Park Avenue Brooklyn Rezoning

Draft Scope of Work for an Environmental Impact Statement

CEQR #: 24DCP124K

Lead Agency:
NYC Department of City Planning

Applicant:
Park Ave. Rezoning Partners LLC.

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A. INTRODUCTION

This Draft Scope of Work ("Draft Scope") outlines the technical areas to be analyzed in the preparation of the Draft Environmental Impact Statement (DEIS) for the Park Avenue Rezoning in the Bedford-Stuyvesant neighborhood of Brooklyn Community District (CD) 3. The New York City Department of City Planning (DCP), acting on behalf of the New York City Planning Commission (CPC), as lead agency for City Environmental Quality Review (CEQR), has determined that the project will require the preparation of an EIS.

Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. As shown in **Figure 1**, the Project Area is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736. In total, development on the Applicant-controlled Projected Development Sites would include approximately 391 dwelling units (DUs), of which approximately 101 would be permanently affordable pursuant to the MIH program, approximately 65,072 gross-square-feet (gsf) of ground floor local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office.

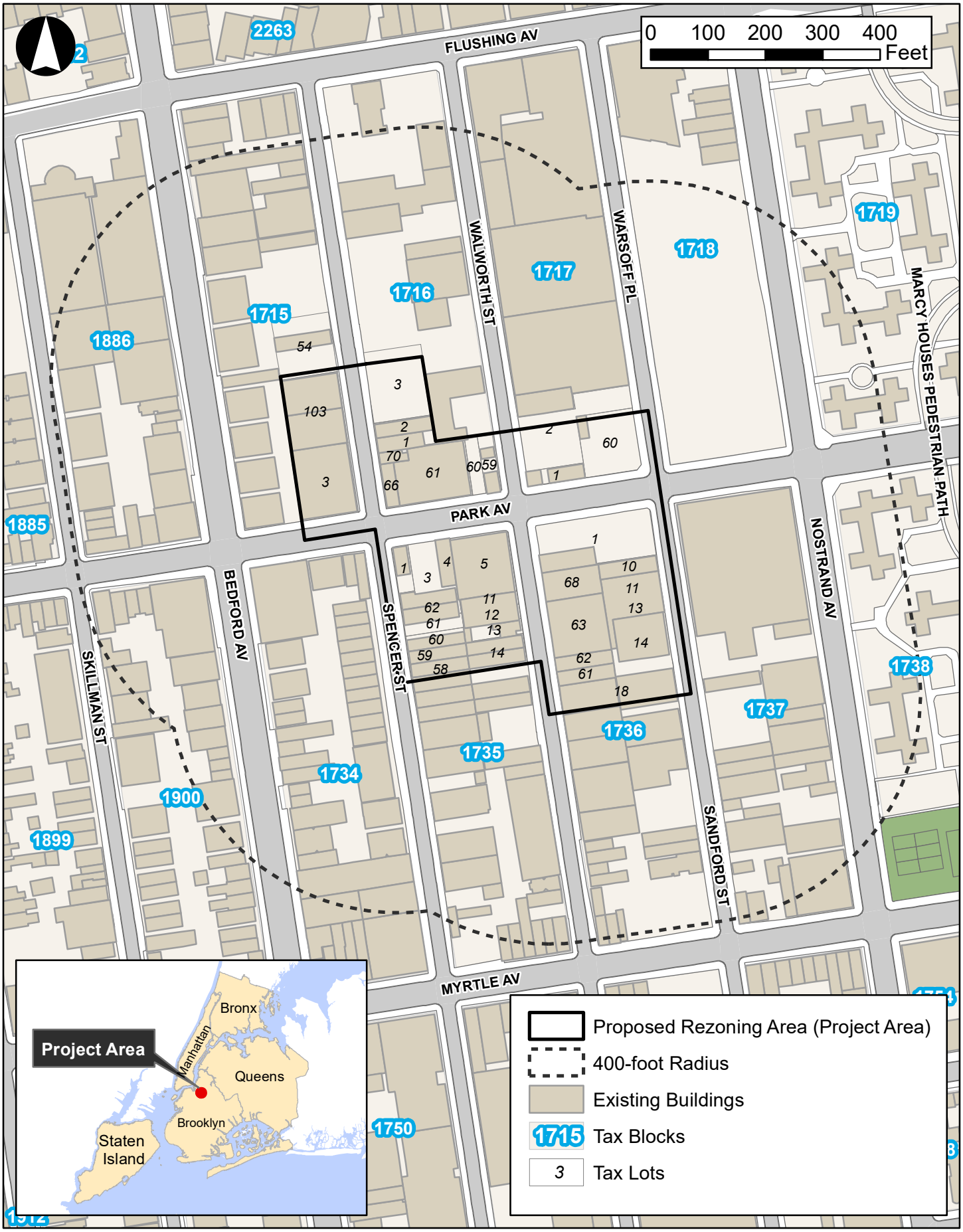
In the With-Action reasonable-worst case development scenario (RWCDS), in addition to the Applicant's nine Projected Development Sites described above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites (Block 1716, Lots 59-60 [Projected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

The total RWCDS With-Action Scenario comprises 450,663 gsf of residential space, 80,155 gsf of local retail space, 244,088 gsf of private school space, 11,590 gsf of medical office space, and approximately 150 off-street parking spaces on 12 Projected Development Sites. The With-Action total RWCDS would include 479 total DUs, of which approximately 124 would be permanently affordable pursuant to MIH.

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. Overall, the total RWCDS for the Proposed Actions would result in a total of 479 DUs, including 124 affordable units, 244,088 gsf of school space, 80,155 gsf of local retail space, 11,590 gsf of medical office space, and 150 parking spaces (the With-Action condition) on the 12 Projected Development Sites. As such, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 476 DUs, including 124 affordable units, 201,838 gsf of school space, 27,505 gsf of local retail space, and a net decrease of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, and a net decrease of 104 parking spaces, compared to No-Action conditions.

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

Project Location



B. REQUIRED APPROVALS AND REVIEW PROCEDURES

Required Approvals

The Proposed Actions would encompass several discretionary actions that are subject to review under the City Environmental Quality Review (CEQR) process. The anticipated discretionary actions include:

1. A zoning map amendment, which would rezone portions of the Project Area that is currently zoned M1-1 and M1-2 to M1-4/R7D and M1-4/R6-1. **Figure 2** depicts the current and proposed zoning. The Project Area is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736.

