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

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

Part I: GENERAL INFORMATION

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

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

2. *Project Name* Rose Castle

3. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
16DCP121K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
160221ZMK; N160222ZRK	

4a. *Lead Agency Information*			**4b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT Riverside Developers USA Inc.		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Equity Environmental Engineering LLC		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 500 International Drive #150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3423	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 973-527-7451x101	EMAIL jim.heineman@equityenvironmental.com	

5. *Project Description*

The applicant, Riverside Developers USA Inc., seeks a Zoning Map Amendment affecting the portion of Blocks 1884 and 1885 and Zoning Text Amendments. The proposed Zoning Map Amendment would change the zoning of Block 1884, Lots 33 a/k/a 7501, 40, 48, and 53 and part of Lot 57 from M1-2 to R7A/C2-4, and Block 1885, Lots 15 and 20 from M1-2 to M1-2/R6A (MX-4). The proposed Zoning Text Amendments would establish the Inclusionary Housing Program for an area consisting of the same blocks and lots, and to modify the MX district. The proposed action would facilitate redevelopment of the applicant's properties Block 1884, Lots 40, and 48, (the "Flushing Avenue Development Site" or Development Site 1) for a 176,671-square foot residential and commercial building with 168 dwelling units and Block 1885, Lot 15 (the "Franklin Avenue Development Site" or Development Site 2) for a 126,839 square foot residential building with 128 units.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 3	STREET ADDRESS 376-378 Flushing Avenue and 43 Franklin Avenue
TAX BLOCK(S) AND LOT(S) The applicant's properties are Block 1884, Lots 40 and 48, and Block 1885, Lot 15. Other affected properties are Block 1884, Lots 33 a/k/a 7501, 53, and part of 57 and Block 1885, Lot 20.		ZIP CODE 11205

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Flushing Avenue Development Site(referred to as Development Site 1) is identified as 376-378 Flushing Avenue, and extends along Flushing Avenue from a point 50 feet east of Kent Avenue to Franklin Avenue. The site's depth ranges from 174.5 feet at its western end to 102.75 feet at its eastern end along Franklin Avenue. The Franklin Avenue Development Site, referred to as Developent Site 2) is identified as 43 Franklin Avenue and is a through- block with frontage on Franklin Avenue to the west and Skillman Street to the west. The northern lot line of the Franklin Avenue Development Site is located approximately 200 feet south of Flushing Avenue.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2	ZONING SECTIONAL MAP NUMBER 12d

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

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

☐ CITY MAP AMENDMENT ☐ ZONING CERTIFICATION ☐ CONCESSION
☒ ZONING MAP AMENDMENT ☐ ZONING AUTHORIZATION ☐ UDAAP
☒ ZONING TEXT AMENDMENT ☐ ACQUISITION—REAL PROPERTY ☐ REVOCABLE CONSENT
☐ SITE SELECTION—PUBLIC FACILITY ☐ DISPOSITION—REAL PROPERTY ☐ FRANCHISE
☐ HOUSING PLAN & PROJECT ☐ OTHER, explain:
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

***Board of Standards and Appeals*:** ☐ YES ☒ NO
☐ VARIANCE (use)
☐ VARIANCE (bulk)
☐ SPECIAL PERMIT (if appropriate, specify type: ☐ modification; ☐ renewal; ☐ other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

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

Other City Approvals Subject to CEQR (check all that apply)
☐ LEGISLATION ☐ FUNDING OF CONSTRUCTION, specify:
☐ RULEMAKING ☐ POLICY OR PLAN, specify:
☐ CONSTRUCTION OF PUBLIC FACILITIES ☐ FUNDING OF PROGRAMS, specify:
☐ 384(b)(4) APPROVAL ☐ PERMITS, specify:
☐ OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)
☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
☐ OTHER, explain:

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

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

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

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

Physical Setting (both developed and undeveloped areas)
Total directly affected area (sq. ft.): 97,236 Waterbody area (sq. ft) and type:
Roads, buildings, and other paved surfaces (sq. ft.): 97,236 Other, describe (sq. ft.):

8. *Physical Dimensions and Scale of Project* (if the project affects multiple sites, provide the total development facilitated by the action)
SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 303,510
NUMBER OF BUILDINGS: 2 on applicant's sites GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 176,671; 126,839;
HEIGHT OF EACH BUILDING (ft.): 80; 70 NUMBER OF STORIES OF EACH BUILDING: 8; 6

Does the proposed project involve changes in zoning on one or more sites? ☒ YES ☐ NO
If "yes," specify: The total square feet owned or controlled by the applicant: 74,557
The total square feet not owned or controlled by the applicant: 22,679

