City Environmental Quality Review
ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) FULL FORM

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME East Harlem Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP048M	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
Pending	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY NYC Department of City Planning			NAME OF APPLICANT NYC Department of City Planning - Manhattan Borough Office		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Edith Hsu-Chen		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 120 Broadway, 31st Floor		
CITY New York	STATE NY	ZIP 10271	CITY New York	STATE NY	ZIP 10271
TELEPHONE 212-720-3423	EMAIL Rdobrus@planning.nyc.gov		TELEPHONE 212-720-3480	EMAIL ehsuchen@planning.nyc.gov	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)(5)(v)

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions—including zoning map and text amendments and other related actions (collectively, the "Proposed Actions ") to implement land use and zoning recommendations in the East Harlem Neighborhood Plan. The Proposed Actions are intended to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character. The Project Area is generally bounded by East 104th Street to the south, East 132nd Street to the north, Park Avenue to the west and Second Avenue to the east within Manhattan, Community District 11. See **Attachment A**, "Project Description," for details.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 11	STREET ADDRESS
TAX BLOCK(S) AND LOT(S) See Appendix 1 and Figure 2		ZIP CODE 10029/10035

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Area is generally bounded by Madison and Park Avenues to the west, Second Avenue to the east, 104th Street to the south and 132nd Street and the Harlem River Drive to the north.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY See Figure 3	ZONING SECTIONAL MAP NUMBER 6b

5. *Required Actions or Approvals* (check all that apply)

City Planning Commission: ☒ YES ☐ NO ☒ UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

☐ CITY MAP AMENDMENT	☐ ZONING CERTIFICATION	☐ CONCESSION
☒ ZONING MAP AMENDMENT	☐ ZONING AUTHORIZATION	☒ UDAAP
☒ ZONING TEXT AMENDMENT	☐ ACQUISITION—REAL PROPERTY	☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY	☒ DISPOSITION—REAL PROPERTY	☐ FRANCHISE
☐ HOUSING PLAN & PROJECT	☒ OTHER, explain: Amendments to the Milbank Frawley Circle-East and Harlem-East Harlem Urban Renewal Plans	

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO

☐ VARIANCE (use)

☐ VARIANCE (bulk)

☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Department of Environmental Protection*:** ☐ YES ☒ NO If "yes," specify:

Other City Approvals Subject to CEQR (check all that apply)

☐ LEGISLATION
☐ RULEMAKING
☐ CONSTRUCTION OF PUBLIC FACILITIES
☐ 384(b)(4) APPROVAL
☐ OTHER, explain:

☐ FUNDING OF CONSTRUCTION, specify:
☐ POLICY OR PLAN, specify:
☐ FUNDING OF PROGRAMS, specify:
☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

***State or Federal Actions/Approvals/Funding*:** ☐ YES ☒ NO If "yes," specify:

6. *Site Description:* *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

***Graphics*:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

☒ SITE LOCATION MAP ☒ ZONING MAP ☒ SANBORN OR OTHER LAND USE MAP
☒ TAX MAP ☒ FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
☐ PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 6,287,842
Roads, buildings, and other paved surfaces (sq. ft.): 6,287,842
Waterbody area (sq. ft.) and type:
Other, describe (sq. ft.):

7. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): Refer to table on page 3 for RWCDS Summary
NUMBER OF BUILDINGS:
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.):
HEIGHT OF EACH BUILDING (ft.):
NUMBER OF STORIES OF EACH BUILDING:

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant:
The total square feet not owned or controlled by the applicant: TBD

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: Not Known sq. ft. (width x length)
VOLUME OF DISTURBANCE: Not Known cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: Not Known sq. ft. (width x length)

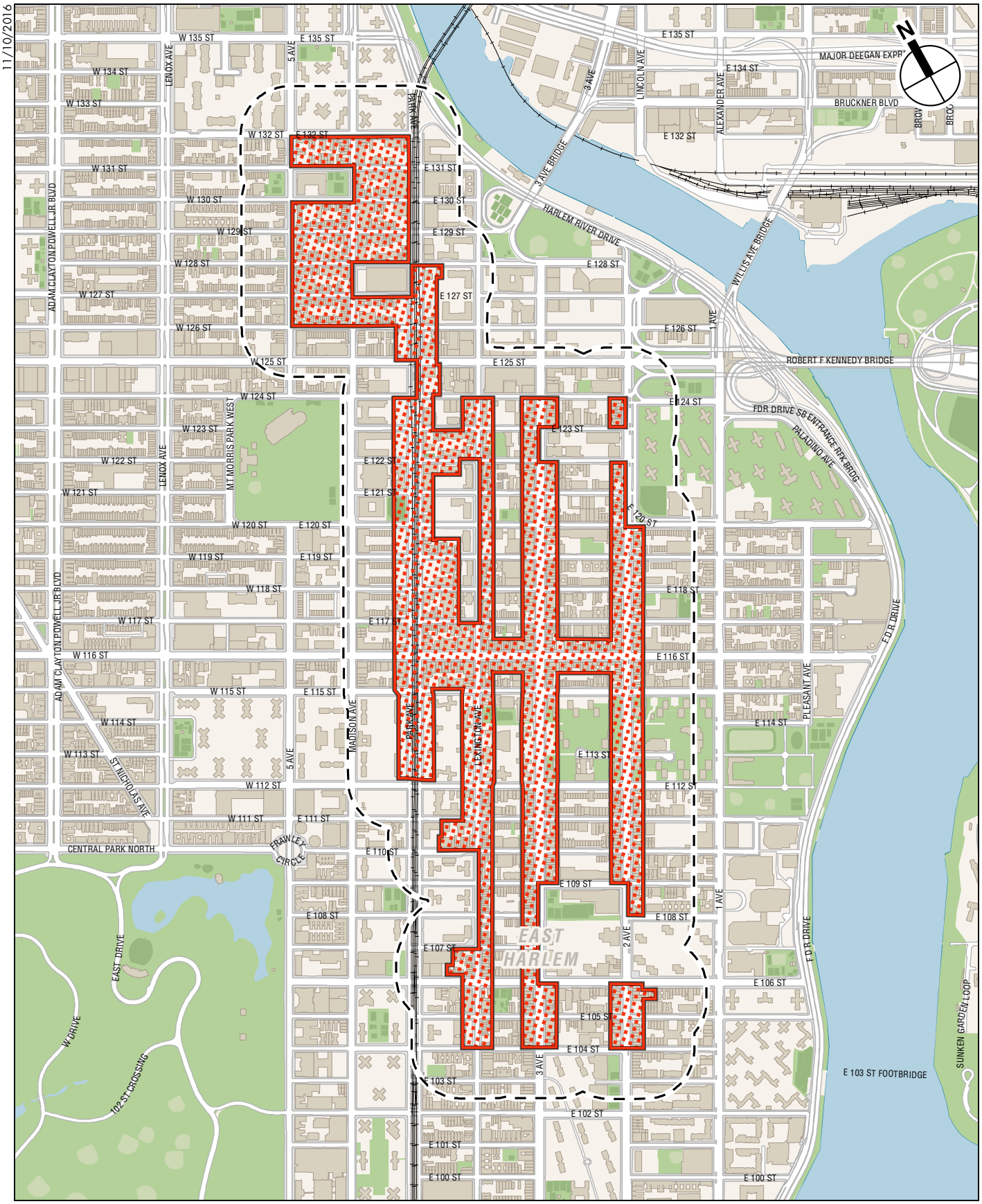
8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2027
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? N/A
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: N/A

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Public facilities and Institutions

11/10/2016

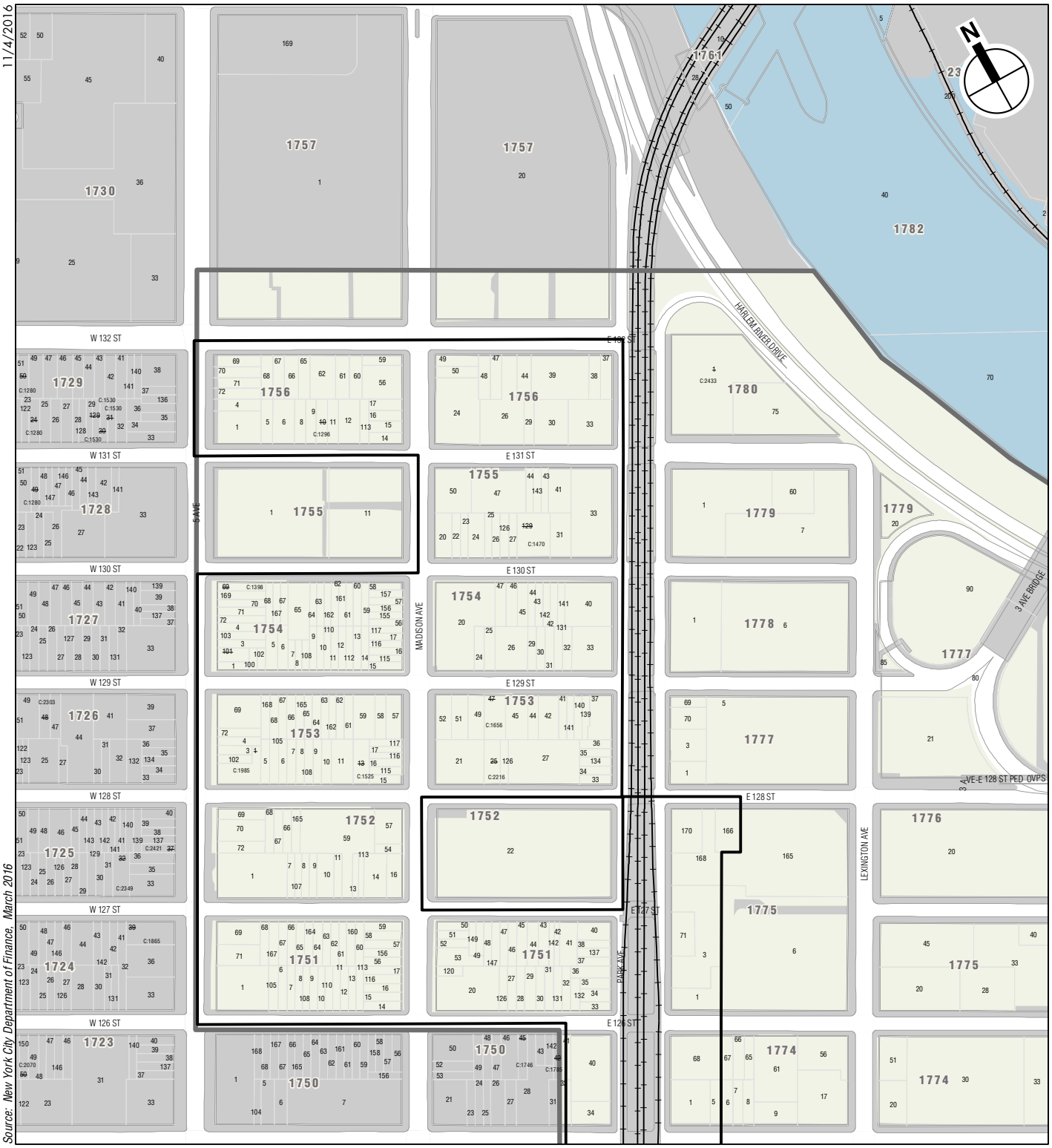


Project Area

Study Area (400-foot boundary)