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

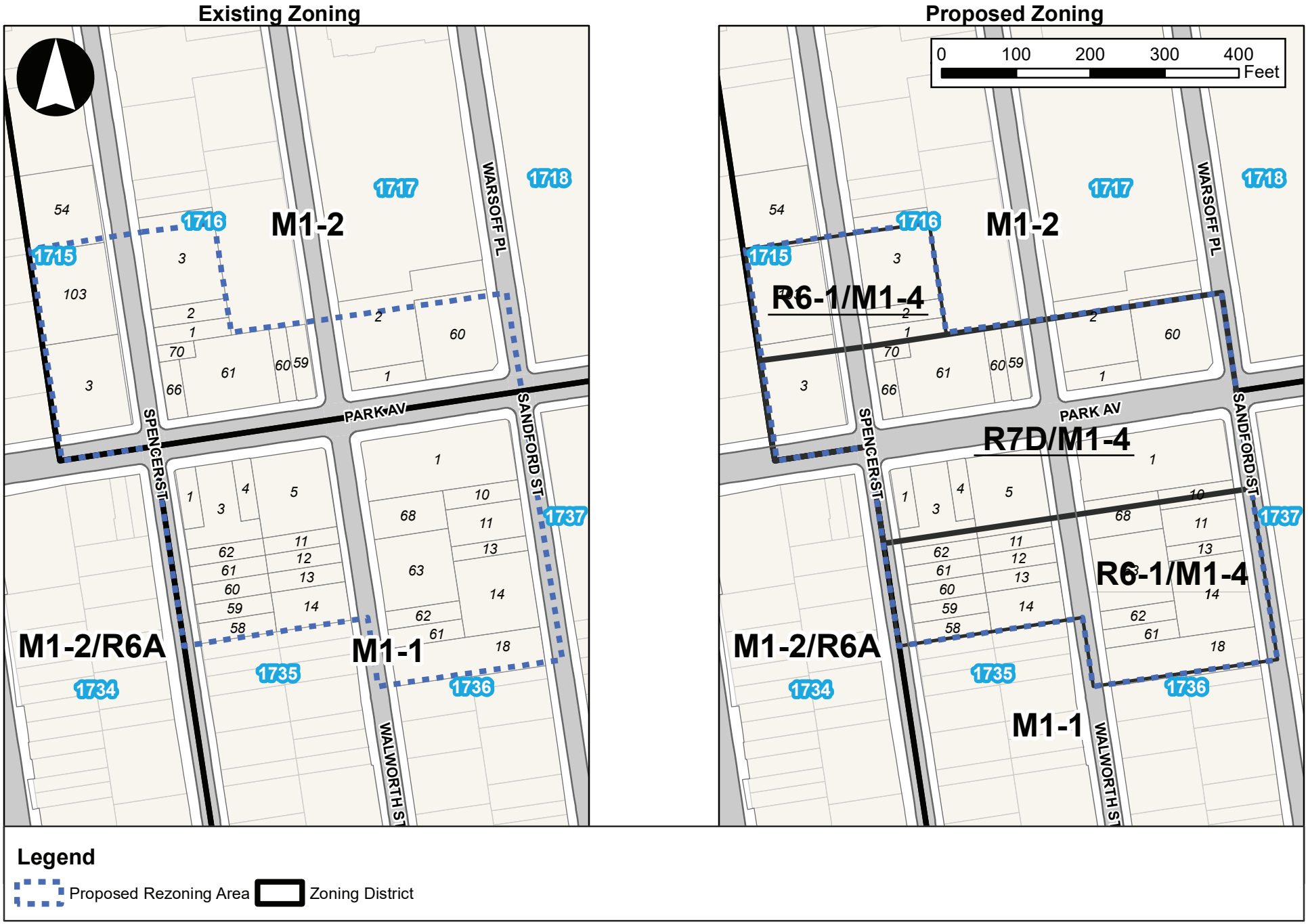
City Environmental Quality Review (CEQR) and Scoping

The Proposed Actions are classified as a Type I Action, as defined under 6 NYCRR Part 617.4 and NYC Executive Order 91 of 1977 §6-15 (2) and are subject to environmental review in accordance with CEQR guidance. An Environmental Assessment Statement (EAS) and Positive Declaration were issued on April 30, 2024, by DCP, as lead agency. DCP has determined that the Proposed Actions may result in significant adverse environmental impacts and directed that a DEIS be prepared.

This Draft Scope of Work (Draft Scope) for the preparation of a DEIS contains a description of the Proposed Actions and the tasks that would be undertaken to analyze the potential environmental impacts of the Proposed Actions and associated total RWCDS. This Draft Scope sets forth the analyses and methodologies that will be utilized to prepare the DEIS. During the public comment period, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency.

In accordance with SEQRA and CEQR, this Draft Scope of Work has been distributed for public review. The issuance of the Draft Scope marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the DEIS. A public scoping meeting has been scheduled for Thursday, May 30 at 2:00 pm ("Scoping Meeting") and the period for submitting written comments will remain open until 5:00 pm on June 10, 2024. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting, will be available at the DCP Scoping Documents webpage (https://www.nyc.gov/site/planning/applicants/scoping-documents.page) and NYC Engage website (https://www1.nyc.gov/site/nycengage/index.page) in advance of the meeting. The public, interested agencies, and elected officials, are invited to comment on the Draft Scope, either in writing or orally, at the Scoping Meeting.

Comments received during the Scoping Meeting and written comments received up to ten days after the meeting will be considered and incorporated, as appropriate, into the Final Scope of Work (Final Scope). The Final Scope will revise the extent or methodologies of the studies, as appropriate, in response to



Park Avenue Brooklyn Rezoning

Figure 2
Existing & Proposed Zoning

comments made during the CEQR scoping process. The DEIS will be prepared in accordance with the resulting Final Scope.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the City Planning Commission (CPC) hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. At the close of the public review period, a Final EIS (FEIS) will be prepared. Comments made on the DEIS will be responded to and incorporated into the FEIS, as appropriate. The FEIS will then be used by the relevant City and State agencies to develop S/CEQR findings, which address project impacts and proposed mitigation measures, and to decide whether to approve the requested discretionary actions, with or without modifications. The rationale for that decision is then set forth in a document called a Statement of Findings.

C. EXISTING CONDITIONS

Land Use

Project Area/Proposed Rezoning Area

A description of each of the tax lots within the Project Area is provided below and summarized in **Table 1**.

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

Block 1716, north of Park Avenue between Spencer and Walworth streets, includes a three-story approximately 3,375 gsf pre-existing nonconforming residential building that contains four dwelling units (DUs) on the 2,508-sf Lot 1. Lot 2 is a 2,483-sf lot that contains an approximately 2,489 gsf one-story warehouse. Lot 3 is a vacant 12,500 sf interior lot. Lot 59 is a 2,444-sf lot that contains a vacant one-story approximately 1,000 gsf commercial building at the corner of Park Avenue and Walworth Street. Along the Walworth Street frontage of Lot 59 is a two-story 900 gsf pre-existing nonconforming single family residential building. Lot 60 is an approximately 2,444 sf lot used for open storage. Lot 61 is a 11,657-sf lot that contains a one-story 11,657 gsf commercial building utilized as a plumbing supply store. Lot 66 is a 1,900-sf lot that is occupied by a three-story 4,175 gsf nonconforming mixed-use residential and commercial building. The 1,875 gsf commercial area on the ground floor is occupied by a payroll service. On the second and third floors are four DUs. Lot 70 is a 1,100-sf lot that contains a nonconforming four-story approximately 2,772 gsf residential building that contains three DUs.

Block 1717, north of Park Avenue between Walworth Street and Warsoff Place, includes a one-story 1,783 gsf building occupied by a signage and awning business on the 2,500 sf Lot 1. Lot 1 is located at the northeast corner of Park Avenue and Walworth Street. Lot 2 is a 13,613-sf lot used for surface parking.

[1] Based on information provided by the Applicant.

Approximately 7,599 sf of the lot is located within the rezoning area. Lot 60 is a 10,775-sf surface parking lot utilized by a rental car company. Approximately 10,000 sf of the lot is located within the Project Area.

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

TABLE 1
Project Area Tax Lots

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

Source: NYC MapPLUTO 23v1

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

Zoning

North of Park Avenue, the Project Area is zoned M1-2. M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards. Specifically, the M1-2 district permits Use Groups 4-14, 16-17. Commercial uses are permitted to a maximum FAR of 2.0, manufacturing/industrial uses are permitted to a maximum FAR of 2.0, and community facility uses are permitted to a maximum FAR of 4.8. The M1-2 zoning district permits a maximum base height of 60 feet or four stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

South of Park Avenue, sites within the Project Area are zoned M1-1. The M1-1 district permits Use Groups 4-14, 16-17. Commercial uses are permitted to a maximum FAR of 1.0, manufacturing/industrial uses are permitted to a maximum FAR of 1.0, and community facility uses are permitted to a maximum FAR of 2.4. The M1-1 zoning district permits a maximum base height of 30 feet or two stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

Topography

The topography of the Project Area slopes downwards from the northern boundary toward the southern edge of the Project Area. Existing elevations in the vicinity of the property generally range from approximately 21 feet at the Project Area's northwestern corner to approximately 29 feet south of Park Avenue on Walworth Street (as measured in North American Vertical Datum of 1988 (NAVD 88).

Neighborhood Context

The Project Area is located in the Bedford-Stuyvesant neighborhood in Brooklyn CD 3. Land uses within a ¼-mile radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, residential, and mixed residential and commercial uses, as well as utility uses and open space. The area north and south of the Project Area within ¼-mile of the Project Area is generally used for manufacturing and transportation/utility purposes. The area west of the Project Area is generally occupied by multi-family residential uses. To the east of the Project Area is the Marcy Houses, a complex of 27 six-story buildings built and operated by the New York City Housing Authority (NYCHA). The complex consists of

approximately 1,705 apartments. Buildings within the ¼-mile radius generally range in height between three- and eight-stories. Open spaces in the ¼-mile radius include Middleton Playground, Taaffe Playground, Marcy Playground, Stockton Playground, and Vernon New Harvest.

