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

FOR UNLISTED ACTIONS ONLY • *Please fill out and submit to the appropriate agency* (see instructions)

Part I: GENERAL INFORMATION

1. *Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)?* ☐ YES ☒ NO

If "yes," **STOP** and **complete the FULL EAS FORM**.

2. *Project Name* 1968 Second Avenue Rezoning

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency) 15DCP179M	BSA REFERENCE NUMBER (if applicable)
ULURP REFERENCE NUMBER (if applicable) 160194ZMM	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY NYC City Planning Commission			NAME OF APPLICANT 1968 2nd Avenue Realty LLC		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin, Director, EARD			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Hiram A. Rothkrug, EPDSCO		
ADDRESS 12o Broadway, 31st floor			ADDRESS 55 Water Mill Road		
CITY New York	STATE NY	ZIP 10271	CITY Great Neck	STATE NY	ZIP 11021
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 718-343-0026	EMAIL hrothkrug@epdsco.com	

5. *Project Description*

The Applicant, 1968 2nd Avenue Realty LLC, is seeking a zoning map amendment to expand an existing C1-5 commercial overlay district in order to legalize 7,069 gsf of commercial space (5,046 gsf of supermarket space and 2,023 gsf of office space). The affected area is in the East Harlem neighborhood of Manhattan, in Community District 11.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 11	STREET ADDRESS 1968 Second Avenue
TAX BLOCK(S) AND LOT(S) Block 1673 Lot 1		ZIP CODE 10029
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS northeast corner of Second Avenue and 101st Street		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY R8A/C1-5 and R7A		ZONING SECTIONAL MAP NUMBER 6b

6. *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:	

☐ 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 ☐ FUNDING OF CONSTRUCTION, specify:

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

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

7. *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.): 10,740
Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 10,740
Other, describe (sq. ft.):

8. *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): N/A
(Existing building to remain and be reduced from 30,490 gsf to 29,990 gsf
NUMBER OF BUILDINGS: 1
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 29,990
HEIGHT OF EACH BUILDING (ft.): 34' 6"
NUMBER OF STORIES OF EACH BUILDING: 2

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: 2,522
The total square feet not owned or controlled by the applicant: 3,028

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 permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	N/A	29,990	N/A	N/A
Type (*e.g.,* retail, office, school)	units	Supermarket and office		

Does the proposed project increase the population of residents and/or on-site workers? ☐ YES ☒ NO
If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS:
Provide a brief explanation of how these numbers were determined:

Does the proposed project create new open space? ☐ YES ☒ NO If "yes," specify size of project-created open space: sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? ☒ YES ☐ NO
If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly: Absent the proposed action, the existing commercial building would be repurposed and retenanted, with an as-of-right community facility use.

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2017
ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 12
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

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

☒ RESIDENTIAL	☐ MANUFACTURING	☒ COMMERCIAL	☐ PARK/FOREST/OPEN SPACE	☐ OTHER, specify:

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 Short 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.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of 200 or more residential units?	☐	☒
○ Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
○ Directly displace more than 500 residents?	☐	☒
○ Directly displace more than 100 employees?	☐	☒
○ Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
○ **Child Care Centers:** 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)	☐	☒
○ **Libraries:** 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)	☐	☒
○ **Public Schools:** 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)	☐	☒
○ **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed 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?	☐	☒
○ If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
○ If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒

	YES	NO
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?	☐	☒
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.		
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?	☐	☒
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?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ 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?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☐	☒
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify:	☐	☐
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 the amounts listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the proposed 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?	☐	☐

	YES	NO
(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 generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
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): 17,006		
○ 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?	☐	☒
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): 6,486,837,000		
(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 screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
○ 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.*	☐	☐
○ 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 trips per station or line?	☐	☐
○ 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?	☐	☒
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☐
(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?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(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) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☐
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?	☐	☒
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;	☐	☒

	YES	NO
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.		
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.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
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?	☐	☒
(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.		

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	DATE
Hiram A. Rothkrug	May 6, 2016

SIGNATURE

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).

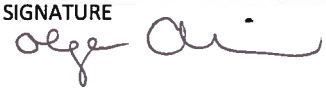
☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. 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, Environmental Assessment and Review Division	The New York City Department of City Planning (DCP)
NAME	**DATE**
Olga Abinader	May 6, 2016

SIGNATURE



Area Map

1968 Second Avenue Rezoning

Project Information

- 600' Buffer
- Development Site
- Project Area

Existing Zoning Districts

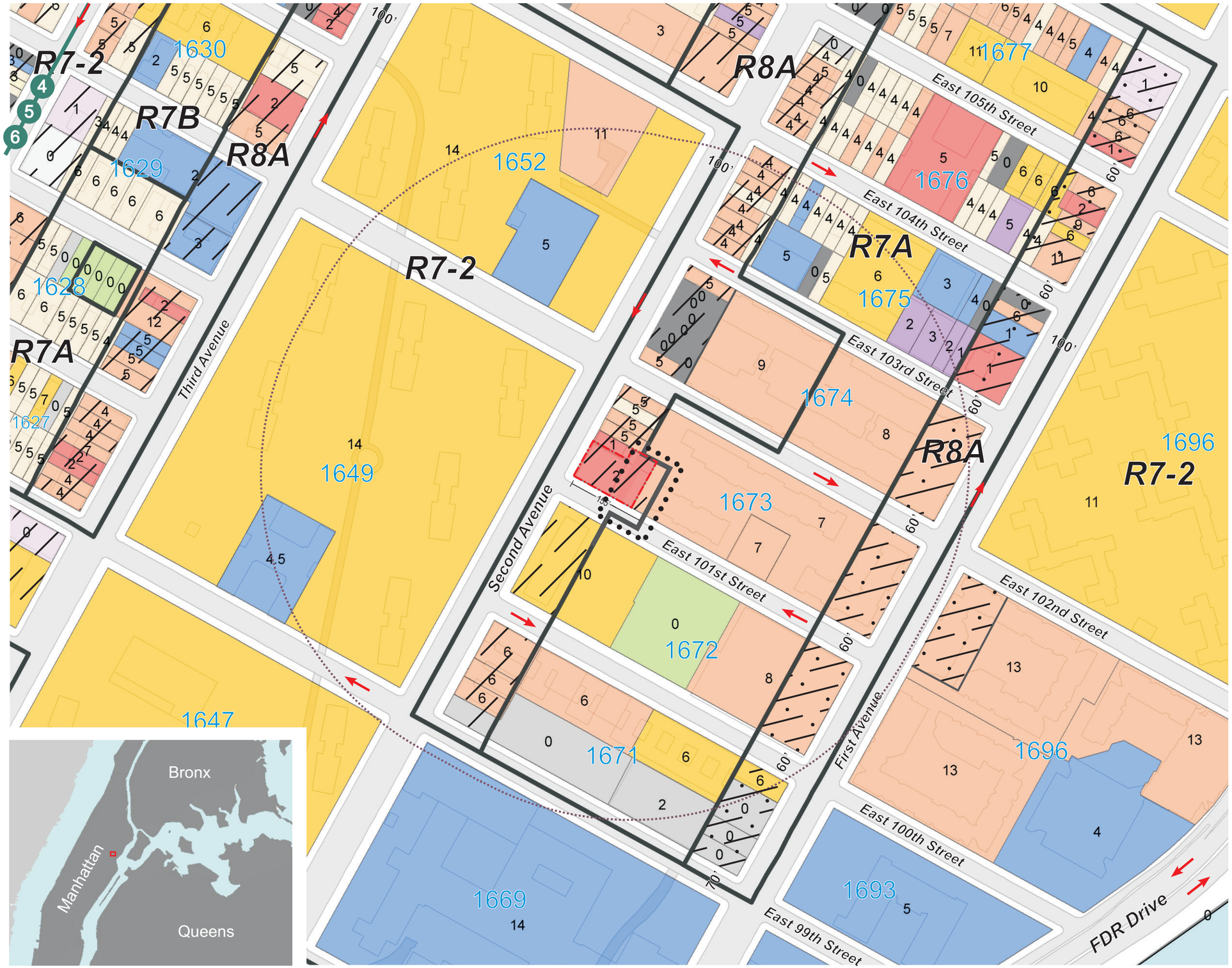
Existing Commercial Overlays

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

- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors

Land Uses

- One & Two Family Residential Buildings
- Multi-Family Residential Buildings
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

