PARK AVENUE BROOKLYN REZONING
Executive Summary

A. INTRODUCTION

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

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

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

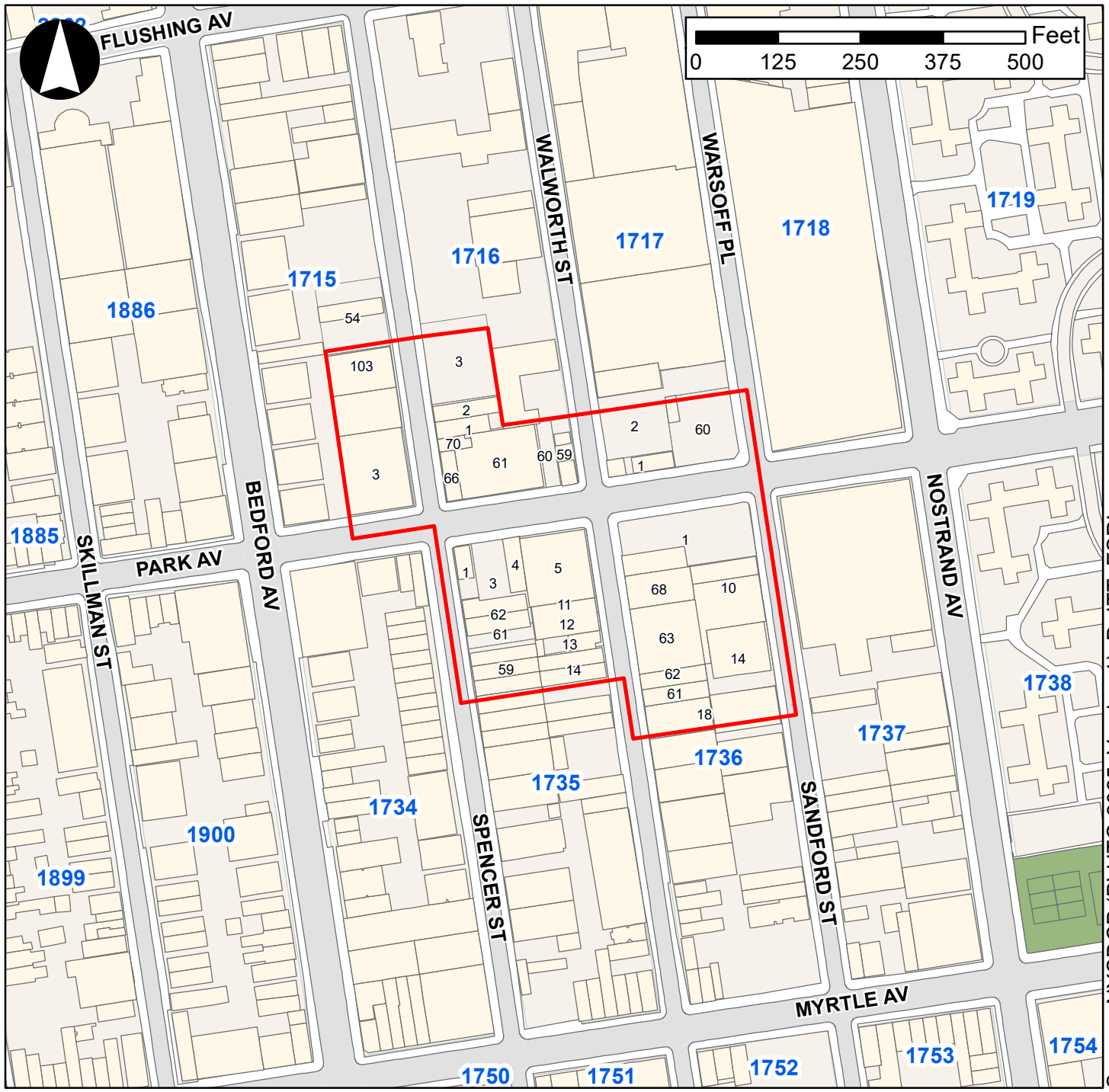
Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area. On these sites, the Applicant intends to develop 391 dwelling units (DUs), 63,429 gross-square feet (gsf) of commercial space, and 202,125 gsf of private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

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

For CEQR analysis purposes, the Applicant's nine development sites and three non-Applicant sites are considered collectively and referred to as the total RWCDS for the Proposed Actions. Overall, the total RWCDS for the Proposed Actions would result in a total of 483 DUs, including

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

Project Location



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

Legend

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



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

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

B. BACKGROUND AND EXISTING CONDITIONS

Project Area/Proposed Rezoning Area

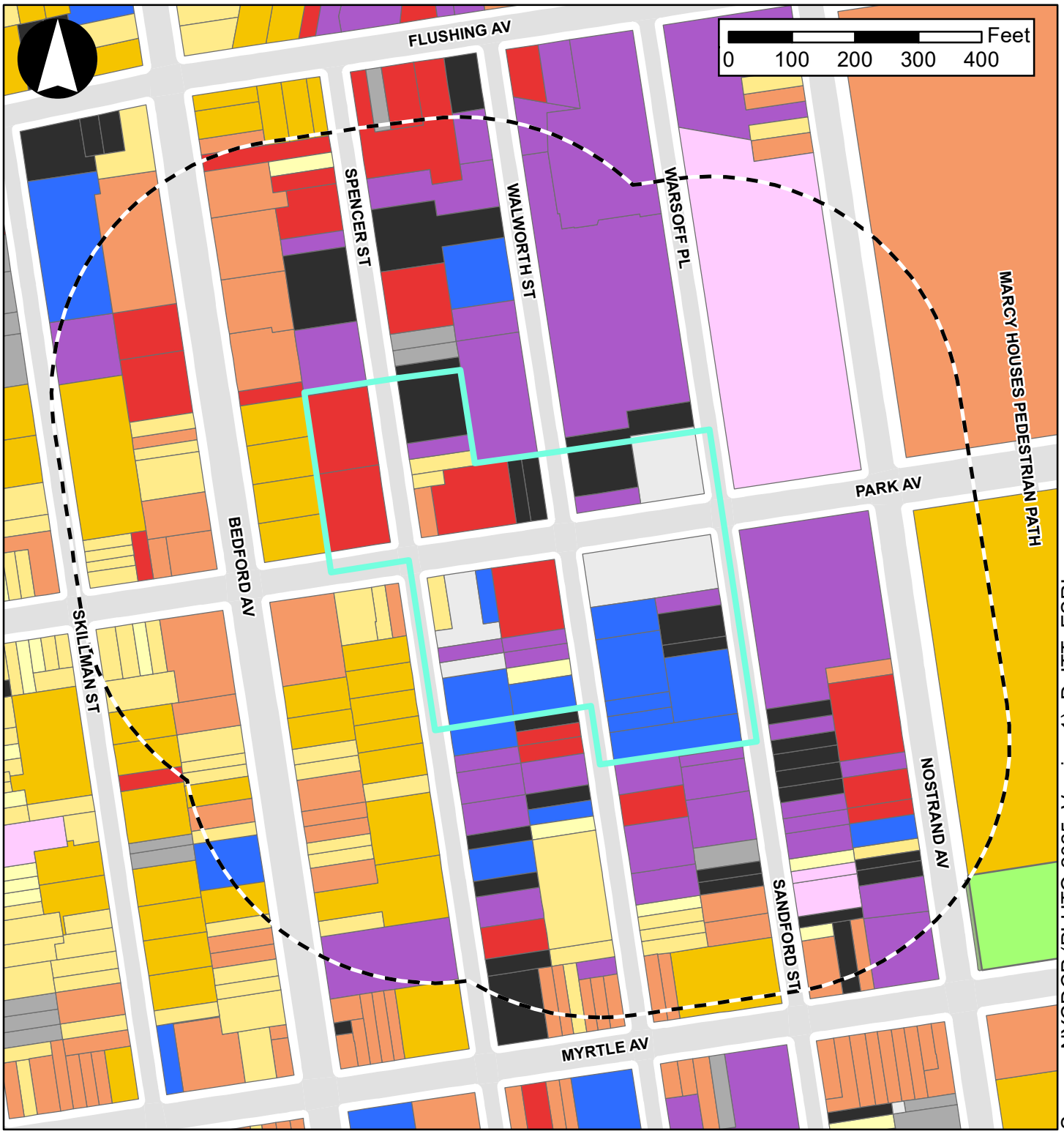
The Project Area (a.k.a. Proposed Rezoning Area) is bounded by a depth of 250 feet from Park Avenue on the eastern side of Block 1715 and the western side of Block 1716, a depth of 225 feet from Park Avenue on Block 1735, a depth of 100 feet from Park Avenue on the eastern side of Block 1716 and on Block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

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

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

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

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



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

Legend

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

Land Use

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

commercial area on the ground floor is occupied by a payroll service. On the second and third floors are four DUs. Lot 70 is a 1,100-sf lot that contains a nonconforming four-story approximately 2,772 gsf residential building that contains three DUs.

TABLE ES-1
Project Area Tax Lots

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

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

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

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

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

Zoning

North of Park Avenue, the Project Area is zoned M1-2 (refer to **Figure ES-3**). M1 districts are often buffers between M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, which must meet the stringent M1 performance standards. Specifically, the M1-2 district permits Use Group I, certain uses in Use Group III(B) (including but not limited to houses of worship and ambulatory diagnostic or treatment health care facilities), certain uses in Use Group IV (A to C) (including but not limited to public utility stations for oil or gas metering), and certain uses in Use Groups V to X. Commercial uses are permitted to a maximum FAR of 2.0, manufacturing/industrial uses are permitted to a maximum FAR of 2.0, and community facility uses are permitted to a maximum FAR of 4.8. The M1-2 zoning district permits a maximum base height of 60 feet or four stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

