

One45
Draft Scope of Work for Preparation of a
Draft Environmental Impact Statement
CEQR No.: 21DCP167M (April 9, 2021)

A. INTRODUCTION

This Draft Scope of Work outlines the technical areas to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the proposed One45 project (the “Proposed Project”). The One45 Development Site comprises Block 2013, Lots 29, 33, 38, 44, and 50 in the Harlem neighborhood of Manhattan (Community District 10) (see **Figures 1 and 2**). It occupies the northeast portion of the block bounded by West 144th and 145th Streets, Lenox Avenue, and Adam Clayton Powell, Jr. Boulevard. The Applicant, One45 Lenox, LLC is seeking several land use actions, including a zoning map amendment from C8-3 and R7-2/C1-4 zoning districts to a C4-6 zoning district; special permits to waive height, setback, supplementary use, and parking requirements; a certification to waive retail continuity requirements; a certification to allow for additional curb cuts; and a zoning text amendment to establish the rezoning area as a Mandatory Inclusionary Housing (MIH) area.

The proposed actions would facilitate the construction of two new mixed-use buildings on the Development Site containing a Museum of Civil Rights; a new headquarters for Reverend Al Sharpton’s National Action Network; approximately 866–939 new residential units, including 217–282 affordable units pursuant to MIH; ground-floor retail space; and a banquet hall/event space. The new buildings would replace vacant land, a vacant gas station, and existing one-story structures containing retail, restaurant, gas station, and community facility uses. To allow the Applicant to respond appropriately to rapidly changing market conditions both in the Harlem neighborhood and in the economy and real estate market at large due to COVID-19, the podium of the proposed development would include either residential or commercial use (referred to here as the Residential Podium Scenario and the Office Podium Scenario; see “With Action Scenario” section below under “Analysis Framework”). The proposed buildings would have an approximately 85-foot-tall base and two towers, each rising to a height of approximately 363 feet (not including approximately 30 feet of mechanical bulkhead). Overall, the proposed actions would allow for an increase in the built floor area ratio (FAR) from 2.07 to a built FAR of approximately 12. In total, the incremental development that is projected to occur within the affected area in the future with the proposed actions, compared to the future without the proposed actions, is as follows: 48,015 gsf of museum use; 642,802–700,158 gsf of residential use, or approximately 817–890 units (a portion of which are assumed to be affordable pursuant to MIH); 17,291 gsf of banquet hall/event space; a reduction of 105,057–162,365 gsf of office use; a reduction of 28,495 gsf of retail use; a reduction of 33,238 gsf of community facility/medical office use; and a reduction of 24–35 accessory parking spaces.

The New York City Department of City Planning (DCP), acting on behalf of the City Planning Commission (CPC), will be the lead agency for the environmental review. Based on the

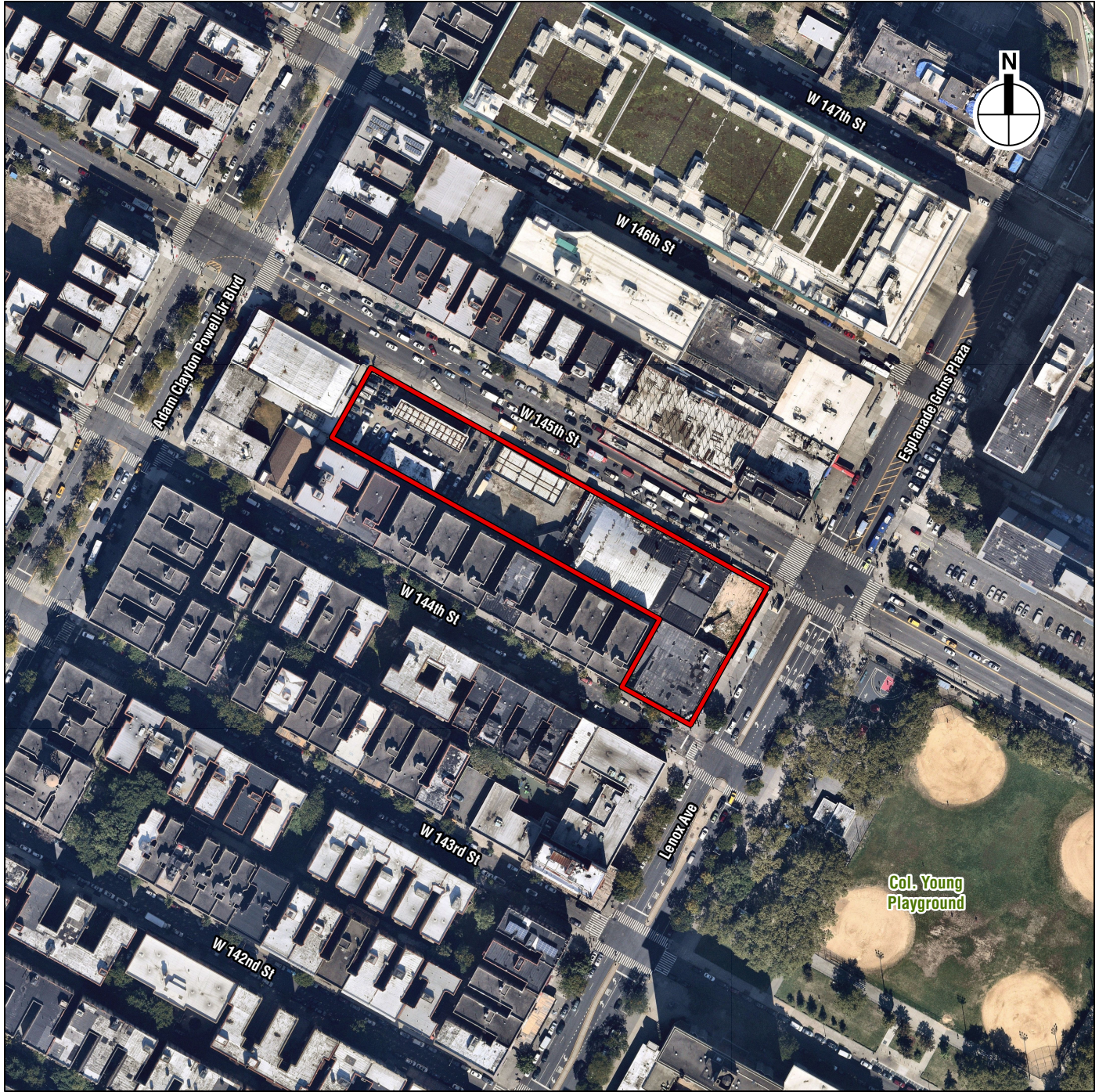


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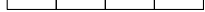


-  Development Site (Block 213)
-  Tax Lot in the Development Site





 Development Site

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Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the proposed actions have the potential to result in significant adverse environmental impacts, requiring that an EIS be prepared. This Draft Scope of Work outlines the technical areas to be analyzed in the preparation of a Draft EIS (DEIS) for the proposed actions. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. This Draft Scope of Work is intended to determine the range of issues and considerations to be evaluated in the EIS. It includes a description of the Proposed Project and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the DEIS. The 2020 *City Environmental Quality Review (CEQR) Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed actions' effects on the various environmental areas of analysis.

B. PROJECT DESCRIPTION

ACTIONS NECESSARY TO FACILITATE THE PROPOSAL

To facilitate the Proposed Project, a number of approvals are required, including discretionary actions that are subject to New York City Environmental Quality Review (CEQR). The proposed project is also subject to the City's Uniform Land Use Review Procedure (ULURP). The lead agency for the environmental review is the Department of City Planning (DCP). The proposed actions consist of:

- Amend Zoning Map 6A to change zoning on the Project Site, from an area currently mapped in a C8-3 district, along the southern side of West 145th Street between Adam Clayton Powell Jr. Boulevard and Lenox Avenue, as well as an area currently mapped in a C1-4/R7-2 district on the northwest corner of Lenox Avenue and West 144th Street, to a C4-6 district (see **Figure 3**);
- A special permit pursuant to Zoning Resolution (ZR) Section 74-74 (Large-Scale General Development) to modify the height and setback regulations of Section 35-64 and the supplementary use regulations of Sections 32-422 and 32-423. Pursuant to Section 35-64(b), within a C4-6 zoning district, a mixed-use development may be built pursuant to the standard tower regulations of Section 23-652, provided that: (1) at least 65 percent of the total allowable floor area on the zoning lot is in residential use; (2) all uses within the building comply with the locational requirements of Section 32-42; and (3) only the residential portion of the building penetrates the applicable sky exposure plane. The Proposed Project would include a commercial Use Group 9A banquet hall/event space located at the top of the tower facing Lenox Avenue with a separate ground-floor lobby entrance. As such, the Proposed Project would not comply with Section 32-422 in that a commercial use would be located above residential dwelling units, or with Section 32-423, in that the lobby portion of the Use Group 9A banquet hall would be located on the ground floor within 50 feet of a street wall. The Proposed Project also would not meet Section 35-64(b)(3), in that a portion of the building that penetrates the applicable sky exposure plane would contain a commercial use. The requested waiver would allow the Proposed Development to include this distinctive commercial space, which would be used for private events and conferences and would also be available to the Museum and NAN for its programming. As discussed further in the Applicant's Statement of Findings, without the requested special permit, the banquet hall would be required to be located on a lower floor,

Existing Zoning




- | | | | |
|--|--------------------------|---|----------------------------------|
|  | Development Site |  | C1-4 Commercial Overlay District |
|  | Rezoning Area (C4-6) |  | C2-4 Commercial Overlay District |
|  | Zoning District Boundary |  | Open Space |

Proposed Zoning




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severely diminishing its viability as a distinctive attraction in the neighborhood. The Applicant therefore requests a waiver of Section 35-64(b)(2-3), as well as Sections 32-422 and 32-423, to facilitate the Proposed Project;

- A special permit pursuant to ZR 74-533 to modify the residential parking regulations of Section 36-33 and 25-33. Within a C4-6 (R10 equivalent) zoning district, accessory off-street parking spaces are required for 40 percent of new market-rate residential units (because the Project Area is located in a Transit Zone, no accessory off-street spaces are required for newly developed, income-restricted units). As applied to the Proposed Project, in the Residential Podium Scenario, approximately 282 accessory off-street parking spaces would be required as accessory to the residential use; in the Office Podium Scenario, approximately 260 spaces would be required. The reduction in accessory parking would obviate the need to locate parking above-grade (which would take up space dedicated to the Museum, retail, or new housing) or below-grade (which would be prohibitively expensive, given the relatively high location of the water table and difficult subgrade terrain). Therefore, the Applicant requests a waiver to reduce the required parking by 130 to 141 spaces (or 50 percent, in either scenario) to accommodate the Proposed Project;
- A CPC certification pursuant to ZR 32-435(c), to modify certain retail continuity requirements. In a C6-4 district, Section 32-435(c) requires, for buildings with front building walls that are at least 50 feet in width and front upon a wide street, that a minimum of 50 percent of such width be occupied by certain commercial uses. The Proposed Development satisfies this provision with respect to both buildings in the aggregate, but not with respect only to the building fronting along West 145th Street, whose ground floor Use Group 6 retail frontages would total approximately 32.6 percent of that building's frontage on West 145th Street and approximately 41.9 percent of its aggregate total frontage on both Lenox Avenue and West 145th Street. This shortcoming is primarily because of that building's inclusion of the proposed museum use along approximately 157 feet of this building's street frontage. Therefore, in order to facilitate the proposed museum as a substantial ground floor use within this building, the Applicant requests a CPC certification to waive the 50 percent minimum commercial use requirement;
- A CPC certification pursuant to ZR 26-15, to allow additional curb cuts. The Proposed Project includes a second accessory loading berth to serve the proposed commercial and community facility uses while also providing an accessory group parking facility. Pursuant to Section 32-435(b), the Proposed Project would be subject to the regulations of Article II, Chapter 6, which includes the curb cut restrictions provided in Section 26-15. That section prohibits any curb cuts on wide streets and allows only one curb cut on narrow streets. However, Section 26-15 provides that additional curb cuts may be permitted by certification of the Commission and the Department of Transportation for zoning lots with a lot area in excess of 30,000 square feet. Although it may be possible for the Department of Buildings to waive associated parking and/or loading requirements, such waivers would significantly harm the design and use of the Proposed Development, as discussed in the Applicant's Statement of Findings. In short, without the proposed CPC certification, there would be no practical way to include a second accessory loading berth to service the substantial commercial and community facility uses within the Proposed Development while also providing an accessory group parking facility; and
- A zoning text amendment to Appendix F of the ZR to establish a Mandatory Inclusionary Housing (MIH) area at the rezoning area (see **Figure 4**). Under MIH, when new housing



-  Development Site
-  Rezoning Area
-  Mandatory Inclusionary Housing (MIH) Applicable Area

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Proposed MIH Zoning Map
Figure 4

capacity is approved through land use actions, CPC and the New York City Council can choose to impose one of several different options regarding affordable housing set-asides. The two options that may be mapped for every MIH area are:

- MIH Option 1: At least 25 percent of the residential floor area would be set aside for persons making no more than 60 percent of Area Median Income (AMI) on average, with at least 10 percent of the residential floor area set aside for persons making 40 percent of the AMI, and no AMI bands shall exceed 130 percent of the AMI; or
- MIH Option 2: At least 30 percent of the residential floor area would be set aside for persons making no more than 80 percent of the AMI on average, and no AMI bands shall exceed 130 percent of the AMI.

