PARK AVENUE BROOKLYN REZONING
Chapter 1: Project Description

A. INTRODUCTION

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

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

- A proposed zoning map amendment to rezone portions of existing M1-1 and M1-2 zoning districts to M1-4/R7D and M1-4/R6-1 Special Mixed-Use MX-4 (Flushing/Bedford) districts.
- A zoning text amendment to establish the Project Area as an Mandatory Inclusionary Housing (MIH) Area

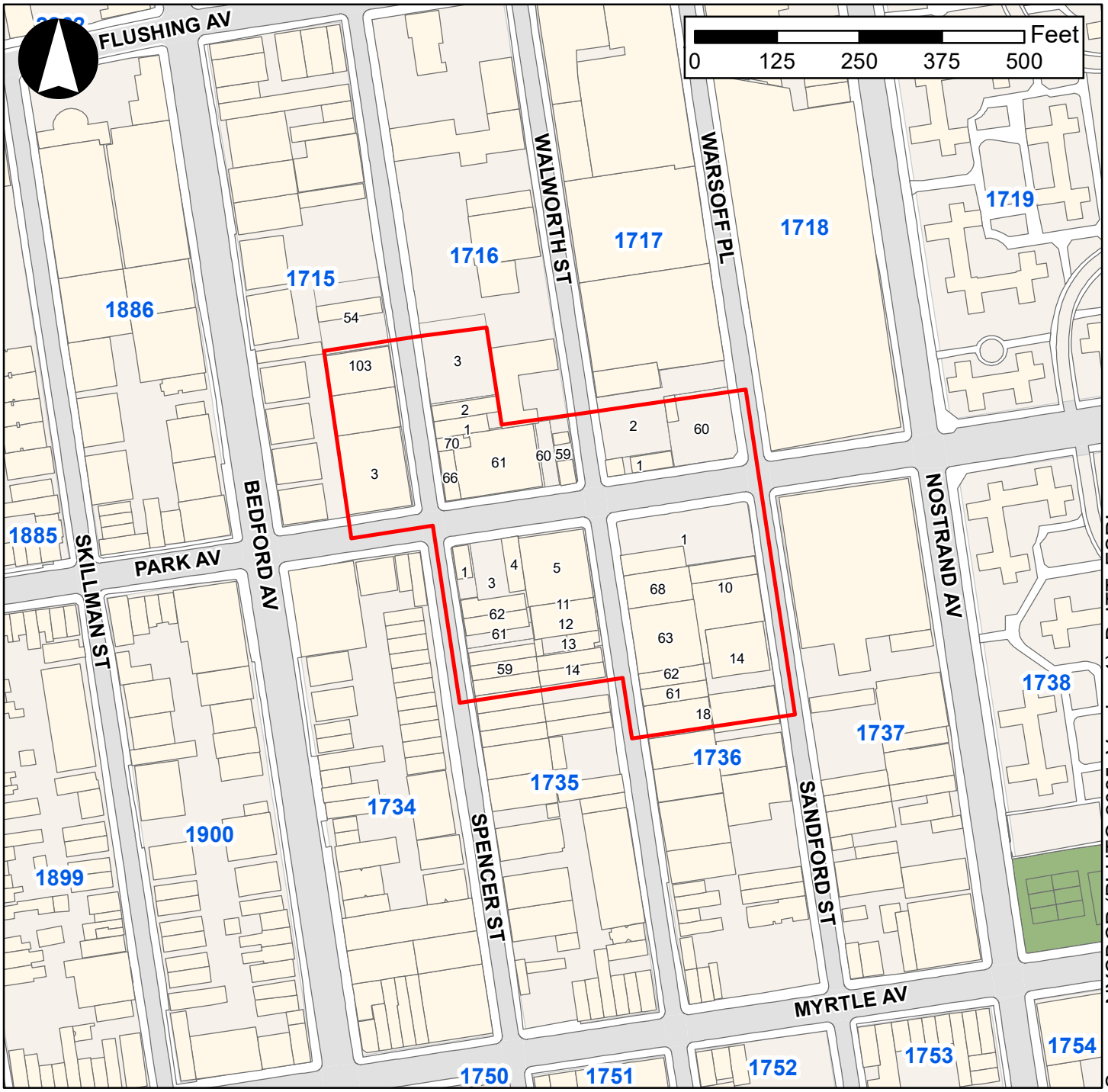
Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. On these sites, the Applicant intends to develop 391 dwelling units (DUs), 63,429 gross-square-feet (gsf) of commercial space, and 202,125 gsf of private educational facilities (the Building Program).[1] In total, inclusive of existing floor area that would not be redeveloped, development on the Applicant-controlled Projected Development Sites in the With-Action condition would include approximately 393 DUs, of which approximately 101 would be permanently affordable pursuant to the MIH program (assuming the Applicant's proposed Option 1), approximately 65,072 gsf of ground floor local retail space, 244,088 gsf of private school space, and 11,590 gsf of medical office.

In the With-Action reasonable worst-case development scenario (RWCDS), in addition to the Applicant's nine Projected Development Sites noted above, the Proposed Actions are expected to facilitate the redevelopment of three additional Projected Development Sites. For RWCDS purposes, it is assumed that development at these three Non-Applicant sites would total approximately 90 DUs, 23 of which would be permanently affordable (assuming the Applicant's proposed Option 1), and approximately 15,083 gsf of ground floor local retail in the With-Action condition.

For City Environmental Quality Review (CEQR) analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. Overall, the total RWCDS for the Proposed Actions would result in a total of 483 DUs, including 124 affordable units pursuant to the Applicant's

[1] In addition to the Building Program on the Projected Development Sites, the Proposed Actions would also legalize an existing 37,500 gsf school at 48 Spencer Street (Block 1715, Lot 103), which is not part of the RWCDS.

Project Location



Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI

Legend

- 400-foot Radius
- Proposed Rezoning Area (Project Area)
- Existing Buildings
- 3 Tax Lots
- 1715 Tax Blocks



proposed MIH Option 1,[2] 244,088 gsf of private school space, 80,155 gsf of local retail space, 11,590 gsf of medical office space, and 151 accessory parking spaces (the With-Action condition) on the 12 Projected Development Sites. Compared to No-Action conditions, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 481 DUs, including 124 affordable units (assuming the Applicant's proposed Option 1), 201,838 gsf of private school space, 28,505 gsf of local retail space, and net decreases of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, 5,000 gsf of house of worship space, as well as a net decrease of 100 parking spaces.

In addition, for RWCDS purposes, the Proposed Actions are also assumed to have the potential to result in development at two other non-Applicant-controlled sites (Potential Development Sites A and B), which are less likely to occur by the analysis year of 2031. These Potential Development Sites are excluded from density-related analyses in the EIS.

B. BACKGROUND AND EXISTING CONDITIONS

Project Area/Proposed Rezoning Area

The Project Area (a.k.a. Proposed Rezoning Area) is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block 1717, and a depth of 325 feet from Park Avenue on Block 1736 (see **Figure 1-1**). The Project Area comprises portions of Blocks 1715, 1716, 1717, 1735, and 1736, with a total lot area of approximately 212,944 sf.

