100 feet to reflect the typical depth of existing lots along these corridors and to prevent commercial uses from encroaching on residential side streets.

PROPOSED ZONING TEXT AMENDMENTS

The Proposed Actions include amendments to the text of the New York City Zoning Resolution. A new special district known as the EHC Special District would be established. It would cover the key corridors in the study area. The new MIH program would also be mapped along the corridors within the special district, setting mandatory affordable housing requirements pursuant to the MIH program.

SPECIAL EAST HARLEM CORRIDORS DISTRICT

Once established, the EHC would modify the underlying zoning regulations, establish additional requirements, and allow for greater flexibility in the type and shape of future development, as described in the Zoning Map Amendments section above.

MIH Program

DCP proposes a Zoning Text amendment to apply the MIH program to portions of the proposed rezoning area, including where zoning changes are promoting new housing. The MIH program would apply within the following districts: M1-6/R9, M1-6/R10, R9, R10, C4-6, C6-4, and R7-D districts within the rezoning area. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped MIHAs. The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet within the MIHAs or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 sf, a payment into an Affordable Housing Fund. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to the Board of Standards and Appeals for a special permit to reduce or modify the requirements. Developments, enlargements, or conversions that do not exceed either 10 units or 12,500 sf of residential floor area will be exempt from the requirements of the program.

The MIH program includes two primary options that pair set-aside percentages with different affordability levels to reach a range of low and moderate incomes while accounting for the financial feasibility trade-off inherent between income levels and size of the affordable set-aside. Option 1 would require 25 percent of residential floor area to be for affordable housing units for

residents with incomes averaging 60 percent of the Area Median Income (AMI). Option 1 also includes a requirement that 10 percent of residential floor area be affordable at 40 percent AMI. Option 2 would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent AMI. The City Council and CPC could decide to apply an additional, limited workforce option for markets where moderate- or middle-income development is marginally financially feasible without subsidy. For all options, no units could be targeted to residents with incomes above 130 percent AMI. Additionally, a Deep Affordability Option could also be applied in conjunction with Options 1 and 2. The Deep Affordability Option would require that 20 percent of the residential floor area be affordable to residents at 40 percent AMI.

Proposed Amendment to the Special 125th Street District

The Proposed Actions would modify the existing 125th Street Special District at three of the corners at 125th Street and Park Avenue to be consistent with the proposed use, bulk, ground-floor design, and parking regulations included in the proposed Special East Harlem Corridors District, as described in the Zoning Map Amendments section above.

Proposed Amendment to the TA Special District

The Proposed Actions include modifications to the TA Special District to facilitate the inclusion of necessary transportation-related facilities in new developments. The proposed modifications include:

Proposed Map Modifications

- Introduce a new TA Special District location along Second Avenue, roughly between East 115th and East 120th Streets.
- Modify existing TA Special District locations as follows:
  - Expand the TA Special District on Second Avenue at 106th Street by 100 feet to the north and south, with a slight 100-foot extension to the east along the south side of East 106th Street.
  - Relocate the TA Special District on Second Avenue near East 125th Street, to be located roughly along East 125th Street between Park and Third Avenues.

Proposed Text Modifications

- Modify the existing text and add new text to exclude floor area for any subway transit-related uses such as subway entrances and ancillary facilities (e.g., vent facilities, emergency egress) from the definition of zoning floor area.
- Modify text and tables to allow for greater flexibility in transit easement volumes to accommodate entrances and/or ancillary facilities that meet ADA requirements, ventilation requirements, and other technical requirements in Community Board 11.
- Modify the text to specifically include ADA-compliant amenities and non-pedestrian transit functions such as ancillary (ventilation) facilities in Community Board 11.

URBAN RENEWAL PLAN AMENDMENTS

The proposed amendments to the Milbank Frawley Circle-East URP would conform with land use restrictions to zoning and would refresh the general provisions of the URPs.

WRP REVIEW PROCESS AND DETERMINATION

Portions of the Project Area are within the coastal zone and would therefore be reviewed by CPC, in its capacity as the City Coastal Commission (CCC) to determine if the Proposed Actions are consistent with the relevant WRP policies.

ACTIONS TO SUPPORT THE SENDERO VERDE DEVELOPMENT ALTERNATIVE

The Draft EIS (DEIS) includes an alternative that considers, in addition to the Proposed Actions as described above, a series of actions needed to facilitate an HPD-sponsored affordable housing development proposed for Sendero Verde ("the Sendero Verde Development Alternative"). The affected property is a public site owned by the City of New York (under the jurisdiction of HPD) and bounded by East 111th Street, Madison Avenue, East 112th Street, and Park Avenue. The site is over 76,500 sf in size and encompasses community gardens and space formerly used as a baseball field. There are two privately owned parcels on the block. HPD is proposing to develop the site to facilitate the creation of a mixed-use development with residential, commercial, and community facility uses.

In February 2017, the City designated a development team led by Jonathan Rose Companies and L+M Development Partners ("Development Team") along with several community partners to develop a three-phased, mixed-use, and sustainable development containing residential and community facility space. In addition to the development expected under the Proposed Actions, the alternative assesses 663 affordable dwelling units (DUs), 15,065 sf of retail space, 159,840 sf of community facility space and new community gardens. All of the proposed residential units would be affordable in accordance with HPD affordability requirements. The proposed development would incorporate four of the existing gardens and relocate two of the other gardens elsewhere within the surrounding neighborhood. These lots would be transferred to the Department of Parks and Recreation (NYC Parks) as GreenThumb gardens upon project completion. NYC Parks has helped the organization that formerly used the baseball field to obtain a permit for another field.

The land use actions necessary to facilitate the development of the Sendero Verde Site are expected to enter public review as a separate land use application concurrent with the Proposed Actions. The actions are anticipated to include: (a) zoning map amendment to rezone the R7-2 district to R9; (b) zoning text amendment to apply the MIH program to the site; (c) UDAAP designation and project approval for the Disposition Area and disposition of City-owned property; (d) acquisition of a portion of the Disposition Area by the City for community garden use; (e) special permit pursuant to Section 74-743 to modify the bulk regulations within a Large Scale General Development (LSGD) to allow for modifications to height and setback requirements and yard requirements applicable to the Proposed Development; (f) special permit pursuant to Section 74-744(b) to permit commercial floor area to be located above the second story in a mixed-use building; (g) special permit pursuant to Section 74-752 to waive up to 129 accessory parking spaces required in connection with non-income restricted dwelling units within the proposed development; and (h) City Planning Commission certification pursuant to Section 32-435 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied at the ground level by commercial use.

PROPOSED ZONING DISTRICTS

HPD seeks a Zoning Map Amendment to change an R7-2 district with C1 -4 commercial overlays along the Park and Madison Avenue frontages to a R9 district with C2 -5 commercial overlays along the Park and Madison Avenue frontages.

Proposed R9/C2-5

With the Sendero Verde Development Alternative in place, the proposed R9/C2-5 district would be mapped over a city block bounded by Park Avenue to the east, East 111th Street to the south, Madison Avenue to the west, and East 112th Street to the north. This action within the rezoning would only take place with the Sendero Verde Development Alternative, which would include an additional projected development site bounded by Madison and Park Avenues, between East 111th and East 112th Streets. The Sendero Verde Site would be undertaken by HPD. An R9 district is a high-density non-contextual district that allows 8.0 FAR of residential floor area (with MIH) and 10.0 FAR of Community Facility floor area. The C2-5 commercial overlay allows up to 2.0 FAR of local retail and service uses. Within an R9 district, a development may comply with either contextual Quality Housing or tower-on-a-base height and setback options. For the contextual Quality Housing option, the minimum and maximum base heights are 60 feet and 125 feet, respectively, and the maximum overall building heights are 165 feet along narrow streets and 175 feet along wide streets. For the tower-on-a-base option, the minimum and maximum base heights are 60 feet and 85 feet, respectively, and the portion of a building exceeding the maximum base height will be subject to the maximum tower coverage of 40 percent.

PROPOSED ZONING TEXT AMENDMENT

HPD seeks to amend Appendix F of the Zoning Resolution to establish an MIHA over the Project Area. HPD is proposing to utilize Option 2, and therefore requests that the CPC and City Council allow the MIH affordable housing requirements to be met by complying with the Section 23-154(d)(3)(ii) requirements and providing no less than 30 percent of residential floor area to households earning an average of 80 percent of AMI.

DISPOSITION OF CITY-OWNED PROPERTY

HPD is seeking Urban Development Action Area Project (UDAAP) designation, project approval and approval for the disposition of City-owned parcels including Block 1617, Lots 20, 22, 23, 25, 28, 29, 31, 32, 33, 35, 37, 38, 39 40, 41, 42, 43, 45, 46, 48, 50, 51, 52, 53, 54, 121, and 122.

ACQUISITION OF COMMUNITY GARDEN SPACE

HPD seeks approval to acquire a portion of the Site for use as four community gardens. The Community Gardens portion would be acquired upon or before project completion. NYC Parks would assume jurisdiction of the gardens.

CPC SPECIAL PERMITS

Large Scale General Development (LSGD)

HPD and the Development Team seek a Special Permit, pursuant to ZR Section 74-743, to modify the bulk regulations within a Large Scale General Development to modify height and setback restrictions and yard requirements applicable to the development proposed for the Sendero Verde Site.

Modification of Use Regulations

HPD and the Development Team seek a Special Permit pursuant to ZR Section 74-744(b), to allow commercial use above the level of the second story in a mixed use building contrary to the provisions set forth in ZR Section 32-42 and 32-435(c). Section 32-42 does not permit

commercial uses within a predominantly residential building to be located above the second level. The Sendero Verde Development includes space for health care related offices on the second and third levels of Building A. The Special Permit is necessary to allow health care offices to be located above the second level of Building A.

Reduction of Parking Spaces to Facilitate Affordable Housing

HPD and the Development Team seek a Special Permit pursuant to ZR Section 74-533, to waive up to 129 accessory off-street parking spaces required in connection with up to 322 non-income-restricted dwelling units within the proposed development. Under the proposed Rezoning, accessory off-street parking spaces are required for a minimum of 40 percent of non-income restricted dwelling units. Providing the required parking spaces would make it infeasible to provide the important amenities in the Sendero Verde Development, including below-grade community facility amenities and common open spaces as well as the community gardens. Accordingly, a waiver of the parking requirement is requested to facilitate the development of the income-restricted dwelling units.

CITY PLANNING COMMISSION CERTIFICATION

HPD and the Development Team requests a certification from the CPC pursuant to ZR Section 32-435 to waive the requirement that a minimum of 50 percent of a building wall facing upon a wide street be occupied at the ground level by commercial uses.

The Sendero Verde Development requires significant coordination between HPD, various city agencies, property owners, and the development team. Given the uncertainty of the coordination outcome, the DEIS will include an alternative that encompasses the necessary actions to facilitate this proposed HPD-sponsored affordable housing development in addition to the Proposed Actions.

G. ANALYSIS FRAMEWORK

REASONABLE WORST-CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, a RWCDS was developed for both the current (future No Action) and proposed zoning (future With Action) conditions for a 10-year period (analysis year 2027). The incremental difference between the No Action and With Action Conditions will serve as the basis for the impact analyses of the EIS. A 10-year period typically represents the amount of time developers would act on the proposed action for an area-wide rezoning not associated with a specific development.

To determine the With Action and No Action Conditions, standard methodologies have been used following the *CEQR Technical Manual* guidelines employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

GENERAL CRITERIA FOR DETERMINING DEVELOPMENT SITES

In determining the amount and location of new development, several factors have been considered in identifying likely development sites. These include known development proposals, past and current development trends, and the development site criteria described below. Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the rezoning area. The first step in establishing the development scenario for the Proposed Actions was to identify

those sites where new development could be reasonably expected to occur. Development sites were initially identified based on the following criteria:

- Lots located in areas where a substantial increase in permitted FAR is proposed;
- Lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 4,500 sf, respectively, if assemblage seems probable[1]) or where a smaller sized site (2,000 sf or greater) is substantially underutilized as defined below;
- Underutilized lots which are defined as vacant, occupied by a vacant building, a building with only a single occupied floor, or lots constructed to less than or equal to half of the maximum allowable FAR under the proposed zoning; and
- Lots located in areas where changes in use would be permitted.

Certain lots that meet these criteria have been excluded from the scenario based on the following conditions because they are very unlikely to be redeveloped as a result of the proposed rezoning:

- Lots where construction is actively occurring, or has recently been completed, as well as lots with recent alterations that would have required substantial capital investment. However, recently constructed or altered lots that were built to less than or equal to half of the maximum allowable FAR under the proposed zoning have been included for consideration as likely development sites.
- The sites of schools (public and private), municipal libraries, government offices, large medical centers and houses of worship. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under the current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is extremely unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures. Additionally, for government-owned properties, development and/or sale of these lots may require discretionary actions from the pertinent government agency.
- Multi-unit buildings (existing individual buildings with six or more residential units, and assemblages of buildings with a total of 10 or more residential units, are unlikely to be redeveloped because of the required relocation of tenants in rent-stabilized units).
- Certain large commercial structures, such as multi-story office buildings, regional centers of national corporations, and hotels. Although these sites may meet the criteria for being built to less than half of the proposed permitted floor area, some of them are unlikely to be redeveloped due to their current or potential profitability, the cost of demolition and redevelopment, and their location.
- Lots whose location, highly irregular shape, or highly irregular topography would preclude or greatly limit future as of right development. Generally, development on highly irregular lots does not produce marketable floor space.
- Lots utilized for public transportation and/or public utilities.

[1] Assemblages are defined as a combination of adjacent lots, which satisfy one of the following conditions: (1) the lots share common ownership and, when combined, meet the aforementioned soft site criteria; or (2) at least one of the lots, or combination of lots, meets the aforementioned soft site criteria, and ownership of the assemblage is shared by no more than three distinct owners.

PROJECTED AND POTENTIAL DEVELOPMENT SITES

To produce a reasonable, conservative estimate of future growth, the development sites have been divided into two categories: projected development sites and potential development sites. The projected development sites are considered more likely to be developed within the 10-year analysis period. Potential sites are considered less likely to be developed over the approximately 10-year analysis period. Potential development sites were identified based on the following criteria:

- Lots whose with slightly irregular shapes, topographies, or encumbrances would make development more difficult.
- Lots with 10 or more commercial tenants, which may be difficult to dislodge due to long-term leases.
- Lots where the conversion of an existing building to residential use could occur.
- Active businesses, which may provide unique services or are prominent, and successful neighborhood businesses or organizations unlikely to move.
- Sites divided between disparate zoning districts.
- Sites smaller than 9,500 sf where residential uses are currently permitted unless they are underutilized as defined above and/or within close proximity to subway stations.
- Sites consisting of interior lots whose longest dimension (either width or depth) is less than 80 feet.

Based on the above criteria, 102 development sites (68 projected and 34 potential) have been identified in the rezoning area. These projected and potential development sites are depicted in **Figure S-4**.

The EIS will assess both density-related and site-specific potential impacts from development on all projected development sites. Density-related impacts are dependent on the amount and type of development projected on a site and the resulting impacts on traffic, air quality, community facilities, and open space.

Site-specific impacts relate to individual site conditions and are not dependent on the density of projected development. Site-specific impacts include potential noise impacts from development, the effects on historic resources, and the possible presence of hazardous materials. Development is not anticipated on the potential development sites in the foreseeable future. Therefore, these sites have not been included in the density-related impact assessments. However, review of site-specific impacts for these sites will be conducted in order to ensure a conservative analysis.

