

**Draft Scoping Document
For Preparation of a Draft Generic Environmental Impact Statement
For the Downtown Transit Oriented Arts District (DTOAD)
Zoning Code and Map Amendments
City of Mount Vernon, New York
June 22, 2022**

SEQR Classification of Action: Type I Action

Lead Agency: Mount Vernon City Council
City Hall
Mount Vernon, New York

A. PURPOSE OF DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

This document identifies the environmental features and issues to be addressed in a Draft Generic Environmental Impact Statement for the proposed Downtown Transit Oriented Arts District (DTOAD). Accordingly, this Scoping Document addresses the environmental features items identified in paragraphs (e)(1) through (5) of Section 617.8 of the State Environmental Quality Review Act ("SEQRA") Regulations.

A Draft Generic Environmental Impact Statement ("DGEIS") is to be prepared for the Lead Agency regarding the Proposed Action: adoption of the proposed Downtown Transit Oriented Arts District (DTOAD) and Zoning Map Amendments.

With the adoption of the Proposed Action, the following properties currently under the DB-Downtown Business and RMF-10 Multifamily Residence zone designations will have the new Downtown Transit Oriented Arts District (DTOAD) (hereinafter referred to as the "DTOAD Study Area").

Table 1: Properties to be rezoned to DTOAD

Address	Tax Section	Tax Block	Tax Lot
n/a	165.70	3112	39
23 S. 3rd Avenue	165.70	3112	37
20 S. 2nd Avenue	165.70	3112	11
n/a	165.70	3112	13
22 E. 1st Street	165.70	3112	1
28 E. 1st Street	165.70	3112	4
30 E. 1st Street	165.70	3112	5
34 E. 1st Street	165.70	3112	6
38 E. 1st Street	165.70	3112	7
10 S. 2nd Avenue	165.70	3112	8
19 S. 3rd Avenue	165.70	3112	9
16 S. 2nd Avenue	165.70	3112	10
38 S. 2nd Avenue	165.70	3112	16
48 S. 2nd Avenue	165.70	3112	17
54 S. 2nd Avenue	165.70	3112	18
29 E. 2nd Street	165.70	3112	19
23 E. 2nd Street	165.70	3112	20
67 S. 3rd Avenue	165.70	3112	21
65 S. 3rd Avenue	165.70	3112	22

61 S. 3rd Avenue	165.70	3112	23
47 S. 3rd Avenue	165.70	3112	26
45 S. 3rd Avenue	165.70	3112	28
41 S. 3rd Avenue	165.70	3112	29
39 S. 3rd Avenue	165.70	3112	30
15 S. 3rd Avenue	165.70	3112	33
11 S. 3rd Avenue	165.70	3112	34
62 S. 2nd Avenue	165.70	3112	36
17 S. 3rd Avenue	165.70	3112	38
40 E. 1st Street	165.70	3123	1
50 E. 1st Street	165.70	3123	2
8 S. 1st Avenue	165.70	3123	5
14 S. 1st Avenue	165.70	3123	6
16 S. 1st Avenue	165.70	3123	7
18 S. 1st Avenue	165.70	3123	8
22 S. 1st Avenue	165.70	3123	9
49 S. 2nd Avenue	165.70	3123	10
28 S. 1st Avenue	165.70	3123	11
29 S. 2nd Avenue	165.70	3123	21
n/a	165.70	3123	23
17 S. 2nd Avenue	165.70	3123	25
n/a	165.70	3123	26

The purpose of the DGEIS is to assess the potential area-wide environmental impacts of the proposed Zoning Code and Map Amendments, hereinafter referred to as the “Proposed Action”. The DGEIS is intended to be a comprehensive assessment of environmental impacts which may result from the Proposed Action. The DGEIS will be developed pursuant to the requirements of SEQR [617.9(b)] and [617.10] and this Scoping Document. The DGEIS will include the areas of analysis outlined below. Where information can be obtained from previous planning, technical or environmental studies performed for and by the City of Mount Vernon, this information will be used.

B. DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action is a Zoning Text Amendment to accommodate the comprehensive redevelopment of vacant or underutilized sites with transit-oriented mixed use development of affordable and market rate housing along with neighborhood commercial space and community space in the City of Mount Vernon, NY with the corresponding rezoning of defined portions of the DB and RMF-10 zones, Rezoning and Zoning Map Amendments to apply a new Downtown Transit Oriented Arts District (DTOAD) on the appropriate aforementioned listed parcels (see **Exhibit 1**).

The Downtown Transit Oriented Arts District (DTOAD) is intended to make the City of Mount Vernon’s zoning code consistent with Federal, New York State and Westchester County initiatives to create affordable and market rate housing and revitalize urban centers.

C. GENERAL GUIDELINES

The DGEIS will cover, at a minimum, all items included in this Scoping Document. The impacts or effects that will be placed on each environmental feature or issue by the Proposed Action will be presented in a separate subsection which includes a discussion of existing conditions, the significance of the impact(s), future conditions without the Proposed Action and future conditions with the Proposed Actions, alternatives to the Proposed

Action and mitigation measures designed to minimize the identified impacts.

Narrative discussions will be accompanied by appropriate tables, charts, graphs and figures whenever possible. If a particular subject can be most effectively described in graphic format, the narrative discussion will summarize and highlight the information presented graphically.

Information will be presented in a manner which can be readily understood by the public. Efforts will be made to avoid the use of technical jargon. When practical, impacts will be described in terms which the lay person can readily understand.

Discussions of mitigating measures will clearly indicate which measures have been incorporated into the Proposed Action, versus measures that have not been incorporated into the Proposed Actions plans. Those mitigation measures not incorporated into the Proposed Action and not believed to be practicable will be explained.

The document and any appendices or technical reports will be written in the third person (i.e. the terms “we” and “our” will not be used).

Any assumptions that are not “worst case” assumptions will be clearly identified and the rationale for not incorporating the “worst case” assumption(s) will be provided.

The entire document will be checked carefully to ensure consistency with respect to the information presented in the various sections.

D. INTRODUCTORY MATERIAL

Cover Sheet: The DGEIS will be preceded by a Cover Sheet that will include the following:

- The report as a Draft Generic Environmental Impact Statement
- Title and potential location(s) of the Proposed Action
- Lead Agency for the Proposed Action and the name and telephone number of the contact representing the Lead Agency
- Name and address of the Proposed Action sponsor(s), and the name and telephone number of the contact person representing the Proposed Action sponsor(s).
- The name, address and responsibilities of the primary preparer(s) of the DGEIS and the name and telephone number of a contact person representing the preparer(s). The names, addresses and responsibilities of any other consultants involved with the Proposed Action will be listed.
- Date of acceptance of the DGEIS (to be inserted later)
- Deadline by which written comments will be accepted by the Lead Agency (to be inserted later).
- Website wherein the Draft Generic Environmental Impact Statement and Final Generic Environmental Impact Statement will be posted

Following the cover sheet, a list (name, address and telephone numbers) of all consultants and sub-consultants involved in the project and a list of all Interested and Involved Agencies will be provided.

E. TABLE OF CONTENTS

The DGEIS is to be written to specifically follow the format and content sequence of this Scoping Document. This Scoping Document will serve as the DGEIS Table of Contents which will indicate the chapters of the DGEIS and page numbers, as well as a list of exhibits, tables and appendices, if any.

F. EXECUTIVE SUMMARY

The Executive Summary will include a concise summary of all chapters in the DGEIS.