EAST HARLEM REZONING

Project Area
Figure 1



Project Area

Study Area

16124 *Tax Block Boundary*

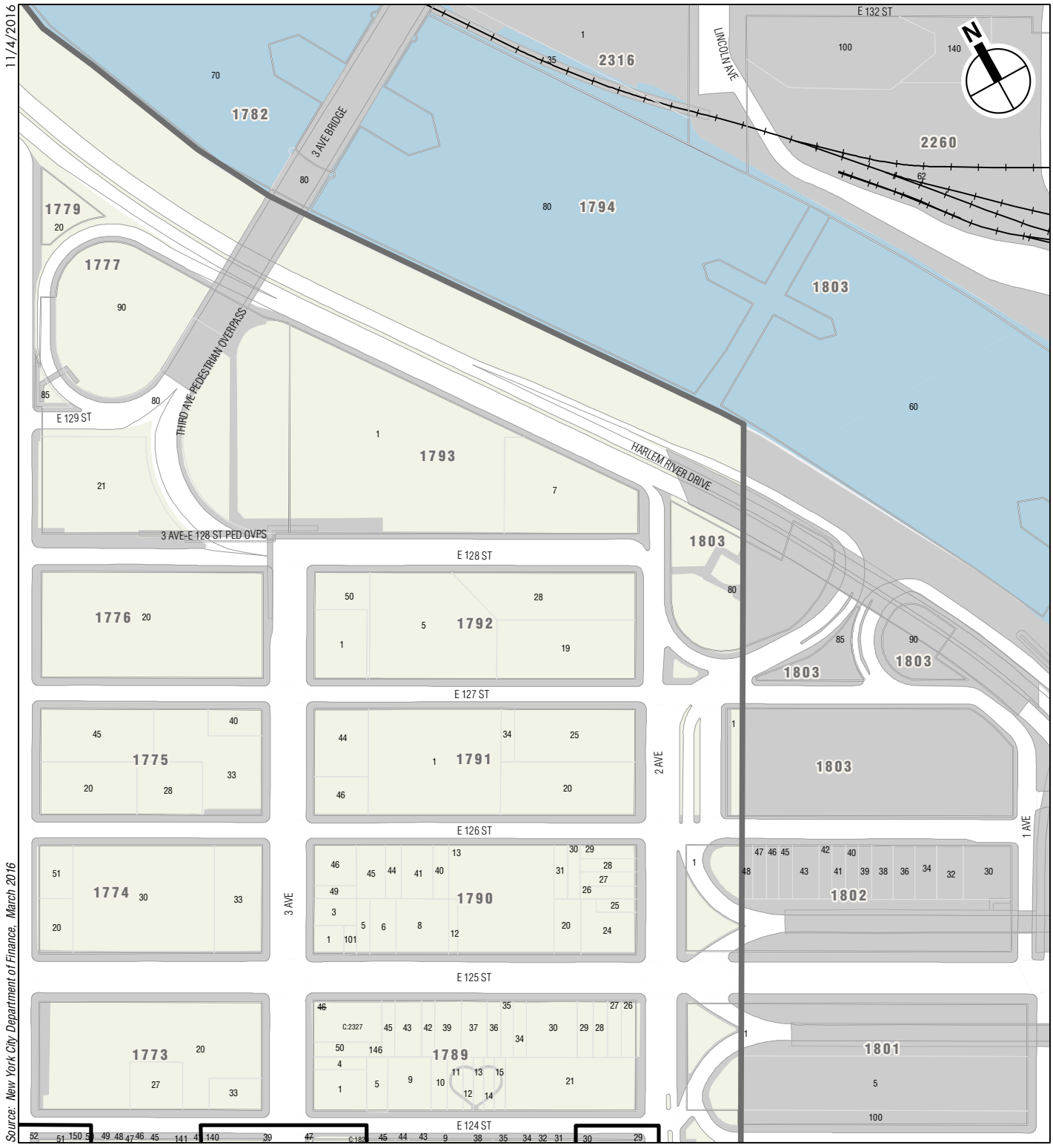
Tax Lot Boundary

33 *Tax Lot Number*

0

EAST HARLEM REZONING

Tax Map
Figure 2



EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

16124 *Tax Block Boundary*

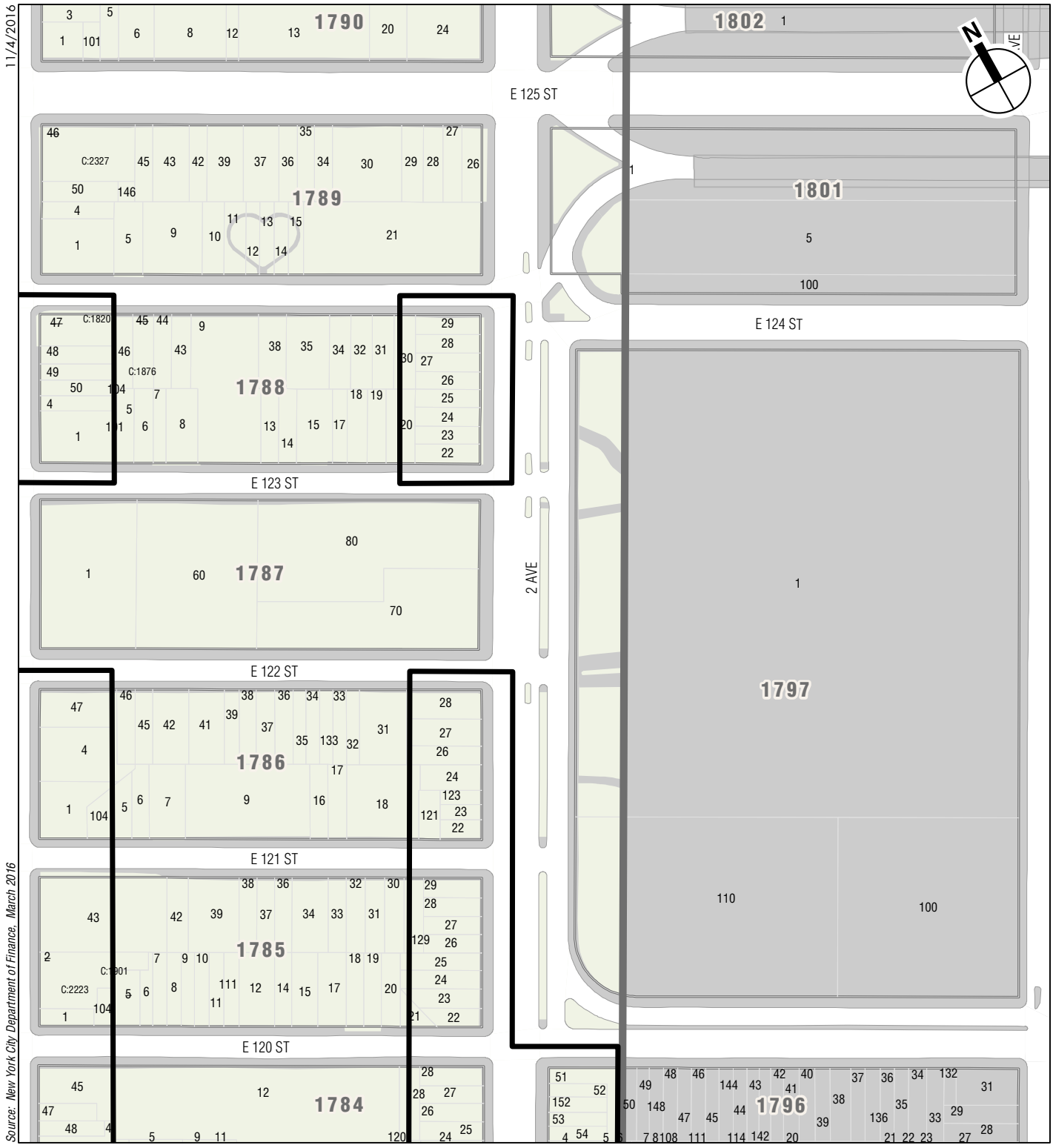
Tax Lot Boundary

33 *Tax Lot Number*

0

EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

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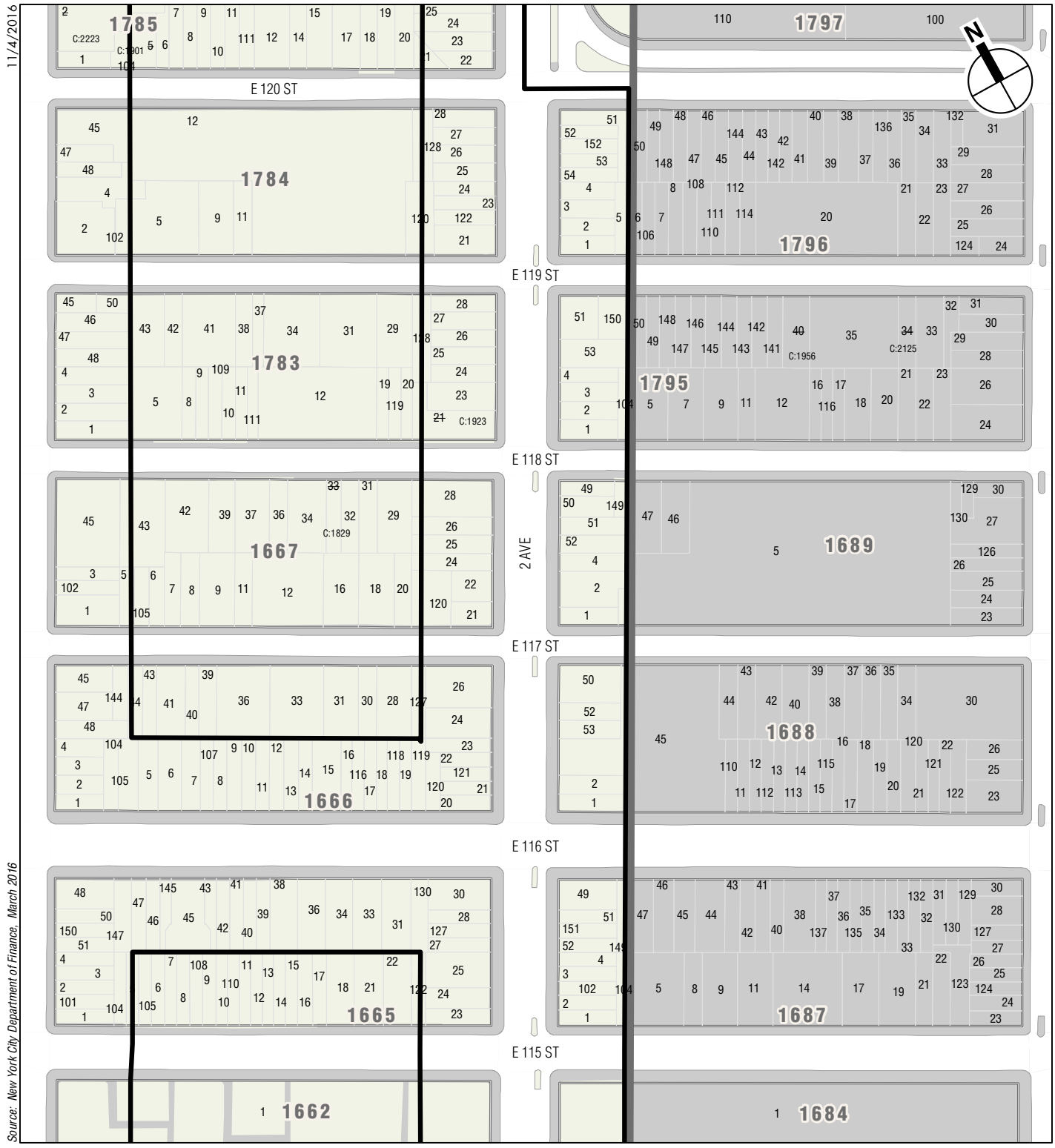
EAST HARLEM REZONING

Tax Map
Figure 2



EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

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EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

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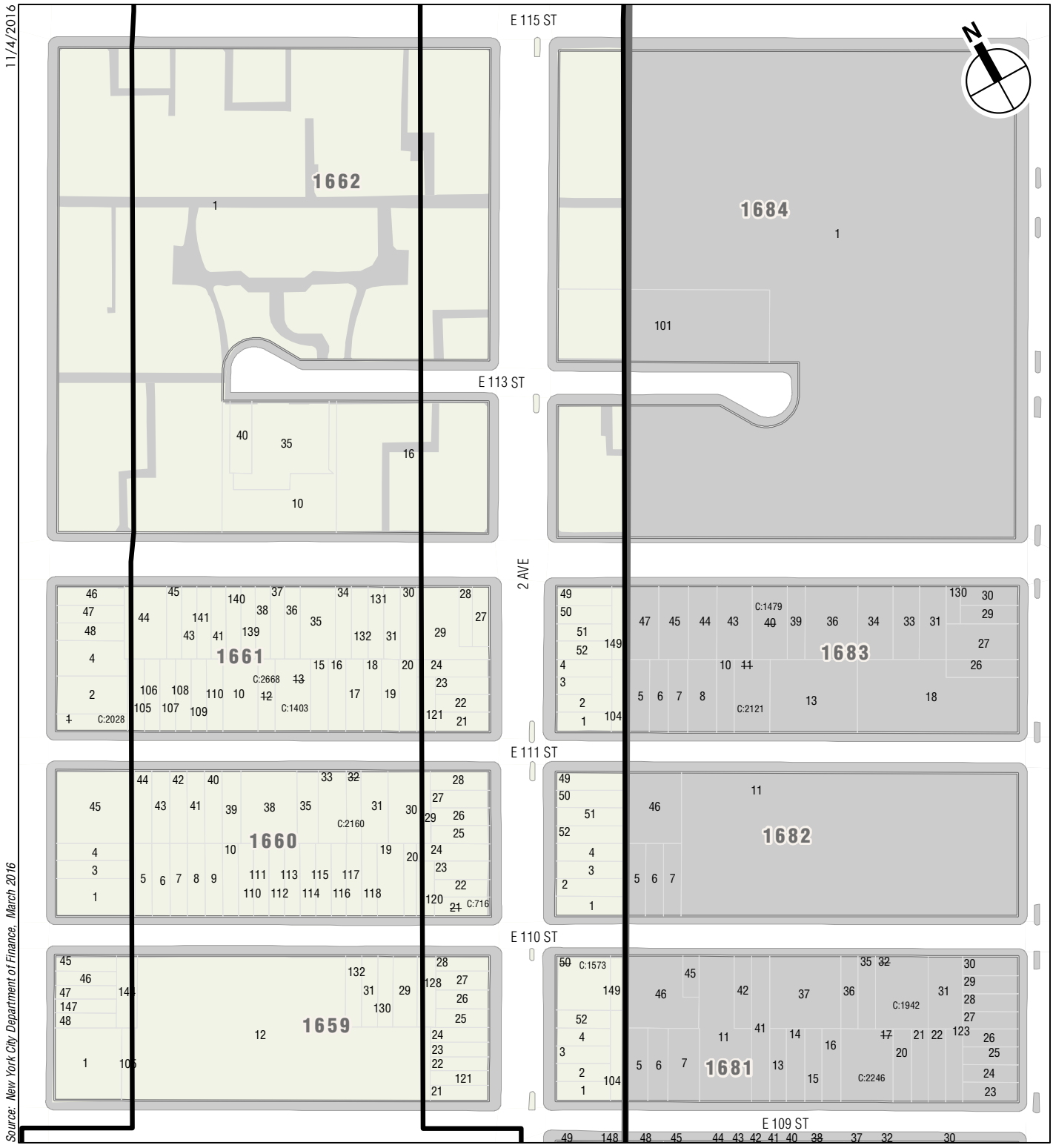
EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

16124 *Tax Block Boundary*

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EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