The CPC and the City Council could also add one or both of two other affordability options:

- MIH Option 3: 20 percent of the residential floor area would be set aside for households making an average of 40 percent of AMI, with subsidies allowed only where they are necessary to support more affordable housing; and
- MIH Option 4: 30 percent of the total residential floor area would be set aside for households making an average of 115 percent of AMI, with 5 percent of that number set aside for households at 70 percent of AMI and another 5 percent of that number set aside for households at 90 percent of AMI. None of the affordable DUs can go to households with incomes above 135 percent of AMI, and no direct subsidies can be used for these affordable DUs. The Applicant proposes to map both Option 1 and Option 2. For purposes of environmental review, each technical area of analysis will assume the more conservative MIH option specific to that analysis (i.e., the option that generates the greatest potential for significant adverse environmental impacts). For those analysis categories which specify level of affordability (e.g., child care), the analysis will assume 20 percent of the residential units would be set aside for households with incomes at or below 80 percent of the AMI.

RESTRICTIVE DECLARATION

The Applicant is expected to enter into a Restrictive Declaration to reflect the approvals described above. The Restrictive Declaration would require that the Proposed Project is developed in substantial accordance with the approved special permits and will establish any environmental mitigation conditions as necessary, as identified through the environmental review for the project.

DESCRIPTION OF THE REZONING AREA

The proposed rezoning area is coterminous with the Development Site. As shown in **Figure 1**, the proposed Development Site is located on the northeast portion of the block bounded by West 144th and 145th Streets, Lenox Avenue, and Adam Clayton Powell Jr. Boulevard in the Harlem neighborhood of Manhattan (Block 2013, Lots 29, 33, 38, 44, and 50). The Development Site has frontages on West 144th Street, West 145th Street, and Lenox Avenue. The Development Site is located in Manhattan Community District (CD) 10. The portion of the Development Site along the southern side of West 145th Street between Adam Clayton Powell Jr. Boulevard and Lenox Avenue is currently mapped as a C8-3 zoning district; the portion of the Development Site at the northwest corner of Lenox Avenue and West 144th Street is currently mapped R7-2, with a C1-4 overlay (see **Figure 3**).

The Development Site currently contains a vacant lot, one-story retail stores, a one-story office building containing the headquarters of the National Action Network (NAN, a nationally renowned civil rights organization), the Timbuktu Islamic Center, and two gas stations, one of which is vacant. The retail uses along West 145th Street and Lenox Avenue include restaurants, a 99-cent store, a laundromat, food (deli and candy) stores, a nail salon, and a liquor store; two storefronts are currently vacant. In total, the Development Site includes approximately 4,000 sf of community facility office space (the NAN headquarters); 24,654 sf retail (including the vacant gas station and vacant storefronts); 4,000 sf of other community facility use (the Timbuktu Islamic Center); and 4,813 sf of vacant land. The Development Site is approximately 68,841 sf in size and the existing built FAR of the Development Site is approximately 2.07. There are six curb cuts on West 144th Street and West 145th Street for building and gas station entrances.

DESCRIPTION OF THE SURROUNDING AREA

The Development Site is located at a prominent intersection in Harlem with good subway and bus access; it is directly adjacent to the No. 3 train 145th Street station (located at West 145th Street and Lenox Avenue), the Bx19 bus route (which runs along 145th Street), and the M1, M7, and M102 bus routes (which run along Lenox Avenue). The land uses in the area surrounding the Development Site are a mix of commercial, residential, and institutional. The MTA/NYCT Mother Clara Hale Bus Depot occupies the majority of the block between West 146th and 147th Streets, Lenox Avenue, and Adam Clayton Powell Jr. Boulevard. The superblock to the east of the Development Site, bounded by West 143rd and 145th Streets, Lenox Avenue, and the Harlem River, contains the 6.42-acre Colonel Charles Young Playground. North of the playground, along the Harlem River, is the Esplanade Gardens development, a complex of 27-story apartment buildings; other residential uses in the surrounding area primarily consist of walk-up (5- and 6-story) apartment buildings. Many of these residential buildings fronting the avenues contain retail on the ground floor.

There are self-storage facilities on 142nd Street east of Lenox Avenue and the north side of 145th Street opposite the Development Site, and a large art storage facility (ARCIS) on West 146th Street between Lenox Avenue and Adam Clayton Powell Jr. Boulevard. Institutional uses within the area include the Cathedral Church of St. Thomas the Apostle on the project block, the New Mt. Calvary Baptist Church opposite the Development Site on West 144th Street; and the Greater Hood Memorial AME Zion Church on West 145th Street. Community facility uses to the west of Adam Clayton Powell Jr. Boulevard include P.S. 194 Countee Cullen and FDNY Engine 69/Ladder 28/Battalion 16 on West 143rd Street. The National Dance Institute is located in the former P.S. 90 building, on West 147th Street.

ZONING

The portion of the Development Site along the southern side of West 145th Street between Adam Clayton Powell Jr. Boulevard and Lenox Avenue—as well as the two blocks directly north of the Development Site—are currently mapped as a C8-3 zoning district. The portion of the Development Site at the northwest corner of Lenox Avenue and West 144th Street is currently mapped R7-2, with a C1-4 overlay, as is the surrounding area south of the project block.

C8 zoning districts, which bridge commercial and manufacturing uses, provide for automotive and other heavy commercial services that often require large amounts of land. They are mapped

mainly along major traffic arteries where concentrations of automotive uses have developed. Maximum FAR in the C8-3 district is 2.0 for commercial uses.

R7 districts are medium-density residential zoning districts. Developments may choose between standard Height Factor bulk regulations or the optional Quality Housing bulk regulations. Height Factor buildings are often set back from the street and surrounded by open space and parking. Maximum FAR ranges from 0.87 to 3.44, and building heights are governed by a sky exposure plane. Quality Housing buildings produce lower buildings with high lot coverage set near the street line. Maximum FARs are 3.44 on a narrow street and 4.0 on a wide street. Quality Housing bulk regulations include height limits with minimum and maximum base heights. R7-2 districts require parking for 50 percent of dwelling units. No portion of the Development Site or the surrounding area is currently mapped as an Inclusionary Housing or Mandatory Inclusionary Housing-designated area.

There are two types of commercial overlays within the Development Site/Rezoning Area and the surrounding area: C1-4 commercial overlay districts and C2-4 commercial overlay districts. Commercial overlays are mapped within residential districts that serve local retail need, and allow uses such as grocery stores, restaurants, and beauty parlors. C2 commercial overlays allow a slightly wider range of uses than C-1 commercial overlays. In mixed-use buildings, commercial uses are limited to one or two floors and must be located below the residential uses. The C1-4 and C2-4 overlays have a commercial FAR of 2.0 when mapped within R7 districts.

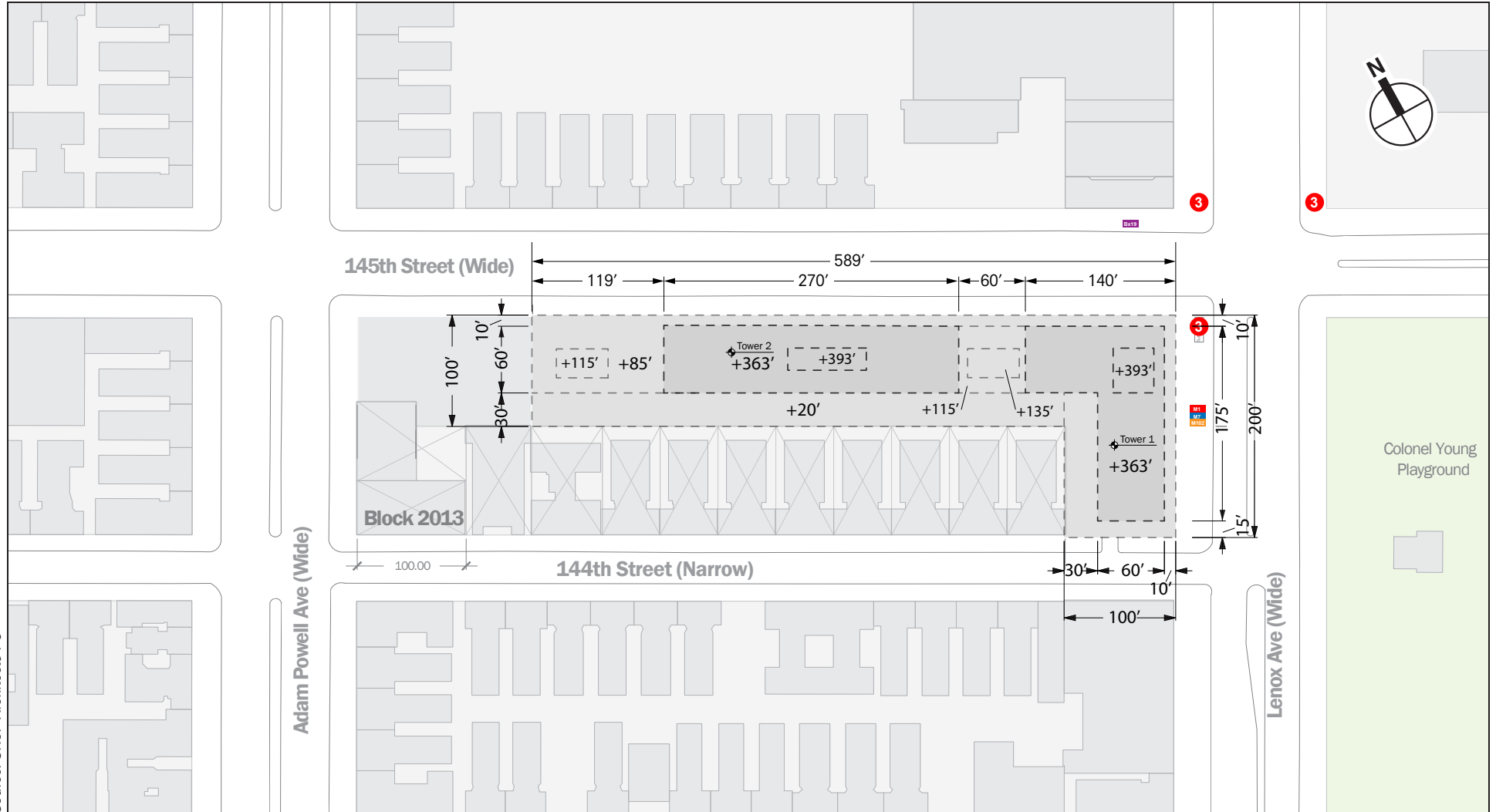
The western portion of the project block is zoned C4-4D. C4 districts are mapped in regional centers located outside of central business districts where specialty and department stores, theaters and office uses serve a larger region than neighborhood shopping areas. A large number of individual C4 districts have been created over time to address a range of conditions; in general, the higher the numeric suffix, the higher the permitted density and the lower the commercial parking requirement. C4 districts with a letter suffix are contextual districts that require a contextual building form. Maximum FAR in the C4-4D district is 3.4 for commercial uses, and an R8A equivalent for residential uses.

To the northeast of the Development Site/Rezoning Area, an R8 district is mapped along the Harlem River north of 145th Street. R8 districts are mapped in higher density areas of the city with a wide range of building types. In these districts, there are two sets of bulk regulations to choose from: the height factor regulations original to the 1961 Resolution, and the Quality Housing regulations that were introduced in 1987. Maximum FARs in the R8 district range from 0.94 to 6.02.

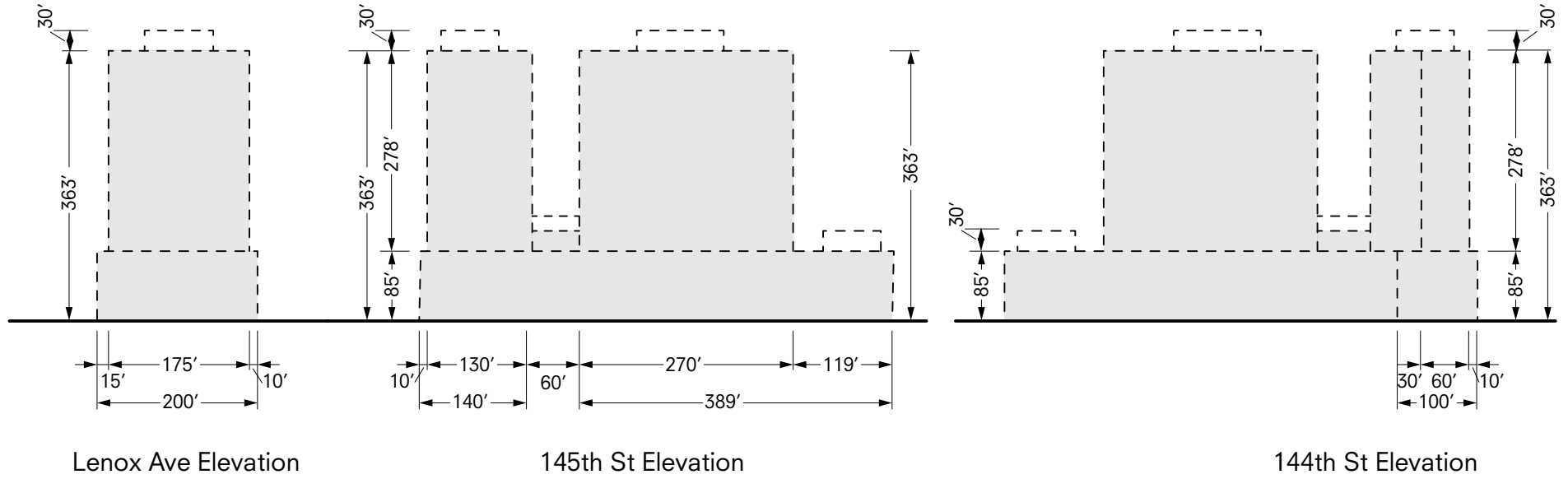
DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Proposed Project would develop two new mixed-use buildings on the Development Site, replacing the existing one-story commercial and community facility structures (see **Figures 5–7**). The Proposed Project would include a Museum of Civil Rights; a new headquarters for the National Action Network; a banquet hall/event space for community gatherings and events; ground-floor retail space; commercial office space; and approximately 866–939 new apartments, including 217–282 affordable units pursuant to MIH. In total, the Proposed Project would be approximately 941,000 gsf.