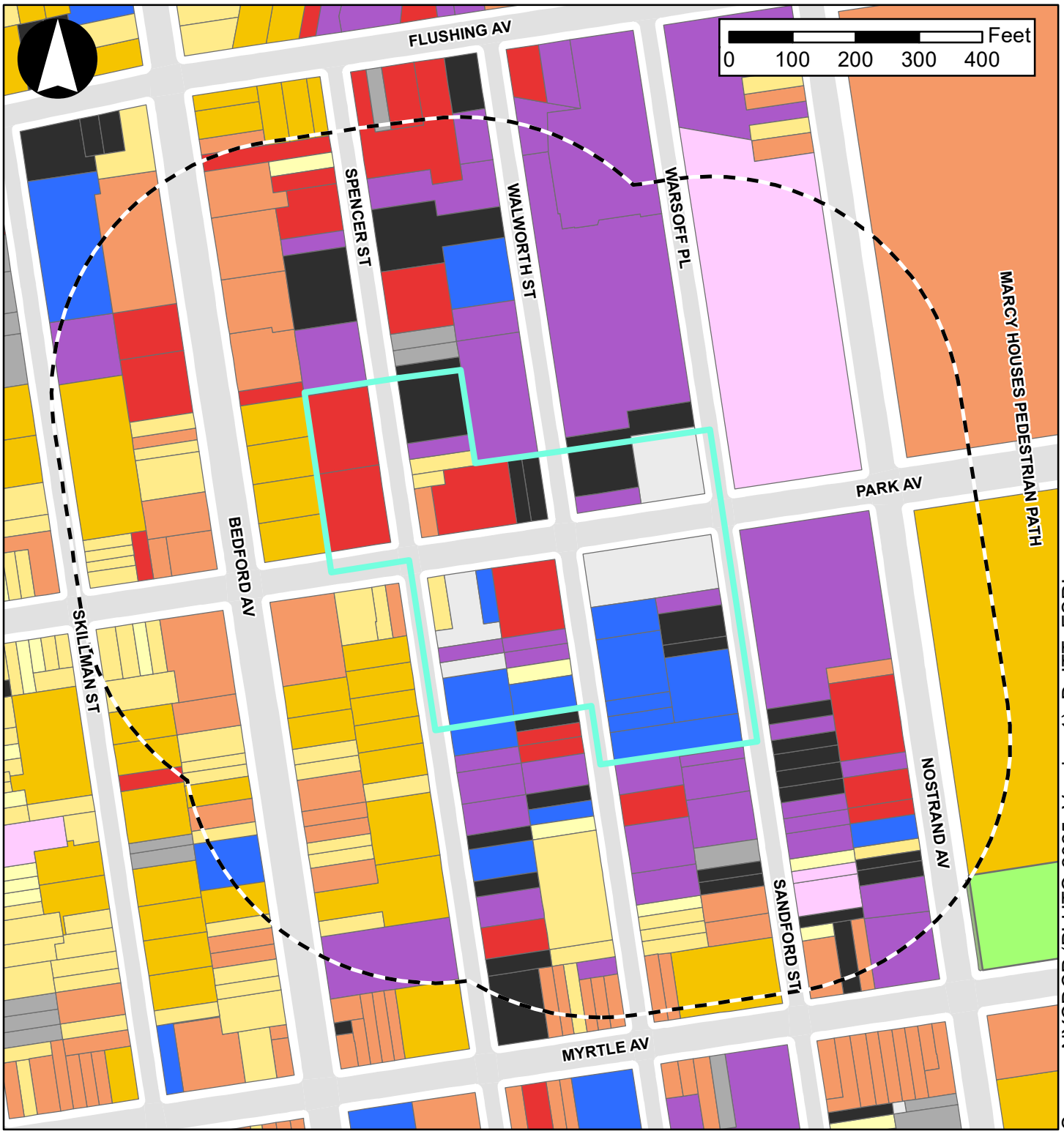
As shown in the land use map in **Figure 1-2**, the Project Area is currently occupied by institutional, commercial, industrial, residential, and mixed-uses, as well as vacant lots. A description of each of the tax lots within the Project Area is provided below and summarized in **Table 1-1**.

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

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

[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.

Figure 1-2
Existing Land Uses



Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI

Legend

- Proposed Rezoning Area (Project Area)
- 400-Foot Radius

Land Use

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

floors are four DUs. Lot 70 is a 1,100-sf lot that contains a nonconforming four-story approximately 2,772 gsf residential building that contains three DUs.

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

Block 1735, south of Park Avenue between Spencer and Walworth Streets, includes a pre-existing nonconforming three-story 5,000 gsf residential building with 3 DUs on the 2,056 sf Lot 1. Lot 3 is a 6,612-sf surface parking lot. Lot 4 is a 2,056-sf lot that is occupied by a four-story 7,051 gsf building used as a Hatzolah volunteer firehouse. Lot 5 is a 10,725-sf lot that is occupied by a one-story 10,725 gsf commercial building occupied by several businesses including a bakery, clothing store, shoe store, and a mailing service. Lots 11 and 12 are each 2,500 sf lots that contain a one-story 5,000 gsf commercial building occupied by a HVAC supply store. Lot 13 is a 2,500-sf lot occupied by a nonconforming two-story 1,400 gsf residential building containing two DUs. Lot 14 is a 5,000-sf lot that is occupied by a 5,000 gsf one-story house of worship. Lot 59[3] is a 12,500 sf lot occupied by a one-story 20,681 gsf house of worship. Approximately 7,500 sf of the lot and 8,911 gsf of the one-story building is located within the Project Area. Lots 61 and 62 are each 2,500 sf lots. Lot 62 is occupied by a one-story 1,400 sf warehouse, and Lot 61 is used for open storage.

Block 1736, south of Park Avenue between Walworth and Sandford Streets, includes a tire shop at the 16,450 sf Lot 1. Lot 10[4] is a 10,000-sf lot occupied by a one-story 2,500 gsf commercial building that is owned by the school on Lot 14. Lot 14 is occupied by a six-story 40,500 gsf building occupied by a yeshiva. The building on Lot 14 received a special permit from the NYC Board of Standards and Appeals (BSA) in 2008 (BSA Cal No. 97-08-BZ and CEQR No. 08BSA084K). The special permit permitted a 40,742 gsf, 75-foot-tall school building on the 10,000 sf Lot 14. Lot 18 is a 10,750-sf lot that includes two buildings, a three-story building along Sandford Street and a one-story building along Walworth Street. These buildings total 22,250 gsf and are used as part of the Central United Talmudic Academy on Lot 14. Lots 61 and 62 are each 2,500 sf lots that include a two-story 10,000 gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Lot 63 is a 10,000-sf lot that contains a one-story 10,000 gsf building used as an accessory building to the Central United Talmudic Academy on Lot 14. Finally, on Lot 68, a 5,000-sf lot, is a 5,000 gsf one-story building used as a house of worship.

[3] Lot 59 consists of former Lots 56, 57, 58, 59, and 60. A lot merger became effective on December 19, 2024, between scoping and completion of the DEIS. As such, only a 7,500 sf portion of Lot 59 (comprising former Lots 58, 59, and 60) is located within the Project Area.

[4] Lot 10 consists of former Lots 10, 11, and 13. A lot merger became effective on May 30, 2025, between scoping and completion of the DEIS.