16124 *Tax Block Boundary*

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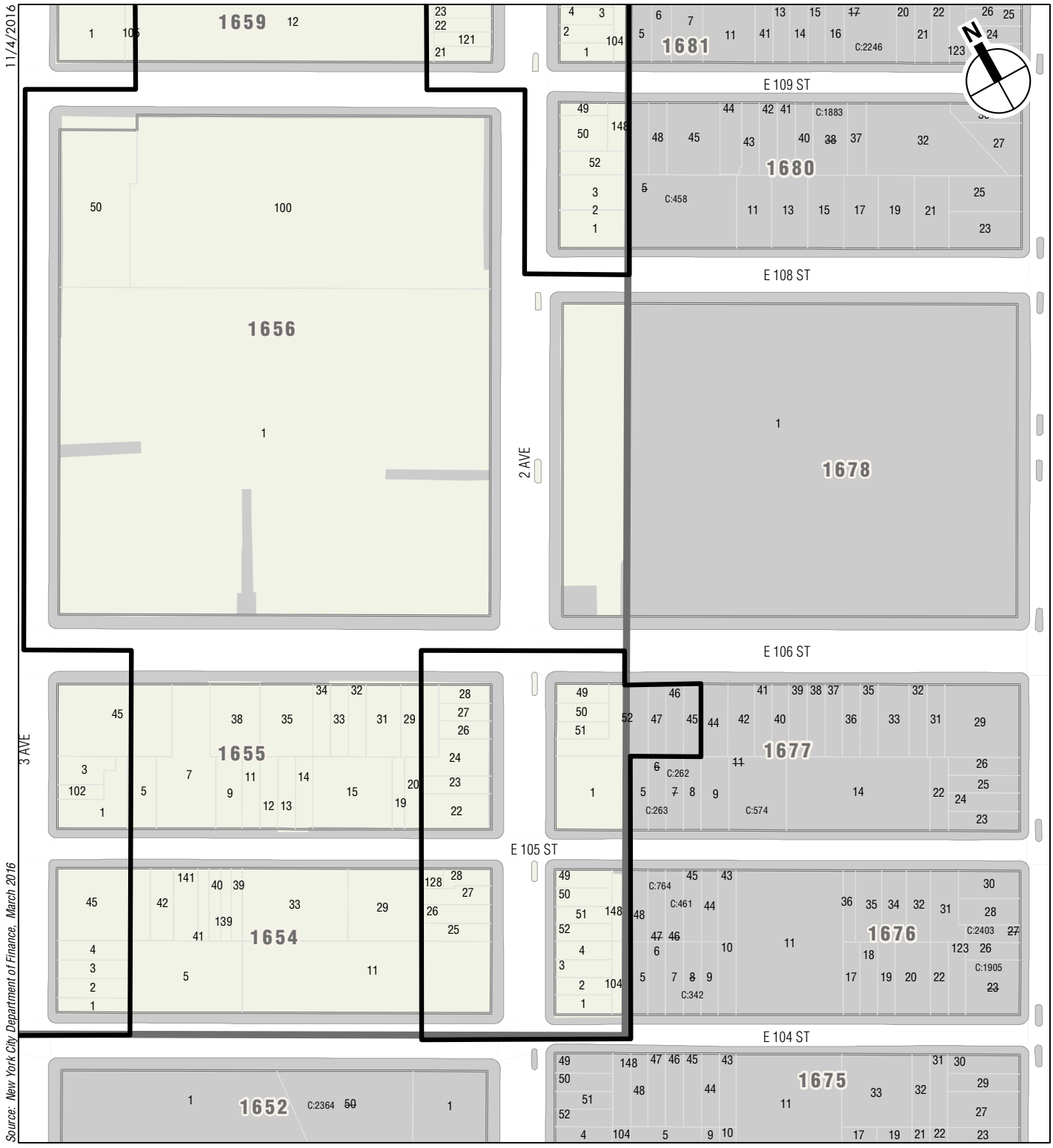
EAST HARLEM REZONING

Tax Map
Figure 2



Project Area

Study Area

16124 *Tax Block Boundary*

Tax Lot Boundary

33 *Tax Lot Number*

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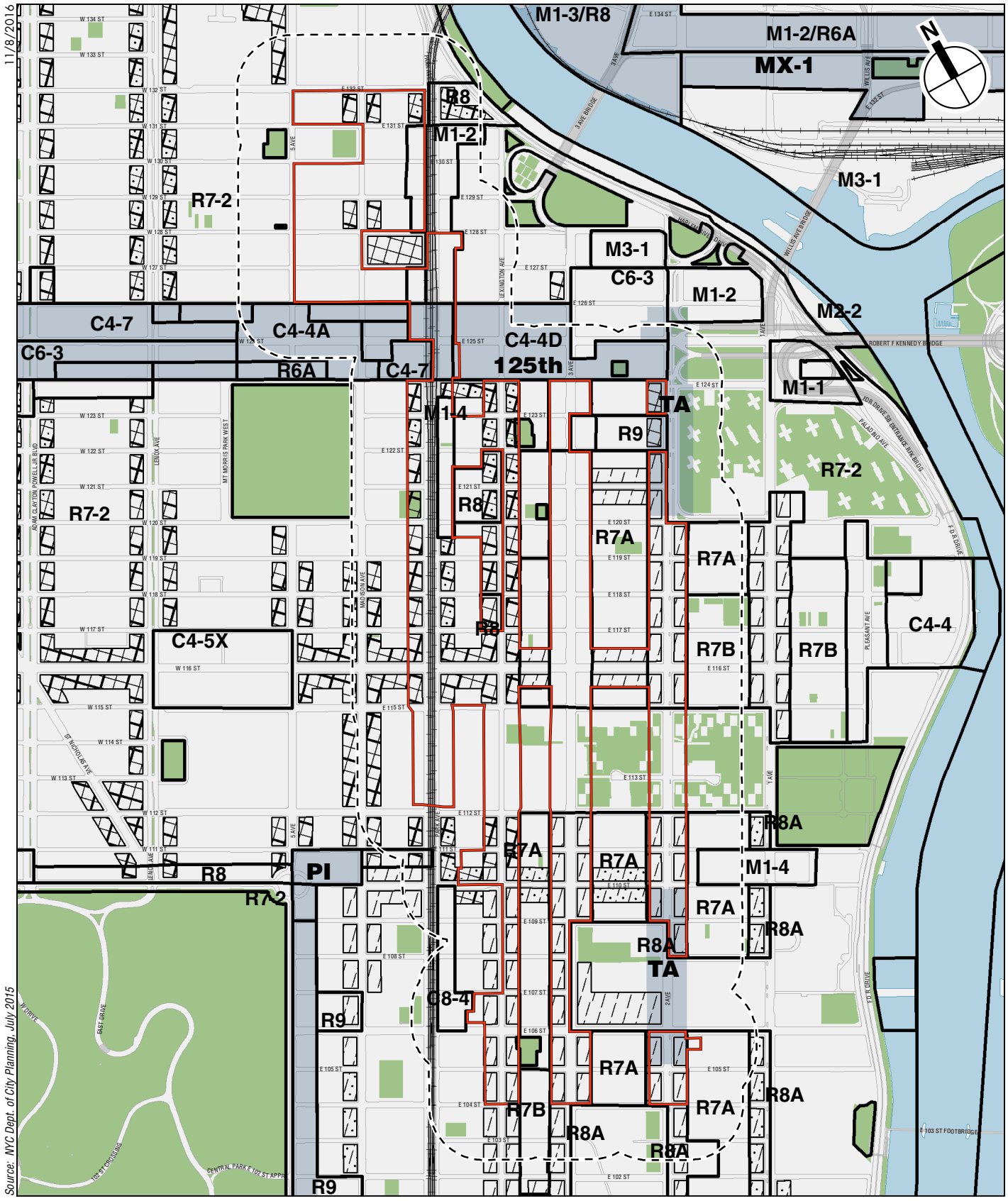
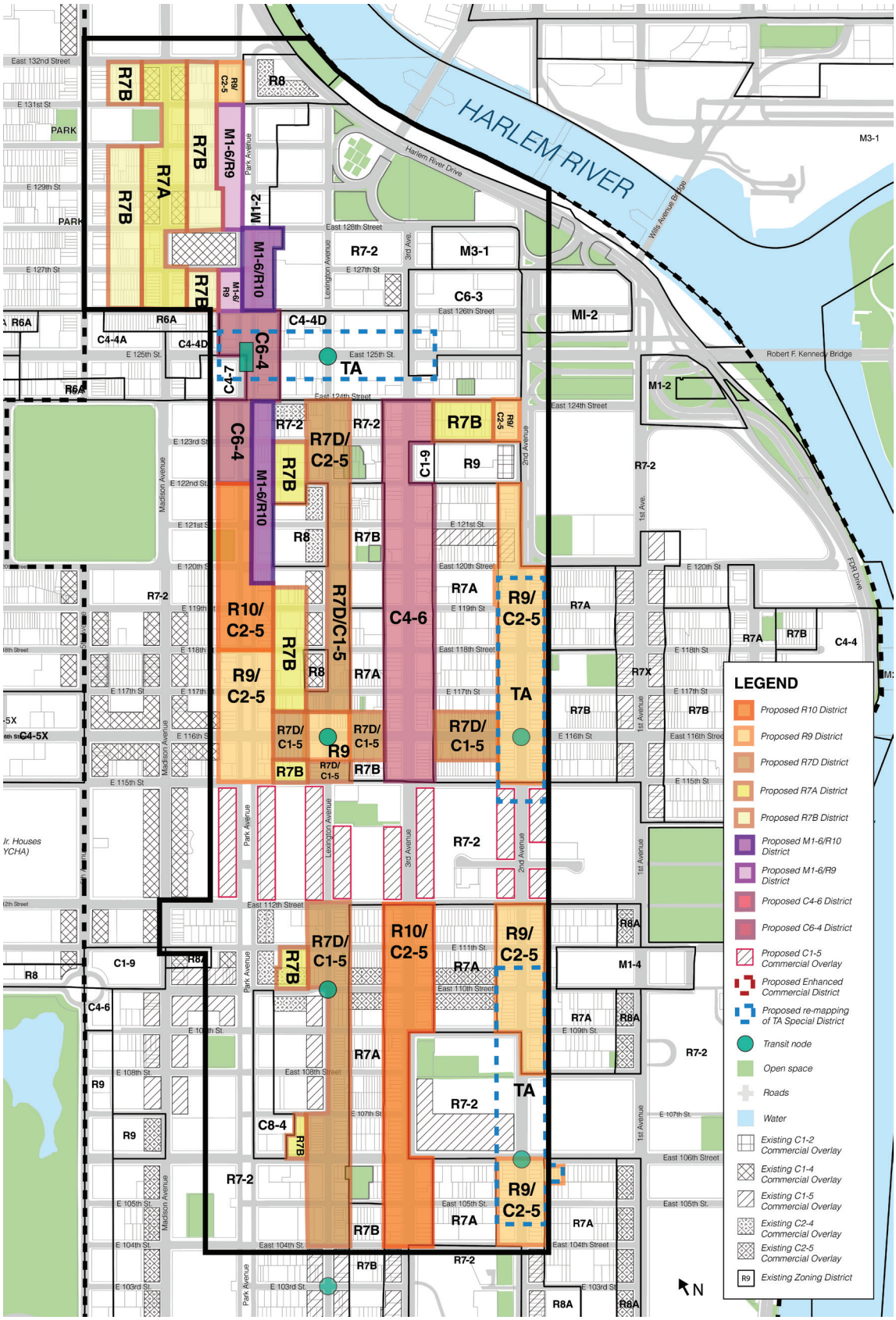
EAST HARLEM REZONING