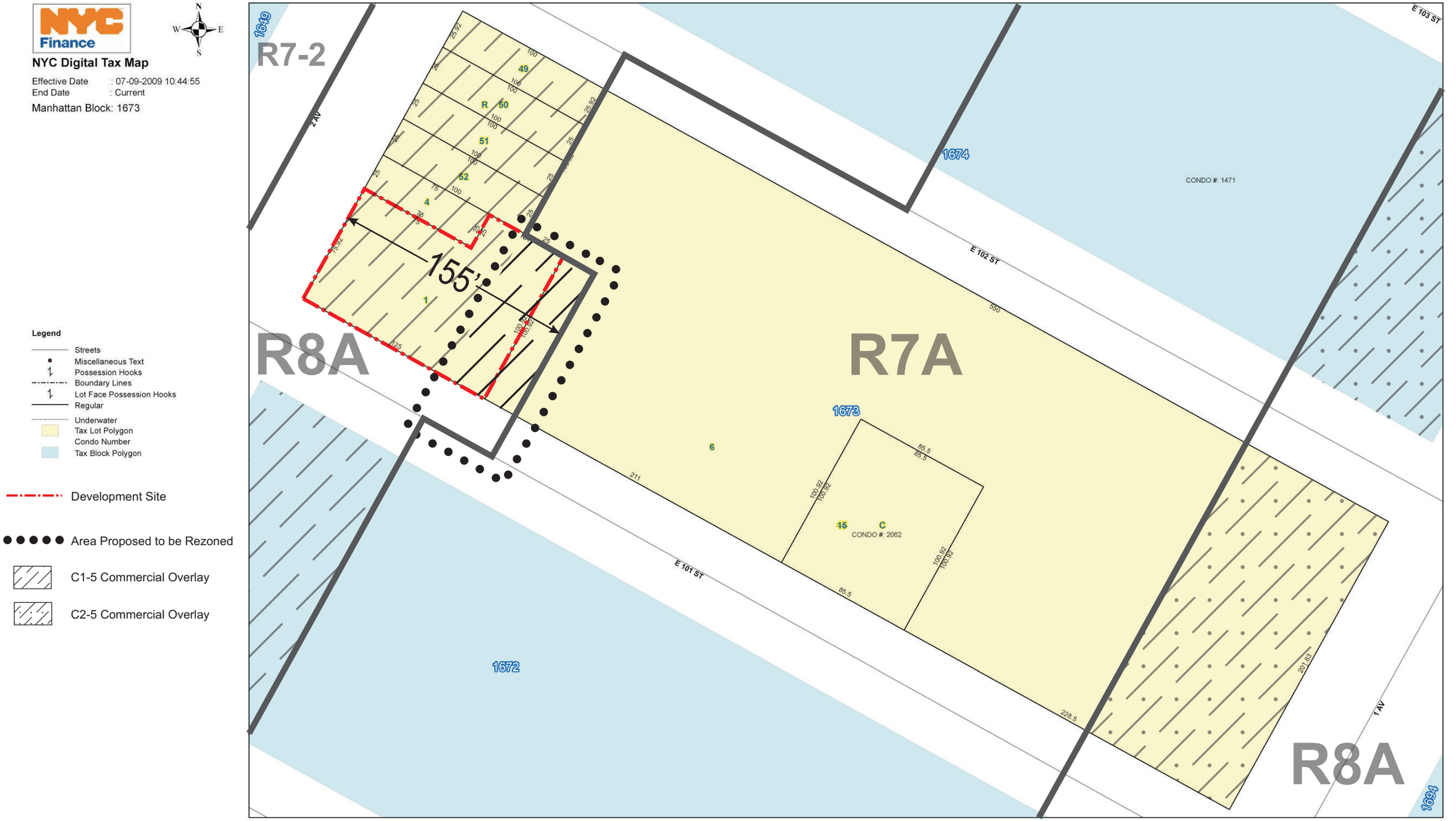


North

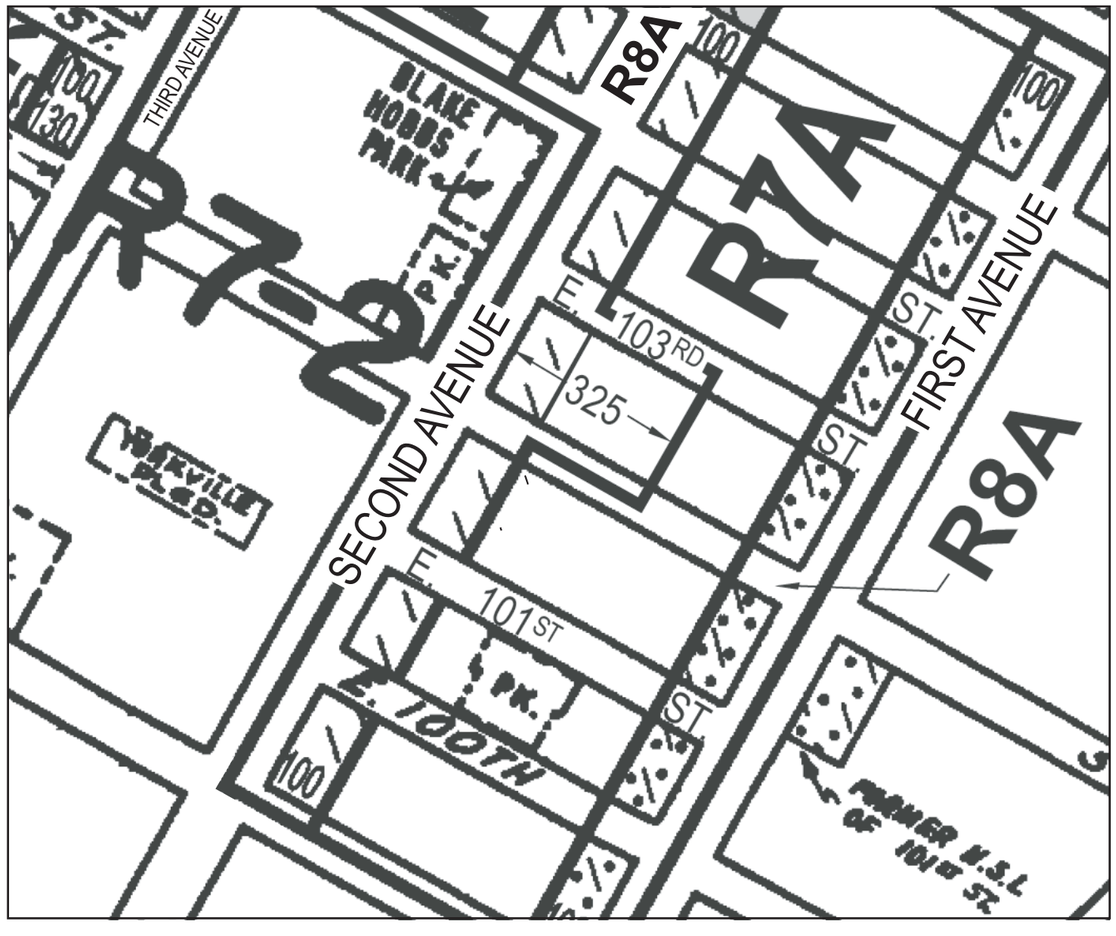
0 200 400 600 Feet

Prepared by Urban Cartographics November 2013

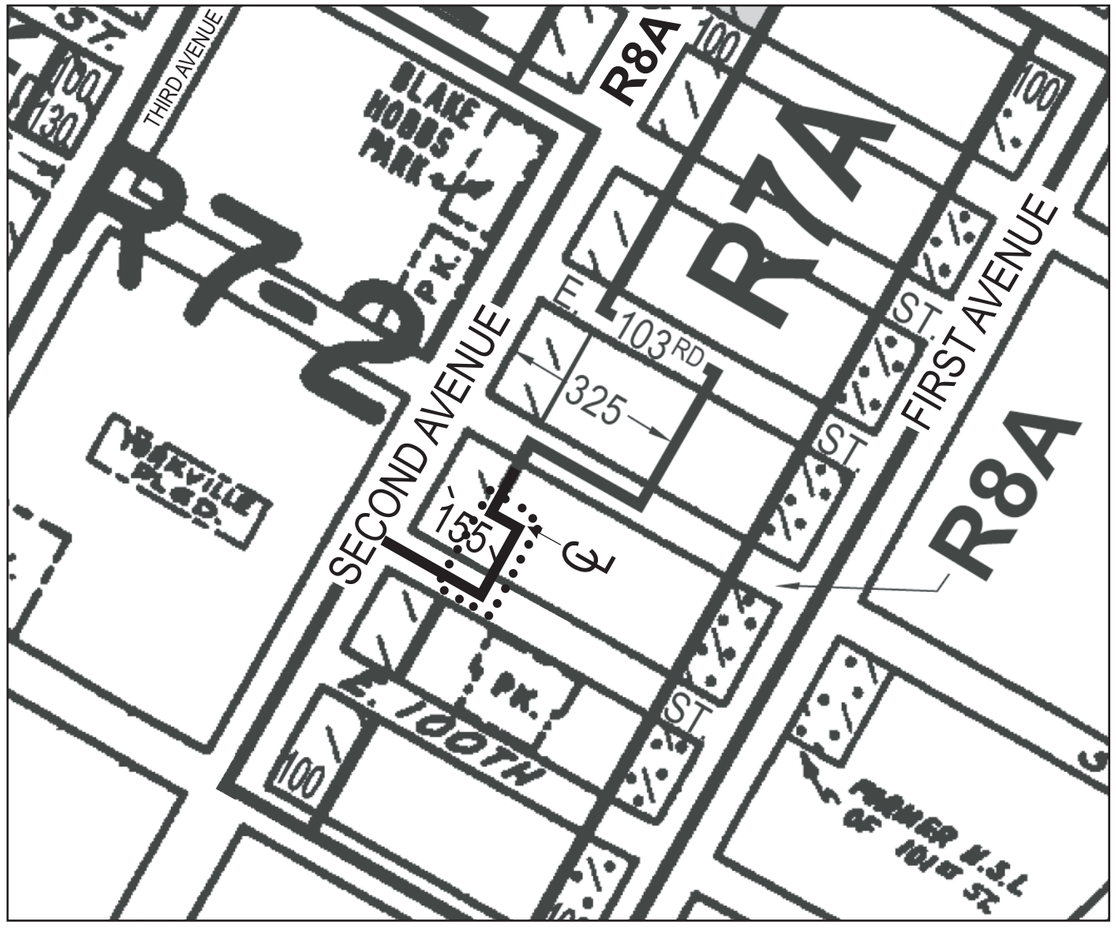
1968 Second Avenue Rezoning



Zoning Change Map

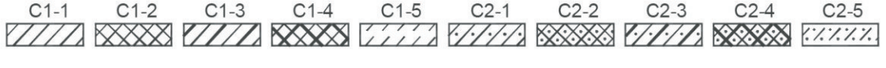


Current Zoning Map (Map 6b)



Proposed Zoning Map (Map 6b)

Rezoning from R7A to R7A/C1-5 zoning districts.