TABLE 1-1
Project Area Tax Lots

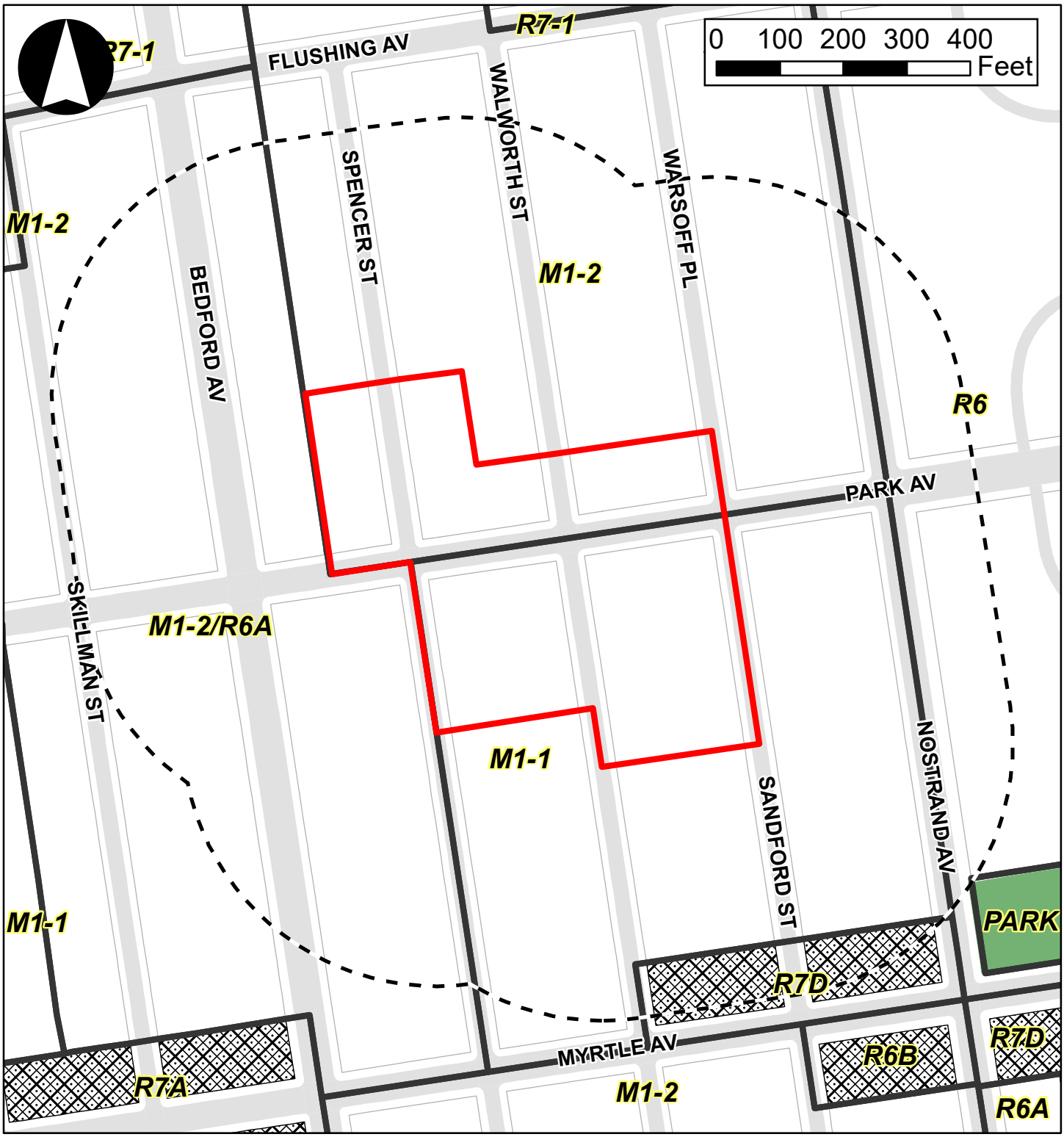
Block	Lot	Address	Lot Area (sf)	Building Area (gsf)	Existing Zoning	Use	Applicant-Controlled?
1715	3	517 Park Avenue	12,271	23,861	M1-2	Retail/Medical Office	Y
1715	54	38 Spencer Street	10,600	2,500	M1-2	Warehouse	N
1715	103	48 Spencer Street	12,500	37,500	M1-2	Appliance Hardware Store/School	N
1716	1	53 Spencer Street	2,508	3,375	M1-2	Residential	N
1716	2	51 Spencer Street	2,483	2,489	M1-2	Warehouse	N
1716	3	49 Spencer Street	12,500	-	M1-2	Vacant	Y
1716	59	537 Park Avenue	2,444	-	M1-2	Vacant	N
1716	60	535 Park Avenue	2,444	-	M1-2	Vacant	N
1716	61	533 Park Avenue	11,657	11,657	M1-2	Industrial Supply Store	Y
1716	66	523 Park Avenue	1,900	4,175	M1-2	Residential/Retail	N
1716	70	55 Spencer Street	1,100	2,772	M1-2	Residential	N
1717	1	63 Walworth Street	2,500	1,783	M1-2	Retail	N
1717	2	55 Walworth Stret	13,613	-	M1-2	Parking	N
1717	60	547 Park Avenue	10,775	-	M1-2	Parking/No Data	Y
1735	1	512 Park Avenue	2,056	5,000	M1-1	Residential	N
1735	3	514 Park Avenue	6,612	2,500	M1-1	Parking/Warehouse/No Data	Y
1735	4	518 Park Avenue	2,056	7,051	M1-1	Ambulatory Service	N
1735	5	520 Park Avenue	10,725	10,725	M1-1	Retail	Y
1735	11	82 Walworth Street	2,500	2,500	M1-1	Warehouse	Y
1735	12	84 Walworth Street	2,500	2,500	M1-1	Warehouse	Y
1735	13	86 Walworth Street	2,500	1,400	M1-1	Residential	Y
1735	14	88 Walworth Street	5,000	5,000	M1-1	House of worship	Y
1735	59[1] (p/o)*	81 Spencer Street	7,500	8,911	M1-1	House of worship	N
1735	61	75 Spencer Street	2,500	-	M1-1	Vacant/No Data	N
1735	62	77 Spencer Street	2,500	1,400	M1-1	Warehouse	N
1736	1	528 Park Avenue	16,450	-	M1-1	Tire repair shop – no permanent structures/No Data	Y
1736	10[2]	76 Sandford Street	10,000	2,500	M1-1	Warehouse	Y
1736	14	84 Sandford Street	10,000	40,500	M1-1	Private school	N
1736	18	96 Sandford Street	10,750	22,250	M1-1	Private school	Y
1736	61	89 Walworth Street	2,500	5,000	M1-1	Private school	Y
1736	62	87 Walworth Street	2,500	5,000	M1-1	Private school	Y
1736	63	79 Walworth Street	10,000	10,000	M1-1	Private school	Y
1736	68	75 Walworth Street	5,000	5,000	M1-1	House of worship	N

Source: NYC MapPLUTO 25v1
Notes:
[1] Lot 59 consists of former Lots 56, 57, 58, 59, and 60. A lot merger became effective between scoping and the completion of the Draft Environmental Impact Statement (DEIS). As such, only an approximately 7,500 sf portion of (p/o) Lot 59 (comprising of former Lots 58, 59, and 60) and 8,911 gsf of the house of worship is located within the Project Area.
[2] Lot 10 consists of former Lots 10, 11 and 13. A lot merger became effective between scoping and the completion of the DEIS.
* As described in note #1, a portion of Lot 59 is located outside the Project Area and therefore, not included in the table. In total, Lot 59 is a 12,500 sf lot occupied by a 20,681 gsf house of worship. The table reflects only the portions of Lot 59 located within the Project Area.

Zoning

North of Park Avenue, the Project Area is zoned M1-2 (refer to **Figure 1-3**). M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards. Specifically, the M1-2 district permits Use Group I, certain uses in Use Group III(B) (including but not limited to houses of worship and ambulatory diagnostic or treatment health care facilities), certain uses in Use Group IV (A to C) (including but not limited to public utility stations for oil or gas metering), and certain uses in Use Groups V to X. Commercial uses are permitted to a maximum FAR of 2.0, manufacturing/industrial uses are permitted to a maximum FAR of 2.0, and community facility uses are permitted to a maximum FAR of 4.8. The M1-2 zoning district permits a maximum base height of 60 feet or four stories, whichever is less. Above the maximum base

Figure 1-3
Existing Zoning



Source: NYCDCP (PLUTO 2024, Version 1); DoITT; ESRI

Legend

- Proposed Rezoning Area (Project Area)
- 400-Foot Radius
- M1-1 Zoning District
- C2-4 Commercial Overlay

height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

South of Park Avenue, sites within the Project Area are zoned M1-1 (refer to **Figure 1-3**). The M1-1 district permits Use Groups I, III(B)[5], IV (A to C), and V to X. Commercial uses are permitted to a maximum FAR of 1.0, manufacturing/industrial uses are permitted to a maximum FAR of 1.0, and community facility uses are permitted to a maximum FAR of 2.4. The M1-1 zoning district permits a maximum base height of 30 feet or two stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

The NYC Department of City Planning (DCP) adopted two citywide text amendments known as City of Yes for Economic Opportunity ("COYEO") and City of Yes for Housing Opportunity ("CHO") that have implications for the Project Area. The proposed changes through both COYEO and CHO have been incorporated into the reasonable worst-case development scenario for the Proposed Actions as applicable.

COYEO was approved by the City Planning Commission on March 6, 2024, and adopted by the City Council on June 6, 2024. This text amendment supports businesses and job growth by ensuring a wider range of businesses can use existing commercial space. The proposal makes zoning flexible enough for empty storefronts to be activated by businesses that serve the City's neighborhoods. Additionally, COYEO creates a range of new Manufacturing Districts designed to enable greater opportunities for job intensive growth.