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

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

D. PROPOSED ACTIONS

The following discretionary approvals are being requested from the CPC:

Zoning Map Amendment

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

Zoning Text Amendment

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

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

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

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

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

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

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

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

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

F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The 2021 *CEQR Technical Manual* will serve as the general guide for the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis. The EIS will disclose the Proposed Actions' potential significant adverse impacts on the environment. In order to assess the possible impacts of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was developed for both the future without the Proposed Actions (No-Action Condition) and the future with the Proposed Actions (With-Action Condition) conditions for an analysis year of 2030. The incremental difference between the No-Action and With-Action conditions is analyzed to determine the potential significant adverse environmental effects of the Proposed Actions.

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

Analysis Year

At this time, only three of the Applicant-controlled Projected Development Sites (Sites 2, 6, and 8 – the sites proposed for educational uses) have started to prepare development plans (refer to **Figure 3**). It is assumed that the other Projected Development Sites would not begin to consider development options until after the Proposed Actions are approved. Assuming approval of the Proposed Actions in 2024, it is likely that the remaining Projected Development Sites within the Project Area would be redeveloped by 2030. Accordingly, this environmental review will use 2030 as the Analysis Year for analysis of future conditions consistent with *CEQR Technical Manual* guidance.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2030), while potential sites are considered less likely to be developed over the same period. Each of the Projected and Potential Development Sites are shown in **Figure 3**.

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

Absent approval of the Proposed Actions, two sites within the Project Area are expected to be redeveloped. At Projected Development Site 2 (49 Spencer Street), the currently vacant site is expected to be redeveloped with a 69,000-gsf mixed-use building containing 28,750 gsf of commercial space (17,969 gsf of office space and 10,781 gsf of local retail space) and 40,250 gsf of medical office space. Development would be consistent with other recent projects on the block including 18 Spencer Street and 31 Spencer Street (DOB NB Job No. 321458481 and 321516640, respectively). At Projected Development Site 12, the currently vacant site would be redeveloped with a 6,216-gsf one-story commercial building

Figure 3

Applicant and Non-Applicant Projected and Potential Development Sites



that would allow the property owner to incorporate all required parking on the lot without the increased cost of excavation to put parking below grade.

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

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

Each of the Projected and Potential Development Sites are described below and shown in **Figure 3**. **Table 2** includes the uses at each site under the With-Action Condition.

PROJECTED DEVELOPMENT SITES

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

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

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

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

Projected Development Site 5 - Block 1736; Lot 1 (528 Park Avenue) - At 528 Park Avenue, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 101,949 gsf building would include approximately 93

[3] Assumes 110 gsf per student.

DUs, 24 of which would be permanently affordable pursuant to MIH, and 14,188 gsf of ground floor local retail. Approximately 35 accessory off-street parking spaces would be required for the residential use.

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

Projected Development Site 7 - Block 1716; Lots 59-60 (535-537 Park Avenue) - At 535-537 Park Avenue, a site that is not under control of the Applicant, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 30,293 gsf building would include approximately 28 DUs, 7 of which would be permanently affordable pursuant to MIH, and 4,216 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site.

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

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

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

Projected Development Site 11 - Block 1735; Lots 61-62 (75-77 Spencer Street) - At 75-77 Spencer Street, a site not under the control of the Applicant, it is assumed for RWCDS purposes that an 11-story mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 19,988 gsf building would include approximately 17 DUs, five of which would be

permanently affordable pursuant to MIH, and 4,313 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site.

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

TABLE 2
With-Action Scenario Projected Development Sites

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

POTENTIAL DEVELOPMENT SITES

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

Potential Development Site B - Block 1717; Lots 58-60 (79-83 Spencer Street) – At Potential Development Site B, it is assumed that the redevelopment of the site would include a 11-story mixed-use residential and community facility building and would incorporate 34 DUs, nine of which would be permanently affordable pursuant to MIH, and 6,700 gsf of house of worship space on the ground floor.

Possible Effects of the Proposed Actions

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. **Table 3** below provides a comparison of the total RWCDS No-Action and With-Action scenarios identified for analysis purposes, for all 12 Projected Development Sites (i.e., total RWCDS). As shown, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 476 DUs, including 124

affordable units, 201,838 gsf of school space, 27,505 gsf of local retail space, and a net decrease of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, and a net decrease of 104 parking spaces. **Table 3** provides an estimate of the number of residents and workers generated by the total RWCDS for the Proposed Actions. As shown in **Table 3**, the total RWCDS for the Proposed Actions is estimated to result in a net increase of approximately 1,219 residents, approximately 43 workers, and approximately 1,835 students within the Project Area, as compared to the No-Action conditions.

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

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

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

G. PROPOSED SCOPE OF WORK FOR THE EIS

Because the total RWCDS associated with the Proposed Actions could potentially affect various areas subject to environmental assessment and was found to have the potential for significant adverse impacts, pursuant to the EAS and Positive Declaration, an Environmental Impact Statement (EIS) will be prepared for the Proposed Actions that will analyze all technical areas requiring analysis beyond the Environmental Assessment Statement.

The EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will follow the guidance of the 2021 *CEQR Technical Manual*, and will contain:

- A description of the development resulting from the Proposed Actions and its environmental setting;
- A statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;

- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- A discussion of reasonable alternatives to the Proposed Actions;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Actions should they be implemented; and
- A description of mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts.

Based on the conclusions of the EAS, in accordance with the *CEQR Technical Manual*, there is no potential for significant adverse impacts to; community facilities; historic and cultural resources; shadows; natural resources; solid waste and sanitation services; energy; due to the Proposed Actions, and, as a result, analysis for those environmental areas would not be required in the EIS. All other CEQR technical areas warrant assessment and would therefore be included in the EIS. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