To allow the Applicant to respond appropriately to rapidly changing market conditions both in the Harlem neighborhood and in the economy and real estate market at large due to COVID-19, the podium of the proposed development is planned to include either residential or commercial



Proposed Project Site Plan
Figure 5





use, resulting in two different potential development scenarios, referred to here as the Residential Podium Scenario and the Office Podium Scenario. The program for each scenario is provided below in **Table 1**.

Table 1
Proposed Project Program

Use (GSF)	With Action (Residential Podium Scenario)	With Action (Office Podium Scenario)
Residential	±741,714 gsf	±684,358 gsf
Residential Units	939 ¹	866 ¹
Affordable Unit Count	235–282	217–260
Museum	±48,015 gsf	±48,015 gsf
Office (Commercial/CF)	±17,710 gsf	±75,018 gsf
Banquet Hall/Event Space (UG9A)	±17,291 gsf	±17,291 gsf
Retail	±41,991 gsf	±41,991 gsf
Accessory Parking²	141	130
Total GSF	±866,721 gsf³	±866,673 gsf⁴
Notes: Totals may not sum due to rounding. ¹ Average unit size at 790 sf/unit. ² Required accessory parking would be 282 spaces for the Residential Podium Scenario and 260 spaces for the Office Podium Scenario. ³ Does not include 33,456 gsf for accessory parking, 26,292 gsf of mechanical space, and 14,452 gsf of vertical circulation space for the UG9A banquet hall/event space. Total gsf for this scenario including those non-programmatic areas is 940,921 gsf. ⁴ Does not include 33,456 gsf for accessory parking, 26,292 gsf of mechanical space, and 14,500 gsf of vertical circulation space for the UG9A banquet hall/event space. Total gsf for this scenario including those non-programmatic areas is 940,921 gsf.		

If the podium is developed with predominantly residential use (the Residential Podium Scenario), the development would comprise 741,714 gsf of residential use (approximately 939 units at an average of 790 sf/unit, of which approximately 235–282 would be affordable, [25–30 percent, depending on the MIH option selected]) and 17,710 gsf of commercial office use. If the podium is developed with predominantly office use (the “Office Podium Scenario”), the development would comprise 684,358 gsf of residential use (approximately 866 units at an average 790 sf/unit, of which approximately 217–260 would be affordable) and 75,018 gsf of commercial office use. In either scenario, the Proposed Project would include 48,015 gsf of community facility (civil rights museum) use, 17,291 gsf of banquet hall/event space (Use Group 9A), and 41,991 gsf of retail uses. The commercial UG9A use in either scenario would comprise a 17,291 gsf banquet hall for meetings, performances, conferences, and private events; an additional approximately 14,500 gsf would be for vertical circulation for this use. The proposed buildings would have an approximately 85-foot-tall base and two towers, rising to a height of approximately 363 feet (not including approximately 30 feet of mechanical bulkhead). In either scenario, three curb cuts are proposed on West 144th and 145th Streets to accommodate service access, including loading, waste removal, and access/egress from the below-grade parking facility, which will include 130-141 spaces accessory to the proposed residential use (in the Office Podium Scenario and Residential Podium Scenario, respectively). (The Office Podium Scenario would require 260 parking spaces, and the Residential Podium Scenario would require 282 spaces, accessory to the proposed residential use. The parking requirements are proposed to be modified through the special permit pursuant to ZR Section 74-533.) Overall, the development on the site would increase from a built FAR of approximately 2.07 (existing conditions) to a built FAR of approximately 12 (future with the proposed actions).

BUILD YEAR

The Applicant plans to construct the two proposed buildings in one phase, anticipated to be complete in 2026 (38 months total). Therefore, a future build year of 2026 will be examined to assess the potential impacts of the proposed actions.

C. PURPOSE AND NEED OF THE PROPOSED ACTIONS

The actions being sought would facilitate the development of the Proposed Project. The Development Site is located at a prominent intersection in Harlem with excellent subway and bus access; it is directly adjacent to the No. 3 train 145th Street station (located at West 145th Street and Lenox Avenue), the Bx19 bus route (which runs along 145th Street), and the M1, M7, and M102 bus routes (which run along Lenox Avenue). As described above, it currently contains a vacant lot, one-story retail stores, a one-story office building containing the headquarters of Reverend Al Sharpton's National Action Network ("NAN"), a nationally renowned civil rights organization, and two gas stations (one vacant). The existing NAN office building was constructed in 1920 and in the opinion of the Applicant is in need of significant repair and modernization.

The C8-3 zoning district includes the project block and two blocks directly north; within this district, residential and educational uses are not permitted. The surrounding area is predominantly zoned with residential districts (R8 and R7-2), and surrounding uses include 5- and 6-story apartment buildings, as well as the 27-story Esplanade Gardens apartment complex two blocks to the north. The existing zoning of the Development Site does not support dynamic, mixed-use development that would encourage services for the existing neighborhood residents and enhance the streetscape at this prominent intersection. The existing zoning also does not allow for educational and cultural uses that will benefit the City at large. Within the C8-3 zoning district, Use Group 3 museums are not permitted, nor are any residential uses—precluding the possibility of the kind of multi-use development that benefits existing residents and the neighborhood at large. Within both zoning districts, the maximum allowable commercial FAR is 2.0, which would not support a significant commercial office development. As a result, the only significant recent development in the surrounding area has been a self-storage facility on the north side of West 145th Street, which is a permitted use within the existing C8-3 zoning district and likely the highest and best use at the Development Site under existing zoning.

The Proposed Actions would facilitate the development of two new buildings containing a Museum of Civil Rights; a new headquarters for the National Action Network; a banquet hall/event space for community gatherings and events; ground-floor retail space; commercial office space; and approximately 866–939 new apartments, including 217–282 affordable units pursuant to MIH. The increased allowable residential FAR would maximize the opportunity for new affordable units, while the special permit modifications would support a superior site plan, better urban design, and maximum flexibility for the design of the Museum of Civil Rights. The Applicant has stated that this museum, sponsored by the Civil Rights Foundation, will be committed to promoting a greater understanding of the history and legacy of the modern civil rights movement in New York City and across the nation, and will feature a variety of uniquely designed programmatic spaces. In the Office Podium Scenario, the Proposed Project also would create Class A commercial office space, which is undersupplied in the surrounding neighborhood. The anticipated banquet hall/event space (UG9A) use would provide much-needed space for community meetings, performances, and other events. The proposed development as a whole as envisioned by the Applicant will be an iconic, transit-oriented,

mixed-use complex that will enliven the streetscape and contribute significantly to the built environment of this prominent Harlem location.

The Applicant believes the Proposed Project would be consistent with the City’s *Housing New York 2.0* plan, which sets a goal of building or preserving 300,000 units of high-quality affordable housing in all five boroughs by 2026. The Applicant also believes the proposed modification to reduce parking regulations would be appropriate to reflect usage patterns in this transit-rich area and would be consistent with the City’s Zoning for Quality and Affordability initiative, which exempts affordable housing units from parking requirements.

D. DEVELOPMENT SITE

As described above and detailed below in **Table 2** and **Figure 1**, the Development Site comprises Block 2013, Lots 29, 33, 38, 44, and 50, with a total lot area of 68,841 sf. The proposed rezoning area is coterminous with the Development Site. The Development Site currently includes approximately 4,000 sf of community facility office space (the NAN headquarters); 24,654 sf retail (including a vacant gas station and two vacant storefronts); 4,000 sf of other community facility use (the Timbuktu Islamic Center); and 4,813 sf of vacant land. There are six curb cuts on West 144th Street and West 145th Street for building and gas station entrances.

Table 2
Lots within Development Site/Rezoning Area

Block/Lot	Lot Area (sf)	Building Area (sf)	Existing Use
2013/29	15,170	15,000	Retail, restaurant, vacant storefront, NAN headquarters, Timbuktu Islamic Center
2013/33	4,813	N/A	Vacant land
2013/38	15,986	14,988	Retail, restaurant
2013/44	13,988	322	Gas station, not in use
2013/50	18,884	2,344	Gas station

The proposed rezoning would increase the maximum allowable FAR within the Rezoning Area from a maximum existing FAR of 4.6 for residential use (within the R7-2 district, for a quality housing development) to a maximum proposed FAR of 12, and from a maximum FAR of 2.0 for commercial use to a maximum FAR of 3.4. The maximum allowable FAR for community facility use would increase from a maximum of 2.0 FAR to a maximum of 10.0.

E. ANALYSIS FRAMEWORK

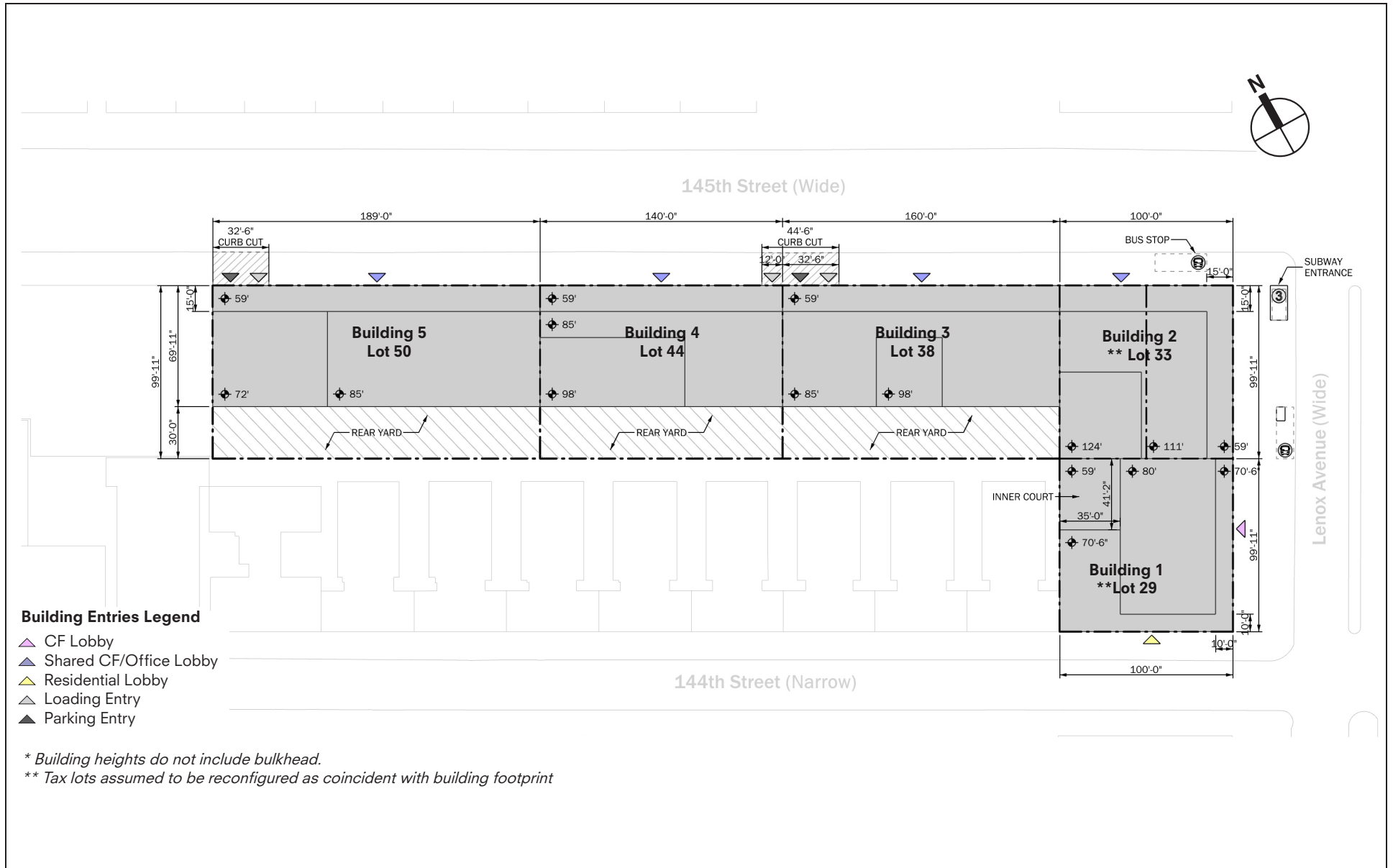
The *CEQR Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the proposed actions’ potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS will consider the proposed actions’ potential adverse impacts on its environmental setting. A future build year of 2026 will be examined to assess the potential impacts of the proposed actions. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed actions (the No Action scenario), and conditions in the future with the proposed actions (the With Action scenario). The incremental difference between the No Action and With Action conditions is analyzed to determine the potential environmental effects of the proposed actions.