G. DGEIS CHAPTERS

a. Description of the Proposed Action

This chapter contains the Proposed Action, the adoption of the proposed Downtown Transit Oriented Arts District (DTOAD) Code Amendments and Zoning Map Amendments to apply the new DTOAD zone to all listed parcels, and sets the context in which to assess impacts and alternatives within the DTOAD Study Area. The chapter will include:

- a. Proposed Action overview. A description of the proposed DTOAD zoning amendment. This section shall also include potential locations of proposed development projects referenced below located within the DTOAD Study Area (including appropriate descriptive graphics).
- b. Utilizing readily available information, outline the background and history of the Proposed Action, including a summary of the purpose, needs and benefits of the Proposed Action. This section will focus on the genesis of the Downtown Transit Oriented Arts District (DTOAD), community support for it, and any market information, in support of the Proposed Action.
- c. Explanation and discussion of the approvals required for the Proposed Action to go forward, including identification of each component requiring action by an Involved Agency prior to implementation of the Proposed Action. Each agency involved in these approvals will be identified.

b. Environmental Setting, Potential Environmental Impacts and Mitigation

For the specific issues identified in this Scope, the DGEIS should provide a topic-by-topic analysis of existing environmental conditions, future conditions without the Proposed Action, potential impacts of the Proposed Action, and potential measures to mitigate adverse environmental impacts. The identification of potential mitigation measures in this Scope is illustrative only and not intended to be all-inclusive or specifically required.

Library Square

As part of the implementation of the DTOAD, an approximately 1-acre site located at 20 South 2nd Avenue, herein after called the “Library Square Site”, is proposed to be developed as a mixed-use development containing multiple components, including residential, retail, community facility, parking and green spaces (see **Exhibit 3** for a conceptual site plan of the Library Square Site).

The entire development will be 11 stories with basement and bulkheads and encompass approximately 341,000 square feet in total. There will be a total of 320 residential units approximately with a projected unit mix of 23% studios, 54% one-bedroom, and 24% two-bedroom. Retail and community facility will be at grade level, while parking is expected to be incorporated at the basement level.

All existing buildings and structures on site will be demolished and removed. The Library Square Site consists of 4 parcels (165.70-3112-37, 165.70-3112-11, 165.70-3112-39 and 165.70-3112-13). These lots will be consolidated into one through-lot between South 2nd Avenue and South 3rd Avenue.

The DGEIS will consider both the generic (area-wide) potential impacts and mitigation measures associated with the Proposed Action and, where relevant, site specific impacts that may be associated with the proposed redevelopment of the Library Square Site, within the following topic areas.

2.1 Land Use, Zoning and Public Policy

This section will describe the existing land use, zoning and public policy for the City of Mount Vernon and evaluate the Proposed Action’s compatibility with the community character and development trends in the DTOAD Study Area and surrounding area.

- a. Define Land Use Study Area. The “Land Use Study Area” extends ¼ mile beyond the boundary of the DTOAD Study Area. The Land Use Study area shall identify potential project sites which may have the potential to affect existing land use, land use trends and land use plans, and overall neighborhood character. The Land Use Study Area is outlined on the attached map (**Exhibit 2**).
- b. Include maps based upon available GIS data and visual reconnaissance of the Land Use Study Area and a narrative describing generalized land use patterns and neighborhood character in the Land Use Study Area.
- c. Include maps and a general description of the existing zoning districts in the Land Use Study Area including any pending zoning actions and/or *City of Mount Vernon 2011 Draft Comprehensive Plan* changes proposed (if any). Identify permitted uses and bulk, height and dimensional requirements.
- d. Provide a matrix showing any differences between existing Downtown Business (DB) or Multifamily Residence (RMF-10) and the proposed DTOAD and between the proposed DTOAD and existing land use and zoning (including RMF-10, OB, and CB) for the Land Use Study Area.
- e. Assess the compatibility of the Proposed Action with City zoning, and City and County land use plans. Studies and reports impacting public policies, including City of Mount Vernon Comprehensive Plan initiative which is currently commencing, the *City of Mount Vernon 2011 Draft Comprehensive Plan*, the County’s *Westchester 2025: Land Use in Westchester, Patterns for Westchester* reports and the Regional Plan Associations 4th Regional Plan, will be assessed for compatibility (this will provide the basis for the “No Action” scenario).
- f. Analyze the anticipated impacts of the Proposed Action on land, land use, land use trends, zoning and neighborhood character.
- g. Based upon results of the above analyses, where necessary, provide and describe mitigation measures.