Tax Map
Figure 2

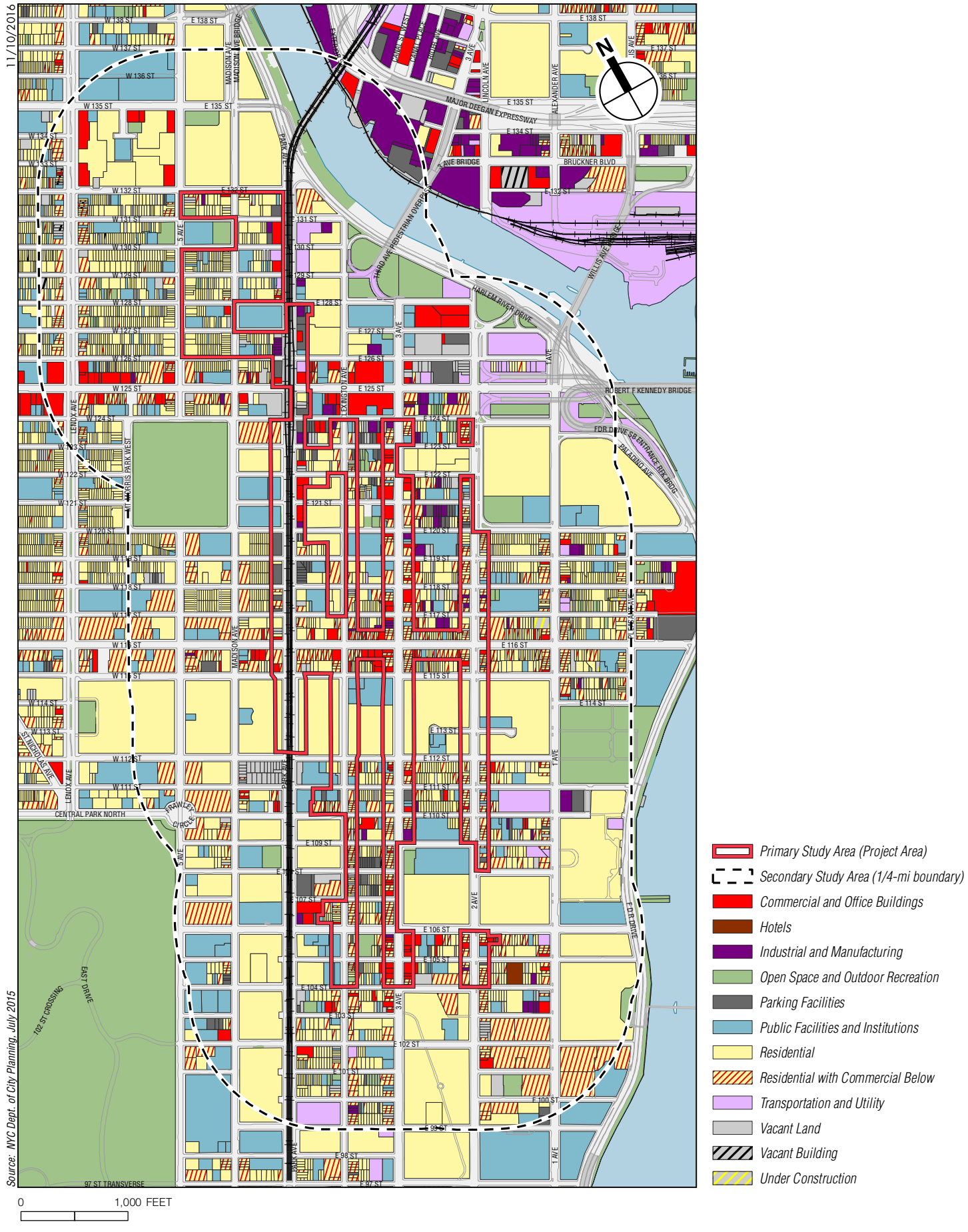


EAST HARLEM REZONING

Existing Zoning
Figure 3

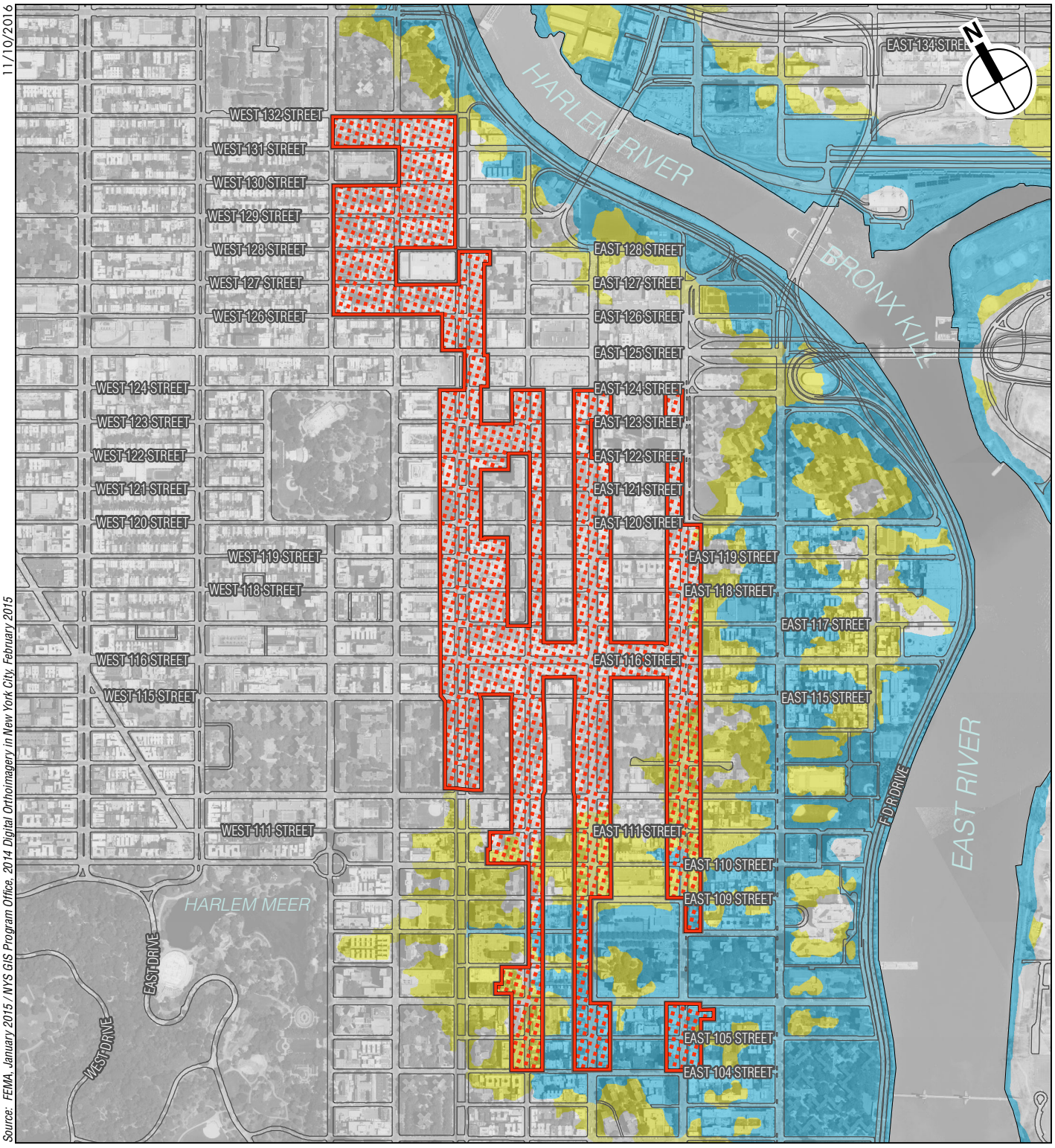


Proposed Zoning
Figure 4



EAST HARLEM REZONING

Land Use
Figure 5



EAST HARLEM REZONING

FEMA Flood Plain

Figure 6

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	Apartment Houses	Apartment Houses	Apartment Houses	
No. of dwelling units	585* *Of these 585 dwelling units, 412 units are expected to remain in place in the future with the Proposed Actions. (See Appendix 2 - Detailed RWCDS Tables [Projected Development Site 4] in the East Harlem Rezoning Draft Scope of Work).	2,561	6,055	3,494
No. of low- to moderate-income units	TBD	27	Please see Draft Scope of Work	Please see Draft Scope of Work
Gross floor area (sq. ft.)	572,218	2,435,630	5,449,917	3,014,287
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Varies; to be described in the EIS.	Varies; to be described in the EIS.	Varies; to be described in the EIS.	
Gross floor area (sq. ft.)	555,032	581,718	732,779	151,061
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	Varies; to be described in the EIS.	Varies; to be described in the EIS.	Varies; to be described in the EIS.	
Gross floor area (sq. ft.)	33,847	22,777	155,171	132,394
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)		7,395	106,317	98,922
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
Operating hours				
Attended or non-attended				
Lots	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	To be described in the EIS.	To be described in the EIS.	To be described in the EIS.	
No. of accessory spaces	To be described in the EIS.	To be described in the EIS.	To be described in the EIS.	
Operating hours				
Other (includes street parking)	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," describe:				
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	1,409* * Of these 1,409 existing residents, approximately 993 residents could remain in place in the future with the Proposed Actions. (See Appendix 2 - Detailed RWCDS Tables [Projected Development Site 4] in the East Harlem Rezoning Draft Scope of Work).	6,173	14,593	8,420
Briefly explain how the number of residents was calculated:	2.41 persons per household in Manhattan Community District 11			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Varies, to be described in EIS	Varies, to be described in EIS	Varies, to be described in EIS	
No. and type of workers by business	Commercial:1,645 CF:0 Mfg/Ind:34 Residential:20	Commercial:1,643 CF:22 Mfg/Ind:27 Residential:102	Commercial:2,557 CF:319 Mfg/Ind:155 Residential:242	Commercial: 912 CF: 297 Mfg/Ind: 128 Residential: 140
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Worker population based on industry standard rates provided by DCP (1 employee per 25 dwelling units; 1 employee per 50 parking spaces; 1 employee per 100 sf of fast food restaurant space; 1 employee per 200 sf of restaurant space; 1 employee per 250 sf of office and grocerstore space; 1 employee per 333 sf of retail and other community facility space; 1 employee per 400 sf of Hotel space; 1 employyy per 1,000 sf of Industrial or Auto related space; 1 employee per 15,000 sf of warehouse space)			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
ZONING				
Zoning classification	R7-2, R7-2/C1-4, R7-2/C2-4, R7A, R7A/C1-5, C4-4, C4-4D, C8-3, M1-2 (see Figure 3)	As under Existing Conditions	Refer to Attachment A	
Maximum amount of floor area that can be developed				
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	See Figure 3 and 6	As under Existing Conditions	Refer to Attachment A	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project's impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the "no" box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the "yes" box.
- For each "yes" response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a "yes" answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach. **To be provided in the EIS.**		
(e) Is the project a large, publicly sponsored project?	☒	☐
o If "yes," complete a PlaNYC assessment and attach. **To be provided in the EIS.**		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☒	☐
o If "yes," complete the Consistency Assessment Form. **To be provided in the EIS.**		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☒	☐
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
o Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
o Directly displace more than 100 employees?	☒	☐
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
o Affect conditions in a specific industry?	☒	☐
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
o If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
o If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement – See "Socioeconomic Conditions" section of Attachment B.		
o Would expected average incomes of the new population exceed the average incomes of study area populations? **TBD**	☐	☐
o If "yes:" **To be determined based on EIS analysis.**		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
o If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement – See "Socioeconomic Conditions" section of Attachment B.		
o Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project? **To be determined based on EIS analysis.**	☐	☐
o Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it? **To be determined based on EIS analysis.**		
iv. Indirect Business Displacement – See "Socioeconomic Conditions" section of Attachment B.		
o Would the project potentially introduce trends that make it difficult for businesses to remain in the area? **To be determined based on EIS analysis.**	☐	☐
o Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets? **To be determined based on EIS analysis.**	☐	☐
v. Effects on Industry– See "Socioeconomic Conditions" section of Attachment B.		
o Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area? **To be determined based on EIS analysis.**	☐	☐
o Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses? **To be determined based on EIS analysis.**	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. Child Care Centers		
o Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☒	☐
o If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent? **To be determined based on EIS analysis.**	☐	☐
o If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined based on EIS analysis.**	☐	☐
ii. Libraries		
o Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6) **To be determined based on EIS analysis.**	☒	☐
o If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels? **To be determined based on EIS analysis.**	☐	☐
o If "yes," would the additional population impair the delivery of library services in the study area? **To be determined based on EIS analysis.**	☐	☐
iii. Public Schools		
o Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
o If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent? **To be determined based on EIS analysis.**	☐	☐
o If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined based on EIS analysis.**	☐	☐
iv. Health Care Facilities		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
o Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
o If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☒
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☐
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐

	YES	NO
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following: **To be determined based on EIS analysis.**		
o If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
o If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5 percent?	☐	☐
o If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify: **To be determined based on EIS analysis.**	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☒	☐
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year. **To be determined based on EIS analysis.**		
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☒	☐
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☐	☒
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. **To be provided in EIS.**		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning? **Unknown, to be determined as part of the EIS.**	☒	☐
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. **To be determined based on EIS analysis.**		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☒	☐
o If "yes," list the resources and attach supporting information on whether the project would affect any of these resources. **Harlem River; To be determined based on EIS analysis.**		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☒	☐
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☒	☐
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators? **Unknown; To be determined as part of the EIS.**	☐	☐
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☐

	YES	NO
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☒	☐
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or contribute contaminated stormwater to a separate storm sewer system?	☐	☐
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation. **To be provided in the EIS.**		
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 503,512		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☒	☐
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
o If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 961,669,539		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☒	☐
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☒	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☒	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☒	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☒	☐
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed) **To be provided in the EIS.**	☒	☐
(c) Does the proposed project involve multiple buildings on the project site?	☒	☐
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be provided in the EIS.**		
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		

	YES	NO
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) Would the proposed project result in the development of 350,000 square feet or more?	☒	☐
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☒	☐
o If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation. **To be provided in the EIS.**	☐	☐
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☒	☐
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation. **To be provided in the EIS.**		
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. **To be determined based on EIS.**		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. **See "Neighborhood Character" section of Attachment B.**		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years? **To be determined based on EIS.**	☒	☐
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☒	☐
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☒	☐
o The operation of several pieces of diesel equipment in a single location at peak construction?	☒	☐
o Closure of a community facility or disruption in its services?	☒	☐
o Activities within 400 feet of a historic or cultural resource?	☒	☐
o Disturbance of a site containing or adjacent to a site containing natural resources?	☒	☐
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall? **To be determined based on EIS.**	☒	☐
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. **See "Construction" section of Attachment B.**		

20. *APPLICANT'S CERTIFICATION*

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME	SIGNATURE	DATE
Erik Botsford		November 10, 2016

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact: YES	NO
Land Use, Zoning, and Public Policy	☒	☐
Socioeconomic Conditions	☒	☐
Community Facilities and Services	☒	☐
Open Space	☒	☐
Shadows	☒	☐
Historic and Cultural Resources	☒	☐
Urban Design/Visual Resources	☒	☐
Natural Resources	☒	☐
Hazardous Materials	☒	☐
Water and Sewer Infrastructure	☒	☐
Solid Waste and Sanitation Services	☒	☐
Energy	☒	☐
Transportation	☒	☐
Air Quality	☒	☐
Greenhouse Gas Emissions	☒	☐
Noise	☒	☐
Public Health	☒	☐
Neighborhood Character	☒	☐
Construction	☒	☐

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? ☐ YES ☐ NO

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.

4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director	NYC Department of City Planning
NAME	DATE
Olga Abinader	November 10, 2016

SIGNATURE



NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project:

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

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 East Harlem Rezoning proposal. The New York City Department of City Planning (DCP), together with the Department of Housing Preservation and Development (HPD), is proposing a series of land use actions—including zoning map amendments, zoning text amendments, and amendments to the Millbank Frawley Circle-East and Harlem-East Harlem Urban Renewal Plans (collectively, the "Proposed Actions") to implement land use and zoning recommendations in the East Harlem Neighborhood Plan (EHNP). The Proposed Actions are intended to facilitate the development of affordable housing, create new commercial and manufacturing space to support job creation, and preserve existing neighborhood character. This proposal has been prepared as a follow up to DCP's East Harlem Neighborhood Plan, which is currently the subject of an ongoing engagement and community review process, the objective of which is to create new opportunities for housing (including affordable housing), community facilities, and economic development. The Proposed Actions would affect an approximately 95-block area of the East Harlem neighborhood of Manhattan, Community District 11.

The area that is subject to the Proposed Actions generally bounded by East 104th Street to the south, East 132nd Street to the north, Park Avenue to the west and Second Avenue to the east (the "Project Area") (see **Figure 1**). The Proposed Actions are expected to result in a net increase of approximately 3,494 dwelling units, a substantial proportion of which are expected to be affordable; 151,061 square feet of commercial space (retail, supermarket, restaurant, and office uses); 98,922 square feet of community facility space; and 132,394 square feet of manufacturing space; and net decreases of approximately 10,592 square feet of auto-related space, 32,974 square feet of hotel space, and 53,834 square feet of warehouse/storage space.