1. View of the east side of Second Avenue between East 102nd Street and East 103rd Street.



2. View of Second Avenue facing north from East 102nd Street.



3. View of the west side of Second Avenue between East 102nd Street and East 103rd Street.





4. View of East 102nd Street facing east from Second Avenue.



5. View of the north side of East 102nd Street between First Avenue and Second Avenue.



6. View of the south side of East 102nd Street between First Avenue and Second Avenue.





7. View of Second Avenue facing south from East 102nd Street.



8. View of the east side of Second Avenue between East 102nd Street and East 101st Street.



9. View of the east side of Second Avenue between East 102nd Street and East 101st Street.





10. View of the northeast corner of Second Avenue and East 101st Street.



11. View of the north side of East 101st Street between First Avenue and Second Avenue.



12. View of East 101st Street facing east from Second Avenue.





13. View of the south side of East 101st Street between First Avenue and Second Avenue.



14. View of the north side of East 101st Street between First Avenue and Second Avenue.



15. View of the north side of East 101st Street between First Avenue and Second Avenue.





16. View of the west side of Second Avenue between East 100th Street and East 101st Street.

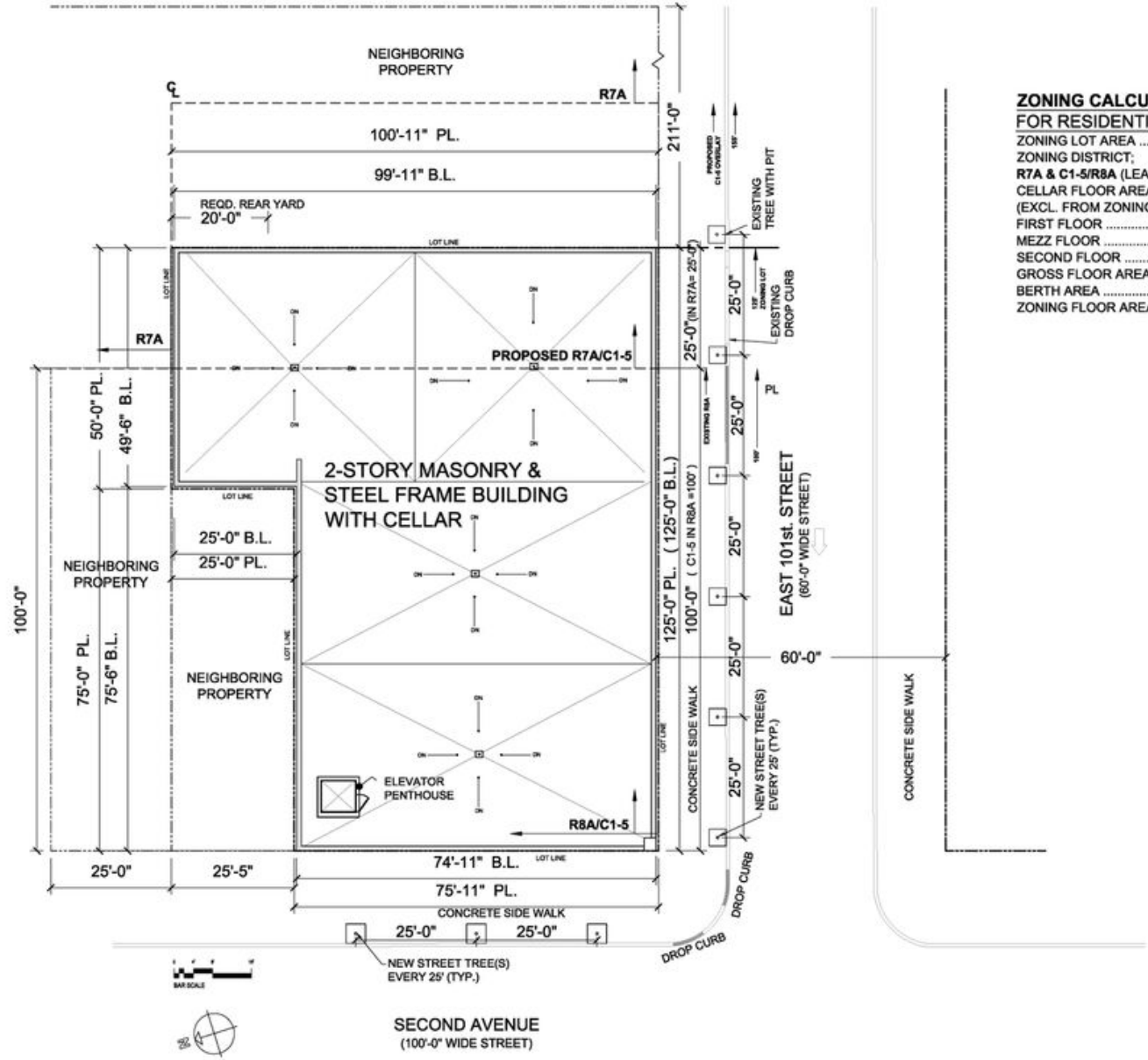


17. View of the west side of Second Avenue at East 101st Street.



18. View of the west side of Second Avenue between East 101st Street and East 102nd Street.





ZONING CALCULATIONS;
FOR RESIDENTIAL IN COMMERCIAL IN **C1-5/R8A & R7A**

ZONING LOT AREA	= **10,740.00** S.F.
ZONING DISTRICT;	
R7A & C1-5/R8A (LEASE SPACE)	
CELLAR FLOOR AREA:	= 8,697.25 S.F.
(EXCL. FROM ZONING FLR AREA)	
FIRST FLOOR	= 10,601.25 S.F.
MEZZ FLOOR	= 590.00 S.F.
SECOND FLOOR	= 10,101.25 S.F.
GROSS FLOOR AREA	= **21,292.50** S.F. ...(I)
BERTH AREA	= - 744.00 S.F.
ZONING FLOOR AREA	= **20,548.50** S.F. ...(II)

SITE PLAN
NO SCALE

CONCRETE SIDE WALK

swa architecture
11 PARK PLACE SUITE 817
NEW YORK, NY 10007
PHONE: 212-652-7366

190 EAST MAIN STREET
HUNTINGTON, NY 11743
PHONE: 631-424-8480 FAX: 631-547-4183

PROJECT

EXISTING 2 STORY RENOVATION

1968 2ND AVENUE
NEW YORK, NY.

MEP ENGINEER
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

STRUCTURAL ENGINEER
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

SPECIAL INSPECTOR
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

REVISIONS:

DOB B-SCAN

DRAWING TITLE / INFORMATION:

SITE PLAN

SEAL & SIGNATURE:

REGISTERED ARCHITECT STATE OF NEW YORK

DATE: 7/23/15

DWG No.:

A-001.00

SHEET 01 OF 06

ZONING COMPARISON TABLE

	Permitted/Required				
	Existing R7A		Proposed R7A/C1-5		
	ZR Section(s)	R7A	ZR Section(s)	R7A	C1-5
USE GROUPS	22-10	1,2,3,4	22-10 and 32-10	1,2,3,4,5,6	1,2,3,4,5,6
FAR Residential FAR Community Facility FAR Commercial/Manufacturing FAR	23-145 24-11	4.00 4.00 n/a	23-145 24-11 33-121	4.00 4.00	2.00
YARDS Front Yard Side Yard Rear Yard	23-633 23-462(c) 23-471	NONE NONE 30'	23-633 23-462(c) 33-261 AND 23-471	NONE NONE 30'	NONE NONE 20'
HEIGHT AND SETBACKS Maximum Height of Front Wall Maximum Building Height Setbacks from Narrow Streets Setbacks from Wide Streets	 23-633 23-633 23-633 23-633	 65' 80' 15' 10'	 23-633 AND 35-24 23-633 23-633 23-633	 65' 80' 15' 10'	 65' 80' - -
OPEN SPACE	n/a	n/a	n/a	n/a	n/a
LOT COVERAGE	23-145	80%	23-145	80%	100%
DENSITY	23-22	680	23-22	680	n/a
PARKING Residential Community Facility Commercial	25-23 25-31	50% of dwelling units varies with use n/a	25-23 25-21 36-21	50% of dwelling units varies with use	NONE
LOADING	n/a	n/a	36-62	n/a	NONE (up to 25,000sf)

PROJECT INFORMATION

ADDRESS: 1968 2nd Avenue Manhattan NY 10029
BLOCK: 1673
LOT: 1
ZONING DISTRICTS: C1-5 In R8A / R7A
ZONING MAP: 6b
COMMUNITY BOARD: 111
LOT AREA: IN C1-5/R8A & R7A = 10,740 S.F.

