1014 Brook Avenue Rezoning

Draft Scope of Work for an Environmental Impact Statement

CEQR No. 26DCP001X

Lead Agency:
New York City Planning Commission

Prepared by:
Philip Habib & Associates, an AKRF Division

July 18, 2025

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DRAFT SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT

CEQR No. 26DCP001X

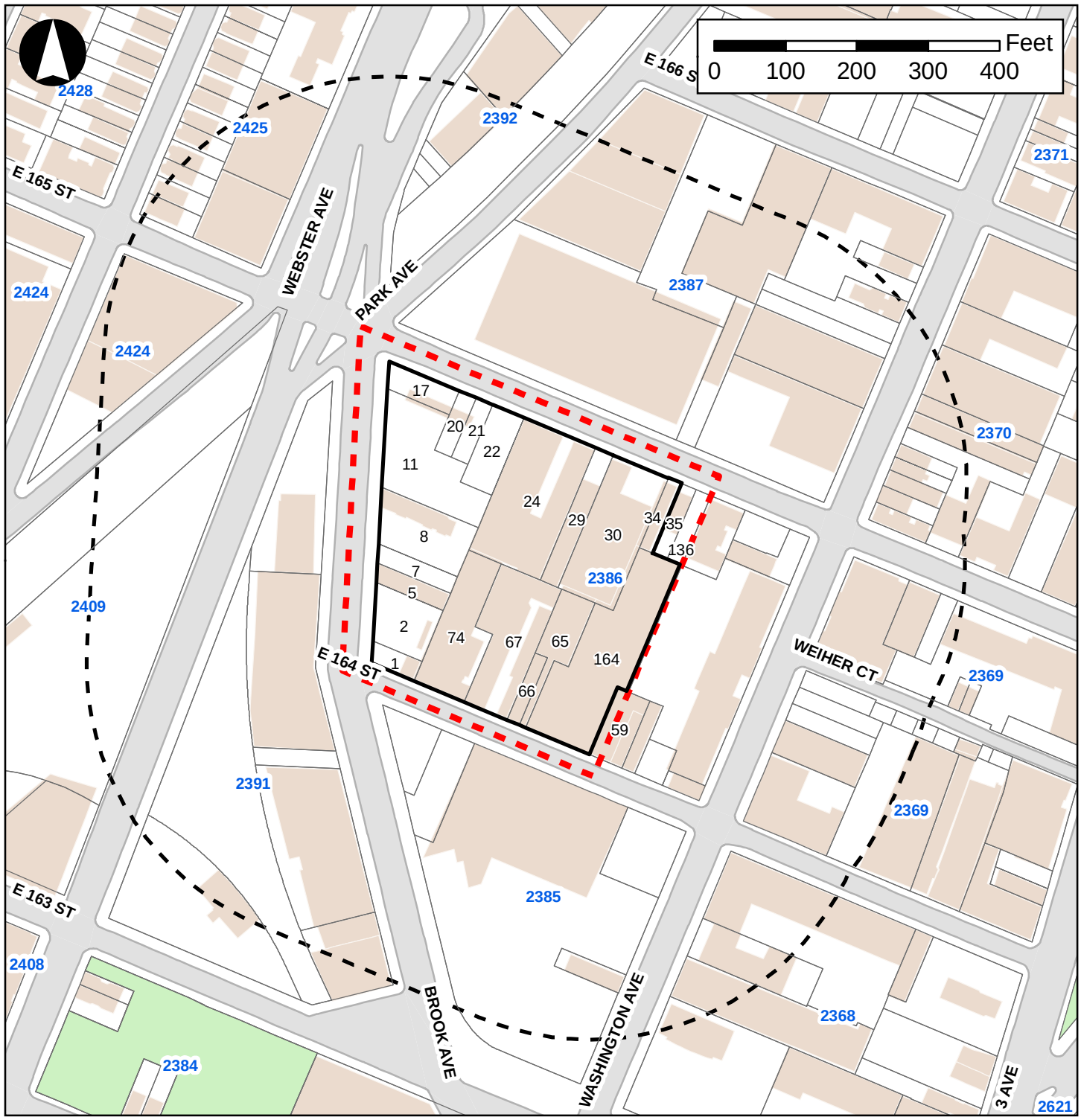
July 18, 2025

A. INTRODUCTION

This Draft Scope of Work ("Draft Scope") outlines the technical areas to be analyzed in the preparation of the Environmental Impact Statement (EIS) for the 1014 Brook Avenue Rezoning proposal. The Applicant, 1004 Brooks, LLC, is proposing: (1) a zoning map amendment to rezone the western portion of Bronx Block 2386, Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, part of ("p/o") 59, 65, 66, 67, 74, p/o 136, and p/o 164 (the "Proposed Rezoning Area" or directly affected area) from M1-1 and M1-1/R7-2 (MX-7) districts to M1-4/R8 and M1-4/R7-3 districts within Special Mixed Use District (MX-7); and (2) a zoning text amendment to Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing (MIH) Areas of the New York City Zoning Resolution (ZR) to establish an MIH Area coterminous with the Proposed Rezoning Area (collectively, the "Proposed Actions"). The Proposed Actions would facilitate the redevelopment of Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 65, 66, 67, 74, and 164 (the "Projected Development Site") with two new mixed-use buildings at 16- and 20-stories with approximately 1,128 dwelling units ("DUs"), local retail, a recreation facility, light industrial/manufacturing space, and a cellar level parking garage (the "Proposed Development"). In addition, the Applicant intends to seek public financing from City and/or State sources to facilitate the Proposed Development.

The Proposed Rezoning Area consists of the western portion of Block 2386 beyond 150 feet of Washington Avenue, in the Morrisania neighborhood of the Bronx Community District (CD) 3 (see **Figure 1**). The Proposed Rezoning Area encompasses 165,369 square feet (sf) and includes all or portions of 22 privately-owned tax lots on Block 2386, including Lots 1, 2, 5, 7, 8, 11, 17, 20, 21, 22, 24, 29, 30, 34, 35, 59 (p/o) 65, 66, 67, 74, 136 (p/o), and 164 (p/o). The Applicant currently owns/controls Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74, and is in negotiations to acquire Lots 2, 5, 29, 30, 34, 65, 66, 67 and 164 after approval of the Proposed Actions. These 19 lots include 159,677 sf with approximately 333 feet of frontage on the north side of East 164th Street, 420 feet of frontage on the east side of Brook Avenue, and 445 feet of frontage on the south side of East 165th Street and comprise the Projected Development Site.

Upon approval of the Proposed Actions, the Applicant proposes to demolish the existing buildings to facilitate the development of a new approximately 1.2 million gross square foot (gsf) mixed use residential and commercial development consisting of two high-rise buildings including a 20-story (204-feet-tall, plus approximately 20-feet of additional height for mechanical bulkhead) building at the northwestern portion



Legend

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



of the site (Building A) and a 16-story (170-feet tall, plus approximately 20-feet of additional height for mechanical bulkhead) building at the southeastern corner of the site (Building B), which would be separated by an at-grade pedestrian corridor featuring landscaped open space. A landscaped open space area would also be located at the northwest corner of the Projected Development Site at the intersection of Brook Avenue and East 165th Street.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

In order to the facilitate the construction of the Proposed Development, the Applicant is seeking discretionary actions: (1) a zoning map amendment to rezone the Proposed Rezoning Area from a M1-1 and M1-1/R7-2 (MX-7) districts to M1-4/R8 and M1-4/R7-3 districts within Special Mixed Use District (MX-7); and (2) a zoning text amendment to Appendix F: Inclusionary Housing Designated Areas and MIH Areas of the ZR to establish the Proposed Rezoning Area as an MIH Area. In addition, public financing from City and/or State sources will be sought by the Applicant to facilitate the Proposed Development.

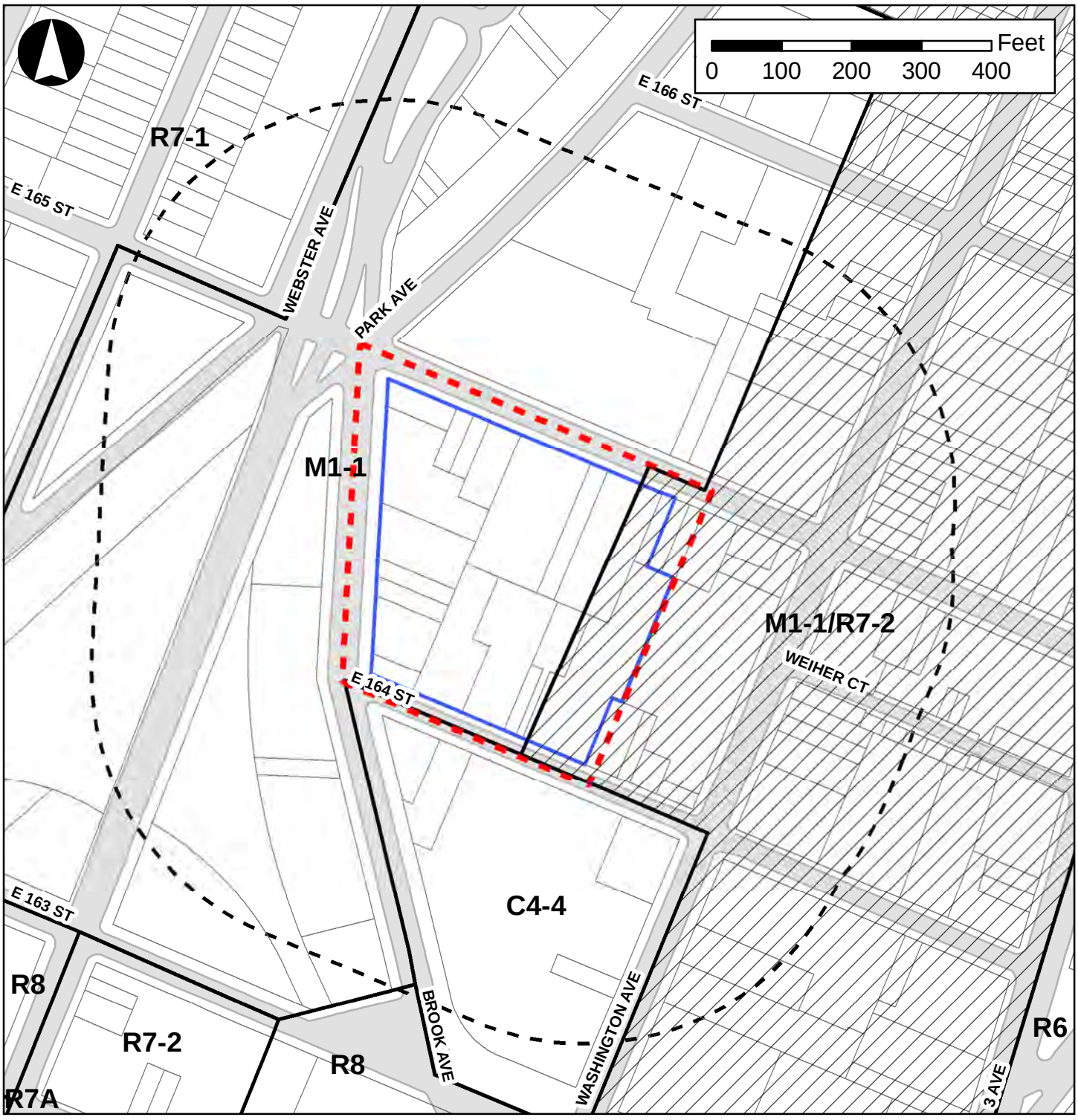
City Environmental Quality Review (CEQR) and Scoping

The Proposed Actions are classified as Type 1, as defined under 6 NYCRR (New York Codes, Rules, and Regulations) 617.4 and 43 RCNY (Rules of the City of New York) 6-15, subject to environmental review in accordance with City Environmental Quality Review (CEQR) guidance. An Environmental Assessment Statement (EAS) was completed on July 18, 2025, and a Positive Declaration, issued on July 18, 2025, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an Environmental Impact Statement (EIS). The New York City Department of City Planning (DCP) will be acting as the lead agency on behalf of the City Planning Commission (CPC) and will conduct a coordinated environmental review.