CHO was approved by the City Planning Commission on September 25, 2024, and adopted by the City Council on December 5, 2024. This text amendment expands housing options through zoning reforms that would address the housing crisis. Key components included: updates to the MIH program; the introduction of the Universal Affordability Preference (UAP) program which provides a preferential FAR that is available for affordable housing developments located outside of MIH applicable areas; and modifications to parking requirements that balances between housing development and the need for parking in some parts of the city. These modifications, in addition to low-density zoning reforms such as allowing Accessory Dwelling Units and modest apartment buildings, aim to enable a little more housing in every neighborhood.

The RWCDS for the Proposed Actions, as discussed in Section E below, incorporates these changes as applicable. Pursuant to ~~the recently approved~~ CHO, the Project Area is located in the "Inner Transit Zone" and as such, pursuant to ZR Section 25-211, no accessory off-street parking spaces are required for residential uses.

Neighborhood Context

The Project Area is located in the Bedford-Stuyvesant neighborhood in Brooklyn CD 3. Land uses within a 400-foot radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, residential, and mixed residential and commercial uses, as well as utility uses and public facilities and institutions. As shown in **Figure 1-2**, the area north and south of the Project Area within a 400-foot radius of the Project Area is generally used for manufacturing and transportation/utility purposes. The area west of the Project Area is generally occupied by multi-family residential uses. To the east of the Project Area is the Marcy Houses, a complex of 27 six-story buildings built and operated by the New York City Housing Authority (NYCHA). The

[5] M1 districts permit <u>some</u> (not all) UG III(B) uses, with some UG III(B) uses subject to "Additional Conditions" and some of those UG III(B) uses (like schools) only being permitted pursuant to a special permit.

complex consists of approximately 1,705 apartments. Buildings within the 400-foot radius generally range in height between one- to six-stories, however there are a few taller buildings within the 400-foot radius. Marcy Playground is the only open space within a 400-foot radius.

Recent rezonings near the Project Area include: 1) the 15-block 2001 Flushing/Bedford Rezoning (C 000109 ZMK; N 000110 ZRK) which allowed residential uses in existing manufacturing districts and allowed for existing industrial uses south of Flushing Avenue to expand; 2) the 140-block 2012 Bedford-Stuyvesant North Rezoning (C 120294 ZMK) which zoned the area with contextual residential districts to preserve the existing character and building patterns while allowing modest enlargements of existing homes; 3) the 722-733 Myrtle Avenue Rezoning (C 170025 ZMK; N 170026 ZRK) which changed an existing M1-1 and M1-2 zoning district to an R7D/C2-4 and R6A/C2-4 zoning district; 4) the 446-448 Park Avenue Rezoning (C 210332 ZMK; N 210333 ZRK) which changed an existing M1-1 district to an M1-4/R6A (MX-4) district; 5) the 703 Myrtle Avenue Rezoning (C 220453 ZMK; N220454 ZRK) which changed an existing M1-1 district to a R7D/C2-4 zoning district; and 6) the 712 Myrtle Avenue Rezoning (C 230258 ZMK; N 230259 ZRK) which changed an existing M1-2 district to a R7D/C2-4 zoning district.

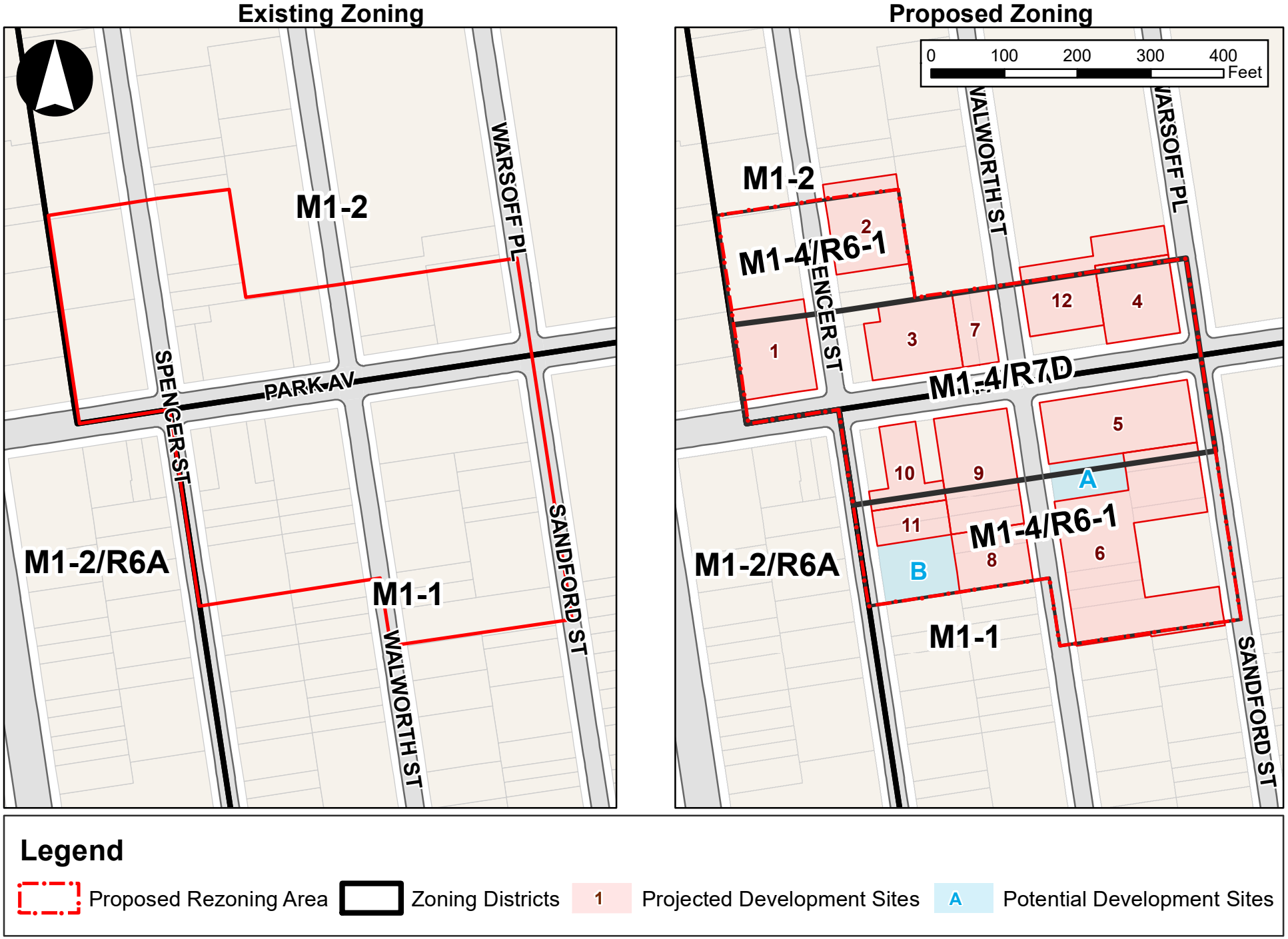
The Project Area is located within the Inner Transit Zone. The closest subway stations to the Project Area are the Flushing Avenue and Myrtle-Willoughby Avenues Stations which are served by the G train. These stations are approximately 0.5-mile from sites in the Project Area. The B44 and B44 SBS buses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

C. DESCRIPTION OF THE PROPOSED ACTIONS

The following discretionary approvals are being requested by the Applicant from the CPC:

Zoning Map Amendment

The proposed zoning map amendment would rezone the portion of the Project Area within 100-feet of Park Avenue from M1-1 and M1-2 to a Special Mixed-Use District MX-4 (Flushing/Bedford) M1-4/R7D. The area beyond 100 feet of Park Avenue within the Project Area would be rezoned from M1-1 and M1-2 to M1-4/R6-1 (MX-4) (refer to **Figure 1-4**). Sites within the proposed M1-4/R7D district would be permitted to develop up to 5.6 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.66 FAR of community facility uses. Sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.9 FAR of residential uses for MIH developments, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.8 FAR of community facility uses. Under CHO, slight modifications to height and FAR would be made to the proposed zoning districts. As such, sites within the proposed M1-4/R7D district would be permitted to develop up to 4.66 FAR of community facility uses and a maximum building height of 125 feet under CHO and sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.0 FAR for residential uses or 3.9 FAR of residential uses for “Qualifying Affordable Housing” or “Qualifying Senior Housing.” The proposed zoning map amendment would allow residential uses up to 5.6 FAR which are not currently permitted within the Project Area. The proposed zoning map amendment would allow the maximum commercial and manufacturing FAR within the Project Area on sites currently zoned M1-1 to increase from 1.0 to 2.0. Sites currently zoned M1-2 would continue to have the same allowable commercial and manufacturing FAR as a result of the Proposed Actions. For sites currently zoned M1-1, the proposed zoning map amendment would increase the maximum permitted community facility FAR from 2.4 to 4.66-4.8,


Existing Zoning
Proposed Zoning
M1-2
M1-2/R6A
M1-1
M1-4/R6-1
M1-4/R7D
SPENCER ST
PARK AV
WARSOFF PL
WALWORTH ST
SANDFORD ST
0
100
200
300
400
Feet
1
2
3
4
5
6
7
8
9
10
11
12
A
B
Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI
Legend
Proposed Rezoning Area
Zoning Districts
Projected Development Sites
Potential Development Sites

depending on whether the site is rezoned to M1-4/R7D or M1-4/R6-1, respectively. Sites that would be rezoned from M1-2 to M1-4/R7D would have their maximum permitted community facility FAR reduced from 4.8 to 4.66. Sites that would be rezoned from M1-2 to M1-4/R6-1 would experience no change in the maximum permitted community facility FAR.

Zoning Text Amendment

The proposed zoning text amendment would establish the Project Area as an MIH 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[6], with 10 percent at 40 percent of the Income Index and no unit targeted at a level exceeding 130 percent of the Income Index.
- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index, with no unit targeted at a level exceeding 130 percent of the Income Index.
- Option 3: 20 percent of the total residential floor area must be for housing units for residents with incomes averaging 40 percent of Income Index 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 the Income Index, with no units above 135 percent the Income Index; and no direct subsidies.

The Applicant proposes to map the Project Area with MIH Option 1. The MIH requirement ensures that a percentage of residential floor area in any future development within the MIH Area is permanently affordable. The number of affordable units would be determined based on the MIH option ultimately selected for the Project Area upon approval of the Proposed Actions. As such, the CEQR documents will show the range of MIH income-restricted units that could result from the Proposed Actions.

In addition, the project approvals would include establishment of an (E) designation (E-898) to codify restrictions related to hazardous materials, air quality, and noise; and ~~a~~ one or more Restrictive Declarations (RDs) to codify Project Components Related to the Environment (PCREs) and mitigation measures.

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

The Proposed Actions are being requested to bring existing schools into conformance and to meet the growing demand for additional schools in the neighborhood. The existing M1-1 and M1-2 manufacturing districts do not permit Use Group III(B) schools in the Project Area. The requested special mixed-use M1-4/R7D and M1-4/R6-1 districts would permit Use Group III(B)

[6] ZR Section 27-111 defines Income index as 200 percent of the Very Low-Income Limit established by the U.S. Department of Housing and Urban Development (HUD) for Multifamily Tax Subsidy Projects (MTSPs) in accordance with Internal Revenue Code Sections 42 and 142, as amended by Section 3009(a) of the Housing and Economic Recovery Act of 2008, as adjusted for household size.

school uses and allow for new housing and local retail uses to be built in a neighborhood with a growing population.

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

The proposed zoning map amendment would allow for additional schools to operate within the Project Area, address their capacity issues, meet demand for their services in the neighborhood, and allow for the development of new housing in an area with need for additional housing. The proposed M1-4/R7D and M1-4/R6-1 zoning districts would match allowable uses and density permitted in the existing M1-2/R6A special mixed-use district mapped to the west of the Project Area. The R6-1 zoning district, which was established via the City of Yes for Economic Opportunity text amendment, allows the same residential and community facility uses that an R6 district allows. It also generally allows the same bulk as an R6 district, except that when it comes to FAR, the permitted FAR for an R6-1 is the same as that for an R6 within 100 feet of a wide street. For floor area regulations, an R6-1 district allows, for any MIH, Qualifying Affordable Housing, or Qualifying Senior Housing development, a 3.9 residential FAR. For standard developments, the permitted residential FAR in an R6-1 is 3.0, which is identical to the permitted residential FAR for R6 districts within 100 feet of a wide street (beyond 100 feet of a wide street, the permitted residential FAR in an R6 is 2.2). For community facility uses, the R6-1 district allows a 4.8 FAR. The R6-1 district also allows a lot coverage of 80 percent for interior and through lots and 100% for corner lots (or 50% or 65% for certain large sites, which none of the proposed or Projected Development Sites in the Project Area qualify as).

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

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

E. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The 2025 *CEQR Technical Manual* will serve as the general guide for the methodologies and impact criteria for evaluating the ~~Proposed~~ proposed ~~Project's~~ project's (referred to in this DEIS as the RWCDS) potential effects on the various environmental areas of analysis. The EIS will disclose the Proposed Actions' potential significant adverse impacts on the environment. In order to assess the possible impacts of the Proposed Actions, a RWCDS was developed for both the future without the Proposed Actions (No-Action Condition) and the future with the Proposed Actions (With-Action Condition) for an analysis year of 2031. The incremental difference between

the No-Action and With-Action conditions is analyzed to determine the potential significant adverse environmental effects of the total RWCDS for the Proposed Actions~~Proposed Project~~.

Analysis Year

At this time, only three of the Applicant-controlled Projected Development Sites (Sites 2, 6, and 8 – the sites proposed for educational uses) have started to prepare development plans. It is assumed that the other Projected Development Sites would not begin to consider development options until after the Proposed Actions are approved. Assuming approval of the Proposed Actions in 2026, it is likely that the remaining Projected Development Sites within the Project Area, most of which would comprise less than 75,000 gsf of development under the RWCDS, would be redeveloped by 2031. Accordingly, this environmental review will use 2031 as the Analysis Year for analysis of future conditions consistent with *CEQR Technical Manual* guidance. Refer to **Chapter 14, "Construction," ±** for description of RWCDS conceptual construction timeline and sequencing.

Identification of Development Sites

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

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

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

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

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

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

Development Assumptions and Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2031), while potential sites are considered less likely to be developed over the same period.