ZONING INFORMATION

APPLICABLE SECTIONS	ITEMS	REQUIRED/PERMITTED	PROPOSED	COMPLIANCE
ZR 32-10	USES PERMITTED AS-OF-RIGHT	1-6	6a AND 6b PROPOSED	COMPLIES
ZR 33-03	"STREET TREE PLANTING IN COMMERCIAL DISTRICTS"	1 PER 25' OF FRONTAGE	STREET TREES REQUIRED TO LEGALIZE THIS USE	COMPLIES
ZR 35-24	MODIFICATION OF FRONT YARD REQUIREMENTS	NONE REQUIRED	NONE PROVIDED	COMPLIES
ZR 33-25	MODIFICATION OF SIDE YARD REQUIREMENTS	NONE REQUIRED IF PROVIDED MIN 8'-0"	NONE PROVIDED	COMPLIES
ZR 33-281	REAR YARD (BEYOND ONE HUNDRED FEET OF A STREET LINE)	REQUIRED 20'-0"	PROVIDED 20'-0"	COMPLIES
ZR 33-121	FLOOR AREA REGULATIONS	COMMERCIAL FAR ..... = 2.00 1st FLOOR AREA 10,740 X 2 = 21,480.00 S.F.	COMMERCIAL FAR 20,548 / 10,740 = 1.91 < 2.00 FLOOR AREA = 20,548.60 < 21,480.00 S.F.	COMPLIES
ZR 35-24	FRONT SETBACKS IN DISTRICTS WHERE FRONT YARDS ARE NOT REQUIRED	REQD.MAXIMUM HEIGHT ABOVE STREET LINE = 85'-0"	ACTUAL HEIGHT ABOVE STREET LINE = 31'-0"	COMPLIES
ZR 35-24	A RATIO OF VERTICAL DISTANCE TO HORIZONTAL DISTANCE	REQUIRED ON NARROW STREET = 2.7:1 REQUIRED ON WIDE STREET = 5.6:1	ACTUAL = NONE ACTUAL = NONE	COMPLIES
ZR 38-683	RESTRICTIONS ON LOCATION OF BERTHS NEAR RESIDENCE DISTRICTS	REQD. MIN. DISTANCE, NO ENTRANCE TO OR EXIT FROM THE BERTHS ONTO THE #STREET# SHALL BE LESS THAN 30 FEET FROM THE DISTRICT BOUNDARY	PROVIDED DISTANCE FROM DISTRICT BOUNDARY R7A = 30'-0"	COMPLIES
ZR 77-11	CONDITIONS FOR APPLICATION OF USE REGULATIONS TO ENTIRE ZONING LOT	WHENEVER A #ZONING LOT# EXISTING ON DECEMBER 15, 1961, OR ON ANY APPLICABLE SUBSEQUENT AMENDMENT THERETO, IS DIVIDED BY A BOUNDARY BETWEEN DISTRICTS IN WHICH DIFFERENT #USES# ARE PERMITTED, THE #USE# REGULATIONS APPLICABLE TO THE DISTRICT IN WHICH MORE THAN 50 PERCENT OF THE #LOT AREA# OF THE #ZONING LOT# IS LOCATED MAY APPLY TO THE ENTIRE #ZONING LOT#, PROVIDED THAT THE GREATEST DISTANCE FROM THE MAPPED DISTRICT BOUNDARY TO ANY #LOT LINE# OF SUCH #ZONING LOT# IN THE DISTRICT IN WHICH LESS THAN 50 PERCENT OF ITS AREA IS LOCATED DOES NOT EXCEED 25 FEET. SUCH DISTANCE SHALL BE MEASURED PERPENDICULAR TO THE MAPPED DISTRICT BOUNDARY.	C1-5/R8A APPLICABLE TO THE ENTIRE LOT	COMPLIES

swa architecture

11 PARK PLACE SUITE 817
NEW YORK, NY 10007
PHONE: 212-620-7388

190 EAST MAIN STREET
HUNTINGTON, NY 11743
PHONE: 631-424-9468 FAX: 631-547-4163

EXISTING 2 STORY RENOVATION

1968 2ND AVENUE
NEW YORK, NY.

MEP ENGINEER:
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

STRUCTURAL ENGINEER:
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

SPECIAL INSPECTOR:
NAME:
ADDRESS:
CITY:
STATE:
ZIP:
TEL:
E-MAIL:

REVISIONS:

ZONING CALCULATIONS

REGISTERED ARCHITECT STEVE WONG 018174 STATE OF NEW YORK

DATE: 7/23/15

Z-001.00

SHEET 08 OF 08

PROPOSED 1968 SECOND AVENUE REZONING

PROJECT DESCRIPTION

INTRODUCTION

The Applicant, 1968 2nd Avenue Realty LLC, is seeking a zoning map amendment to expand an existing C1-5 commercial overlay district in order to legalize 7,069 gsf of commercial space (5,046 gsf of supermarket space and 2,023 gsf of office space). The affected area is in the East Harlem neighborhood of Manhattan, in Community District 11.

PROPOSED ACTION

The Applicant, 1968 2nd Avenue Realty LLC, is proposing an amendment to zoning sectional map 6b to expand an existing C1-5 commercial overlay district, now mapped within an R8A residential district extending to a depth of 100 feet from the avenue frontage, onto property currently zoned R7A. The proposed rezoning area consists of Block 1673, Lot 1 and part of Lot 6, located to the east of Second Avenue in Manhattan Community District 11 (East Harlem). The proposal involves moving the existing boundary, between East 101st Street and the centerline of the block between East 101st Street and East 102nd Street, from a line parallel to and 100 feet east of Second Avenue to a line parallel to and 155 feet east of Second Avenue. The existing overlay is mapped within an R8A district, which extends to a depth of 100 feet from the Second Avenue frontage. The proposed extension would cover part of the adjacent R7A district that covers the midblock between First and Second Avenues, creating an R7A/C1-5 district.

The proposed zoning map amendment would rezone a portion of Block 1673, Lots 1 and 6.[1]

The proposed rezoning area is rectangular in shape and measures 100.92 feet by 55 feet. It extends 100.92 feet north to south, from the centerline of the block between East 101st and East 102nd Streets to East 101st Street, and 55 feet east to west, from a line parallel to and 155 feet from Second Avenue to a line parallel to and 100 feet from Second Avenue. It contains 5,550 square feet, of which 2,523 sf is in Lot 1 and 3,027 sf is in Lot 6.

ZONING COMPARISON

Without a commercial overlay, an R7A residential district permits only residential and community facility uses listed in Use Groups 1, 2, 3, and 4. If the R7A district is paired with a C1-5 local retail overlay district, commercial uses listed in Use Groups 5 and 6 are also permitted. The maximum permitted floor area ratio (FAR) for the permitted commercial uses is 2.00. The mapping of a C1-5 district does not change the bulk and parking regulations applicable to residential and community facility uses in an R7A district.

EXISTING CONDITIONS

Project Site

Lot 1 is L-shaped, with a western property line along Second Avenue that is approximately 75 feet long and an eastern property line that is approximately 101 feet long. The lot lines extend approximately 75 feet north along Second Avenue from the 101st Street corner, then 75 feet east,

1The zoning of Lot 1 would change from R8A/C1-5 and R7A to R8A/C1-5 and R7A/C1-5. The zoning of Lot 6 would change from R7A and R7A/C2-5 to R7A, R7A/C2-5, and R7A/C1-5.

then 25 feet north, then 50 feet east, then approximately 101 feet south, then 125 feet west along East 101st Street. The site has a lot area of 10,740 sf. The western portion of the lot, within 100 feet of Second Avenue, is in the R8A/C1-5 district and is a corner lot as defined by the Zoning Resolution; this part of the site contains 8,217 sf. The remaining 2,523 sf is in the R7A district and is an interior lot as defined by the Zoning Resolution.

A two-story building with a mezzanine and cellar occupies the entire project site, with a 10,740 sf footprint. The building is 34'-6" tall and contains 30,490 gsf (21,000 zsf), for a floor area ratio (FAR) of 1.96. It is entirely commercial, with a supermarket occupying the ground floor and mezzanine, offices used by Edwin Gould Services for Children and Families occupying the second floor, and accessory storage space occupying the cellar. The supermarket occupies 19,889 gsf (including cellar storage space), and the office space occupies 10,601 gsf. The supermarket entrance is off of Second Avenue, as is a separate entrance leading to an elevator to the second floor. A second means of access to and egress from the second floor is a stairway near the rear of the building and adjacent to the East 101st Street wall, next to which, on the ground floor, is a door onto the street for emergency exit. A fully enclosed loading dock serving the supermarket is located at the eastern end of the building along East 101st Street, adjacent to the emergency exit.

The existing building and its current use violate zoning regulations in three ways:

(1) Currently, commercial use is nonconforming in the 7,569 gsf portion of the building located in the R7A portion of the lot (that is, outside of the C1-5 commercial overlay);

(2) The supermarket's loading dock, located off of East 101st Street at the eastern edge of the building, does not comply with the ZR 36-683 requirement that it be at least 30 feet from the nearest boundary of a residential district without a commercial overlay; and

(3) The building does not comply with the rear yard requirements that apply to the interior lot portion of the project site.

Lot 6

Lot 6 occupies most of Block 1673, except for the western portion along Second Avenue (to a depth of 100 feet from Second Avenue on the northern half of the block and 125 feet from Second Avenue on the southern half of the block) and one lot fronting on the midblock of East 101st Street. It has 550 feet of frontage on East 102nd Street, 202 feet of frontage on First Avenue, and 439 feet of frontage on East 101st Street and contains approximately 99,889 sf of lot area. It is occupied in its entirety by NYCHA's Metro North Plaza development, which contains 268 residential units.