This Draft Scope of Work (Draft Scope) for the preparation of a Draft Environmental Impact Statement (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 reasonable worst-case development scenario (RWCDS). The issuance of the Draft Scope marks the beginning of the public comment period. The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, Bronx Community Board (CB) 3, and elected officials, are invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting to be held on Tuesday, August 19, 2025 at starting at 2:00PM. To continue to allow for broad public participation options, DCP will hold the public scoping meeting remotely.

Comments received during the Draft Scope's public meeting and written comments received up to ten days after the meeting until Friday, August 29, 2025 will be considered and incorporated as appropriate into the Final Scope of Work (Final Scope). The lead agency will oversee preparation of the Final Scope, which will incorporate all relevant comments made on the Draft Scope and revise the extent or methodologies of the studies, as appropriate, in response to comments made during the scoping. The Draft EIS (DEIS) will be prepared in accordance with the 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 CPC hearing on the



Legend

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

land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for ten days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will respond to all substantive comments made on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The decision-makers will then use the FEIS to evaluate CEQR findings, which address any significant adverse impacts resulting from the Proposed Actions, and identify feasible mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications. The rationale for this decision is then set forth in a document called a Statement of Findings.

C. BACKGROUND TO THE PROPOSED ACTIONS

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

D. EXISTING CONDITIONS

Project Area/Proposed Rezoning Area

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

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

[1] CEQR 03DCP046X

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

Projected Development Site

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

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

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

Remainder of Project Area

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

Neighborhood Context

The Proposed Rezoning Area is in the Morrisania neighborhood of Bronx Community District (CD) 3. The surrounding area is varied and supports a mix of residential, commercial, light industrial, community facility, park, and vacant/parking uses. Zoning districts within the surrounding area include the M1-1

zoning district mapped within the Proposed Rezoning Area, R7-1 to the west, R7X/C2-4 to the northwest, M1-1/R7-2 (MX-7) immediately to the east, and C4-4 (R7-2 equivalent) to the south. The built form in the surrounding area varies by use.

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

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

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

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

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

The existing M1-1 zoning district mapped over most of the Project Area, which was established in 1961 as part of the *City of New York Zoning Resolution*, is surrounded by zoning districts that permit medium-density, multi-family residential development. There is an R7-1 zoning district to the west, an M1-1/R7-2 (MX-7) district to the east and C4-4 (R7-2 equivalent), R7A and R8 districts to the south. Several nearby rezonings approved since 2003 reflect an interest in revitalizing this area by promoting new housing development at former industrial/manufacturing sites, including 2003 Morrisania Rezoning (ULURP No. C030333ZMX and N030334ZRX and CEQR No. 03DCP046X) that mapped MX-7 M1-1/R7-2 on the eastern portion of the subject block and 2015 Melrose Commons (150153 HUX) that mapped R8 and R8/C1-4 in the surrounding area. In addition, in 2021 the City Council approved the 1099 Webster Avenue Rezoning (C 210103 ZMX, effective March 25, 2021), approximately one block northwest of the Project Area along Webster Avenue between East 166th Street and East 167th Street. The rezoning changed existing M1-1, R7-1 and R7-1/C1-4 zoning districts to an R7X with a C2-4 commercial overlay and established an MIH Area with MIH Option 1. The 1099 Webster Avenue Rezoning was intended to facilitate the development

of two residential buildings with approximately 238 units pursuant to financing from HPD under the ELLA term sheet.

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

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

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

F. DESCRIPTION OF THE PROPOSED ACTIONS

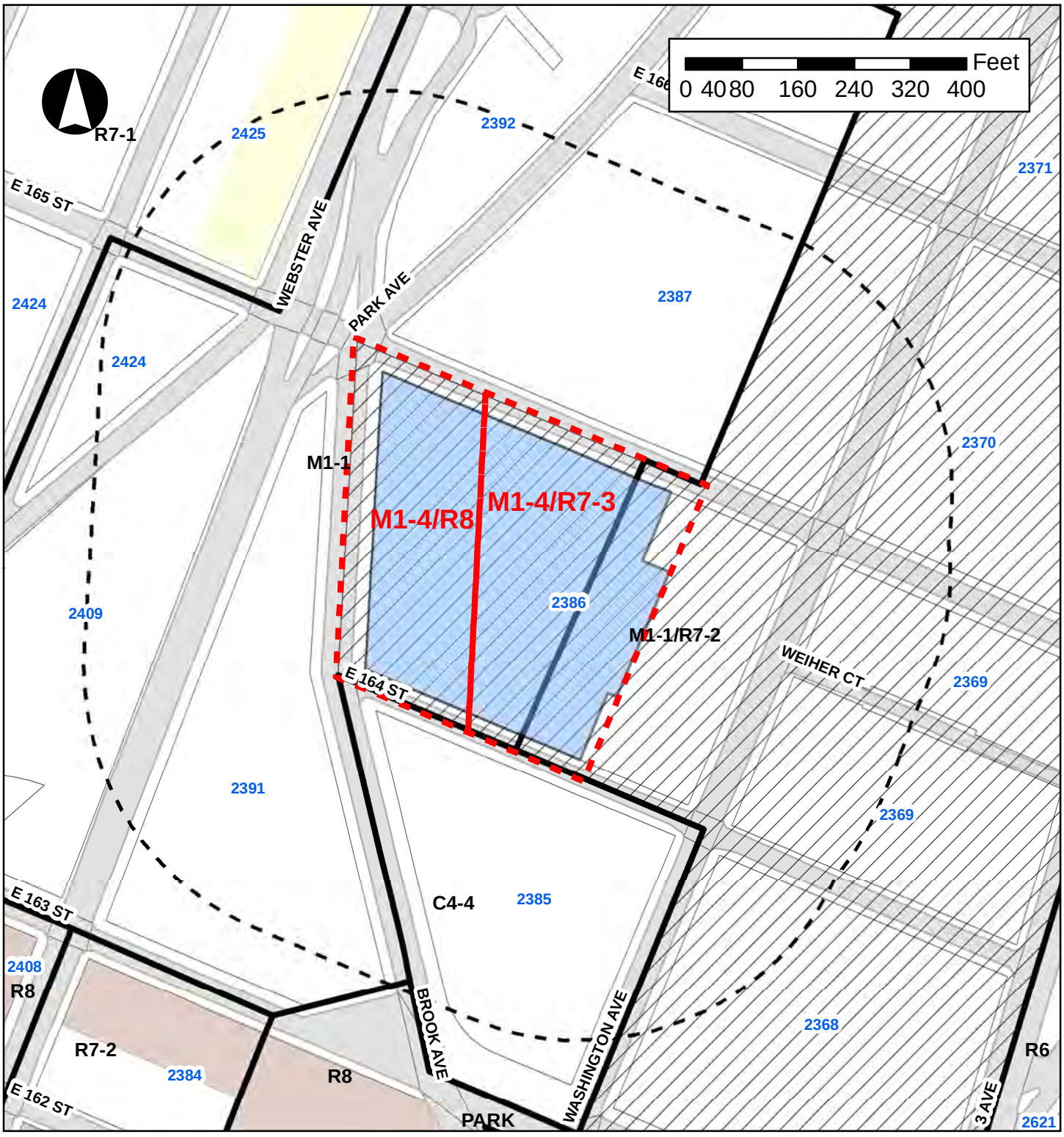
To facilitate the construction of the Proposed Development, the Applicant is seeking the following actions with respect to the Project Area:

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

- Zoning text amendment to amend Appendix F of the ZR to establish an MIH area coterminous with the Proposed Rezoning Area.

The zoning map and zoning text amendments are referred to collectively as the "Proposed Actions." In addition, public financing from City and/or State sources will be sought by the Applicant to facilitate the Proposed Development.

The proposed zoning map amendments would extend the existing MX-7 district west to Brook Avenue between East 165th and East 164th Streets. An M1-4/R8 (MX-7) district would be established within 150 feet of Brook Avenue. An M1-4/R7-3 (MX-7) district would be established beyond 150 feet from Brook



Legend

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

Avenue and beyond 150 feet from Washington Avenue. The proposed extension of the existing MX-7 district, which would pair M1-4 with R8 and R7-3 zoning districts, would be consistent with land use actions in the area since 2003, which sought to revitalize this area by promoting new housing development at former industrial/manufacturing sites.

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

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

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

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

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

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

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

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

G. PROPOSED DEVELOPMENT

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

Figure 4 shows an illustrative site plan of the Proposed Development and **Figure 5** provides an illustrative schematic 3-D massing of the development. On the northern portion of the Projected Development Site, Building A would rise to a maximum of approximately 204 feet (20-story) after setting back 10 and 15 feet above the 10-story base height. On the southern portion of the Projected Development Site, Building B would rise to a maximum of approximately 170 feet (16-stories) after setting back 15 feet above the 7-story base height.

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

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

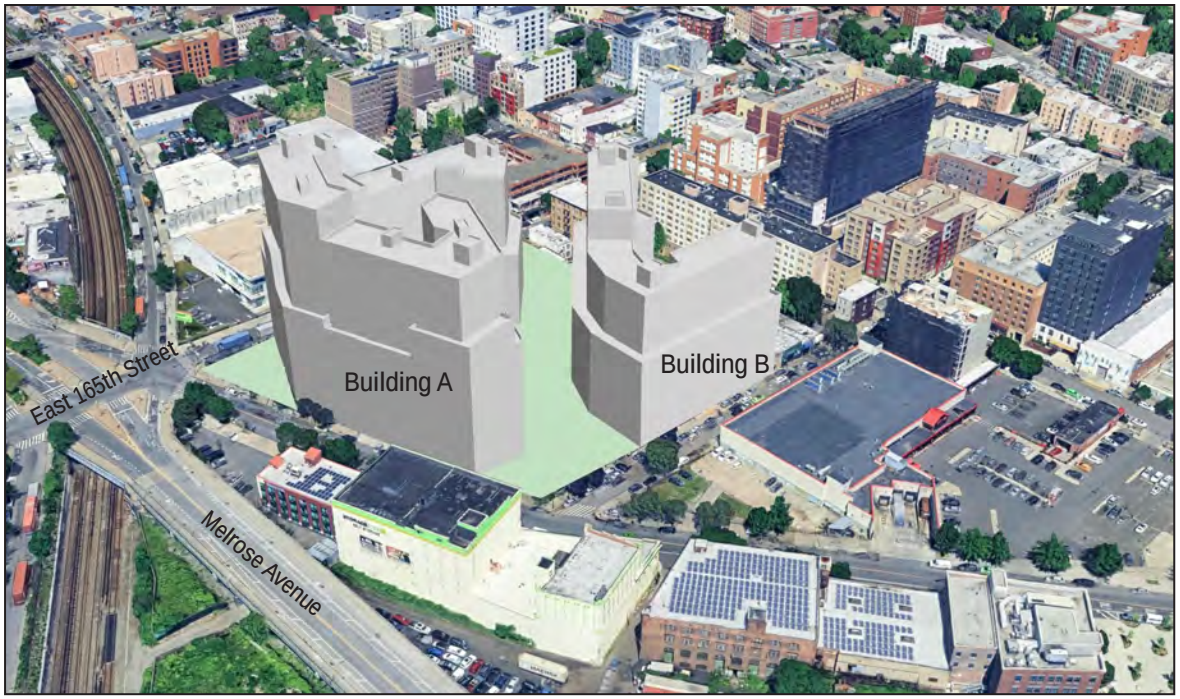
The Proposed Development would contain 1,128 DUs, including 1,126 income-restricted units pursuant to an HPD-financed affordable housing term sheet and two superintendents' units. Pursuant to the MIH program, 25 to 30 percent of the residential floor area in the Proposed Development (282-339 DUs) would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