Task 1: Project Description

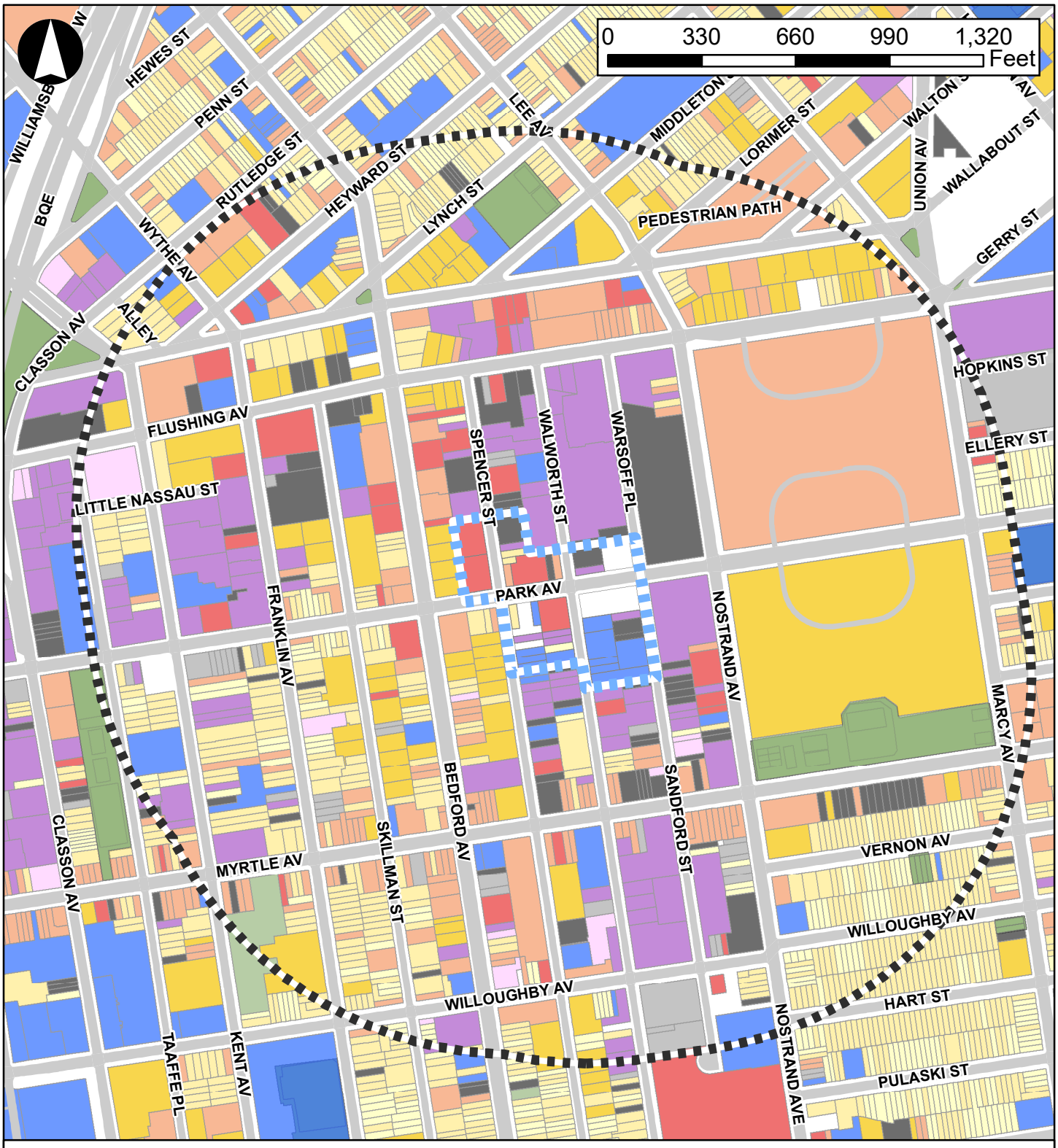
The first chapter of the EIS will introduce the reader to the discretionary actions and sets the context in which to assess impacts. This chapter will contain a description of the Proposed Actions and Project Area, including background and/or history; a statement of the purpose and need for the Proposed Actions; key planning considerations that have shaped the current proposal; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. In addition, the Project Description chapter will present the planning background and rationale for the actions being proposed and summarize the RWCDS for analysis in the EIS. Any need for environmental requirements or commitments as part of the Proposed Actions will be described.

The section on approval procedures will explain the ULURP process, its timing, and hearings before the Community Board, the Borough President's office, the CPC, and the New York City Council. The role of the EIS as a full-disclosure document to aid in decision-making will be identified and its relationship to ULURP and the public hearings described, as well as its relationship to other permitting and approvals processes.

Task 2: Land Use, Zoning, and Public Policy

A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project, describes the public policies that guide development in the area, and determines whether a proposed project is compatible with those conditions and consistent with these policies. In addition to considering the Proposed Actions' effects in terms of land use compatibility and trends in zoning and public policy, this chapter will also provide a baseline for other analyses. The primary land use study area will consist of the Project Area, where the potential effects of the Proposed Actions would be directly experienced. The secondary land use study area would include the neighboring areas within an approximate ¼-mile radius from the Project Area, as shown in **Figure 4**, which could experience indirect impacts. The analysis will include the following subtasks:

- Provide a brief development history of the Project Area (primary study area) and its surroundings (secondary study area).
- Provide a description of land use, zoning, and public policy, including the Waterfront Revitalization Program (WRP) in the study areas discussed above. Recent trends in the area will be noted.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SPENCER ST
WALWORTH ST
WARSOFF PL
PARK AV
FRANKLIN AV
NOSTRAND AV
MARCY AV
BEDFORD AV
SANDFORD ST
SKILLMAN ST
MYRTLE AV
VERNON AV
WILLOUGHBY AV
HART ST
TAAFFE PL
KENT AV
PULASKI ST
NOSTRAND AVE
Proposed Rezoning Area (Project Area)
1/4-mile Radius
Land Use
One & Two Family Buildings
Multi-Family Walkup Buildings
Multi-Family Elevator Buildings
Mixed Commercial/Residential Buildings
Commecial/Office Buildings
Industrial/Manufacturing
Transportation/Utility
Public Facilites & Institutions
Open Space
Parking Facilities
Vacant Land
All Others or No Data

- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study area. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2030 analysis year and may influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Actions (No-Action condition).
- Describe the Proposed Actions and provide an assessment of the impacts of the resultant RWCDS on land use and land use trends, zoning, and public policy, including preparation of the WRP Consistency Assessment Form (CAF). Consider the effects of the Proposed Actions related to issues of compatibility with surrounding land use, consistency with public policy initiatives, and the effect on development trends and conditions in the area.

Task 3: Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area. This chapter will assess the Proposed Actions' potential effects on the socioeconomic character of the study area.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. As detailed below, the total RWCDS, which would introduce 476 new residential units, warrants an assessment of socioeconomic conditions with respect to indirect residential displacement and direct business displacement. The other three issues of concern are either not applicable to the total RWCDS, or the development facilitated by the Proposed Actions would not meet the threshold for a preliminary assessment.

Direct displacement of fewer than 500 residents or of fewer than 100 employees would not typically be expected to alter the socioeconomic characteristics of a neighborhood, according to the *CEQR Technical Manual*. As the Projected Development Sites comprising the RWCDS contain over 100 employees and only 3 dwelling units, the Proposed Actions would exceed the direct business displacement but would not exceed the direct residential displacement thresholds. Therefore, analysis of socioeconomic effects of direct business displacement is warranted. Analysis of socioeconomic effects of direct residential displacement is not warranted. In addition, as the Proposed Actions would not affect conditions within a specific industry, an analysis of adverse effects on specific industries is not warranted, and no significant adverse impacts would result. Lastly, as the total RWCDS would introduce less than 200,000 sf of commercial uses, an assessment of indirect business displacement is not warranted, and no significant adverse impacts would result.

The assessment of indirect residential displacement will begin with a preliminary assessment to determine whether a detailed analysis is necessary. A detailed analysis will be conducted if the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. In accordance with

CEQR Technical Manual guidance, the detailed assessment will be framed in the context of existing conditions and evaluations of the future No-Action and With-Action conditions in 2030, including any population changes anticipated to take place by the analysis year of the Proposed Actions.

Indirect Residential Displacement

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement could occur if a proposed project either introduces a trend or accelerates a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change, according to the *CEQR Technical Manual*. To assess this potential impact, the *CEQR Technical Manual* seeks to answer a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or introduction of higher-income housing.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. The description of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income. The preliminary assessment will carry out the following step-by-step evaluation, pursuant to *CEQR Technical Manual* guidance, to determine whether the RWCDS would add substantial new population with higher incomes as compared with the income of the study area population and evaluate whether the study area has experienced a readily observable trend toward increasing rents.

The preliminary analysis would include the following steps, as described in Section 322.1 of the *CEQR Technical Manual*:

- Step 1: Determine if the Proposed Actions would add substantial new population with different income, as compared with the income of the study area population. If the expected average income of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average income of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- Step 2: Determine if the Proposed Actions' population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- Step 3: Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends and whether the study area potentially contains a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.

A detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the Proposed Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

Direct Business Displacement

For direct business displacement, the type and extent of businesses and workers to be directly displaced by the total RWCDS associated with the Proposed Actions will be disclosed. If a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate, according to the *CEQR Technical Manual*. The Proposed Actions have the potential to exceed the *CEQR Technical Manual* analysis threshold of 100 displaced employees, and therefore, a preliminary assessment will be provided in the EIS, pursuant to CEQR guidance.

The analysis of direct business and institutional displacement will estimate the number of employees and the number and types of businesses that would be displaced by the Proposed Actions and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information will be used in addressing the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the businesses to be displaced provide products or services essential to the local economy that would no longer be available in its "trade area" to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of businesses is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

Task 4: Open Space

If a project may add population to an area, demand for existing open space facilities would typically increase. Indirect effects may occur when the population generated by a proposed project would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. An assessment is conducted if the Proposed Actions would generate more than 200 residents or 500 employees, or a similar number of other uses. As shown in **Table 3**, it is anticipated that the total RWCDS for the Proposed Actions would add an incremental 1,219 residents, approximately 43 employees, and 1,835 students to the area, over future No-Action conditions.