Background

This corner has been occupied by commercial use since at least 1946, when five separate tax lots comprised what is now Lot 1: two approximately 25' by 75' lots with approximately 25 feet of frontage on Second Avenue; a third approximately 25' by 75' lot with approximately 25 feet of frontage on Second Avenue and 75 feet of frontage on East 101st Street, and two approximately 25' by 100' lots with 25 feet of frontage on East 101st Street. A separate commercial building occupied each of the lots.

Until 1961 both commercial and residential uses were permitted on the project site. When the current Zoning Resolution was adopted in 1961, residential zoning was mapped on Block 1673, with a C1-5 commercial overlay extending to a depth of 100 feet from the Second Avenue frontage. Four of the five lots that comprised what is now Lot 1 were entirely within the

commercial overlay, and one 25′ by 100′ lot was entirely outside of it. The pre-existing commercial uses were conforming within the commercial overlay, and the use occupying the building outside the commercial overlay was grandfathered as a legal nonconforming use. The nonconforming commercial use could continue in operation or be replaced by other Use Group 6 uses within the same building, but the commercial space could not be enlarged or replaced by a new commercial space if the existing building was demolished or substantially damaged.

Four of the five historical lots, including the one outside the commercial overlay district, were in common ownership in 1961. This is known because all four were conveyed from one owner to a new owner in 1962, but in four separate deeds. The fifth lot was the northern 25′ by 75′ lot fronting on Second Avenue. The four lots were subsequently combined and conveyed via a single deed to a new owner (an operator of supermarkets) in 1980. This owner acquired the fifth lot in 1983.

The pre-existing buildings were demolished, and the building currently at the premises (the two-story commercial building with mezzanine and cellar described above) was built, in or around 1994. There is no record of a new building permit issued at that time.

Zoning Resolution Section 77-11 states, "Whenever a zoning lot existing on December 15, 1961, or on any applicable subsequent amendment thereto, is divided by a boundary between districts in which different uses are permitted, the use regulations applicable to the district in which more than 50 percent of the lot area of the zoning lot is located may apply to the entire zoning lot, provided that the greatest distance from the mapped district boundary to any lot line of such zoning lot in the district in which less than 50 percent of its area is located does not exceed 25 feet." The provisions of Section 77-11 were inapplicable, however, because the current Lot 1 did not exist in its current form until 1983 at the earliest.

The Applicant acquired the property in 2005 and since then has been making efforts to legalize the existing building, which has open no-compliance violations that were issued in 1997, 1999, and 2001. At one point the Applicant sought use, rear yard, and loading dock location variances from the Board of Standards and Appeals, but the variance application was withdrawn in February 2013 for unknown reasons.

THE FUTURE WITHOUT THE PROPOSED ACTION

Absent the proposed action, the existing commercial building would be repurposed and retenanted, with an as-of-right community facility use. For analysis purposes, it is assumed that the use would consist of medical offices. To bring the existing building into compliance with the Section 24-36 regulations requiring that a community facility building in a residential district have a 30-foot-deep rear yard on the interior lot portion of the project site, a 25′ by 30′ (750 sf) portion of the second floor (at the northeastern corner of the building) would be demolished. This alteration would not affect access to and from the second floor because the elevator and stairwell are adjacent to Second Avenue and East 101st Street respectively, at the western and southern edges of the building. This would reduce the building's floor area from 30,490 gsf to 29,740 gsf. Also, the existing loading dock would be removed.

A review of NYCHA's 2014 press releases, its online Current Major Capital Projects list, and its most recent City-Funded Capital Projects Quarterly Status Report revealed no mention of any proposed changes to Metro North Plaza.

THE FUTURE WITH THE PROPOSED ACTION

The proposed action would correct the first two of the zoning infractions described above. The action would end an existing nonconformance involving 7,569 gsf of commercial space (5,046 gsf of supermarket space and 2,523 gsf of office space) by bringing the use of the space into conformance with zoning. That space is within the portion of the building located more than 100 feet from Second Avenue (that is, outside of the C1-5 commercial overlay). The action would also bring the existing loading dock into compliance with zoning requirements by relocating the boundary of the commercial district 30 feet from the loading dock. Because the proposed zoning map amendment is being sought only to bring the existing uses and loading dock into conformance and compliance with zoning regulations so that they may continue in operation, the proposed action would not result in any new development at the project site or enlargement of the existing building.

If the proposed action is taken, the existing building would continue to occupy the project site, and the existing uses would continue to occupy the building. One alteration would be made to the building: to bring the existing building into compliance with rear yard regulations of Section 33-26, requiring a 20-foot-deep rear yard for a commercial building in a commercial district, which are applicable to the interior lot portion of the project site, a 25′ by 20′ (500 sf) portion of the second floor would be demolished. This would reduce the amount of office space from 10,601 to 10,101 sf and would reduce the total floor area from 30,490 gsf to 29,990 gsf.

The proposed action would not lead to any new development or other land use change on Lot 6, which is occupied in its entirety by NYCHA's Metro North Plaza development.

ANALYSIS FRAMEWORK

The environmental assessments in this EAS are based on the difference between the future no-action and with-action scenarios under the RWCDS. Although a portion would be removed from the second floor of the existing building under either scenario, the amount of floor area would differ under the two scenarios, and the remaining floor area would be occupied by different uses under the no-action and with-action scenarios. Table 1 presents the existing and assumed future no-action and with-action conditions for the project site, as well as the increments between the no-action and with-action scenarios. As the table shows, the building would contain 19,889 gsf of supermarket space and 10,101 gsf of office space if the proposed action is taken, as opposed to 29,740 gsf of medical office space if the action is not taken.

PURPOSE AND NEED

The Applicant seeks to legalize the existing building at the project site to enable the supermarket to continue operating. Currently, commercial use is nonconforming in the portion of the building located outside of the C1-5 commercial overlay; and the supermarket's loading dock, located off of East 101st Street at the eastern edge of the building, does not comply with the ZR 36-683 requirement that it be at least 30 feet from the nearest boundary of a residential district without a commercial overlay.

The supermarket is heavily used by the local residential community and is one of the only food stores with significant produce and dairy departments within the surrounding neighborhood, as the only other food stores are small delis and local grocery stores. Located in the midst of several NYCHA housing developments, it is one of the only supermarkets serving a very dense residential community. According to a 2008 study by the DCP Housing, Economic and Infrastructure Planning Division, there is a widespread shortage of supermarkets and

neighborhood grocery stores in New York City. The study identified East Harlem as a neighborhood particularly in need of fresh food purveyors, based on both the limited lack of available fresh foods to socioeconomic concerns such as increased cost for groceries and unavailability of meat and produce, and health concerns such as obesity and diabetes.

REQUIRED APPROVALS

The proposed project would require an amendment to zoning sectional map 6b, to extend an existing C1-5 commercial overlay eastward over part of an existing R7A district. The action would be subject to the Uniform Land Use Review Procedure (ULURP).

Table 1
Existing, No-Action, and With-Action Conditions and Action-Induced Increment

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	NO	NO	NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units				
No. of low- to moderate-income units				
Gross floor area (sq. ft.)				
Commercial	YES	NO	YES	
If "yes," specify the following:				
Describe type (retail, office, other)	Supermarket (19,889 sf) and office (10,601 sf)		Supermarket (19,889 sf) and office (10,101 sf)	
Gross floor area (sq. ft.)	30,490		29,990	+29,990
Manufacturing/Industrial	NO	NO	NO	
If "yes," specify the following:				
Type of use				
Gross floor area (sq. ft.)				
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	NO	YES	NO	
If "yes," specify the following:				
Type		Medical offices		
Gross floor area (sq. ft.)		29,740		-29,740
Vacant Land	NO	NO	NO	
If "yes," describe:				
Other Land Uses	NO	NO	NO	
If "yes," describe:				
PARKING				
Garages	NO	NO	NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				
Lots	NO	NO	NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces				

BUILD YEAR

Considering the time required for the environmental review and land use approval process, and assuming a construction period of approximately 12 months, it is estimated that the project would be completed in 2017. This is the assumed "build year," which is used throughout this EAS for all future conditions, and which is the analysis year for the purpose of all assessments.

ENVIRONMENTAL ASSESSMENT

INTRODUCTION

Based on the criteria in Part II of the Environmental Assessment Statement Full Form, the following technical areas require further analysis: land use, zoning, and public policy; transportation; and noise. The analyses, which follow the guidance in the *CEQR Technical Manual*, are presented below. The heading numbers correlate with the relevant chapters of the *CEQR Technical Manual*.

4. LAND USE, ZONING, AND PUBLIC POLICY

Introduction

A land use analysis characterizes the uses and development trends in the area that may be affected by an action and determines whether a proposed project is compatible with those conditions or whether it may adversely affect them. The analysis also considers the proposed project's compliance with, and effect on, the area's zoning and other applicable public policies.

According to the *CEQR Technical Manual*, a preliminary assessment that includes a basic description of existing and future land uses, as well as basic zoning information, is provided for most projects, regardless of their anticipated effects. Regarding public policy, the *CEQR Technical Manual* states, "Large, publicly-sponsored projects are assessed for their consistency with PlaNYC, the City's sustainability plan." An assessment of an action's consistency with the Waterfront Revitalization Program is required if an action would occur within the designated Coastal Zone. Public policy assessments are also appropriate if an action would occur within an area covered by an Urban Renewal Plan or a 197-A Plan.