The two buildings would be separated by an at-grade pedestrian corridor featuring landscaped open space that would extend between East 165th and East 164th Streets providing the surrounding area with an



1014 Brook Avenue Rezoning

Figure 4
Schematic Plot Plan for the Proposed Development



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

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



For illustrative purposes only

3D Massings prepared by Aufgang

Figure 5

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

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

H. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The Proposed Actions would change the regulatory controls governing land use and development within the directly affected areas. The 2021 *CEQR (City Environmental Quality Review) Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis. For each technical area, the analysis will include a description of existing conditions, an assessment of conditions in the future without the Proposed Actions (the No-Action condition), and an assessment of future conditions with the Proposed Actions (the With-Action condition). The incremental difference between the No-Action and With-Action conditions will serve as the basis for the impact analysis of the environmental review.

Analysis Year

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

Reasonable Worst-Case Development Scenario (RWCDS)

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

In accordance with 2021 *CEQR Technical Manual* guidance, to assess the possible impacts of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was developed for both the current (future No-Action) and proposed zoning (future With-Action) conditions for the 2032 future build year.

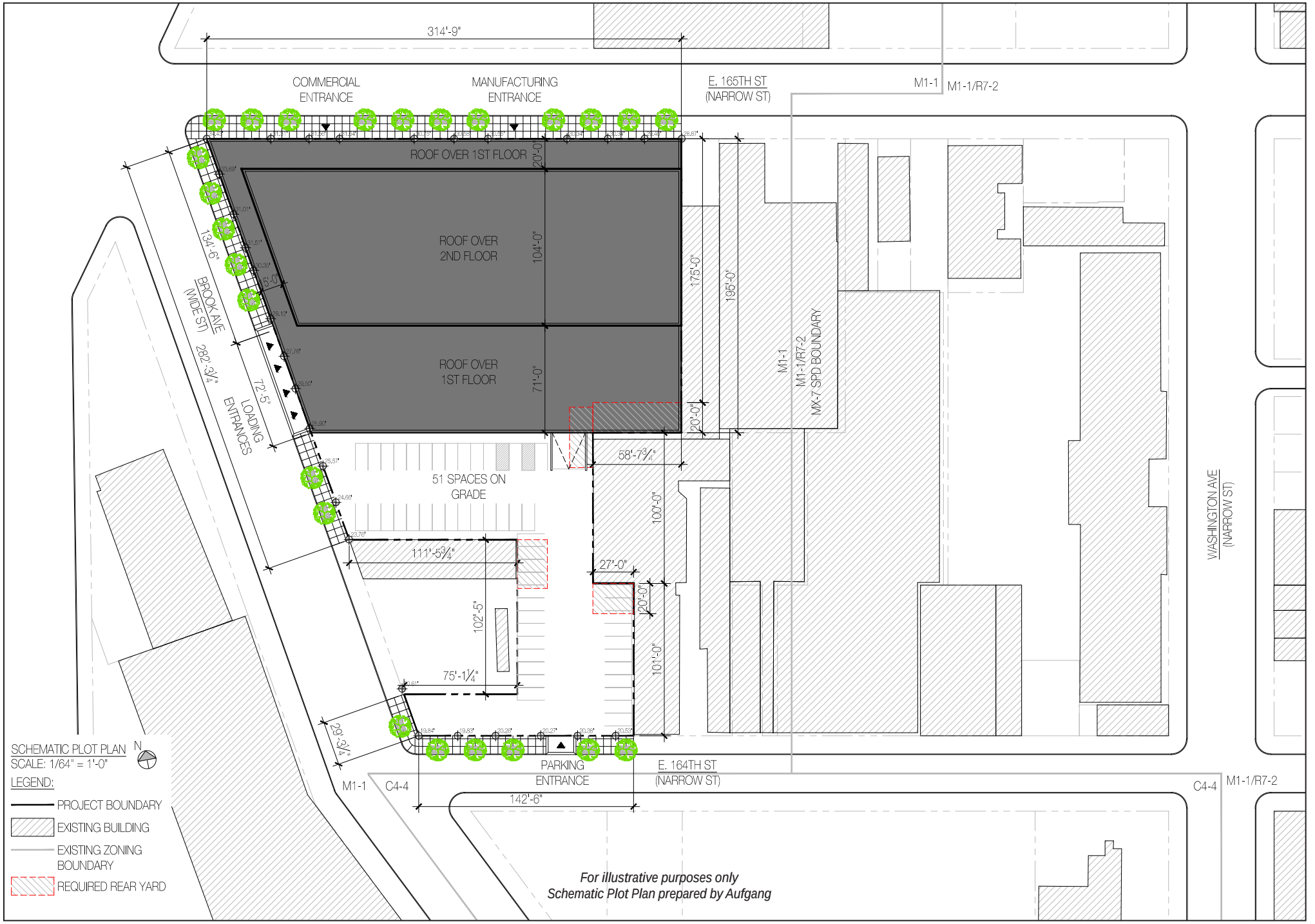
The incremental difference between the future No-Action and future With-Action conditions will serve as the basis for the impact analysis of the Environmental Impact Statement (EIS). To determine the Future With-Action and No-Action conditions, standard methodologies have been used following *CEQR Technical Manual* guidance employing reasonable assumptions. These methodologies have been used to identify the amount and location of future development.

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

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

In the future No-Action Condition, the Applicant would demolish the existing structures on the Applicant-controlled lots and redevelop that portion of the site (78,187 sf of lot area) with a single two-story (approximately 30-feet tall) plus single below-grade cellar level, approximately 150,041-gsf (78,120 zsf) mixed-use commercial and manufacturing building (1.0 FAR). An illustrative schematic site plan is shown in **Figure 6** for the No-Action building on Lots 1, 7, 8, 11, 17, 20, 21, 22, 24, and 74. The No-Action development would have a building footprint of approximately 67,000 sf and would be constructed at the northern portion of the site at the intersection of East 165th Street and Brook Avenue. The No-Action building would have frontage along the south side of East 165th Street and the east side of Brook Avenue. An at-grade, 20,925 sf accessory parking lot (51 spaces) would occupy the southern portion of the site with a curb cut on the north side of East 164th Street. The building's loading area would be along Brook Avenue. The No-Action building would contain approximately 22,073 gsf of local retail space, 98,536 gsf of light industrial makerspace, and 29,433 gsf of parking. The building's main pedestrian entrances would be located on East 165th Street. The 173 required accessory parking spaces would be accessible from a new curb cut on East 164th Street and provided within a 29,433 gsf garage with a ramp entrance from the accessory lot. 122 accessory parking spaces would be in a portion of the building's below-grade cellar level and within an at-grade lot (51 spaces).

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



1014 Brook Avenue Rezoning

Figure 6
No-Action Schematic Plot Plan

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

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

Under the With-Action scenario, the maximum blended FAR under the proposed MX (M1-4/R8 and M1-4/R7-3) at the Projected Development Site would increase up to 6.47 adjusted FAR. Based on preliminary plans prepared by the project architect, the With-Action development would nearly maximize the available blended FAR under the proposed M1-4/R8 and M1-4/R7-3 zoning and existing M1-1/R7-2. It would consist of two high-rise buildings (26- and 22-stories) and include a total of approximately 1,204,274 gsf (1,030,952 zsf; 6.46 FAR) with approximately 995,737 gsf of residential (935,391 zsf; 5.86 FAR), consisting of 1,129 income-restricted units (average DU size of approximately 882 gsf), and approximately 208,537 gsf of non-residential use (95,561 zsf; 0.60 FAR). The non-residential programming of the With-Action development is expected to include a 153,005 gsf sports complex located on portions of the ground floor and cellar level of Buildings A and B, 10,086 gsf of light industrial/manufacturing space (distillery and/or maker space, including cabinetry, finishes, and woodworking) on the ground floor of Building B and 14,238 gsf of local retail on the ground floor of Building A fronting on East 165th Street and Brook Avenue. Loading for Building A would be located along Brook Avenue from a new curb cut and loading for Building B would be provided from East 164th Street from a new curb cut. In addition, 135 off-street accessory parking spaces would be provided within the cellar level of Building B within approximately 31,208 gsf. The below-grade garage would be accessible from a new curb cut and ramp from East 164th Street located at the southeast corner of the Projected Development Site.

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

The With-Action scenario would also maximize the allowable building envelope, including maximum height, under the proposed M1-4/R8 and M1-4/R7-3 districts due to increased flexibility permitted with the adoption of the City's Housing Opportunity (CHO) zoning text. Under the With-Action Scenario, in the M1-4/R8 district, Building A would have a maximum building height of approximately 264 feet with a maximum base height of approximately 64 feet, and in the M1-4/R7-3 district, Building B would have a maximum building height of approximately 230 feet with a maximum base height of approximately 66 feet (refer to **Figure 5** which provides a comparison of the illustrative 3-D massing for both the RWCDS and the Applicant's Proposed Development). This would represent the reasonable worst case (RWCDS) development for CEQR analysis purposes.

Increment for Analysis

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

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

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

Notes:
[1] The Applicant intends to construct the Proposed Development as 100 percent affordable pursuant to HPD term sheets. Pursuant to the MIH program, 20 to 30 percent of the Proposed Development's residential floor area would be permanently affordable (226 to 339 DUs) depending on which MIH Option is mapped. The Applicant intends to map MIH Options 1 and 2. The two market-rate units would be superintendent units for the overall development.
[2] The With-Action development would include a sports complex which is expected to accommodate athletic facilities, such as basketball courts, a hockey rink, and/or swimming pools, and would operate seven days per week.
[3] The With-Action development would include approximately 25,465 sf of open space that would always be accessible to the public and approximately 20,002 sf of open space that would be considered semi-public and would be available to the public at designated hours and could be closed off to the public at times with gated access.
[4] The No-Action development on Lots 1, 7, 8, 11, 12, 20,21, 22, 24, and 74) is anticipated to include an at-grade 20,925 sf accessory parking lot (51 spaces) and a 26,909 gsf garage with 122 spaces, as well as six existing parking spaces on Lot 164.
[5] Based on 2.74 persons per DU (2020 Census average household size for Bronx CD 3). Estimates of workers based on standard rates used in prior EIS documents and are as follows: three employees per 1,000 sf of retail, one employee per 25 DU, one employee per 400 sf of sports complex, one employee per 1,000 sf of automotive/warehouse/maker space uses, and one employee per 50 attended parking spaces.