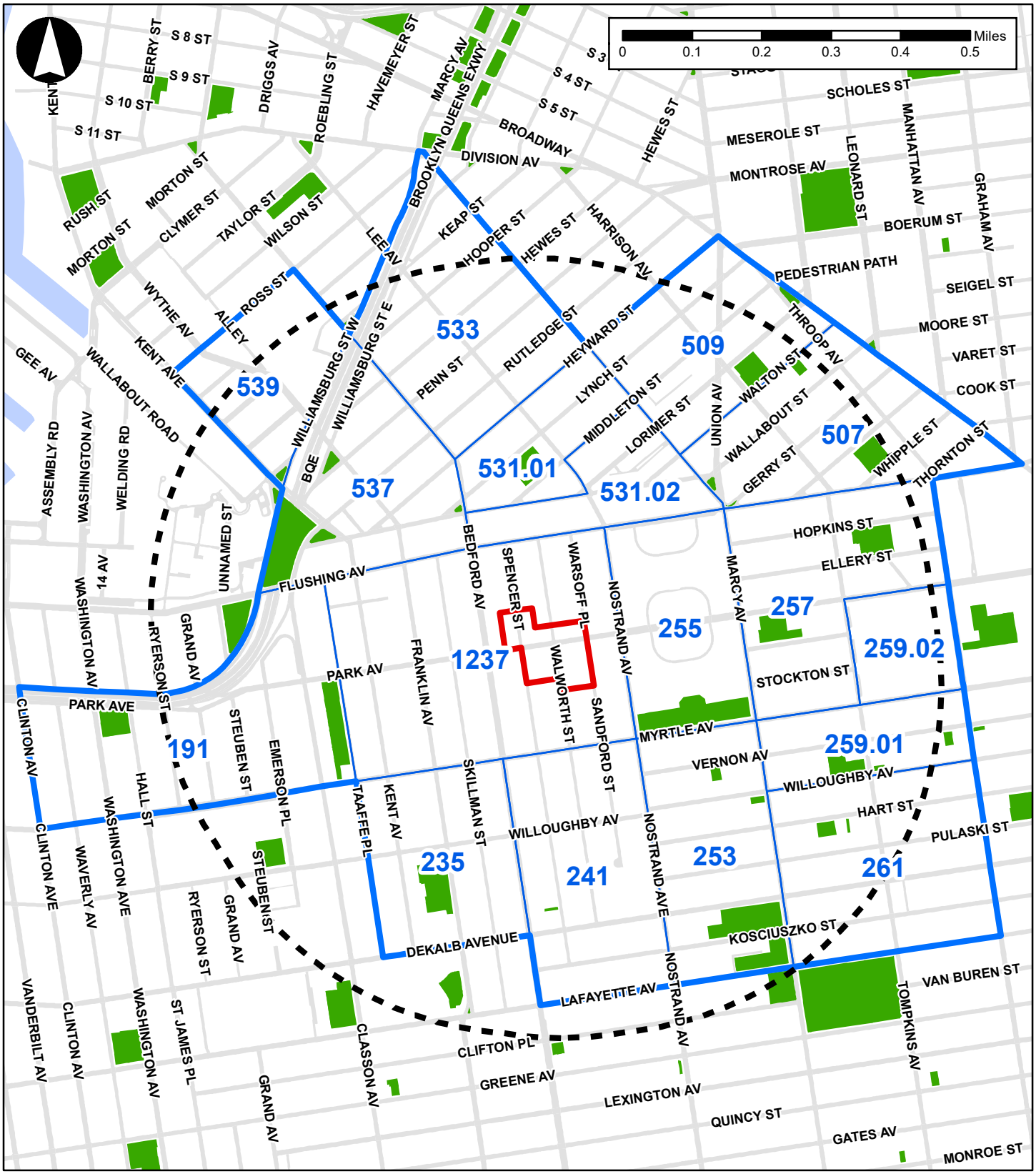
The Proposed Actions would not directly displace any open space as there is no publicly accessible open space located within the Project Area. With respect to potential indirect impacts, the total RWCDS for the Proposed Actions is expected to introduce more than 200 residents (1,219 incremental residents); therefore, an assessment of the potential for indirect effects on open space due to an increased residential population is warranted. The number of incremental workers generated by the Proposed Actions would be 43, less than the 500-worker threshold specified in the *CEQR Technical Manual*. Therefore, a detailed open space analysis is warranted for the residential population only, which would be included in the EIS pursuant to the following sub-tasks.

The open space analysis will consider both passive and active open space resources within a residential (0.5-mile radius) study area. As shown in **Figure 5**, the study area will generally comprise those census tracts that have 50 percent or more of their area located within the ½-mile radius of the Project Area, as recommended in the *CEQR Technical Manual*.[4]

The detailed open space analysis in the DEIS will include the following subtasks:

- Characteristics of the residential users will be determined. To determine the number of residents in the study area, 2020 U.S. Census data will be compiled for census tracts comprising the residential

[4] 0.5-mile radius adjusted to be coterminous with the boundaries of census tracts and census blocks with existing populations that have 50 percent of their area within the radius; the 0.5-mile radius was not adjusted to be coterminous with census tracts with negligible existing populations (e.g., census tracts entirely comprised of open space).



Source: NYCDCPPLUTO 2023v3.1, DoITT (2022).

Legend

Project Area | 1/2-mile Radius | Open Space Study Area | Open Space | 1237 Census Tracts

open space study area. As the study area may include a workforce and daytime population that may also use open spaces, the number of employees and daytime workers in the study area will also be calculated, based on reverse journey-to-work census data and other available information.

- Existing publicly accessible passive and active open spaces within the ½-mile open space study area will be inventoried and mapped. The condition and usage of existing facilities will be described based on the inventory and field visits. Acreages of these facilities will be determined, and the total study area acreages will be calculated. The percentage of passive and active open space will also be calculated.
- Based on the inventory of facilities and study area populations, total, passive, and active open space ratios will be calculated for the residential population and compared to City guidance to assess adequacy. Open space ratios are expressed as the amount of open space acreage (total, passive, and active) per 1,000 user population.
- Expected changes in future levels of open space supply and demand in the 2030 analysis year will be assessed, based on other planned development projects within the open space study area. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. Open space ratios will be calculated for future No-Action conditions and compared with exiting ratios to determine changes in future levels of adequacy.
- Effects on open space supply and demand resulting from increased residential population associated with the Proposed Actions will be assessed. Any new public accessory open space facilities included in the Proposed Actions would also be taken into account. The assessment of the Proposed Actions' impacts will be based on a comparison of open space ratios for the future No-Action versus future With-Action conditions. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the Proposed Actions constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study areas are sufficiently served by open space, given the type (active or passive), capacity, condition, and distribution of open space, and the profile of the study area populations.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

Task 5: Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate. As the Proposed Actions would allow higher density within the Project Area, a preliminary assessment of urban design and visual resources will be provided in the EIS.

The urban design study area will be the same as that used for the land use analysis (delineated by a ¼-mile radius from the Project Area boundary). For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will consist of the following:

- Based on field visits, the urban design and visual resources of the directly affected area and adjacent study area will be described using text, photographs, and other graphic material, as necessary, to identify critical features, use, bulk, form, and scale.
- In coordination with Task 2, "Land Use. Zoning. And Public Policy," the changes expected in the urban design and visual character of the study area due to known development projects in the future No-Action condition will be described.
- Potential changes that could occur in the urban design character of the study area as a result of the Proposed Actions will be described. Elements such as streetwall height, setback, building envelope, and massing/bulk relationship will be evaluated in No-Action and With-Action conditions. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including view of/to resources of visual or historic significance and a three-dimensional representation of the future With-Action condition streetscape.

If warranted based on the preliminary assessment, a detailed urban design and visual resources analysis would be prepared in accordance with *CEQR Technical Manual* guidance. Examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline, as described in the *CEQR Technical Manual*. The detailed analysis would describe the Project Area and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the Proposed Actions, in comparison to the future without the Proposed Actions, focusing on the changes that could negatively affect a pedestrian's experience of the area.