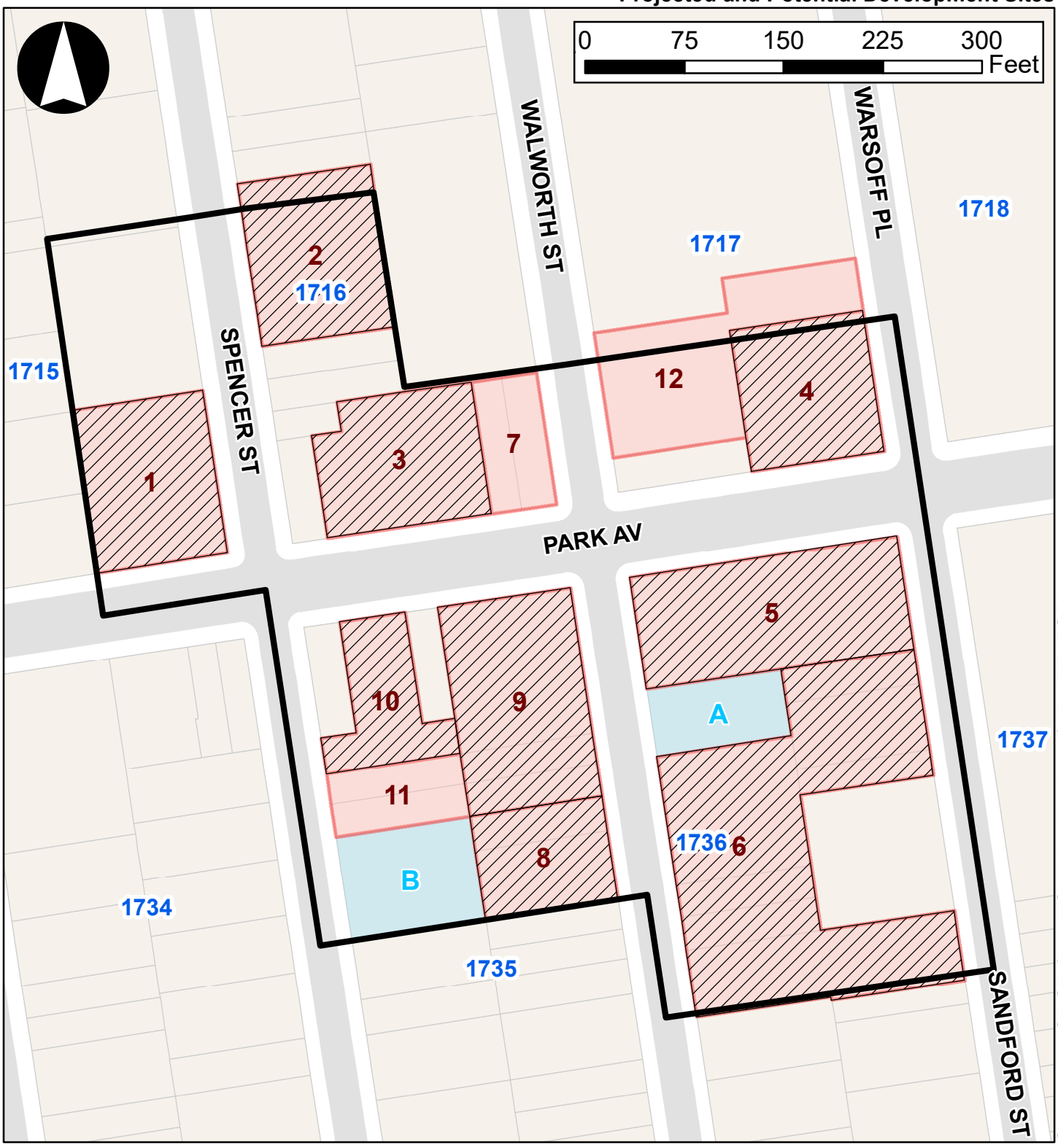
The Applicant is a consortium of property owners in the Project Area, and controls nine of the sites (Sites 1-6 and 8-10). As the Applicant's sites are known development sites, they have been identified as Projected Development Sites as part of the RWCDS (refer to **Figure 1-5**).

The Project Area also includes several non-Applicant-controlled sites that could be considered a "soft-site" under the CEQR criteria discussed above. Per *CEQR Technical Manual* criteria, "soft sites are sites where a specific development is not currently proposed or being planned, but may reasonably be expected to occur by the projected build year" (Chapter 2, Section 410). The non-Applicant-controlled sites within the Project Area are discussed below and screened for whether they are considered projected development sites pursuant to *CEQR Technical Manual* criteria (refer to **Figure 1-1** for block and lot numbers).

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

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

Projected and Potential Development Sites



Source: NYCDCP (PLUTO 2025, Version 1); DoITT; ESRI

Legend

- Proposed Rezoning Area
- Applicant-controlled sites
- 11 Projected Development Sites
- A Potential Development Sites
- 1715 Tax Blocks

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

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

Block 1716; Lots 59 and 60 (535-537 Park Avenue) - Lots 59 and 60 are both 2,444 sf vacant lots. Both lots 59 and 60 share common ownership (Wallworth Park LLC). Based on the common ownership of these lots and their underdeveloped nature, it is reasonable to assume that the two lots are likely to be combined and redeveloped as a result of the Proposed Actions. This site will therefore be analyzed as Projected Development Site 7 as part of the RWCDS.

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

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

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

Block 1717; Lot 2 (55 Walworth Street) – Lot 2 is a 13,613 sf lot occupied by a surface parking lot. Approximately 7,599 sf of the lot is included in the Project Area. Although the site is only partially located in the Project Area, as the portion of the lot that would be rezoned is larger than 5,000 sf and underdeveloped, it is reasonable to assume that the site is likely to be redeveloped as a result of the Proposed Actions. This site will therefore be analyzed as Projected Development Site 12 as part of the RWCDS.

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

Block 1736; Lot 68 (75 Walworth Street) - Lot 68 is a 5,000 sf lot that contains a 5,000 gsf one-story (1.0 FAR) building utilized as a house of worship. The Proposed Actions would rezone the site from M1-1 to M1-4/R7D and M1-4/R6-1, which would allow for residential uses. The site is occupied by an institutional use (house of worship) with no known development plans, and is therefore unlikely to be redeveloped by the analysis year of 2031. However, as the Proposed Actions would increase the allowable density and allow residential use, this site will be analyzed as Potential Development Site A as part of the RWCDS.

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

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

Block 1735; p/o Lot 59 (81 Spencer Street) – Lot 59 (formerly Lots 56-60) is a 12,500 sf lot occupied by a recently renovated house of worship, and is therefore unlikely to be redeveloped by the analysis year of 2031. Approximately 7,500 sf of the lot is included in the Project Area. Though there are no known development plans for the site, based on the increase in allowable density as a result of the Proposed Actions, this site will be analyzed as Potential Development Site B as part of the RWCDS.

Block 1735; Lots 61-62 (75-77 Spencer Street) – Lot 61 is a vacant 2,500 sf lot. Lot 62 is a 2,500 sf lot occupied by a one-story 1,400 story warehouse building. As these two adjacent lots have a combined lot area of 5,000 sf, have common ownership (APM Equities LLC.), and are underdeveloped, it is reasonable to assume that the two lots would be merged into a single site that could be redeveloped as a result of the Proposed Actions. This site will therefore be analyzed as Projected Development Site 11 as part of the RWCDS.

As such, based on the criteria outlined above, three additional non-Applicant properties have been identified as Projected Development Sites and two other non-Applicant properties have been identified as potential development sites for RWCDS purposes. Each of these Projected and Potential Development Sites is discussed in detail below in "The Future With the Proposed Actions," section and they are shown in **Figure 1-5**.

In developing the RWCDS, the number of DUs assumes 950 gsf/DU. This unit size is based on the average DU size of developments with 10 or more DU constructed within ~~one~~1.0-mile of the Project Area in the past 20 years.[7] The number of students per school assumes one student per 110 gsf of floor area, which is based on information provided by the Applicant.

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

Absent approval of the Proposed Actions, two sites within the Project Area are assumed to be redeveloped on an as-of-right basis pursuant to existing zoning. At Projected Development Site 2 (49 Spencer Street), the currently vacant site is expected to be redeveloped with an 11-story 69,000-gsf mixed-use building containing 28,750 gsf of commercial space (17,969 gsf of office space and 10,781 gsf of local retail space) and 40,250 gsf of medical office space. Development would be consistent with other recent projects on the block including 18 Spencer Street and 31 Spencer Street (DOB NB Job No. 321458481 and 321516640, respectively). The development would contain 230 off-street accessory parking spaces. At Projected Development Site 12, the currently vacant site is assumed to be redeveloped with a one-story 6,216-gsf one-story commercial building that would allow the property owner to incorporate all required parking on the lot without the increased cost of excavation to put parking below grade. Approximately 21 off-street accessory surface parking spaces would be provided.

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

[7] Calculated based on Primary Land Use Tax Lot Output (PLUTO™) data files for a ~~one~~1.0-mile radius around the Project Area.

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

Each of the identified Projected and Potential Development Sites are described below and shown in **Figure 1-5**. **Table 1-2** shows the uses at each site under the With-Action condition.