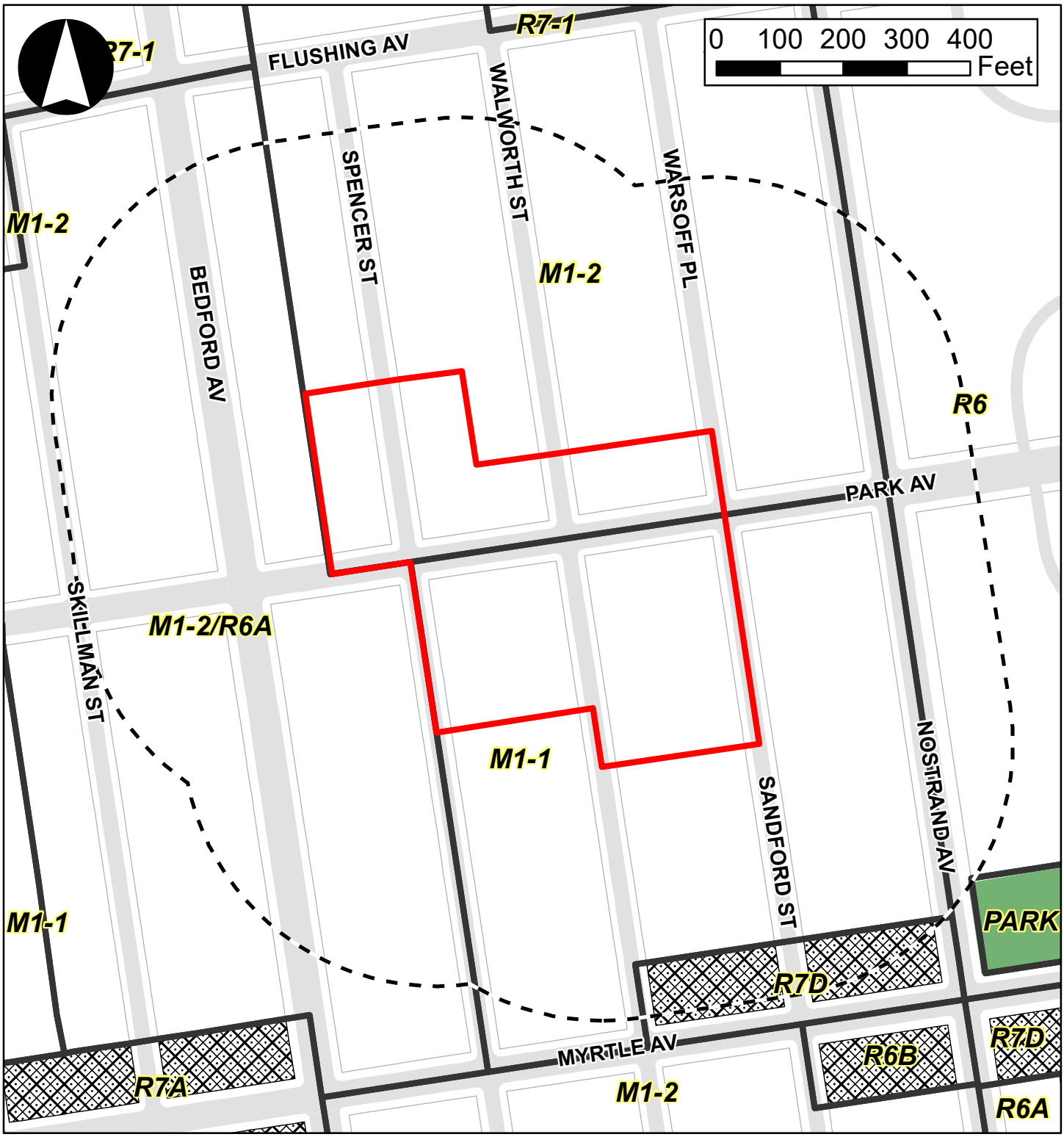
South of Park Avenue, sites within the Project Area are zoned M1-1 (refer to **Figure ES-3**). The M1-1 district permits Use Groups I, III(B)[5], IV (A to C), and V to X. Commercial uses are permitted

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

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

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

Figure ES-3
Existing Zoning



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

Legend

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

to a maximum FAR of 1.0, manufacturing/industrial uses are permitted to a maximum FAR of 1.0, and community facility uses are permitted to a maximum FAR of 2.4. The M1-1 zoning district permits a maximum base height of 30 feet or two stories, whichever is less. Above the maximum base height, maximum building height is dictated by the Sky Exposure Plane outlined in ZR 43-43. Parking and loading requirements vary by use.

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

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

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

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

Neighborhood Context

The Project Area is located in the Bedford-Stuyvesant neighborhood in Brooklyn CD 3. Land uses within a 400-foot radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, residential, and mixed residential and commercial uses, as well as utility uses and public facilities and institutions. As shown in **Figure ES-2**, the area north and south of the Project Area within a 400-foot radius of the Project Area is generally used for manufacturing and transportation/utility purposes. The area west of the Project Area is generally occupied by multi-family residential uses. To the east of the Project Area is the Marcy Houses, a complex of 27 six-story buildings built and operated by the New York City Housing Authority (NYCHA). The complex consists of approximately 1,705 apartments. Buildings within the 400-foot radius generally range in height between one- to six-stories, however there are a few taller buildings within the 400-foot radius. Marcy Playground is the only open space within a 400-foot radius.

Recent rezonings near the Project Area include: 1) the 15-block 2001 Flushing/Bedford Rezoning (C 000109 ZMK; N 000110 ZRK) which allowed residential uses in existing manufacturing districts and allowed for existing industrial uses south of Flushing Avenue to expand; 2) the 140-block

2012 Bedford-Stuyvesant North Rezoning (C 120294 ZMK) which zoned the area with contextual residential districts to preserve the existing character and building patterns while allowing modest enlargements of existing homes; 3) the 722-733 Myrtle Avenue Rezoning (C 170025 ZMK; N 170026 ZRK) which changed an existing M1-1 and M1-2 zoning district to an R7D/C2-4 and R6A/C2-4 zoning district; 4) the 446-448 Park Avenue Rezoning (C 210332 ZMK; N 210333 ZRK) which changed an existing M1-1 district to an M1-4/R6A (MX-4) district; 5) the 703 Myrtle Avenue Rezoning (C 220453 ZMK; N220454 ZRK) which changed an existing M1-1 district to a R7D/C2-4 zoning district; and 6) the 712 Myrtle Avenue Rezoning (C 230258 ZMK; N 230259 ZRK) which changed an existing M1-2 district to a R7D/C2-4 zoning district.

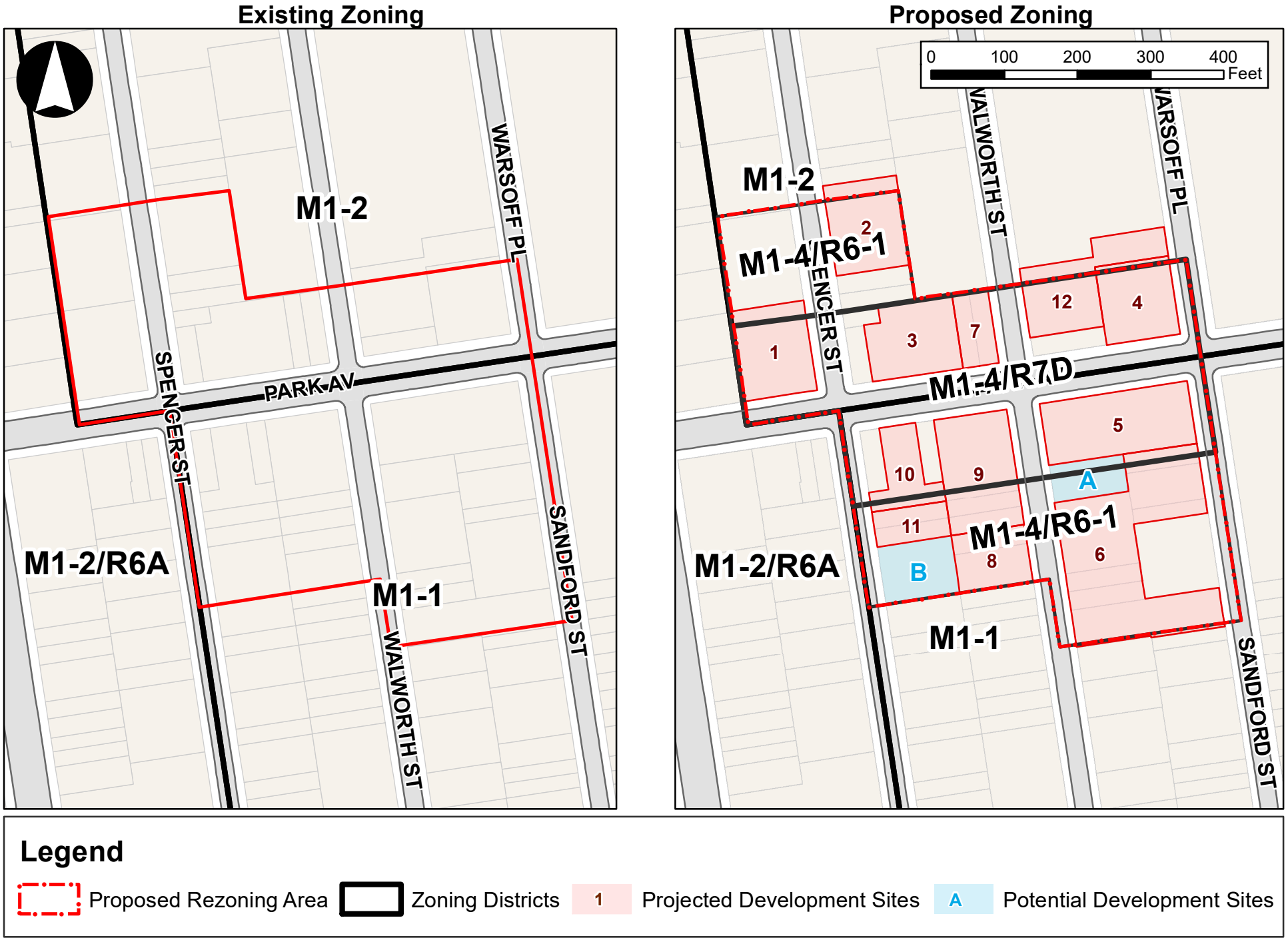
The Project Area is located within the Inner Transit Zone. The closest subway stations to the Project Area are the Flushing Avenue and Myrtle-Willoughby Avenues Stations which are served by the G train. These stations are approximately 0.5-mile from sites in the Project Area. The B44 and B44 SBS buses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

C. DESCRIPTION OF THE PROPOSED ACTIONS

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

Zoning Map Amendment

The proposed zoning map amendment would rezone the portion of the Project Area within 100-feet of Park Avenue from M1-1 and M1-2 to a Special Mixed-Use District MX-4 (Flushing/Bedford) M1-4/R7D. The area beyond 100 feet of Park Avenue within the Project Area would be rezoned from M1-1 and M1-2 to M1-4/R6-1 (MX-4) (refer to **Figure ES-4**). Sites within the proposed M1-4/R7D district would be permitted to develop up to 5.6 FAR of residential uses, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.66 FAR of community facility uses. Sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.9 FAR of residential uses for MIH developments, 2.0 FAR of commercial uses, 2.0 FAR of manufacturing uses, and 4.8 FAR of community facility uses. Under CHO, slight modifications to height and FAR would be made to the proposed zoning districts. As such, sites within the proposed M1-4/R7D district would be permitted to develop up to 4.66 FAR of community facility uses and a maximum building height of 125 feet under CHO and sites within the proposed M1-4/R6-1 district would be permitted to develop up to 3.0 FAR for residential uses or 3.9 FAR of residential uses for “Qualifying Affordable Housing” or “Qualifying Senior Housing.” The proposed zoning map amendment would allow residential uses up to 5.6 FAR which are not currently permitted within the Project Area. The proposed zoning map amendment would allow the maximum commercial and manufacturing FAR within the Project Area on sites currently zoned M1-1 to increase from 1.0 to 2.0. Sites currently zoned M1-2 would continue to have the same allowable commercial and manufacturing FAR as a result of the Proposed Actions. For sites currently zoned M1-1, the proposed zoning map amendment would increase the maximum permitted community facility FAR from 2.4 to 4.66-4.8, depending on whether the site is rezoned to M1-4/R7D or M1-4/R6-1, respectively. Sites that would be rezoned from M1-2 to M1-4/R7D would have their maximum permitted community facility FAR reduced from 4.8 to 4.66. Sites that would be rezoned from M1-2 to M1-4/R6-1 would experience no change in the maximum permitted community facility FAR.