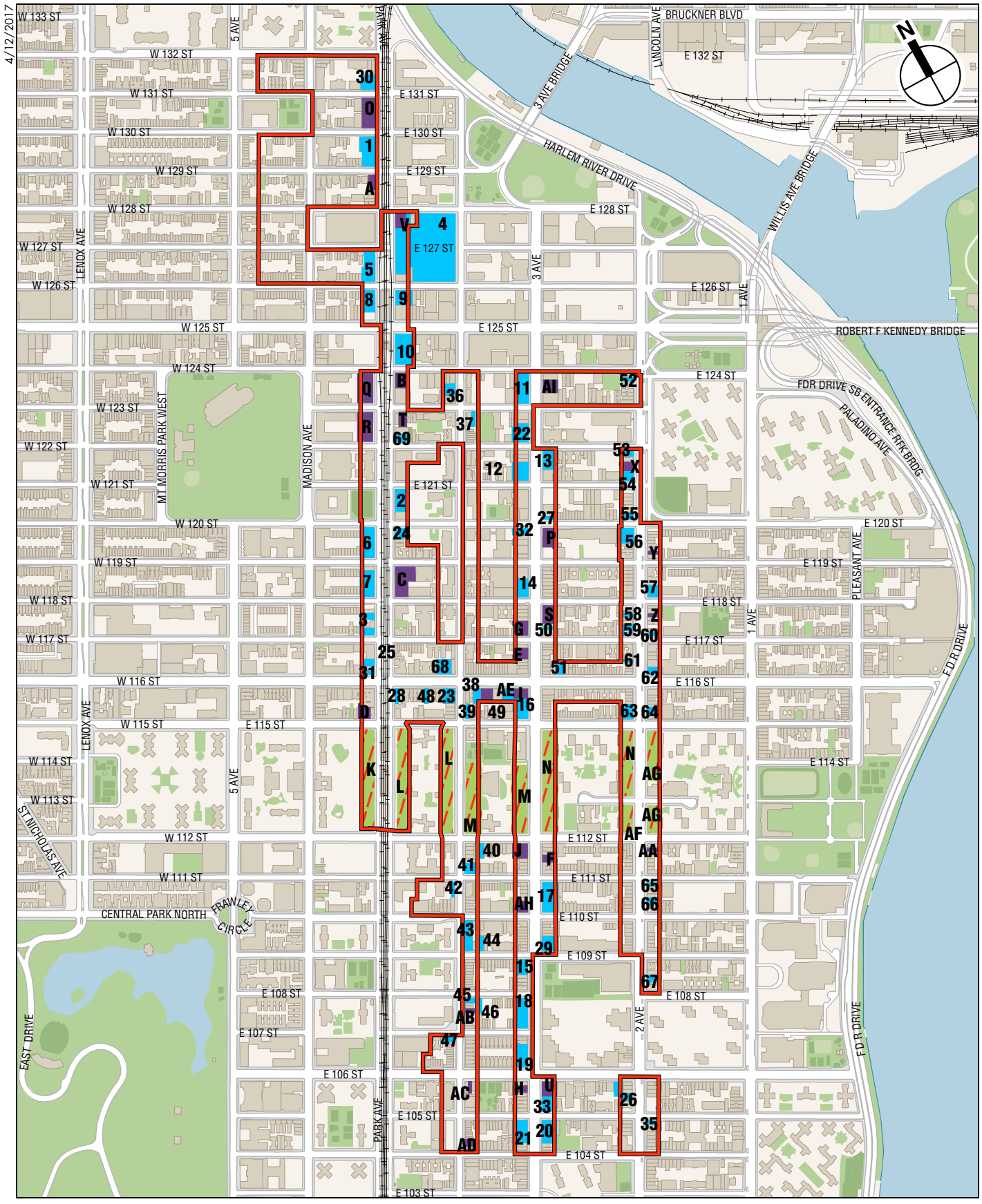
DEVELOPMENT SCENARIO PARAMETERS

Dwelling Unit Factor

The number of projected dwelling units in apartment buildings is determined by dividing the total amount of residential floor area by 900 and rounding to the nearest whole number.

Transportation-Related Facilities within Transit Areas

Select developments sites were identified along Second Avenue within the proposed TA Districts that could potentially accommodate MTA ancillary support facilities for the future phase of the Second Avenue Subway in addition to private development that would occur on those sites as the result of the Proposed Actions. These select developments sites are examples



Projected and Potential Development Sites

EAST HARLEM REZONING

Figure S-4

that demonstrate the bulk that may be needed to accommodate the MTA ancillary support facilities on these sites under the future With Action condition. The final location of such facilities will be informed by designs for subsequent phases of the Second Avenue Subway and, as such, their precise location is not definitively known at this time.

Sendero Verde Development Alternative

As discussed earlier in this document, the Sendero Verde Development Alternative involves the proposed redevelopment of City-owned parcels on the block bounded by East 112th Street to the north, Park Avenue to the west, East 111th Street to the south, and Madison Avenue to the east would be facilitated by a separate land use application by the City. HPD is leading a coordination effort between various governmental agencies, community organizations, and the Development Team. Because certain development specifications for this site are unknown at this time pending completion of that coordination effort, the DEIS will include an alternative that encompasses the necessary actions to facilitate the development of the East 111th Street Site in addition to the Proposed Actions.

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

In the future without the Proposed Actions (No Action Condition), the identified projected development sites are assumed to either remain unchanged from existing conditions, or become occupied by uses that are as-of-right under existing zoning and reflect current trends if they are vacant, occupied by vacant buildings, or occupied by low intensity uses that are deemed likely to support more active uses. **Table S-1a** shows the No Action Condition for the projected development sites.

Table S-1a
2027 RWCDS No Action and With Action Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Total Residential	2,472 DU	5,960 DU	+ 3,488DU
Commercial			
Commercial Retail	385,009 sf	507,551 sf	+ 122,542 sf
Hotel	32,974 sf	0 sf	- 32,974 sf
Office	76,559 sf	219,771 sf	+ 143,212 sf
Auto-related	10,592 sf	0 sf	- 10,592 sf
Storage	57,614 sf	0 sf	-57,614 sf
Total Commercial	**562,748 sf**	**727,322 sf**	**+ 164,575 sf**
Other Uses			
Total Community Facility	7,395 sf	112,437 sf	+ 105,042 sf
Total Industrial	22,777 sf	155,171 sf	+ 132,394 sf
Parking			
Parking (floor area)	120,907 sf	102,504 sf	- 18,403 sf
Population[1]			
Residents	5,959	14,364	+ 8,405
Workers	1,723	3,265	1,543

Note:
1. Assumes 2.41 persons per DU for residential units in Manhattan Community District 11. Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 3 employees per 1,000 sf of retail, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial, 1 employee per 15,000 sf of warehouse uses, 1 employee per 11.4 students in Pre-K school uses, 3 employees per 1,000 sf of all other community facility uses, 1 employee per 50 parking spaces, 1 employee per 200 sf restaurant, 1 employee per 250 sf grocery store, and 1 employee per 25 dwelling units (residential).

As detailed below, it is anticipated that, in the future without the Proposed Actions, there would be a total of approximately 2,978,556 sf of built floor area on the 68 projected development sites. Under the RWCDS, the total No Action development would comprise 2,472 DUs, with no guarantees for affordability, 385,009 sf of retail space, 76,559 sf of office space, 32,974 sf of hotel space, 10,592 sf of auto-oriented commercial use; 57,614 sf of commercial storage, 7,395 sf of community facility space, and 22,777 sf of industrial space. The No Action Condition estimated population would include approximately 5,959 residents and 1,723 workers on these projected development sites.

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

The Proposed Actions would allow for the development of new uses and higher densities at the projected and potential development sites. As discussed above, the possible future development of the Sendero Verde Site will be analyzed as an alternative in the DEIS; the analysis framework for this alternative is described later in this narrative section.

Under the Proposed Actions, the total development expected to occur on the 68 projected development sites would consist of approximately 6,433,375 sf of built floor area, including approximately 5,960 DUs, a substantial proportion of which are expected to be affordable; 507,551 sf of commercial retail space, 219,771 sf of office space, 112,437 sf of community facility space and 155,171 sf of industrial use (see **Table S-1a**). The projected incremental (net) change between the No Action and With Action Conditions that would result from the Proposed Actions would be a net increase of 3,488 DUs; 122,542 sf of retail space, 143,212 sf of office space, 105,042 sf of community facility space, and 132,394 sf of industrial space; and net

decreases of 10,592 sf of auto-related space, 32,974 sf of hotel space, and 57,614 sf of commercial storage space.

Based on 2010 Census data, the average household size for residential units in Manhattan Community District 11 is 2.41. Based on these ratios and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table S-1a** also provides an estimate of the number of residents and workers generated by the Proposed Actions. As indicated in **Table S-1a**, the Proposed Actions would result in a net increment of 8,405 residents and a net increase of 1,543 workers.

Thirty-four sites were considered less likely to be developed within the foreseeable future and were thus considered potential development sites. As noted earlier, the potential sites are deemed less likely to be developed because they did not closely meet the criteria listed above. However, as discussed above, the analysis recognizes that a number of potential development sites could be developed under the Proposed Actions in lieu of one or more of the projected development sites in accommodating the development anticipated in the RWCDS. The potential development sites are therefore also analyzed in the EIS for site-specific effects.

SENDERO VERDE DEVELOPMENT ALTERNATIVE

As shown in **Table S-1b**, under the alternative where possible future development of the Sendero Verde Site would occur, the total development expected for that site in combination with the 68 projected development sites associated with the Proposed Actions would consist of approximately 7,220,363 sf of built floor area, including approximately 6,623 DUs, a substantial proportion of which are expected to be affordable, 520,188 sf of retail space, 219,771 sf of office space, 265,268 sf of community facility uses, and 155,171 sf of industrial use. The projected incremental (net) change between the No Action and With Action Conditions that would result under this alternative would be an increase of a total of 4,143 DUs, 133,129 sf of retail space, 143,212 sf of office space, 257,873 sf of community facility space and 132,394 sf of industrial space; and a net decrease of 32,974 sf of hotel space, a net decrease of 10,592 sf of auto-oriented commercial use, and a net decrease of 57,614 sf of commercial storage space.

Based on the average household size for residential units in Manhattan Community District 11 of 2.41 and standard ratios for estimating employment for commercial, community facility, and industrial uses, **Table S-1b** also provides an estimate of the number of residents and workers generated by the Sendero Verde Development Alternative. As indicated in **Table S-1b**, this alternative would result in a net increment of 9,984 residents and a net increase of 1,893 workers.

The EIS will analyze the projected developments for all technical areas of concern and will evaluate the effects of the potential developments for site-specific effects such as archaeology, shadows, hazardous materials, stationary source air quality, and noise. The results of these analyses for each technical area are discussed in Section H., below.

Table S-1b
2027 RWCDS No Action and With Action Land Uses

Land Use	No Action Condition	With Action Condition	Increment
Residential			
Total Residential	2,480 DU	6,623 DU	+ 4,143 DU
Commercial			
Commercial Retail	387,059 sf	520,188 sf	+ 133,129 sf
Hotel	32,974 sf	0 sf	- 32,974 sf
Office	76,559 sf	219,771 sf	+ 143,212 sf
Auto-related	10,592 sf	0 sf	- 10,592 sf
Storage	57,614 sf	0 sf	- 57,614 sf
Total Commercial	**564,798 sf**	**739,959 sf**	**+ 175,162 sf**
Other Uses			
Total Community Facility	7,395 sf	265,268 sf	+ 257,873 sf
Total Industrial	22,777 sf	155,171 sf	+ 132,394 sf
Parking			
Parking (floor area)	120,907 sf	102,504 sf	- 18,403 sf
Population[1]			
Residents	5,978	15,962	+ 9,984
Workers	1,729	3,803	+ 2,074

Note:
1. Assumes 2.41 persons per DU for residential units in Manhattan Community District 11. Estimate of workers based on standard industry rates, as follows: 1 employee per 250 sf of office; 3 employees per 1,000 sf of retail, 1 employee per 25 DU, 1 employee per 2.67 hotel rooms (400 sf per hotel room), 1 employee per 1,000 sf of industrial, 1 employee per 15,000 sf of warehouse uses, 1 employee per 11.4 students in Pre-K school uses, 3 employees per 1,000 sf of all other community facility uses, 1 employee per 50 parking spaces, 1 employee per 200 sf restaurant, 1 employee per 250 sf grocery store, and 1 employee per 25 dwelling units (residential).

H. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

As described in detail in this chapter, no significant adverse impacts on land use, zoning, or public policy are anticipated. The Proposed Actions would not adversely affect surrounding land uses, nor would the Proposed Actions generate land uses that would be incompatible with existing zoning and land uses. Furthermore, the Proposed Actions would not result in development that conflicts with adopted public policies.

The Proposed Actions would provide opportunities for new housing, including substantial amounts affordable housing, along key corridors, particularly Park, Third, and Second Avenues, which would expand housing choices for current and future residents. The Proposed Actions would require permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs. The proposed zoning changes would unlock development opportunities and allow for a growing residential population. These actions would also facilitate the expansion of customer bases for existing and new businesses, such as grocery stores, pharmacies, and other services, which would help local businesses continue to flourish. The Proposed Actions also seek to reinforce and protect the existing character and context of the mid-blocks by focusing new residential density along the major north–south corridors in the Project Area, and by introducing contextual residential districts on select mid-blocks.

The Proposed Actions would be consistent with the City's Waterfront Revitalization Program (WRP). Per the WRP Consistency Assessment (WRP #16-172), which was reviewed by DCP's Waterfront and Open Space Division, the Proposed Actions would support the applicable policies of the City's WRP.

SOCIOECONOMIC CONDITIONS

The Proposed Actions would not result in significant adverse impacts related to socioeconomic conditions.

DIRECT RESIDENTIAL DISPLACEMENT

A screening-level assessment finds that the Proposed Actions would not result in significant adverse socioeconomic impacts due to direct residential displacement. Under the Reasonable Worst-Case Development Scenario (RWCDS), by 2027 the Proposed Actions could directly displace an estimated 27 residents living in 11 DUs. Four DUs are located on Projected Development Site 11 (Block 1772, Lots 33, 34, 35, 37, 38, 39, 134, and 140) and seven DUs are located on Projected Development Site 26 (Block 1655, Lots 29 and 24). Based on the average household size of the community district in which the DUs are located,[2] an estimated 27 residents live in the 11 affected DUs.

It should be noted that the estimate of potential direct displacement associated with the RWCDS assumes that approximately 160 DUs could be displaced from Projected Development Sites in the future without the Proposed Actions (the No Action Condition). The residents that are assumed to be potentially displaced in the No Action Condition are not considered displaced in the future with the Proposed Actions (the With Action Condition). For the purposes of the CEQR analysis displacement that could be expected to occur absent the Proposed Actions is not attributed to the Proposed Actions.

According to the *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to substantially alter the socioeconomic character of a neighborhood. The potentially displaced residents represent less than one-half of one percent of the estimated 181,236 residents within the socioeconomic study area,[3] and therefore this potential direct displacement would not substantially alter the socioeconomic character of the neighborhood.

DIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to direct business displacement. According to the *CEQR Technical Manual*, displacement of more than 100 employees warrants a preliminary assessment. Projected development generated by the Proposed Actions and the associated RWCDS by the 2027 Analysis, or "Build Year," could directly displace 14 businesses and an estimated 209 jobs

[2] The estimated number of residents who could be directly displaced is based on the U.S. Census Bureau's 2010–2014 ACS estimates of the average household size of renter-occupied homes within the Manhattan Community District 11 (2.41 people per DU).

[3] The socioeconomic study area is the area within which the Proposed Actions could directly or indirectly affect socioeconomic conditions. As detailed under "Study Area Definition" in **Section B** below, the socioeconomic study area captures an approximately ½-mile area surrounding the Project Area, including portions of the Upper East Side, East Harlem, and Central Harlem (see Figure 3-1).

associated with those businesses. These 14 businesses are located on eight Projected Development Sites.[4]

The 14 businesses that could be directly displaced under the RWCDS include one Construction sector business, six Retail Trade sector businesses, one Educational Services sector business, two Accommodation and Food Services businesses, and four "Other Services (except Public Administration)" businesses. The 14 businesses do not represent a majority of study area businesses or employment for any given industry sector. While all businesses contribute to neighborhood character and provide value to the City's economy, because there are alternative sources of goods, services, and employment provided within the socioeconomic study area, the potentially displaced businesses are not of critical value to the socioeconomic conditions of the area as defined by CEQR. Further, there is no category of business that may be directly displaced that is the subject of regulations or plans to preserve, enhance, or otherwise protect it. The Proposed Actions and associated RWCDS would result in the incremental development over the No Action Condition of 164,955 square feet (sf) of commercial space, 132,394 sf of manufacturing space, and 105,042 sf of community facility space. Comparable services and employment opportunities to those provided by directly displaced commercial businesses could be provided as part of the Proposed Actions.

INDIRECT RESIDENTIAL DISPLACEMENT

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement. The Proposed Actions and associated RWCDS would result in an increment of 3,488 DUs above the No Action Condition and a net increase of approximately 8,371 residents.[5] In aggregate, the residents of the affordable and market-rate units resulting from the Proposed Actions could have an average household income that would be above the average household income of the existing study area populations.

While the Proposed Actions could add new population with a higher average household income as compared with existing study area households, there is already a readily observable trend toward higher incomes and new market-rate residential development in the study area. According to U.S. Census data, the average and median gross rents in the study area have increased by approximately 38 and 34 percent, respectively, between 2000 and the 2011–2015 American Community Survey (ACS). Further, the Proposed Actions would be expected to introduce more affordable housing than conditions in the future without the Proposed Actions. In this respect, the Proposed Actions could serve to maintain a more diverse demographic within the study area as compared with the future without the Proposed Actions, in which projects will continue the trend towards rising residential rents, as well as incomes in the study area.

[4] There are a number of businesses that could be displaced in the No Action Condition because of development projects unrelated to the Proposed Actions; the businesses displaced in the No Action Condition are not considered displaced by the Proposed Actions in the With Action Condition because displacement could occur regardless of the Proposed Actions.

[5] The estimated number of incremental residents is based on the U.S. Census Bureau's 2010–2014 ACS estimates of the average household size of renter-occupied homes within the Manhattan Community District 11 (2.41 people per DU).

INDIRECT BUSINESS DISPLACEMENT

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to indirect business displacement. The concern under CEQR is whether the Proposed Actions could lead to changes in local market conditions that could, in turn, lead to increases in commercial property values and rents within the study area, making it difficult for some categories of businesses to remain in the area. Another concern under CEQR is whether the Proposed Actions could lead to displacement of a use type that directly supports businesses in the study area or brings people to the area that forms a customer base for local businesses.