2.2 Urban Design and Visual Character

- a. Generally describe and analyze visual and urban design components of the DTOAD Study Area. Building typologies, massing, architectural characteristics, and light and shadow impacts should be identified.
- b. Generally discuss any potential changes in visual character as a result of implementation of the Proposed Action, specifically with regard to height, bulk, scale, light and air as it relates to adjacent properties and the pedestrian experience of the area. This will include an examination of visual impacts on the character of the DTOAD Study Area.
- c. A shadow study will be undertaken to assess the potential impact of shadows from new structures on nearby properties with residential units, important natural features, publicly accessible open space, historic features or other sunlight-sensitive resources that are dependent on natural light.

The shadow study will determine the longest possible shadow (which occurs on the December 21 winter solstice) that could result from the Proposed Action to determine if it could reach any sunlight-sensitive resources at any time of the year. The analysis will be documented with graphics that compare the shadows resulting from the “No Action Alternative” with shadows resulting from the Proposed Action on four representational days: the June 21 summer solstice, the December 21 winter solstice, the March 21 vernal equinox (or the September 21 autumnal equinox which is considered equivalent) and a

spring or summer day halfway between the summer solstice and equinoxes such as May 6 or August 6 (which are approximately equivalent).

- d. Analyze the anticipated impacts of the Proposed Action on the urban design and visual character within the DTOAD Study Area.
- e. Propose and describe mitigation measures if applicable.

2.3 Historic and Archaeological Resources

- a. Within the DTOAD Study Area, identify any architectural or historic resources which are on, or eligible for listing on, the Federal or New York State Landmark Register, or that have significance within the City of Mount Vernon that may be affected by the Proposed Action, including those which have a view of the Proposed Action area.
- b. Propose and describe mitigation measures if applicable.

2.4 Natural Resources

- a. Using existing databases and field reconnaissance, generically document existing conditions for the following natural resource categories within the Project Site: land attributes, flora and fauna and water resources.
- b. Using existing databases and field reconnaissance, generically document existing conditions relating to surface and subsurface geotechnical conditions, and if the presence of bedrock represents a development constraint.
- c. Specifically identify any unique natural resources, such as specimen trees or unusual landforms.
- d. Generally describe and analyze any potential impacts that the Proposed Action will have upon the above natural resource categories within the City.
- e. Propose and describe mitigation measures if applicable.

2.5 Hazardous Materials

- a. Investigate of the DTOAD Study Area's history of the presence of hazardous substances through the analysis of historical records, aerial photographs, historic maps, municipal records, field observations and interviews with individuals familiar with the history of the area.
- b. Review of federal and state databases and records for documentation of potential liabilities relevant to the Project Site, such as the US EPA's CERCLIS (Comprehensive Emergency Response Compensation and Liability Information System), the National Priorities List (NPL), NYSDEC Inactive Waste Disposal Report, New York Spills Database, among others.
- c. Prepare and summarize the findings of a Phase I Environmental Site Assessment of the Library Square Site, and adjacent areas that influence the Site.
- d. Proposed and describe mitigation measures, if applicable.

2.6 Infrastructure

This impact analysis will generally document demand for utility services generated by the Proposed Action, as well as the adequacy of the existing supply. The utilities of concern are water supply, stormwater, sanitary sewage, solid waste, gas and electric.

a. Water Supply

- Generally assess whether or not the City of Mount Vernon Water Department can supply adequate water of sufficient pressure to the potential sites under all conditions of flow, per Westchester County Health Department and New York State Department of Health Code, Sub-part 5, using the existing water distribution system. All conditions of flow will include domestic consumption, commercial industrial consumption and fire flows.
- Analyze cumulative impacts on water supply.
- Propose and describe mitigation measure, if appropriate.

b. Sanitary Sewage

- Generally assess the Proposed Action's potential impact on the sanitary sewer system, including the size, capacity and exiting condition of the existing sanitary sewer pipes and the Yonkers Wastewater Treatment Plant's ability to accept and treat wastewater generated by the Proposed Action.
- Analyze the impact of the incremental increase in sewage generation, as well as cumulative impacts.
- Propose and describe mitigation measures, including I&I reductions at a rate of 3:1 for market rate projects and 1:1 for AFFH projects, if applicable.