The Proposed Actions evolved from DCP's East Harlem Neighborhood Study (the "Neighborhood Study"), a comprehensive, community-focused study aimed at identifying opportunities for the creation of new mixed-income housing and the preservation of existing affordable units consistent with Mayor de Blasio's housing plan, *Housing New York: A Five-Borough, Ten-Year Plan*. Further, in conjunction with other City agencies, the Neighborhood Study will also identify complementary initiatives to address key infrastructure, economic development, workforce, and community wellness issues. The Neighborhood Study also builds upon the land use and zoning recommendations provided by the EHNP Steering Committee, a group convened by Speaker of the New York City Council Melissa Mark-Viverito to engage the community and local stakeholders in a holistic, community-based planning approach. The EHNP Steering Committee is comprised of local East Harlem organizations, the Manhattan Borough President's Office, and Community Board 11 leadership. Through a series of meetings on various neighborhood topics ranging from open space to zoning and land use, the Steering Committee produced the EHNP that provided 232 recommendations for addressing key

neighborhood concerns raised during its engagement process. In February 2016, the EHNP Steering Committee submitted its Plan to the City for review and to help inform the City's planning efforts within East Harlem. DCP's Neighborhood Study, using the work already completed by the Steering Committee and the Community Board as a baseline, has coordinated with interagency partners to identify actionable priorities in the Plan.

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

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

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

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

- **Zoning map amendment.** The proposed rezoning would replace all or portions of existing R7-2, C8-3, M1-2, M1-4, C4-4, C4-4D, R8A, R7A, and C6-3 districts within the rezoning area with M1-6/R9, M1-6/R10, C4-6, C6-4, R10, R9, R7A, R7B, and R7D districts. The proposed rezoning would also replace or eliminate portions of existing C1-4, C2-4 and C1-5 overlays with C1-5 or C2-5 overlays and establish new C1-5 overlays. The proposed rezoning action would also amend the Zoning Map to include the boundaries of the Special East Harlem Corridors District (EHC) along major thoroughfares within the rezoning area, as well as modified boundaries of the Special Transit Land Use District (TA).
- **Zoning text amendment.** The proposed actions include amendments to the text of the City's Zoning Resolution to:
  - Establish the EHC Special District along major corridors within the rezoning area including Park Avenue, Lexington Avenue, Third Avenue, Second Avenue and East 116th Street corridors to establish special use, bulk, ground-floor design and parking regulations;
  - Modify a portion of the Special 125th Special District located at the intersection of East 125th Street and Park Avenue to implement special use, bulk, ground-floor design and parking regulations;
  - Modify the boundaries of the Special Transit Land Use (TA) District to reflect the current plans of the Metropolitan Transportation Authority (MTA) for prospective Second Avenue Subway locations, and introduce bulk modifications to facilitate the

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

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

- **Urban Renewal Plan (URP) amendments.** The Proposed Actions include amendments to the Millbank Frawley Circle-East and Harlem-East Harlem URPs to make the URPs compatible as warranted with the above zoning actions.
- **Waterfront Revitalization Program (WRP) review for Consistency.** Portions of the rezoning area are within the Coastal Zone and will require review by the CPC, in its capacity as the City Coastal Commission (CCC), to determine if they are consistent with the relevant WRP policies.

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

As part of a separate action, the City is proposing a series of land use actions to facilitate the creation of a substantial amount affordable housing related to an HPD project that involves the development of an entire city block bounded by East 111th Street, East 112th, Park and Madison Avenues. The land use actions necessary to facilitate this development project are expected to be in public review concurrent with the Proposed Actions.

C. BACKGROUND TO THE PROPOSED ACTIONS

COMMUNITY ENGAGEMENT AND INTERAGENCY PARTICIPATION

EAST HARLEM NEIGHBORHOOD PLAN

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

With the help of 12 subgroups focused on neighborhood themes ranging from open space to zoning and land use, the main objective of the Steering Committee process was to create a neighborhood plan that could inform the City's efforts. As a result, the Committee produced a plan that provided 232 recommendations for addressing key neighborhood concerns raised during the community engagement process. In February 2016, the ENHP Steering Committee

submitted their East Harlem Neighborhood Plan to the City for review and to help inform planning efforts in East Harlem.

PROJECT AREA HISTORY

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

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

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

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

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

During the same period, African-Americans—including migrants from the American South as well as West Indian transplants—began to displace the European immigrants and their descendants, eventually leading to East Harlem becoming the City's second-largest black

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

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

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

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

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

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

Also included in East Harlem were Randall's and Wards Islands in the East River, which are located opposite the stretch from East 103rd to East 125th Streets. During the 19th century, these islands were used mainly for garbage disposal, cemeteries, and poorhouses. Wards Island was also used to process immigrants until the operation was transferred to Ellis Island at the end of

the 19th century. The islands also became known for their hospitals. The earliest was built in 1843, followed by the Manhattan State Hospital in 1890 and by two 10-story buildings in 1918, which served as a military hospital.

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

PROJECT AREA

The Proposed Actions would affect a 95-block area of Manhattan Community District 11, extending from East 104th Street to the south to East 132nd Street to the north, generally between Fifth and Second Avenues (see Figure 1). The area is defined by a series of north-south corridors, with 125thStreet dividing the north and central sections and East 116th Street dividing the central and southern sections; major corridors and areas of the neighborhood are described below (see Figure 1).

NORTH OF 125TH STREET

The area north of 125th Street is comprised of mixed land uses, ranging from residential, commercial, automotive uses, manufacturing uses, and parking. The area west of Park Avenue between East 125th and East 132nd Streets is characterized by well-maintained 3- to 4-story brownstones on the mid-blocks and 5- to 7-story mid-rise buildings on the avenue. The surrounding area is predominantly residential with a few ground-floor retail uses along portions of Madison Avenue.

The northern portion of Park Avenue has a different neighborhood character from that found along Madison Avenue. The viaduct is a dominant structure along Park Avenue and provides public parking at grade as well as Department of Sanitation (DSNY) facilities. The predominant uses in this area are automotive and manufacturing. Along the west side of Park Avenue there are residential and commercial uses as well as a structures and surface parking, a gas station, and a large storage facility with office space and community facility uses on the ground floor. The east side of Park Avenue is characterized by manufacturing uses and parking. DSNY leases a large parking facility on the east side of the avenue, and Consolidated Edison has a substation, also on the east side of the avenue. There are also community facility, institutional, and parking uses along the east side. Although residential uses are only zoned in the most northern portion of Park Avenue, there are residential uses along the west side of Park Avenue in non-residential districts that predate the 1961 Zoning Resolution.

EAST 125TH STREET AND PARK AVENUE

The area surrounding the intersection of East 125th Street and Park Avenue represents the meeting of two critical neighborhood corridors that connect the northern portion of Park Avenue to the mid-section of East 125th Street. In 2008, this portion of East Harlem was rezoned; however, there were maximum height and setback rules embedded in the zoning that limited building heights. The southwestern corner was mapped with a higher density zoning to accommodate a known development at the time of the rezoning. The northwestern corner of

125th Street was modified with the Corn Exchange Building. This building, originally known as the Mount Morris Bank, had been a mixed-use building with retail, office, and residential uses, however, the building fell into disrepair after the 1970s. In recent years it was restored, offering new opportunities for retail and office space. The northeast corner is occupied by a 12-story building that is used as office space with ground-floor retail, and the southeast corner is occupied by a number of smaller by a number of smaller buildings with ground-floor retail space with residential use above.

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

BETWEEN EAST 125TH AND EAST 116TH STREETS

This portion of Park, Lexington, Third, and Second Avenues stretches from East 124th to 115th Streets. This segment of Park Avenue is characterized by residential, institutional, and manufacturing uses with surface parking, including public and institutional parking, beneath the viaduct. The west side of Park Avenue is mainly characterized by a number of parking lots and institutional uses with few residential uses located in the southern portion of this area. As the result of the Millbank Frawley Circle-East and Harlem-East Harlem URP, residential development was prohibited within 100 feet of the viaduct. The east side of Park Avenue, roughly from East 123rd Street to 119th Street, is characterized by active manufacturing uses while the southern portion on both sides of the avenue is primarily residential with few commercial uses. As a result of the number of parking lots fronting Park Avenue and the disconnected and limited amount of commercial space, Park Avenue has very limited pedestrian activity and is mainly used as an east–west connector.

Lexington Avenue is a major north–south corridor in East Harlem. The subway operates along Lexington Avenue with stations at East 103rd,110th, 116th, and 125th Streets. Express service is also provided at the 125th Street station. Lexington Avenue is characterized by mixed-use buildings with residential and ground-floor retail. The residential character of Lexington Avenue is predominately tenement-style buildings ranging in height from four to six stories. This building form changes between East 118th and 122nd Streets, where tower-in-the-park buildings are located on the west side of Lexington Avenue with heights ranging from 11 to 32 stories. Between East 115th and East 112th Streets, the building heights are typical of the tower-in-the-park building typology with 14-story buildings located on both sides of Lexington Avenue. The midblocks between Lexington and Park Avenues are predominantly residential in character with some community facility uses. The residential buildings range in height from five to seven stories and the community facility uses include churches and schools. Some of the midblocks contain open spaces that are accessory to the residential towers along Lexington Avenue. There are no commercial uses between Park and Lexington Avenues except along East 116th and 124th Streets, where commercial overlays are currently mapped.

Third Avenue, unlike Park Avenue, has greater pedestrian activity with active local retail uses. Although a 2003 East Harlem Rezoning did not result in new residential developments

occupying the higher density envelopes, the corridor remains an active commercial destination for local residents. However, the lack of development has resulted in the underutilization of many sites and buildings with vacant upper stories along Third Avenue. Some buildings along Third Avenue are sealed off and/or used as storage. Although a few recent developments have resulted in building envelopes that reflect the existing zoning, most buildings along Third Avenue have very few residential units and/or are occupied by one-story commercial uses. Taino Towers, located at East 122nd and East 123rd Streets between Third and Second Avenues, is one of largest residential developments in East Harlem. Built in 1979 with federal assistance, Taino Towers includes four 35-story residential towers with 656 units atop a four-story commercial base. Portions of the Robert Wagner Houses, a NYCHA development, are located on a superblock along Second Avenue between East 120th and East 124th Streets. The remainder of Second Avenue is characterized by tenement-type buildings with ground-floor retail.

EAST 116TH STREET

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

BETWEEN EAST 104TH STREET AND EAST 116TH STREET

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

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

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

with fourteen 20-story buildings along segments of Third and Second Avenues. Second Avenue, similar to Third Avenue, is characterized by four- to seven-story residential buildings and ground-floor retail. However, there has been some new residential development on small lots with buildings as tall as 10 stories.

D. EXISTING ZONING

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

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

Existing zoning districts are shown in **Figure 3** and discussed below.

M1-2 & M1-4

An M1-2 district is located in the northern portion of the Project Area. The M1-2 is mapped on the east side of Park Avenue between East 128th and East 131st Streets allows manufacturing and commercial uses at a maximum floor area ratio (FAR) of 2.0 and community facility uses at a maximum FAR of 4.80. M1 districts have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1 districts generally allow 1- or 2-story warehouses for light-industrial uses, including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution (ZR).

M1-4 is a light manufacturing district mapped in the Mid-East Harlem portion of the district. The M1-4 is mapped on the east side of Park Avenue, roughly, between East 124th and East 119th Streets and allows 6.5 floor area ratio (FAR) for community facility uses and 2.0 FAR for commercial and manufacturing uses. Residential uses and community facility uses with sleeping accommodations are not permitted in M1 districts but commercial uses and a wide range of light manufacturing, warehousing, and auto service uses are permitted. Many commercial uses are restricted to 10,000 square feet in M1-4 districts.

Existing land uses within the M1-2 and M1-4 districts include warehouses/storage for light industrial uses, auto-related businesses such garages and surface parking, wholesale market office, flooring business, a moving facility and vacant or underutilized land (see **Figure 5**).

C8-3

There are two C8-3 districts mapped in the northern portion of the Project Area along the west side of Park Avenue between East 126th and East 127th Streets and between East 128th and East 131st Streets. C8-3 districts are designed for heavy commercial uses such as auto service, sales, and repairs. C8 districts are found mainly along major traffic arteries and allow automotive and other heavy commercial uses that often require large amounts of land. C8 districts have a base height limit, above which a structure must fit with a sloping sky exposure plane; this base height is 60 feet in C8-3 districts, and typically produces low-rise, 1-story structures. C8-3 districts also permit community facility uses at a maximum FAR of 6.5. Typical uses are automobile showrooms and repair shops, warehouses, gas stations, and car washes; community facilities, self-storage facilities, hotels and amusements, such as theatres are also permitted. No new residential uses are permitted.

Existing land uses within the C8-1 and C8-2 districts include gas stations, car sales lots, auto-repair shops, small local retail shops mixed with residential uses above the ground floor and storage and office space.

C6-3

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

R7-2

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

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

streets, the Quality Housing Program allows buildings up to 4.0 residential FAR with a maximum base height of 65 feet and a maximum building height of 85 feet.

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

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

R8A

The R8A district is mapped mostly in the southern portion of Third Avenue between East 112th and East 104th Streets and along entire portion of Second Avenue within the Project Area. However, an R8A district is mapped on the south side of East 111th Street between Park and Madison Avenues. In R8A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage 10- to 12-story apartment buildings set at or near the street line. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. R8A districts allow a maximum residential floor area of 6.02 and maximum community facility FAR of 6.5. Commercial overlays mapped in this district allow a maximum FAR of 2.0. The maximum allowable building height is 120 feet (125 feet with a qualifying ground-floor use) and minimum and maximum base height between 60 to85 feet.

R7A

The R7A district is mapped along East 116th Street, east of Lexington Avenue. In R7A districts, the contextual Quality Housing Program bulk regulations are mandatory. These regulations typically result in high lot coverage buildings up to 80 feet in height. Limitations on the base height and maximum building height of new buildings ensure compatibility with existing buildings on the street. R7A districts allow a maximum residential and community facility floor area ratio of 4.0. Commercial overlays mapped in this district allow a maximum FAR of 2.0. The maximum allowable building height is 80 feet (85 feet with a qualifying ground-floor use) and minimum and maximum base height between 40 and 75 feet.

C4-4 AND C4-4D

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

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

C1-9

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

The C1-9 district in East Harlem is mapped on the westernmost portion of a city block bounded by Third and Second Avenues between East 122nd and East 123rd Streets. The district was designated to accommodate the Taino Towers, a federally funded residential complex with four 35-story towers atop a 4-story commercial base.