NO ACTION SCENARIO

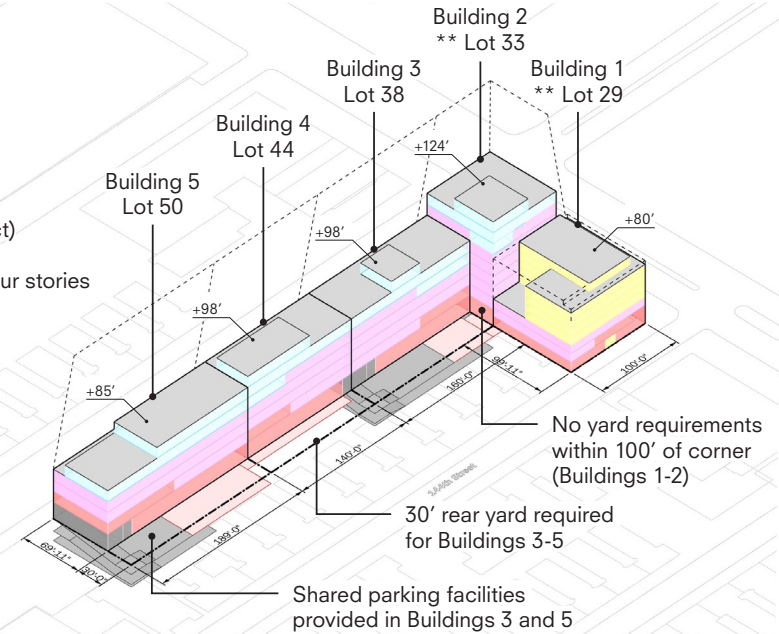
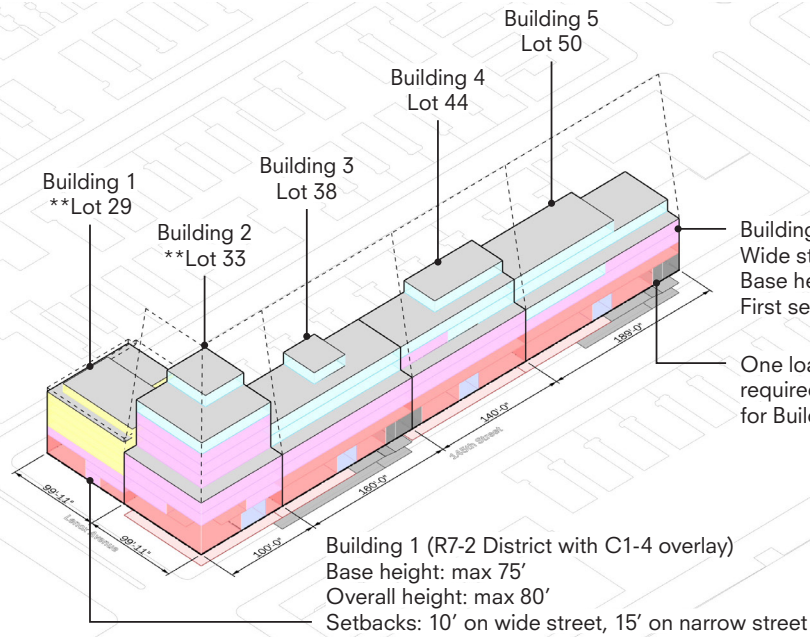
For the purposes of a conservative analysis, it is assumed that the in the future without the propose actions (the No Action scenario), the dimensions of zoning Lot 29 and Lot 33 would be reconfigured to 100'x100' each, to eliminate the split zoning lot condition for Lot 29. The existing buildings on the Development Site would be demolished and replaced with five new as-of-right buildings containing a total of approximately: 70,486 gsf (68,433 zsf) of retail use, 180,075 gsf (163,705 zsf) of office use, 41,556 gsf (39,958 zsf) gsf of residential use (approximately 49 units, at an average size of 850 sf/unit), and 33,238 gsf (30,217 zfa) of community facility (medical office) use (see **Figures 8a and 8b**). The new buildings would total approximately 325,355 gsf (302,312 zsf) of new development, for a built FAR of approximately 4.40 (built FAR within the C8-3 portion of the Development Site would be 3.45, and the built FAR within the R7-2 portion of the Development Site would be 6.5). The residential use would be restricted to the portion of the site located in the R7-2 district (Lot 29), since this use is not permitted within the C8-3 zoning district. The new buildings would rise to a base height of approximately 59 feet along West 145th Street, with upper stories rising to between 70 and 98 feet (without mechanicals), with the exception of the building at the corner of Lenox Avenue and West 145th Street, which could rise to a maximum roof height of approximately 124 feet (without mechanicals). The No Action scenario is projected to require approximately 165 parking spaces accessory to the retail, office, and community facility medical office uses, which would be accommodated below grade within the proposed buildings. (Parking would not be required for the residential use in the No Action scenario pursuant to ZR Section 25-242, because zoning Lot 29 would be reconfigured to a 100'x100' lot to eliminate the split zoning lot condition, and there is no required parking for zoning lots of 10,000 sf or less.) Two curb cuts, for the parking facility and loading areas, would be located on West 145th Street. For the purposes of a conservative analysis, it is assumed that all of the residential units would be market-rate in the No Action scenario.

WITH ACTION SCENARIO

In the With Action scenario, the existing buildings on the Development Site would be demolished, and in their place the Proposed Project would be constructed. The Proposed Project would include community facility space (intended for a Museum of Civil Rights); office space (intended for a new headquarters for the National Action Network), a community gathering space, ground-floor retail space; and approximately 866–939 new apartments, including 217–282 affordable units pursuant to MIH. In total, the Proposed Project would be approximately 941,000 gsf. To allow the Applicant to respond appropriately to rapidly changing market conditions both in the Harlem neighborhood and in the economy and real estate market at large due to COVID-19, the podium of the proposed development is planned to include either residential or commercial use, resulting in two different potential development scenarios. As detailed above in **Table 1**, if the podium is developed with predominantly residential use (the “Residential Podium Scenario”), the development would comprise 741,714 gsf of residential use (approximately 939 units at an average of 790 sf/unit, of which approximately 235–282 would be affordable, [25–30 percent, depending on the MIH option selected]) and 17,710 gsf of commercial office use. If the podium is developed with predominantly office use (the “Office Podium Scenario”), the development would comprise 684,358 gsf of residential use (approximately 866 units at an average 790 sf/unit, of which approximately 217–260 would be affordable) and 75,018 gsf of commercial office use. In either scenario, the Proposed Project would include 48,015 gsf of community facility (civil rights museum) use, 17,291 gsf of banquet hall/event space (Use Group 9A), and



No Action Building Site Plan
Figure 8a

**Program Legend**

- CF (Office/Doctor)
- Office
- Residential
- Retail
- Parking/Loading

Floor to Floor Height Assumptions**Building 1:**

- Ground floor: 12'
- CF, Level 2 retail: 10'
- Residential: 9'-6"
- Cellar: 13'-2"

Buildings 2-5:

- Ground floor: 20'
- CF, office, level 2 retail: 13'
- Cellar: 13'-2"

Vehicular Parking Requirements

- Residential: exempt per ZR 25-242
- Retail, Office: 1 per 1000 ZSF
- CF Office: none required
- CF Doctor: 1 per 1000 ZSF

Bike Parking Requirements

- Residential: 1 per 2 DUs
(Assume 850 ZSF per DU)
- Retail: 1 per 10,000 ZSF
- Office: 1 per 7,500 ZSF
- CF: 1 per 10,000 ZSF

* Building heights do not include bulkhead.

** Tax lots assumed to be reconfigured as coincident with building footprint

41,991 gsf of retail uses. The commercial UG9A use in either scenario would comprise a 17,291 gsf banquet hall for meetings and private events; an additional approximately 14,500 gsf would be for vertical circulation for this use. The proposed buildings would have an approximately 85-foot-tall base and two towers, rising to a height of approximately 363 feet (not including approximately 30 feet of mechanical bulkhead). Both scenarios would be within the proposed maximum tower envelope. In either scenario, three curb cuts are proposed on West 144th and 145th Streets to accommodate service access, including loading, waste removal, and access/egress from the below-grade parking facility.

See **Table 3** for a comparison of the No Action and With Action scenarios. As described above, the development on the site would increase from a built floor area ratio (FAR) of approximately 2.07 (existing conditions) to a built FAR of approximately 12. The With Action scenario will assume that either 25 or 30 percent of the new residential units would be designated as affordable, in compliance with MIH. The Applicant anticipates pursuing MIH Option 1. As described above, for purposes of environmental review, the EIS assumes the more conservative MIH option specific to that analysis (i.e., the option that generates the greatest potential for significant adverse environmental impacts). For those analysis categories which specify level of affordability (e.g., child care), the analysis will assume 20 percent of the residential units would be set aside for households with incomes at or below 80 percent of the AMI.

Table 3
Comparison of No Action and With Action Scenarios

Use (GSF)	Existing Condition	No Action Scenario	With Action (Residential Podium Scenario)	With Action (Office Podium Scenario)	Increment (Residential Podium Scenario)	Increment (Office Podium Scenario)
Residential	0 gsf	±41,556 gsf	±741,714 gsf	±684,358 gsf	700,158 gsf	642,802 gsf
Residential Units	0	49 ¹	939 ²	866 ²	890	817
Affordable Unit Count	0	0	235–282	217–260	235–282	217–260
Museum	0	0	±48,015 gsf	±48,015 gsf	48,015 gsf	48,015 gsf
Office (Commercial/CF)	±4,000 gsf	±180,075 gsf	±17,710 gsf	±75,018 gsf	(162,365) gsf	(105,057) gsf
Banquet Hall/Event Space (UG9A)	0	0	±17,291 gsf	±17,291 gsf	17,291 gsf	17,291 gsf
Community Facility	±4,000 gsf	±33,238 gsf	0	0	(33,238) gsf	(33,238) gsf
Retail	±24,654 gsf ³	±70,486 gsf	±41,991 gsf	±41,991 gsf	(28,495) gsf	(28,495) gsf
Accessory Parking	20	165	141	130	(24)	(35)
Vacant Land	4,813 sf	0	0	0	0	0
Total GSF	±32,654 gsf	±325,355 gsf	±866,721 gsf ⁴	±866,673 gsf ⁵	541,366 gsf ⁶	541,318 gsf ⁶
Notes: Totals may not sum due to rounding. ¹ Average unit size at 850 sf/unit. ² Average unit size at 790 sf/unit. ³ Includes approximately 2,322 gsf of vacant storefront and gas station space. ⁴ Does not include 33,456 gsf for accessory parking, 26,292 gsf of mechanical space, and 14,452 gsf of vertical circulation space for the banquet hall/event space. Total gsf for this scenario including those non-programmatic areas is 940,921 gsf. ⁵ Does not include 33,456 gsf for accessory parking, 26,292 gsf of mechanical space, and 14,500 gsf of vertical circulation space for the banquet hall/event space. Total gsf for this scenario including those non-programmatic areas is 940,921 gsf. ⁶ Does not include square footages for accessory parking, mechanical space, or vertical circulation space for the banquet hall/event space (UG9A).						

In total, the incremental development that is projected to occur within the affected area in the future with the proposed actions, compared to the future without the proposed actions, is as follows: 48,015 gsf of museum use; 642,802–700,158 gsf of residential use, or approximately 817–890 units (a portion of which are assumed to be affordable pursuant to MIH); 17,291 gsf of banquet hall/event space; a reduction of 105,057–162,365 gsf of office use; a reduction of

28,495 gsf of retail use; a reduction of 33,238 gsf of community facility/medical office use; and a reduction of 24–35 accessory parking spaces.

F. CITY ENVIRONMENTAL QUALITY REVIEW

CEQR OVERVIEW

New York City has formulated an environmental review process, CEQR, pursuant to the State Environmental Quality Review Act (SEQRA) and its implementing regulations (Part 617 of 6 New York Codes, Rules, and Regulations). The City’s CEQR rules are found in Executive Order 91 of 1977 and subsequent rules and procedures adopted in 1991 (62 Rules of the City of New York, Chapter 5). CEQR’s mandate is to assure that governmental agencies undertaking actions within their discretion take a “hard look” at the environmental consequences of each of those actions so that all potential significant environmental impacts of each action are fully disclosed, alternatives that reduce or eliminate such impacts are considered, and appropriate, practicable measures to reduce or eliminate such impacts are adopted.

The CEQR process begins with selection of a “lead agency” for the review. The lead agency is generally the governmental agency which is most responsible for the decisions to be made on a proposed action and which is also capable of conducting the environmental review. For the Proposed Project, the Department of City Planning (DCP), acting on behalf of CPC, is the CEQR lead agency.

DCP, after reviewing the Environmental Assessment Statement (EAS), has determined that the proposed actions have the potential for significant adverse environmental impacts and that an EIS must be prepared. A public scoping of the content and technical analysis of the EIS is the first step in its preparation, as described below. Following completion of scoping, the lead agency oversees preparation of a draft EIS (DEIS) for public review.

DCP and CPC will hold a public hearing during the Commission’s period for consideration of the application. That hearing record is held open for 10 days following the open public session, at which time the public review of the DEIS ends. The lead agency then oversees preparation of a final EIS (FEIS), which incorporates all relevant comments made during public review of the DEIS. The FEIS is the document that forms the basis of CEQR Findings, which the lead agency and each involved agency (if applicable) must make before taking any action within its discretion on the proposed actions.

SCOPING

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the proposed actions. The process at the same time allows other agencies and the public a voice in framing the scope of the EIS. During the period for scoping, those interested in reviewing the draft EIS scope may do so and give their comments in writing to the lead agency or at the public scoping meeting. The period for comments on the Draft Scope of Work will remain open for 10 days following the meeting, at which point the scope review process will be closed. The lead agency will then oversee preparation of a Final Scope of Work, which incorporates all relevant comments made on the scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The DEIS will be prepared in accordance with the Final Scope of Work.