c. Stormwater Management

- Generally assess the existing stormwater system within the DTOAD Study Area, including the size, capacity and exiting condition of stormwater pipes.
- Identify existing flood prone areas.
- Identify the extent of change of impervious surfaces within the DTOAD Study Area.
- Proposed and describe mitigation measures, if applicable.

d. Gas and Electric

- Generally assess the existing ConEd gas and electric system within the DTOAD Study Area.
- Analyze the impact of the incremental increase in gas and electric demand, as well as cumulative impacts.

e. Solid Waste

- Generally assess solid waste and recycling functions within the DTOAD Study Area.
- Generally document the impacts of solid waste disposal on land filling and resource recovery in Mount Vernon and Westchester County.
- Propose and describe mitigation measures, if applicable.

2.7 Transportation, Traffic and Parking

The transportation, traffic and transportation elements will evaluate the general impacts of the Proposed Action on traffic flow, roadway operating conditions, intersection levels of service and parking conditions in the DTOAD Study Area and propose measures to mitigate the impacts if necessary.

a. Existing Conditions

- Inventory existing road conditions and traffic control in the DTOAD Study Area, including access.
 - Determine existing Average Daily Traffic (ADT) volumes and adjusted using DOT annual average daily count information and identify the weekday AM (7:00 a.m. to 9:30 a.m.) and PM (4:00 p.m. to 6:30 p.m.) peak hours.
 - The following intersections shall be studied:
 - South 2nd Avenue/East 1st Street
 - South 2nd Avenue/East 2nd Street
 - South 3rd Avenue/East 1st Street
 - South 3rd Avenue/East 2nd Street
 - Describe pedestrian conditions within the DTOAD Study Area.
 - Describe existing off-street and on-street parking resources within the DTOAD Study Area.
 - Describe existing public transit options in the vicinity of the DTOAD Study Area and the changes in experienced in Metro North ridership.
 - Document the accident history in the Vicinity of the DTOAD Study Area.
- b. Future Traffic and Parking Conditions – Impacts of the Proposed Action
- Increase traffic volumes from the existing traffic volumes to reflect background growth in the Project Site using a factor acceptable to the City Planning Department. Using the Institute of Transportation Engineer’s *“Trip Generation”* reference, estimate trip generation from the Proposed Action as well as the parking demands for the project. Parking demand will be based on applicable City Codes. The estimated traffic from the Proposed Action will constitute the future “Build” traffic volumes and will be distributed to the adjacent streets identified in 2.6.a above.
 - Evaluate the potential impacts that may result due to the combined increases in traffic volumes associated with the Proposed Action.
 - Address evolving conditions related to on-line shopping and delivery patterns.
 - Perform a parking demand analysis, which is to include a description of the adequacy of the existing parking supply.
 - Evaluate potential impacts on public transportation facilities.
 - Document the parking demand for an affordable development, compared to a market rate development.
 - Describe anticipated construction traffic impacts.
- c. Alternative Build Analyses
- No Build Analysis - anticipated traffic and transportation impacts without traffic associated with the Proposed Action.
 - Compare traffic generated by Proposed Action to alternate land uses on the project sites.
- d. Proposed Mitigation

- Recommend traffic, access and parking improvements if mitigation of impacts is required.
- Recommend alternatives to existing parking requirements including but not limited to the reduction of required parking based upon incentives, green-building improvements, shared-parking, payment-in-lieu-of parking objectives and other measures.
- Include a bicycle parking provision.

2.8 Air Quality and Noise

Generic air quality and noise analysis will be undertaken to compare the impacts associated with the Proposed Action versus the existing development and zoning. Available resources such as the New York State Department of Environmental Conservation monitoring reports and the *New York State Annual Air Quality Report*, as well as County monitoring, will be used.

2.9 Economic Development

The economic development analysis will draw upon existing demographic and market data. In addition, noteworthy population trends and demographic data from the 2020 Census and *American Community Survey (ACS)* will be utilized.