Both the Project Area and study area have well-established residential, retail, office and manufacturing uses and markets such that the Proposed Actions would not add a new economic activity or add to a concentration of a particular sector of the local economy enough to significantly alter or accelerate existing economic patterns. The Proposed Actions would add an increment above the No Action Condition of 3,488 DUs, including a substantial amount of permanently affordable units, which would help to ensure there is a range of household incomes maintained within the study area. Ensuring a range of household incomes would help to preserve the existing range of price points and variety in retail offerings because people of different income levels would create the varied demands for goods at different price points. The Proposed Actions and associated RWCDS would also result in an increment of 133,426 sf of commercial (grocery, restaurant, and destination retail) space. The retail space resulting from the Proposed Actions would be less than what would be added in the No Action Condition, and would not exceed the threshold to potentially alter or accelerate existing trends. The office space (an increment of 143,212 sf) and manufacturing space (an increment of 132,394 sf) resulting from the Proposed Actions and associated RWCDS would create opportunities for companies to locate in East Harlem, providing quality jobs to residents, and helping maintain the mixed-use character of the study area.

The Proposed Actions would not directly displace uses that provide substantial direct support for businesses in the area (such as a transfer station for a waste management firm)or that bring people into the area that form a substantial portion of the customer base for local businesses. The Proposed Actions would result in increasing economic activity in an area where commercial corridors are currently fragmented. Further, the Proposed Actions' estimated 8,371 residents and 1,544 employee populations generated by the Proposed Actions on the Projected Development Sites would become new customers at many of the existing retail businesses in the Project Area and study area, and the mix of market-rate and affordable DUs resulting from the Proposed Actions RWCDS would maintain a diverse customer base to shop at retail stores offering products at a range of price points.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to adverse effects on specific industries. An analysis is warranted if a substantial number of residents or workers depend on the goods or services provided by the affected businesses or if it would result in the loss or substantial diminishment of a particularly important product or service within the industry. The Proposed Actions would not significantly affect the business conditions in any industry or any category of business within or outside the study area. By 2027, the Proposed Actions and associated RWCDS could directly displace an estimated 14 businesses and 209 employees. The businesses that could be displaced do not represent a critical mass of businesses within any City industry, category of business, or category of employment. Although these businesses are valuable individually and collectively to the City's economy, the

goods and services offered by potentially displaced uses can be found elsewhere within the socioeconomic study area, within a broader trade area, and within the City as a whole. The products and services offered by the potentially displaced businesses are not expected to be essential to the viability of other businesses within or outside the study area. The Proposed Actions would not result in significant indirect business displacement, and therefore would not indirectly substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

COMMUNITY FACILITIES

The Proposed Actions would not result in significant adverse impacts related to community facilities. Based on a preliminary screening, the RWCDS associated with the Proposed Actions does not exceed the thresholds requiring analyses of health care facilities or fire and police protection services; therefore, there would be no significant adverse impacts on these facilities. The RWCDS exceeds the thresholds for an analysis of public schools (elementary, intermediate, and high schools), public libraries, and public child care facilities, and detailed analyses for these facilities have been prepared.

POTENTIAL INDIRECT EFFECTS ON PUBLIC SCHOOLS

Following the methodologies in the *CEQR Technical Manual*, the study area for the analysis of elementary and intermediate schools is the school districts' "sub-district" (also known as "regions" or "school planning zones") in which the project is located. The Project Area is located in Sub-district 1 of Community School District (CSD) 4; Sub-district 2 of CSD 4; and Sub-district 1 of CSD. High school students routinely travel outside their neighborhoods for school; therefore, the *CEQR Technical Manual* provides for environmental review on a borough-wide basis and the study area for high schools is the entire borough of Manhattan.

Elementary Schools

In the future with the Proposed Actions, for Sub-district 1/CSD 4 and Sub-district 1/CSD 5, the utilization rate of elementary schools would remain below 100 percent and would not result in an increase of five percentage points or more in the collective utilization rate between the future without and the future with the Proposed Actions. Although Sub-district 2/CSD 4 would result in an increase of five percentage points, elementary utilization would remain below 100 percent. Therefore, the Proposed Actions would not result in a significant adverse impact to elementary schools.

Intermediate Schools

In the future with the Proposed Actions, for Sub-district 1/CSD 4, Sub-district 2/CSD 4, and Sub-district 1/CSD 5, the utilization rate of intermediate schools would remain below 100 percent and would not result in an increase of five percentage points or more in the collective utilization rate between the future without and the future with the Proposed Actions. Therefore, the Proposed Actions would not result in a significant adverse impact to intermediate schools.

High Schools

In the future with the Proposed Actions, the increase in the study area high school utilization rate would be substantially lower than the five percentage point increase in utilization that, according to the *CEQR Technical Manual*, could be considered a significant adverse impact. Therefore, the Proposed Actions would not result in significant adverse impacts on high schools.

POTENTIAL INDIRECT EFFECTS ON PUBLIC LIBRARIES

Six New York Public Library neighborhood libraries are located within ¾ mile of the Project Area. While some projected development sites are located within more than one library catchment area, residents are more likely to utilize a library that is closer in proximity and have been assigned to the most proximate library; therefore, the analysis focuses on the residents introduced by the Proposed Actions to the 125th Street Branch, Aguilar Branch, and the Harlem Branch library catchment area. For each of these libraries, the catchment area population increases attributable to the Proposed Actions are below the 5 percent threshold. Therefore, the Proposed Actions would not result in a noticeable change in the delivery of library services.

POTENTIAL INDIRECT EFFECTS ON CHILD CARE FACILITIES

In the future with the Proposed Actions, although the Proposed Actions would result in an increase in utilization of more than five percentage points, utilization would remain below 100 percent. Therefore, the Proposed Actions would not result in a significant adverse impact on publicly funded child care facilities.

OPEN SPACE

The Proposed Actions would not result in significant adverse open space impacts. As described in the *CEQR Technical Manual*, open space can be indirectly affected by a proposed action if the project would add enough population, either residential or non-residential, to noticeably diminish the capacity of open space in the area to serve the future population. A detailed analysis was provided that considered the indirect effects of the population generated by the Proposed Action on open space resources. The analysis finds that the Proposed Actions would not result in significant adverse impacts on open space due to reduced total, active, and passive open space ratios.

An analysis on potential direct effects on open space was also prepared. While the Proposed Actions would result in significant adverse shadow impacts on open spaces, these direct effects would not result in significant adverse open space impacts. No other direct open space effects would result from the Proposed Actions.

DIRECT EFFECTS

According to the *CEQR Technical Manual*, a proposed action may result in a significant adverse direct impact on open space resources if there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users, or an imposition of noise, air pollutant emissions, odors, or shadows on public open space that may alter its usability.

The Proposed Actions would result in significant adverse impacts related to shadows on three open space resources: Eugene McCabe Field, El Catano Garden, and Jackie Robinson Garden. As discussed in Chapter 6, "Shadows," shadows on these resources would affect the utility of the open spaces. The analysis found that although the significant adverse shadow impacts would reduce the utility of the open spaces, the open spaces would continue to be available and provide for other passive or active open space uses and therefore would not be a direct significant adverse open space impact.

INDIRECT EFFECTS

According to the *CEQR Technical Manual*, a proposed action may result in a significant indirect direct impact on open space resources if it would reduce the open space ratio and consequently

result in the overburdening of existing facilities or further exacerbating a deficiency in open space.

As the Proposed Actions would introduce 1,543 new workers and 8,405 residents, an open space analysis was conducted for a non-residential (¼-mile) study area and residential (½-mile) study area. The quantitative assessment finds that the Proposed Actions would increase the residential and worker populations in their respective study areas and place additional demand on open space resources; however, the increased demand would not result in significant adverse impacts.

SHADOWS

A detailed shadow analysis concluded that development resulting from the Proposed Actions could result in significant shadow impacts on three sunlight-sensitive resources. The 102 Projected and Potential Development Sites identified in RWCDS could cast new shadow within the vicinity of the rezoning area. While most of this new shadow would not reach sunlight-sensitive resources due to existing and future intervening structures, new shadows originating from the RWCDS developments could reach 50 resources that are sensitive to sunlight and could potentially be significantly impacted by incremental shadows resulting from the Proposed Actions. Of these resources, 44 are open space resources and 6 are historic resources with architectural features sensitive to shadow. The affected open space resources include publicly accessible open spaces, community gardens, greenstreets, and recreational areas within New York City Housing Authority (NYCHA) housing complexes. The affected architectural features are found on New York City landmarks and other potentially historic buildings.

As explained in detail below, on all representative days of the detailed analysis, a majority of the affected sunlight-sensitive resources could experience less than 1 hour of new shadow from development resulting from the Proposed Actions. Approximately one-third of the affected resources could experience durations of new shadow lasting over 3 hours on at least one analysis day. The detailed analysis found that in all but three cases, the new shadow would not significantly alter the utilization of the open space, the vitality of plant life within the resources, or the public's enjoyment of architectural features on historic resources.

Of the 50 resources affected by new shadow, the detailed analysis found that El Catano Garden, Eugene McCabe Field, and Jackie Robinson Garden could be significantly impacted by new shadow originating from at least one of the RWCDS developments. The duration of incremental shadow cast on some areas of Eugene McCabe Field could reduce the hours of direct sunlight received by the resource by a maximum of nearly nine hours a day, potentially altering the public's use of the resource and its utilization rate. The incremental shadow that could be cast on a majority of the area within El Catano and Jackie Robinson Garden could potentially prevent these open spaces from supporting the same variety of plant life as they could in the No Action Condition.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would result in significant adverse construction-related impacts to four eligible historic architectural resources. In addition, construction activity at two development sites located on the south side of East 128th Street (east of Park Avenue) have the potential to result in significant adverse archaeology impacts associated with burial remains.

ARCHAEOLOGICAL RESOURCES

For the purposes of this analysis, the study area for archaeological resources is limited to sites that may be developed within the rezoning area and include projected as well as potential

development sites. LPC conducted an initial review of the proposed potential and projected development sites. In a comment letter dated November 30, 2016, LPC determined that Potential Development Site V and Projected Development Site 4 possess potential archaeological significance. LPC requested that a Phase 1A Archaeological Documentary Study ("Phase 1A study") of these sites be prepared to further clarify their archaeological sensitivity. The remaining potential and projected development sites were determined by LPC to have no potential archaeological significance and as such, no additional archaeological analysis of those properties is warranted.

A Phase 1A study of Potential Development Site V and Projected Development Site 4 was completed in March 2017.[6] The Phase 1A study focused on an Area of Potential Effect (APE) in the northwestern corner of Sites V and 4, where a church was formerly located. The Phase 1A study identified the potential and projected development sites as potentially sensitive for human remains associated with the churchyard and burial vaults of Saint Andrew's Church, which was formerly located within both development sites. The Proposed Actions therefore possess the potential to have a significant adverse impact on archaeological resources if archaeological resources are present.

The Phase 1A study concluded that Phase 1B archaeological testing is necessary to confirm the presence or absence of human remains on the sites in question as outlined in the 2014 *CEQR Technical Manual* and LPC's 2002 *Guidelines for Archaeological Work in New York City*.

Projected Development Site 4 contains a City-owned lot under the jurisdiction of the New York City Department of Housing Preservation and Development (HPD). The future development of Projected Development Site 4 would be in accordance with HPD requirements, including measures to require prospective sponsors to conduct archaeological testing and if warranted, recovery of human remains. Measures to require a Phase 1B archaeological investigation and any subsequent phases of work (e.g., mitigation), if warranted, would be required through provisions in the Land Disposition Agreement (LDA) between HPD and the project sponsor. The Phase 1B testing will be designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that were identified in the Phase 1A study. Prior to the completion of the Phase 1B archaeological investigation, a Phase 1B Testing Protocol and Human Remains Discovery Plan would be prepared and submitted to LPC for review and concurrence.

In the event that the Phase 1B archaeological investigation determines that Projected Development Site 4 possesses no archaeological sensitivity and that human remains are not present, no further archaeological analysis would be warranted. If the Phase 1B Archaeological Investigation identifies human remains on the development site, then a Phase 2 Archaeological Investigation would be required to determine the vertical and horizontal boundaries of any areas containing human remains and to determine the site's significance and eligibility for listing on the State and National Registers of Historic Places (S/NR). If the Phase 2 investigation determines that the archaeological site is significant and would be impacted by any proposed construction, then mitigation measures including either avoidance or full archaeological excavation in the form of a Phase 3 Archaeological Data Recovery must be developed and

[6] Geismar, Joan H., PhD. (2017): "East Harlem Rezoning Project Archaeological Phase 1A Archaeological for Potential Development Site V and Projected Development Site 4; Block 1175 Manhattan." Prepared for the New York City Department of City Planning and the New York City Department of Housing Preservation and Development; New York, NY.

implemented. If such work is not possible, then this would be considered an impact that cannot be mitigated. Consultation with LPC and the descendant community—should one be identified—would be required throughout all phases of archaeological investigation.

Potential Development Site V is owned by a private entity. There is no mechanism in place to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist. Because there is no mechanism to avoid or mitigate potential impacts at Potential Development Site V, the significant adverse impact would be an unavoidable. In the event that human remains are encountered during the construction of an as-of-right project, it is expected that the developer would contact the New York City Police Department (NYPD) and the New York City Office of the Chief Medical Examiner.

ARCHITECTURAL RESOURCES

The Proposed Actions would result in significant adverse impacts to four architectural resources (St. Paul's Rectory and School, Chambers Memorial Baptist Church, a former stable at 166 East 124th Street, and the Park Avenue Viaduct) as result of construction activities adjacent to eligible historic resources. However, no additional significant adverse impacts associated with direct physical impacts or indirect impacts would occur to architectural resources.

CONSTRUCTION-RELATED IMPACTS TO ADJACENT RESOURCES

The Proposed Actions would result in significant adverse construction-related impacts to four S/NR-Eligible architectural resources located within 90 feet of projected or potential development sites. These S/NR-Eligible architectural resources include St. Paul's Rectory and School, Chambers Memorial Baptist Church, a former stable at 166 East 124th Street, and the Park Avenue Viaduct.

Buildings or structures that are S/NR-Eligible or New York City Landmark (NYCL)-Eligible would be afforded standard protection under the New York City Department of Building's (DOB's) Technical Policy and Procedure Notice (TPPN) #10/88, regulations applicable to all buildings located adjacent (within 90 feet) to construction sites; however, since the resources identified above are not S/NR-Listed or NYCLs, they are not afforded the added special protections under DOB's TPPN #10/88. Additional protective measures afforded under DOB TPPN #10/88, which include a monitoring program to reduce the likelihood of construction damage to adjacent S/NR-Listed resources or NYCLs, would only become applicable if the S/NR-Eligible resources are listed or designated in the future prior to the initiation of construction. Otherwise, there is the potential for inadvertent construction damage and impacts to occur as a result of adjacent development resulting from the Proposed Actions.

Designated NYCL or S/NR-Listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of DOB's TPPN #10/88. As such, development resulting from the Proposed Actions would not cause any significant adverse construction-related impacts to NYCLs and S/NR-Listed resources. This would apply to Projected Development Site 8, which is located directly adjacent to the former Mount Morris Bank (S/NR-Listed and NYCL), Projected Development Site 12, which is located within 90 feet of the Elmendorf Reformed Church (S/NR-Listed), and the Harlem Courthouse (S/NR-Listed and NYCL), and Projected Development Site 21, which is within 90 feet of Fire Engine Company No. 53 (NYCL) and the 28th Police Precinct Station House (NYCL). No significant adverse construction-related impacts would occur to these resources.

DIRECT (PHYSICAL) IMPACTS

Three architectural resources are located on potential and projected development sites. Projected Development Site 41, which is expected to be developed with an approximately 95-foot-tall, approximately 38,000-square-foot residential building with a community facility on the ground floor under the Proposed Actions contains the First Spanish United Methodist Church (Resource #33, S/NR-Eligible). Under the Proposed Actions, Potential Development Site U, which currently contains the Kress Building (Resource #34, S/NR-Eligible), is expected to be developed with an approximately 260-foot-tall, approximately 117,188-square-foot mixed-use building. Potential Development Site O located at 1916 Park Avenue would be rezoned for residential use while maintaining the existing building, Resource #1, S/NR-Eligible. The redevelopment of Site 41 and Site U would result in the demolition of two architectural resources. However, since it is assumed that the First Spanish United Methodist Church and the Kress Building would be redeveloped in the future without the Proposed Actions, redevelopment of these sites under the Proposed Actions would not result in significant adverse impacts. The development of Site O would retain the architectural resource and redevelop it for residential use, which would not be expected to result in a significant adverse impact to the resource. Therefore, no architectural resources would be impacted under the Proposed Actions when compared with No Action Condition.

INDIRECT (CONTEXTUAL) IMPACTS

Although the developments that are anticipated to occur under the Reasonable Worst Case Development Scenario (RWCDS) associated with the Proposed Actions would somewhat alter the setting and visual context of certain architectural resources, such changes would not be significantly adverse. The Proposed Actions would not alter the relationship of any identified architectural resources to the streetscape, since all streets in the study area would remain open and each resource's relationship with the street would remain unchanged in the future with the Proposed Actions. Beyond the direct impacts discussed above, no projected or potential developments would eliminate or substantially obstruct important public views of architectural resources, as all significant elements of these architectural resources would remain visible in view corridors on public streets. Additionally, no incompatible visual, audible, or atmospheric elements would be introduced by the Proposed Actions to any architectural resource's setting under the Proposed Actions as the area around each resource is already varied with buildings dating from the mid-1800s to 2010s and with a variety of building sizes. As such, the Proposed Actions are not expected to result in any significant adverse indirect impacts on architectural resources.