Construction Phasing for Proposed Development

For RWCDS purposes, the construction of the Proposed Development is expected to occur over a period of approximately 46 months and would consist of three phases. Given the scale of the project, the

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

Proposed Development is expected to have three separate closings with HPD. As currently envisioned, the first closing is expected in 2027, the second in 2028, and the third in 2029.

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

I. PROPOSED SCOPE OF WORK FOR THE EIS

Because the Proposed Actions would affect various areas of environmental concern and were found to have the potential for significant adverse impacts in several impact categories, pursuant to the EAS and Positive Declaration, an EIS will be prepared that will analyze all technical areas of concern. The EIS will be prepared in conformance with all applicable laws and regulations, including the New York State Environmental Quality Review Act (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 include:

- A description of the proposed discretionary actions, the Proposed Actions, and their environmental setting
- An analysis of the potential of the Proposed Actions to result in significant adverse impacts in a range of environmental categories, comparing conditions with the Proposed Actions in the proposed build year against conditions that would exist in the absence of the Proposed Actions.
- A statement of the potential significant adverse environmental impacts of the Proposed Actions.
- A description of feasible mitigation measures that would eliminate or minimize significant adverse environmental impacts.
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented because mitigation is not practicable.
- A discussion of alternatives to the Proposed Actions and the comparable impacts and effects of such alternatives.
- An identification of any irreversible and irretrievable commitments of resources that would be involved with the Proposed Action should they be implemented.

As noted above, the EIS will analyze the Proposed Actions for all technical areas of concern. The specific technical areas to be included in the EIS are identified in the EAS dated July 18, 2025. The EAS identified the following technical areas as having the potential to result in significant adverse impacts, and therefore warranting additional analysis in the EIS: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; shadows; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; neighborhood character; and construction. As concluded in the EAS, the Proposed Actions would not have the potential to result in

significant adverse impacts to natural resources, solid waste and sanitation services, or energy,[3] and therefore, these areas will not be analyzed in the EIS.

The first step in preparing the EIS is the preparation of a Draft Scope of Work and public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS follows. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the 2021 *CEQR Technical Manual.*

Task 1: Project Description

The first chapter of the EIS introduces the reader to the Proposed Actions and sets the context in which to assess impacts. This chapter contains a description of the Proposed Actions; their location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a detailed description of the Proposed Actions; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the Proposed Actions and their impact and gives the public and decision makers a base from which to evaluate the Proposed Actions.

In addition, the project description chapter will present the planning background and rationale for the actions being proposed and summarize the Proposed Development and the RWCDS With Action condition for analysis in the EIS. The section on approval procedure will explain the ULURP process, its timing, and hearings before the Community Board, the Borough President's Office, 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 the discretionary approvals and the public hearings described.

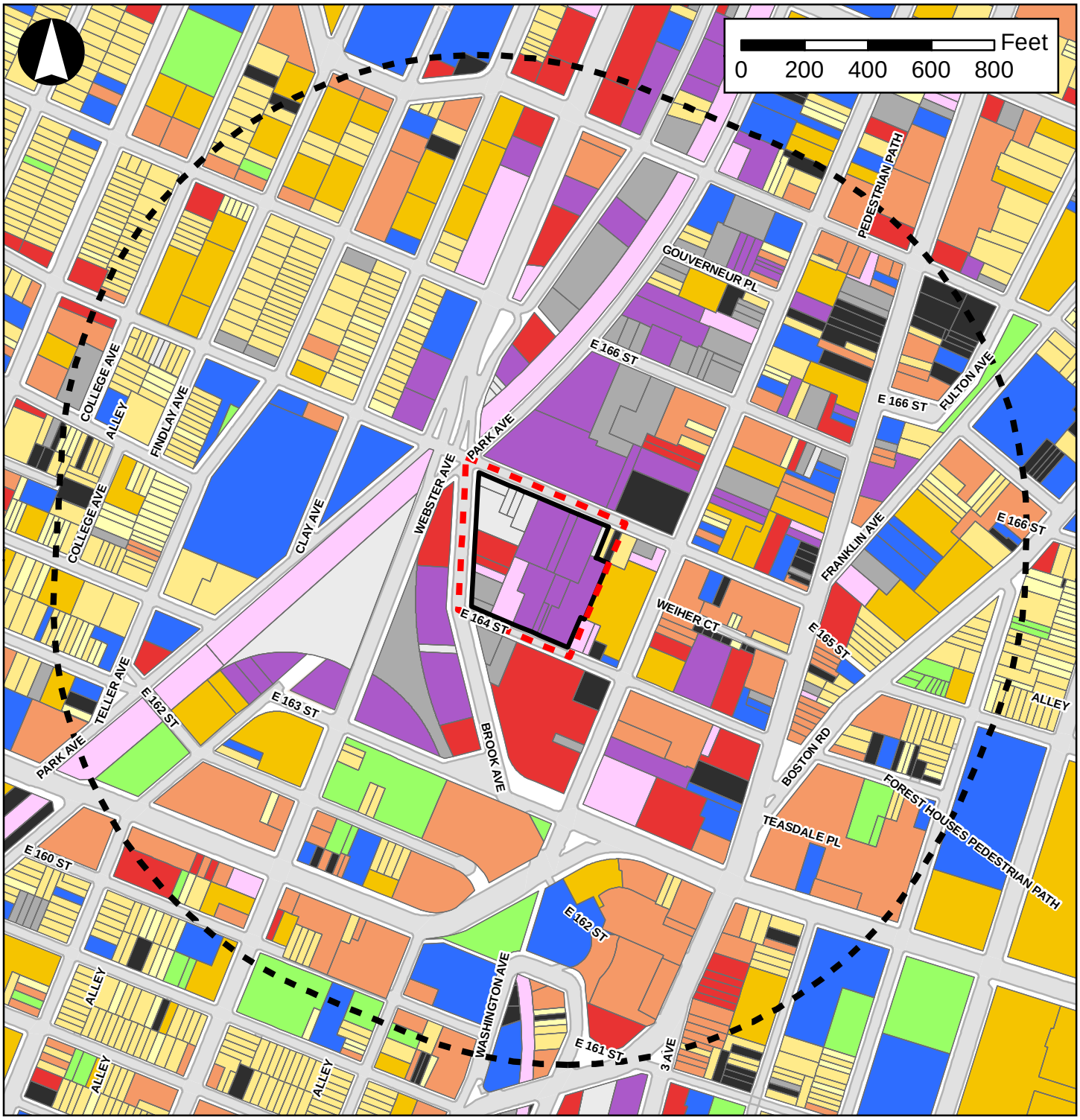
Task 2: Land Use, Zoning, and Public Policy

A land use analysis characterizes the uses and developmental trends in the area that may be affected by a proposed action and determines whether a proposed action is either compatible with those conditions or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the Proposed Actions on land use, zoning, and public policy, pursuant to the methodologies presented in the 2021 *CEQR Technical Manual.*

The land use study area will consist of the Project Area and include the neighboring areas within an approximate ¼-mile radius from the Project Area, as shown in **Figure 7**. The analysis will include the following subtasks:

- Describe land uses, zoning, and public policy in the study area discussed above. The latest trends in the area will be noted. Public policies that apply to the study area will also be described, including Housing New York, Vision Zero, Where We Live NYC, the Food Retail Expansion to Support Health (FRESH) Program, and the City's sustainability/OneNYC policies. The Project Area is not located within the City's Coastal Zone Boundary and therefore would not require an assessment of its consistency with the policies of the City's Waterfront Revitalization Program (WRP).

[3] Though further analysis of energy is not warranted and is not expected to result in significant adverse impacts, projected energy consumption demand will be disclosed to determine the potential impacts on greenhouse gas emission levels.



Legend

- 1/4 Mile Land Use Study Area
- Proposed Rezoning Area
- Projected Development Site
- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Other or No Data

- Identify, describe, and graphically portray predominant land use patterns for the study area based on field surveys and prior studies. Describe land use trends and recent development activity in the study area and identify major factors influencing land use trends.

- Describe and map existing zoning and recent zoning actions in the study area.

- Prepare a list of future development projects in the study area that are expected to be completed and operational by the 2032 analysis year and may influence future land use trends. Also, identify known pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Actions (No-Action condition).

- Describe proposed zoning changes and the potential land use changes based on the Proposed Actions and associated RWCDS.

- Discuss the Proposed Actions' potential effects related to issues of compatibility with surrounding land uses, the consistency with zoning and other public policies, and the effect of the Proposed Actions on development trends and conditions in the study 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 pursuant to 2021 *CEQR Technical Manual* guidance.

The socioeconomic study area boundaries are expected to be similar to those of the land use secondary study area. A socioeconomic assessment seeks to assess the potential to change socioeconomic character relative to the study area population. Under the RWCDS, the Proposed Actions are expected to generate a net increase of approximately 1,129 DUs. For projects or actions that result in an increase in population, the scale of the relative change is typically represented as a percentage increase in population (i.e., a project that would result in a relatively large increase in population may be expected to affect a larger study area). Therefore, consistent with the 2021 *CEQR Technical Manual*, the socioeconomic study area would be expanded to a half-mile radius if it is determined that the RWCDS associated with the Proposed Actions would increase the population by more than five percent compared with the expected No-Action population in a ¼-mile 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 displacement; (3) indirect residential displacement; (4) indirect business displacement; and (5) adverse effects on specific industries. The assessment of the five areas of concern will begin with a preliminary assessment to determine whether a detailed analysis is necessary, in conformance with 2021 *CEQR Technical Manual* guidance. Detailed analyses will be conducted for those areas in which the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. The detailed assessments will be framed in the context of existing conditions and evaluations of the No-Action and With-Action conditions in 2032, including any population and employment changes anticipated to occur by the analysis year of the Proposed Actions.

As determined in the EAS, the Proposed Actions would not result in any direct residential displacement and, as they are site-specific to the Project Area and do not include any Citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes, they would not result in significant adverse impacts on specific industries. In addition, as the RWCDS for the Proposed Actions would introduce less than the CEQR threshold of 200,000 sf of non-residential uses, an assessment of indirect business displacement is not warranted, and no significant adverse impacts would result. Moreover, in the future with the Proposed Actions, an estimated two businesses and 58 associated employees could be directly displaced from the Projected Development Site as a result of the Proposed Action by 2032. While these two businesses and their associated employment could be directly displaced because of the Proposed Actions, there are less than 100 employees, which is below the CEQR threshold for analysis of direct business displacement. Therefore, an assessment of direct business displacement is not warranted. The EIS will identify the existing businesses at Projected Development Site, including a description of the type and an estimate of the number of employees. Therefore, no further analysis of these technical areas is warranted. As also determined in the EAS, the Proposed Actions warrant an assessment of socioeconomic conditions with respect to indirect residential displacement, which will be provided in the EIS as detailed below:

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. To assess this potential impact, 2021 *CEQR Technical Manual* guidance 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 more costly 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 presentation 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 conduct the following step-by-step evaluation, pursuant to 2021 *CEQR Technical Manual* guidance:

- Step 1: Determine if the RWCDS 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 income of the study area populations, no further analysis is necessary. If the expected average income of the new population exceeds the average income of the study area population, 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.