- a. Define the target market(s) for the Proposed Action. The market segment(s) will be defined in accordance with the market data. The market data will document the need for affordable and market rate rental housing in the City of Mount Vernon.
- b. Any plans officially adopted or presently being prepared that impact the course of housing development will be analyzed to ascertain whether or not the Proposed Action is in keeping with the objectives of these plans.
- c. Describe future conditions without the Proposed Action.
- d. Generally estimate the number and type of permanent and construction related jobs to be generated and/or lost from the Proposed Action.
- e. Generally estimate the real property taxes to be generated from implementation of the Proposed Action.
- f. Based on A through E above, address quality of life concerns in the DTOAD Study Area, especially issues related to growth inducement, such as potential secondary growth.
- g. Address business and residential displacement.
- h. The fiscal analysis should address the Proposed Action with and without a PILOT.
- i. Provide and describe mitigation measures as needed based upon the above analyses.

2.10 Municipal Services

This section will determine if community services are adequate to meet the needs of the Proposed Action. This section will:

- a. Analyze existing community facilities and services applicable to the Proposed Action. This general analysis will include the following:
 - Police
 - Fire

- EMS
- Health Care
- Schools
- Recreational & Cultural Facilities

- b. Assess any potential impacts on the provision of community facilities or services as a result of the Proposed Action (e.g. need for additional teachers, police, fire, personnel or equipment, facilities, etc. and the cost thereof). Provide a fiscal impact assessment.
- c. Propose and describe mitigation measures, if appropriate.

2.11 Green Building & Sustainability

- a. Address green building and sustainability measures proposed to increase the energy efficiency and reduce the carbon footprint of the Proposed Action.

2.12 Construction

The construction impact section will generally describe the extent of the Proposed Action's construction activities (should build-out occur), including short term impacts on temporary parking, air quality and noise. Construction impacts will be evaluated qualitatively. The construction on adjoining sites will be taken into consideration. Mitigation measure will be proposed and described.

c. Growth-Inducing Impacts

This chapter of the DGEIS will assess and analyze, together with the impacts of the Proposed Action, whether additional off-site growth would be stimulated and the type of growth anticipated. The DGEIS will address specific impacts on the immediate neighborhood, community and health and other service providers, and cross referenced where appropriate with Section 2.8.

d. Adverse Impacts That Cannot Be Avoided

Where significant impacts of the Proposed Action cannot be mitigated, these will be described as unavoidable adverse impacts and identified in this chapter. Impacts may be both short term (construction) and long term in nature.

e. Irreversible and Irretrievable Commitment of Resources

An evaluation must be made of the environmental resources that would be irretrievably and irreversibly committed to the development of the Proposed Action.

f. Analysis of Alternatives

SEQRA mandates that impact statements analyze a reasonable range of alternatives. These analyses must include a description of the impacts (adverse, beneficial, long and short term, cumulative) created by the Alternatives, as well as their probability and significance in comparison to those of the proposed Action. The alternatives will be analyzed qualitatively, except where project impacts have been identified, in which case quantitative analyses comparing impacts will be performed. This comparative analysis will be provided in both narrative and matrix form, and shall following the same analysis format as used for the Proposed Action (evaluation of impact categories).

The following Alternatives will be examined:

- a. No Action Alternative – Assumes a scenario in which the Proposed Action is not adopted, no development takes place and all potential development sites retain their current zoning and land

uses.

- b. As-of-right Alternative – Assumes a scenario in which the potential sites are not rezoned and maximum development occurs under existing zoning as-of-right.
- c. Full Build-Out under DTOAD Alternative - Assumes a scenario in which all potential sites are zoned DTOAD with accompanying maximum intensity development permitted under that zone.

g. Appendices

The DGEIS will provide a glossary and listing of sources consulted to ensure that the public can adequately comment on technical analyses within the DGEIS. The Appendices will also identify supplemental sources of information used in preparing the document as well as all technical studies, traffic counts, etc.