URBAN DESIGN AND VISUAL RESOURCES

The Proposed Actions would not result in any significant adverse impacts to the urban design character or visual resources in the primary or secondary study areas.

The Proposed Actions would allow for new residential and mixed-use developments at a greater density than what is currently permitted as-of-right in the primary study area. These actions would allow for new housing, including affordable housing, along key corridors, particularly Park, Third, and Second Avenues. The increased density would expand the customer base in the area, which would sustain existing and new businesses, thus increasing foot traffic within the area and enhancing the pedestrian experience. While the buildings that could be built under the Proposed Actions could be much taller

than the existing buildings in the area, they would be similar in scale to other new buildings. New developments would be concentrated along major avenues, preserving the low-rise character of the smaller cross streets, particularly north of East 125th Street where contextual zoning would be applied to ensure that new infill development complements the existing residential character by promoting consistent building height and size. The Proposed Actions would create a more consistent streetwall along the avenues, particularly along Park Avenue, which is characterized by parking lots. In addition, the Proposed Actions could potentially allow retail development on New York City Housing Authority (NYCHA) property along Park, Lexington, Third, and Second Avenues, reinforcing the streetwall along these corridors between East 115th and East 112th Streets.

The Proposed Actions would also establish a Special District that would promote non-residential active ground floors, and establish urban design controls such as minimum and maximum base heights, lowering the amount of required parking, and eliminating plaza bonuses. The Proposed Actions would seek to encourage new commercial development and growth potential along the fragmented and underutilized corridors of East 125th Street, East 116th Street, Third Avenue, and Park Avenue by encouraging development on vacant sites.

Large, colorful murals add visual character and serve as a visual resource in the primary study area, with the highest concentration located along Lexington Avenue, south of East 125th Street. While many of the murals are temporary, adding visual interest to walls until new development can occur on vacant lots, the culture of public art contributes to the overall character of East Harlem. A number of existing murals could potentially lose their visibility, due to adjacent development, or be removed as a result of development expected under the With Action Condition, but vibrant street art is expected to continue to be incorporated into the neighborhood.

The Proposed Actions would allow taller buildings throughout much of the Project Area. These new buildings would be constructed within the existing street grid and existing view corridors are not expected to be affected as a result of the Proposed Actions. The Proposed Actions would not obscure views of the three churches that are considered visual resources north of East 125th Street. Due to the presence of the Park Avenue Viaduct, views along Park Avenue would continue to be limited with the Proposed Actions. View corridors along the east-west cross streets and south of East 116th Street would remain unaffected by the Proposed Actions. The taller buildings projected to be developed along Second and Third Avenues would limit some views; however, because of the width of these avenues, views would not be eliminated.

NATURAL RESOURCES

The analysis found that the Proposed Actions would not result in significant adverse impacts to natural resources.

Projected development resulting from the Proposed Actions would not adversely affect the floodplain, or increase flooding within or adjacent to the Project Area. Projected development sites would comply with New York City Building Codes for construction within the 100-year

and 500-year floodplains. In addition, construction of any subsurface stormwater source control best management practices (BMPs), as described in "Water and Sewer Infrastructure," below, would not result in significant adverse impacts to the direction of groundwater flow toward the Harlem River.

Development anticipated under the RWCDS associated with the Proposed Actions would result in the disturbance of paved road/paths, mowed lawns with trees, urban vacant lots, and urban structure exterior habitats. These ecological communities provide limited habitats to wildlife apart from those species common to urban areas. Loss of these habitats may adversely affect individual wildlife unable to find suitable available habitats in the vicinity of the study area. Loss of individuals of these common species would not result in significant adverse impacts to populations of these species within the New York City metropolitan region. Landscaping associated with any development that results from the Proposed Actions, such as street tree plantings, has the potential to improve ecological communities and habitats for wildlife during operation of the Proposed Actions.

HAZARDOUS MATERIALS

No significant adverse impacts related to hazardous materials would occur with the Proposed Actions. The potential for significant adverse impacts related to hazardous materials would be precluded through the placement of (E) Designations for projected and potential development sites. For public sites identified in the City's affordable housing pipeline, Land Disposition Agreements (LDA) or comparable binding documents between the City of New York and prospective developers would require measures similar to that of an (E) Designation. An (E) Designation for hazardous materials requires, prior to change of use or redevelopment requiring ground disturbance, that the fee-owner of the property conduct a Phase I Environmental Site Assessment (ESA), subsurface testing and remediation, where appropriate, to the satisfaction of the New York City Mayor's Office of Environmental Remediation (OER). The DOB permits associated with such actions cannot be issued without OER approval. The OER review would ensure protection of human health and the environment from known or suspected hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The Proposed Actions would not result in significant adverse impacts to the City's water supply, wastewater treatment, and stormwater management systems.

WATER SUPPLY

The Proposed Actions would not result in significant adverse impacts on the City's water supply system. The 68 projected development sites are expected to generate a water demand of approximately 2,708,370 gallons per day (gpd) in the With Action Condition, an increase of 1,492,452 gpd, or approximately 1.5 million gallons per day (mgd) compared with demand in the No Action Condition. Future incremental demand from the projected development sites would be dispersed throughout the Project Area and would represent approximately 0.15 percent of the City's average daily water supply of approximately one billion gpd.

WASTEWATER TREATMENT

In the With Action Condition, wastewater from the projected development sites would continue to be treated by the Wards Island Wastewater Treatment Plant (WWTP). Developments on the projected development sites in the With Action Condition are expected to generate a total of approximately 1,627,022 gpd of sanitary sewage, an increase of 902,870 gpd over the No Action

Condition. With an existing average flow of 200 mgd and the addition of approximately 0.9 mgd on the projected development sites, the Wards Island WWTP would continue to have reserve capacity. Therefore, no significant adverse impacts to the City's wastewater treatment services would occur as a result of the Proposed Actions.

STORMWATER AND DRAINAGE MANAGEMENT

The 68 projected development sites are located within eight subcatchment areas of the Wards Island WWTP. With the increase in sanitary flow resulting from denser development, as well as the increase in fully impervious rooftop area, the Proposed Actions would result in increased flow to the combined sewer system in all subcatchment areas during rainfall events. Increased volumes and flows would be conveyed to the Wards Island WWTP or discharged directly to the East River, depending on rainfall volume and duration. Because of the available capacity of the Wards Island WWTP, the projected increased flows to the combined sewer system would not have a significant adverse impact on water quality. With the incorporation of stormwater source control BMPs that would be implemented on each Projected Development Site by its respective developer in accordance with the City's site connection requirements, the peak stormwater runoff rates would be reduced as compared with existing conditions (the development sites are unlikely to provide significant detention in their current condition). Therefore, the Proposed Actions would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

SOLID WASTE

The analysis finds that the Proposed Actions would not result in a significant adverse impact on solid waste and sanitation services. The Proposed Actions would not directly affect a solid waste management facility. Development resulting from the Proposed Actions would generate an increment above the No Action Condition of approximately 133.3 tons per week of solid waste, of which approximately 55 percent (73.1 tons) would be handled by the New York City Department of Sanitation (DSNY), and 45 percent (60.1 tons) would be handled by private carters. This correlates to approximately 9.9 additional truckloads per week of solid waste handled by DSNY, and between 7.9 and 9.9 additional truckloads per week handled by private carters. Although this would be an increase compared with the conditions in the Future without the Proposed Actions, the additional solid waste resulting from the Proposed Actions would be negligible increase relative to the approximately 12,260 tons of solid waste handled by the DSNY every day, or the 13,000 tons handled by private carters.[7] As such the Proposed Actions would not result in an increase in solid waste that would overburden available waste management capacity. The Proposed Actions would not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the Solid Waste Management Plan (SWMP).

ENERGY

The Proposed Actions would not result in a significant adverse impact on energy systems. In the Future with the Proposed Actions (the With Action Condition), the RWCDS would result in increased demand of approximately 516,576,883 British Thermal Units (BTUs) of energy per year as compared with future conditions without the Proposed Actions (the No Action Condition). This increase in annual demand represents approximately 0.1 percent of the

[7] About DSNY: http://www1.nyc.gov/assets/dsny/about/inside-dsny.shtml.

projected service demand for New York City in the 2027 analysis year. The Proposed Actions would generate an incremental increase in energy demand that would be negligible when compared with the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Therefore, no significant adverse energy impacts would occur.

Any new development resulting from the Proposed Actions would be required to comply with New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with this code, new development must meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance.

TRANSPORTATION

A detailed transportation analysis was conducted and concludes that the Proposed Actions would result, as detailed below, in significant adverse impacts to: a) vehicular traffic at 26 intersections, b) six subway stairs at three stations, c) public bus service on one route, and d) pedestrians at one sidewalk.

TRAFFIC

Traffic conditions were evaluated for the weekday 7:30-8:30 a.m., 1:30-2:30 p.m. (midday) and 4:30-5:30 p.m. and Saturday 4:00-5:00 p.m. peak hours at 50 intersections in the traffic study area where additional traffic resulting from the Proposed Actions would be most heavily concentrated. As summarized in **Tables S-2 and S-3**, the traffic impact analysis indicates the potential for significant adverse impacts at 26 intersections (all signalized) during one or more analyzed peak hours. Significant adverse impacts were identified to 31 lane groups at 19 intersections during the weekday AM peak hour, 15 lane groups at 12 intersections in the midday peak hour, 32 lane groups at 22 intersections in the PM peak hour and 19 lane groups at 16 intersections during the Saturday peak hour.[8] "Mitigation," below, discusses potential measures to mitigate these significant adverse traffic impacts.

Table S-2
Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday Midday**
Impacted Lane Groups	31	15	32	19
Impacted Intersections	19	12	22	16

[8] Shortly before publication of this DEIS, a new set of traffic signal plans were implemented at a number of study area intersections along Second and Third Avenues. The traffic analyses will be revised between the DEIS and FEIS and, as a consequence, there is the potential for additional significant adverse traffic impacts to be identified.

Table S-3
Summary of Significantly Impacted Intersections

Signalized Intersection	Peak Hour			
	Weekday AM	Weekday Midday	Weekday PM	Saturday
East 106th Street (EB/WB) & First Avenue (NB)	X			X
East 125th Street (EB/WB) & First Avenue/Willis Avenue Bridge (SB)		X	X	
East 106th Street (EB/WB) & Second Avenue (SB)	X	X	X	X
East 119th Street (WB) & Second Avenue (SB)				X
East 120th Street (EB) & Second Avenue (SB)	X		X	
East 125th St (EB/WB)/RFK Bridge (WB) & Second Avenue (SB)	X	X	X	X
East 126th Street (WB) & Second Avenue (SB)/RFK Bridge Exit (NB)	X	X	X	X
East 127th Street (EB) & Second Avenue (SB)	X		X	
East 128th Street (EB) & Second Avenue (SB)			X	
East 116th Street (EB/WB) & Third Avenue (NB)	X		X	
East 122nd Street (EB) & Third Avenue (NB)	X			
East 124th Street (EB) & Third Avenue (NB)				X
East 125th Street (EB/WB) & Third Avenue (NB)	X	X	X	X
East 126th Street (WB) & Third Avenue (NB)	X		X	X
East 120th Street (EB) & Lexington Avenue (SB)			X	
East 125th Street (EB/WB) & Lexington Avenue (SB)	X	X	X	X
East 126th Street (WB) & Lexington Avenue (SB)		X	X	X
East 111th Street (WB) & Park Avenue (NB)	X	X	X	X
East 119th Street (WB) & Park Avenue (NB)	X	X	X	X
East 120th Street (EB) & Park Avenue (NB)	X		X	
East 128th Street (EB) & Park Avenue (NB)			X	
East 119th Street (WB) & Park Avenue (SB)	X	X	X	X
East 120th Street (EB) & Park Avenue (SB)	X		X	X
East 128th Street (EB) & Park Avenue (SB)	X	X	X	X
East 116th Street (EB/WB) & Madison Avenue (NB)	X		X	X
East 119th Street (WB) & Madison Avenue (NB)	X	X	X	
Total Impacted Intersections	19	12	22	16

X - denotes intersection significantly impacted in peak hour.

TRANSIT

Unrelated to the Proposed Actions, the MTA is planning to construct in the foreseeable future three additional subway stations in proximity to the Project Area under Phase II of the Second Avenue Subway. This is expected to result in a shift of demand from other travel modes (auto, taxi, and local bus) to the subway mode and a shift in subway ridership from existing Lexington Avenue Line subway stations in proximity to the Project Area to the new Second Avenue Line stations. Detailed designs for the three new stations and operating parameters for the extended subway service were not available at the time this EIS was prepared. Therefore, to be conservative, the quantitative transit analyses in this EIS assess conditions without Phase II of the Second Avenue Subway, and do not assume any improvement to study area local bus conditions or Lexington Avenue Line subway station or line haul conditions due to a shift of demand to the Second Avenue Line by the 2027 analysis year. Future transit conditions with Phase II of the Second Avenue Subway are discussed qualitatively based on data cited the 2004 *Second Avenue Subway FEIS.*

SUBWAY

Subway Stations

The Proposed Actions would generate a net increment of approximately 2,350 and 2,716 new subway trips during the weekday AM and PM commuter peak hours. The analysis of subway station conditions focuses on a total of four MTA New York City Transit (NYCT) subway

stations in proximity to the Project Area where incremental demand from the Proposed Actions would exceed the 200-trip *CEQR Technical Manual* analysis threshold in one or both peak hours. These include the following stations, all of which are served by Nos. 4, 5 and/or 6 trains operating on the Lexington Avenue Line:

- 103rd Street (6)
- 110th Street (6)
- 116th Street (6)
- 125th Street (4, 5, 6)

As summarized in **Table S-4**, in the future with the Proposed Actions, a total of six stairs at three stations would be significantly adversely impacted by project-generated demand in one or both peak hours. These would include one street stair at the 103rd Street station, one street stair at the 116th Street station and two street stairs and two platform stairs at the 125th Street station. There would be no significant adverse impacts to any fare arrays at analyzed subway stations under the Proposed Actions.

Table S-4
Summary of Significant Subway Station Impacts

Subway Station	Station Element	Impacted Time Period
103rd Street (6)	Street Stair S4/M4	AM/PM
116th Street (6)	Street Stair S3/P3	AM
125th Street (4,5,6)	Street Stair S2/M2	AM
	Street Stair S3/M3	AM/PM
	Platform Stair P2	AM/PM
	Platform Stair P3	AM/PM

Completion of three new subway stations in proximity to the Project Area under Phase II of the Second Avenue Subway would reduce demand at existing Lexington Avenue Line stations as well as provide new and/or expanded entrances and pedestrian circulation spaces at the 125th Street Lexington Avenue Line station. The Proposed Actions would also generate fewer peak hour trips at analyzed Lexington Avenue Line stations as it is anticipated that a number of those trips would instead utilize the three new Second Avenue Line stations. Therefore, it is likely that some, if not all of the Proposed Actions' significant peak hour stair impacts at Lexington Avenue Line subway stations would not occur with implementation of Phase II of the Second Avenue Subway.

Subway Line Haul

The Project Area is served by five NYCT subway routes—the Nos. 4 and 5 express trains and No. 6 local train operating along the Lexington Avenue Line and the Nos. 2 and 3 express trains operating along the Lenox Avenue and Broadway-Seventh Avenue lines. The peak direction of travel on these lines is typically southbound in the AM peak hour and northbound in the PM peak hour.

In the future with the Proposed Actions, the combined Nos. 2/3 express service would operate over capacity in the peak direction in both peak hours, while the combined Nos. 4/5 service is expected to operate over capacity in the peak direction in the AM and near capacity in the PM. No. 6 service would continue to operate below capacity in the peak direction in both periods. As all of the analyzed subway routes are expected to experience an average incremental increase of less than five peak direction persons per car in both the AM and PM peak hours with the

Proposed Actions, there would be no significant adverse subway line haul impacts in either period based on *CEQR Technical Manual* criteria.

Completion of Phase II of the Second Avenue Subway would substantially reduce No Action line haul demand on the Lexington Avenue Line. The Proposed Actions would also generate fewer trips on the Lexington Avenue Line as it is anticipated that a substantial number would instead utilize the Second Avenue Line. Therefore, the over-capacity conditions on the Nos. 4/5 express service in the AM may not occur in 2027 with completion of Phase II of the Second Avenue Subway.

BUS

The Project Area is served by a total of 13 local bus routes, six Limited (LTD) bus routes and two Select Bus Service (SBS) routes operated by the MTA. The Proposed Actions would generate a net total of approximately 511 and 617 incremental bus trips on these routes during the weekday AM and PM peak hours, respectively. A preliminary screening assessment concluded that new demand from the Proposed Actions would exceed the 50-trip per direction *CEQR Technical Manual* analysis threshold in the AM and/or PM peak hour at the maximum load points along the M15 SBS and the M101 LTD routes.

Based on projected levels of bus service in the No Action condition, the Proposed Actions would result in a passenger capacity shortfall of 22 on southbound M15 SBS buses in the AM peak hour. Therefore, based on *CEQR Technical Manual* impact criteria, southbound M15 SBS buses would be significantly adversely impacted in the AM (refer to **Table S-5**). The additional trips on the M101 LTD route fall short of triggering an impact on that route, based on *CEQR Technical Manual* impact criteria. The significant adverse impact to the M15 SBS could be fully mitigated by the addition of one bus in the southbound direction in the AM peak hour. The general policy of the MTA is to provide additional bus service where demand warrants, taking into account financial and operational constraints.