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

Zoning Text Amendment

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

- Option 1: 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index[6], with 10 percent at 40 percent of the Income Index and no unit targeted at a level exceeding 130 percent of the Income Index.
- Option 2: 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index, with no unit targeted at a level exceeding 130 percent of the Income Index.
- Option 3: 20 percent of the total residential floor area must be for housing units for residents with incomes averaging 40 percent of Income Index and no direct subsidies could be used for these units except where needed to support more affordable housing.

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

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

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

D. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

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

Existing schools in the Project Area and in the surrounding community are experiencing an increase in demand that is greater than their existing facilities can accommodate. Schools in the

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

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

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

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

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

E. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

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

Analysis Year

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

Identification of Development Sites

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

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

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

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

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

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

Development Assumptions and Definition of Projected and Potential Development Sites

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

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

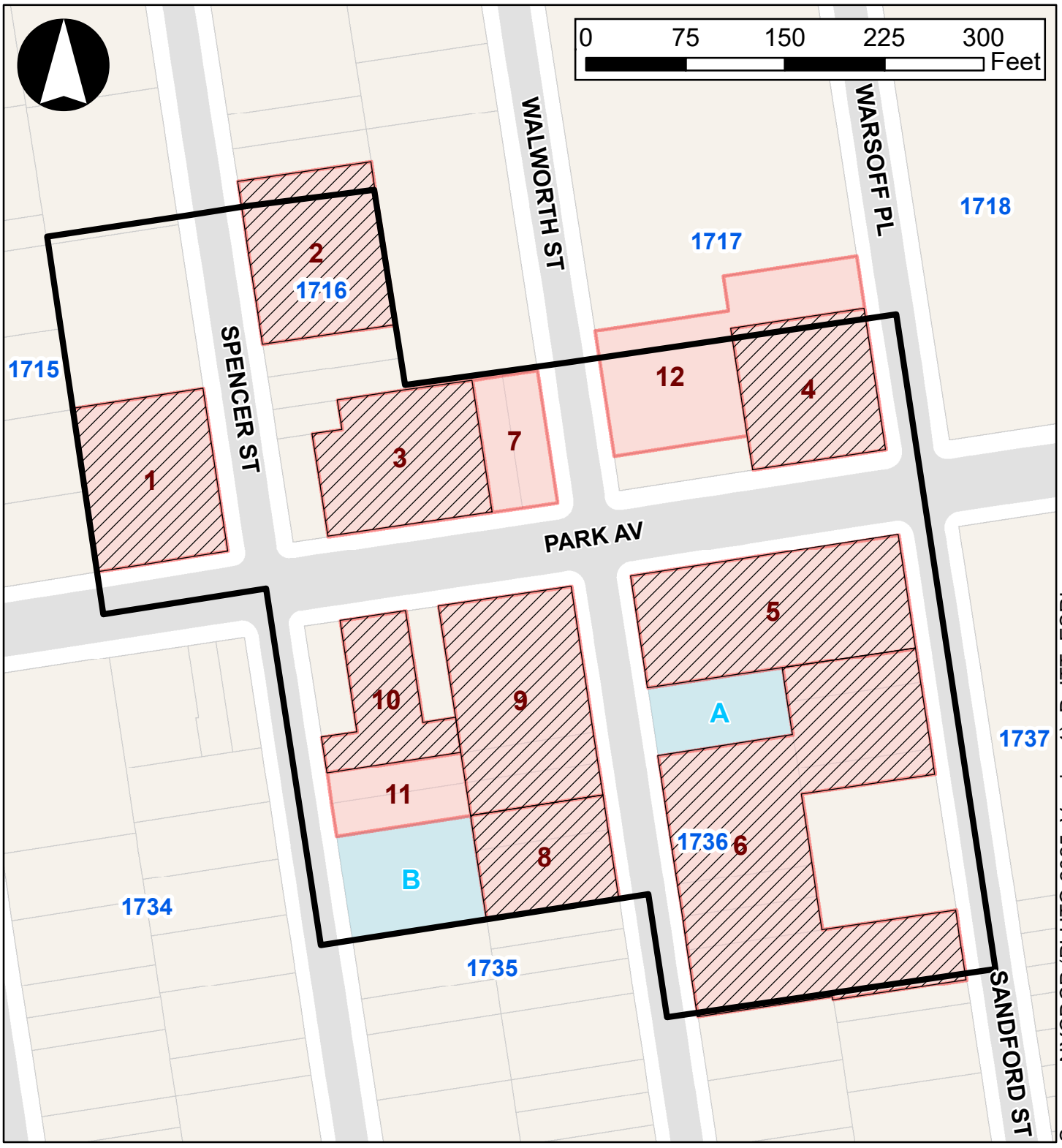
The Project Area also includes several non-Applicant-controlled sites that could be considered a "soft-site" under the CEQR criteria discussed above. Per *CEQR Technical Manual* criteria, "soft sites are sites where a specific development is not currently proposed or being planned, but may reasonably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

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

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

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

Figure ES-5
Projected and Potential Development Sites



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

Legend

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

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

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

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

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

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

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

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

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

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

Block 1735; Lot 4 (518 Park Avenue) – Lot 4 is a 2,056 sf lot that is occupied by a 7,051 gsf four-story nonconforming structure occupied by a Hatzolah volunteer firehouse (3.43 FAR). As the lot is less than 5,000 sf and is occupied by an institutional use with no known development plans,

and is built to an FAR that is more than 50% of the allowable FAR under the Proposed Actions, this site is not expected to be redeveloped as a result of the Proposed Actions.

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

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

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

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

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

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

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

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

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

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

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

Projected Development Sites

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

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

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

[8] Assumes 110 gsf per student.

permanently affordable pursuant to MIH (assuming the Applicant's proposed Option 1), and 10,054 gsf of ground floor local retail. No accessory off-street parking spaces are required for the residential units.

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

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

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

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

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

costs, and allow the Applicant to construct an approximately 7,500 sf outdoor recreation space on the roof.

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

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

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

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

Potential Development Sites

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

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

TABLE ES-2
With-Action Scenario Projected Development Sites

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

Notes: * Applicant-controlled site

Possible Effects of the Proposed Actions

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

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

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

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

Construction Phasing for the Projected Development Sites

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

F. POTENTIAL IMPACTS OF THE PROPOSED ACTIONS

The environmental assessment summarized below analyzes existing conditions and the potential for project-generated significant adverse impacts based on guidelines provided in the 2025 *CEQR Technical Manual*.

Land Use, Zoning, and Public Policy

There would be no significant adverse impacts on land use, zoning, or public policy in the 2031 future with the Proposed Actions in the primary or secondary study areas. The Proposed Actions would not directly displace any land uses so as to adversely affect surrounding land uses, nor generate land uses that would be incompatible with existing land uses, zoning, or public policy in the secondary study area (0.25-mile radius around the Project Area). The Proposed Actions would facilitate the development of a mix of residential, commercial, and community facility uses in the Project Area, where there is a strong demand for affordable and market-rate housing and schools.

Furthermore, the Proposed Actions would not result in development that would conflict with adopted, applicable public policies in both the primary and secondary study areas. Rather, the Proposed Actions would be consistent with the following public policies: Housing Our Neighbors, Housing New York, Where We Live NYC Plan, OneNYC 2050, New York Works, Get Stuff Built, and the Waterfront Revitalization Program (WRP).

Socioeconomic Conditions

The Proposed Actions would not result in significant adverse impacts with respect to socioeconomic conditions related to direct or indirect residential displacement, direct or indirect business displacement or adverse effects to specific industries.

Direct Residential Displacement

A screening level assessment determined that the Proposed Actions would not result in significant adverse impacts due to direct residential displacement. Under the RWCDS, the Proposed Actions could directly displace an estimated five existing residents residing in two DUs at Projected Development Site 8. According to the 2025 *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to substantially alter the socioeconomic character of a neighborhood. These displaced residents represent less than 0.01 percent of the estimated 76,245 residents within the 0.5-mile study area. Therefore, the direct displacement of two DUs and approximately five residents would not substantially alter the socioeconomic character of the neighborhood.

Direct Business Displacement

A preliminary assessment found that the Proposed Actions would not result in significant adverse impacts due to direct business displacement. Under the RWCDS, by 2031 the Proposed Actions could directly displace 19 existing businesses on the Projected Development Sites and approximately 145 existing employees associated with those businesses. The 19 existing businesses and their employees do not represent a substantial proportion of businesses or employment within any given industry sector within the 0.5-mile study area. While these businesses provide value for the local economy, there are alternative sources of goods, services, and employment provided within the broader study area and elsewhere in Brooklyn. In addition, none of the potentially directly displaced businesses are within a category of business that is the subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect it. Therefore, the potential direct displacement of these businesses does not constitute a significant adverse impact on the socioeconomic conditions of the study area as defined by the 2025 *CEQR Technical Manual*. The proposed zoning changes would allow additional schools to operate within the Project Area, addressing capacity needs and meeting demand for their services in the neighborhood. Moreover, the site owners of the Projected Development Sites have expressed

interests in having the existing commercial tenants return to the sites once the proposed developments have been completed.

Indirect Residential Displacement

A preliminary assessment finds that the Proposed Actions would not result in significant adverse impacts due to indirect residential displacement. The Proposed Actions would not introduce a large enough population relative to the size of the population expected to reside in the study area without the Proposed Actions to alter rental market conditions in the study area. The permanently affordable housing added by the Proposed Actions pursuant to the MIH program would help to maintain a more diverse demographic composition within the study area.

Indirect Business Displacement

A screening level assessment finds that the Proposed Actions would not result in significant adverse impacts due to indirect business displacement. Based on 2025 *CEQR Technical Manual* guidance, the Proposed Actions would not introduce substantial new development that is markedly different from existing uses, development, and activities within the neighborhood.