COMMERCIAL OVERLAYS

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

C1-2, C1-4 & C1-5

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

C2-4 AND C2-5

C2-4 and C2-5 commercial overlays are mapped along select block frontages on Park and Lexington Avenues. The C2-4 district is mapped along portions of Park Avenue north of East 116th Street and along portions of Park and Lexington Avenues below East 112th Street. The C2-5 district is mapped in the southern portion of the Project Area along Third Avenue between East 104th and East112th Streets. C2 commercial overlays are intended to provide local shopping needs, as well as meet broader shopping and service needs than daily activities typically require (Use Group 6-9). Commercial buildings in C2 district overlays have a maximum permitted FAR of 2.0. Otherwise, residential, mixed residential/commercial, and community facility uses in C2 commercial district overlays are regulated by the bulk regulations of the underlying residential districts. C2-5 districts do not require parking accessory to commercial use, but C2-4 districts typically require one parking space per 1,000 square feet of commercial use.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

East Harlem is a transit-rich community with vibrant commercial corridors and an existing housing stock that is largely affordable. However, like many other neighborhoods throughout the

City, new market-rate development under existing zoning has the potential to threaten East Harlem's affordability and neighborhood character. The Neighborhood Study is the City's effort to leverage these community assets and preserve existing affordability while creating new opportunities for housing and economic development. The Proposed Actions were informed by and builds off of the recommendations included in the EHNP, a community-based plan created by local stakeholders and residents.

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

Under the current zoning in the neighborhood, many of the recommendations highlighted in the Plan would not be implementable. New residential developments in key areas and along major corridors are not permitted. In areas where residential use is permitted, the existing zoning restricts new development to densities that limit the production of substantial amounts of housing, particularly affordable housing, which limits the potential of the major corridors from becoming vibrant pedestrian destinations.

The Proposed Actions seek to facilitate a vibrant, inclusive residential neighborhood with a wide variety of local and regional commercial activities, job opportunities, and attractive streets that are safe and inviting for residents, workers, and visitors. Opportunities for new housing, including affordable housing, along key corridors, particularly Park, Third, and Second Avenues, would provide more housing choices for current and future residents. Modification of the zoning, as per the Proposed Actions, would unlock development opportunities and allow for a growing residential population. These actions would also facilitate the expansion of customer bases for existing and new businesses, such as grocery stores, pharmacies, and other services, which would help these businesses continue to flourish. The Proposed Actions also seek to reinforce and protect the existing character and context of the residential core by focusing new residential density along the major north–south corridors in the Project Area, and by introducing contextual residential districts on select mid-blocks.

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

- Create opportunities for requiring permanently affordable housing to ensure that the neighborhood continues to serve diverse housing needs;
- Modify the existing zoning, where needed, to preserve the built neighborhood character;
- Create opportunities for economic development while preserving the vitality of the existing commercial and manufacturing uses;

- Establish a Special District that improves the pedestrian experience and establishing urban design controls that balance new development in response to existing neighborhood context and scale; and
- Ensure a successful neighborhood plan by establishing a planning framework that is inclusive of the relevant capital infrastructure needs and services to support current demands and future growth.

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

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

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

Park, Third, and Second Avenues present the greatest opportunity for the development of affordable housing. The width of the streets, access to transit, and the presence of a number of significant sites with potential for redevelopment provide these corridors with the capacity to support significant growth. Zoning changes to allow residential development at higher densities would enable the construction of affordable apartment buildings along these corridors and would expand the neighborhood's supply of affordable housing.

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

MODIFY THE EXISTING ZONING, WHERE NEEDED, TO PRESERVE THE BUILT NEIGHBORHOOD CHARACTER.

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

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

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

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

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

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

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

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

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

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

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

F. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions are intended to facilitate the implementation of the objectives of DCP's Neighborhood Study, which shares the long-term vision articulated in the East Harlem Neighborhood Plan for the creation of more affordable housing and more diverse commercial and retail uses, spur economic development, foster safer streets, and generate new community resources. To accomplish these goals, DCP is proposing zoning map and text amendments that would affect a total of approximately 95 blocks in the three sections in East Harlem, described in detail above (see **Appendix 1**). Additionally, HPD is proposing amendments to the Millbank Frawley Circle-East and Harlem-East Harlem URPs to make the plans compatible with the Proposed Actions.

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

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

PROPOSED ZONING DISTRICTS

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

PROPOSED SPECIAL EAST HARLEM CORRIDORS DISTRICT

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

Use Regulations: Within proposed M1-6/R9 and M1-6/R10 Districts, the EHC would apply special use regulations to allow permitted residential, commercial and manufacturing uses could be mixed in the same area. The EHC would allow limited public parking garages to be as-of-right within proposed commercial and manufacturing districts, just as they are currently permitted in the existing districts including C2-4, M1-2 and C8-3 districts. Finally, the proposed special district would impose appropriate controls on transient hotels to achieve the goals and objectives of the rezoning.

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

Streetwall location: The EHC would modify the underlying streetwall location regulations to facilitate the creation of a desirable pedestrian environment. Along Park Avenue the EHC would modify the varying streetwall location regulations of proposed districts to apply one consistent streetwall location rule: at least 70 percent of a streetwall must be located within 8 feet of a street line. Along Third Avenue, the underlying streetwall location regulation of a tower development option will be modified to require a consistent streetwall at the street line except for permitted recesses and courts.

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

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

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

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

PROPOSED M1-6/R10 WITHIN THE EHC

(Existing M1-2 and M1-4 District)

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

PROPOSED M1-6/R9 WITHIN THE EHC

(Existing C8-3 District)

An M1-6/R9 mixed use district is proposed northern section of the Project Area along the west side of Park Avenue between East 126th and East 128th Streets and between East 128th and East 131st Streets. M1-6/R9 districts permit residential and community facility uses within Use Groups 1-4, and commercial and manufacturing uses within Use Groups 5-15 and 17 at a maximum FAR of 8.5 in a mixed-use building. The EHC would impose a non-residential use requirement of 1.5 FAR before any permitted residential floor area could be utilized. The special streetwall and minimum base height provisions of Park Avenue within the EHC, as described above, would apply. The maximum base height would be 105 feet and the maximum overall building height would be 350 feet with a penthouse allowance of up to 40 feet. The special ground-floor design and parking provisions of the EHC would apply.

PROPOSED C4-6 WITHIN THE EHC

(Existing R7-2)

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

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

PROPOSED R9/C2-4 WITHIN THE EHC

(Existing R7-2 and R8A)

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

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

R9 districts, within the EHC, will have maximum FAR of 8.5 for community facility uses and residential uses under the Inclusionary Housing program. Commercial overlays mapped in this district would allow a maximum FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Park Avenue or other Avenues, as applicable, of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 125 feet and the maximum building height would be 175 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

PROPOSED R10/C2-5 WITHIN THE EHC

(Existing R8A and R7-2)

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

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

R10 districts permit residential uses at a maximum FAR of 12.0 in areas designated as part of the Inclusionary Housing program, and a maximum FAR of 10 for community facility uses. Commercial overlays mapped in this district allow a maximum commercial FAR of 2.0. Pursuant to the special bulk provisions of the EHC as described above, a development would have contextual Quality Housing and Quality Housing tower bulk options. For both options, the streetwall location and minimum base height provisions along Park Avenue or other Avenues, as

applicable, of the EHC would apply. For the contextual Quality Housing option, the maximum base height would be 155 feet and the maximum building height would be 235 feet after a required setback above the base height. For the Quality Housing tower option, the maximum base height would be 85 feet and the maximum residential tower lot coverage would be between 40 and 50 percent depends on the size of a zoning lot and maximum commercial or community facility tower lot coverage would be 50 percent. The special ground-floor design and parking provisions of the EHC would apply.

PROPOSED C4-6 WITHIN THE EHC

(Existing C4-4D district)

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

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

Proposed R7D within the EHC

(Existing R7-2)

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

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

R7D is a mid-density contextual district that has a minimum base height of 60 feet, a maximum base height of 95 feet and a maximum building height of 115 feet with a Mandatory Inclusionary Housing development with Qualifying Ground Floor. The maximum residential FAR in a Mandatory Inclusionary Housing Area is 5.6. The maximum allowable community facility FAR

is 4.2 and commercial overlays mapped in these districts permit a maximum commercial FAR of 2.0. The special ground-floor design and parking provisions of the EHC would apply.

PROPOSED AMENDMENT TO THE SPECIAL 125TH STREET DISTRICT

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

PROPOSED C6-4

(Existing C6-3)

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

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

The C6-4 district would allow a maximum FAR of 10.0 (with Mandatory Inclusionary Housing requirements) for residential, 10.0 for community facility and commercial uses. The proposed text modifications to the 125 would impose a non-residential use requirement of 2.0 FAR before any permitted residential floor area could be utilized and the overall maximum floor area for a mixed-use development would be 12.0 FAR. Pursuant to the existing special bulk provisions of the 125, developments would provide a contextual base between 60 feet and 85 feet in height along East 125th Street. The streetwall location and minimum base height provisions along Park Avenue of the EHC would apply to the portion of a building along Park Avenue. The maximum length of the portion of a building above the contextual base will be limited to 150 feet or less to prevent an excessively wide tower along Park Avenue. The existing special ground-floor design provisions of the 125 Special District would apply. The underlying parking provisions of the 125 would be modified to be consistent with that of the EHC.

PROPOSED R7A AND R7B

(Existing R7-2)

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

The R7A would be mapped along Madison Avenue between East126th to East 132nd Streets with the exceptions of the east side of Madison Avenue between East 127th and East 128th Streets and the west side of Madison Avenue between East 130th and East 131st Streets. The R7B would be mapped on the mid-blocks between Fifth and Madison Avenues and Park and Madison Avenues from East 126th to East 132nd Streets. The R7B will not be mapped on the mid-blocks bounded by East 128th Street, East 127th Street, Madison and Park Avenues and East 130th Street, East 131st Street, and Madison and Fifth Avenues.

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

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

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

PROPOSED R9/C2-5

The proposed R9/C2-5 district would be mapped over a city block bounded by Park Avenue to the east, East 111th Street to the south, Madison Avenue to the west and East 112th Street to the north. An R9 district is a high-density non-contextual district that allows 8.0 FAR of residential floor area (with Mandatory Inclusionary Housing) and 10.0 FAR of Community Facility floor area. The C2-5 commercial overlay allows up to 2.0 FAR of local retail and service uses. Within an R9 district, a development may comply with either contextual Quality Housing or tower-on-a-base height and setback options. For the contextual QH option, the minimum and maximum base heights are 60 feet and 125 feet, respectively, and the maximum overall building heights are 165 feet along narrow streets and 175 feet along wide streets. For the tower-on-a-base option, the minimum and maximum base heights are 60 feet and 85 feet, respectively, and the portion of a building exceeding the maximum base height will be subject to the maximum tower coverage of 40 percent.

PROPOSED COMMERCIAL OVERLAYS

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

There are C1-5 overlays mapped throughout the Project Area and along the corridors within the Special District. DCP is proactively working with NYCHA to expand commercial overlays to areas where they do not currently exist, in order to increase the potential supply of retail and commercial services available to NYCHA residents on their campuses. Mapping these commercial overlays on NYCHA campuses is only one step in allowing commercial development in these areas, and this action would establish a zoning district that would allow NYCHA to pursue numerous additional approvals to advance commercial development on these campuses. This proposal would map commercial overlays to a depth of 100 feet to reflect the

typical depth of existing lots along these corridors, and to prevent commercial uses from encroaching too far into NYCHA campuses.

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

- Proposed R7D: 5 full or partial block frontages on Lexington Avenue between East 116th and East 120th Streets;
- Proposed R7D: 2 partial block frontages on Lexington Avenue between East 115th and East 116th Streets;
- Proposed R7D: 4 full or partial block frontages along Lexington Avenue between East 110th and East 112th Streets; and
- Existing R7-2: on Park, Lexington, Third and Second Avenues, roughly between East 112th and East 115th Streets.

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

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

- Proposed R7D: 6 full block frontages along Lexington Avenue between East 120th and East 124th Streets;
- Proposed R9: 1 full block frontage along Park Avenue between East 131st and East 132nd Streets;
- Proposed R9: 6 full block frontages along Park Avenue between East 118th and East 115th Streets;
- Proposed R9: 1 full block frontage on the east side of Madison Avenue between East 111th and East 112th Streets and 1 full block frontage on the west side of Park Avenue between East 111th and East 112th Streets;
- Proposed R9: 4 half block frontages at the intersection of Lexington Avenue and East 116th Street;
- Proposed R9: 1 block frontage on the east side of Second Avenue between East 123rd and East 124th Streets;
- Proposed R9: 12 full block frontages along Second Avenue between East 115th and East 122nd Streets;
- Proposed R9: 7 full block frontages along Second Avenue between East 108th and East 112th Streets;

- Proposed R9: 4 block frontages along Second Avenue between East 104th and East 106th Streets;
- Proposed R10: 6 full or partial blocks along Park Avenue between East 118th and East 122nd Streets;
- Proposed R10: 13 full/partial blocks on Third Avenue between East 112th and East 104th Streets; and
- 8 full/partial blocks on the New York Housing Authority superblocks along Park, Third and Second avenues between East 112th and East 115th Streets.

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

PROPOSED ZONING TEXT AMENDMENTS

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

EHC SPECIAL DISTRICT

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

MIH PROGRAM

DCP proposes a Zoning Text amendment to apply the MIH program to portions of the proposed rezoning area, including where zoning changes are promoting new housing. The MIH program would apply within the following districts: M1-5/R10, M1-5/R9, R9, R10, C4-6, C6-4 and C4-5D districts within the rezoning area. The MIH program requires permanently affordable housing within new residential developments, enlargements, and conversions from non-residential to residential use within the mapped "Mandatory Inclusionary Housing Areas" (MIHAs). The program requires permanently affordable housing set-asides for all developments over 10 units or 12,500 zoning square feet within the MIH designated areas or, as an additional option for developments between 10 and 25 units, or 12,500 to 25,000 square feet, a payment into an Affordable Housing Fund. In cases of hardship, where these requirements would make development financially infeasible, developers may apply to the Board of Standards and Appeals for a special permit to reduce or modify the requirements. Developments, enlargements or conversions that do not exceed either 10 units or 12,500 square feet of residential floor area will be exempt from the requirements of the program.