It should be noted that for the Applicant sites proposed to include schools (Projected Development Sites 2, 6, and 8), the RWCDS does not assume that they would maximize the allowable community facility FAR of 4.8 pursuant to the proposed zoning. Given the required front setbacks and complying rear yards, a school built to the maximum allowable 4.8 FAR in an M1-4/R6-1 district would have to provide two or more programmed setback floors. However, few, if any, schools that are being built in the City are constructed with programmed setback floors, for a number of reasons, specifically, the desire to provide common floor arrangements and maximizing rooftop open space (which is a programmatic need for the proposed schools). In addition, limiting school building heights to five stories or fewer provides several advantages, such as: safety (shorter buildings can be easier to evacuate in emergencies); accessibility (multi-story buildings can pose challenges for students and staff with mobility issues); and community feel (lower buildings can create a more intimate, community-oriented atmosphere, fostering stronger relationships among students and staff). For these reasons, maximizing density for the proposed schools would not be practical or reasonable, and therefore the RWCDS for the With-Action conditions assumes that school buildings would have an FAR of 3.8, allowing for five-story buildings without setback floors that maximize contiguous rooftop open space.

Projected Development Sites

Projected Development Site 1 - Block 1715; Lot 3 (517 Park Avenue) – Approval of the Proposed Actions would facilitate the expansion of existing uses on this Applicant-controlled site into an 11-story (approximately 125 feet tall) 76,627 gsf mixed-used residential, commercial, and community facility building. The enlarged building would contain approximately 56 DUs, of which 14 would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1). The existing 12,271 gsf of retail space and 11,590 gsf of medical office space would remain on-site in the With-Action condition. No accessory off-street parking spaces are required for the residential units.

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

Projected Development Site 3 - Block 1716; Lot 61 (533 Park Avenue) – At 533 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 72,244 gsf building would include approximately 66 DUs, 17 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and

[8] Assumes 110 gsf per student.

10,054 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 4 - Block 1717; Lot 60 (547 Park Avenue) – At 547 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 66,778 gsf building would include approximately 61 DUs, 16 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 9,293 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 5 - Block 1736; Lot 1 (528 Park Avenue) – At 528 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 101,949 gsf building would include approximately 93 DUs, 24 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 14,188 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

Projected Development Site 6 - Block 1736; Lots 10, 18, 61-63 (76-82 Sandford Street, 96 Sandford Street, 79-89 Walworth Street) – At 84 Sandford Street (Applicant-controlled site), the Applicant intends to expand the existing 384-seat K-12 Central United Talmudic Academy on Lot 14 across two new buildings. On Lot 10, the Applicant would construct a five-story 43,700 gsf building on Sandford Street as part of the expansion of the existing school on Lot 14 described above. The building on Lot 10 would be constructed to the maximum 60-foot base height permitted in the requested M1-4/R6-1 zoning district. On Lots 18, 61, 62, and 63, the Applicant would construct a five-story 112,988 gsf building. The building would be constructed to the maximum 60-foot base height permitted in the requested M1-4/R6-1 zoning district. The built FAR on Projected Development Site 6 would be approximately 3.81. As discussed above, the RWCDS assumes that schools would maximize their as-of-right zoning envelope without building above maximum base height, which would require setback floors, as developing setback floors would hamper their programmatic needs. The building would have frontage on Sandford Street and Walworth Street. The existing building on Lot 14 would remain unchanged. Assuming one student per 110 gsf, it is expected that the development of this Projected Development Site 6 would add an additional 1,425 students.

Projected Development Site 7 - Block 1716; Lots 59-60 (535-537 Park Avenue) – At 535-537 Park Avenue, a site that is not under control of the Applicant, it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 30,293 gsf building would include approximately 28 DUs, 7 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,216 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

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

Projected Development Site 9 - Block 1735; Lots 5, 11-12 (520 Park Avenue, 82-84 Walworth Street) – At 520 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 87,956 gsf building (5.06 FAR) would include approximately 79 DUs, 20 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 13,563 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units. Given the lot configuration of Projected Development Site 9, Lots 11 and 12 are fully within the proposed M1-4/R6-1 district, which has a maximum allowable residential FAR of 4.80, whereas Lot 5 is mostly within the proposed M1-4/R7D district, which has a maximum allowable residential FAR of 5.60. The development assumed under the RWCDS maximizes the blended FAR reflecting the two zoning districts.

Projected Development Site 10 - Block 1735; Lot 3 (514 Park Avenue) – At 514 Park Avenue (Applicant-controlled site), it is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 40,978 gsf building would include approximately 38 DUs, 10 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 5,703 gsf of ground floor local retail. No parking would be required.

Projected Development Site 11 - Block 1735; Lots 61-62 (75-77 Spencer Street) – At 75-77 Spencer Street, a site not under the control of the Applicant, it is assumed for RWCDS purposes that a nine-story (95 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 21,638 gsf building would include approximately 19 DUs, five of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,313 gsf of ground floor local retail. No off-street accessory parking spaces would be required at this site. Projected Development Site 11 is located within the proposed M1-4/R6-1 district, which has a maximum allowable residential FAR of 3.9 and a maximum allowable commercial FAR of 2.0. The development assumed under the RWCDS maximizes the allowable residential/commercial FAR at 3.9, which includes a blended total FAR comprising a residential FAR of 3.15 and a commercial FAR of 0.75. Per ZR Section 23-434, Projected Development Site 11 would have a maximum building height of 95 feet. Although height modifications are allowed to a maximum building height of 125 feet for eligible sites under R6-1, as listed in ZR Section 23-435, Projected Development Site 11 is not considered an eligible site based on the criteria listed in ZR Section 23-435. As such, the maximum building height for Projected Development Site 11 is 95 feet.

Projected Development Site 12 - Block 1717; Lot 2 (55 Walworth Street) – At 55 Walworth Street, a site not under the control of the Applicant, is assumed for RWCDS purposes that an 11-story (125 feet tall) mixed-use residential and commercial building would be constructed as a result of the Proposed Actions. The 47,095 gsf building, with an FAR of 3.13, would include approximately 43 DUs, 11 of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 6,554 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units. The lot configuration of Projected Development Site 12 splits the lot so that approximately 7,500 sf of the site is located within the proposed M1-4/R7D zoning district and the remaining 6,113 sf is located outside of the Project Area (existing M1-2 district). The RWCDS assumes a maximum build-out (both height and FAR) of the portion of Projected Development Site 12 within the proposed M1-4/R7D zoning district; the total FAR of 3.13 referenced above reflects the overall FAR for the lot accounting for portions of the site outside the proposed M1-4/R7D district.

Potential Development Sites

Potential Development Site A - Block 1736; Lot 68 (75 Walworth Street) – At Potential Development Site A, it is assumed for RWCDS purposes that redevelopment of the site could include an 11-story (95 feet tall) mixed-use residential and community facility building comprising 23 DUs, six of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 4,200 gsf of house of worship space on the ground floor.

Potential Development Site B - Block 1735; p/o Lot 59 (81 Spencer Street) – At Potential Development Site B, it is assumed for RWCDS purposes that redevelopment of the site could include an 11-story (95 feet tall) mixed-use residential and community facility building comprising 34 DUs, nine of which would be permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 6,700 gsf of house of worship space on the ground floor.

TABLE 1-2
With-Action Scenario Projected Development Sites

Projected Development Site	Total GSF	Residential GSF	Total DU	Affordable DU	Retail GSF	Medical Office GSF	School GSF	Parking Spaces
1*	76,627	52,766	56	14	12,271	11,590	-	21
2*	54,625	-	-	-	-	-	54,625	-
3*	72,244	62,190	66	17	10,054	-	-	26
4*	66,778	57,485	61	16	9,293	-	-	23
5*	101,949	87,761	93	24	14,188	-	-	35
6*	156,688	-	-	-	-	-	156,688	-
7	30,293	26,077	28	7	4,216	-	-	-
8*	32,775	-	-	-	-	-	32,775	-
9*	87,956	74,393	79	20	13,563	-	-	30
10*	40,978	35,275	38	10	5,703	-	-	-
11	21,638	17,325	19	5	4,313	-	-	-
12	47,095	40,541	43	11	6,554	-	-	16
Total	**789,646**	**453,813**	**483**	**124**	**80,155**	**11,590**	**244,088**	**151**

Notes:
* Applicant-controlled site

Possible Effects of the Proposed Actions

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. **Table 1-3** below provides a comparison of the total RWCDS No-Action and With-Action scenarios identified for analysis purposes, for all 12 Projected Development Sites (i.e. total RWCDS) As shown, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 481 DUs, including 124 affordable units, 201,838 gsf of private school space, 28,505 gsf of local retail space, and net decreases of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, 5,000 gsf of house of worship space, as well as a net decrease of 100 parking spaces. **Table 1-3** also provides an estimate of the number of residents and workers generated by the total RWCDS for the Proposed Actions. As shown in **Table 1-3**, the RWCDS for the Proposed Actions is estimated to result in a net increase of approximately 1,231 residents, approximately 51 workers, and approximately 2,220 students within the Project Area, as compared to the No-Action conditions.