Study Area

According to the *CEQR Technical Manual,* the appropriate study area for land use, zoning, and public policy is related to the type and size of the proposed project, as well as the location and context of the area that could be affected by the project. Study area radii vary according to these factors, with suggested study areas ranging from 400 feet for a small project to 0.5 miles for a very large project.

Because of the modest size of the proposed project, the land use and zoning assessment for the proposed action considers a study area extending 400 feet around the proposed rezoning area. The study area boundaries extend to East 103rd Street to the north, partway to First Avenue to the east, to the south side of East 100th Street to the south, and to the midblock between Second and Third Avenues to the west.

Need for a Preliminary Assessment

A land use and zoning assessment is appropriate for the proposed action, which is a zoning map amendment.

The proposed project is neither large nor publicly sponsored. No portion of the proposed rezoning area is within the Coastal Zone, an urban renewal area, or an area covered by a 197-a Plan. The preliminary assessment therefore does not include a public policy assessment.

Land Use

<u>Existing Conditions</u>

The project site (Manhattan Block 1673, Lot 1) is located at the northeast corner of Second Avenue and 101st Street. A two-story building with a mezzanine and cellar occupies the entire

10,740 sf site. The building is 34'-6" tall and contains 30,490 gsf (21,000 zsf). It is entirely commercial, with a supermarket occupying the ground floor and mezzanine, offices used by Edwin Gould Services for Children and Families occupying the second floor, and accessory storage space occupying the cellar. The supermarket occupies 19,889 gsf (including cellar storage space), and the office space occupies 10,601 gsf. A fully enclosed loading dock for the supermarket is located at the eastern end of the building along East 101st Street. The supermarket entrance is off of Second Avenue, as is a separate entrance leading to an elevator to the second floor. A second means of access to and egress from the second floor is a stairway near the rear of the building and adjacent to the East 101st Street wall, next to which, on the ground floor, is a door onto the street for emergency exit.

Lot 6, the other property that would be partially rezoned, occupies most of Block 1673, except for the western portion along Second Avenue (to a depth of 100 feet from Second Avenue on the northern half of the block and 125 feet from Second Avenue on the southern half of the block) and one lot fronting on the midblock of East 101st Street. The 99,889 sf lot is occupied in its entirety by NYCHA's Metro North Plaza development, which contains 268 residential units in three seven-story buildings fronting on East 101st Street, First Avenue, and East 102nd Street. The building fronting on First Avenue also contains ground floor commercial space.

Elsewhere on Block 1673, a one-story commercial building, two five-story buildings with residential apartments above ground floor stores, and a five-story residential building occupy the remainder of the Second Avenue frontage. A seven-story building with residential apartments above a ground floor commercial space is located along the midblock of East 101st Street.

On the block to the immediate south of the proposed rezoning area (Block 1672, bounded by East 101st Street, First Avenue, East 100th Street, and Second Avenue), a ten-story residential apartment building occupies the entire Second Avenue frontage. An eight-story building with residential apartments above ground floor stores occupies the eastern portion of the block, and a park, Harlem RBI, is located between the two buildings on the block.

Six-story apartment buildings, some with ground floor stores, occupy the south side of East 100th Street between First and Second Avenues (on Block 1671).

To the north, a small park, a vacant lot, and five buildings, ranging from five to nine stories, with residential apartments above ground floor commercial space occupy Block 1674, bounded by East 102nd Street, First Avenue, East 103rd Street, and Second Avenue.

NYCHA's Washington House development, along with a public school on East 102nd Street, occupy the portion of the study area west of Second Avenue (on Blocks 1649 and 1652, bounded by Second Avenue, East 104th Street, Third Avenue, and East 99th Street). The NYCHA complex consists of 14-story residential buildings and playgrounds along the Second Avenue frontage north of East 102nd Street.

Future Conditions without the Proposed Action

Absent the proposed action, the existing commercial building would be repurposed and retenanted, with an as-of-right community facility use. To bring the existing building into compliance with rear yard regulations applicable to the interior lot portion of the project site, a 25' by 30' (750 sf) portion of the second floor (at the northeastern corner of the building) would be demolished. This would reduce the building's floor area from 30,490 gsf to 29,740 gsf. This alteration would not affect access to and from the second floor because the elevator and

stairwell are adjacent to Second Avenue and East 101st Street respectively, at the western and southern edges of the building. Also, the existing loading dock would be removed.

A review of NYCHA's 2014 press releases, its online Current Major Capital Projects list, and its most recent City-Funded Capital Projects Quarterly Status Report revealed no mention of any proposed changes to Metro North Plaza.

Elsewhere in the study area, a six-story building with residential apartments above ground floor commercial space will replace the vacant lot on the midblock of Second Avenue between East 102nd and 103rd Streets.

Future Conditions with the Proposed Action

If the proposed action is taken, the existing building would continue to occupy the project site, and the existing uses would continue to occupy the building. One alteration would be made to the building: to bring the existing building into compliance with rear yard regulations applicable to the interior lot portion of the project site, a 25' by 20' (500 sf) portion of the second floor would be demolished. This would reduce the amount of office space from 10,601 to 10,101 sf and would reduce the total floor area from 30,490 gsf to 29,990 gsf.

The proposed action would not lead to any new development or other land use change on Lot 6, which is occupied in its entirety by NYCHA's Metro North Plaza development.

The proposed action would not result in a change of land use, but rather would preserve the existing land uses that have occupied the project site for many years. Those uses, a supermarket and the offices of a service organization assisting children and families, are appropriate in a residential community where poverty levels are high and access to fresh food is generally deficient. The proposed action would therefore not have a significant adverse impact on land use.

Zoning

Existing Conditions

The project site is currently divided between an R8A/C1-5 district and an R7A district. The western portion of the lot, within 100 feet of Second Avenue, is in the R8A/C1-5 district and is a corner lot as defined by the Zoning Resolution; this part of the site contains 8,217 sf. The remaining 2,523 sf is in the R7A district and is an interior lot as defined by the Zoning Resolution.

R7A and R8A are medium density contextual residential districts that permit residential and community facility uses but that preclude manufacturing uses or, if not combined with a commercial overlay, commercial uses. The C1-5 local retail overlay permits commercial uses listed in Use Groups 5 and 6 (hotels, stores, offices, eating and drinking establishments, personal service establishments, and banks) on the part of the site on which it is mapped. The maximum permitted floor area ratio (FAR) for residential use is 4.00 under R7A and 6.02 under R8A, and the maximum permitted FAR for community facilities is 4.00 under R7A and 6.50 under R8A. Where mapped in an R8A district, the C1-5 overlay permits up to 2.00 FAR of commercial space. The maximum permitted street wall height is 65 feet under R7A and 85 feet under R8A, and the maximum permitted building height is 80 feet under R7A and 120 feet under R8A. In either district, no front or side yards are required, and no rear yard is required on a corner lot or the corner lot portion of a larger lot, but a 30-foot-deep rear yard is required for a residential or community facility building on an interior lot or the interior lot portion of a larger lot. Under the C1-5 regulations, a 20-foot-deep rear yard is required for a commercial building

on an interior lot or the interior lot portion of a larger lot. The rear yard may be located at ground level or on top of any nonresidential portion of a building rising no higher than 23 feet above curb level.

The existing building and its current use violate zoning regulations in three ways:

(1) Currently, commercial use is nonconforming in the 7,569 gsf portion of the building located in the R7A portion of the lot (that is, outside of the C1-5 commercial overlay);

(2) The supermarket's loading dock, located off of East 101st Street at the eastern edge of the building, does not comply with the ZR 36-683 requirement that it be at least 30 feet from the nearest boundary of a residential district without a commercial overlay; and

(3) The building does not comply with the rear yard requirements that apply to the interior lot portion of the project site.

Lot 6 is divided between the R7A district and an R7A/C2-5 district. C2-5 is a local commercial overlay that permits a broader range of commercial uses than C1-5.

Within the study area, the R8A/C1-5 district is located along the east side of Second Avenue, to a depth of 100 feet from the avenue frontage, and the R7A/C2-5 district is located along the west side of First Avenue, to a depth of 100 feet from the avenue frontage. Between those two districts, the R7A district covers the midblocks, except that between East 102nd and 103rd Streets the R8A district (without the C1-5 overlay) extends to a line 325 feet east of Second Avenue. The portion of the study area west of Second Avenue is zoned R7-2, a noncontextual, height factor residential zoning district permitting residential uses up to 3.44 FAR and community facility uses up to 4.80 FAR.

Future Conditions without the Proposed Action

No zoning changes are anticipated in the study area in the future without the proposed action.

If the proposed action is not taken, the Applicant would take steps to cure the three zoning violations listed above. The building would be repurposed and retenanted, with an as-of-right community facility use. The loading dock would be removed. At the north end of the interior lot portion of the site, a 25' by 30' (750 sf) portion of the second floor would be demolished.

Future Conditions with the Proposed Action

The proposed zoning map amendment would extend the existing C1-5 local retail overlay district another 55 feet eastward between East 101st Street and the midpoint between East 101st and 102nd Streets, to a line 155 feet east of Second Avenue. The R7A portion of the project site (Lot 1) and part of the R7A portion of Lot 6 would become R7A/C1-5.