Task 4: Community Facilities and Services

The demand for community facilities and services is related to the type and size of the new population generated by the development resulting from the Proposed Actions. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands.

As described in the EAS, the Proposed Actions would not directly eliminate, displace, or alter public or publicly funded community facilities such as health care facilities, police stations, or fire stations. Therefore, the Proposed Actions do not warrant an analysis of direct effects on these community facilities.

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

The RWCDS associated with the Proposed Actions would introduce approximately 1,129 (net) new DUs to the area all of which are expected to be affordable DUs except for two superintendent units. This level of development would trigger a detailed analysis of elementary and intermediate schools, libraries, and early childhood programs, according to 2021 *CEQR Technical Manual* guidance and as presented in the EAS document. Therefore, analyses of those facilities will be provided, as detailed below.

Public Schools

- Pursuant to *CEQR Technical Manual* guidance, the elementary and middle school analysis would be conducted at a sub-district level and high schools would be conducted at the borough level. If an action introduces fewer than 50 elementary and middle school age children, or 150 high school students, an assessment of school facilities is not warranted. The RWCDS would exceed the threshold for elementary/intermediate schools in Bronx Community School District (CSD) 9, Sub-district 4. Using the New York City School Construction Authority (SCA) 2024 multipliers, the Proposed Actions would generate an estimated 210 elementary school students, 75 intermediate school students (a total of 285 elementary/intermediate school students), and 90 high school students. As the number of additional PS/IS students introduced would exceed the threshold, a detailed analysis of the project's effects on public elementary and intermediate schools will be undertaken in the EIS. The RWCDS would not exceed the threshold for high school students, and therefore, no further analysis of high schools is warranted.

- The public school's analysis would be conducted pursuant to 2021 *CEQR Technical Manual* guidance. Existing public elementary and intermediate schools serving CSD 9, Sub-district 4 will be identified and located. Existing capacity, enrollment, and utilization data for all public elementary and intermediate schools within the affected sub-district will be provided for the current (or most recent) school year,

noting any specific shortages of school capacity. Utilization will be presented using the "Target Calculation Method," which is used by the New York City Department of Education (DOE) for capital planning purposes.

- Conditions that would exist in the No-Action condition for the CSD 9, Subdistrict 4 will be identified, taking into consideration projected changes in future enrollments, including those associated with other developments in the sub-district, using the SCA's *Projected New Housing Starts* as per 2021 *CEQR Technical Manual* guidance. Plans to alter school capacity either through administrative actions on the part of the DOE, or because of the construction of new school space prior to the 2032 analysis year, will also be identified and incorporated into the analyses. Planned new capacity projects from the DOE's *2020-2024 Five Year Capital Plan* will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. They may, however, be included in a qualitative discussion. The capacity of transportable classrooms, mini-schools, and annexes will not be included in the future conditions analysis.

- Future conditions with the Proposed Actions will be analyzed, adding students likely to be generated by the RWCDS to the projections for the future No-Action condition. Impacts will be assessed based on the difference between the future With-Action projections and the future No-Action projections at the sub-district level for enrollment, capacity, and utilization in 2032.

- A determination of whether the Proposed Actions would result in significant adverse impacts to elementary an intermediate schools will be made. A significant adverse impact to elementary and intermediate schools may result, warranting consideration of mitigation, if the Proposed Actions would result in: (1) a utilization rate of the elementary and/or intermediate schools in the sub-district study area that is equal to or greater than 100 percent in the With- Action condition; and (2) 100 or more new students generated from the Proposed Actions past the 100 percent utilization rate. The number of school seats needed to mitigate any identified impacts, as well as the timing when impacts would occur, will be provided.

Libraries

- According to 2021 *CEQR Technical Manual* guidance, an analysis of library services is warranted if an action introduces a large residential population (i.e., greater than a five percent increase in housing units served) to a library branch. In the Bronx, the introduction of 731 residential units would represent a five present increase in DUs per branch. As the RWCDS associated with the proposed rezoning exceeds this threshold, an analysis of libraries is warranted.

- Local public library branch(es) within the borough of the Bronx serving the area within approximately ¾-mile of the Project Area, which is the distance that one might be expected to travel for such services, will be identified and presented on a map.

- Existing libraries within the study area and their respective information services and user populations will be described. Information regarding services provided by branch(es) within the study area will include holdings and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with the New York Public Library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries to form a baseline for the analysis.

- For No-Action conditions, projections of population change in the study area and information on any planned changes in library services or facilities will be described, and the effects of these changes on

library services will be assessed. Using the information gathered for existing conditions, holdings per resident in the No-Action condition will be estimated.

- The effects of the addition of the population resulting from the Proposed Actions on the library's ability to provide information services to its users will be assessed. Holdings per resident in the With-Action condition will be estimated and compared to the No-Action holdings estimate.

- If the Proposed Actions would increase a branch library's ¾-mile study area population by five percent or more over No-Action levels, and it is determined, in consultation with the New York Public Library, that this increase would impair the delivery of library services in the study area, a significant adverse impact may occur, warranting consideration of mitigation.

Early Childhood Programs

- If an action introduces 20 or more children under age five eligible for publicly funded early childhood programs, an assessment of these services is warranted. According to the 2021 *CEQR Technical Manual*, in the Bronx, this threshold is achieved if an action introduces at least 141 affordable housing units. As the RWCDS associated with the proposed rezoning exceeds this threshold, an analysis of public funded early childhood programs is warranted.

- Existing publicly funded early childhood programs within approximately 1.5 miles of the Project Area will be identified. Each facility will be described in terms of its location, number of slots (capacity), enrollment, and utilization in consultation with the DOE.

- The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No-Action condition. For No-Action conditions, information will be obtained for any changes planned for early childhood programs or facilities in the area, including the closing or expansion of existing facilities and the establishment of new facilities. Any expected increase in the population of children under age six within the eligibility income limitations for publicly funded childcare services, based on CEQR methodology, will be assessed for the No-Action condition. This information will be used to determine the projected capacity or resulting deficiency in childcare "slots" and the utilization rate for the study area.

- The potential effects of the additional eligible children resulting from the Proposed Actions will be assessed by comparing the estimated net demand over capacity in the With-Action condition to a net demand over capacity in the No-Action condition. The RWCDS is expected to add up to 1,127 affordable units compared to the No-Action, in accordance with CEQR guidance, the early childhood programs analysis will assume that all of the RWCDS affordable housing units (an increment of approximately 1,127 units) would be targeted for households with incomes of 80 percent AMI or below (which is used as a proxy for eligibility for early childhood programs).

- A determination of whether the Proposed Actions would result in significant adverse impacts to early childhood programs will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in both of the following: (1) a collective utilization rate of the early childhood programs in the study area that is greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate of the early childhood programs in the study area between the No-Action and With-Action conditions.

- A qualitative discussion of the existence of Universal 3-K and Pre-K can accompany the early childhood program analysis. Universal 3-K and Pre-K provide limited hours and a limited school year compared

to early childhood programs and are thus not a direct replacement for such programs. However, they do expand access to education for 3-4-year-old children and may alleviate some demand from families residing in low and low/middle income units who do not require extended programming.

Task 5: Open Space

Per the 2021 *CEQR Technical Manual*, a preliminary quantitative assessment of open space is performed if an action would have a direct effect on an open space (e.g., displacement of an existing open space resource) or an indirect effect, which occurs when a population increase overtaxes the capacity of existing open space. Indirect effects may occur when the population generated by an action would be sufficiently large to significantly diminish the ability of an area's open space to serve the future population. An assessment of indirect effects is warranted if the Proposed Actions would generate more than 200 residents or 500 nonresidents, or a similar number of other nonresidential users (e.g., the population introduced by a new university or college). These preliminary screening thresholds are generally accepted baseline guidance for considering when the new population generated by a proposed project in the city may start to affect the use and enjoyment of open space in an identified study area.

Under the RWCDS, the Proposed Actions are expected to introduce approximately 3,093 incremental residents at the Projected Development Site and approximately 232 incremental workers. As such, an assessment of non-residential open space is not warranted, and the EIS will only include an assessment of residential open space. A detailed open space analysis is necessary if a project introduces a large population in an area with a limited amount of open space available for public use. As such, a detailed analysis of residential open space adequacy will be provided in the EIS.

The open space analysis will consider active and passive open space resources. Both active and passive open space ratios will be assessed in the residential study area (half-mile radius). The study area would comprise those census tracts that have 50 percent or more of their area located within the half-mile radius of the Projected Development Site, as recommended in the 2021 *CEQR Technical Manual*. The detailed analysis would consist of the following subtasks:

- Identify and describe existing open spaces within the half-mile open space study area. 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.

- Use the data gathered to assess the adequacy of the existing open space relative to the needs of study area users. This would include quantitative and qualitative assessments. Based on the inventory of open space facilities and study area populations, total, active, and passive open space ratios will be calculated for the residential population and compared to City guidance to assess adequacy, including whether the Project Area is located in an identified walk gap of the City as defined by New York City Department of Parks and Recreation's (NYC Park's) "Walk to a Park" program. Open space ratios are expressed as the amount of open space acreage (total, passive, and active) per 1,000 residents. In addition, the qualitative assessment would consider the effects of air quality, noise, shadows, wind, access, and safety issues on the usability of existing open spaces; and considering other data, including facility condition, utilization levels, and other factors that may encourage or deter park use.

- Expected changes in future levels of open space supply and demand in the 2032 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. The open space ratios will be calculated for future No-Action conditions and compared with exiting ratios to determine the change in future levels of adequacy.

- Effects on open space supply and demand resulting from the increased residential population added per the RWCDS associated with the Proposed Actions will be assessed. The assessment of the Proposed Actions' impacts will be based on a comparison of open space ratios for the future No-Action condition 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 the study area is considered to have ample open space, given the type (active or passive), capacity, condition, and distribution of open space, and the profile of the study area population. The qualitative analysis will also consider the presence of private open space and any larger or regional parks proximate to the study area when determining impact significance.

If the Proposed Actions would result in significant adverse impact (e.g., would significantly increase shadows, or would reduce the open space ratio above the respective percent changes outlined in Table 7-5 of 2021 *CEQR Technical Manual*), potential on-or off-site mitigation would be identified and assessed.

Task 6: Shadows

A shadows analysis assesses whether new structures resulting from an action would cast shadows on sunlight sensitive publicly accessible resources or other resources of concern, such as natural resources, and assesses the significance of their impact. This chapter will examine the potential for the Proposed Actions and associated RWCDS to result in significant and adverse shadow impacts pursuant to 2021 *CEQR Technical Manual* criteria and with reference to the analyses presented in other technical areas.

Generally, the potential for shadow impacts exists if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, community gardens, publicly accessible open space, or on historic architectural features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The Proposed Actions would result in structures greater than 50 feet in height. Under the RWCDS, the Proposed Actions would facilitate the construction of two new buildings at the Projected Development Site. Building A would include 26-stories with a height of approximately 264 feet (284 feet including the mechanical bulkhead) and Building B would include 22-stories with a height of approximately 230 feet (250 feet including mechanical bulkhead). The Projected Development Site is located two blocks east of Arcilla Playground, a sunlight sensitive resource as defined by CEQR. The Proposed Actions have the potential to result in new shadows on nearby sunlight-sensitive resources. Therefore, a shadows assessment is warranted to determine the extent, duration, and effects of any potential incremental new shadows on any sunlight-sensitive resources in the vicinity of the Projected Development Site, including Arcilla Playground.