TABLE 1-3
Comparison of No-Action and With-Action Development Scenarios for Projected Development Sites (RWCDS)

Use		No-Action Scenario [GSF]	With-Action Scenario [GSF]	Increment
Residential	Affordable	-	*124*	***+124 DU***
	Market-Rate	2	*359*	***+357 DU***
	Total Residential Units	*2*	483	**+481 DU**
Medical Office		51,840 gsf	11,590 gsf	**-40,250 gsf**
School		42,250 gsf[2]	244,088 gsf	**+201,838 gsf**
House of Worship		5,000 gsf	-	**-5,000 gsf**
Local Retail		51,650 gsf	80,155 gsf	**+28,505 gsf**
Office		17,969 gsf	-	**-17,969 gsf**
Warehouse		11,400 gsf	-	**-11,400 gsf**
Parking Spaces		251 spaces	151 spaces	**-100 spaces**
Population/Employment[1]		**No-Action Scenario**	**With-Action Scenario**	**Increment**
Residents		5 residents	1,236 residents	**+1,231 residents**
Workers		449 workers	500 workers	**+51 workers**
Students		0 students	2,220 students	**+2,220 students**

Notes:
[1]Based on 2.56 persons per DU (2020 Census average household size for Brooklyn Community District 3). Estimate of workers assumes one retail worker per 333 gsf. One office worker per 250 gsf. One medical office worker per 333 gsf. One warehouse worker per 1,000 gsf. One House of Worship (CF) worker per 333 gsf. One school employee per 11 students. One worker per 50 attended parking garage spaces. One worker per 25 DUs. One student per 110 gsf of school space.
[2] In the No-Action condition, the private school space comprises of supportive school uses, such as administrative spaces.

Construction Phasing for the Projected Development Sites

Construction of the 12 Projected Development Sites is anticipated to occur over a period of approximately 51 months, with expected completion and full occupancy by 2031. Given the size of development anticipated pursuant to the RWCDS, construction of each of the Projected Development Sites would last between 13 and 17 months. Based on a conceptual construction schedule for the RWCDS, construction activities at Projected Development Sites 2 and 6, which are controlled by the Applicant are expected to commence in the third quarter of 2026. Construction activities at Projected Development Site 4 (Applicant controlled) and Projected Development Site 8 are expected to commence in the fourth quarter of 2027. Construction activities at Projected Development Site 5 (Applicant controlled) are assumed to begin in the second quarter of 2028, followed by Projected Development Sites 9, 11, and 3 throughout the remainder of 2028. By the first quarter of 2029, Projected Development Sites 2, 4, 6, and 8 are anticipated to be completed. Construction activities at Projected Development Sites 7, 10, and 12 are expected to commence in 2029. Completion and full occupancy of all 12 Projected Development Sites is expected by the end of 2031. As such, the environmental review will use a 2031 analysis year.

F. PUBLIC REVIEW PROCESS

The Proposed Actions comprise a zoning map amendment and zoning text amendment. These actions are subject to public review under ULURP, Section 200 of the City Charter, as well as CEQR procedures. The ULURP and CEQR review processes are described below.

Uniform Land Use Review Procedure (ULURP)

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months.

The process begins with certification by DCP that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Brooklyn Community Board (CB) 3). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. CPC then has up to 60 days, during which time a public hearing is held on the ULURP application and the Draft Environmental Impact Statement (DEIS). If approved by the CPC, the application is then forwarded to the City Council, which has 50 days to review the ULURP application, during which time a ULURP/CEQR public hearing is held. Comments made at the DEIS public hearing and subsequent comment period (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final EIS (FEIS).

The FEIS must be completed at least ten days before CPC makes its decision on the application. The CPC may approve, approve with modifications or deny the application. If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council has 50 days to review the application and during this time will hold a public hearing on the proposed action, through its Land Use Subcommittee. The Council may approve, approve with modifications or deny the application. If the Council proposes a modification to the proposed action, the ULURP review process stops for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within 10 days.

City Environmental Quality Review (CEQR)

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City has established rules for its own environmental quality review in Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR. The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental effects. CEQR rules guide environmental review, as follows:

- *Establish a Lead Agency.* Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. In accordance with CEQR rules (62 RCNY §5-03), DCP, acting on behalf of the CPC, is serving as the CEQR lead agency for environmental review and will coordinate the review of the Proposed Actions, with the IDA acting as an involved agency.

- *Environmental Review and Determination of Significance.* The lead agency determines whether the proposed action(s) may have a significant impact on the environment. To do so, DCP, in this case, evaluated an Environmental Assessment Statement (EAS) dated April 30, 2024, for the Proposed Actions. Based on information contained in the EAS, and as the Proposed Actions are classified as a "Type I Action," DCP determined that the Proposed Actions may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration on April 30, 2024, requiring that an EIS be prepared in conformance with all applicable laws and regulations.
- *Scoping.* Along with its issuance of a Positive Declaration, DCP issued a Draft Scope of Work for the EIS, dated April 30, 2024, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process of identifying the environmental impact analysis areas, the methodologies to be used, the key issues to be studied, and creating an opportunity for others to comment on the intended effort. CEQR requires a public scoping meeting as part of the process. A public scoping meeting was held on May 30, 2024, at 2 PM. To continue to allow for broad public participation options DCP held the public scoping meeting remotely. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through 5:00 pm on June 10, 2024. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work document for the Proposed ~~Project~~ Actions was issued on March 13, 2026.
- *Draft Environmental Impact Statement (DEIS).* The DEIS was prepared in accordance with the Final Scope of Work, and followed the methodologies and criteria for determining significant adverse impacts in the CEQR Technical Manual. The lead agency reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. ~~Once the lead agency is satisfied that the DEIS is complete, it issues a Notice of Completion and circulates the DEIS for public review.~~The DEIS was deemed complete and the Notice of Completion was issued on March 13, 2026.
- *Public Review.* Publication of the DEIS and issuance of the Notice of Completion signal the start of the public review period. During this time, which must extend for a minimum of 30 days, the public ~~has~~ had the opportunity to review and comment on the DEIS either in writing or at a public hearing convened for the purpose of receiving such comments. When the CEQR process is coordinated with another City process that requires a public hearing, such as ULURP, the hearings may be held jointly. CPC held a joint ULURP/CEQR public hearing on July 1, 2026 at 10 AM, which was accessible both in-person and remotely via the teleconferencing application Zoom to continue to allow for broad public participation. The lead agency ~~must~~ published a notice of the hearing ~~at least fourteen (14) days before it takes place, and must accept written comments for at least ten (10) days following the close of the hearing~~in the *City Record* on June 16, 2026 and in the *Environmental Notice Bulletin* on June 17, 2026. All substantive comments received at the hearing become part of the CEQR record and must be summarized and responded to in the FEIS.
- *Final Environmental Impact Statement (FEIS).* After the close of the public comment period for the DEIS, the FEIS is prepared. The FEIS must incorporate relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics, and tables. Once the lead agency determines the FEIS is complete, it issues a Notice of Completion and circulates the FEIS. DCP issued a Notice of Completion and circulated the FEIS on August 13, 2026.
- *Findings.* To document that the responsible public decision-makers have taken a hard look at the environmental consequences of a proposed project, any agency taking a discretionary action regarding a project must adopt a formal set of written findings, reflecting its conclusions about the significant adverse environmental impacts of the

project, potential alternatives, and potential mitigation measures. The findings may not be adopted until ten (10) days after the Notice of Completion has been issued for the FEIS. Once findings are adopted, the lead and involved agencies may take their actions (or take "no action"). This means that the CPC must wait at least ten days after the FEIS is complete to take action on a given application.