It is anticipated that both No Action and project-generated demand on the analyzed M15 SBS and M101 LTD routes (both of which run parallel to the Second Avenue Subway) would be reduced and that AM and PM peak hour line haul conditions on these buses would be improved with completion of Phase II of the Second Avenue Subway. Therefore, the over-capacity condition on the southbound M15 SBS service in the AM peak hour under the Proposed Actions would likely not occur in 2027 with completion of Phase II of the Second Avenue Subway.

Table S-5
Summary of Significant Local Bus Impacts

Route	Direction	Impacted Time Period
M15 SBS	SB	AM

PEDESTRIANS

The Proposed Actions would generate a net increment of approximately 665 walk-only trips in the weekday AM peak hour, 1,559 in the weekday midday, 1,460 in the weekday PM, and 1,835 in the Saturday peak hour. Persons en route to and from subway station entrances and bus stops would add 2,861, 1,621, 3,333, and 2,676 additional pedestrian trips to rezoning area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at a total of 93 representative pedestrian elements where new trips generated by projected developments are expected to be most concentrated. These elements—32 sidewalks,

47 corner areas, and 14 crosswalks—are primarily located in the vicinity of major projected development sites and corridors connecting these sites to area subway station entrances and bus routes. As shown in **Table S-6**, based on *CEQR Technical Manual* criteria, under the Proposed Actions, one sidewalk would be significantly adversely impacted by the Proposed Actions in all four analyzed peak hours, and there would be no significant impacts to any corner areas or crosswalks. The removal of a tree pit at a constrained point on the impacted sidewalk would fully mitigate the Proposed Actions' significant adverse impact.

As also shown in **Table S-6**, under a scenario with completion of Second Avenue Subway Phase II in 2027, it is anticipated that the north and south crosswalks on Park Avenue at East 125th Street would also be significantly adversely impacted in the AM peak hour. Widening the segment of the north crosswalk west of the Park Avenue median by 1.5 feet (to a total of 19.5 feet) and the segment of the south crosswalk east of the median by 0.5 feet (to a total of 18.5 feet) would fully mitigate these impacts.

Table S-6
Summary of Significant Pedestrian Impacts

Corridor/Intersection	Impacted Element	Peak Hour			
		Weekday AM	Weekday Midday	Weekday PM	Saturday
Proposed Actions					
East 125th Street between Lexington Ave and Park Ave	South Sidewalk	X	X	X	X
Proposed Actions with Second Avenue Subway Phase II					
East 125th Street between Lexington Ave and Park Ave	South Sidewalk	X	X	X	X
East 125th Street at Park Avenue	North Crosswalk	X			
East 125th Street at Park Avenue	South Crosswalk	X			

VEHICULAR AND PEDESTRIAN SAFETY

In proximity to the Project Area, East 125th Street and First, Second, and Third Avenues were all identified as Priority Corridors in the *Vision Zero Manhattan Pedestrian Safety Action Plan*, and Park Avenue at East 125th Street and Madison Avenue at East 116th Street were identified as Priority Intersections. No Priority Areas were identified in proximity to the Project Area. The New York City Department of Transportation (DOT) has also designated a Senior Pedestrian Focus Area in East Harlem extending from East 91st Street to East 110th Street between First and Fifth Avenues.

Crash data for the traffic and pedestrian study area intersections were obtained from DOT for the three-year reporting period between January 1, 2012, and December 31, 2014 (the most recent period for which data were available for all locations). During this period, a total of 589 reportable and non-reportable crashes, 170 pedestrian/bicyclist-related injury crashes, and four fatalities occurred at study area intersections. A review of the crash data identified the eight intersections listed in **Table S-7** as high crash locations (defined as those with 48 or more total reportable and non-reportable crashes or five or more pedestrian/bicyclist injury crashes occurring in any consecutive 12 months of the most recent three-year period for which data are available).

All but one of these intersections are classified as high crash locations based on the number of crashes that occurred in 2013, and at all of these locations, the number of pedestrian and bicycle-related crashes declined markedly from 2013 to 2014. Six of the eight intersections identified as high crash locations in 2012 and 2013 experienced no pedestrian or bicycle-related crashes in 2014. The reductions in the crash rates at analyzed intersections subsequent to 2013 likely reflect implementation of safety improvement measures under the Safe Streets for Seniors Program and other City initiatives in recent years. Further improvements that could be employed to increase pedestrian/bicyclist safety at high crash locations include modification of signal timing plans to accommodate slower walking speeds, improvements to street lighting and the installation of additional high visibility crosswalks.

Table S-7
High Crash Locations

Intersection	Total Pedestrian/Bicycle Injury Crashes			Total Crashes (Reportable +Non-Reportable)		
	2012	2013	2014	2012	2013	2014
Second Avenue at East 125th Street	1	6	0	10	16	8
Third Avenue at East 106th Street	4	5	2	4	7	5
Third Avenue at East 110th Street	3	5	0	5	7	2
Third Avenue at East 116th Street	3	5	0	6	8	1
Third Avenue at East 118th Street	0	5	0	1	8	1
Lexington Avenue at East 116th Street	6	3	0	8	4	0
Lexington Avenue at East 125th Street	1	8	0	5	19	5
Park Avenue at East 125th Street	2	12	2	4	18	9

PARKING

The parking analysis documents changes in parking supply and utilization within a study area extending ¼-mile from projected development sites. Within this study area there are a total of 23 off-street public parking lots and garages of which six are located on projected development sites. Two of these facilities would be displaced by new development under the Proposed Actions while four would be displaced under both the No Action and With Action conditions.

Under the Proposed Actions, the Special East Harlem Corridors District would eliminate the underlying accessory residential parking requirements within the Project Area. The With Action RWCDS assumes that a total of 341 accessory parking spaces would be provided on nine of the projected development sites compared to the approximately 224 accessory spaces that would be provided under the No Action RWCDS. The total number of accessory spaces in the With Action condition conservatively assumes that up to 30 percent of new residential development would be designated as affordable and would therefore not include accessory parking.

After accounting for new parking demand and the number of required accessory spaces provided on a site-by-site basis under the RWCDS, it is estimated that compared to the No Action condition, incremental parking demand from new development associated with the Proposed Actions would total approximately 448 spaces at off-street public parking facilities and on-street in the weekday midday period and 410 spaces during the overnight period. In addition, under the Proposed Actions, a total of 110 spaces in two existing public parking facilities located on projected development sites would be displaced, and no new public off-street parking capacity would be provided. Based on these changes in parking supply and demand, it is estimated that in the future with the Proposed Actions there would be a deficit of approximately 174 spaces of on-street and off-street public parking capacity within ¼-mile of projected development sites in the

weekday midday period, while approximately 1,579 on-street spaces would remain available during the overnight period. The deficit in the midday period would reflect project demand not otherwise accommodated in accessory or off-street public parking facilities as well as demand displaced from existing parking facilities on projected development sites. The greatest parking shortfalls would occur in the northern half of the Project Area as this is where much of the new incremental demand would be concentrated and where most of the existing parking capacity that would be displaced under the RWCDS is located. While some drivers destined for the Project Area would potentially have to travel a greater distance (e.g., between ¼ and ½-mile) to find available parking in the midday, this shortfall would not be considered a significant adverse impact based on *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation. Therefore, the Proposed Actions are not expected to result in significant adverse parking impacts during the weekday midday peak period for commercial and retail parking demand, nor during the overnight peak period for residential demand.

AIR QUALITY

The analyses conclude that the Proposed Actions would not result in any significant adverse air quality impacts on sensitive uses in the surrounding community, and the Proposed Actions would not be adversely affected by existing sources of air emissions in the rezoning area. A summary of the general findings is presented below.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems at the projected and potential development sites. At certain sites, an (E) Designation (E-422) would be mapped in connection with the Proposed Actions to ensure that future developments would not result in any significant air quality impacts from fossil fuel-fired heat and hot water systems emissions. For the City-owned parcels (located within Projected Development Sites 4, 5 and 27), restrictions would be necessary to ensure that emissions from fossil fuel-fired heat and hot water systems would not result in any significant air quality impacts. These restrictions would be set forth in a Land Disposition Agreement (LDA) to ensure that the developer(s) satisfy these restrictions with oversight provided through the Department of Housing Preservation and Development (HPD).

An analysis of the cumulative impacts of industrial sources on projected and potential development sites was performed. Maximum concentration levels at projected and potential development sites were found to be below the air toxic guideline levels and health risk criteria established by regulatory agencies, and below National Ambient Air Quality Standards (NAAQS). Large and major emissions sources within 1,000 feet of a projected or potential development site were also analyzed, and the analysis concluded that these sources would not result in significant adverse air quality impacts on any projected or potential development sites.

The parking facilities assumed to be developed as a result of the Proposed Actions were analyzed for potential air quality effects. The analysis found that these parking facilities would not be expected to result in any significant adverse air quality impacts.

Since the Proposed Actions would not exceed the thresholds referenced in the *CEQR Technical Manual* for mobile source analyses during any traffic peak period, no analysis is required. Based on the CEQR Technical Manual guidelines, since the relevant thresholds were not exceeded, the Proposed Actions would not have any significant impact on air quality from mobile sources.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

An assessment that evaluates the greenhouse gas (GHG) emissions that would be generated as a result of the Proposed Actions and their consistency with the citywide GHG reduction goals has been included in this EIS. It is estimated that the building energy use and vehicle use associated with the Proposed Actions would result in up to approximately 79 thousand metric tons of carbon dioxide equivalent (CO_2e) emissions per year. It was found that the Proposed Actions are consistent with the applicable City GHG emissions reduction and climate change goals, and there would be no significant adverse GHG emission or climate change impacts as a result of the Proposed Actions.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials' carbon intensity.

Since the Proposed Actions would involve zoning changes that would predominantly affect privately controlled properties, decisions regarding construction and building design for those sites, which would affect energy use and GHG emissions, would be made by developers under the building code requirements in effect at the time. The City is addressing citywide building energy efficiency and other GHG-related design questions through its ongoing long-term GHG policy development and implementation process.

Some of the development sites considered in the analysis may require specific energy efficiency measures beyond the code requirements (e.g. if developers apply for affordable housing construction funding). Projected Development Sites 4, 5, 10, 27, and 69, portions of which are owned by the City, would be developed as per a contractual agreement with the New York City Department of Housing Preservation and Development (HPD). Development at these sites would meet sustainable design requirements which would result in lower GHG emissions—these features would be specified and required through the disposition and development contracts or other legally binding agreements between the City and developer(s).

The Proposed Actions would support other GHG goals by virtue of the nature and location of the projected development, i.e., their proximity to public transportation; and their use of natural gas (i.e., would be required to use natural gas due to (E) Designations for air quality). The Proposed Actions would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

Regarding resilience to potential climate conditions, the City's long-term process for addressing coastal flooding risk in New York City may ultimately include large-scale projects providing coastal protection. The Proposed Actions would not adversely affect other resources (including ecological systems, public access, visual quality, water-dependent uses, infrastructure, and adjacent properties) due to climate change.

NOISE

The analysis finds that, with the incorporation of noise attenuation requirements set forth in (E) Designation (E-422) applicable to privately owned sites, or required through a Land Disposition Agreement for sites under City jurisdiction, the Proposed Actions would not result in any significant adverse noise impacts. The noise analysis determined that the projected and potential development sites included in the Proposed Actions would require between 28 and 44 dBA window/wall attenuation to meet applicable *CEQR Technical Manual* interior noise level requirements and between 25 and 40 dBA window/wall attenuation to meet applicable U.S.

Department of Housing and Urban Development (HUD) interior noise level guidelines, where applicable. These attenuation requirements would be included in Noise (E) Designation E-422 (or required through a Land Disposition Agreement or comparable mechanism for City-owned sites). With these attenuation measures, the Proposed Actions are not expected to result in significant adverse impacts related to noise.

PUBLIC HEALTH

The Proposed Actions would not result in significant adverse public health impacts. As described in the relevant analyses of this Environmental Impact Statement (EIS), the Proposed Actions would not result in unmitigated significant adverse impacts in the areas of air quality, operational noise, water quality, or hazardous materials. However, as discussed in Chapter 20, "Construction," the Proposed Actions could result in unmitigated construction noise impacts as defined by *CEQR Technical Manual* thresholds. As such, it was determined that a public health assessment as to construction noise was appropriate. The assessment was conducted, and for the reasons discussed below, it was determined that the construction noise impact would not generate a significant adverse public health impact.

NEIGHBORHOOD CHARACTER

As discussed below, the Proposed Actions would not result in significant adverse impacts associated with neighborhood character. The Project Area and surrounding study area encompass the entirety of the East Harlem neighborhood of Manhattan. As described elsewhere in this EIS, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; and noise. Although significant adverse impacts would occur with respect to historic resources, shadows and transportation, these impacts would not result in a significant change to one of the determining elements of neighborhood character.

CONSTRUCTION

Construction of the proposed project—as is the case with most large construction projects—would result in temporary disruptions in the surrounding area. As described in detail below, construction activities associated with the Proposed Actions would result in temporary significant adverse noise and historic and cultural resources impacts and potentially transportation impacts. Additional information for key technical areas is summarized below.

TRANSPORTATION

Construction travel demand is expected to peak in the second quarter of 2021, and the first quarter of 2025 was selected as a reasonable worst-case analysis period for assessing potential cumulative transportation impacts from operational trips from completed portions of the project and construction trips associated with construction activities. Both of these periods are therefore analyzed for potential transportation impacts during construction.

Traffic

During construction, traffic would be generated by construction workers commuting via autos and by trucks making deliveries to projected development sites. In 2021 and 2025, traffic conditions during the 6 to 7 AM and 3 to 4 PM construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2027. Consequently, there would be less likelihood of significant adverse traffic impacts during both the 2021 peak construction period and the 2025 cumulative analysis

period than with full build-out of the Proposed Actions in 2027. Any significant adverse traffic impacts during peak construction activity in 2021 would be most likely to occur at intersections in the immediate proximity of the projected development sites under construction at that time, which would be widely dispersed throughout the Project Area. It is expected that the mitigation measures identified for 2027 operational traffic impacts would also be effective at mitigating any potential impacts from construction traffic during both the 2021 period for peak construction activity and the 2025 construction and operational cumulative analysis period.

Transit

The construction sites are located in an area that is well served by public transportation, with a total of eight subway stations, 21 bus routes, and one commuter rail station located in the vicinity of the Project Area. In 2021 and 2025, transit conditions during the 6 to 7 AM and 3 to 4 PM construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2027 as incremental demand would be lower during construction, and most construction trips would not occur during the peak hours of commuter demand. Consequently, there would be less likelihood of significant adverse subway and bus transit impacts during both the 2021 peak construction period and the 2025 cumulative analysis period than with full build-out of the Proposed Actions in 2027. It is expected that the mitigation measures identified for 2027 operational transit impacts would also be effective at mitigating any potential impacts from construction subway and bus trips during both the 2021 period for peak construction activity and the 2025 construction and operational cumulative analysis period.

Pedestrians

In 2021, pedestrian trips by construction workers would be widely distributed among the 13 projected development sites that would be under construction in this period and would primarily occur outside of the weekday AM and PM commuter peak periods and weekday midday and Saturday peak periods when area pedestrian facilities typically experience their greatest demand. No single sidewalk, corner, or crosswalk is expected to experience 200 or more peak-hour trips, the threshold below which significant adverse pedestrian impacts are considered unlikely to occur based on *CEQR Technical Manual* guidelines. Consequently, significant adverse pedestrian impacts in the 2021 peak construction period are not anticipated.

In 2025, pedestrian conditions during the 6 to 7 AM and 3 to 4 PM construction peak hours are expected to be generally better than during the analyzed operational peak hours with full build-out of the Proposed Actions in 2027. The Proposed Actions' significant adverse sidewalk impact would therefore be less likely to occur during this construction period than with full build-out of the Proposed Actions in 2027. It is expected that the mitigation measure identified for the 2027 operational pedestrian impact in Chapter 21, "Mitigation," would also be effective at mitigating any potential impact from construction pedestrian trips during the 2025 construction period.

Parking

Construction worker parking demand would be equivalent to approximately 54 spaces in the 2021 (second quarter) peak construction period and 38 spaces during the 2025 (first quarter) analysis period for cumulative construction and operational travel demand. While this demand would potentially contribute to a parking shortfall in the midday within ¼ mile of projected development sites, it would not be considered a significant adverse parking impact under *CEQR*

Technical Manual criteria given the availability of alternative modes of transportation near the Project Area.

AIR QUALITY

Measures would be taken to reduce pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes as well as New York City Local Law 77. These include dust suppression measures, idling restriction, and the use of ultra-low sulfur diesel (ULSD) fuel and best available tailpipe reduction technologies. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both on-site and on-road sources determined that particulate matter ($PM_{2.5}$ and PM_{10}), annual-average nitrogen dioxide (NO_2), and carbon monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or National Air Quality Ambient Standards (NAAQS), respectively. Therefore, construction under the Proposed Actions would not result in significant adverse air quality impacts due to construction sources.