Adverse Effects on Specific Industries

A screening level assessment finds that the Proposed Actions would not result in significant adverse impacts to any specific industries. The Project Area does not contain any concentration of specific businesses, and the Proposed Actions would not result in any citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes.

Open Space

The Proposed Actions would result in significant adverse impacts to open space resources.

Direct Effects

The Proposed Actions would not result in significant direct impacts to open space resources. The Proposed Actions would not result in the direct displacement or alteration of existing public open space resources, and would not result in any significant adverse operational air quality, noise, or other environmental impacts that would affect the usefulness of any study area open space. Therefore, there is no significant adverse direct impact to open space.

Indirect Effects

The Proposed Actions would result in significant indirect impacts to open space resources. The Proposed Actions would result in a reduction of the total, passive, and active open space ratios in the study area that have the potential to overburden existing facilitates or further exacerbate a deficiency in open space. In the future with the Proposed Actions, the residential study area total open space ratio would decrease by 1.52 percent to 0.269 acres per 1,000 residents; the residential study area active open space ratio would decrease by 1.52 percent to 0.202 acres per 1,000 residents; and the residential study area passive open space ratio would decrease by 1.52 percent to 0.067 acres per 1,000 residents. As these decreases would exceed the 2025 *CEQR Technical Manual* thresholds indicating the potential for an impact and the residential study area would continue to exhibit low open space ratios and heavy playground utilization rate, the Proposed Actions would result in a significant adverse indirect impact on total, active, and passive open space in the residential study area. Potential mitigation measures are discussed in the “Mitigation” section below.

Urban Design and Visual Resources

The Proposed Actions would not result in a significant adverse impact on urban design or visual resources. The Proposed Actions would facilitate development that is not currently permitted as-of-right in the Project Area, which would create a notable change in the urban design character of the area. Compared to the future without the Proposed Actions, the visual appearance, and thus the pedestrian experience in the vicinity of the Project Area would change considerably. However, this change would not constitute a significant adverse urban design impact as it would not negatively affect a pedestrian's experience. The Proposed Actions would result in the construction of active ground-floor uses, including retail, community facility spaces such as medical offices, and residential lobbies, reactivating the corridors of the Project Area and making the area more accessible, safe, and enjoyable for pedestrians.

The Proposed Actions would generate land uses that would be compatible with the zoning and land uses of the secondary study area surrounding the Project Area. The secondary study area contains a variety of building forms, ranging from low-rise residential neighborhoods to high-rise mixed-use residential and commercial and commercial/office buildings. The RWCDS buildings that are expected to be constructed as a result of the Proposed Actions would be consistent with the heights and densities of these surrounding neighborhoods, while activating the corridors of the Project Area with pedestrian-oriented spaces. The Proposed Actions would result in development that would create continuous streetscapes for pedestrians along the corridors of the Project Area, replacing underutilized properties with active ground-floor spaces, enlivening the surrounding streetscapes and improving the pedestrian experience.

While the Proposed Actions would not result in any new development in the secondary study area, many of the projected and potential development sites located at or near the edges of the Project Area would be visible from certain sections of the secondary study area. However, the heights of the RWCDS buildings would be similar to the existing built environment. As a result, the RWCDS of the Proposed Actions would not adversely alter urban design or obstruct or alter view corridors of significant visual resources in the surrounding study area neighborhoods.

In addition, development facilitated by the Proposed Actions would not eliminate significant view corridors of important visual resources around the Project Area. There are no historical or architectural features in and around the Project Area. Significant views of open space resources around the Project Area would not be obstructed by development facilitated by the Proposed Actions as they would be developed on existing block forms which would not alter view corridors.

In the future with the Proposed Actions the visual appearance and thus the pedestrian experience of the Project Area would change compared to No-Action conditions; however, this change would not meet the *CEQR Technical Manual* threshold for a significant adverse urban design impact in that it would not alter the arrangement, appearance, or functionality of the Project Area such that the alteration would negatively affect a pedestrian's experience of the area. The pedestrian experience of the area would include several mixed-use buildings containing new housing, ground floor retail, and medical offices as well as two new private schools and the expansion of an existing private school. As such, these changes would not be significant or adverse, but rather, are expected to vastly improve the pedestrian experience within and surrounding the Project Area.

Hazardous Materials

The Proposed Actions would not result in significant adverse impacts related to hazardous materials. A preliminary analysis of potential hazardous materials impacts was performed for each

of the 12 Projected and two Potential Development Sites. The hazardous materials assessment identified that all of the Projected and Potential Development Sites have some associated concern regarding hazardous materials conditions.

Throughout its developed history, the Project Area has been composed of a mix of residential, commercial and industrial properties. By the early 1900s commercial and industrial operations were heavily developed along Park Avenue. The majority of the Projected and Potential Development Sites were either historically used or had neighboring properties used for automotive and/or manufacturing operations including fur and felt operations, foundries, plastic goods manufacturing, gasoline filling stations, automobile repair and junkyards.

The Proposed Actions would entail demolition of the existing structures and excavation for new construction. To avoid any potential for hazardous materials exposure on the nine Applicant-controlled Projected Development Sites, and the three Projected Development and two Potential Development Sites not controlled by the Applicant, an (E) Designation (E-898) for hazardous materials would be placed on the tax lots to ensure that the applicant completes the remediation in accordance with the requirements of the New York City Mayor's Office of Environmental Remediation (OER). A hazardous materials (E) Designation is an institutional control that can be placed on a property as a result of CEQR review of a zoning action. An (E) designation is a mechanism to ensure that testing for and mitigation and/or remediation of hazardous materials are completed prior to or as a part of the future development of a site, thereby limiting or eliminating the potential for a hazardous materials impact and to ensure for the protection of human health and the environment. Generally, redevelopment of a site with an (E) Designation for hazardous materials will require review from the OER and documentation of hazardous materials exposure mitigation prior to the issuance of New York City Department of Buildings (DOB) development permits.

In summary, due to various environmental conditions, the Proposed Actions may increase exposure pathways for hazardous materials. However, the implementation of these procedures/controls would ensure that investigation, mitigation, and remediation of any hazardous materials under the Proposed Actions would be completed in a safe, and comprehensive manner.

Water and Sewer Infrastructure

A preliminary assessment was conducted based on the methodology set forth in the 2025 *CEQR Technical Manual*, and as discussed below, determined that the Proposed Actions would not result in any significant adverse impacts on water and sewer infrastructure.

Water Supply

Compared to the No-Action condition, the Proposed Actions would generate an incremental water demand of approximately 167,400 gallons per day (gpd), including water related to sanitary and domestic uses. While this would represent an increase in demand for the New York City water supply system, it does not meet the 2025 *CEQR Technical Manual* threshold of more than one million gallons per day (mgd), which would require a detailed analysis. Therefore, an analysis of water supply is not warranted since there would be adequate water service to meet the incremental water demand generated by the RWCDS under the Proposed Actions, and there would be no significant adverse impacts on the City's water supply. The New York City Department of Environmental Protection (DEP) indicated that existing water mains should be capable to handle the estimated increase in water demand.

Wastewater Treatment

The Newtown Creek Wastewater Resource Recovery Facility (WRRF), which is designed to treat a dry weather flow of 310 mgd, handled an average of 177 mgd of sewage flow between September 2023 and August 2024 (the most recent 12-month period for which data are available). Based on rates in the 2025 *CEQR Technical Manual*, the RWCDS associated with the Proposed Actions would generate approximately 166,196 gpd of sanitary sewage, an increase of approximately 140,839 gpd compared to the No-Action condition. This incremental increase in sanitary flow would represent approximately 0.08 percent of the Newtown Creek WRRF's designated State Pollution Discharge Elimination System (SPDES) capacity. Pursuant to CEQR methodology, as the projected increase in sanitary sewage would not cause the Newtown Creek WRRF to exceed its operational capacity or its SPDES-permitted capacity, the Proposed Actions would not result in significant adverse impacts to sanitary sewage conveyance and treatment.

Stormwater and Drainage Management

During wet weather, and depending on the rainfall volume and duration, the total volumes to the combined sewer system produced by the RWCDS associated with the Proposed Actions would range from approximately 0.03 to 0.38 million gallons (MG). Compared to the No-Action condition, this would represent an increase in combined sewer flows of up to approximately 0.14 MG. Based on detention requirements of the City's adopted Unified Stormwater Rule (USWR), as well as the requirements for site connections of Chapter 31 of the Rules of the City of New York, it is concluded that the Proposed Actions would not result in significant adverse impacts to the wastewater treatment and stormwater conveyance infrastructure.

Transportation

A detailed transportation analysis was conducted and concludes that the Proposed Actions would result, as detailed below, in significant adverse impacts to vehicular traffic at nine intersections and pedestrian conditions at six sidewalks. To the extent practicable measures to mitigate these impacts have been identified, they are described in the "Mitigation" section below. These mitigation measures will continue to be explored by the Applicant in collaboration with DCP and DOT between certification of the DEIS and publication of the FEIS (Final Environmental Impact Statement). If no mitigation measures are implemented, and no other alternative and equivalent measure is identified, these impacts would remain unmitigated and result in unavoidable adverse impacts.

Traffic

Traffic conditions were evaluated for the weekday 7:30–8:30 a.m., 12:45–1:45 p.m. (midday), 5:30–6:30 p.m., and Saturday 1:30–2:30 p.m. peak hours at 21 intersections (20 signalized and one unsignalized) in the traffic study area where additional traffic resulting from the Proposed Actions would be most heavily concentrated. Of which 21 intersections were analyzed in the AM peak hour, one intersection in the Midday peak hour, 21 intersections in the PM peak hour, and four intersections in the Saturday peak hour. As summarized in **Tables ES-4** and **ES-5**, the traffic impact analysis indicates the potential for significant adverse impacts at nine intersections (all signalized) during one or more analyzed peak hours. Significant adverse impacts were identified to four lane groups at four intersections during the weekday AM peak hour, no lane groups at any intersections in the midday peak hour, 10 lane groups at nine intersections in the PM peak hour, and no lane groups at any intersections in the Saturday peak hour. The "Mitigation" section below discusses potential measures to mitigate these significant adverse traffic impacts.