Task 6: Hazardous Materials

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials chapter will examine the potential for significant hazardous materials impacts from the Proposed Actions. As part of the hazardous materials task, a Phase I Environmental Site Assessment (ESA) was prepared for the Project Area and will be discussed in the EIS.

Task 7: Water and Sewer Infrastructure

The water and sewer infrastructure assessment determines whether a proposed action may adversely affect the City's water distribution or sewer system and, if so, assess the effects of such actions to determine whether their impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and stormwater. As described in the EAS for the Proposed Actions, an analysis of the City's water supply is not warranted as the RWCDS would not result in a demand of more than one million gallons per day (gpd) and the Project Area is not located in an area that experiences low water pressure. However, water demand estimates will be provided in the EIS to inform the wastewater and stormwater conveyance and treatment analysis.

The threshold of preliminary wastewater and stormwater infrastructure analysis for projects outside of Manhattan with combined sewers is 400 DUs or 150,000 sf of commercial development or involve development on a site that is 5 acres or larger where the amount of impervious surface would increase. As the RWCDS With-Action condition would include more than 400 DUs, an assessment of wastewater and stormwater conveyance systems is required. The water and sewer infrastructure analysis will consider the potential for significant adverse impacts resulting from the Proposed Actions. DEP will be consulted in preparation of this assessment.

Wastewater and Stormwater Infrastructure

- The appropriate study area for the assessment will be established in accordance with the guidance of the *CEQR Technical Manual* and in consultation with DEP. The Proposed Area's directly affected area is primarily located within the service area of the Newtown Creek Wastewater Resource Recovery Facility (WRRF).
- The existing stormwater drainage system and surfaces (pervious or impervious) on the 12 RWCDS Projected Development Sites will be described, and the amount of stormwater generated on the sites will be estimated using DEP's volume calculation worksheet.
- The existing sewer system serving the Project Area will be described based on records obtained from DEP. The existing flows to the Newtown Creek WRRF, which serves the directly affected area, will be obtained for the latest twelve-month period, and the average dry weather monthly flow will be presented.
- Any changes to the stormwater drainage plan, sewer system, and surface area expected in the future without the Proposed Actions will be described, as warranted.
- Future stormwater generation from the RWCDS will be assessed to determine the Proposed Actions' potential to result in impacts. Changes to the Projected Development Sites' surface area will be described, runoff coefficients and runoff for each surface type/area will be presented, and volume and peak discharge rates from the site will be determined based on the DEP volume calculation worksheet.
- Sanitary sewage generation for the RWCDS will also be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the Newtown Creek WRRF.

A more detailed assessment may be required if increased sanitary or stormwater discharges resulting from the Proposed Actions are predicted to affect the capacity of portions of the existing sewer system, exacerbate combined sewer overflow (CSO) volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The scope of a more detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment and in coordination with DEP and DCP.

Task 8: Transportation

The objective of the transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists, and vehicles), on- and off-street parking, or goods movement. All transportation analyses will be performed pursuant to the guidance specified in the 2021 *CEQR Technical Manual*, including but not limited to traffic and parking, transit, pedestrians, vehicular and pedestrian safety, and access/freight management.

Traffic

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of project-generated demand would occur. The peak hours for analysis will be selected, and the specific intersections to be included in the traffic study area will be determined based upon the assignment of project-generated traffic and the *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour, or at known congested locations.

The Proposed Actions would exceed the minimum development density screening thresholds for a transportation analysis specified in Table 16-1 of the *CEQR Technical Manual*. Therefore, a travel demand forecast is required to determine if the total RWCDS for the Proposed Actions would generate 50 or more vehicle trips in any peak hour. Based on a preliminary forecast, the total RWCDS for the Proposed Actions is expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday midday peak hour. Detailed analysis will be conducted at intersections that would experience more than 50 additional vehicles during any of the peak hours.

The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Actions:

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts (TMC). If needed, vehicle classification counts and travel time studies (speed runs) will be conducted to provide supporting data for air quality and noise analyses. TMC data will be collected at each analyzed intersection during the weekday and Saturday peak hours, and will be supplemented by nine days of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The TMC and vehicle classification counts will be conducted concurrently with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as DOT and DCP.
- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes, curbside parking regulations. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from DOT.
- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per lane group, per intersection approach, and per overall intersection. This analysis will be conducted using the 2000 Highway Capacity Manual (HCM) methodology with the latest approved Highway Capacity Software (HCS).
- Based on available sources, U.S. Census data and standard references including the *CEQR Technical Manual*, estimate the demand from other major developments planned in the vicinity of the Development Site by the 2030 analysis year. This will include total daily and peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action projects as well as other DOT initiatives will be included in the future No-Action network, as applicable.
- Compute the future 2030 No-Action traffic volumes based on approved background traffic growth rates for the study area (0.5 percent per year for years one through five, 0.25 percent for year six) and demand from major development projects expected to be completed in the future without the

Proposed Actions. Incorporate any planned changes to the roadway system anticipated by 2030 and determine the No-Action v/c ratios, delays, and levels of services at analyzed intersections.

- Using Census data, standard references including the *CEQR Technical Manual*, and data from previous studies, develop a travel demand forecast for the RWCDS based on the net change in uses compared to the No-Action condition. For each analyzed peak hour, determine the net change in vehicle trips expected to be generated by the Proposed Actions as described in the TPF/TDF technical memorandum. Assign the net project-generated trips in each analysis period to likely approach and departure routes and prepare traffic volume networks for the 2030 future with the Proposed Actions for each analyzed peak hour.
- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With-Action condition and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area in consultation with the lead agency and DOT. Potential traffic mitigation could include both operational and physical measures such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be fully or partially mitigated, they will be described as unavoidable adverse impacts.

Transit

Detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips according to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*. If a proposed action would result in 50 or more bus trips being assigned to a single bus line (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or subway analysis would be warranted.

As noted above, based on preliminary travel demand forecasts provided in the TPF/TDF technical memorandum, the Proposed Actions are expected to generate a net increase of more than 200 additional subway trips in one or more peak hours, and would therefore require detailed transit analyses based on *CEQR Technical Manual* criteria. The projected net increase in bus trips is not expected to exceed the *CEQR Technical Manual* analysis threshold of 50 or more bus trips per line and direction and would therefore not require a detailed analysis.

SUBWAY

There are three existing subway stations located in proximity to the Development Site that would potentially be utilized by project-generated trips: the Flushing Avenue and Myrtle – Willoughby Avenue Stations (G train), and the Lorimer Street Station (J and M train). Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems is usually highest. The detailed transit analyses will include the following subtasks:

- Identify for analysis those subway stations expected to be utilized by 200 or more project-generated trips in one or more peak hours. At each of these stations, analyze those stairways and entrance control elements expected to be used by significant concentrations of project-generated demand in the weekday AM and PM peak hours.
- Conduct counts of existing weekday AM and PM peak hour demand at analyzed subway station elements and determine existing v/c ratios and levels of service based on *CEQR Technical Manual* criteria.

- Determine volumes and conditions at analyzed subway station elements in the future without the Proposed Actions using approved background growth rates and accounting for any trips expected to be generated by any major projects in the vicinity of the study area.
- Add project-generated demand to the No-Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Actions.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and New York City Transit (NYCT). Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

Pedestrians

Projected pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalks, corner areas, and crosswalks) would not typically be considered a significant impact, since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. Based on the level of new pedestrian demand generated by the Proposed Actions, it is anticipated that project-generated pedestrian trips would exceed the 200-trip *CEQR Technical Manual* analysis threshold at several locations in one or more peak hours (refer to TPF technical memorandum). A detailed pedestrian analysis will therefore be prepared for the EIS focusing on selected sidewalks, corner areas, and crosswalks along corridors that would experience more than 200 additional peak hour pedestrian trips. Pedestrian counts will be conducted at each analysis location and used to determine existing levels of service. No-Action and With-Action pedestrian volumes and levels of service will be determined based on approved background growth rates, trips expected to be generated by major projects in the vicinity of the study area, and project-generated demand. The specific pedestrian facilities to be analyzed will be determined in consultation with the lead agency once the assignment of project-generated pedestrian trips has been finalized. The analysis will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

Data on traffic crashes involving pedestrians and/or cyclists at study area intersections will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified as high crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, practicable measures to enhance pedestrian/bicycle safety at these locations will be explored to alleviate potential safety issues.