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

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

PROPOSED AMENDMENT TO THE SPECIAL 125TH STREET DISTRICT

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

PROPOSED AMENDMENT TO THE TA SPECIAL DISTRICT

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

PROPOSED MAP MODIFICATIONS

Introduce a new TA Special District location along Second Avenue, roughly between East 115th and East 120th Streets.

Modify existing TA Special District locations as follows:

- Expand the TA Special District on Second Avenue at 106th Street by 100 feet to the north and south, with a slight 100 foot extension to the east along the south side of East 106th Street; and
- Relocate the TA Special District on Second Avenue near East 125th Street, to be located roughly along East 125th Street between Park and Third Avenues.

PROPOSED TEXT MODIFICATIONS

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

PROPOSED AMENDMENT TO MILLBANK FRAWLEY CIRCLE-EAST AND HARLEM-EAST HARLEM URPS, AND LAND DISPOSITION

The proposed amendments to the Millbank Frawley Circle-East and Harlem-East Harlem URPs would conform land use restrictions to zoning and would refresh the general provisions of the URPs. Additionally, disposition approval of the urban renewal site would allow development pursuant and in accordance with the urban renewal plan. As part of the Proposed Actions, the following sites within the Urban Renewal Area would be granted disposition approval:

- Block 1617: Lots 20,22,23,25,28,29,31,33,35,37-43,45, 46,48,50-54, 121 and 122; bounded by Park Avenue, Madison Avenue, East 111th and East 112th Streets.

WRP REVIEW PROCESS AND DETERMINATION

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

POTENTIAL MODIFICATIONS TO THE PROPOSED ACTIONS TO SUPPORT THE EAST 111TH STREET DEVELOPMENT

The East 111th Street site, bounded by East 112th Street, Park Avenue, and Madison Avenue, is a public site owned by the City of New York (under the jurisdiction of HPD). The site is over 76,500 square feet in size and encompasses community gardens and a baseball field. There are two privately owned parcels on the block. HPD is proposing to develop the site to facilitate the creation of a mixed-use development with residential, commercial and community facility uses. All of the proposed residential units would be affordable in accordance with HPD affordability requirements. Additionally, the proposed development would incorporate four of the existing gardens and relocate two of the others gardens elsewhere within the surrounding neighborhood. These lots will be transferred to the Department of Parks and Recreation (DPR) as GreenThumb gardens. DPR is working with the organization that currently utilizes the baseball field to obtain a permit for another field in the area. HPD is currently evaluating Request for Proposal (RFP) submissions based on the quality and feasibility of the proposals, as well as the responsiveness to the priorities articulated by the community. A developer is anticipated to be selected by the end of 2016.

The land use actions necessary to facilitate the development of the East 111th Street site are expected to enter public review as a separate land use application concurrent with the Proposed Actions. The actions anticipated include: (a) zoning map amendment to rezone the R7-2 district to R9, (b) zoning text amendment to apply the MIH program to the site, (c) disposition of city-owned land, (d) amendment to the Millbank Frawley Circle-East Urban Renewal Plan, and (e) special permit for a large scale general development (LSGD) to allow for modifications to height and setback requirements and/or accessory off-street parking requirements.

The development of the East 111th Street site requires significant coordination between HPD, various city agencies, property owners and the developer. This coordination effort will define, among other items, specific requirements for the development's program and design. Given the uncertainty of the coordination outcome, the DEIS will include an alternative that encompasses the necessary actions to facilitate this proposed HPD-sponsored affordable housing development in addition to the Proposed Actions. ✷

Attachment B: Additional Technical Information for EAS Part II: Technical Analysis

In order to assess the possible effects 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. The details on how the RWCDS was developed can be found in the Draft Scope of Work. The Proposed Actions are expected to result in a net increase of 3,494 dwelling units; 151,061 square feet of commercial space[1]; 98,922 square feet of community facility space; and 132,394 square feet of manufacturing space; and net decreases of 10,592 square feet of auto-related space, 32,974 square feet of hotel space, and 53,834 square feet of warehouse/storage space.

As part of a separate action, the City is proposing a series of land use actions to facilitate the creation of a substantial amount of housing, especially affordable housing, related to a HPD project which is located in close proximity of the rezoning area. That separate proposal is expected to be in public review concurrent with the Proposed Actions and is described further in Attachment A. For purposes of a conservative analysis, the environmental review for the Proposed Actions includes an alternative scenario that takes in account that separate proposal and resulting HPD development project. That alternative scenario would augment the Proposed Actions' RWCDS resulting in an increase of dwelling units to 4,110; commercial space to 181,061 square feet; and, community facility space to 158,922 square feet. This information was used to determine whether the potential for significant impacts exists in each of the impact categories.

Provided below are preliminary screening analyses that were conducted for the Proposed Project using the guidelines presented in the 2014 *CEQR Technical Manual*, to determine whether detailed analysis of a given technical area is appropriate.

LAND USE, ZONING AND PUBLIC POLICY

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a proposed action. The analysis also considers the action's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for an action to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if an action would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also suggests a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or in generic or area-wide zoning map amendments.

[1] Includes retail, supermarket, restaurant, and office uses.

The Proposed Actions include a series of land use and other discretionary actions, including zoning map and zoning text amendments that would affect an approximately 155-block area in the East Harlem neighborhood of Manhattan, Community District 11. Existing land uses in the Project Area are shown in **Figure 5**. The tax map for the Project Area is shown in **Figure 2**. **Figures 3 and 4** present the existing and proposed zoning districts, respectively. In addition, several public policies are applicable to portions of the Rezoning Are, including the New York City Waterfront Revitalization Program (WRP), as the Project Area is within the Coastal Zone Boundary, the Vision 2020 New York city Comprehensive Waterfront Plan, Housing New York, the East Harlem Neighborhood Plan, the Millbank Frawley Circle-East and Harlem–East Harlem Urban Renewal Plans, Vision Zero, the FRESH Program, the 125th Street Business Improvement Districts (BID), and the City's sustainability/PlaNYC/OneNYC policies. Therefore, an assessment of land use, zoning and public policy is warranted, and will be provided in the EIS, as described in the Draft Scope of Work.

SOCIOECONOMIC CONDITIONS

According to the *CEQR Technical Manual*, the six 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 due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on specific industries. A socioeconomic assessment should be conducted if an action may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if an action would directly displace a residential population, affect substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if an action would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

As detailed in the Draft Scope of Work, the following describes the level of assessment that is warranted and the scope of analysis for the six principal socioeconomic issues of concern.

DIRECT RESIDENTIAL DISPLACEMENT

If a project would directly displace more than 500 residents, it may have the potential to alter the socioeconomic character of a neighborhood, and therefore a preliminary assessment of direct residential displacement is appropriate.

The Proposed Actions have the potential to result in the direct displacement of existing residents from projected development sites identified as part of the RWCDS, but they are not expected to exceed the CEQR Technical Manual analysis threshold. Therefore, the Proposed Actions would not result in significant adverse impacts due to direct residential displacement. As described in the Draft Scope of Work, the EIS will disclose the number of residents to be directly displaced by the Proposed Actions and determine the amount of displacement relative to the study area population.

DIRECT BUSINESS DISPLACEMENT

If a project would directly displace more than 100 employees, a preliminary assessment of direct business displacement is appropriate. As the Proposed Actions have the potential to exceed the

CEQR threshold of 100 displaced employees, a preliminary assessment of direct business displacement will be conducted, as described in the Draft Scope of Work.

INDIRECT RESIDENTIAL DISPLACEMENT

The Proposed Actions would result in a net increment of more than 200 new residential units, which is the *CEQR Technical Manual* threshold for assessing the potential indirect effects of an action. Therefore, an assessment of indirect residential displacement will be provided in the EIS, as described in the Draft Scope of Work.

INDIRECT BUSINESS DISPLACEMENT DUE TO INCREASED RENTS

The concern with respect to indirect business and institutional displacement is whether a proposed project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. The Proposed Actions would not introduce more than the 200,000 gsf of new commercial uses to the proposed Rezoning Area, which is the CEQR threshold for "substantial" new development warranting assessment. Projects resulting in less than 200,000 gsf of retail on a single development site, or located on multiple sites across a project area, would not typically result in socioeconomic impacts. However, the Proposed Actions would result in large population increase and has the potential to increase rents in the neighborhood of East Harlem. Therefore, an assessment of indirect business displacement due to increased rents as a result of the Proposed Actions will be provided in the EIS.

INDIRECT BUSINESS DISPLACEMENT DUE TO RETAIL MARKET SATURATION

Based on *CEQR Technical Manual* guidelines, an assessment of potential business displacement due to retail market saturation (i.e., competition) is not warranted. The Proposed Actions and associated RWCDS are not expected to add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in potential for disinvestment on local retail streets. The RWCDS would introduce an increment of 151,061 of commercial uses. This commercial use would be consists of restaurant, grocery store, destination retail and office space. The commercial uses would not be concentrated on any single site, but would be distributed among the proposed Rezoning Area in the neighborhood of East Harlem. Project resulting in less than 200,000 gsf of retail on a single development site, or less than 200,000 gsf of retail that is regional-serving on multiple sites would not typically result in socioeconomic impacts, according to the guidelines established in the *CEQR Technical Manual*. As the Proposed Actions and associated RWCDS increment would not exceed the CEQR threshold, no further analysis is warranted.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

A preliminary assessment of effects on specific industries will be conducted to determine whether the Proposed Actions would significantly affect business conditions in any industry or category of businesses within or outside the study area, or whether the Proposed Actions would substantially reduce employment or impair viability in a specific industry or category of businesses. Therefore, an assessment of adverse effects on specific industries will be provided in the EIS, as described in the Draft Scope of Work.

COMMUNITY FACILITIES AND SERVICES

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

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

New population added to an area as a result of an action would use existing services, which may result in potential indirect effects on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed action. Depending on the size, income characteristics, and age distribution of the new population, an action may have indirect effects on public schools, libraries, or child care centers. In the future with the Proposed Actions, the RWCDS would introduce an increment of 3,494 additional dwelling units (DUs), with an estimated 8,420 residents to the area, as compared to the No-Action condition.[2]

A discussion of the Proposed Actions' potential effects on community facilities is provided below.

PUBLIC SCHOOLS

If an action introduces fewer than 50 elementary and middle school age children, or fewer than 150 high school students, an assessment of school facilities is not warranted. In Manhattan, the 50-student threshold for analysis of elementary/middle school capacity is achieved if an action introduces at least 310 DUs; the threshold for analysis of high school capacity is 2,492 DUs. As the RWCDS for the Proposed Actions would result in an increment of 3,494 DUs (compared to the No-Action scenario), it exceeds the CEQR preliminary threshold for elementary, middle school, and high school assessments. Therefore, a detailed analysis of elementary, intermediate, and high school capacity will be provided in the EIS, as described in the Draft Scope of Work.

LIBRARIES

According to the guidelines established in the CEQR Technical Manual, if a proposed action increases the number of DUs served by the local library branch by more than five percent, then an analysis of library services may be necessary. In Manhattan, the introduction of 901 DUs would represent a five percent increase in DUs per branch. As the RWCDS associated with the Proposed Actions would result in the addition of 3,494 DUs to the study area compared to the No Action condition, it exceeds the CEQR threshold for a detailed analysis, and an analysis will be provided in the EIS, as described in the Draft Scope of Work.

[2] The number of residents is based on 2.41 average household size for Manhattan Community District 11 (2010 U.S. Census).

CHILD CARE CENTERS

A detailed analysis of child care centers is warranted when a proposed action would produce substantial numbers of subsidized, low-to moderate-income family DUs that may therefore generate a sufficient number of eligible children to affect the availability of slots at public child care centers. Typically, proposed actions that generate 20 or more eligible children under the age of six require further analysis. According to Table 6-1 of the *CEQR Technical Manual*, the number of DUs to yield 20 or more eligible children under age six in Manhattan would be 170 affordable DUs. The RWCDS associated with the Proposed Actions would result in a net increment of affordable DUs well in excess of the 170-unit threshold. As such, the Proposed Actions exceed the threshold for an analysis of child care centers, and an analysis will be provided in the EIS, as described in the Draft Scope of Work.

POLICE/FIRE SERVICES AND HEALTH CARE FACILITIES

A detailed analysis of police and fire services and health care facilities is warranted if a proposed action would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the Proposed Actions would not result in any of the above, no significant adverse impacts are expected to occur, and a detailed analysis of police/fire services and health care facilities is not required; however, for informational purposes, a description of existing police, fire, and health care facilities serving the Rezoning Area will be proved in the EIS.

OPEN SPACE

An open space assessment is typically warranted if an action would directly affect an open space or if it would increase the population by more than:

- 350 residents or 750 workers in areas classified as "well-served areas;"
- 50 residents or 125 workers in areas classified as "underserved areas;"
- 200 residents or 500 workers in areas that are not within "well-served" or "underserved areas."

The Open Space appendix of the *CEQR Technical Manual* identifies the Project Area as in an area not classified as a well-served or underserved area. In areas that are neither well-served nor underserved, the *CEQR Technical Manual* threshold for project generated residents and workers is 200 residents and 500 workers. The Proposed Actions would generate more residents and workers than the threshold, and therefore warrants a detailed open space assessment for residential populations and daytime (non-residential) populations also generated by the proposed rezoning. The detailed open space analysis will be included in the EIS, as described in the Draft Scope of Work.

SHADOWS

The *CEQR Technical Manual* requires a shadow assessment for a proposed action that would result in a new structure(s), or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. The Proposed Actions would permit development of buildings greater than 50 feet in height, some of which could be located in the vicinity of sunlight-sensitive resources. Therefore, the Proposed Actions and RWCDS have the potential to cast new shadows on nearby sunlight-sensitive resources. As such, an

analysis of the new buildings' potential to result in shadow impacts on sunlight-sensitive resources is warranted and will be included in the EIS, as described in the Draft Scope of Work.