The shadows analysis in the EIS will follow the methodology described in the 2021 *CEQR Technical Manual*, and will include the following:

- A preliminary shadows screening assessment will be prepared to ascertain whether shadows cast by the RWCDS may potentially reach any sunlight-sensitive resources at any time of year:

- A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice), pursuant to the *CEQR Technical Manual*. A base map that illustrates the location of the Projected Development Site in relation to the sunlight-sensitive resources will be developed.

- A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the Projected Development Site due to the path of the sun across the sky, which in New York City is the area that lies between -108 and +108 degrees from true north.

- If any portion of a sunlight-sensitive resource is within the area that could potentially be shaded by the Projected Development Site, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the Projected Development Site can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the RWCDS, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions.

- If the screening analysis does not rule out the possibility that action-generated shadows would reach any sunlight-sensitive resources, a detailed analysis of potential shadow impacts on publicly accessible open spaces or sunlight-sensitive historic resources resulting from development in the RWCDS will be provided in the EIS. The detailed shadow analysis will establish a baseline condition (No-Action), which will be compared to the future condition resulting from the Proposed Actions (With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the RWCDS. The detailed analysis will include the following tasks:

  - The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the With-Action condition, with incremental shadow highlighted in a contrasting color.

  - A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.

  - The significance of any shadow impact on sunlight-sensitive resources will be assessed based on CEQR criteria.

  - If potential significant adverse impacts are identified, mitigation strategies will be identified and assessed.

Task 7: Historic and Cultural Resources

Historic and cultural resources include both archaeological (below ground) and architectural (above ground) resources. Such resources are identified as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic or cultural resources are New York City Landmarks (NYCLs) and Historic Districts; calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation (NYCL-eligible); listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing (S/NR-eligible), or contained within a S/NR listed or eligible district; recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks (NHLs). As the Proposed Actions would induce development that could result in new in-ground disturbance, demolition of existing buildings, and new construction, the Proposed Actions have the potential to result in impacts to archaeological and architectural resources.

Impacts on historic (architectural) resources are considered on the affected sites and in the area surrounding identified development sites. In accordance with the guidance provided in the *CEQR Technical Manual*, the historic resources study area is defined as the directly affected area (i.e., the Project Area, or Proposed Rezoning Area and Projected Development Site), plus a 400-foot radius. Archaeological resources are considered only in those areas where new in-ground disturbance would be likely to occur compared to the No-Action condition. Impacts on architectural resources may result from both temporary (e.g., related to construction process) and permanent (e.g., related to long-term effects or results of the Proposed Actions or construction project) activities and/or indirectly through visual and contextual changes.

Archaeological Resources

Based on a letter provided by the LPC on April 15, 2025, LPC review of archaeological sensitivity models and historic maps indicates that there is potential for the recovery of remains from 19th Century and Indigenous Peoples occupation on the Projected Development Site. The Proposed Actions would result in additional in-ground disturbance on the Projected Development Site and therefore has the potential to affect archaeological resources that may be present on the site. The assessment of archaeological resources will include the following subtasks:

- Provide an overview of the Project Area's history and land development.
- Identify, in consultation with LPC, those areas known to have potential archaeological sensitivity located on or near the Projected Development Site where incremental in-ground disturbance is expected to occur because of the Proposed Actions. If LPC determines that no sites are sensitive for archaeological resources, no further archaeological analysis will be required.
- Review and update, as necessary, previously prepared Phase 1A Archaeological Documentary Reports ("Phase 1A report(s)"), as appropriate. If it is determined that the Projected Development Site requires an archaeological study, new or updated Phase 1A report will be prepared and will be submitted to LPC for review. The Phase 1A report will include an evaluation of archaeological resources on the Projected Development Site documenting the site history, its development and use, and the potential to host significant archaeological resources. The EIS will summarize the results of the Phase 1A report(s).
- The procedures outlined in the 2021 *CEQR Technical Manual*, including assessment of all impacts, will be adhered to in preparation of this chapter. If the Projected Development Site is identified as having archaeological potential in a Phase 1A report and LPC concurs, the Proposed Actions' effect on those

resources will be evaluated to determine if a significant adverse impact would result due to the Proposed Actions. If it is found that a significant adverse impact to archaeological resources would occur, LPC will be consulted on what, if any, mitigation measures may be available to address those impacts.

Architectural Resources

Based on a letter provided by the LPC on April 15, 2025, there are no New York City designated landmarks (NYCL) or State and/or National Register-listed (S/NR) resources located at the Projected Development Site. However, the LPC-designated and S/NR-eligible Clay Avenue Historic District and the S/NR- eligible Sheffield Farms Milk Plant Annex located at 1045 Webster Avenue are located within approximately 400 feet of the Project Area. Therefore, it is necessary to analyze the potential impacts of the Proposed Actions on historic architectural resources. The assessment of historic architectural resources will include the following subtasks:

- Provide an overview of the study area's history and land development. Identify, map, and describe, in consultation with LPC, known and eligible architectural resources in the study area including: New York City Landmarks, Interior Landmarks, Scenic Landmarks, and New York City Historic Districts; resources calendared for consideration as one of the above the by LPC; resources listed on or formally determined eligible for inclusion in the State or National Registers of Historic Places (S/NR), or contained within a district listed in or formally determined eligible for listing in the S/NR; resources recommended by the New York State Board for listing in the S/NR; and National Historic Landmarks.

Assess potential impacts of the development resulting from the Proposed on historic architectural resources. The assessment would address the following: (a) would there be a direct physical impact to the resource; or (b) would there be a physical change to its setting, such as context or visual prominence (indirect impacts), and, if so, is the change likely to alter or eliminate the significant characteristics of the resource that make it important. The procedures outlined in the *CEQR Technical Manual*, including assessment of all impacts, will be adhered to in preparation of this chapter. This assessment will be coordinated with the other tasks in this EIS, as applicable.

Task 8: Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. Visual resources are defined by the *CEQR Technical Manual* as the connection from the public realm to significant natural or built features, including views of the waterfront, public parks, landmark structures or districts, otherwise distinct buildings or groups of buildings, or natural resources. 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 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 map new zoning districts and allow higher density within the Project Area, a preliminary assessment of urban design and visual resources will be provided in the EIS.

The *CEQR Technical Manual* recommends an analysis of pedestrian wind conditions for projects that result in the construction of large buildings at locations that experience high wind conditions (such as the waterfront), which exacerbate wind conditions due to "channelization" or "downwash" effects that may affect pedestrian safety. Based on the location of the Project Area, the Proposed Actions do not have the

potential to result in the development of multiple, tall buildings at or near waterfront sites that would exacerbate wind conditions due to channelization or downwash effects. Therefore, the Proposed Actions would not be expected to affect pedestrian wind conditions, and an assessment is not warranted.

The study area for urban design is the area where the project may influence land use patterns, the built environment, and pedestrians' experiences in the public realm surrounding the Project Area. It is consistent with that used for the land use analysis (delineated by a 1/4-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 be based on *CEQR Technical Manual* methodologies and consist of the following:

- Based on field visits, the existing urban design and visual resources of the Project Area and surrounding study area will be described using text, photographs, aerial views, area maps (including those showing existing view corridors and access to visual resources), and other graphic materials, as necessary, to identify critical features, and describe use, bulk, form, and scale of elements of the built landscape throughout the study area.

- 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 which would occur in the future No-Action condition will be described.

- Potential changes that could occur in the urban design character of the study area because of the Proposed Actions will be described. The analysis will focus on general building types for the sites that are assumed for development, as well as elements such as street wall height, setback, and building envelopes. Current photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and views of visual resources.

If warranted based on the preliminary assessment, detailed urban design and visual resources analysis would be prepared in accordance with *CEQR Technical Manual* guidance. Examples of projects that may require 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 Projected Development Site 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-Action condition, comparing these changes to the future No-Action condition, focusing on the changes that could negatively affect a pedestrian's experience of the area.

Task 9: 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 potentially 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 assessment provided in the EIS will follow the guidance of the 2021 *CEQR Technical Manual*. 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) will be prepared for the Projected Development Site. The Phase I ESA will consist of a thorough review of any previous reports, historical maps, City directories, and environmental database materials to identify any potential environmental impacts that would lead to a concern for hazardous materials impacts. A visual inspection of the Projected Development Site will also be conducted as part of the Phase I ESA to assess any potential for hazardous materials impacts. The Hazardous Materials chapter will summarize the findings of the completed Phase I ESA conducted for the Projected Development Site and will include any necessary recommendations for additional testing or other activities that would be required either prior to or during construction and/or operation of the project. A Phase II Work Plan and Health and Safety Plan should be prepared for DEP review and approval prior to testing. After testing, a Phase II ESA report should be prepared. If applicable, the appropriate remediation measures specific to the future uses of the site, including any New York City Department of Environmental Protection (DEP) recommendations, will be provided in the EIS. If necessary, measures to avoid or reduce potential significant adverse impacts will be identified and discussed in the EIS. If applicable, any requirements will be memorialized by a hazardous materials (E) designation placed on the applicable block and lot(s) pursuant to Section 11-15 of the *New York City Zoning Resolution* and the (E) Rules. The EIS would include (E) designation language describing the requirements that would apply.

Task 10: 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, assesses the effects of such actions to determine whether their impact is significant. The 2021 *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, an analysis of the City's water supply is not warranted as the RWCDS associated with the Proposed Actions would not result in an incremental demand for water of more than one million gallons of water per day (gpd) compared to the No-Action condition and the Project Area is not located in an area that experiences low water pressure. However, the EIS will disclose water demand estimates for the RWCDS in terms of domestic water and air conditioning use.

Regarding wastewater and stormwater conveyance, the Projected Development Site is within the service area of Wards Island Wastewater Resource Recovery Facility (WRRF), which is located four miles south of the Project Area. The Projected Development Site is served by a combined sewer infrastructure. The 2021 *CEQR Technical Manual* threshold for 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 involves development on a site that is five acres or larger where the amount of impervious surface would increase. As the RWCDS would include more than 400 DUs and includes more than 150,000 sf of commercial development, 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. The 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. As noted above, the Project Area is located within the service area of the Ward's Island WWRF.

- The existing stormwater drainage system and surfaces (pervious or impervious) on the Projected Development Site will be described, and the amount of stormwater generated on the site 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 Ward's Island WRRF, which serves the Project 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 Projected Development Site will be assessed to determine the Proposed Actions' potential to result in impacts. Changes to the Projected Development Site's 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 Ward's Island WWTF.

A more detailed assessment may be required if action-generated incremental sanitary or stormwater discharges 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. If significant adverse impacts are identified, potential mitigation strategies would be assessed to reduce or eliminate, to the greatest extent practicable, the effects caused by the Proposed Actions.

Task 11: Energy

In most cases, an action does not warrant a detailed energy assessment, but its operational energy is projected. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action are disclosed.

An analysis of the anticipated additional demand resulting from the Proposed Actions' RWCDS will be provided in the EIS. The EIS will disclose the projected amount of energy consumption during long-term operation of the RWCDS, which will be estimated based on the average and annual whole-building energy use rates for New York City (per Table 15-1 of the 2021 *CEQR Technical Manual*). If warranted, the Mayor's Office of Environmental Coordination (MOEC) and/or the power utility serving the study area (Con Edison of New York) will be consulted to determine energy usage rates.