Task 9: Air Quality

CEQR Technical Manual criteria require an air quality assessment for actions that can result in potentially significant air quality impacts. Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources, as well as from vehicles using parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks from HVAC systems that can affect surrounding uses; or when proposed actions add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks.

Mobile Sources

As discussed in the EAS, the Proposed Actions are expected to result in an increase in vehicle trips higher than the *CEQR Technical Manual* CO screening threshold of 170 trips at any intersection in the study area. A screening analysis would be performed based on vehicular trip increments resulting from the Proposed Actions and, if it is determined that more than 170 trips would be generated at any intersection, a CO impact analysis would be conducted in accordance with *CEQR Technical Manual* guidance. For mobile source PM impact, screening analysis would be performed based on vehicular trip increments resulting from the Proposed Actions. If the screening fails, detailed $PM_{2.5}$ impact analysis will be conducted in accordance with *CEQR Technical Manual* guidance. As there are no atypical roadways within 200 feet of any future sensitive receptors introduced by the Proposed Actions, an atypical roadway analysis is not warranted. As the development of each Projected Development Site would not introduce a new parking facility with 85 or more parking spaces in proximity to new sensitive use, a mobile source garage analysis is not warranted.

Stationary Source Analysis

The stationary source air quality impact analysis will determine the potential effects of emissions from the heating, ventilating, and air conditioning (HVAC) systems on nearby sensitive land uses (Project-on-Existing Impact) and other buildings within the Project Area if applicable (Project-on-Project Impact). Emissions from existing large/major existing sources within a 1,000-foot radius from the Project Area and existing industrial/manufacturing zoned uses within a 400-foot study area, will also be assessed to examine the potential for impacts on the Projected Development Sites

HEATING AND HOT WATER SYSTEM ANALYSIS

The analysis of the heating and hot water systems of the Projected Development Sites will consider impacts following the screening procedures outlined in the 2021 *CEQR Technical Manual* to determine the potential for impacts on existing developments, as well as the potential for HVAC emissions of the Projected Development Sites on one another (i.e., project-on-project impacts).

Refined modeling analysis will be performed using the latest version of the EPA AERMOD model and five years of representative meteorological data. Emission rates for project-on-project impact assessment will be developed based on the size of the development and type of heating system proposed, whether it would be boiler(s) or co-generating units. Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO_2) and particulate matter ($PM_{2.5}$ and PM_{10}) will be determined at the taller building's sensitive receptors and at surrounding publicly-accessible locations. Receptors will be placed at multiple locations on all facades of the Projected Development Sites – on every floor and 10 feet in the horizontal direction to identify maximum pollutant concentrations and concentration increments per the guidance provided in the *CEQR Technical Manual*.

Predicted values will be compared to the NAAQS for NO_2, SO_2, and PM_{10}, and the CEQR *de minimis* criteria for $PM_{2.5}$. If required, an air quality (E) designation will be proposed to mandate fuel, system, operational and/or heating and hot water system exhaust stack restrictions that would be required to avoid a significant adverse air quality impact. The DEIS would include (E) designation language describing the requirements that would apply.

LARGE/MAJOR SOURCE ANALYSIS

The *CEQR Technical Manual* requires an analysis of projects that may result in significant adverse impact due to certain types of new uses located near a "large" or "major" stationary emissions source. Major sources are defined as those located at facilities that have a Title V or Prevention of Significant Deterioration air permit, while large sources are defined as those located at facilities that require a State Facility Permit. To assess the potential effects of these existing sources on the Project Area, a review of existing permitted facilities will be conducted using EPA, NYSDEC, and DEP databases. If any large or major stationary emissions sources are identified, a detailed analysis would be prepared. Impacts would be assessed in relation to the NAAQS and CEQR $PM_{2.5}$ *de minimis* criteria.

Industrial Source Analyses

The analysis of the potential impacts of the emissions from existing industrial/manufacturing facilities will be conducted as follows:

- A land use review will be conducted to identify potential industrial source block/lots within 400 feet of the Project Area based on GIS data and field review of the area. In addition, DEP and NYSDEC permit records will be reviewed to identify permitted facilities within the study area. This will include the NYPA facility as an existing industrial source, as, according to the NYPA permit, the facility emits several individual toxic pollutants.
- A field survey will be performed to confirm the operating status of existing permitted facilities and to identify any permitted sources of air toxics emissions.
- DEP permit records will be requested and reviewed for each potential industrial source block/lot. Permits for emergency generators, gas stations, boilers and small drycleaners will be excluded from further consideration per the City's guidelines. Similarly, sites that are no longer in existence based on the field review will not be considered. Nonpermitted sources identified in the field review will be considered for analysis.
- Short-term and annual emission rates for existing industrial sources will be determined based on the DEP permit data or estimated, as applicable. Depending on the type of source and data available in the permit file, this step may require research into typical emission rates from other facilities if detailed information for the subject facility is not available.
- An industrial source screening analysis per CEQR procedures will be completed to confirm the sites requiring detailed analysis.
- If required, conduct an AERMOD detailed analysis for industrial sources (existing) that fail the screening analyses. Stack parameters will be obtained from permits or from coordination with the applicant. This task will involve developing a detailed receptor network and building information, AERMOD run setup (including specifying how industrial source emissions may vary by time of day, or season), and comparing the resulting modeled concentrations to the applicable standards from NYSDEC's DAR-1 AGC/SGC Tables and to the NAAQs and CEQR de minimis criteria.
- Potential cumulative impacts of multiple air pollutants will be determined based on the EPA's Hazard Index Approach for non-carcinogenic compounds and using the EPA's Unit Risk Factors for carcinogenic compounds. Both methods are based on equations that use EPA health risk information (established for individual compounds to determine the level of health risk posed by specific ambient concentrations of that compound. The derived values of health risk are additive and can be used to determine the total risk posed by multiple air pollutants.

Task 10: Greenhouse Gas Emissions and Climate Change

Greenhouse Gas Emissions

Increased greenhouse (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. As the total RWCDS exceeds the 350,000 sf development threshold, a GHG emissions assessment will be provided in the EIS. GHG emissions generated by the Proposed Actions will be quantified and an assessment of consistency with the City's established GHG reduction goal will be performed as part of the EIS in accordance with the *CEQR Technical Manual*. The assessment will examine GHG emissions from the Proposed Actions' RWCDS' operations, mobile sources, and construction, as outlined below.

- Sources of GHG from the development projected as part of the Proposed Actions will be identified. The pollutants for analysis will be discussed, as well as various City, State, and Federal goals, policies, regulations, standards, and benchmarks for GHG emissions.
- Fuel consumption will be estimated for the 12 Projected Developments based on the carbon emission factors specified in the *CEQR Technical Manual*.
- GHG emissions associated with the Action-related traffic will be estimated for the total RWCDS for the Proposed Actions using data from Task 8, transportation. A calculation of vehicle miles traveled (VMT) will be prepared.

A qualitative discussion of stationary and mobile sources of GHG emissions will be provided in conjunction with a discussion of goals for reducing GHG emissions to determine if the Proposed Actions are consistent with GHG reduction goals, including building efficient buildings, using clean power, transit-oriented development and sustainable transportation, reducing construction operations emissions, and using building materials with low carbon intensity.

Climate Change

As noted in the EAS for the Proposed Actions, the Project Area is not located within the 100-year or 500-year flood zone, however, it is located within the 2020s and 2050s 100- and 500-year projections. Therefore, the Project Area is susceptible to storm surge and coastal flooding, and an assessment of climate change is warranted. This chapter of the EIS will include a qualitative discussion of potential effects of climate change and design measures that could be incorporated into new development projected to occur in the Project Area to mitigate that effect. The most recent New York Panel on Climate Change (NPCC) projections of future floodplains will be used for the climate change assessment. The consistency of the Proposed Actions with climate change/sea level rise considerations is assessed as part of the WRP assessment to be included in Task 2, "Land Use, Zoning, and Public Policy," and will be summarized as part of the Climate Change assessment.