G. PROPOSED SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The scope of the EIS will conform to all applicable laws and regulations and will follow the guidance of the 2020 *CEQR Technical Manual*.

The EIS will contain:

- A description of the proposed actions and the environmental setting;
- A statement of the environmental impacts of the proposed actions, including its short- and long-term effects, and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the proposed actions are implemented;
- A discussion of reasonable alternatives to the proposed actions;
- An identification of any irreversible and irretrievable commitments of resources that would be involved if the proposed project is built; and
- A description of mitigation measures proposed to minimize or fully mitigate any significant adverse environmental impacts.

The analyses for the proposed actions will be performed for the expected year of completion of construction of the Proposed Project, which is 2026. The No Action future baseline condition to be analyzed in all technical chapters will assume that absent the proposed actions, the existing buildings on the Development Site would be demolished and replaced with five new as-of-right buildings containing a total of approximately: 180,075 gsf of office use, 70,486 gsf of retail use, 41,556 gsf of residential use (49 units), and 33,238 gsf of community facility (medical office) use. The new buildings would total approximately 325,355 gsf of new development.

Below is a description of the environmental categories in the *CEQR Technical Manual* that will be analyzed in the EIS and a description of the tasks to be undertaken.

PROJECT DESCRIPTION

This chapter introduces the reader to the proposed actions and sets the context in which to assess impacts. The chapter gives the public and decision-makers a baseline to compare the With Action scenario, the No Action scenario, and any alternative options, as appropriate.

The chapter will contain a project identification (brief description and location of the Development Site/Rezoning Area); the background and/or history of the Development Site and the Proposed Project; a statement of purpose and need for the proposed actions; a detailed description of the Proposed Project; and a discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. The chapter will also describe the analytic framework for the EIS.

The project description will include a discussion of key project elements, such as site plans and elevations, access and circulation, and other project features. The section on required approvals will describe all public actions required to develop the Proposed Project. The role, if any, of any other public agency in the approval process will also be described. The role of the EIS as a full disclosure document to aid in decision-making will be identified and its relationship to any other approval procedures will be described.

LAND USE, ZONING, AND PUBLIC POLICY

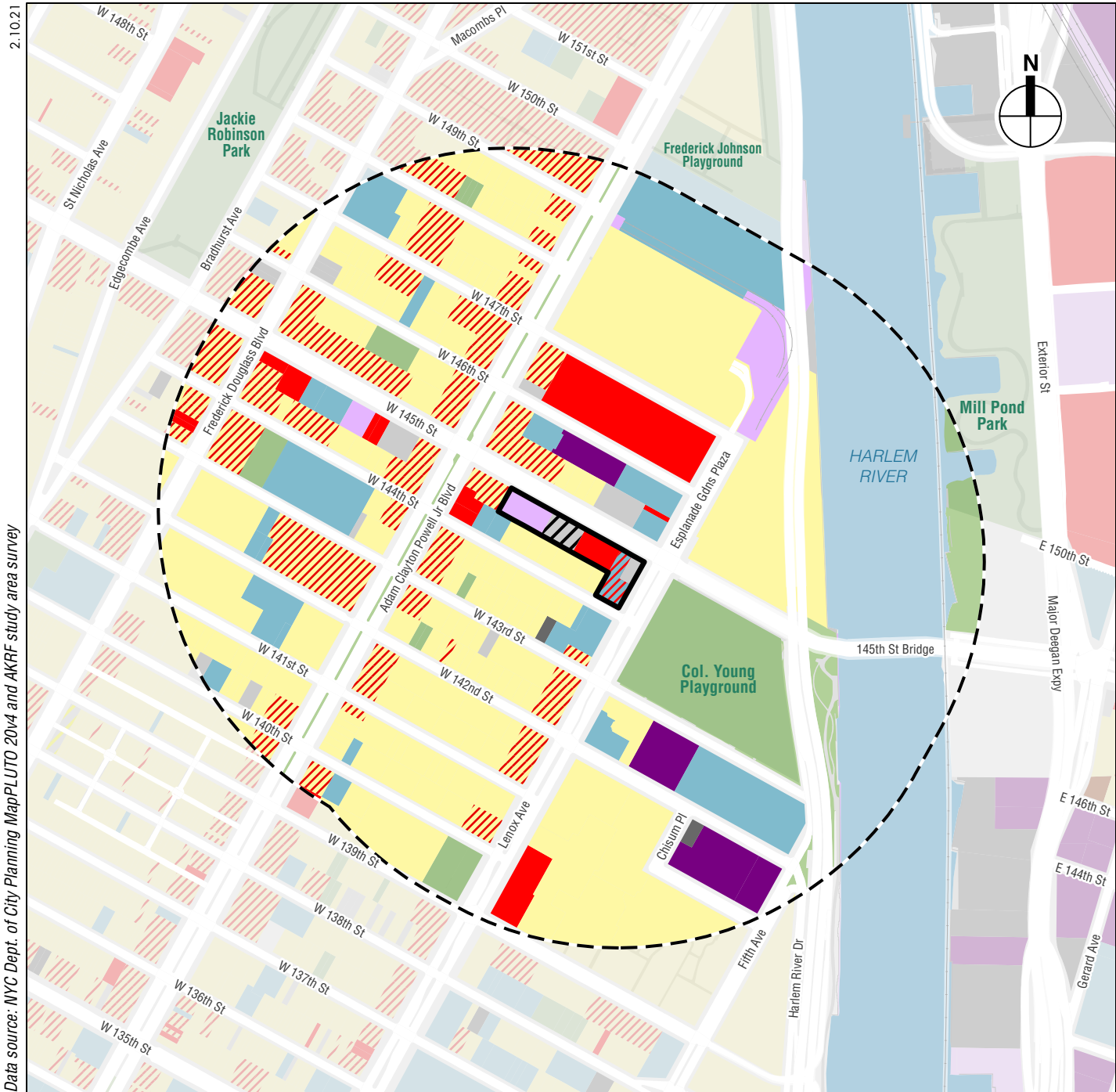
A land use analysis characterizes the uses and development trends in the area that may be affected by a proposed project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. That assessment, which provides a baseline for other analyses, will consist of the following tasks:

- Provide a brief development history of the Development Site/Rezoning Area and study area.
- Describe conditions on the Development Site, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends. The study area will include land uses within approximately ¼-mile of the Development Site (see **Figure 9**).
- Provide a clear zoning map and discuss existing zoning and recent zoning actions in the study area.
- Summarize other public policies that may apply to the Development Site and study area, including any formal neighborhood or community plans, the New York City Waterfront Revitalization Program (WRP), and OneNYC. Describe any public policy goals for the area that would potentially be affected by the proposed actions.
- Prepare a list of other projects expected to be built in the study area that would be completed before or concurrent with the Proposed Project (No Action projects). Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the proposed actions and provide an assessment of the impacts of the proposed actions on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the project on development trends and conditions in the area.

SOCIOECONOMIC CONDITIONS

This chapter will assess the proposed actions' potential effects on the socioeconomic character of the surrounding area. The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

The socioeconomic study area boundary will be dependent on the size of the area's population in the future without the proposed actions, and the characteristics of the proposed development within the rezoning area, pursuant to Section 310 of Chapter 5 of the *CEQR Technical Manual*. A socioeconomic assessment seeks to assess the potential to change socioeconomic character relative to the study area population. The proposed actions are expected to generate a net increase of approximately 817–890 dwelling units on the Development Site. For projects or actions that result in an increase in population, the scale of the relative change is typically represented as a percent increase in population (i.e., a project that would result in a relatively



- Development Site
- Land Use Study Area (1/4-mile perimeter)

Existing Land Use

- | | | |
|-----------------------------------|------------------------------------|-----------------|
| Commercial and Office Buildings | Public Facilities and Institutions | Vacant Land |
| Industrial and Manufacturing | Residential | Vacant Building |
| Institutions and Commercial | Residential with Commercial Below | |
| Open Space and Outdoor Recreation | Transportation and Utility | |
| Parking Facilities | | |

0 400 FEET

large increase in population may be expected to affect a larger study area). Therefore, the socioeconomic study area would be expanded from a ¼-mile radius to a ½-mile radius if the development associated with the proposed actions would increase the population within a ¼-mile radius by at least 5 percent compared to the expected No Action population (see **Figure 10**).

The six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on specific industries. The following describes whether and how each of these issues will be addressed in the EIS.

DIRECT RESIDENTIAL DISPLACEMENT

Direct residential displacement is the involuntary displacement of residents from a site directly affected by an action. The proposed actions would not result in the direct displacement of any residents. Therefore, an assessment of direct residential displacement is not warranted.

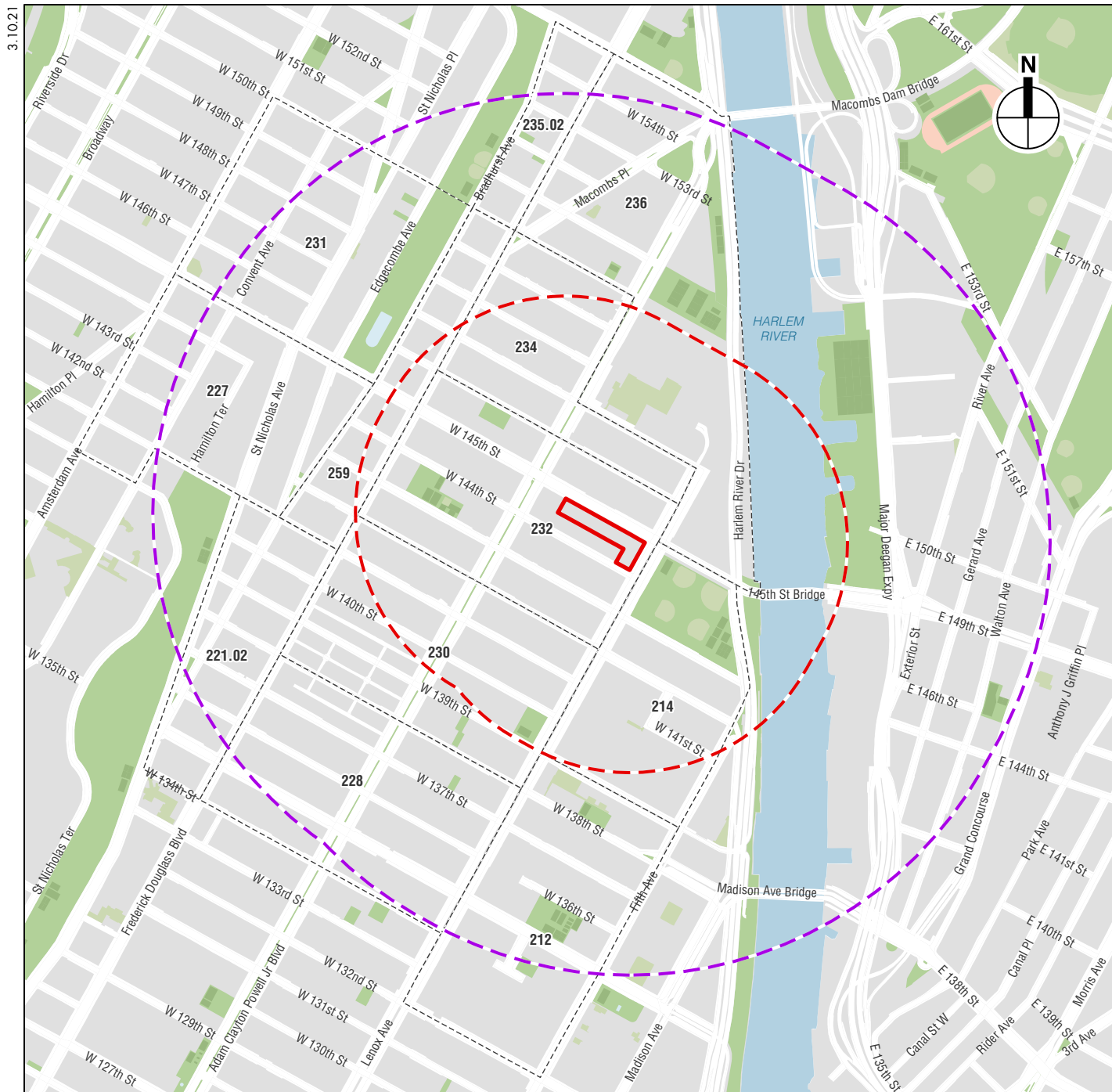
DIRECT BUSINESS DISPLACEMENT

Direct business displacement is the involuntary displacement of businesses from a site directly affected by an action. The proposed actions would not result in any direct business displacement. In the future without the proposed actions, the existing uses on the Development Site—approximately 22,332 sf of retail, restaurant, and gas station use and 8,000 gsf of community facility space (NAN offices and Timbuktu Islamic Center)—would be displaced to accommodate as-of-right development. Because the displacement of these uses would occur irrespective of the proposed actions, the proposed actions would not result in significant adverse direct business displacement impacts, and further assessment of this concern is not warranted.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement can occur if a project either introduces a trend or accelerates a trend of changing socioeconomic conditions that leads to increased residential rents, which in turn may displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. To assess this potential impact, the analysis will address a series of threshold questions in terms of whether the project substantially alters the demographic character of an area through population change or the introduction of more costly housing.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD), as well as current real estate market data to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median gross rent, current market rate rents, and average and median household incomes. The preliminary assessment will carry out the following step-by-step evaluation:



- Development Site
- Quarter-mile Boundary
- Half-mile Boundary
- 232 Census Tract

0 1,000 FEET

Socioeconomic Study Area
Figure 10

- **Step 1:** Determine if the proposed actions would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- **Step 2:** Determine if the proposed actions' population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- **Step 3:** Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the proposed action's on such trends. This evaluation will consider the following:
 - If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.
 - If no such trend exists either within or near the study area, the actions could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment. In this circumstance no further analysis is necessary.
 - If those trends do exist near to or within smaller portions of the study area, the action could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis will be conducted.