TABLE ES-4
Number of Impacted Intersections and Lane Groups by Peak Hour

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday Midday**
Impacted Lane Groups	4	0	10	0
Impacted Intersections	4	0	9	0

TABLE ES-5
Summary of Significantly Impacted Intersections

		Peak Hour			
	Control	**Weekday AM**	**Weekday MD**	**Weekday PM**	**Saturday**
Franklin Ave and Flushing Ave	Signalized			X	
Warsoff Pl and Flushing Ave	Signalized	X		X	
Nostrand Ave and Flushing Ave	Signalized	X		X	
Bedford Ave and Park Ave	Signalized			X	
Nostrand Ave and Park Ave	Signalized			X	
Bedford Ave and Myrtle Ave	Signalized			X	
Nostrand Ave and Myrtle Ave	Signalized			X	
Marcy Ave and Myrtle Ave	Signalized	X		X	
Marcy Ave and Flushing Ave	Signalized	X		X	
Total		4	0	9	0

Transit

SUBWAY

Subway Stations

The Proposed Actions would generate a net increment of approximately 722 and 725 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on the Metropolitan Transportation Authority (MTA) New York City Transit (NYCT) Flushing Avenue (G) station and Myrtle-Willoughby Avenue (G) station in proximity to the Project Area where incremental demand from the Proposed Actions would exceed the 200-trip *CEQR Technical Manual* analysis threshold in both peak hours. Based on the results of the analysis, the Proposed Actions are not expected to result in significant adverse impacts in either the AM or PM peak hours at the analyzed subway stations.

Subway Line Haul

The Project Area is directly served by the G train that connects Brooklyn and Queens. In the With-Action condition, southbound G trains in the AM peak hour and northbound G trains in the PM peak hour are expected to not exceed the incremental five passenger per car *CEQR Technical Manual* threshold. Therefore, no significant adverse impacts to subway line haul conditions would occur in the AM and PM peak hours.

BUS

The Proposed Actions are expected to generate a net total of approximately 270 and 280 incremental bus trips during the weekday AM and PM peak hours, respectively, on the five NYCT Bus Company bus routes serving the Project Area— the B44, B44 SBS, B48, B54, and B57. Incremental demand is expected to exceed the 50-trip (per direction) *CEQR Technical Manual* analysis threshold for the northbound B44 SBS bus in the AM peak hour and the southbound B44

SBS bus in the PM peak hour. Under the With-Action condition, the B44 SBS bus route is expected to operate with available capacity in each direction during the weekday AM and PM peak hours. Therefore, no significant adverse impacts to bus line service would occur in the AM and PM peak hours.

Pedestrians

The Proposed Actions would generate a net increment of approximately 1,643 walk-only trips in the weekday AM peak hour, 936 in the weekday midday, 2,428 in the weekday PM peak hour and 1,496 in the Saturday peak hour. Persons en route to and from subway station entrances, bus stops, and nearby parking facilities would add approximately 1,092, 234, 1,162, and 377 additional pedestrian trips to Project Area sidewalks and crosswalks during these same periods, respectively. Peak hour pedestrian conditions were evaluated at 99 pedestrian elements where new trips generated by projected developments are expected to be most concentrated. These elements—29 sidewalks, 48 corner areas, and 22 crosswalks—are primarily located in the immediate vicinity of the Project Area and along corridors connecting the Project Area to nearby subway station entrances. As shown in **Table ES-6**, based on 2025 *CEQR Technical Manual* criteria, six sidewalks would be significantly adversely impacted by the Proposed Actions in one or more of the analyzed peak hours. To the extent practicable, measures to mitigate these impacts have been identified, they are described in the "Mitigation" section below.

TABLE ES-6
Summary of Significantly Pedestrian Impacts

Corridor	Impacted Elements	Peak Hour			
		AM	MD	PM	SAT
Flushing Ave between Bedford Ave and Lee Ave	North Sidewalk			X	
Flushing Ave between Bedford Ave and Spencer Street	South Sidewalk	X			
Myrtle Ave between Bedford Ave and Spencer St	North Sidewalk	X			
Flushing Ave between Spencer St and Walworth St	South Sidewalk	X			
Walworth St between Park Ave and Myrtle Ave	East Sidewalk	X		X	
Flushing Ave between Lee Ave and Marcy Ave	North Sidewalk	X		X	

Street User Safety

Under the *Vision Zero Brooklyn Pedestrian Safety Action Plan*, Franklin Avenue, Nostrand Avenue, and Myrtle Avenue are identified as "Priority Corridors." The Project Area is also located within a "Priority Area" and "Bike Priority Area."

Crash data for intersections in the traffic and pedestrian study areas were obtained from the New York City Department of Transportation (DOT) for the three-year period between January 1, 2017, and December 31, 2019 and January 1, 2023 and December 31, 2024. During this period, a total of 820 reportable and non-reportable crashes, four fatalities, 325 total injuries, and 102 pedestrian/bicyclist injury crashes occurred at intersections within the quarter-mile study area.

Under 2025 *CEQR Technical Manual* guidance, high crash locations are defined as those along a Vision Zero priority intersection or locations where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available. In addition, any location along a Vision Zero Priority Corridor with three or more pedestrian/bicyclist injury crashes in any consecutive 12 months of the most recent three-year period for which data is available should be identified as a high crash location. **Table ES-7** provides the three intersections identified as analyzed high crash locations. All three intersections were part of New York City's 25-mph signal retiming initiative, where signal progression was

changed to match the 25-mph speed limit. In addition, a Leading Pedestrian Interval (LPI) phase has also been implemented at each of these intersections.

TABLE ES-7
High Crash Locations

Intersection	Total Pedestrian / Bicycle Injury Crashes			Total Crashes (Reportable + Non-Reportable)		
	2019	2023	2024	2019	2023	2024
Flushing Avenue at Franklin Avenue	3	1	2	13	9	7
Flushing Avenue at Nostrand/ Lee Avenue	0	3	1	16	12	10
Myrtle Avenue at Marcy Avenue	2	1	3	12	9	10

Parking

The parking analysis documents the effects to parking within the study area as a result of the Projected Development Sites. Parking demand generated by retail and school uses that would be developed under the Proposed Actions would peak during the midday hour, whereas residential parking demand would peak during the overnight period. While there would be net decreases in medical office, office, and warehouse parking demand (as result of net reductions in these land uses), the prominent generator of parking demand would be the residential land use as result of the significant increase of proposed dwelling units under the Proposed Actions. Overall, development associated with the Proposed Actions would generate a peak net parking demand of approximately 172 spaces in the weekday morning period and 161 spaces in the Saturday morning period. It is expected that the total increase in parking demand under the Proposed Actions' RWCDS would not be fully accommodated by the 151 spaces provided on Projected Development Sites and excess demand would seek parking availability within a quarter-mile radius of the Project Area. These projected demand would seek available on-street and off-street parking within a quarter mile of the Project Area. Further, some drivers destined for the Project Area would potentially have to travel a greater distance (e.g., between ¼ and ½-mile) to find available parking. Additionally, in conjunction to the project, DOT will implement a "No Standing 7am – 6pm" regulation along the designated bus loading zones and school frontages on Walworth Street and Sandford Street, as well as a "No-Standing Anytime" regulation along the west curb of Walworth Street between Park Avenue and Myrtle Avenue and along the east curb of Sandford Street between Park Avenue and Myrtle Avenue. The implementation of these regulations would result in the loss of approximately 71 on-street parking spaces. However, the "No-Standing 7am – 6pm" regulation along the bus loading zones and school frontages would not be in effect during the overnight period, when residential parking demand peaks. Any potential deficit in parking would not be considered a significant adverse impact based on 2025 *CEQR Technical Manual* criteria due to the magnitude of available alternative modes of transportation in the well-served - project area. Therefore, the Proposed Actions would not result in significant adverse parking impacts.

Air Quality

The air quality analysis addressed emissions from mobile sources, heating and hot water systems, school laboratory exhaust systems, industrial sources and large or major sources, and determined that the Proposed Actions would not result in significant adverse impacts related to air quality.

The mobile source analyses determined that concentrations of $PM_{2.5}$ due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS), and furthermore, concentrations were predicted to be below CEQR *de minimis* criteria.

The stationary source analyses determined that the Projected and Potential Development Sites would not result in potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems. An (E) Designation (E-898) would be mapped in connection with the Proposed Actions to ensure that the development sites would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions. For sites that were assumed to utilize electric heating and hot water systems, an (E) Designation would be mapped to prohibit the use of fossil fuel-fired heat and hot water systems.

An analysis of the potential school laboratory exhaust systems for Projected Development Sites 2, 6 and 8 determined there would be no significant impacts in the proposed building or on the surrounding community in the event of a chemical spill in a laboratory. An (E) Designation (E-898) would be mapped in connection with the Proposed Actions to ensure that these development sites would not result in any significant adverse air quality impacts from potential laboratory fume hood emissions.

The analysis of industrial sources determined that maximum modeled concentrations did not exceed the associated limits; therefore, there would be no significant impacts on the Projected and Potential Development Sites from existing sources of industrial emissions.

No large or major sources of emissions were identified.

Greenhouse Gas Emissions and Climate Change

The Proposed Actions would not result in significant adverse impacts related to GHG emissions and climate change as they would be consistent with the City's GHG emissions reduction goals and laws, as defined in the 2025 *CEQR Technical Manual*.

It is estimated that the RWCDS associated with the Proposed Actions would result in approximately 7,200 metric tons of carbon dioxide equivalent (CO_2e) of annual emissions from building operations and approximately 4,512 metric tons of CO_2e emissions from mobile sources annually, for an annual total of approximately 11,712 metric tons of CO_2e emissions. This represents approximately 0.02 percent of New York City's 2023 annual total GHG emissions of 51.22 million metric tons. It should be noted that the estimated GHG emissions for the RWCDS under the Proposed Actions conservatively do not account for any energy efficiency measures that may be implemented and that go beyond the minimum requirements.

The Proposed Actions would advance New York City's GHG reduction goals by virtue of their nature and location. The new buildings facilitated by the Proposed Actions, which would replace existing structures or vacant lots, would be subject to the New York City Energy Conservation Code (NYCECC), which governs performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. In compliance with this code, new development resulting from the Proposed Actions must meet standards for energy efficiency. Additionally, the Project Area is in an area supported by many transit options. By facilitating the development of new mixed-income housing alongside new private schools and local retail space in a transit and pedestrian oriented urban area, the Proposed Actions are consistent with the City's goal of reducing GHG emissions through transit-oriented development. Therefore, the Proposed Actions would be consistent with the City's applicable emissions

reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

The Project Area is not located within the currently applicable 100-year and 500-year floodplains, although a small portion of the Project Area is anticipated to fall within the future projected 500-year floodplain (but not within the future projected 100-year floodplain) by the 2050s, and a small portion of the Project Area is anticipated to fall within the future projected 100-year flood zone by the 2080s. None of the Projected Development Sites would be located on a waterfront site (the Project Area is located more than 0.7 mile away from the nearest water body, Wallabout Bay/Channel), and are therefore not susceptible to flooding risk from storm surge and coastal flooding, and would continue to be so in the future according to projections by the New York City Panel on Climate Change (NPCC). As noted above, future developments in the Project Area would be constructed to meet the codes and any related resiliency requirements in effect at the time of construction.