NOISE AND VIBRATION

Noise

Based on the construction stage predicted to occur at each development site according to the conceptual construction schedule during each of the selected analysis periods, each receptor expected to an experience exceedance of the *CEQR Technical Manual* noise impact threshold was determined for each period. One peak construction period per year was analyzed, from 2018 to 2027. Based on these determinations, receptors where noise level increases are predicted to exceed the noise impact threshold criteria for two or more consecutive years were identified.

The noise analysis results show that the predicted noise levels could exceed the *CEQR Technical Manual* impact criteria throughout the rezoning area. This analysis is based on a conceptual site plan and construction schedule. It is possible that the actual construction may be of less magnitude, or that construction on multiple projected development sites may not overlap, in which case construction noise would be less intense than the analysis predicts.

Vibration

The buildings of most concern with regard to the potential for structural or architectural damage due to vibration would be historic buildings, Metro-North Railroad structures and other structures immediately adjacent to the projected development sites. Since these historic buildings and structures would be within 90 feet of the projected development sites, vibration monitoring would be required per New York City Department of Buildings (DOB) Technical Policy and Procedure Notices (TPPN) #10/88 regulations, and PPV during construction would be prohibited from exceeding the 0.50 inches/second threshold.

For non-historic buildings and other structures immediately adjacent to projected development sites, vibration levels within 25 feet may result in peak particle velocity (PPV) levels between 0.50 and 2.0 in/sec, which is generally considered acceptable for a non-historic building or structure.

In terms of potential vibration levels that would be perceptible and annoying, the equipment that would have the most potential for producing levels that exceed the 65 vibration decibels (VdB) limit is also the pile driver. However, the operation would only occur for limited periods of time at a particular location and therefore would not result in any significant adverse impacts.

Consequently, there is no potential for significant adverse vibration impacts under the Proposed Actions

HISTORIC AND CULTURAL RESOURCES

A detailed assessment of potential impacts on historic and cultural resources, including both archaeological and architectural resources, is described in Chapter 7, "Historic and Cultural Resources." The Proposed Actions would result in significant adverse construction-related impacts to four eligible historic resources. In addition, construction activity at two development sites located on the south side of East 128th Street (east of Park Avenue) have the potential to result in significant adverse archaeology impacts associated with burial remains.

I. MITIGATION

The Proposed Actions would result in significant adverse impacts related to shadows, historic and cultural resources, transportation (traffic, pedestrians, and transit), and construction (noise). Mitigation measures being proposed to address those impacts, where feasible and/or practical, are discussed below. If no possible mitigation can be identified, an unavoidable significant adverse impact would result.

SHADOWS

As described in Chapter 6, "Shadows," the Proposed Actions would result in significant adverse impacts to three open space resources. The detailed analysis found that El Catano Garden, Eugene McCabe Field, and Jackie Robinson Garden would be significantly impacted by new shadow originating from projected and potential development sites. The duration or extent of incremental shadow cast on these open spaces would be great enough to significantly impact the use of the open space or its ability to support vegetation.

Possible measures that could mitigate significant adverse shadow impacts on open spaces may include relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; undertaking additional maintenance to reduce the likelihood of species loss; or providing replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space site plan to provide for replacement facilities, vegetation, or other features. In addition, the *CEQR Technical Manual* identifies strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of a proposed development that creates the significant adverse shadow impact. The New York City Department of City Planning (DCP), as lead agency, will explore possible mitigation measures with the New York City Department of Parks and Recreation (NYC Parks) between the DEIS and FEIS.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 7, "Historic and Cultural Resources," the Proposed Actions would result in significant adverse construction-related impacts to several historic buildings. In addition, construction activity at two development sites located on the south side of East 128th Street (east of Park Avenue) have the potential to result in significant adverse archaeology impacts associated with burial remains.

ARCHITECTURAL RESOURCES

The Proposed Actions would result in significant adverse construction-related impacts to four eligible architectural resources located within 90 feet of projected or potential development sites. The impacted resources include:

- St. Paul's Rectory and School (Resource #17, State and National Registers of Historic Places [S/NR]-Eligible) is located within 90 feet of Potential Development Site C;
- Chambers Memorial Baptist Church (Resource #28, S/NR-Eligible) is located within 90 feet of Potential Development Site AI;
- 166 East 124th Street (Resource #27, S/NR-Eligible) is located within 90 feet of Projected Development Site 11; and
- The Park Avenue Viaduct (Resource #39, S/NR-Eligible) is located within 90 feet of several projected and potential development sites.

Designated New York City Landmarks (NYCL) or S/NR-Listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of DOB's TPPN #10/88. The four resources listed above are not NYCLs or S/NR-Listed, therefore they would not be afforded any of the protections under TPPN #10/88. If the eligible resources are designated in the future prior to the initiation of construction, the protective measures of TPPN #10/88 would apply and significant adverse impacts from construction would be avoided. As discussed below, the viability of these or other mitigation measures will be explored between the DEIS and FEIS. Should the resources remain undesignated or no feasible mitigation be identified the additional protective measures of TPPN #10/88 would not apply and the potential for significant adverse construction-related impacts would be unavoidable.

ARCHAEOLOGICAL RESOURCES

The Proposed Actions have the potential to result in significant adverse archaeology impacts. Construction activity at Projected Development Site 4 and Potential Development Site V, located on the south side of East 128th Street and east of Park Avenue, has the potential to result in significant adverse archaeology impacts associated with burial remains. A Phase 1A study of Potential Development Site V and Projected Development Site 4 was completed in March 2017. The Phase 1A study identified the development sites as potentially sensitive for human remains associated with the churchyard and burial vaults of Saint Andrew's Church, which was formerly located within both development sites. The Proposed Actions therefore have the potential to result in a significant adverse impact on archaeological resources if archaeological resources are present.

Mitigation measures include Phase 1B testing, which is designed to confirm the presence or absence of archaeological resources in areas of archaeological sensitivity that are identified in the Phase 1A study. Based on the results of the Phase 1B investigation and in consultation with the New York City Landmarks Preservation Commission (LPC), if the Phase 1B investigation reveals the presence of human remains, recovery of human remains would be required. Prior to the completion of the Phase 1B archaeological investigation, a Phase 1B Testing Protocol and Human Remains Discovery Plan would be prepared and submitted to LPC for review and concurrence.

Projected Development Site 4 contains a City-owned lot under New York City Department of Housing Preservation and Development (HPD) jurisdiction. Development of Projected Development Site 4 would be in accordance with HPD requirements, including measures to

require prospective sponsors to conduct archaeological testing and if warranted, recovery of human remains. Potential Development Site V is owned by a private entity. There is no mechanism in place to require archaeological testing prior to construction or require the preservation or documentation of archaeological resources, should they exist. In the event that human remains are encountered during the construction of an as-of-right project, it is expected that the developer would contact the New York City Police Department (NYPD) and the New York City Office of the Chief Medical Examiner. However, because there is no mechanism to ensure that the potential impacts would be avoided or mitigated in full at Potential Development Site V, the significant adverse impact would be considered unavoidable.

TRANSPORTATION

The Proposed Actions would result, as detailed below, in significant adverse impacts to: a) vehicular traffic at 26 intersections, b) six subway stairs at three stations, c) public bus service on one route, and d) pedestrians at one sidewalk. Mitigation measures that could address these transportation impacts are discussed below.

TRAFFIC

As described in Chapter 14, "Transportation," the Proposed Actions would result in significant adverse traffic impacts at 26 study area intersections during one or more analyzed peak hours; specifically 31 lane groups at 19 intersections during the weekday AM peak hour, 15 lane groups at 12 intersections during the midday peak hour, 32 lane groups at 22 intersections during the PM peak hour, and 19 lane groups at 16 intersections during the Saturday peak hour. Implementation of traffic engineering improvements such as signal timing changes and modifications to curbside parking regulations are being proposed and would provide mitigation for many of the anticipated traffic impacts. These proposed traffic engineering improvements are subject to review and approval by the New York City Department of Transportation (DOT). DCP, as lead agency, will coordinate with DOT between the DEIS and FEIS to obtain their approval of the proposed mitigation measures. If DOT determines that a proposed mitigation measure is infeasible, the impact would be unavoidable.

Table S-8 shows, assuming all the proposed mitigation measures were implemented, that significant adverse impacts would be fully mitigated at all but seven lane groups at two intersections during the weekday AM peak hour, eight lane groups at three intersections in the weekday PM peak hour, and one lane group at one intersection during each of the weekday midday and Saturday peak hours. **Table S-9** provides a more detailed summary of the intersections and lane groups that would have unmitigated significant adverse traffic impacts. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at four intersections.

Table S-8
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impact

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	135/50	104/31	31/19	24/17	7/2
Weekday Midday	133/50	118/38	15/12	14/11	1/1
Weekday PM	134/50	102/28	32/22	24/19	8/3
Saturday	132/50	113/34	19/16	18/15	1/1

Table S-9
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

Intersection	Peak Hour			
	Weekday AM	Weekday Midday	Weekday PM	Saturday
Signalized Intersections				
East 125th Street & First Ave/Willis Ave Bridge	---	---	EB-LT	---
East 125th Street/RFK Bridge & Second Ave	EB-T, WB (E.125th St)-LT, WB (ramp)-L, WB (ramp)-LT	EB-T	EB-T, WB (E.125th St)-LT, WB (ramp)-L, WB (ramp)-LT, SB-T	EB-T
East 125th Street & Lexington Ave	EB-T, WB-T, SB-LT	---	---	---
East 126th Street & Second Ave/RFK Bridge Exit	---	---	WB-L, NB-L	---

Notes:
NB—northbound, SB—southbound, EB—eastbound, WB—westbound
L—left-turn, T—through, R—right-turn

TRANSIT

Subway

With the implementation of Phase II of the Second Avenue Subway, substantial transit demand reductions are expected in both No Action and With Action Conditions at the Lexington Avenue Line 103rd Street, 116th Street, and 125th Street stations served by the Nos. 4, 5, and/or 6 trains. In addition, the Second Avenue Subway Phase II would also likely include improvements to pedestrian circulation elements at the 125th Street station. The Proposed Actions, in the absence of the Second Avenue Subway Phase II, would result in significant impacts to one street stair at the 103rd Street subway station, one street stair at the 116th Street subway station and two street stairs and two platform stairs at the 125th Street subway station. DCP, as lead agency, will coordinate with New York City Transit (NYCT) between the DEIS and FEIS, to determine what, if any, mitigation measures should be implemented to address these specific impacts. In the absence of the Second Avenue Subway Phase II or mitigation measures applicable to these specific station elements, the Proposed Actions' significant impacts to one street stair at the 103rd Street subway station, one street stair at the 116th Street subway station and two street stairs and two platform stairs at the 125th Street subway station would remain unmitigated.

Bus

The Proposed Actions would result in a passenger capacity shortfall of 22 on southbound M15 Select Bus Service (SBS) buses in the AM peak hour. This significant adverse impact could be fully mitigated by the addition of one M15 SBS bus in the southbound direction in the AM peak hour. The general policy of NYCT is to provide additional bus service where demand warrants, taking into account financial and operational constraints.

As discussed in Chapter 14, "Transportation," it is anticipated that completion of Second Avenue Subway Phase II would reduce demand on bus routes serving the Project Area. Therefore, the overcapacity condition on southbound M15 SBS buses in the AM peak hour would likely not occur as the result of the Proposed Actions, and the proposed mitigation would not be needed, with the extension of the Second Avenue Subway to the Project Area.

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact one sidewalk—the south sidewalk on East 125th Street between Lexington and Park Avenues—in all

four analyzed peak hours. There would be no significant impacts to corner areas or crosswalks in any period. Removing a tree pit at the most constrained point on the impacted sidewalk would fully mitigate the significant adverse impact in all periods, and there would be no unmitigated significant adverse pedestrian impacts. Implementation of this mitigation measure would be subject to review and approval by NYC Parks. DCP, as lead agency, will coordinate with NYC Parks between the DEIS and FEIS to obtain their approval to remove the tree pit at this location. In the absence of the application of this mitigation measure, the impact would remain unmitigated.

CONSTRUCTION

NOISE

Chapter 20, "Construction," concludes that the Proposed Actions would have the potential to result in significant adverse construction noise impacts throughout the Project Area and at sensitive receptors in the vicinity of the Project Area.

Three representative construction sites were selected for analysis. Based on the construction stage predicted to occur at each development site according to the conceptual construction schedule during each of the selected analysis periods, each receptor expected to experience an exceedance of the *CEQR Technical Manual* noise impact threshold was determined for each period. One peak construction period per year over the analysis period of 2018 to 2027 was analyzed. Based on these determinations, receptors where noise level increases are predicted to exceed the noise impact threshold criteria for two or more consecutive years were identified.

Because the analysis is based on construction phases, it does not capture the natural daily and hourly variability of construction noise at each receptor. The level of noise produced by construction fluctuates throughout the days and months of the construction phases, while the construction noise analysis is based on the worst-case time periods only, which is conservative. The noise analysis results show that the predicted noise levels could exceed the *CEQR Technical Manual* impact criteria throughout the Project Area. The analysis is based on a conceptual site plan and construction schedule. It is possible that the actual construction may be of less magnitude, or that construction on multiple projected development sites may not overlap, in which case construction noise would be less intense than the analysis predicts.

Proposed mitigation could include a variety of source and path controls. Between the DEIS and FEIS, all possible mitigation measures to address the identified construction noise impacts will be explored. In the event no additional practicable or feasible mitigation measures are determined, the significant adverse construction noise impacts would be unavoidable.

J. ALTERNATIVES

NO ACTION ALTERNATIVE

The No Action Alternative examines future conditions within the Project Area, but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No Action Alternative, existing zoning would remain in the area affected by the Proposed Actions. It is anticipated that Project Area would experience growth under the No Action Alternative by 2027. Fifty-nine of the 68 projected development sites are expected to be redeveloped, or undergo conversion, in the No Action Alternative. Significant growth in market-rate development is expected, with a total of 2,472 dwelling units (DU) (of which only 27 are expected to be affordable DUs). In addition to

residential development, approximately 562,748 square feet (sf) of commercial space (including 385,009 sf of retail space, 32,974 sf of hotel space, and 76,559 sf of office space), 7,395 sf of community facility space, and 22,777 sf of industrial space is expected. The significant adverse impacts related to shadows, historic resources, traffic, and construction that would occur with the Proposed Actions would not occur with the No Action Alternative.

Under the No Action Alternative, there would be no change to zoning and MIH would not apply to the Project Area. The substantial amount of affordable housing expected under the Proposed Actions would not be provided. Under the No Action Alternative, it is anticipated that the socioeconomic gap between higher income and lower income East Harlem residents would continue to grow. In addition, as compared to the Proposed Actions, the benefits associated with improved economic activity, preservation of existing built character in certain mid-block areas and enhanced pedestrian conditions would not to be realized.

NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. There is the potential for the Proposed Actions to result in unmitigated significant adverse impacts related to shadows, historic and cultural resources (architectural and archaeological resources), transportation (traffic and transit), and construction (noise).

This alternative considers development that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

The Proposed Actions would result in significant adverse shadow impacts on El Catano Community Garden, Eugene McCabe Field, and Jackie Robinson Community Garden. The duration or extent of incremental shadow cast on these open spaces would be great enough to significantly impact the use of the open space or its ability to support vegetation. Potential mitigation measures for the identified impacts vary by resource. As discussed in Chapter 21, "Mitigation," between the Draft Environmental Impact Statement (DEIS) and the Final Environmental Impact Statement (FEIS), the Department of City Planning (DCP) and the Department of Parks and Recreation (NYC Parks) will explore potential mitigation measures. As discussed below, in order to avoid these impacts, portions of the rezoning area would need to be eliminated or building heights reduced on certain development sites. If feasible mitigation is found, the impacts will be considered partially mitigated. In the absence of feasible mitigation, the significant adverse impacts to El Catano Community Garden would be unavoidable.

The Proposed Actions have the potential to result in an unmitigated significant adverse archaeology impact associated with human remains on Potential Development Site V, which is under private ownership. There is no mechanism in place to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist. Because there is no mechanism to avoid or mitigate potential impacts at Potential Development Site V, the significant adverse impact would be unmitigated.

The Proposed Actions would result in significant adverse construction-related impacts to four eligible architectural resources located within 90 feet of projected or potential development sites. Designated New York City Landmarks (NYCL) or S/NR-listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of

the DOB's TPPN #10/88. The three impacted resources are not NYCLs or S/NR-listed, therefore they would not be afforded any of the protections under TPPN #10/88.

In addition, the Proposed Actions would result in significant adverse traffic impacts at 26 study area intersections during one or more analyzed peak hours. Because of the anticipated congestion at a total of 31 intersections in the No Action Condition even small increases in incremental With Action traffic volumes at some of the congested intersection approach movements would result in significant adverse impacts that could not be fully mitigated during one or more analysis peak hours, and almost any new development in the rezoning area could result in unmitigated traffic impacts. Therefore, no reasonable alternative could be developed to completely avoid such impacts without substantially compromising the Proposed Actions' stated goals.