Task 12: Transportation

The objective of a 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, the safety of all roadway users (pedestrians, bicyclists and motorists), on-

and off-street parking, or goods movement. The Proposed Actions are expected to induce new residential, commercial, and light industrial development, which would generate additional vehicular travel and demand for parking, as well as additional subway and bus riders and pedestrian traffic. These new trips could affect the area's transportation systems. Therefore, transportation studies will be a key focus of the EIS.

Travel Demand and Screening Assessment

A detailed travel demand forecast (a Level 1 screening assessment) will be prepared for the Proposed Actions' RWCDS using standard sources, including the *CEQR Technical Manual*, U.S. Census data, previously approved studies, and other references. The trip generation projections will be performed for the weekday AM, midday, PM, and Saturday midday periods. The travel demand forecast will summarize the travel demand by peak hour, mode of travel, as well as person and vehicle trips. The travel demand forecast will also identify the number of peak hour person trips made by transit and the numbers of pedestrian trips traversing the area's sidewalks, corner areas, and crosswalks. The results of this forecast will be summarized in a Transportation Planning Factors and Travel Demand Forecast (TPF/TDF) technical memorandum. In addition to the travel demand forecast, detailed vehicle, pedestrian, and transit trip assignments (a Level 2 screening assessment) will be prepared to validate the traffic intersections and pedestrian/transit elements selected for quantified analysis.

Traffic

The EIS will provide a detailed traffic analysis focusing on those peak hours and street network intersections where the highest concentrations of action-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 identified in consultation with the lead agency based upon the assignment of project-generated traffic and the 2021 *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour. Known congested locations will also be considered.

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

- Select peak hours for analysis and define a traffic study area consisting of intersections to be analyzed within and in proximity to the Project Area and along key routes leading to and from the Project Area.

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts. If needed, vehicle classification counts, and travel time studies (speed runs) will be conducted to provide supporting data for air quality and noise analyses. Per 2021 *CEQR Technical Manual* guidance, turning movement count 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 turning movement counts, vehicle classification counts, and travel time studies 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 the New York City Departments of Transportation (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 and 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 analyzed 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 DOT-approved Synchro software.

- Based on available sources, U.S. Census data and standard references including the 2021 *CEQR Technical Manual*, estimate the travel demand from Projected Development Site in the future without the Proposed Actions (the No-Action condition) as well as the demand from other major developments planned in the vicinity of the study area by the analysis year of 2032. This will include total 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 2021 *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action projects as well as other DOT initiatives, if any, will be included in the future No-Action network as applicable.

- Compute the future 2032 No-Action traffic volumes based on approved background traffic growth rates for the study area (0.50 percent per year for years one through five, 0.25 percent for years six and beyond, per *CEQR Technical Manual* guidance) 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 the 2032 analysis year and determine the No-Action v/c ratios, delays, and LOS at analyzed intersections.

- Using Census data, standard references including the 2021 *CEQR Technical Manual*, and data from previous studies, develop a travel demand forecast for the Projected Development Site based on the net change in uses compared to the No-Action condition as defined in the RWCDS. For each analyzed peak hour, determine the net change in vehicle trips expected to be generated by the RWCDS under the Proposed Actions. Assign the net project-generated trips in each analysis period to likely approach and departure routes and prepare traffic volume networks for the 2032 future with the Proposed Actions condition 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 2021 *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 MTA and specified in the 2021 *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. The Proposed Actions' RWCDS is expected to generate 50 or more bus trips assigned to a single bus line

(in one direction) and would result in an increase of 200 or more trips at a single subway station or on a single subway line in one or more peak hours and would therefore require detailed transit analyses based on 2021 *CEQR Technical Manual* criteria.

SUBWAY

Action-generated trips could use nearby subway stations. 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 used by 200 or more action-generated trips in one or more peak hours. At each of these stations, analyze those stairways and fare entrance control elements expected to be used by significant concentrations of action-generated demand in the weekday AM and PM peak hours.

- Determine existing weekday AM and PM peak hour demand at analyzed subway station elements using new count data or available data from secondary sources 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 No-Action condition using approved background growth rates and accounting for any trips expected to be generated by No-Action development in the vicinity of the study area.

- Add action-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.

- As the Proposed Actions are expected to generate 200 or more new subway trips in one direction on one or more of the of the multiple subway routes serving the study area, subway line haul conditions will also be assessed in the EIS.

- 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.

BUS

The study area is served by several local bus routes operated by New York City Transit (NYCT) and MTA Bus that connect the study area with other parts of the Bronx and the other boroughs. A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*. Incremental person-trips by bus generated by the Proposed Actions may exceed 50 peak hour trips in one direction on one or more of the routes serving the Project Area; therefore, the EIS will include a quantitative analysis of local bus conditions. For that analysis, trips will be assigned to each route based on proximity to the Projected Development Site and current ridership patterns. The analysis will include documenting existing peak hour bus service levels and maximum load point ridership, determining conditions in the future No-Action condition, and assessing

the effects of new action-generated peak hour trips. Bus transit mitigation, if warranted, will be identified in consultation with the lead agency and the MTA.

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 under *CEQR Technical Manual* criteria. It is anticipated that action-generated pedestrian trips would exceed the 200-trip analysis threshold at one or more locations in one or more peak hours. 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, and pedestrian elements linking the Projected Development Site to the nearest transit stop locations. The specific pedestrian facilities to be analyzed will be determined based on 2021 *CEQR Technical Manual* guidance, in consultation with the lead agency and DOT. 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 No-Action development in the vicinity of the study area, and action-generated demand. The analysis will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current 2021 *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

Data on traffic crashes 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 (based on *CEQR Technical Manual* criteria) as high-crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. In addition, any Senior Pedestrian Focus Areas, Vision Zero Corridors/Intersections, and/or Truck Safety Corridors as defined in the *2021 CEQR Technical Manual* will be identified. If any high-crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues and avoid the potential for safety related impacts.

Parking

A parking demand forecast for the RWCDS will be provided to document the ability of the proposed 135 spaces of on-site accessory parking on the Projected Development Site to accommodate all of the projected demand under the Proposed Actions. Parking demand generated by the residential component of the RWCDS will be forecast based on auto ownership data for the surrounding area. Parking demand from all other uses will be derived from the forecasts of daily auto trips generated by these uses. Future parking demand will account for net reductions in demand associated with the No-Action land uses displaced under the Proposed Actions.

If projected parking demands cannot be met on-site, a parking inventory identifying occupied and available on-street and off-street parking spaces will be conducted to identify if there would be available capacity, or if a parking shortfall will result in the future with the Proposed Actions. Parking demand from commercial uses typically peaks in the midday period and declines during the afternoon and evening. By contrast, residential demand typically peaks in the overnight period. As the RWCDS is expected to peak during the overnight periods on weekdays and Saturdays, the analysis of on-street and off-street parking conditions would focus on the weekday and Saturday overnight periods (when residential parking demand typically peaks). Existing on- and off-street parking inventories would be conducted for both the weekday

and Saturday overnight peak periods to document existing supply and demand for each period. Parking utilization within a 0.25-mile radius of the Project Area will be analyzed. If the initial on- and off-street parking assessment shows conditions at or near capacity, then a parking assessment would be conducted up to a 0.5-mile radius to determine if capacity is available to accommodate the projected demand. The parking analysis will document changes in the parking utilization in proximity to the Project Area under the No-Action and With-Action conditions based on accepted background growth rates and projected demand from No-Action and With-Action development in the Project Area and other major development projects in the vicinity of the study area.

Task 13: Air Quality

An air quality assessment is required for actions that have the potential to result in 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. A more detailed description of the types of analyses that would be evaluated in the EIS based on the current RWCDS are provided below.

Mobile Source Analysis

INTERSECTION ANALYSIS

Based on information from the traffic analysis that will be provided as part of Task 12: Transportation, a mobile source screening will be conducted to evaluate whether project-generated vehicle trips have the potential to exceed applicable thresholds defined in the 2021 *CEQR Technical Manual*. Should the project-generated vehicle trips exceed CEQR analysis thresholds for a mobile source intersection analysis, a detailed mobile source analysis will be conducted for no more than three worst-case intersections for carbon monoxide (CO) and particulate matter (PM 10 and PM 2.5) pollutants using the latest versions of the U.S. Environmental Protection Agency's (EPA's) MOVES and AERMOD emissions and dispersion models. The intersection(s) would be selected in consultation with DCP.

PARKING GARAGE

An air quality analysis will be conducted for the potential impacts from the proposed parking garage on the Projected Development Site if any individual proposed parking garage introduces 85 or more incremental parking spaces between No-Action and With-Action scenarios. The peak period with the greatest number of vehicles in and out trips will be assessed for the potential of CO impacts to occur, and 24-hour average vehicle in and out trips will be assessed for the potential or PM_{10} and $PM_{2.5}$ impacts. Vehicular emissions considered would be from the movement of vehicles within the proposed parking facilities and any vehicles idling before exiting the parking facilities. Cumulative impact from the on-street traffic emission and parking facility emission will also be calculated. Both ground level and elevated receptors will be considered for project-generated sensitive receptors located on-site, as well as existing sensitive receptors located in nearby sites, as necessary. The parking analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts.

Stationary Source Analyses

HVAC AND HOT-WATER SYSTEMS ANALYSIS

It is assumed that the RWCDS's heating, ventilation, and air conditioning (HVAC) and hot water systems will be electrical. Any necessary mechanisms to ensure electric HVAC, such as a (E) designation (a legal mechanism), will be described in the EIS. Therefore, an analysis of HVAC and hot water systems is not warranted.

INDUSTRIAL SOURCE ANALYSIS

A field survey will be conducted to identify the presence of processing and/or light industrial facilities within 400 feet of the Projected Development Site. A copy of the air permits for each of any identified facilities within the 400-foot study area will be requested from DEP's Bureau of Environmental Compliance, and the emissions from such sites will be considered for analysis. A cumulative air quality impact analysis will be performed for multiple industrial sources that emit the same air contaminants. Predicted concentrations of these compounds will be compared to NYSDEC DAR-1 guideline values for short-term guideline concentrations (SGC), annual guideline concentrations (AGC) averaging periods, and National Ambient Air Quality Standards (NAAQS). If violations of standards are predicted, measures to reduce pollutant levels to fall within the applicable guideline values will be examined.

Additionally, as the With-Action RWCDS would introduce light industrial/manufacturing to the Projected Development Site, an assessment of potential project-generated industrial sources introduced by the RWCDS will also be included to determine potential impacts of criteria and non-criteria pollutant concentrations on existing sensitive receptors (project-on-existing impact) and sensitive receptors on the Projected Development Site (project-on-project impact) within the 400-foot study area and within the same proposed building.

LARGE AND MAJOR SOURCE ANALYSES

A search will be conducted to identify any large and major sources within a 1,000-foot radius of the Project Area. A "large" source is a facility with a New York State Department of Environmental Conservation (NYSDEC) State Facility Permit and a "major" source is a facility with a NYSDEC Title V permit. A review of NYSDEC Title V permits and the EPA Envirofacts database will be performed to identify any Federal-or State-permitted facilities within 1,000 feet of the Projected Development Site. An analysis of existing large and major and large sources of emissions (such as sources having Federal and State permits) identified within 1,000 feet of the site will be performed to assess their potential effects on the RWCDS. Predicted criteria pollutant concentrations will be predicted using the AERMOD model compared with NAAQS for NO_2, SO_2, and PM_{10}, as well as applicable criteria for $PM_{2.5}$.