Noise

The Proposed Actions would not result in significant adverse impacts with respect to noise. A noise assessment was undertaken to evaluate whether the total RWCDS for the Proposed Actions would result in a significant increase in noise levels at any existing noise-sensitive uses and to evaluate noise exposure at noise-sensitive uses newly introduced by the total RWCDS for the Proposed Actions in accordance with 2025 *CEQR Technical Manual* guidance. With-Action Condition noise levels were determined by adjusting measured existing noise levels to account for future increases in traffic with the total RWCDS for the Proposed Actions. During all time periods except for weekday PM and school PM, the With-Action Condition noise levels from project-generated traffic were determined to be within approximately 2 dBA of No-Action noise levels, which would be considered imperceptible and not significant according to *CEQR Technical Manual* impact criteria. During the weekday PM and school PM time periods, With-Action Condition noise levels from project-generated traffic would be no more than 3 dBA greater than No-Action levels at receptors along Walworth Street between Park Avenue and Myrtle Avenue, which would be considered a “just noticeable” change. While this would typically be considered a significant adverse impact according to the *CEQR Technical Manual* impact criteria, the total With-Action Condition $L_{10(1)}$ noise levels at these peak hours would remain below 70 dBA and, as any receptor building façade would be expected to provide a minimum of 25 dBA window/wall attenuation, interior noise levels at this receptor would be expected to remain below the acceptable threshold of 45 dBA for residential and community facility uses and 50 dBA for commercial offices at all times.

Within the Project Area, the commercial office at 48 Spencer Street and the school at 84 Sandford Street were identified as having line of sight to proposed playgrounds introduced by the project. At these locations, the cumulative noise from the With-Action traffic and proposed playgrounds were considered. The With-Action Condition noise levels at 48 Spencer Street were determined to be within 2 dBA of No-Action noise levels, which would be considered imperceptible and not significant according to *CEQR Technical Manual* impact criteria. The With-Action noise levels at 84 Sandford Street were determined to be up to approximately 5 dBA above the No-Action noise levels. While this would typically be considered a significant adverse impact according to the *CEQR Technical Manual* impact criteria, the façade of the building would provide 32 dBA of window/wall attenuation, resulting in interior noise levels remaining below the acceptable threshold of 45 dBA for classroom or community facility use. Consequently, the identified significant adverse noise increases would not constitute a significant adverse noise impact, nor would predicted noise levels at any other receptors rise to the level of a significant adverse impact.

Based on the projected noise levels, up to 31 dBA window/wall attenuation would be required to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at newly introduced residential and school uses. All residential dwelling units within the Special Mixed-Use District would require a minimum of 35 dBA window/wall attenuation per ZR Section 123-32 and no (E) Designation would be warranted for the residential portion of the Projected and Potential Development Sites. However, to ensure window/wall attenuation for community facility or commercial office uses at Projected and Potential Development Sites, which are noise sensitive uses not subject to ZR 123-32, an (E) designation (E-898) for noise would be applied, specifying the required amount of required window/wall attenuation. By meeting the design guidelines specified in ZR Section 123-32, the Noise (E) Designation, or equivalent mechanism, buildings developed as a result of the Proposed Actions would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines of 45 dBA L_{10} for residential or community facility uses.

Public Health

The Proposed Actions would not result in significant adverse public health impacts. As described in the preceding chapters of this EIS, the Proposed Actions would not result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: operational noise, water quality, operational air quality, construction air quality, or hazardous materials.

The construction analysis determined that there are areas surrounding each of the analyzed development sites where construction noise would result in a significant adverse impact. However, while during some periods of construction the Proposed Actions could potentially result in significant adverse impacts related to noise, the predicted overall changes in noise levels would not be large enough to significantly affect public health. Therefore, no significant adverse public health impacts related to construction noise would occur as a result of the Proposed Actions.

Neighborhood Character

The Proposed Actions would not result in significant adverse impacts related to neighborhood character. The Project Area is located in Bedford-Stuyvesant, a diverse neighborhood in Brooklyn comprised of mainly residential, community facilities, and commercial land uses and building types that is well-served by existing infrastructure and public transportation.

The Proposed Actions are intended to facilitate the development of new residential, retail, and community facility space at the Project Area by increasing the permitted residential, commercial, and community facility FARs within the Project Area. In addition to providing market-rate housing and affordable housing, the Proposed Actions would allow for additional private schools to operate within the Project Area, address their capacity issues, and meet demand for their services in the neighborhood, as well as provide economic opportunities benefitting the surrounding neighborhoods. The RWCDS for the Proposed Actions would comprise a total of approximately 483 DUs, including 124 affordable units pursuant to the Applicant's proposed MIH Option 1, 244,088 gsf of private school space, 80,155 gsf of local retail space, 11,590 gsf of medical office space, and 151 accessory parking spaces on the 12 Projected Development Sites. The RWCDS buildings would accommodate a variety of tenants, including several institutions, retail designed to cater to the needs of the surrounding neighborhoods, as well as medical offices. Existing schools in the Project Area and in the surrounding community are experiencing an increase in demand that is greater than their existing facilities can accommodate. However, these schools are greatly hampered in their ability to open new schools near the communities their schools

serve. M1-1 and M1-2 zoning districts, which are mapped over the Project Area currently and extensively throughout the surrounding neighborhood, prohibit Use Group III(B) schools as-of-right. In addition, the Project Area is currently characterized by existing schools, warehouse/storage uses, local retail, supply stores, medical office space, and pre-existing non-conforming residential uses. The Proposed Actions would also allow these existing uses to continue to exist in the Project Area, bring the pre-existing non-conforming residential uses into compliance, and incentivize the redevelopment of vacant/underdeveloped sites within the Project Area with new schools or mixed-use residential and local retail buildings in a transit-rich area of the City, creating much needed job opportunities and affordable housing.

The Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; or noise. As discussed in greater detail below, the significant adverse open space and transportation (traffic and pedestrian) impacts that would occur as a result of the Proposed Actions would not affect any defining feature of neighborhood character, nor would a combination of moderately adverse effects (related to any of the above-mentioned technical analysis areas) affect such a defining feature. While the Proposed Actions would result in significant adverse indirect impacts to open space, open space is not a defining feature of the neighborhood, and therefore, the indirect open space impact would not result in an impact to neighborhood character. While the Proposed Actions would result in increased transportation activities and significant adverse traffic and pedestrian impacts, these impacts would not result in a significant change to one of the determining elements of neighborhood character, and the resulting conditions would be similar to those seen in the study area and would not create levels of activity or service conditions that would be out of character with the surrounding neighborhood. Therefore, the changes in transportation due to the Proposed Actions would not result in any significant adverse impacts on neighborhood character. Moreover, the Proposed Actions' combined effects in all technical areas that contribute to neighborhood character would not result in any significant adverse impacts on neighborhood character.

Construction

The Proposed Actions could result in significant adverse construction period impacts related to noise. Although temporary, construction impacts can include noticeable and disruptive effects. Determination of the significance of construction impacts and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts typically warrant a detailed assessment when construction is anticipated to exceed two years and/or when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, and/or air quality conditions.

Transportation

The fourth quarter of 2028 was selected as the reasonable worst-case analysis period for assessing potential cumulative transportation impacts from operational trips from completed portions of the projected developments and construction trips associated with construction activities. An assessment of transportation generated during this peak period is presented below.

TRAFFIC

Average daily on-site construction workers and trucks were forecast for new construction anticipated on the Projected Development Sites under-With-Action condition. Peak construction traffic related to trucks and worker autos is expected to peak in the fourth quarter of 2028, with an

estimated 133 workers and 31 trucks per day. These represent peak days of work, and many days during the construction period would have fewer construction workers and trucks on-site.

A forecast of incremental hourly construction worker auto and construction truck trips during the 2028 (Q4) peak quarter for construction traffic showed that construction-related traffic is expected to peak during the 6-7 AM and 3-4 PM periods. During the 6-7 AM peak hour there would be a total of 50 passenger car equivalent (PCE) vehicle trips and a total of 34 PCE trips during the 3-4 PM peak hour. Projected Development Sites 2 and 6 are expected to be operational during the 2028 (Q4) construction peak period. The operational trips are expected to generate 17 and 27 vehicle trips in the construction AM and PM peak hours, respectively. It is expected that a total of approximately 67 and 61 vehicles would be generated in the construction AM and PM peak hours, respectively.

Operational and construction incremental vehicle trips were assigned to the street network in proximity to the Proposed Rezoning Area to assess the potential for significant adverse traffic impacts during the 6-7 AM and 3-4 PM construction peak hours. Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. Cumulative vehicle trips generated by construction of the Projected Development Sites and operational Projected Development Sites would not total 50 or more at any intersection in either of the 6-7 AM or 3-4 PM construction peak hours during the 2028 (Q4) peak construction quarter. Therefore, construction of the Project Development Sites is not expected to result in significant adverse traffic impacts in any peak hour during the 2028 (Q4) peak quarter for construction traffic.

TRANSIT

In the 2028 (Q4) peak quarter, operational and construction transit trips as a result of the Proposed Actions would total to approximately 50 subway trips, 13 rail trips, and nine bus trips during the construction AM peak hour. During the construction PM peak hour, transit demand would total to approximately 50 subway trips, 13 rail trips, and 12 bus trips. As peak transit demand from construction and operational Projected Development Sites would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis, significant adverse impacts to subway and bus services are not expected to occur in the construction peak hour during the 2028 (Q4) peak construction period.

PEDESTRIANS

In the 2028 (Q4) peak quarter, the operational and construction pedestrian demand as a result of the Proposed Actions would total to approximately 143 trips during the construction AM peak hour and 229 trips during the construction PM peak hour. The construction and operational pedestrian trips on sidewalks, corner areas and crosswalks (pedestrian elements) near the Projected Development Sites would include those walking to and from nearby subway stations, rail stations, bus stops and off-street parking garages, as well as workers traveling solely on foot. As the Projected Development Sites have multiple frontages, these trips would be widely distributed among the pedestrian elements providing access to the Projected Development Sites. It is therefore unlikely that any single sidewalk, corner area or crosswalk would exceed the 200 peak-hour trip *CEQR Technical Manual* threshold.

PARKING

The maximum incremental daily parking demand would total approximately 86 spaces in the weekday midday. Of these 86 spaces, 36 spaces would be generated from construction workers and 50 spaces would be generated from the operational Projected Development Sites. Under

CEQR Technical Manual guidance, the inability of the Proposed Actions or the surrounding area to accommodate future parking demands would be considered a parking shortfall, but would generally not be considered significant due to the magnitude of available alternative modes of transportation. Therefore, should any parking shortfall occur due to incremental demand from construction workers during the 2028 (Q4) peak construction period, it would not be considered a significant adverse parking impact based on *CEQR Technical Manual* guidance.