A detailed analysis, if warranted, would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the proposed actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

INDIRECT BUSINESS DISPLACEMENT DUE TO INCREASED RENTS

The indirect business displacement analysis determines whether the proposed actions may introduce trends that make it difficult for those businesses that provide products and services essential to the local economy, or those subject to regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, to remain in the area. The purpose of this analysis is to determine whether a proposed action has potential to introduce such a trend. The preliminary assessment will entail the following tasks:

- Identify and characterize conditions and trends in employment and businesses within the study area. This analysis will be based on field surveys, and employment data from the New York State Department of Labor and/or Census.
- Determine whether the proposed actions would introduce enough of a new economic activity to alter existing economic patterns.
- Determine whether the proposed actions would add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend to alter existing economic patterns.

- Determine whether the proposed actions would directly displace uses of any type that directly support businesses in the area or bring people to the area that form a customer base for local businesses.
- Determine whether the proposed actions could directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment determines that the proposed actions could introduce trends that make it difficult for businesses that are essential to the local economy to remain in the area, a detailed analysis will be conducted. Following *CEQR Technical Manual* guidelines, the detailed analysis would determine whether the proposed actions would increase property values and thus increase rents for a potentially vulnerable category of business and whether relocation opportunities exist for those businesses. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

INDIRECT BUSINESS DISPLACEMENT DUE TO RETAIL MARKET SATURATION

An assessment of potential business displacement due to retail market saturation (i.e., competition) is not warranted. The proposed actions are not expected to add to, or create, a retail concentration that may draw a substantial amount of sales from existing businesses within the study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in potential for disinvestment on local retail streets. According to the guidelines established in the *CEQR Technical Manual*, projects resulting in less than 200,000 gsf of retail on a single development site would not typically result in socioeconomic impacts warranting assessment. The proposed actions would result in a net decrease in retail uses on the Development Site by 2026.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Based on the findings of the indirect displacement assessment described above, a preliminary assessment of potential effects on specific industries will examine the following:

- Whether the proposed actions would significantly affect business conditions in any industry or category of businesses within or outside the study area; and
- Whether the proposed actions would indirectly substantially reduce employment or impair the economic viability in a specific industry or category of businesses.

The industries or categories of businesses that will be considered in this assessment are those specified in the North American Industry Classification System (NAICS) as promulgated by the U.S. Census Bureau.

COMMUNITY FACILITIES AND SERVICES

As defined for CEQR analysis, community facilities are public or publicly funded schools, libraries, early childhood program centers, health care facilities and fire and police protection. A project can affect community facility services directly, when it physically displaces or alters a community facility; or indirectly, when it causes a change in population that may affect the services delivered by a community facility. This chapter of the EIS will evaluate the effects on community services due to the proposed actions.

The proposed actions would not have a direct effect on community facilities, as there would not be a physical displacement or alteration of any community facilities, as defined in the *CEQR*

Technical Manual. According to the *CEQR Technical Manual*, preliminary thresholds indicating the need for detailed analyses of indirect effects on community facilities are as follows:

- **Public Schools:** According to the *CEQR Technical Manual*, a project that would result in more than 50 new elementary/middle school or 150 high school students warrants a detailed analysis. Table 6-1 of the *CEQR Technical Manual* states that the School Construction Authority's (SCA) Projected Public School Ratio for a project's Community School District (CSD) should be used to determine the threshold for detailed analysis in that CSD. For Manhattan Community School District 5, in which the Development Site is located, SCA's Projected Public School Ratio multipliers are 0.09 for elementary school students, 0.03 for middle school students, and 0.02 for high school students. Therefore, under these ratios a project in Manhattan CSD 5 would meet the threshold for a detailed analysis if it would create 414, or 7,500 more new residential units, for elementary/middle, and high schools, respectively.
- **Libraries:** A greater than 5 percent increase in the ratio of residential units to libraries in the borough. For Manhattan, this is equivalent to an increase of 1,033 residential units.
- **Health Care Facilities:** The ability of health care facilities to provide services for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of health care facilities is included only if a proposed project would directly affect the physical operations of, or access to and from, a hospital or public health clinic, or if a proposed action would create a sizeable new neighborhood where none existed before.
- **Early Childhood Program Facilities (publicly funded):** More than 20 eligible children based on the number of new low/moderate-income residential units by borough. For Manhattan, an increase of 170 low/moderate-income residential units exceeds this threshold.
- **Fire Protection:** The ability of the fire department to provide fire protection services for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of fire protection services is included only if a proposed action would directly affect the physical operations of, or access to and from, a fire station house, or if a proposed action would create a sizeable new neighborhood where none existed before.
- **Police Protection:** The ability of the police department to provide public safety for a new project usually does not warrant a detailed assessment under CEQR. Generally, a detailed assessment of police protective services is included only if a proposed action would directly affect the physical operations of, or access to and from, a precinct house, or if a proposed action would create a sizeable new neighborhood where none existed before.

Based on these thresholds, the proposed actions are not expected to trigger detailed analyses of public high schools, libraries, outpatient health care facilities or police and fire protection serving the rezoning area. However, based on a projected incremental increase of up to 890 residential units for the rezoning area, the proposed actions will require analyses for public elementary/intermediate schools and publicly funded early childhood programs. This chapter will therefore include analyses of public elementary/intermediate schools and publicly funded early childhood programs, following the guidance of the *CEQR Technical Manual*. These analyses would include the tasks described below.

PUBLIC SCHOOLS

The analysis of public elementary/intermediate schools will include the following tasks:

- The primary study area for the analysis of elementary/intermediate schools should be the school districts' "sub-district" in which a project is located. Identify schools serving the Development Site and discuss the most current information on enrollment, capacity, and utilization from the Department of Education.
- Based on the data provided from the Department of Education, the School Construction Authority, and DCP, future conditions in the area without the proposed actions will be determined.
- Based on methodology presented in the *CEQR Technical Manual*, the potential impact of students generated by the proposed actions on public elementary/intermediate schools will be assessed. Under *CEQR Technical Manual* guidelines, a significant adverse impact to public schools may result if a proposed project would result in both of the following: a collective utilization rate of the elementary or intermediate schools in the study area that is equal to or greater than 100% of the With Action condition; and an increase of five percentage points or more in the collective utilization rate between the No Action and With Action conditions.
- If the Proposed Project is determined to have a significant adverse impact related to public schools, mitigation for this impact would be identified.

PUBLICLY FUNDED EARLY CHILDHOOD PROGRAMS

The analysis of publicly-funded early childhood programs will include the following tasks:

- Identify existing publicly funded early childhood programs within approximately 2 miles of the rezoning area.
- Describe each facility in terms of its location, number of slots (capacity), and existing enrollment. Information will be based on publicly available information and/or consultation with the Administration for Children's Services' Division of Child Care and Head Start (CCHS).
- Any expected increases in the population of children under age 6 within the eligibility income limitations, based on CEQR methodology, will be discussed as potential additional demand, and the potential effect of any population increases on demand for publicly funded early childhood programs in the study area will be assessed. The potential effects of the additional eligible children resulting from the proposed actions will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the No Action condition.
- Under *CEQR Technical Manual* guidelines, a significant adverse impact to publicly-funded early childhood programs may result if a proposed project would result in both of the following: a collective utilization rate of the early childhood programs in the study area that is equal to or greater than 100% of the With Action condition; and an increase of five percentage points or more in the collective utilization rate between the No Action and With Action conditions.
- If the Proposed Project is determined to have a significant adverse impact related to publicly-funded early childhood programs, mitigation for this impact would be identified.

OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space (e.g., displacement of an existing open space

resource) or an indirect effect through increased population size (for the Development Site, an assessment would be required if the Proposed Project's population is greater than 200 residents or 500 employees).

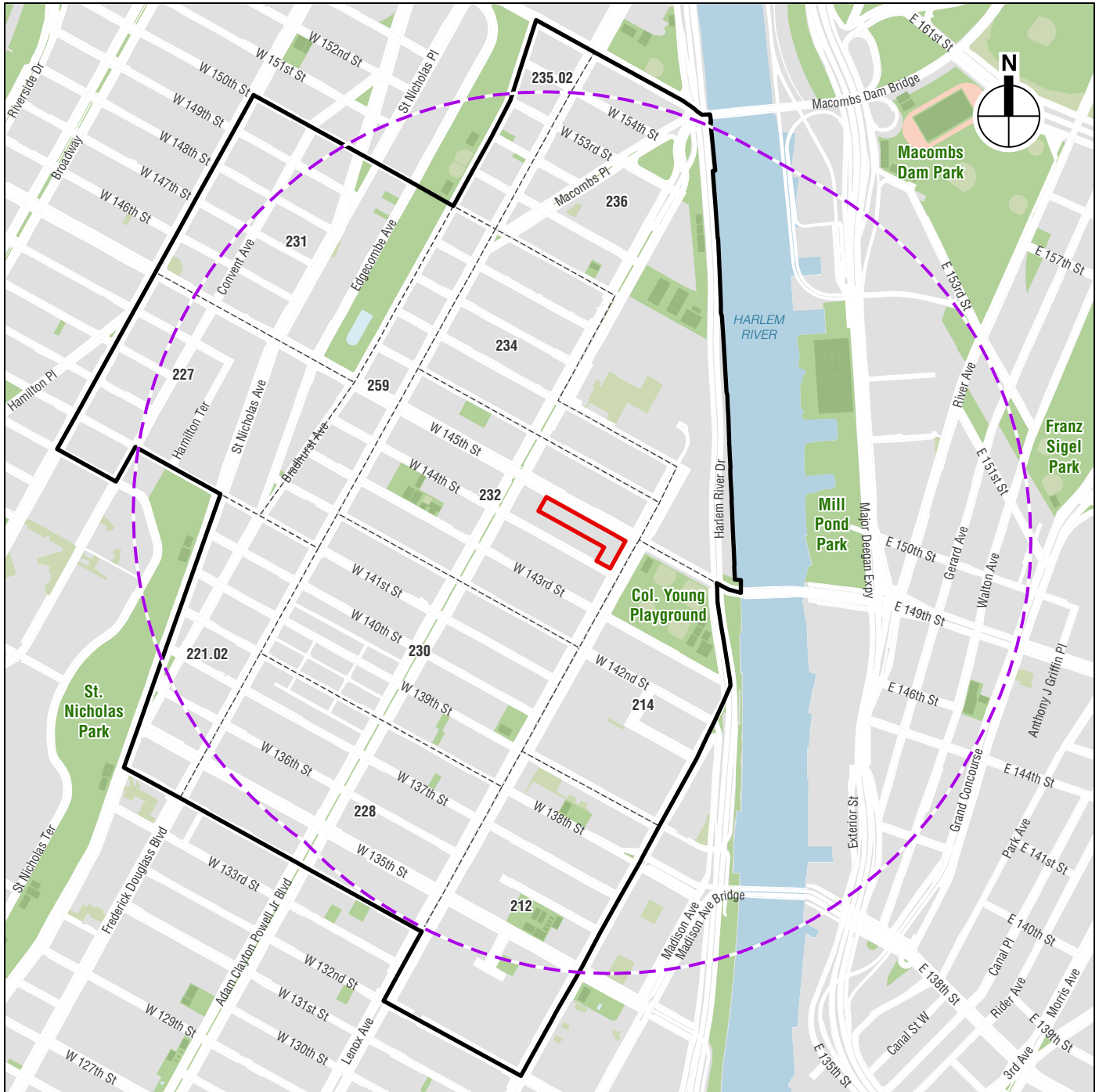
Compared to conditions in the future No Action condition, the proposed actions are expected to result in an incremental reduction in employees (a decrease of 435 workers in the Office Podium Scenario, and a decrease of 661 workers in the Residential Podium Scenario), and therefore would generate less than the 500-employee threshold for an assessment of the potential for indirect effects on open space due to an increased worker population. However, the incremental increase in the residential population resulting from the proposed actions—estimated to be between 1,961 (in the Office Podium Scenario) and 2,136 residents (in the Residential Podium Scenario)—would exceed the 200-resident CEQR threshold requiring a residential open space analysis. The methodology set forth in the *CEQR Technical Manual* consists of establishing a study area for analysis, calculating the total population in the study area, and creating an inventory of publicly accessible open spaces within a 1/2-mile of the Development Site (see **Figure 11**); this inventory will include examining these spaces for their facilities (active vs. passive use), condition, and use (crowded or not). The analysis will consider the scenario with the higher incremental residential population (the Residential Podium Scenario). The chapter will project conditions in the No Action scenario, and assess impacts of the proposed actions based on quantified ratios and qualitative factors. The analysis will begin with a preliminary assessment to determine the need for further analysis. If warranted, a detailed assessment will be prepared, following the guidelines of the *CEQR Technical Manual*. A detailed open space analysis typically breaks down study area population by age group and details the amount and quality of various types of open space to assess the availability of particular types of open space for particular age groups. In conducting this assessment, the analysis focuses on where shortfalls in open space may exist now (or in the future), to identify whether such shortfalls are a result of the Proposed Project.