The proposed action would cure two of the three zoning violations on the project site. The action would end an existing nonconformance involving 7,569 gsf of commercial space (5,046 gsf of supermarket space and 2,523 gsf of office space) by bringing the use of the space into conformance with zoning. That space is within the portion of the building located more than 100 feet from Second Avenue (that is, outside of the C1-5 commercial overlay). The action would also bring the existing loading dock into compliance with zoning requirements by relocating the boundary of the commercial district 30 feet from the loading dock. As in the future no-action scenario, to bring the existing building into compliance with rear yard regulations applicable to the interior lot portion of the project site, a 25' by 20' (500 sf) portion of the second floor would be demolished.

Conclusion

The proposed action would not cause any existing uses or structures to be nonconforming or noncomplying. Rather, it would eliminate an existing conflict between the zoning map and long established land use, removing existing nonconformity and noncompliance while allowing the existing supermarket and office tenant to remain. The proposed action would not have a significant adverse impact related to zoning.

16. TRANSPORTATION

Introduction

In order to determine the potential for the proposed mixed-use development to result in significant adverse transportation impacts, trip generation screening analyses were performed pursuant to the methodologies identified in the *CEQR Technical Manual.* Based on the proposed mixed-use development, it was determined that the proposed action would not result in significant adverse impacts as is summarized below.

The following trip generation analysis has been prepared for both the proposed action and the no-action scenarios. If the proposed action is taken, the existing building, located at 1968 2nd Avenue, Manhattan NY, would continue to occupy the project site, and the existing uses would continue to occupy the building. One alteration would be made to the building to bring the existing building into compliance with rear yard regulations applicable to the interior lot portion of the project site, a 25' by 20' (500 sf) portion of the second floor would be demolished. This would reduce the amount of office space from 10,601 to 10,101 sf and would reduce the total floor area from 30,490 gsf to 29,990 gsf. The proposed action would include 19,889 gsf of supermarket space and 10,101 gsf of commercial office space, as opposed to 29,990 gsf of community facility (professional medical office) space for the no-action scenario.

The proposed action would not lead to any new development or other land use change on Lot 6, which is occupied in its entirety by NYCHA's Metro North Plaza development.

The trip generation study is based on the difference between the future no- action and with-action scenarios under the RWCDS. Although a 500 sf portion would be removed from the second floor of the existing building under either scenario, the remaining floor area would be occupied by different uses under the no-action and with-action scenarios. The proposed building would contain 19,889 gsf of supermarket space and 10,101 gsf of commercial office space if the proposed action is taken, as opposed to 29,990 gsf of community facility (professional medical office) space if the action is not taken.

Based on standard and approved trip generation rates and modal split and temporal distribution as is detailed below and summarized in Table 16-1, the proposed action would generate 18, -33, 13, and 17 net vehicle trip ends, during the AM, Midday, PM, and Saturday Midday peak hours as summarized in Table 16-3.

The action would generate less than 50 vehicle trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

Proposed No-Action Conditions

Absent the proposed action at the existing site at 1968 2nd Avenue, in the Borough of Manhattan, will include a total of 29,990 gsf of community facility (professional medical office) space.

Proposed with-Action Conditions

The project site, located at 1968 2nd Avenue in the Borough of Manhattan, will include a total of 19,889 gsf of supermarket space and 10,101 gsf of commercial office space. Additionally, the proposed action would also bring the existing loading dock, located off of East 101 Street at the

eastern edge of the building into compliance with zoning requirements by relocating the boundary of the commercial district 30 feet from the loading dock. Because the proposed zoning map amendment is being sought only to bring the existing uses and loading dock into conformance and compliance with zoning regulations so that they may continue in operation, the proposed action would not result in any new development at the project site or enlargement of the existing building.

The proposed action would not lead to any new development or other land use change on Lot 6, which is occupied in its entirety by NYCHA's Metro North Plaza development.

Trip Generation Rates

Supermarket Space

The *CEQR Technical Manual (table 16-2)* was utilized for trip generation rates, including truck trips for retail use, and daily temporal distribution, and 2006-2010 American Community Survey (ACS) Reverse-Journey-to Work (RJTW) data for Census Tract #'s 156.02, 162, 164, 166, and 170 in Manhattan, NY, were utilized for modal split information and vehicle occupancy rates, as is summarized in Table 16-1**.**

The results found that approximately 27.5% would travel by car, 1.4% would travel by taxi, 13.9.5% would travel by bus, 38.3% would travel by subway, 12.1 % would travel by foot, and 6.8 % would travel by other mode of travel, such as bicycle.

Commercial Office

The *CEQR Technical Manual (table 16-2)* was utilized for trip generation rates, including truck trips, and daily temporal distribution, and 2006-2010 American Community Survey (ACS) Reverse-Journey-to Work (RJTW) data for Census Tract #'s 156.02, 162, 164, 166 and 170 in Manhattan, NY, were utilized for modal split information and vehicle occupancy rates, as is summarized in Table 16-1**.**

The results found that approximately 27.5% would travel by car, 1.4% would travel by taxi, 13.9.5% would travel by bus, 38.3% would travel by subway, 12.1 % would travel by foot, and 6.8 % would travel by other mode of travel, such as bicycle.

Professional Medical Office

Trip generation rates, daily temporal distribution, modal split information, vehicle occupancy rates, and truck trips were estimated, using New York City Department of Transportation (NYCDOT) recommended rates, as summarized in Table 16-1.

The results for community facility found that approximately 30% would travel by car, 2% would travel by taxi, 18% would travel by bus, 33% would travel by subway, and 17% would travel by foot. The above information is summarized in Table 16-1.

Table 16-1
Transportation Planning Factors

Land Use:	Supermarket	Office	Medical Office
	s.f.	s.f.	s.f.
Size:	19889	10101	-29,990
	(1)	**(1)**	**(3)**
Trip Generation:			
Weekday	175	18	127
Saturday	231	3.9	127
	per 1,000 s.f.	per 1,000 s.f.	per 1,000 s.f.
Linked-Trip:	0%	0%	0%
Temporal Distribution:	**(1)**	**(1)**	**(3)**
AM Peak Hour	5%	12%	4%
MD Peak Hour	6%	15%	11%
PM Peak Hour	10%	14%	10%
Saturday Peak Hour	9%	17%	11%
	(2)	**(2)**	**(3)**
Modal Split :	AM/MD/PM/Sat	AM/MD/PM/Sat	AM/MD/PM/Sat
Auto	27.5%	27.5%	30.0%
Taxi	1.4%	1.4%	2.0%
Subway	38.3%	38.3%	33.0%
Bus	13.9%	13.9%	18.0%
Walk	12.1%	12.1%	17.0%
Other	6.8%	6.8%	0.0%
Total	100%	100%	100%
Vehicle Occupancy:	**(2)**	**(2)**	**(3)**
Auto	1.1	1.1	1.5
Taxi	1.40	1.40	1.5
	(1)	**(1)**	**(1)**
Truck Trip Generation:			
Weekday	0.35	0.32	0.29
Saturday	0.04	0.01	0.29
	per 1,000 s.f.	per 1,000 s.f.	per 1,000 s.f.
	(1)	**(1)**	**(3)**
AM Peak Hour	8%	10%	3%
MD Peak Hour	11%	11%	11%
PM Peak Hour	2%	2%	1%
Sat Peak Hour	11%	11%	0%
	(1)	**(1)**	**(1)**
AM/MD/PM/Sat	50/50	50/50	50/50

Sources:

(1)-2014 CEQR Technical Manual, Table 16-2.
(2)-2006-2010 American Community Survey (ACS)-Census tract #'s 156.02, 162, 164, 166 and 170 in Manhattan N.Y.

(3) NYCDOT

Person and Vehicle Trips

Person Trips

The proposed project would generate a total of 43 net person trip ends during the AM peak hour time period, -183 net person trip ends during the Midday peak hour time period, 7 net person trip ends during the PM peak hour time period, and 1 (one) net person trip end during the Saturday Midday peak hour time period, as summarized in Table 16-2.

Vehicle Trips

The proposed project would generate a total of 18 net vehicle trip ends during the AM peak hour time period, -33 net vehicle trip ends during the Midday peak hour time period, 13 net vehicle trip ends during the PM peak hour time period, and 17 net vehicle trip ends during the Saturday Midday peak hour time period, as summarized in Table 16-3.

The proposed action would generate fewer than 50 net vehicle trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of traffic and parking impacts.

Transit and Pedestrians

Bus Trips

The proposed action would generate a total of 0 (zero) net bus trip ends during the AM peak hour time period, -43 net bus trip ends during the Midday peak hour time period, -17 net bus trip ends during the PM peak hour time period, and -17 net bus trip ends during the Saturday Midday peak hour time period, as summarized in Table 16-2.

The proposed action would generate fewer than 200 bus trip ends/and 50 bus trip ends per bus per direction during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of bus impacts.

Subway Trips

The proposed action would generate a total of 25 net subway trip ends during the AM peak hour period, -48 net subway trip ends during the Midday peak hour time period, 17 net subway trip ends during the PM peak hour time period, and 23 net subway trip ends during the Saturday Midday peak hour time period, as summarized in Table 16-2.

The proposed action would generate fewer than 200 subway trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any conditions that would typically trigger the need for a detailed assessment of subway impacts.