Task 11: Noise

For the Proposed Actions, there are two major areas of concern regarding noise: (1) the effect the total RWCDS would have on noise levels in the surrounding community; and (2) the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements.

It is not expected that project-generated traffic would be likely to result in significant adverse noise impacts. However, a screening assessment will be performed to determine whether there are any locations where there is the potential for the RWCDS to result in significant noise impacts (i.e., doubling of Noise Passenger Car Equivalents [PCEs]) due to project-generated traffic. A detailed analysis of potential noise impacts due to outdoor mechanical equipment is not required as the outdoor mechanical equipment for any future development facilitated by the Proposed Actions would be required to meet applicable regulations, which are more stringent than *CEQR Technical Manual* impact criteria. The noise analysis will also examine the level of building attenuation necessary to meet CEQR interior noise level requirements.

The following tasks will be performed in compliance with *CEQR Technical Manual* guidance:

- Based on the traffic studies conducted for Task 8, "Transportation," a screening analysis will be conducted to determine whether there are any locations where there is the potential for the RWCDS to result in significant noise impacts (i.e., doubling Noise PCEs) due to project-generated traffic. If it is determined that Noise PCEs would double at any sensitive receptor, a detailed analysis would be conducted in accordance with *CEQR Technical Manual* guidance.
- Appropriate noise descriptors for building attenuation purposes would be selected. Based on CEQR criteria, the noise analysis will examine the L_{10} and the one-hour equivalent ($L_{eq(1)}$) noise levels.
- Existing noise data will be collected at the receptor locations adjacent to the Projected Development Sites within the Project Area in order to measure existing noise levels generated by nearby traffic. At each receptor site, 20-minute measurements will be performed during typical weekday AM, midday, school PM, and PM peak periods (coinciding with the traffic peak periods). Noise measurements will be recorded in conformance with *CEQR Technical Manual* procedures, and measured noise level descriptors will include equivalent noise level (L_{eq}), maximum level (L_{max}), minimum level (L_{min}), and statistical percentile levels such as L_1, L_{10}, L_{50}, and L_{90}. A summary table of existing measured noise levels will be provided as part of the EIS.
- A playground noise analysis will be included in the EIS to identify whether the proposed rooftop play areas at Projected Development Sites 2, 6, and 8 would impact any existing or future nearby sensitive receptors.
- Following procedures outlined in the *CEQR Technical Manual* for assessing mobile and stationary source noise impacts and the cumulative effects of each, future No-Action and With-Action noise levels will be estimated at the noise receptor locations based on acoustical fundamentals. All projections will be made with L_{eq} noise descriptor.
- The level of building attenuation necessary to satisfy CEQR requirements (a function of the exterior noise levels) will be determined based on the highest L_{10} noise level estimated at each monitoring site. If required, an enforceable legal mechanism will be proposed to memorialize building attenuation requirements, such as (E) designations placed where applicable, pursuant to Section 11-15 of the New York City Zoning Resolution.

Task 12: Public Health

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status, as defined in the CEQR Technical Manual. The goal of CEQR with respect to public health is to determine whether

adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

Although no adverse impact on public health is anticipated, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise, according to the *CEQR Technical Manual*. For the Proposed Actions, a preliminary public health assessment will be conducted that will consist of a summary of the Proposed Actions' potential to result in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, and noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

Task 13: Neighborhood Character

Neighborhood character is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The Proposed Actions and resultant development have the potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a neighborhood character analysis will be provided in the EIS.

A preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; natural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.
- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition and compare to the future No-Action condition.
- Evaluate whether the Proposed Actions have the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Actions could affect the defining features of neighborhood character, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual* guidance.

Task 14: Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise levels, air quality conditions, and mitigation of hazardous materials. Multi-sited projects with overall construction periods lasting longer than two years and that are near to sensitive receptors should undergo a preliminary impact assessment according to the *CEQR Technical Manual*. Construction of the total RWCDS associated with the Proposed Actions is expected to take place over a period greater than two years and is therefore considered long-term. As such, construction analysis will focus on the conceptual construction schedule to develop the 12 Projected

Development Sites. This chapter of the DEIS will provide a preliminary impact assessment following the guidance in the *CEQR Technical Manual*. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. Technical areas to be assessed include the following:

- **Transportation Systems:** In accordance with *CEQR Technical Manual* methodologies, the travel demand that would be generated during construction of the total RWCDS will be forecasted to identify the expected number of vehicle, transit (bus and subway) and pedestrian trips from construction workers and equipment. The potential effects of this construction travel demand on study area transportation systems will then be assessed. Based on the trip projections of activities associated with peak construction for the RWCDS, an assessment of potential transportation impacts during construction and how they are compared to the trip projections under the operational condition will be provided. If this effort identifies the need for separate detailed quantitative analysis due to an exceedance of the *CEQR Technical Manual* quantified transportation analysis thresholds (50 or more vehicle-trips and/or 200 or more transit/pedestrian trips during a given peak hour), such analysis will be prepared. The assessment will also evaluate the potential effects of construction activities on streets, sidewalks, bicycle and bus lanes, and transit access points adjacent to the Project Area, where applicable.
- **Air Quality:** The construction air quality impact section will contain a detailed discussion of emissions from construction equipment, on-road construction-related vehicles, as well as fugitive dust. The quantitative analysis will review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations including the adjacent school and playground and identify any project-specific control measures required to further reduce the effects of construction and to ensure that significant impacts on air quality do not occur.
- **Noise:** The construction noise impact section will contain a detailed quantitative analysis of noise from each phase of construction activity. Appropriate recommendations will be made to comply with NYCDEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will quantitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce construction noise. Potential construction-related noise impacts will be assessed and addressed quantitatively.
- **Other Technical Areas:** As appropriate, the construction assessment will discuss other areas of environmental concern, including Land Use and Neighborhood Character, Socioeconomic Conditions, Community Facilities, Open Space, Historic and Cultural Resources, and Hazardous Materials, for potential construction-related impacts. In accordance with *CEQR Technical Manual* guidelines, the construction analysis will include an assessment of whether construction of the 12 Projected Development Sites identified in the total RWCDS would potentially physically impact, or inhibit access to, adjacent land uses, including community facilities.

If significant adverse impacts are identified, mitigation measures will be identified in conjunction with DCP as lead agency and any expert agencies, as appropriate.

Task 15: Mitigation

Where significant adverse impacts that could result from the Proposed Actions have been identified in Tasks 2 through 13, this chapter will describe the practicable measures that would be implemented to mitigate those impacts. These measures will be developed and coordinated with the responsible City/State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

Task 16: Alternatives

Pursuant to CEQR, the purpose of an alternatives section in an EIS is to examine development options that would reduce or eliminate impacts resulting from the Proposed Actions while substantively meeting the goals and objectives of the Proposed Actions. The specific alternatives to be analyzed will be better defined once the full extent of the Proposed Actions' impacts have been identified. At this time, it is expected that the EIS will include two alternatives: (1) a No-Action alternative, which describes the conditions that would exist if the Proposed Actions were not implemented, and is considered throughout the EIS as the No-Action Condition, and (2) a No Unmitigated Impact alternative, which assesses a change in density or program design in order to avoid the potential for any unmitigated significant adverse impacts that may be associated with the Proposed Actions. The specifics of these alternatives will be finalized as project impacts become clarified. The analysis of each alternative will be qualitative, except in those technical areas where significant adverse impacts of the Proposed Actions have been identified.

Task 17: Summary EIS Chapters

The EIS will include the following three summary chapters, in accordance with CEQR guidance:

- **Unavoidable Adverse Impacts:** summarizes any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).
- **Growth-Inducing Aspects of the Proposed Project:** which generally refer to "secondary" impacts of the Proposed Actions that trigger further development.
- **Irreversible and Irretrievable Commitments of Resources:** which summarizes the Proposed Actions and their impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term. Any significant impacts for which no mitigation can be implemented will be presented as Unavoidable Adverse Impacts. In addition to discussions of Growth-Inducing Aspects of the Proposed Project and Irreversible and Irretrievable Commitment of Resources.

Task 18. Executive Summary

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Actions and associated RWCDS, the environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.