Six stairs at three subway stations served by Nos. 4, 5 and/or 6 trains operating along the Lexington Avenue Line, which would be significantly adversely impacted by incremental demand from the Proposed Actions in one or both peak hours. These would include one street stair at the 103rd Street station, one street stair at the 116th Street station, and two street stairs and two platform stairs at the 125th Street station. Completion of three new subway stations in proximity to the Project Area under Phase II of the Second Avenue Subway would substantially reduce demand at existing Lexington Avenue Line stations, as well as provide new and/or expanded entrances and pedestrian circulation spaces at the 125th Street Lexington Avenue Line station. Therefore, some, if not all of the subway stair impacts would not occur with implementation of Second Avenue Subway Phase II. Irrespective of whether Second Avenue Subway Phase II advances, possible mitigation measures will be evaluated with NYCT between the Draft EUS and Final EIS. In the absence of Phase II of the Second Avenue Subway, or other mitigation measures, the subway stair impacts would remain unmitigated.

As presented in Chapter 20, "Construction," noise level increases exceeding *CEQR Technical Manual* impact criteria would occur at several locations throughout the rezoning area. Construction activity is expected to follow the requirements of the NYC Noise Control Code. In order to completely avoid significant adverse construction noise impacts, project-generated construction would have to be restricted in such a manner as to not occur on the same block as, or within one to two blocks from, existing sensitive receptors, which would require elimination of the proposed rezoning area in the vicinity of these sensitive receptors. This would severely limit the Proposed Actions' goals and objectives. Overall, given the above-described limitations, in order to fully mitigate all identified significant adverse impacts, the Proposed Actions would have to be modified to a point where their principal goals and objectives would not be realized.

LOWER DENSITY ALTERNATIVE

The Lower Density Alternative was developed for the purpose of assessing whether lower density residential development in some portions of the Project Area would eliminate or reduce the significant, adverse impacts of the Proposed Actions while also meeting the goals and objectives of the Proposed Actions. Under the Lower Density Alternative, Lexington Avenue and portions of Second Avenue and East 116th Street would be removed from the Project Area. The removal of portions of the Project Area would result in fewer projected and potential development sites. Twenty-six projected development sites would be removed under this alternative. The remaining 42 projected development sites would contain approximately 388,340 sf of retail space, 211,873 sf of office space, 106,317 sf of community facility space, 155,171 sf of industrial space, and 5,005 DUs. Seven fewer potential development sites would occur under this alternative. The Lower Density Alternative would result in the same mix of uses as the

Proposed Actions. However, the total amount of development would be reduced by approximately 15 percent under the Lower Density Alternative.

It is noted that for CEQR impact areas that are density related (e.g., community facilities, open space, traffic, etc.), the effects of this alternative are reduced in magnitude since there would be fewer dwelling units, and therefore, fewer residents than under the Proposed Actions. However, since the projected and potential development sites for the Lower Density Alternative are the same as for the Proposed Actions, site-specific impacts (e.g., hazardous materials) would be the similar under both scenarios. As compared to the Proposed Actions, the significant adverse impacts expected under the Lower Density Alternative would be generally the same, although the duration and/or extent of the impacts would be less due to the smaller number of projected and potential development sites and overall lower density. The Lower Density Alternative would result in the same significant adverse impacts related to shadows, historic and cultural resources, transportation (traffic, pedestrians, and transit) and construction. Mitigation measures for the impacts under the Lower Density Alternative would be similar to mitigation measures under the Proposed Actions. However, mitigation measures for the significant adverse transportation impacts would be somewhat different due to the overall decrease in density and difference in the location of projected development sites as compared to the Proposed Actions.

The Lower Density Alternative would support, to a lesser degree, the Proposed Actions' goals of promoting affordable housing development by increasing residential density and establishing MIH, encouraging economic development by mapping new commercial districts and increasing density in a highly transit accessible area of the City, and creating pedestrian-friendly streets through active ground floor retail uses. However, as the Lower Density Alternative would result in fewer residential units, it would be less supportive of the Proposed Action's objectives while continuing to result in significant adverse impacts related to shadows, historic and cultural resources, transportation, and construction noise.

SENDERO VERDE DEVELOPMENT ALTERNATIVE

In addition to the Proposed Actions analyzed in the EIS, the Sendero Verde Development Alternative considers a series of actions needed to facilitate an HPD-sponsored affordable housing development proposed on the site bounded by East 111th and East 112th Streets and Park and Madison Avenue. The affected property is a public, City-owned site comprised of Manhattan Block 1617/Lots 20, 22, 23, 25, 28, 29, 31, 33, 35, 37-43, 45, 46, 48, 50-54, 121, and 122. The site is over 76,500 square feet in size and encompasses community gardens. In the past, HPD licensed the vacant portion for use to a private league on an interim basis. Currently, the remainders of the City-owned sites are vacant. In February 2017, the City designated a development team to develop a three-phased mixed-use, sustainable development containing residential and community facility and commercial space. In addition to the development expected under the Proposed Actions, this alternative assesses 663 affordable DUs, 12,637 sf of retail space, 152,831 sf of community facility space, and new community gardens.

As discussed in further detail below, the Sendero Verde Development Alternative would result in the same significant adverse shadow and historic and cultural resources impacts as the Proposed Actions. Like the Proposed Actions, the Sendero Verde Development Alternative would result in significant adverse impacts in the areas of transportation impacts (traffic, transit/bus, transit/subway station elements and pedestrians) and construction, but the extent and severity of the impacts would be different than those of the Proposed Actions. In addition, the Sendero Verde Development would result in significant adverse impact related to indirect effects to open space. The open space ratio for the combined user population (workers and residents) in

the non-residential (¼-mile) study area would decrease by more than 5 percent (the open space ratio would decrease by 5.05 percent as compared to the No Action Condition). These significant adverse impacts and possible mitigation measures are discussed below.

Mitigation measures for the Sendero Verde Development Alternative would be similar to the mitigation under the Proposed Actions for shadows, historic and cultural resources, transportation and construction noise. In addition, the Sendero Verde Development Alternative could require full or partial mitigation for the significant adverse impact related to indirect open space effects. Mitigation could include the provision of new open space on the Sendero Verde Site. The Sendero Verde Development would include new publicly accessible passive open space and community gardens. As discussed below, between DEIS and FEIS, DCP will explore additional mitigation measures with NYC Parks and HPD.

The Sendero Verde Development Alternative would meet the goals and objective of the Proposed Actions. The alternative would provide more affordable housing as compared to the Proposed Actions. The benefits associated with improved economic activity and the preservation of existing built character in certain mid-block areas would be the same as the Proposed Actions. However, the Sendero Verde Development Alternative may result in significant adverse impacts that could not be mitigated to the degree that could be achieved for the Proposed Actions. In comparison to the Proposed Actions, the Sendero Verde Development Alternative would result in improved pedestrian conditions, as enhanced pedestrian conditions would extend further south along Park Avenue to East 111th Street and the new public walkway and other open space planned for the Sendero Verde Site would result in improved east-west pedestrian connectivity.

K. UNAVOIDABLE ADVERSE IMPACTS

The Proposed Actions would result in significant adverse impacts with respect to shadows, historic and cultural resources, transportation, and construction. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the Proposed Actions' purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts may not be eliminated.

SHADOWS

As described in Chapter 6, "Shadows," the Proposed Actions would result in significant adverse shadow impacts to three open space resources. The detailed analysis found that El Catano Garden, Eugene McCabe Field, and Jackie Robinson Garden would be significantly impacted by new shadow originating from projected and potential development sites. The duration or extent of incremental shadow cast on these open spaces would be great enough to significantly impact the use of the open space or its ability to support vegetation. The impacted resources are discussed in more detail below.

EL CATANO GARDEN

Projected and potential development resulting from the Proposed Actions would cast El Catano Garden in new shadow on all analysis days. El Catano Garden is located on East 110th Street directly west of Potential Development Site AH and across Third Avenue from Projected Development Site 17. Compared with the No Action Condition, the incremental shadow would not significantly alter the public's use of the open space resource but may significantly change

the variety of plant life supported in the garden. The duration of new shadow would last between approximately five and six hours, depending on the analysis day. However, most of the new shadow would occur before the garden's 10 AM opening hour. Garden users wishing to enjoy sun would, in most cases, find direct sunlight in a nearby area of the small garden. The time of day on May 6 and June 21 when the Proposed Actions would prevent any direct sunlight from reaching the garden would occur when the garden is closed. During December, the garden would be expected to be closed to the public for most of the day.

Within the growing season, development resulting from the Proposed Actions would reduce the hours of direct sunlight received by the garden by up to approximately 2 hours and 30 minutes on March 21, 4 hours on May 6, and 5 hours on June 21. On March 21, most of the garden would receive less than 2 hours of direct sunlight. On May 6 and June 21, the central portion of the garden receiving at least 4 hours of direct sunlight would be mostly eliminated and instead receive less than 2 hours of direct sunlight. With the limited hours of direct sunlight, it is possible that the garden would no longer be able to support the variety of plant life that it would in the No Action Condition. Therefore, El Catano Garden would experience a significant adverse shadow impact due to the Proposed Actions. The *CEQR Technical Manual* identifies several different measures that could mitigate significant adverse shadow impacts on open spaces. These measures include relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; undertaking additional maintenance to reduce the likelihood of species loss; or providing replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space site plan to provide for replacement facilities, vegetation, or other features. The *CEQR Technical Manual* also identifies strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of the proposed development that creates the significant adverse shadow impact.

The New York City Department of City Planning (DCP), as lead agency, will explore possible mitigation measures in coordination with the New York City Department of Parks and Recreation (NYC Parks) between the Draft Environmental Impact Statement (DEIS) and Final Environmental Impact Statement (FEIS). If feasible mitigation is found, the impacts will be considered mitigated or partially mitigated. In the absence of feasible mitigation, the significant adverse impact to El Catano Community Garden would be unavoidable.

EUGENE MCCABE FIELD

Projected development resulting from the Proposed Actions would cast Eugene McCabe Field in new shadow on all analysis days. Eugene McCabe Field is located on the west side of Park Avenue between East 120th and East 121st Streets. The field is directly adjacent to Projected Development Sites 2, 6, and 24. Compared with the No Action Condition, the incremental shadow could significantly alter the public's use of the open space by reducing the direct sunlight received by the resource throughout the year and lowering its utilization rate. Development resulting from the Proposed Actions would not significantly impact the limited vegetation growing within the park. The duration of new shadow on the analysis days would last between approximately 6 hours and 8 hours, depending on the analysis day. On March 21 and December 21, all areas of the field would experience a 2-hour reduction in the duration of direct sunlight. On the May 6 and June 21 analysis days, incremental shadow could reduce the total hours of direct sunlight on the resource by up to approximately 4 hours and 35 minutes, and 5 hours, respectively. The addition of shadow on all analysis days may change a user's experience

within a resource that, in the No Action Condition, receives long, interrupted durations of direct sunlight.

Shadow cast by the Proposed Actions would not significantly alter the resource's ability to support vegetation. The field is synthetic turf and does not require sunlight. The limited landscaping around the edges of the field would receive enough direct sunlight within the growing season to support its viability. But because the duration of incremental shadow may significantly impact use of the resource, McCabe Field would experience a significant adverse shadow impact due to the Proposed Actions.

The With Action Condition shadows assessment found that due to the duration and breadth of the new shadows the open space would experience a significant impact to its utilization. Possible mitigation measures may include artificial lighting and the reduction of building heights. Mitigation measures will be explored in coordination with NYC Parks between the DEIS and FEIS. If feasible mitigation is found, the impact will be considered partially mitigated. In the absence of feasible mitigation, the significant adverse impact to Eugene McCabe Field would be unavoidable.

JACKIE ROBINSON GARDEN

Projected development resulting from the Proposed Actions would cast Jackie Robinson Garden in new shadow on all analysis days. Jackie Robinson Garden is located at East 122nd Street and Park Avenue. Compared with the No Action Condition, the incremental shadow would not significantly alter the public's use of the open space resource but may significantly change the variety of plant life supported in the park. The duration of new shadow on the analysis days would be relatively long. Even though most of new shadow would occur in the afternoon when the garden would presumably be open to the public, at no time would the new shadow prevent all direct sunlight from reaching the garden. Garden users wishing to enjoy direct sunlight in the newly shaded areas could find direct sunlight in a different location of the garden.

The Proposed Actions would significantly alter the hours of direct sunlight received by the park on the analysis days within the growing season. On March 21, few areas of the garden would receive more than 4 hours of direct sunlight. On May 6 and June 21, when compared with the No Action Condition, most areas of the garden would no longer receive 4 hours of direct sunlight throughout the day. Because at least 4 hours of direct sunlight are needed to support a variety of plant life, it is possible that the garden would no longer be able to support the same plant life that it would in the No Action Condition. Therefore, the Jackie Robinson Community Garden would experience a significant adverse shadow impact due to the Proposed Actions. The *CEQR Technical Manual* identifies several different measures that could mitigate significant adverse shadow impacts on open spaces. These measures include relocating sunlight-sensitive features within an open space to avoid sunlight loss; relocating or replacing vegetation; undertaking additional maintenance to reduce the likelihood of species loss; or providing replacement facilities on another nearby site. Other potential mitigation strategies include the redesign or reorientation of the open space site plan to provide for replacement facilities, vegetation, or other features. The *CEQR Technical Manual* also identifies strategies to reduce or eliminate shadow impacts, including modifications to the height, shape, size, or orientation of the proposed development that creates the significant adverse shadow impact.

Jackie Robinson Garden is located directly east of Projected Development Site 69 on East 122nd Street. Mitigation measures will be explored in coordination with NYC Parks between the DEIS and FEIS. If feasible mitigation is found, the impact will be considered mitigated or partially

mitigated. In the absence of feasible mitigation, the significant adverse shadow impact on Jackie Robinson Garden would be unavoidable.

HISTORIC AND CULTURAL RESOURCES

As discussed in Chapter 7, "Historic and Cultural Resources," the Proposed Actions would result in significant adverse construction-related impacts to four architectural resources. In addition, construction activity at two development sites located on the south side of East 128th Street (east of Park Avenue) have the potential to result in significant adverse archaeology impacts associated with burial remains.

ARCHITECTURAL RESOURCES

The Proposed Actions would result in significant adverse construction-related impacts to four eligible architectural resources located within 90 feet of projected or potential development sites. The impacted resources include:

- St. Paul's Rectory and School (Resource #17, S/NR-Eligible) is located within 90 feet of Potential Development Site C;
- Chambers Memorial Baptist Church (Resource #28, S/NR-Eligible) is located within 90 feet of Potential Development Site AI;
- 166 East 124th Street (Resource #27, S/NR-Eligible) is located within 90 feet of Projected Development Site 11; and,
- The Park Avenue Viaduct (Resource #39, S/NR-Eligible) is located within 90 feet of several projected and potential development sites.

Designated New York City Landmarks (NYCL) or S/NR-Listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of DOB's TPPN #10/88. The resources listed above are not NYCLs or S/NR-Listed, therefore they would not be afforded any of the protections under TPPN #10/88. If the eligible resources are designated in the future prior to the initiation of construction, the protective measures of TPPN #10/88 would apply and significant adverse impacts from construction would be avoided. Should the resources remain undesignated, the additional protective measures of TPPN #10/88 would not apply and the potential for significant adverse construction-related impacts would be unavoidable.

In order to make TPPN #10/88 or comparable measures applicable to the eligible historic resources in the absence of site-specific discretionary approval, a mechanism would have to be developed to ensure implementation and compliance, since it is not known and cannot be assumed that owners of these properties would voluntarily implement the mitigation. The viability of these or other mitigation measures will be explored between the DEIS and FEIS. Should no feasible mitigation be identified, the significant adverse construction impact on the historic resources would be unavoidable.

The Park Avenue Viaduct is owned and maintained by the Metropolitan Transportation Authority (MTA). Those development sites within 90 feet of the Park Avenue Viaduct and currently owned in part by the City could be required to implement a Construction Protection Plan to protect from inadvertent construction-related damage. The Department of City Planning will explore possible mitigation measures specific to the Park Avenue Viaduct with the Landmarks Preservation Commission (LPC), MTA and HPD between DEIS and FEIS. Should

no feasible mitigation be identified, the significant adverse construction impacts to the four S/NR-Eligible architectural resources would be unavoidable.

ARCHAEOLOGICAL RESOURCES

Construction activity at two development sites located on the south side of East 128th Street and east of Park Avenue have the potential to result in significant adverse archaeology impacts associated with human remains. Potential Development Site V and Projected Development Site 4 possess potential archaeological significance. A Phase 1A study of Potential Development Site V and Projected Development Site 4 was completed in March 2017. The Phase 1A study identified the potential and projected development sites as potentially sensitive for human remains associated with the churchyard and burial vaults of Saint Andrew's Church, which was formerly located within both development sites. The Proposed Actions therefore have the potential to result in a significant adverse impact on archaeological resources if archaeological resources are present.

The Phase 1A Study concluded that Phase 1B archaeological testing is necessary to confirm the presence or absence of human remains on the sites in question as outlined in the 2014 *CEQR Technical Manual* and LPC's 2002 *Guidelines for Archaeological Work in New York City*. Phase 1B testing is designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that are identified in the Phase 1A study. Based on the results of the Phase 1B investigation and in consultation with the New York City Landmarks Preservation Commission (LPC), if the Phase 1B investigation reveals the presence of human remains, recovery of human remains would be required. In the event that the Phase 1B archaeological investigation determines that Projected Development Site 4 possesses no archaeological sensitivity and that human remains are not present, then further archaeological analysis would not be warranted.