Pedestrian Trips

The proposed action would generate a total of 36 net pedestrian (bus, subway, walk and other) trip ends during the AM peak hour period, -118 net pedestrian trip ends during the Midday peak hour time period, 6 net pedestrian trip ends during the PM peak hour time period, and 14 net pedestrian trip ends during the Saturday Midday peak hour time period, as summarized in Table 16-2.

The proposed action would generate fewer than 200 pedestrian trip ends during each peak hour time period, and in accordance with the *CEQR Technical Manual* criteria, would not result in any

conditions that would typically trigger the need for a detailed assessment of pedestrians impacts.

Table 16-2
Estimated Person Trips

Land Use:	Supermarket	Office	Medical Office	Total Net		
	s.f.	s.f.	s.f.	Demand		
Size:	19889	10101	-29,990			
Peak hour Trips			Staff			
AM Peak Hour	174	22	-152	43		
Midday Peak Hour	209	27	-419	-183		
PM Peak Hour	348	25	-381	-7		
Saturday Peak Hour	413	7	-419	1		
Person Trips:						
AM Peak Hour						
Auto	48	6	-46	8		
Taxi	2	0	-3	0		
Subway	67	8	-50	25	Sub	25
Bus	24	3	-27	0	Bus	0
Walk	21	3	-26	-2	Peds	36
Other	12	1	0	13		
Total	174	22	-152	43		
Midday Peak Hour						
Auto	57	7	-126	-61		
Taxi	3	0	-8	-5		
Subway	80	10	-138	-48	Sub	-48
Bus	29	4	-75	-43	Bus	-43
Walk	25	3	-71	-43	Peds	-118
Other	14	2	0	16		
Total	209	27	-419	-183		
PM Peak Hour						
Auto	96	7	-114	-12		
Taxi	5	0	-8	-2		
Subway	133	10	-126	17	Sub	17
Bus	48	4	-69	-17	Bus	-17
Walk	42	3	-65	-20	Peds	6
Other	24	2	0	25		
Total	348	25	-381	-7		
Saturday Peak Hour						
Auto	114	2	-126	-10		
Taxi	6	0	-8	-2		
Subway	158	3	-138	23	Sub	23
Bus	57	1	-75	-17	Bus	-17
Walk	50	1	-71	-20	Peds	14
Other	28	0	0	29		
Total	413	7	-419	1		

Table 16-3

Estimated Vehicular Trips

Vehicular Trips				
AM Peak Hour				
Auto (Total)	44	5	-30	**18**
Taxi	2	0	-2	**0**
Taxi (Balanced)	4	0	-4	**0**
Truck	0	0	0	**0**
Truck(Balanced)	0	0	0	**0**
Total	48	5	-34	**18**
Midday Peak Hour				
Auto (Total)	52	7	-84	**-25**
Taxi	2	0	-6	**-3**
Taxi (Balanced)	4	0	-12	**-8**
Truck	1	0	-1	**0**
Truck(Balanced)	2	0	-2	**0**
Total	58	7	-98	**-33**
PM Peak Hour				
Auto (Total)	87	6	-76	**17**
Taxi	3	0	-5	**-1**
Taxi (Balanced)	6	0	-10	**-4**
Truck	0	0	0	**0**
Truck(Balanced)	0	0	0	**0**
Total	93	6	-86	13
Saturday Peak Hour				
Auto (Total)	103	2	-84	**21**
Taxi	4	0	-6	**-1**
Taxi (Balanced)	8	0	-12	**-4**
Truck	0	0	0	**0**
Truck(Balanced)	0	0	0	**0**
Total	111	2	-96	17

Conclusion

The project would not result in 200 or more transit trips or 200 or more pedestrian trips. Therefore, and in accordance with the threshold guidelines as detailed in the *CEQR Technical Manual*, the proposed action is not expected to result in significant adverse impacts related to transit or pedestrian conditions. Specifically, the proposed action is unlikely to have a significant effect on traffic flow, operating conditions, vehicular safety, transit provision, and pedestrian safety.

Exhibit 1

Modal Split Information

2006-2010 ACS 5-YEAR Reverse- Journey-to-Work (RJTW) in Manhattan NY

1968 2nd Avenue. Manhattan New York

2006-2010 ACS 5-Year,Reverse Journey-to-Work:

Census Tract	Total Workers	Car or Van Drive-Alone	Car Pool	Bus	Street Car	Subway	R.R.	Ferry	Taxi	Motor cycle	Bi cycle	Walk	Other Means	Worked @ Home	Total
156.02	**2819**	**730**	**120**	**455**	**0**	**1130**	**75**	**0**	**35**	**0**	**0**	**250**	**4**	**20**	2,819
162	**1009**	**310**	**25**	**125**	**0**	**325**	**50**	**0**	**4**	**0**	**0**	**105**	**0**	**65**	1,009
164	**1080**	**145**	**100**	**90**	**0**	**400**	**20**	**40**	**60**	**0**	**0**	**165**	**0**	**60**	1,080
166	**1505**	**360**	**40**	**165**	**20**	**620**	**65**	**0**	**10**	**0**	**0**	**175**	**20**	**30**	1,505
170	**1420**	**255**	**70**	**235**	**0**	**525**	**45**	**0**	**0**	**0**	**0**	**255**	**0**	**35**	1,420
Total	7,833	1,800	355	1,070	20	3,000	255	40	109	0	0	950	24	210	7,833
		0.230	***###***	***0.137***	***0.00***	***0.383***	***0.033***	***0.01***	***0.01***	***0.00***	***0.00***	***0.121***	***0.00***	***0.027***	***1.00***

Exhibit 2

Vehicle Occupancy Information

2006-2010 ACS 5-YEAR Reverse Journey-to-Work (RJTW) in Manhattan, NY

2006-2010 ACS-5 Year, Vehicle Occupancy Rate:

Census Tract	Total	Drove alone	Total carpool	2person	3 Person	4 Person	5 or 6 Persor	7 or more Person	Total
156	850	730	120	105	15	0	0	0	120
162	335	310	25	15	0	10	0	0	25
164	245	145	100	50	35	0	15	0	100
166	400	360	40	40	0	0	0	0	40
170	325	255	70	55	15	0	0	0	70
	2,155	1,800	355	265	65	10	15	0	355
		1,800		133	22	3	3	0	1,960
Vehicle Occupancy =				1.100					

Modal Split summary

Auto	**0.275**
Taxi	**0.014**
Bus	**0.139**
Subwa	**0.383**
Walk	**0.121**
Other	**0.068**
Total	**1.000**

18. NOISE

Introduction

The purpose of a noise assessment under CEQR is to determine whether an action would (1) raise noise levels significantly at existing or anticipated sensitive noise receptors (such as residences or schools) or (2) introduce new sensitive uses (such as residential buildings or schools) at locations subject to unacceptably high ambient noise levels.

The assessment is concerned with both mobile and stationary noise sources. Mobile sources are those that move in relation to a noise-sensitive receptor. They include automobiles, buses, trucks, aircraft, and trains. Stationary sources of noise do not move in relation to a noise-sensitive receptor. Typical stationary noise sources of concern include machinery or mechanical equipment associated with industrial and manufacturing operations; building heating, ventilating, and air conditioning (HVAC) systems; speakers for public address and concert systems; playground noise; and spectators at concerts or sporting events. An action could raise noise levels either by introducing new stationary noise sources (such as outdoor playgrounds or rooftop air conditioning compressors) or by increasing mobile source noise (generally by generating additional traffic). Similarly, an action could introduce new residences or other sensitive receptors that would be subject to noise from existing ambient noise levels.

The proposed action is a zoning map amendment to expand an existing C1-5 commercial overlay district to legalize existing commercial uses on a site that is now only partly zoned for commercial use. A two-story building with a mezzanine and cellar occupies the entire project site, which is at the northeast corner of Second Avenue and East 101st Street in Manhattan. Its use is entirely commercial, with a supermarket occupying the ground floor and mezzanine, offices used by Edwin Gould Services for Children and Families occupying the second floor, and accessory storage space occupying the cellar. A fully enclosed loading dock serving the supermarket is located at the eastern end of the building along East 101st Street. Absent the proposed action, the building would be converted to conforming community facility (medical office) use. If the proposed action is taken, the existing uses would remain.

Because the uses on the project site would differ under future with-action and no-action conditions, with different potentials for noise generation, this section provides a screening level assessment of the potential for the proposed action to cause a significant increase in stationary or mobile source noise levels. Because the proposed action would not result in additional noise sensitive receptors, no analysis of existing ambient noise levels is included.

Potential for Additional Stationary Source Noise

Under with-action conditions, fully enclosed retail and office uses would occupy the project site. Unlike such uses as outdoor playgrounds, loudspeaker systems, car washes, or stationary diesel engines, the proposed use are not substantial stationary noise sources. A truck loading dock would be present under with-action but not future no-action conditions, but the loading dock is an enclosed, interior facility located within the existing supermarket. A truck backs into the space, and goods are then unloaded from the rear of the truck, without substantial noise implications for nearby properties. The proposed action would therefore not have the potential to cause a significant adverse stationary source noise impact.

Potential for Additional Mobile Source Noise

The anticipated action-induced development is below the CEQR threshold for a traffic impact assessment. It can therefore be assumed that the additional traffic volumes would be too low to

cause a noticeable increase in noise levels, which would require a doubling of traffic volumes along an adjacent street. The proposed action would therefore not have the potential to cause a significant adverse mobile source noise impact.

Conclusion

The proposed action would cause neither a significant adverse stationary source nor mobile source noise impact. A significant adverse noise-related impact would not occur.