Task 14: Greenhouse Gas Emissions and Climate Change

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 climate change is occurring on a global scale, environmental effects are also likely to be felt at the local level. As the RWCDS associated with the Proposed Actions is expected to exceed the 350,000-sf development threshold for analysis specified in the *CEQR Technical Manual*, GHG emissions generated by the RWCDS will be quantified and assessed for their consistency with the City's established GHG reduction goal as part of the EIS in accordance with the *CEQR Technical Manual*. The

assessment will examine GHG emissions from the RWCDS's 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 projected developments based on the calculations of energy use estimated as part of Task 11, "Energy."

- GHG emissions associated with action-related traffic will be estimated for the RWCDS using data from Task 12, 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.

As the Project Area is not located within the federally mapped 100- and 500-year floodplains, it is not susceptible to storm surge and coastal flooding, and an assessment of potential effects of climate change is not warranted.

Task 15: Noise

Per the 2021 CEQR Technical Manual, a noise analysis is appropriate if an action would generate mobile or stationary sources of noise or would be in an area with high ambient noise levels. Mobile sources include vehicular traffic; stationary sources include playgrounds, rooftop equipment, such as emergency generators, cooling towers, and other mechanical equipment.

The Proposed Actions would result in new residential, commercial, and light industrial development which would create new receptors and would also generate new traffic. The introduction of new noise-sensitive land uses and alteration of vehicular traffic (which is a major noise source in the Project Area) is expected to affect ambient noise conditions and will consequently be studied. The noise analysis will examine both the Proposed Actions' potential effects on sensitive noise receptors (including residences, health care facilities, schools, open space, etc.) and the potential noise exposure at new sensitive uses introduced by the actions. If significant adverse impacts are identified, impacts would be mitigated or avoided to the greatest extent practicable.

It is assumed that any outdoor mechanical equipment would be designed to comply with applicable regulations and as a result no detailed analysis of potential noise impacts due to outdoor mechanical equipment will be performed as part of this task. Therefore, the noise analysis will examine the potential for the Proposed Actions to result in increased noise from vehicular traffic and determine the level of building attenuation necessary to meet CEQR interior noise level requirements based on noise exposure from existing sources including vehicular and rail traffic. The following tasks have been developed for this analysis based on the guidance of the 2021 *CEQR Technical Manual*:

- Based on the traffic studies conducted for Task 12, "Transportation," a screening analysis will be conducted to determine whether there are any locations where there is the potential for the

RWCDS associated with the Proposed Actions to result in significant noise impacts (i.e., doubling Noise Passenger Car Equivalents [Noise PCEs]) due to action-generated traffic.

- Consistent with 2021 *CEQR Technical Manual* guidance, perform a detailed mobile source noise analysis at any noise-sensitive receptor where results of screening analysis indicate a doubling of traffic volume due to action-generated traffic.

- Noise measurements will be taken at representative locations to characterize existing noise conditions in the Project Area. This will include locations representative of the new receptors that would be introduced by the Proposed Actions and locations representative of receptors where vehicle trips generated by the Proposed Actions would have the greatest potential to significantly increase ambient sound levels.

- At the identified locations, noise measurements will be conducted during typical weekday AM, midday (MD), and PM peak periods, as well as a Saturday midday (Sat MD) period (coinciding with the traffic peak periods). Noise levels will be measured in units of "A" weighted decibel scale (dBA) as well as one-third octave bands. The measured noise level descriptors will include equivalent noise level (L_{eq}), day-night noise level (L_{dn}), 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. If Noise PCEs calculated using traffic volumes counted during existing condition noise measurements differ significantly from the existing condition Noise PCEs estimated using traffic data from the Transportation study at the same location and traffic on the immediately adjacent roadway segment is the dominant source of noise, the difference in Noise PCEs will be examined further. Measured noise levels may be considered invalid, in which case the measurement may be repeated until there is no longer a significant difference in Noise PCEs, or the measured noise levels may be adjusted.

- Following the procedures outlined in the 2021 *CEQR Technical Manual* for mobile source noise and playground noise assessment (as necessary), future No Action and With Action noise levels will be estimated at the noise receptor locations based on acoustic fundaments. All projections will be made with a L_{eq} noise descriptor.

- The level of building attenuation necessary for the Projected Development Site to satisfy CEQR requirements (a function of the exterior noise levels) will be determined based on the highest L_{10} and L_{dn} noise level estimated at the site, as appropriate based on the dominant noise source. As the proposed zoning changes would extend the special MX-7 district to which ZR Section 123-32 would apply, residential dwelling units would be required to provide a minimum of 35 dBA window/wall attenuation and alternate means of ventilation such that interior noise levels would be no greater than 45 dBA. Additionally, demising partitions separating residential or community facility use from manufacturing use on the same lot would be required to provide sufficient attenuation to result in interior L_{eq} and L_{10} noise levels not greater than 45 dBA in the residential units and/or community facility spaces and to achieve a minimum attenuation of 50 dBA. If required, an enforceable legal mechanism will be proposed to memorialize building attenuation requirements, such as (E) designations placed where applicable, pursuant to ZR Section 11-15.

- The level of noise exposure at newly introduced publicly accessible open spaces will also be compared to noise exposure standards included in the 2021 *CEQR Technical Manual*.

Task 16: 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 the public health analysis in CEQR is to determine whether adverse impacts on public health may occur because of a proposed project, and, if so, to identify measures to mitigate such effects.

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*. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

Task 17: 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 have the potential to alter certain elements contributing to the study 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; 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 them 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 18: Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the community including the residents, visitors, and community facilities. Construction impacts are usually evaluated when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of

hazardous materials. Projects with overall construction periods lasting longer than two years and that are near to sensitive receptors (i.e., residences, open spaces, etc.) should undergo preliminary impact assessment, according to the 2021 *CEQR Technical Manual.*

Construction of the RWCDS is expected to take place over a period greater than two years and is therefore considered long-term. The EIS will present the overall construction duration for the RWCDS to determine the peak period for each phase of construction and provide information on the entities with governmental oversight for various aspects of construction. Information on how New York City regulates construction hours will be included in this chapter. Due to the size of the development, the construction of new buildings, and the length of the construction period (i.e., over two years), a detailed construction analysis will be required. Quantitative assessments will be prepared for transportation, air quality, and noise, as described below. Consistent with CEQR, the analysis will also assess the potential for construction-related activities to affect land use, neighborhood character, open space, historic and cultural resources, and hazardous materials.

- ***Transportation Systems:*** The construction transportation analysis assesses the potential for construction activities to result in significant adverse effects to traffic, transit (e.g., subway and bus), pedestrian elements (i.e., sidewalks, corners, and crosswalks), and parking conditions. The assessment will be based on 2021 *CEQR Technical Manual* guidance and will identify the increase in vehicle trips from construction workers and equipment associated with the conceptual construction schedule for the RWCDS. A travel demand forecast for the RWCDS peak construction period(s) will be prepared and compared to the trip projections under the operational condition in the With-Action condition. Quantitative traffic, pedestrian, and/or transit analyses will be conducted if, based on the results of the travel demand forecast for the RWCDS peak construction period, these are warranted pursuant to the guidance presented in the 2021 *CEQR Technical Manual*. The construction traffic section will also describe whether curb parking lane closures or sidewalk closures are expected and estimate the number of construction workers likely to drive to the site, the number of parking spaces needed, and the availability of on-site parking to accommodate the construction parking demand.

- ***Air Quality:*** The construction air quality section will evaluate impacts from on-site construction emissions and off-site mobile source emissions that result from construction equipment, delivery trucks, fugitive dust, and worker vehicles. The construction air quality impact section will include quantitative dispersion modeling of construction equipment operational air quality impacts on sensitive land uses within the Project Area during the worst-case time period(s). Air pollutant sources would include combustion exhaust associated with non-road construction engines (e.g., cranes, excavators) and trucks operating on-site, construction-generated traffic on local roadways, as well as onsite activities (e.g., excavation, demolition) that generate dust. The pollutants of concern include carbon monoxide (CO), particulate matter (PM), and nitrogen dioxide (NO2). The potential for significant impacts will be determined by a comparison of the model predicted concentrations to the National Ambient Air Quality Standards (NAAQS), or by comparison of the predicted increase in concentrations to applicable CEQR de minimis criteria. A discussion of measures to reduce impacts, if any, will be included. Any emission control measures proposed to be used during construction will be documented in the EIS and related Project Component Related to the Environment (PCRE).

- ***Noise:*** Estimates will be made of construction noise from on-site stationary construction equipment and construction-related vehicles, including worker trips and material handling trips on adjacent roadways. The construction noise impact evaluation will contain quantitative analysis

of potential noise impacts at sensitive land uses and buildings within the Project Area. The analysis will be based on noise modeling of worst-case noise conditions from on-site construction equipment/vehicles activity over the course of the construction schedule. During representative time period(s), noise levels due to construction activities at sensitive receptors and the potential to exceed applicable noise impact criteria will be predicted. The predicted duration of sustained noise levels exceeding applicable evaluation thresholds will be estimated to determine the potential for impact at nearby receptors.

- ***Other Technical Areas*:** As appropriate, other areas of environmental assessment—such as socioeconomic conditions, open space, historic and cultural resources, and hazardous materials—will be assessed for potential construction-related impacts. In accordance with *CEQR Technical Manual* guidance, the construction analysis will include an assessment of whether construction of the Projected Development Site would physically impact, or inhibit access to adjacent land uses, including community facilities.

Task 19: Mitigation

CEQR requires that any significant adverse impacts identified in the EIS be minimized or avoided to the greatest extent practicable. Where significant adverse impacts that could result from the Proposed Actions have been identified in Tasks 2 through 18, this chapter will describe the practicable measures that could 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 20: Alternatives

The purpose of an alternatives section in an EIS is to examine development options that would tend to reduce or eliminate impacts resulting from the Proposed Actions while substantively meeting the goals and objectives of the Proposed Actions. The EIS will include 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. A No Unmitigated Impact alternative would also be provided, which assesses a change in density or program design to avoid the potential for any unmitigated significant adverse impacts that may be associated with 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. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the Proposed Actions have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

Task 21: Summary EIS Chapters

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

- **Unavoidable Adverse Impacts:** which 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.

Task 22. Effects on Disadvantaged Communities

Effective 30 December 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that an EIS include a detailed statement of the effects of the Proposed Actions on disadvantaged communities, including whether the action(s) may cause or increase a disproportionate pollution burden on a disadvantaged community. The 2021 *CEQR Technical Manual* does not provide guidance regarding the scope of this analysis; further, NYSDEC has not proposed a rule that provides additional information regarding this new statutory provision. The InfoLocator application maintained by NYSDEC maps the boundaries of Disadvantaged Communities (DAC) in New York State. The EIS will disclose whether the Project Area is in or near a DAC and will also include an assessment of the potential, project-generated disproportionate pollution burden on disadvantaged communities. The findings of the relevant CEQR analyses will be included in this chapter to assist with the determination as to whether the Proposed Actions may disproportionately affect nearby DACs. The assessment will be prepared to comply with Section 8-0109(2)(k) and any relevant regulations or guidance in effect at the time of DEIS preparation.

Task 23. Executive Summary

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