Air Quality

Maximum predicted total concentrations of NO_2, CO, and PM_{10} are below the applicable NAAQS. In addition, the maximum predicted $PM_{2.5}$ concentrations would not exceed the applicable *CEQR Technical Manual de minimis* thresholds in the 24-hour and annual averaging periods. Emissions from the other less intensive construction periods would be less than the emissions during the modeled worst-case periods; therefore, the resulting concentrations from these non-peak periods are expected to be less than the concentrations during the worst-case periods. Therefore, construction of the RWCDS buildings would not result in significant adverse air quality impacts due to construction sources.

Noise

Construction under the Proposed Actions would have the potential to result in significant adverse impacts related to noise. At some receptors, construction under the Proposed Actions would result in increments that would be considered objectionable (i.e., 15 dBA or greater) or very objectionable (i.e., 20 dBA or greater). The potential for significant adverse impacts at these receptors was determined by evaluating the duration of these increments and whether CEQR interior noise level thresholds would be exceeded or not. Construction under the Proposed Actions is anticipated to result in significant adverse impacts at multiple receptors adjacent to the Projected Development Sites. However, building construction would typically occur during weekday daytime hours and would therefore not produce noise during nighttime hours when residents would be most sensitive to noise. Construction would also comply with *New York City Noise Control Code* regulations. Further, the construction noise analysis accounts for the cumulative effects of construction of all Projected Development Sites, including both the Proposed Development and the Additional Affected Area. It is possible that the actual construction may be of less magnitude, that construction on multiple Projected Developments may not overlap, and/or that construction of the Sites included in the Additional Affected Area may not occur simultaneously with that of the Proposed Development or not occur at all. In any such case, construction noise effects would be less than the analysis predicts.

Vibration

The buildings of most concern for potential structural or architectural damage due to vibration are the buildings and structures immediately adjacent to Projected Development Sites. However, given their distances from the construction work areas, vibration levels at these buildings and structures would not be expected to exceed 0.50 inches per second (in/sec) Peak Particle Velocity (PPV), including during pile installation, which would be the most vibration-intensive activity. Additional receptors farther away from the Projected Development Sites would experience less vibration.

In terms of potential vibration levels that would be perceptible and annoying, the equipment that would have the most potential for producing levels that exceed the 75 vibration decibels (VdB) limit is the impact pile driver, which would have the potential to produce perceptible vibration levels (i.e., vibration levels exceeding 75 VdB) at receptor locations within a distance of approximately 240 feet, depending on soil conditions. However, the operation of this equipment would occur for

limited periods of time at any given location, and therefore would not result in any significant adverse impacts. Consequently, there is no potential for significant adverse vibration impacts from construction of the total RWCDS associated with the Proposed Actions.

Other Technical Areas

Construction of the 12 Projected Development Sites would not result in significant adverse impacts in the areas of land use and neighborhood character, socioeconomic conditions, open space, historic resources, or hazardous materials. Based on the RWCDS construction schedule, construction activities would be spread out over a period of approximately 5 years throughout portions of five blocks, and construction of all of the Projected Development Sites would be short-term (i.e., lasting up to 24 months). While construction of the Projected Development Sites would result in temporary increases in traffic during the construction period, access to residences, businesses, and institutions in the area surrounding the sites would be maintained throughout the construction period (as required by City regulations). No open space resources would be located on any of the RWCDS construction sites, nor would any access to publicly accessible open space be impeded during construction within the Project Area. In addition, measures would be implemented to control noise, vibration, emissions, and dust on construction sites, including the erection of construction fencing incorporating sound reducing measures. While construction of the new buildings due to the Proposed Actions would cause temporary impacts, particularly related to noise, it is expected that such impacts in any given area would be relatively short term, even under the worst-case construction sequencing, and therefore would not create an open space or neighborhood character impact.

In addition, the Projected and Potential Development Sites within the Project Area are not architecturally or archaeologically sensitive, and the Project Area is not located in the vicinity of any architectural resources. Therefore, no construction-related impacts to historic architectural or archaeological resources would occur due to construction activities on the Projected Development Sites.

Any potential construction-related hazardous materials would be avoided by the inclusion of (E) designations, or other measures comparable to such a designation, for all Projected Development Sites. In addition, demolition of interiors, portions of buildings, or entire buildings are regulated by New York City Department of Buildings (DOB) and require abatement of asbestos prior to any intrusive construction activities, including demolition. The U.S. Occupational Safety and Health Administration (OSHA) regulates construction activities to prevent excessive exposure of workers to contaminants in the building materials, including lead paint. New York State Solid Waste regulations control where demolition debris and contaminated materials associated with construction are handled and disposed of. Adherence to these existing regulations would prevent impacts from construction activities at any of the Projected Development Sites in the Project Area.

Effects on Disadvantaged Communities

The area affected by the Proposed Actions would affect Census Tracts comprised of Disadvantaged Communities (DACs) - both higher and lower vulnerability levels. The Proposed Actions have the potential to result in significant adverse impacts related to open space, transportation (traffic and pedestrians), and construction (noise), however, there would not be any disproportionate pollution burden on DACs as a result of those potential impacts. Although most of the potential impacts would occur in DACs with “higher burdens and vulnerabilities,” the potential impacts would not cause a greater or more severe pollution burden in DACs as compared to non-DACs.

Mitigation

The Proposed Actions would result in significant adverse impacts with respect to open space (indirect effects) transportation (traffic and pedestrians) and construction (noise). Mitigation measures to address the identified significant adverse impacts is discussed below. These mitigation measures will continue to be explored between certification of the DEIS and publication of the FEIS. If no mitigation measures are implemented, and no other alternative and equivalent measure is identified, these impacts would remain unmitigated and result in unavoidable adverse impacts.

Open Space

The Proposed Actions would result in a significant adverse indirect impact on total, active, and passive open space in the residential study area. The *CEQR Technical Manual* identifies a range of potential mitigation measures for open space impacts, which may include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional active open space facilities. DCP (the lead agency), in collaboration with New York City Department of Parks and Recreation (NYC Parks) determined that the provision of 5,050 square feet (sf) of publicly accessible open space by the Applicant, comprised of 3,790-sf for active use and 1,260-sf for passive use, would address the open space ratio shortfall and fully mitigate the open space impact. NYC Parks also identified partial mitigation measures at Taaffe Playground, including a full park reconstruction, a partial renovation project, and reconstruction of the handball courts. Mitigation measures will continue to be explored by the Applicant in collaboration with DCP and NYC Parks between DEIS and FEIS. If no mitigation measures are implemented, the open space impact would remain unmitigated and result in an unavoidable adverse impact.

Transportation

The Proposed Actions would result in significant adverse impacts to vehicular traffic at nine intersections and pedestrian elements at six sidewalks. Mitigation measures that could address the significant adverse impacts are discussed below.

TRAFFIC

As described above, the Proposed Actions would result in significant adverse traffic impacts at nine study area intersections (all signalized) during one or more analyzed peak hours; specifically four lane groups at four intersections during the weekday AM peak hour, no lane groups at any intersections in the midday peak hour, 10 lane groups at nine intersections in the PM peak hour, and no lane groups at any intersections in the Saturday peak hour are expected to be impacted. Implementation of traffic engineering improvements such as signal timing changes, modifications to lane striping, curbside parking regulation changes, and a new traffic signal are being proposed and would provide mitigation for some of the anticipated traffic impacts. The proposed traffic engineering improvements will be implemented at the discretion of the New York City Department of Transportation (DOT). If DOT determines that implementation of the proposed traffic engineering improvement at one or more locations is infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.

Assuming all the proposed mitigation measures are implemented, **Table ES-8** shows that significant adverse impacts would be fully mitigated at four lane groups in the weekday AM peak hour and nine lane groups in the weekday PM peak hour. Intersections where these impacts

would be fully mitigated would total four and eight during these same periods, respectively. **Table ES-9** provides a more detailed summary of the intersections and lane groups that would have unmitigated significant adverse traffic impacts. In total, impacts would remain unmitigated for one lane group at one intersection during the PM peak hour. All impacted lane groups and intersections during the AM peak hour are expected to be fully mitigated.

TABLE ES-8
Summary of Lane Groups/Intersections with Significant Adverse Traffic Impacts

Peak Hour	Lane Groups/ Intersections Analyzed	Lane Groups/ Intersections With No Significant Impacts	Lane Groups/ Intersections With Significant Impacts	Mitigated Lane Groups/ Intersections	Unmitigated Lane Groups/ Intersections
Weekday AM	63/21	59/17	4/4	4/4	0/0
Weekday Midday	3/1	3/1	0/0	0/0	0/0
Weekday PM	63/21	53/12	10/9	9/8	1/1
Saturday	12/4	12/4	0/0	0/0	0/0

TABLE ES-9
Lane Groups With Unmitigated Significant Adverse Traffic Impacts

	Peak Hour			
	Weekday AM	**Weekday Midday**	**Weekday PM**	**Saturday**
Signalized Intersections				
1. Franklin Avenue & Flushing Avenue			SB-LTR	

Notes: SB-southbound, EB-eastbound, L-left-turn, T-through.

PEDESTRIANS

Incremental demand from the Proposed Actions would significantly adversely impact six sidewalks in one or more analyzed peak hours. Recommended mitigation measures include the relocation of impediments to sidewalk flow, which would mitigate the impact to one sidewalk during the weekday PM peak hour. As shown in **Table ES-10,** with implementation of the proposed mitigation measures, the Proposed Actions' significant adverse impacts to one sidewalk would be mitigated during the weekday PM peak hour. If DOT determines that implementation of any one recommended pedestrian mitigation measures is infeasible, and no alternative and equivalent measure is identified, then these impacts would remain unmitigated and would constitute unavoidable adverse impacts.

In addition, DOT has identified potential mitigation measures for the remaining five sidewalk impacts, which include widening the sidewalks by five feet and eliminating the parking lane for the entire block of these sidewalks. These mitigation measures will continue to be explored by the Applicant in collaboration with DCP and DOT between certification of the DEIS and publication of the FEIS. If no mitigation measures are implemented, and no alternative and equivalent measure is identified, these impacts would remain unmitigated and result in unavoidable adverse impacts.

TABLE ES-10
Summary of Significant Pedestrian Impacts

Peak Hour	Sidewalks/ Crosswalks/ Corners Analyzed	Sidewalks/ Crosswalks/ Corners with No Significant Impacts	Sidewalks/ Crosswalks/ Corners with Significant Impacts	Mitigated Sidewalks/ Crosswalks/ Corners	Unmitigated Sidewalks/ Crosswalks/ Corners
Weekday AM	22/15/36	17/15/36	5/0/0	0/0/0	5/0/0
Weekday Midday	0/0/6	0/0/6	0/0/0	0/0/0	0/0/0
Weekday PM	29/22/48	26/22/48	3/0/0	1/0/0	2/0/0
Saturday	6/7/17	6/7/17	0/0/0	0/0/0	0/0/0

Construction

NOISE

The Proposed Actions would have the potential to result in significant adverse construction noise impacts throughout the Project Area. However, building construction would typically occur during weekday daytime hours and would therefore not produce noise during nighttime hours when residents would be most sensitive to noise. Further, construction would comply with *New York City Noise Control Code* regulations. Per *New York City Noise Control Code* regulations, construction under the Proposed Actions would be required to prepare a Construction Noise Mitigation Plan, which may identify more control measures that would further reduce construction noise levels.