HISTORIC AND CULTURAL RESOURCES

A historic and cultural resources assessment is performed if there is the potential to affect either archaeological or architectural resources. Under CEQR, impacts to historic resources are considered on those sites directly affected by a proposed action and in the areas surrounding identified development sites.

The Proposed Actions have the potential to impact designated and/or potential architectural resources. The Proposed Actions would also result in additional in-ground disturbance on the Rezoning Area, specifically at the locations of the projected development sites identified in the RWCDS, and therefore have the potential to affect archaeological resources that may be present on or nearby those sites. Thus, assessments of architectural and archaeological resources will be provided in the EIS, as described in the Draft Scope of Work.

URBAN DESIGN AND VISUAL RESOURCES

The *CEQR Technical Manual* outlines an assessment of urban design when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind and sunlight. A preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: 1) projects that permit the modification of yard, height, and setback requirements; and 2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the proposed action.

The Proposed Actions and subsequent development within the Rezoning Area is likely to result in physical changes beyond the density, bulk, and form currently permitted as-of-right. These changes could affect a pedestrian's experience of public space, warranting an urban design assessment. Therefore a preliminary assessment of urban design and visual resources will be provided in the EIS, as described in the Draft Scope of Work.

NATURAL RESOURCES

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

A natural resources assessment may be appropriate if a natural resource is present on or near the site of a project, and the project would, either directly or indirectly, cause a disturbance of that resource. The Rezoning Area is adjacent, in part, to the Harlem River, which his considered under *CEQR* guidelines to be a natural resource. Therefore, the Proposed Actions have the potential to create significant adverse impact on natural resources, and further analysis is warranted. Accordingly an analysis of natural resources will be provided in the EIS following *CEQR* guidance.

HAZARDOUS MATERIALS

Under CEQR, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site and b) an action would increase pathways to their exposure; or c) an action would introduce new activities or processes using hazardous materials, thereby increasing the risk of human or environmental exposure. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. Therefore, the EIS will include an assessment of hazardous materials on the projected and potential development sites identified in the RWCDS, as described in the Draft Scope of Work.

WATER AND SEWER INFRASTRUCTURE

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. A preliminary analysis of a project's effects on the water supply system is warranted if a project would result in an exceptionally large demand for water (e.g., those that would use more than one million gallons per day), or would be located in an area that experiences low water pressure (e.g., Rockaway Peninsula or Coney Island). A preliminary analysis of a project's effects on wastewater or stormwater infrastructure is warranted depending on a project's proposed density, its location, and its potential to increase impervious surfaces.

The Proposed Project would result in an incremental demand for water of more than 1 million gallons per day (gpd) and therefore, would require an analysis of water supply. As shown in **Table B-1**, based on the average daily water use rates provided in Table 13-2 of the *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Actions would use a maximum net total of approximately 1,449,535 gallons of water per day (gpd) compared to No-Action conditions.

Table B-1
Expected Water Demand and Wastewater Generation on Projected Development Sites-2027 No-Action vs. 2027 With-Action Conditions[1]

	Land Use	Area/Units	DUs/Hotel Rooms	Domestic Water/Wastewater Generation (gpd)	Air Conditioning (gpd)	Total (Domestic + AC
No-Action Condition	Residential	2,435,630	2,561	617,263	414,057	1,031,320
	Commercial	581,718	82	129,991	98,892	228,883
	Community Facility[2]	7,395	0	740	1,257	1,997
	Industrial	22,777	0	2,278	3,872	6,150
No-Action Total				**750,272**	**518,078**	**1,268,350**
With-Action Condition	Residential	5,449,917	6,055	1,459,270	918,539.1	2,377,809
	Commercial	732,779	-	144,902	124,572.4	269,474
	Community Facility[3]	106,317	-	10,632	18,073.9	28,706
	Industrial	155,171	-	15,517	26,379.1	41,896
With-Action Total				**1,630,321**	**1,087,564.5**	**2,717,885**
Net Difference: No-Action vs. With-Action Condition				**880,049**	**569,486**	**1,449,535**

Notes:

1. Uses *CEQR Technical Manual* water demand rates from Table 13-2 "Water Usage and Sewer Generation rates for Use in Impact Assessment."
   Residential – 100 gpd/person;
   Hotel- 120 gpd/room/occupant
   Commercial (Retail, grocery store, restaurant): domestic – 0.24 gpd/sf and A/C-0.17 gpd/sf;
   Commercial (non-retail): 0.1 gpd/sf and A/C- 0.17 gpd/sf; and
   Industrial: domestic-0.1 gpd/sf and A/C-0.17 gpd/sf
   Per 2010 Census information for Manhattan Community District 11, average household size of 2.41 per dwelling unit are assumed.
2. No-Action condition: Community facility uses are unknown and therefore the water usage assumptions of a commercial office use were used to calculate potential water consumption in the future No-Action condition.
3. With-Action condition: Community facility uses are unknown and therefore the water usage assumptions of a commercial office use were used to calculate potential water consumption in the future With-Action condition.

The Proposed Project would exceed the incremental development increase threshold for DUs (1,000 DUs) and the overall square feet (250,000 sf) of development as outlined in the *CEQR Technical Manual* for new development in a combined sewered area of Manhattan, therefore analysis of the Proposed Project's effects on wastewater and storm water infrastructure is warranted. Further detail is provided in the Draft Scope of Work.

SOLID WASTE AND SANITATION SERVICES

A solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that has the potential to overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact. As shown in **Table B-2**, based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the RWCDS associated with the Proposed Actions would result in a net increase of approximately 272,229 pounds (lbs) of solid waste per week (Approximately 136 tons), compared to No-Action conditions. Therefore, an analysis of solid waste and sanitation services is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Table B-2
Expected Solid Waste Generation on Projected Development Sites – 2027 No-Action vs. 2027 With-Action Conditions[1]

	Use	Size (GSF)	Solid Waste Handled by DSNY (lbs/wk)	Solid Waste Handled by Private Carriers	Total Solid Waste (lbs/wk)
No Action Condition	Residential	2,435,630 (2,561 DU)	105,012	N/A	105,012
	Commercial	581,718	N/A	119,370	119,370
	Community Facility	7,395	143	143	286
	Industrial	22,777	N/A	6,615	6,615
No-Action Total			**105,155**	**126,128**	**231,283**
With-Action Condition	Residential	5,449,917 (6,055 DU)	248,258	N/A	248,258
	Commercial	732,799	N/A	213,132	213,132
	Community Facility	106,317	2,074	2,074	4,147
	Industrial	155,171	N/A	37,975	37,975
With-Action Condition Total			**250,331**	**253,181**	**503,512**
Net Difference: No-Action v. With Action Condition					**272,229**

Notes:
1. Solid waste generation is based on citywide average waste generation rates presented in Table 14-1 of the *CEQR Technical Manual.* Residential use: 41 lbs/wk per dwlling unit. All community facility uses: 0.03 lbs/wk. per sf and 3 employees per 1,000 sf. General retail: 79 lbs/wk per employee and 3 employees per 1,000 sf. Supermarket: 284 lbs/wk per employee and 3 employees per 1,000 sf. Restaurant: 251 lbs/wk per employee and 3 employees per 1,000 sf. Hotel: 75 lbs/wk per employee and 2.67 employees per 400 sf. Office: 13 lbs/wk per employee, 1 employee per 250 sf. Storage: 9 lbs/wk per employee and 1 employee per 15,000 sf. Industrial: 1 employee per 1,000 sf Industrial use: used the average of apparel/textile and printing/publishing rate: 182.5 lbs/we per employee, 1 employee per 1,000 sf.

ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that

generate substantial indirect consumption of energy (such as a new roadway). Although significant adverse energy impacts are not anticipated for the Proposed Actions, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the Proposed Actions, as this information is required for the assessment of Greenhouse Gas Emissions (see below). Further detail is provided in the Draft Scope of Work.

Based on the rates presented in Table 15-1 of the *CEQR Technical Manual* and as shown in **Table B-3**, it is estimated that the RWCDS associated with the Proposed Actions would result in an increase in annual energy consumption of approximately 961,669,539 million BTUs, an increment of 512,770,505 million BTUs over the No-Action condition. As noted in the Draft Scope of Work, an analysis of the anticipated additional demand from the Proposed Actions' RWCDS will be provided in the EIS.

Table B-3
2027 No-Action Condition and 2027 With-Action Condition Estimated Energy Consumption[1]

	Use	Size (GSF)	Consumption Rates (Thousand BTU (MBTU)/sf/yr.)	Annual Energy Use (million BTUs)
No Action Condition	Residential	2,435,630	126.7	308,594,321
	Commercial	581,718	216.3	125,825,495
	Community Facilities	7,395	250.7	1,853,927
	Industrial	22,777	554.3	12,625,291
No-Action Total				**448,899,034**
With-Action Condition	Residential	5,449,917	126.7	690,504,484
	Commercial	732,779	216.3	158,500,098
	Community Facilities	106,317	250.7	26,653,672
	Industrial	155,171	554.3	86,011,285
With-Action Condition Total				**961,669,539**
Net Difference: No-Action v. With Action Condition				**512,770,505**

Notes:
1. Consumption rates are from the CEQR Technical Manual Table 15-1, "Average Annual Whole-Building Energy use in New York City".

TRANSPORTATION

An assessment of transportation will be provided in the EIS. Based on a preliminary travel demand forecast, the Proposed Actions are expected to generate a total of more than 50 new vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday peak hour. The RWCDS is also projected to generate 50 or more vehicles per hour during each of the peak hours at one or more study area intersections. Therefore, based on *CEQR Technical Manual* guidelines, a detailed traffic analysis is warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Based on the preliminary travel demand forecast, the RWCDS would generate more than 200 subway trips and more than 50 bus passengers in a single direction on one or more bus routes in one or more peak hours. Therefore, detailed subway and bus transit analyses are warranted and will be provided in the EIS, as detailed in the Draft Scope of Work.

Based on the preliminary travel demand forecast, the RWCDS would generate more than 200 new pedestrian trips during peak hours, including walk-only trips as well as pedestrians walking between projected development sites and other modes of travel. Although these pedestrian trips would be dispersed throughout the Rezoning Area, some concentrations of new pedestrian trips exceeding the 200-trip *CEQR Technical Manual* threshold may occur during one or more peak

hours along corridors in the immediate vicinity of the projected development sites, and along corridors connecting these sites to area transit services. Therefore, a detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

AIR QUALITY

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

The Proposed Actions are expected to result in the conditions outlined in Chapter 17, Section 210 of the *CEQR Technical Manual*. Specifically, the project-generated vehicle trips may exceed the peak vehicle traffic thresholds for conducting an air quality analysis of mobile sources. In addition, the Proposed Actions and associated RWCDS would result in the conditions outlined in Chapter 17, Section 220. Specifically, the projected and potential development sites would use fossil fuels for heat and hot water systems. Portions of the Rezoning Area are located within 400 feet of areas zoned for manufacturing.

Therefore, an air quality assessment of mobile and stationary sources will be provided in the EIS. As detailed in the Draft Scope of Work, the air quality assessment will consider the potential impacts on air quality from project-generated vehicle trips, as well as heat and hot water systems, and from existing industrial uses in the surrounding area on the new development resulting from the Proposed Actions.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The *CEQR Technical Manual* notes that while the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 gsf or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). The development associated with the RWCDS would exceed the 350,000 gsf threshold, and therefore a GHG assessment will be provided in the EIS, as described in the Draft Scope of Work.

According to the *CEQR Technical Manual*, depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects of climate change on a proposed project in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for projects at sites located within the current 100- or 500-year flood zone, as delineated in the FEMA PFIRMs, or within future 100-year flood zones as projected by the New York City Panel on Climate Change, as appropriate. As shown in **Figure 6**, **"FEMA Preliminary Flood Hazard Areas,"** portions of the Rezoning Area are located within the current 500-year flood hazard zone, and some areas could be within the 100-year flood zone potentially as soon as the 2020s. Therefore, the Project Area may be susceptible to storm surge and coastal flooding, and an assessment of climate change is warranted and will be provided in the EIS, as described in the Draft Scope of Work.

NOISE

Under CEQR, a noise analysis is appropriate if an action would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis would be required if an action generates or reroutes vehicular traffic, if an action is located near a heavily trafficked thoroughfare, or if an action would be within one mile of an existing flight path or within 1,500 feet of existing rail activity (and with a direct line of sight to that rail facility). A noise assessment would also be appropriate if the action would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the action would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the action would be located in an area with high ambient noise levels resulting from stationary sources.

A detailed noise analysis will be included in the EIS, as the Proposed Actions would result in additional vehicle trips to and from the Project Area; and would introduce new sensitive receptors in the vicinity of heavily trafficked roadways, the Metropolitan Transit Authority (MTA)'s elevated Metro North Railroad. Building attenuation measures required to provide acceptable interior noise levels for the Rezoning Area and projected and potential development sites will also be examined and discussed in the EIS, as described in the Draft Scope of Work.

PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. The *CEQR Technical Manual* indicates that for most projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As none of the relevant analyses have yet been completed, the potential for an impact in these analysis areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials or noise, then an assessment of public health will be provided in the EIS, as described in the Draft Scope of Work.

NEIGHBORHOOD CHARACTER

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

Under CEQR, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Actions are expected to affect one or more of the constituent elements of the Project Area's neighborhood character,

including land use patterns, urban design, historic and cultural resources, and levels of traffic and noise. Therefore, an analysis of the Proposed Actions' effects on neighborhood character will be provided in the EIS, as described in the Draft Scope of Work.

CONSTRUCTION

Construction impacts, although temporary, can include the disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns and air quality conditions. In addition, because soils are disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

Under CEQR, multi-sited projects with overall construction periods lasting longer than two years and which are near sensitive receptors should undergo a preliminary assessment. Therefore, this will be undertaken in the EIS, following the guidelines in the *CEQR Technical Manual*. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. If the preliminary assessments indicate the potential for a significant impact during construction, a detailed construction impact analysis will be undertaken and reported in the EIS in accordance with guidelines contained in the *CEQR Technical Manual* as described in the Draft Scope of Work. ✷