Projected Development Site 4 contains a City-owned lot under New York City Department of Housing Preservation and Development (HPD) jurisdiction. Development of Projected Development Site 4 would be in accordance with HPD requirements, including measures to require prospective sponsors to conduct archaeological testing and if warranted, recovery of human remains. Measures to require a Phase 1B and mitigation, if warranted, would be required through provisions in the Land Disposition Agreement (LDA) between HPD and the project sponsor. Additional archaeological investigations, including a Phase 1B, would be required on Projected Development Site 4. As noted above, Phase 1B testing is designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that are identified in the Phase 1A study. Prior to the completion of the Phase 1B archaeological investigation, a Phase 1B Testing Protocol and Human Remains Discovery Plan would be prepared and submitted to LPC for review and concurrence.

Potential Development Site V is owned by a private entity. There is no mechanism in place to require archaeological testing prior to construction or require the preservation or documentation of archaeological resources, should they exist. In the event that human remains are encountered during the construction of an as-of-right project, it is expected that the developer would contact the New York City Police Department (NYPD) and the New York City Office of the Chief Medical Examiner. However, because there is no mechanism to ensure that the potential impacts would be avoided or mitigated in full at Potential Development Site V, the significant adverse impact would be an unavoidable impact.

TRANSPORTATION

The Proposed Actions would result, as detailed below, in significant adverse impacts to: a) vehicular traffic at 26 intersections, b) six subway stairs at three stations, c) public bus service on one route, and d) pedestrians at one sidewalk.

TRAFFIC

As discussed in Chapter 14, "Transportation," under *CEQR Technical Manual* impact criteria (which are based on lane group delay and levels of service), the Proposed Actions would result in significant adverse traffic impacts at 26 intersections (all signalized) during one or more analyzed peak hours. Significant adverse impacts were identified to 31 lane groups at 19 intersections during the weekday 7:30-8:30 AM peak hour, 15 lane groups at 12 intersections in the 1:30-2:30 PM (midday) peak hour, 32 lane groups at 22 intersections in the 4:30-5:30 PM peak hour and 19 lane groups at 16 intersections during the Saturday 4-5 PM peak hour. Most of these impacts could be mitigated through the implementation of traffic engineering improvements, including:

- Modification of traffic signal phasing and/or timing; and
- Elimination of on-street parking within 100 feet of intersections to add a limited travel lane.

The types of traffic mitigation measures proposed herein are standard measures that are routinely identified by the City and considered feasible for implementation. Implementation of the recommended traffic engineering improvements is subject to review and approval by the New York City Department of Transportation (DOT). DCP, as lead agency, will coordinate with DOT between the DEIS and FEIS to obtain their approval of the proposed mitigation measures. In the absence of the application of mitigation measures, the impacts would remain unmitigated.

According to *CEQR Technical Manual* criteria, an impact is considered fully mitigated when the resulting level of service (LOS) degradation under the Action-with-Mitigation Condition compared with the No Action Condition is no longer deemed significant following the impact criteria described in Chapter 14, "Transportation." With implementation of the recommended traffic engineering improvements, significant adverse traffic impacts would be fully mitigated at all but seven lane groups at two intersections during the weekday AM peak hour, eight lane groups at three intersections in the weekday PM peak hour, and one lane group at one intersection during each of the weekday midday and Saturday peak hours. In total, impacts to one or more lane groups would remain unmitigated in one or more peak hours at four intersections. These unmitigated impacts would generally occur along East 125th Street at First Avenue (Willis Avenue Bridge), Second Avenue (RFK Bridge), and Lexington Avenue, and at East 126th Street at Second Avenue (RFK Bridge exit). Further measures to address these impacts will be explored with the relevant agencies between the DEIS and FEIS. If no additional practicable mitigation is identified, these impacts would constitute unavoidable significant adverse traffic impacts as a result of the Proposed Actions.

TRANSIT

Subway

Regarding significant adverse transit/subway impacts, six stairs at three stations served by the Nos. 4, 5, and/or 6 trains on the Lexington Avenue Line would be significantly adversely impacted by project demand in the weekday 7:30-8:30 AM and/or 5-6 PM. These would include one street stair at the 103rd Street station, one street stair at the 116th Street station, and two

street stairs and two platform stairs at the 125th Street station. Completion of three new subway stations at East 106th Street, East 116th Street, and East 125th Street under Phase II of the Second Avenue Subway would substantially reduce demand at existing Lexington Avenue Line stations as well as provide new and/or expanded entrances and pedestrian circulation spaces at the 125th Street Lexington Avenue Line station. The Proposed Actions would also generate fewer peak hour trips at analyzed Lexington Avenue Line stations, as it is anticipated that a substantial number would instead utilize the three new Second Avenue Line stations. Therefore, it is anticipated that some, if not all of the Proposed Actions' significant peak hour stair impacts at Lexington Avenue Line subway stations would not occur with implementation of Phase II of the Second Avenue Subway. Regardless of whether Second Avenue Subway Phase II advances, possible mitigation measures will be evaluated with NYCT between the Draft EIS and Final EIS. In the absence of Phase II of the Second Avenue Subway or practicable mitigation measures, the subway stair impacts would be unavoidable impacts of the Proposed Actions.

Bus

The Proposed Actions would result in a passenger capacity shortfall of 22 on southbound M15 SBS buses in the weekday 8-9 AM commuter peak hour. This significant adverse impact to the M15 SBS could be fully mitigated by the addition of one bus in the southbound direction in this peak hour. If these changes are not made, these impacts would be considered unavoidable.

PEDESTRIANS

Future pedestrian conditions were assessed both without and with the three new subway stations that would be built under Phase II of the Second Avenue Subway. The analyses focus on the weekday 7:30-8:30 AM, 2-3 PM (midday), and 5:15-6:15 PM peak hours, along with the Saturday 3-4 PM peak hour. Based on *CEQR Technical Manual* criteria, under the Proposed Actions without Second Avenue Subway Phase II, the south sidewalk along East 125th Street between Park and Lexington Avenues would be significantly adversely impacted by the Proposed Actions in all four analyzed peak hours, and there would be no significant impacts to any corner areas or crosswalks. The removal of a tree pit at a constrained point on the impacted sidewalk would fully mitigate the Proposed Actions' significant adverse impact. Under a scenario with completion of Second Avenue Subway Phase II in 2027, it is anticipated that the north and south crosswalks on Park Avenue at East 125th Street would also be significantly adversely impacted in the AM peak hour. Widening the segment of the north crosswalk west of the Park Avenue median by 1.5 feet (to a total of 19.5 feet) and the segment of the south crosswalk east of the median by 0.5 feet (to a total of 18.5 feet) would fully mitigate these impacts. In the absence of these measures, the significant adverse impacts would be unavoidable.

CONSTRUCTION

HISTORIC AND CULTURAL RESOURCES

Architectural Resources

As mentioned above, the Proposed Actions would result in significant adverse construction-related impacts to four eligible architectural resources located within 90 feet of projected or potential development sites. The impacted resources include:

- St. Paul's Rectory and School (Resource #17, S/NR-Eligible) is located within 90 feet of Potential Development Site C;

- Chambers Memorial Baptist Church (Resource #28, S/NR-Eligible) is located within 90 feet of Potential Development Site AI;
- 166 East 124th Street (Resource #27, S/NR-Eligible) is located within 90 feet of Projected Development Site 11; and
- The Park Avenue Viaduct (Resource #39, S/NR-Eligible) is located within 90 feet of several projected and potential development sites.

Designated New York City Landmarks (NYCL) or S/NR-Listed architectural resources located within 90 feet of a projected or potential new construction site are subject to the protections of DOB's TPPN #10/88. The resources listed above are not NYCLs or S/NR-Listed, therefore they would not be afforded any of the protections under TPPN #10/88. If the eligible resources are designated in the future prior to the initiation of construction, the protective measures of TPPN #10/88 would apply and significant adverse impacts from construction would be avoided. Should the resources remain undesignated, the additional protective measures of TPPN #10/88 would not apply and the potential for significant adverse construction-related impacts would be unavoidable.

In order to make TPPN #10/88 or comparable measures applicable to the eligible historic resources in the absence of site-specific discretionary approval, a mechanism would have to be developed to ensure implementation and compliance, since it is not known and cannot be assumed that owners of these properties would voluntarily implement the mitigation. The viability of these or other mitigation measures will be explored between the DEIS and FEIS. Should no feasible mitigation be identified, the significant adverse construction impact on the historic resources would be unavoidable.

The Park Avenue Viaduct is owned and maintained by the Metropolitan Transportation Authority (MTA). Those development sites within 90 feet of the Park Avenue Viaduct and currently owned in part by the City could be required to implement a Construction Protection Plan to protect from inadvertent construction-related damage. The Department of City Planning will explore possible mitigation measures specific to the Park Avenue Viaduct with the Landmarks Preservation Commission (LPC), MTA and HPD between DEIS and FEIS. Should no feasible mitigation be identified, the significant adverse construction impacts to the four S/NR-Eligible architectural resources would be unavoidable.

Archaeological Resources

Construction activity at two development sites located on the south side of East 128th Street and east of Park Avenue have the potential to result in significant adverse archaeology impacts associated with human remains. Potential Development Site V and Projected Development Site 4 possess potential archaeological significance. A Phase 1A study of these two sites was completed that identified them as potentially sensitive for human remains associated with the churchyard and burial vaults of Saint Andrew's Church, which was formerly located within both development sites. The Proposed Actions therefore have the potential to result in a significant adverse impact on archaeological resources if archaeological resources are present.

The Phase 1A Study concluded that Phase 1B archaeological testing is necessary to confirm the presence or absence of human remains on the sites in question as outlined in the *CEQR Technical Manual* and LPC's 2002 *Guidelines for Archaeological Work in New York City*. Phase 1B testing is designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that are identified in the Phase 1A study. Based on the results of the Phase 1B investigation and in consultation with LPC, if the Phase 1B investigation reveals

the presence of human remains, recovery of human remains would be required. In the event that the Phase 1B archaeological investigation determines that Projected Development Site 4 possesses no archaeological sensitivity and that human remains are not present, further archaeological analysis would not be warranted.

Projected Development Site 4 contains a City-owned lot under HPD jurisdiction. Development of Projected Development Site 4 would be in accordance with HPD requirements, including measures to require prospective sponsors to conduct archaeological testing and if warranted, recovery of human remains. Measures to require a Phase 1B and mitigation, if warranted, would be required through provisions in the LDA between HPD and the project sponsor. Additional archaeological investigations, including a Phase 1B, would be required on Projected Development Site 4. As noted above, Phase 1B testing is designed to confirm the presence or absence of archaeological resources in any areas of archaeological sensitivity that are identified in the Phase 1A study. Prior to the completion of the Phase 1B archaeological investigation, a Phase 1B Testing Protocol and Human Remains Discovery Plan would be prepared and submitted to LPC for review and concurrence.

Potential Development Site V is owned by a private entity. There is no mechanism in place to require a developer to conduct archaeological testing or require the preservation or documentation of archaeological resources, should they exist. Because there is no mechanism to avoid or mitigate potential impacts at Potential Development Site V, the significant adverse impact would be unavoidable. In the event that human remains are encountered during the construction of an as-of-right project, it is expected that the developer would contact the NYPD and the New York City Office of the Chief Medical Examiner.

NOISE

Three representative construction sites were selected for analysis. The largest projected development site (Projected Development Site 4a), a typical projected development site on Park Avenue (Projected Development Site 9), and a projected development site on Third Avenue (Projected Development Site 16) were selected to be analyzed for each phase of construction: excavation and foundation; superstructure; and interior fit-out. Projected Development Site 9 was selected to represent all projected development sites along Park Avenue (except for Projected Development Site 4a) and Projected Development Site 16 was selected to represent all projected development sites along Lexington Avenue, Third Avenue, Second Avenue, and other streets. This analysis was based on a conceptual site plan and construction schedule. The conceptual construction schedule conservatively accounts for overlapping construction activities at development sites in proximity to one another to capture the cumulative nature of construction impacts with respect to number of worker vehicles, trucks, and construction equipment at any given time, within reasonable construction scheduling constraints for each of the development sites in the rezoning area. Because the analysis is based on construction phases, it does not capture the natural daily and hourly variability of construction noise at each receptor. The level of noise produced by construction fluctuates throughout the days and months of the construction phases, while the construction noise analysis is based on the worst-case time periods only, which is conservative.

Based on the schedule and location of the three projected development sites selected for quantitative analysis, they would not have the potential to simultaneously affect noise levels at any surrounding receptor sites (i.e., these projected development sites would not be constructed simultaneously. Consequently, they were analyzed independently. Based on the construction stage predicted to occur at each development site according to the conceptual construction

schedule during each of the selected analysis periods, each receptor expected to experience an exceedance of the *CEQR Technical Manual* noise impact threshold was determined for each period. One peak construction period per year was analyzed, from 2018 to 2027. Based on these determinations, receptors where noise level increases are predicted to exceed the noise impact threshold criteria for two or more consecutive years were identified.

The noise analysis results show that the predicted noise levels could exceed the *CEQR Technical Manual* impact criteria throughout the Project Area. The analysis is based on a conceptual site plan and construction schedule. It is possible that the actual construction may be of less magnitude, or that construction on multiple projected development sites may not overlap, in which case construction noise would be less intense than the analysis predicts.

Noise Reduction Measures

Construction of the Proposed Project would be required to follow the requirements of the NYC Noise Control Code for construction noise control measures. Specific noise control measures would be incorporated in noise mitigation plan(s) required under the NYC Noise Code. These measures could include a variety of source and path controls.

The following proposed mitigation measures go beyond the noise control measures already identified in Chapter 20, "Construction" and may partially mitigate significant adverse impacts (and substantially reduce construction-related noise levels) at some locations:

- Noise barriers constructed from plywood or other materials at a height of 12 to 16 feet utilized to provide shielding;
- Utilization of isolation pads between the pile driver hammer and piles;
- Acoustical shrouds surrounding the pile driver hammer and piles;
- Electric cranes or cranes with exhaust silencers that have lower noise emission levels; and
- Excavators with exhaust silencers that have lower noise emission levels.

Between the DEIS and FEIS, the above mitigation measures will be explored, which are intended to address the pieces of construction equipment that would produce the highest noise levels. However, even if all of the above mitigation measures are determined to be feasible and practicable, some significant adverse construction noise impacts could potentially continue to be experienced at sensitive receptors and, as the result, be unavoidable. In the event no additional practicable or feasible mitigation measures are determined, the significant adverse construction noise impacts identified in Chapter 20, "Construction," would be unavoidable.

L. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term "growth-inducing aspects" generally refers to "secondary" impacts of a proposed action that trigger further development outside the directly affected area. The 2014 *City Environmental Quality Review (CEQR) Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply). The Proposed Actions would facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character. The Proposed Actions are intended to achieve the following land use objectives:

- Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs;
- Modify the existing zoning, where needed, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of existing commercial and manufacturing uses;
- Establish a Special District that improves the pedestrian experience and establishes urban design controls that balance new development in response to existing neighborhood context and scale; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demand and future growth.

As detailed in Chapter 1, "Project Description," the Proposed Actions are expected to result in a net increase of approximately 3,500 dwelling units, a substantial proportion of which are expected to be affordable; approximately 122,500 square feet (sf) of commercial retail space; approximately 105,000 sf of community facility space; and approximately 132,400 sf of manufacturing space. The Proposed Actions are also expected to result in net decreases of approximately 10,600 sf of auto-related space, 33,000 square feet of hotel space, and 57,600 sf of warehouse/storage space. The environmental consequences of this growth are the subject of Chapters 2 through 20 of this EIS.

The projected increase in residential population is likely to increase the demand for neighborhood services in the 96-block Project Area, ranging from community facilities to local goods and services retail. This would enhance the growth of local commercial corridors in the rezoning area. However, the Proposed Actions take this potential growth into account as part of the RWCDS under the assumed commercial and community facility components. The Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the projected and/or potential development sites and operation of these developments after construction completion. However, this secondary growth would be expected to occur incrementally throughout the region and is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses within the Project Area. However, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. As stated in Chapter 3, "Socioeconomic Conditions," the Proposed Actions would not introduce a new economic activity that would alter existing economic patterns in the study area. As the study area already has a well-established residential market and a critical mass of non-residential uses, including retail, industrial and community facility uses, the Proposed Actions would not create the critical mass of uses or populations that would induce additional development outside the rezoning area. Moreover, the Proposed Actions do not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

M. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of developments projected to occur as a result of the Proposed Actions. These resources include the

building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The projected and/or potential development under the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use changes that would occur as a result of the Proposed Actions would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the projected or potential development sites possess any natural resource of significant value, and the sites are in large part developed or have been previously developed.

In addition, the public services provided in connection with the projected and/or potential development under the Proposed Actions (e.g., police and fire protection, public education, open space, and other city resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions. The Proposed Actions would promote new residential development with significant amounts of permanently affordable housing and preserve existing affordability, encourage mixed-use development along key corridors, enhance and revitalize major thoroughfares through new economic development, and protect neighborhood character of residential core and ensure predictable future development.

N. CONCEPTUAL ANALYSIS

The Proposed Actions would create a new special permit related to the development, conversion, or enlargement of hotels. The conceptual analysis has been conducted to generically assess potential environmental impacts that could result from hotel development pursuant to the special permit. Based on the assessment, development per the proposed new special permit would not result in any additional significant adverse impacts as compared with the With Action Condition analyzed for the Proposed Actions. ✷