Under *CEQR Technical Manual* guidelines, a significant adverse impact to open space may result if: there would be a direct displacement/alteration of existing open space within the study area that has a significant adverse effect on existing users, unless the proposed project would provide a comparable replacement within the study area; the project would reduce the open space ratio by more than five percent in areas of the City that are currently below the City's median community district ratio of 1.5 acres per 1,000 residents; the project would result in a significant physical effect on existing open space by increasing shadow, noise, air pollutant emissions, or odors compared to the No Action condition; or would result in a qualitative impact compared to the No Action condition. If the Proposed Project is determined to have a significant adverse impact related to open space, mitigation for this impact would be identified.

SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures greater than 50 feet in incremental height, or of any height if the project site is adjacent to, or across the street from, a sunlight-sensitive resource. Sunlight-sensitive resources include publicly accessible open spaces, sunlight-sensitive features of historic resources, and natural features.

The proposed actions would result in two buildings with two 363-foot-tall towers, one facing West 145th Street and one facing Lenox Avenue. In addition, the Colonel Charles Young Playground, a public playground, is located directly east of the Development Site, across Lenox



- Development Site
- Half-mile Boundary
- Open Space Study Area
- Census Tract 232

0 1,000 FEET

Open Space Study Area
Figure 11

Avenue. Therefore, a shadows analysis will be conducted following the methodology described in the *CEQR Technical Manual* to determine whether and to what extent new shadows would reach this playground and other nearby sunlight-sensitive resources. The analysis will follow the tier screening methodology laid out in the *CEQR Technical Manual*. Tasks will include:

- Develop a base map illustrating the Development Site in relationship to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- Determine the longest possible shadow that could result from the proposed actions to determine whether it could reach any sunlight-sensitive resources at any time of year.
- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop a three-dimensional representation of the proposed actions.
- Using three-dimensional computer modeling software, determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the proposed actions on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No Action scenario with shadows in the With Action scenario, with incremental shadow highlighted in a contrasting color. Include a summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

HISTORIC AND CULTURAL RESOURCES

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic resources include designated New York City Landmarks (NYCLs) and Historic Districts (NYCHDs); properties calendared for consideration as NYCLs by the Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation; properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing, or properties contained within a S/NR listed or eligible district; properties recommended by the New York State Board for listing on the S/NR; and National Historic Landmarks (NHLs).

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project would have the potential to affect either archaeological or architectural resources. The Proposed Project would require subsurface disturbance on the Development Site. Therefore, consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks:

- Consult with LPC regarding the potential archaeological sensitivity of the Development Site. In a comment letter dated January 19, 2021, the New York City Landmarks Commission concluded that the Development Site has no archaeological significance. Therefore, this analysis will focus on standing structures only.
- Identify any known architectural resources within a 400-foot study area surrounding the Development Site. Conduct a field survey to identify any potential architectural resources that could be affected by the proposed actions. Potential architectural resources comprise properties that appear to meet the eligibility criteria for NYCL designation and/or S/NR

listing. Determinations of eligibility from LPC will be requested for any potential architectural resources. Map and briefly describe any identified architectural resources.

- Evaluate the potential for the proposed actions to result in direct, physical effects on any identified architectural resources pursuant to CEQR. Assess the potential for the proposed actions to result in any visual and contextual impacts on architectural resources. Potential effects will be evaluated through a comparison of the future No Action condition and the future With Action condition.
- If necessary, mitigation measures to avoid or reduce potential significant adverse impacts on historic or cultural resources will be identified, in consultation with LPC.

URBAN DESIGN AND VISUAL RESOURCES

According to the methodologies of the *CEQR Technical Manual*, if a project requires actions that would result in physical changes to a project site beyond those allowable by existing zoning and which could be observed by a pedestrian from street level, a preliminary assessment of urban design and visual resources should be prepared.

The proposed actions include a rezoning that would allow for additional FAR to be developed within the Rezoning Area; therefore, a preliminary assessment of urban design and visual resources will be prepared as part of the EIS. The preliminary assessment will determine whether the proposed actions, in comparison to the No Action condition, would create a change to the pedestrian experience that is significant enough to require greater explanation and further study. The study area for the preliminary assessment of urban design and visual resources will be consistent with that of the study area for the analysis of land use, zoning, and public policy (¼-mile). The preliminary assessment will include a concise narrative of the existing area, the No Action condition, and the future with the proposed actions. The analysis will draw on information from field visits to the study area and will present photographs, zoning and floor area calculations, building heights, project drawings and site plans, and view corridor assessments.

A detailed analysis will be prepared if warranted based on the preliminary assessment. As described in the *CEQR Technical Manual*, examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline. The detailed analysis would describe the urban design and visual resources of the Development Site and the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the proposed actions, in comparison to the No Action condition, focusing on the changes that could potentially adversely affect a pedestrian's experience of the area. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

NATURAL RESOURCES

The New York City Council recently enacted legislation intended to decrease bird strikes at buildings; therefore, the Proposed Project would be required to adhere to Section 1403.8 of the New York City Building Code, which was enacted on January 10, 2020 to specify bird friendly design and construction requirements in accordance with Article 103, Section 36, of Title 28 of the Administrative Code of the City of New York. The EIS will assess the potential for the Proposed Project to affect wildlife, including long-term effects such as the potential for bird strikes with the proposed buildings. The Development Site is not within an area identified as having the potential to contain endangered and/or threatened species, and the Proposed Project

would redevelop an existing developed lot and would not likely result in the removal of any vegetation. Therefore, natural resources will be evaluated in the EIS as a screening level assessment.

HAZARDOUS MATERIALS

The *CEQR Technical Manual* identifies examples of projects where a hazardous materials assessment is warranted, including rezonings (or other discretionary approvals) allowing commercial or residential uses in an area in or within close proximity to current or historical uses potentially of concern for hazardous materials, such as manufacturing uses and facilities listed in the Hazardous Materials Appendix of the Manual, which include dry cleaners, gas stations, etc. Sites with historical/urban fill also require assessment, as do sites where underground and/or aboveground storage tanks (USTs or ASTs) are (or were) located on or near the site.

Since the Proposed Project meets these criteria—it is a proposed rezoning allowing commercial and residential uses at a site with an active gas station/automotive repair facility as well as a history of similar facilities at the site and nearby, some of which are known to have had spills/releases that affected the subsurface—this chapter of the EIS will consist of an assessment that will summarize a Phase I Environmental Site Assessment (ESA) prepared for the Development Site. A Phase I ESA uses historical maps, regulatory databases and a site inspection to determine potential sources of contamination. The chapter will summarize the significant conclusions of the Phase I ESA and will include requirements for subsurface (Phase II) testing and other activities, such as preparation and implementation of a Remedial Action Plan and Health and Safety Plan, needed prior to and during construction of the Proposed Project to avoid the potential for significant adverse impacts.

WATER AND SEWER INFRASTRUCTURE

A CEQR water and sewer infrastructure assessment analyzes whether a project may adversely affect the City's water distribution or sewer system. According to the *CEQR Technical Manual*, projects that increase density or change drainage conditions on a large site require a water and sewer infrastructure analysis. The *CEQR Technical Manual* guidelines recommend a preliminary water analysis if a project would result in an exceptionally large demand of water (over 1 million gallons per day [gpd]), or if it is located in an area that experiences low water pressure (e.g., an area at the end of the water supply distribution system, such as the Rockaway Peninsula or Coney Island). As compared to the No Action condition, the Proposed Project would not generate an incremental water demand of 1 million gpd, and it is not located in an area that experiences low water pressure; therefore, an analysis of water supply is not warranted.

The *CEQR Technical Manual* indicates that a preliminary analysis of wastewater and stormwater conveyance and treatment is warranted if a project is located in a combined sewer area and would have an incremental increase above the No Action condition of 1,000 residential units or 250,000 sf of commercial, public facility, and institution and/or community facility space in Manhattan. A preliminary analysis is also warranted if a project in a combined sewer area involves development on a site five acres or larger where the amount of impervious surface coverage would increase. Since the Proposed Project is located in a combined sewer area and, as compared to the No Action condition, it would not exceed these thresholds, an analysis of wastewater and stormwater conveyance and treatment is not warranted.

Therefore, the Proposed Project would not have a significant adverse impact on water and sewer infrastructure, and no further analysis is necessary.

SOLID WASTE

A CEQR solid waste assessment determines whether an action has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan or with State policy related to the City's integrated solid waste management system. The proposed actions would induce new development that would require sanitation services. If a project's generation of solid waste in the With Action condition would not exceed 50 tons per week, it may be assumed that there would be sufficient public or private carting and transfer station capacity in the metropolitan area to absorb the increment, and further analysis generally would not be required. The Proposed Project is expected to result in a net increase of less than 50 tons per week, compared to the No Action condition; therefore, an assessment of solid waste and sanitation services is not warranted.

ENERGY

In accordance with CEQR, an EIS is to include a discussion of the effects of a proposed action on the use and conservation of energy, if applicable and significant. A detailed energy assessment is limited to actions that may significantly affect the transmission or generation of energy. For other actions, in lieu of a detailed assessment, the estimated amount of energy that would be consumed annually as a result of the day-to-day operation of the buildings and uses resulting from an action is disclosed, as recommended in the *CEQR Technical Manual*.

While the proposed actions do not meet the threshold for a detailed energy assessment, to support the Greenhouse Gas Emissions analysis, the EIS will disclose the projected amount of energy consumption during long-term operation resulting from the proposed actions. The projected amount of energy consumption during long-term operation will be estimated based on the average and annual whole-building energy use rates for New York City.

TRANSPORTATION

In accordance with guidance prescribed in the *CEQR Technical Manual*, the evaluation of potential transportation-related impacts associated with a proposed development begins with screening assessments, which encompass the preparation of travel demand estimates (Level-1 screening analysis) and/or trip assignments (Level-2 screening analysis), to determine if detailed analyses would be warranted to address the potential impacts project-generated trips may have on the transportation system. If the Level-1 screening analysis results show that a proposed actions would result in 50 or more peak hour vehicle trips, 200 or more peak hour transit trips (200 or more peak hour transit riders at any given subway station or 50 or more peak hour bus trips on a particular route in one direction), and/or 200 or more peak hour pedestrian trips, a Level-2 screening analysis would be undertaken. If the results of the Level-2 screening analysis show that the proposed actions would generate 50 or more peak hour vehicle trips through an intersection, 50 or more peak hour bus riders on a bus route in a single direction, 200 or more peak hour subway passengers at any given station, or 200 or more peak hour pedestrian trips per pedestrian element, further quantified analyses may be warranted to evaluate the potential for significant transportation impacts. The transportation scope of services is outlined below.

TRAVEL DEMAND PROJECTIONS AND SCREENING ASSESSMENTS

The transportation analysis for the EIS will compare the future with the proposed actions to the No Action scenario, to determine the trip-making increments that could occur as a result of the proposed actions. Travel demand estimates and trip assignments will be prepared for the proposed actions. The screening assessments entail evaluating the results of these trip estimates to identify the appropriate study areas for detailed analyses and summarize the findings in a Travel Demand Factors (TDF) memorandum for review and concurrence by the lead agency. At its discretion, the lead agency may choose to involve the New York City Department of Transportation (DOT), and/or New York City Transit (NYCT) in the review of the TDF Memo and EIS analysis. For technical areas determined to require further detailed analyses, which could include traffic, parking, transit, pedestrians, and/or vehicular/pedestrian safety, those analyses will be prepared in accordance with *CEQR Technical Manual* procedures.

The above assessments may conclude that no further detailed transportation analyses would be warranted. However, if detailed analyses are necessary to assess potential operational and/or construction-related transportation impacts, close coordination with DCP, DOT, and NYCT would be needed to ensure the associated data collection and analysis processes are appropriately carried out to reflect representative travel patterns. Even though the COVID-related data collection moratorium has recently been lifted, travel patterns in New York City are unlikely to fully return to normal for an extended period of time. Hence, a comparison with historical data will likely be needed to calibrate newly collected data for analysis. If required, the following studies may be included.

- **Traffic:** A study area of intersections that are expected to incur 50 or more peak hour project-generated vehicle trips would be analyzed for the weekday AM, midday, and PM, as well as possibly the Saturday midday/afternoon peak periods. The analyses would be conducted in accordance with 2000 *Highway Capacity Manual* (HCM) procedures, using software approved by the lead agency and DOT.
- **Transit:** If project-generated subway trips are expected to exceed 200 during the weekday AM and/or PM peak hours, a detailed analysis of the adjacent 145th Street No. 3 train station may be prepared.
- **Pedestrians:** A study area consisting of nearby sidewalks, corners, and crosswalks may be studied for the same peak periods as traffic if 200 or more project-generated pedestrian trips are expected to be incurred at these locations.
- **Vehicular/Pedestrian Safety:** In connection with the above traffic and pedestrian analyses, a study of recent crash history would be prepared for intersections where detailed traffic and/or pedestrian analyses are performed.
- **Parking:** A parking demand projection will be prepared based on the travel demand estimates described above. If a detailed traffic study is warranted, an assessment of on- and off-site parking supply and utilization for a ¼-mile area surrounding the Development Site may also be conducted to determine how the future demand could be accommodated on-site or at the surrounding parking resources.
- If the Proposed Project is determined to have a significant adverse impact related to transportation, mitigation for this impact would be identified.