Alternatives

No-Action Alternative

The No-Action Alternative examines future conditions in the Project Area but assumes the absence of the Proposed Actions (i.e., none of the discretionary approvals proposed as part of the Proposed Actions would be adopted). Under the No-Action Alternative, it is anticipated that new development would occur on two of the 12 Projected Development Sites identified under the RWCDS. This would result in a net increase of 17,969 gsf of office space, 16,997 gsf of local retail space, and 40,250 gsf of medical office space, as well as 251 accessory parking spaces on the Projected Development Sites, compared to existing conditions. In total on the 12 Projected Development Sites, there would be two dwelling units (DUs), 99,090 gsf of community facility space, 69,619 gsf of commercial uses, 11,400 gsf of warehouse space, and 251 accessory parking spaces in the No-Action Alternative. The effects of the No-Action Alternative in comparison to those of the Proposed Actions are provided below.

The significant adverse impacts anticipated to occur related to open space, transportation and construction noise that would occur with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions—including facilitating new community facility and commercial space and promoting affordable housing development by increasing residential density and establishing Mandatory Inclusionary Housing— would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Actions.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density or other components of the Proposed Actions are modified to avoid the unmitigated significant adverse impacts associated with the Proposed Actions, which include impacts related to open space, transportation (traffic and pedestrians), and construction (noise). This alternative considers a development scenario that would not result in any significant adverse impacts that could not be fully mitigated. However, to eliminate all identified unmitigated significant adverse impacts, the Proposed Actions would have to be modified to a point where the principal goals and objectives of the Proposed Actions would not be fully realized.

G. UNAVOIDABLE ADVERSE IMPACTS

According to the *CEQR Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. The Proposed Actions would result in significant adverse impacts with respect to open space, transportation (traffic and pedestrians), and construction (noise). To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. In the event that no practicable mitigation is identified to fully mitigate significant adverse impacts, reasonable alternatives to the Proposed Actions that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts are explored. In other cases, mitigation has been proposed, but absent a commitment to implement the mitigation, the impacts may not be eliminated. Where impacts cannot be fully mitigated, they would constitute an unavoidable significant adverse impact of the Proposed Actions.

Open Space

The Proposed Actions would result in a significant adverse indirect impact on total, active, and passive open space in the residential study area. As discussed in the “Mitigation” section above, the lead agency (DCP), in collaboration with NYC Parks, determined that the provision of 5,050 sf of publicly accessible open space by the Applicant, including 3,790-sf for active use and 1,260-sf for passive use, would address the open space ratio shortfall and fully mitigate the open space impact. NYC Parks also identified potential mitigation measures at Taaffe Playground, including a full park reconstruction, a partial renovation project, and a reconstruction of the handball courts. Mitigation measures will continue to be explored by the Applicant in collaboration with DCP and NYC Parks between the DEIS and FEIS. If no mitigation measures are implemented, and no alternative and equivalent measure is identified, the open space impact would remain unmitigated and result in an unavoidable significant adverse impact.

Transportation

The Proposed Actions would result in significant adverse impacts to: vehicular traffic at nine intersections in one or more peak hours and six sidewalk pedestrian elements in one or more peak hours.

Traffic

The Proposed Actions would result in significant adverse traffic impacts at nine study area intersections during one or more analyzed peak hours; specifically, four lane groups at four intersections during the weekday AM peak hour, no lane groups at any intersections in the midday

peak hour, 10 lane groups at nine intersections in the PM peak hour, and no lane groups at any intersections in the Saturday peak hour.

Many of these impacts could be mitigated through the implementation of traffic engineering improvements, including:

- Modification of existing traffic signal phasing and/or timing,
- Installation of new traffic signals,
- Elimination of on-street parking to add a travel lane, and
- Modifications to lane striping.

As discussed in the "Mitigation" section above**,** implementation of traffic engineering improvements would fully mitigate the significant adverse impacts to four lane groups in the weekday AM peak hour and nine lane groups in the weekday PM peak hour. Intersections where these impacts would be fully mitigated would total four and eight during these same periods, respectively. No practicable mitigation was identified for the impact to one lane group at one intersection in the weekday PM peak hour. Consequently, this impact would constitute an unavoidable significant adverse traffic impact as a result of the Proposed Actions.

Implementation of the recommended traffic engineering improvements are subject to review and approval by DOT. If DOT determines that an identified traffic engineering improvement is deemed infeasible, and no alternative and equivalent measure is identified, then that impact would remain unmitigated and would constitute an unavoidable adverse impact.

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact six sidewalks in one or more analyzed peak hours. Recommended mitigation measures consisting of the relocation/removal of impediments to sidewalk flow would mitigate the impact to one sidewalk during the weekday PM peak hour. In addition, DOT has identified potential mitigation measures for the remaining five sidewalk impacts, which include widening the sidewalks by five feet and eliminating the parking lane for the entire block adjacent to these sidewalks. Mitigation measures will continue to be explored by the Applicant in collaboration with DCP and DOT. If no mitigation measures are implemented, and no alternative and equivalent measure is identified, these impacts would remain unmitigated and result in unavoidable significant adverse impacts.

Construction

Noise

The detailed construction noise analysis predicted that noise levels due to construction could exceed the construction noise impact criteria at 13 receptors surrounding the proposed construction work areas. At these receptors, construction would produce noise level increases that would be noticeable and potentially intrusive during the most noise-intensive nearby construction activities; however, the predicted maximum levels would not persist throughout construction, and the noise levels would fluctuate over the course of the construction period. Even so, these locations would experience construction noise levels whose magnitude and duration could constitute temporary significant adverse impacts.

The total RWCDS associated with the Proposed Actions will adhere to the noise control measures required by the NYC Noise Control Code. While some of the impacted buildings feature modern

façade construction, including insulated glass windows and an alternative means of ventilation that would allow for the maintenance of a closed-window condition, it is not possible to definitively determine the presence of these features at all receptors that would have the potential to experience temporary significant adverse construction noise impacts. At building façades that are predicted to experience noise impacts, potential mitigation measures may include the offer of storm windows for façades that do not already have insulated glass windows and/or window air conditioning units on impacted façades of residences that do not already have alternative means of ventilation. Even with these measures, interior $L_{10(1)}$ noise levels at these buildings would at times during the construction period exceed the 45 dBA guideline recommended for residential use according to CEQR noise exposure guidelines by up to approximately 23 dBA. Because interior noise levels could still exceed the acceptable threshold even with the provision of receptor noise mitigation, the significant adverse construction noise impacts identified would be only partially mitigated. In addition, some building owners may not accept the offer of storm windows and/or alternative means of ventilation; at these locations, the significant adverse construction-period noise impacts would be unmitigated. Because these impacts cannot be fully mitigated, the impacts would constitute an unavoidable adverse impact. Mitigation measures will be further refined between the DEIS and FEIS.

H. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term “growth-inducing aspects” generally refers to "secondary" impacts of a proposed action that trigger further development outside the directly affected area. The 2025 *CEQR Technical Manual* indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when an action: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

Approval of the Proposed Actions would facilitate the redevelopment of nine Applicant-controlled Projected Development Sites within the Project Area as well as three additional Projected Development Sites not controlled by the Applicant. For CEQR analysis purposes, the Applicant’s nine development sites and three non-Applicant sites are considered collectively and referred to as the total reasonable worst-case development scenario (RWCDS) for the Proposed Actions. Compared to No-Action conditions, the total RWCDS for the Proposed Actions would result in an incremental (net) increase of approximately 481 DUs, including 124 affordable units pursuant to MIH Option 1, 201,838 gsf of private school space, 28,505 gsf of local retail space, and net decreases of approximately 40,250 gsf of medical office space, 17,969 gsf of office space, 11,400 gsf of warehouse space, 5,000 gsf of house of worship space, as well as a net decrease of 100 parking spaces, by the analysis year of 2031. The environmental consequences of this growth are the subject of Chapters 2 through 15 of this EIS.

The projected increase in residential population is likely to increase the demand for neighborhood services, ranging from community facilities to local goods and services. This would enhance the growth of local commercial corridors in the Project Area. It is anticipated that the consumer needs of the new residential and worker populations would largely be satisfied by a combination of the new retail and community facility uses provided by the Projected Developments, including the three new schools planned on Applicant-controlled sites, and the existing retail and community facility uses in the surrounding area. The development facilitated by the Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the Projected Development Sites and operation of the

Projected Developments after they are completed. However, this secondary growth is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses on the Projected Development Sites, however, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. As described in the **"**Land Use, Zoning, and Public Policy**"** section above, it is unlikely that the development resulting from the Proposed Actions would alter land use patterns in the surrounding area. The Proposed Actions would not create a critical mass of uses or populations that would induce additional development. As stated in the "Socioeconomic Conditions" section above, the Proposed Actions would also not introduce substantial new development that is markedly different from existing uses, development, and activities within the neighborhood. All of the uses contemplated under the Proposed Actions are well-established in the surrounding neighborhood, and would not constitute new economic activities or alter existing economic patterns. While the proposed residential uses would be additions to the Project Area, they do not represent new types of land uses and would be well served by existing and proposed businesses and community facility uses. As such, while the new residential, commercial, and community facility uses would be expected to contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the Project Area.

Moreover, the Proposed Actions do not include the introduction of new infrastructure or an expansion of infrastructure capacity that would result in indirect development. Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

Overall, the Proposed Actions are not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

I. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of developments projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of project-generated development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of project-generated development. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The projected and/or potential development under the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. However, the land use change that would occur as a result of the Proposed Actions would be compatible in terms of use and scale with existing conditions and trends in the area as a whole. None of the projected or potential development sites possess any natural resource values, and the sites are in large part developed or have been previously developed. It is noted that funds committed to the design, construction/renovation, and operation of projected or potential developments under the Proposed Actions would not be available for other projects. However, this is not a significant adverse fiscal impact or a significant adverse impact on City resources.

In addition, the public services provided in connection with the projected and/or potential developments under the Proposed Actions (e.g., police and fire protection, public education, open

space, and other city resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the Project Area and produce economic growth that would generate tax revenues providing a new source of public funds that would offset these expenditures.

The commitments of resources and materials are weighed against the benefits of the Proposed Actions which would allow new schools to operate within the Project Area, thereby addressing their capacity issues and meeting demand for their services in the neighborhood, and would also allow for the development of new housing, including permanently affordable housing pursuant to the MIH program, in an area with need for additional housing.