AIR QUALITY

The vehicle trips generated by the proposed actions would potentially exceed the *CEQR Technical Manual's* carbon monoxide (CO) screening threshold of 170 vehicles in a peak hour at one or more intersections and/or the particulate matter (PM) emission screening threshold discussed in Chapter 17, Sections 210 and 311 of the *CEQR Technical Manual*. Therefore, a screening analysis for mobile sources will be performed. If any screening thresholds are exceeded, a detailed mobile source analysis would be required. The proposed project's parking facilities will be analyzed to determine their effect on air quality. Potential impacts on surrounding uses from the heating and hot water systems that would serve the proposed buildings will also be assessed. The effect of heating and hot water systems associated with large or major emission sources in existing buildings on the proposed development site will be analyzed. If any industrial sources of emissions are identified within the 400-foot study area, an analysis will be performed using procedures described in the *CEQR Technical Manual*.

MOBILE SOURCE ANALYSIS

- A screening analysis for CO and PM will be prepared based on the traffic analysis and the above mentioned CEQR criteria. If screening levels are exceeded, a dispersion analysis would be required.
- Calculate emission factors for the parking facility analysis. Select emission calculation methodology. Compute vehicular cruise and idle emission factors for the proposed parking facilities associated with the traffic analysis performed for the reasonable worst-case development scenario, using the MOVES 2014a or latest mobile source emission model and applicable assumptions based on guidance by EPA, DEC, and the *CEQR Technical Manual*.
- Select appropriate background levels. Appropriate CO and PM background levels will be selected for the study area.
- Perform an analysis of CO and PM emissions from the proposed parking facilities. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from the proposed below-grade and surface parking facilities. Cumulative impacts from on-street sources and emissions from the parking facility will be calculated, where appropriate.
- Compare with benchmarks and evaluate impacts. Evaluate potential impacts by comparing predicted future CO and PM levels with NAAQS standards, and *de minimis* criteria. If significant adverse impacts are predicted, recommend design measure to minimize impacts.

STATIONARY SOURCE ANALYSIS

- A detailed stationary source analysis will be performed using the EPA AERMOD dispersion model Version 19191 to estimate the potential impacts from the heating and hot water systems for the proposed project. The AERMOD analysis of potential impacts from exhaust stacks will be performed with and without building downwash. Five years of recent meteorological data (2015-2019) provided by NYSDEC, consisting of surface data from the LaGuardia Airport National Weather Service Station, and concurrent upper data from Brookhaven, New York, will be used for the simulation modeling. Concentrations of nitrogen dioxide (NO₂), sulfur dioxide (SO₂) (if assuming fuel oil #2), and particulate matter (PM₁₀ and PM_{2.5}) will be determined at sensitive receptor locations on the rezoning area, as well as at off-site locations to assess the cumulative effects of the stationary sources

associated with the proposed actions. Predicted values will be compared with national ambient air quality standards (NAAQS) for NO₂, SO₂ (if fuel oil #2 is used), and PM₁₀, and *de minimis* criteria for PM_{2.5}. If required, recommended restrictions to avoid potential significant adverse air quality impacts will be summarized.

- An analysis of existing large and major sources of emissions (such as sources having federal and state permits) identified within 1,000 feet of the proposed rezoning area will be performed to assess their potential effects on the proposed project. Predicted criteria pollutant concentrations will be predicted using the AERMOD model Version 19191 compared with NAAQS for NO₂, SO₂ (if fuel oil #2 is used), and PM₁₀, and *de minimis* criteria for PM_{2.5}.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

In accordance with the *CEQR Technical Manual*, greenhouse gas (GHG) emissions generated by the proposed project will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions will be estimated for the analysis year and reported as carbon dioxide equivalent (CO₂e) metric tons per year. GHG emissions other than carbon dioxide (CO₂) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential.

Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Proposed Project will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Project will be assessed to the extent practicable.

- *Direct Emissions:* GHG emissions from the Proposed Project's on-site boilers used for heat and hot water, natural gas used for cooking, and fuel used for on-site electricity generation, if any, will be quantified. Emissions will be based on available project-specific information regarding the project's expected fuel use or carbon intensity factors specified in the *CEQR Technical Manual*.
- *Indirect Emissions:* GHG emissions from purchased electricity and/or steam generated off-site and consumed on-site during the Proposed Project's operation will be estimated.
- *Indirect Mobile Source Emissions:* GHG emissions from vehicle trips to and from the Development Site will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- *Construction:* Emissions from project construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction will be considered.
- *Potential Measures to Reduce GHG Emissions:* Design features and operational measures to reduce the Proposed Project's energy use and GHG emissions will be discussed and quantified to the extent that information is available.
- *Consistency with the City's GHG Reduction Goal:* Consistency with the City's GHG reduction goal will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 levels by 2025 and net zero emissions by 2050, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the Proposed Project's carbon footprint.

- *Consistency with the City State's Climate Legislation:* Consistency with recently passed New York City and New York State climate legislation will be assessed. New York City's Climate Mobilization Act and New York State's Climate Leadership and Community Protection Act have established additional GHG reduction goals along with required GHG reduction measures (i.e., building emission intensities, and requirements for rooftop solar photovoltaic installation where practicable) and emissions will be quantified with implementation of these measures.

In addition, since the Development Site is within the 0.2 percent annual chance floodplain as indicated on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (PFIRMs), the EIS will assess the potential impacts of climate change on the Proposed Project, including the potential for the Proposed Project to affect flood risk within and in the vicinity of the Development Site.

NOISE

The noise analysis will examine impacts of ambient noise sources (e.g., vehicular traffic from adjacent roadways and surrounding playgrounds) on the proposed residential, commercial office, and community facility uses and the impacts of project-generated traffic on noise-sensitive land uses nearby. This will include the determination of existing ambient noise levels through noise monitoring or evaluating historical data measured within or adjacent to the project area. For CEQR purposes, it is assumed that a detailed analysis of the proposed development's mechanical equipment will not be required, because any HVAC equipment would be designed to meet applicable regulations. Consequently, the noise analysis will examine existing noise levels in the project area and the window/wall attenuation that would be required to provide acceptable interior noise levels at project buildings. The subtasks are as follows:

- *Select appropriate noise descriptors.* Based upon CEQR criteria, the noise analysis would examine the 1-hour equivalent (Leq_1) and the L_{10} noise levels.
- *Screening analysis:* Perform a screening analysis to determine whether there are any locations where there is the potential for the proposed actions to result in significant noise impacts (e.g., doubling of noise passenger car equivalents [PCEs]) due to project-generated traffic. If the results of the traffic study indicate that a doubling of traffic would occur, a mobile source noise analysis would be performed.
- *Select receptor locations.* Receptor sites analyzed will include locations where high existing ambient noise levels could adversely affect new residential and other sensitive uses associated with the project.
- *Determine existing noise levels.* At the identified locations, baseline condition noise levels will be established for the AM, MD, PM, and Saturday peak hours corresponding to the analysis hours for the traffic analysis. If the potential for a doubling of PCEs is identified adjacent to receptors in any peak hour, noise level measurements will be conducted during those peak hours. Due to the ongoing COVID-19 pandemic resulting in atypical levels of vehicular traffic activity, field measurements of noise levels may not represent expected noise exposure at the Proposed Project. If current traffic conditions are deemed representative of typical conditions, field measurements will be used to determine existing noise levels. However, if current traffic conditions would not be representative of typical conditions, "existing condition" noise levels would be established using a combination of noise levels measured within and adjacent to the Development Site for previous environmental reviews, mathematical models, and projections of typical vehicular traffic volumes. The specific methodology and technical approach for the

establishment of existing condition noise levels will be described in a memorandum submitted to the lead agency for comment and approval.

- *Determine future noise levels without the proposed actions.* At each of the impact analysis receptor locations identified above, determine noise levels without the proposed actions using existing noise levels, acoustical fundamentals, and mathematical models.
- *Determine future noise levels with the proposed actions.* At all of the receptor locations identified above, determine noise levels with the proposed actions using existing noise levels, acoustical fundamentals, and mathematical models.
- *Determine amount of building attenuation required.* The level of building attenuation necessary to satisfy CEQR requirements is a function of the exterior noise levels, and will be determined. Projected future noise levels, including the contribution from playground sources as determined using reference noise levels from the Noise appendix of the *CEQR Technical Manual*, will be compared to appropriate standards and guideline levels. As necessary, general noise attenuation measures needed for project buildings to achieve compliance with standards and guideline levels will be recommended.

PUBLIC HEALTH

According to the *CEQR Technical Manual*, public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and if so, to identify measures to mitigate such effects.

According to the guidelines of the *CEQR Technical Manual*, a public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any one of these technical areas and DCP determines that a public health assessment is warranted, an analysis will be provided for that specific technical area.

NEIGHBORHOOD CHARACTER

Neighborhood character is established by a number of factors, such as land use, zoning, and public policy; socioeconomic conditions; open space; urban design and visual resources; shadows; transportation; and noise. According to the guidelines of the *CEQR Technical Manual*, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. Work items for this task are as follows:

- Based on other EIS sections, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the Development Site.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the proposed actions.

- Assess and summarize the proposed actions' effects on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections (particularly socioeconomic conditions, open space, urban design and visual resources, shadows, traffic, and noise).

CONSTRUCTION

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The construction assessment will focus on areas where construction activities may pose specific environmental problems. According to the *CEQR Technical Manual*, a large-scale development project with an overall construction period lasting longer than two years and that is near to sensitive receptors (i.e., residences, open spaces, etc.) should undergo a construction impact assessment. The construction impact assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors and will be based on a conceptual construction schedule for the proposed actions.

Technical areas to be assessed include the following:

- *Transportation Systems.* This assessment will consider the Proposed Project's anticipated effects on the surrounding roadways, transit services, and pedestrian facilities during construction, and identify the increase in vehicle trips from construction workers and trucks. Issues concerning construction worker parking and truck delivery staging will also be addressed. Based on the trip projections of activities associated with peak construction for the Proposed Project, an assessment of potential transportation impacts during construction and how they are compared to the trip projections under the operational condition will be provided. If this effort identifies the need for a separate detailed analysis, such analysis will be prepared.
- *Air Quality.* A detailed dispersion analysis of construction sources will be performed to determine the potential for air quality impacts on sensitive receptor locations. Air pollutant sources would include combustion exhaust associated with non-road construction engines (e.g., cranes, excavators) and trucks operating on-site, construction-generated traffic on local roadways, as well as onsite activities that generate fugitive dust (e.g., excavation, demolition). The pollutants of concern include carbon monoxide (CO), particulate matter (PM), and nitrogen dioxide (NO₂). The potential for significant impacts will be determined by a comparison of model predicted total concentrations to the National Ambient Air Quality Standards (NAAQS), or by comparison of the predicted increase in concentrations to applicable interim guidance thresholds. The air quality analysis will also include a discussion of the strategies to reduce project related air pollutant emissions associated with construction activities.
- *Noise and Vibration.* A quantitative construction noise analysis will be prepared to examine potential noise impacts due to construction-related stationary and mobile sources. The detailed analysis will estimate construction noise levels based on projected activity and equipment usage for various phases of construction on the Development Site. The projected construction noise levels will be compared to existing condition noise levels as determined based on the operational noise analysis augmented by mathematical models and projections as necessary. Based on the results of the construction noise analysis, if necessary, the feasibility, practicability, and effectiveness of implementing measures to mitigate significant construction noise impacts will be examined.

Construction activities have the potential to result in vibration levels that may result in structural or architectural damage, and/or annoyance or interference with vibration-sensitive activities. Therefore, a construction vibration assessment will be performed. This assessment will determine critical distances at which various pieces of equipment may cause damage or annoyance

to nearby buildings based on the type of equipment, the building construction, and applicable vibration level criteria. Should it be necessary for certain construction equipment to be located closer to a building than its critical distance, vibration mitigation options will be proposed.

- *Other Technical Areas.* As appropriate, discuss other areas of environmental assessment for potential construction-related impacts, including but not limited to historic and cultural resources, hazardous materials, open space, socioeconomic conditions, community facilities, and land use and neighborhood character.

ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and practicable options that avoid or reduce project-related significant adverse impacts while achieving the goals and objectives of the proposed actions. The alternatives are usually defined when the full extent of a proposed project's impacts is identified, but at this time, it is anticipated that they will include the following:

- A No Action Alternative, which describes the conditions that would exist if the proposed actions were not implemented;
- A No Unmitigated Adverse Impacts Alternative, if unavoidable adverse impacts are identified in the EIS; and
- A discussion of other possible alternatives that may be developed in consultation with the lead agency during the EIS preparation process, such as alternatives that may reduce but not eliminate identified unavoidable adverse impacts, or that may be posed by the public during the scoping of the EIS.

For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative. The analysis of each alternative will be qualitative, except where impacts from the proposed actions have been identified.

MITIGATION

Where significant adverse impacts have been identified in the EIS, this chapter will describe the measures to mitigate those impacts. These measures will be developed and coordinated with the responsible city and state agencies, as necessary. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

SUMMARY CHAPTERS

Several summary chapters will be prepared, focusing on various aspects of the EIS, as set forth in the regulations and the *CEQR Technical Manual*. They are as follows:

EXECUTIVE SUMMARY

Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will use relevant material from the body of the EIS to describe the proposed actions, environmental impacts, measures to mitigate those impacts, and alternatives to the proposed actions.

UNAVOIDABLE ADVERSE IMPACTS

Those impacts, if any, which could not be avoided and could not be practicably mitigated, will be described in this chapter.

GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

This chapter will focus on whether the proposed actions would have the potential to induce new development within the surrounding area.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

This chapter focuses on those resources, such as energy and construction materials, that would be irretrievably committed should the Proposed Project be built. *