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? ☒ YES ☐ NO
If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 74,557 sq. ft. (width x length) VOLUME OF DISTURBANCE: 1,100,000 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 88,000 sq. ft. (width x length)

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

	Residential	***Commercial***	***Community Facility***	***Industrial/Manufacturing***
Size (in gross sq. ft.)	294,708	8,802		
Type (*e.g.,* retail, office, school)	296 units	local retail		

Does the proposed project increase the population of residents and/or on-site workers? ☒ YES ☐ NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 681 NUMBER OF ADDITIONAL WORKERS: 18

Provide a brief explanation of how these numbers were determined: residents based on CB3 average household size of 2.3; 2 employees per 1,000 square feet of retail space

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

Has a No-Action scenario been defined for this project that differs from the existing condition? ☐ YES ☒ NO

If "yes," see Chapter 2, "Establishing the Analysis Framework" and describe briefly:

9. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2024

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18-24

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? 2

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: The two development sites would be built separately.

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

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

Part II: TECHNICAL ANALYSIS

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

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

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
o If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
o If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	☒	☐
o Generate a net increase of 200,000 or more square feet of commercial space?	☐	☒
o Directly displace more than 500 residents?	☐	☒
o Directly displace more than 100 employees?	☐	☒
o Affect conditions in a specific industry?	☐	☒
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
o **Child Care Centers:** Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	☐	☒
o **Libraries:** Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	☐	☒
o **Public Schools:** Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	☒	☐
o **Health Care Facilities and Fire/Police Protection:** Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the proposed project change or eliminate existing open space?	☐	☒
(b) Is the project located within an under-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
o If "yes," would the proposed project generate more than 50 additional residents or 125 additional employees?	☐	☐
(c) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☐	☒
o If "yes," would the proposed project generate more than 350 additional residents or 750 additional employees?	☐	☐
(d) If the project in located an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☒	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		

	YES	NO
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☒	☐
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
6. *HISTORIC AND CULTURAL RESOURCES*: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	☐	☒
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	☒	☐
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. The development sites have been determined not to possess architectural or archaeological resources.		
7. *URBAN DESIGN AND VISUAL RESOURCES*: CEQR Technical Manual Chapter 10		
(a) Would the proposed project introduce a new building, a new building height, or result in any substantial physical alteration to the streetscape or public space in the vicinity of the proposed project that is not currently allowed by existing zoning?	☒	☐
(b) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	☐	☒
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
o If "yes," complete the Jamaica Bay Watershed Form, and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: staining from grease trap; unknown pit in warehouse floor on Lot 48	☒	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☐	☒
(c) If the proposed project located in a separately sewered area, would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13?	☐	☒
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it	☐	☒

	YES	NO
involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?		
(f) Would the proposed project be located in an area that is partially sewered or currently unsewered?	☐	☒
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
11. *SOLID WASTE AND SANITATION SERVICES*: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14, the project's projected operational solid waste generation is estimated to be (pounds per week): 13,558		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	☐	☒
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	☐	☒
12. *ENERGY*: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15, the project's projected energy use is estimated to be (annual BTUs): 39,243,249.5 MBTU		
(b) Would the proposed project affect the transmission or generation of energy?	☐	☒
13. *TRANSPORTATION*: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16?	☒	☐
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☒	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☒
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☒
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	☐	☐
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☒	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☒
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
15. *GREENHOUSE GAS EMISSIONS*: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	☐	☒
(b) Would the proposed project fundamentally change the City's solid waste management system?	☐	☒
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18?	☐	☒
16. *NOISE*: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	☒	☐
(b) Would the proposed project introduce new or additional receptors (see Section 124 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	☒	☐
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	☐	☒
(d) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	☐	☒

	YES	NO
17. *PUBLIC HEALTH*: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	☒	☐
(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20, "Public Health." Attach a preliminary analysis, if necessary. The proposed development would not result in significant impacts in any of the constituent elements of public health.		
18. *NEIGHBORHOOD CHARACTER*: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	☒	☐
(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21, "Neighborhood Character." Attach a preliminary analysis, if necessary. The proposed development would not result in significant impacts in any of the constituent elements of neighborhood character.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
o Construction activities lasting longer than two years?	☐	☒
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
o The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
o Closure of a community facility or disruption in its services?	☐	☒
o Activities within 400 feet of a historic or cultural resource?	☐	☒
o Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	☒	☐
(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22, "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. All construction would be performed in compliance with relevant Department of Buildings and Department of Transportation regulations and guidance.		

20. *APPLICANT'S CERTIFICATION*

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

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

APPLICANT/REPRESENTATIVE NAME	
James Heineman	September 28, 2016
SIGNATURE	

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

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

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

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

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

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

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

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

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

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

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

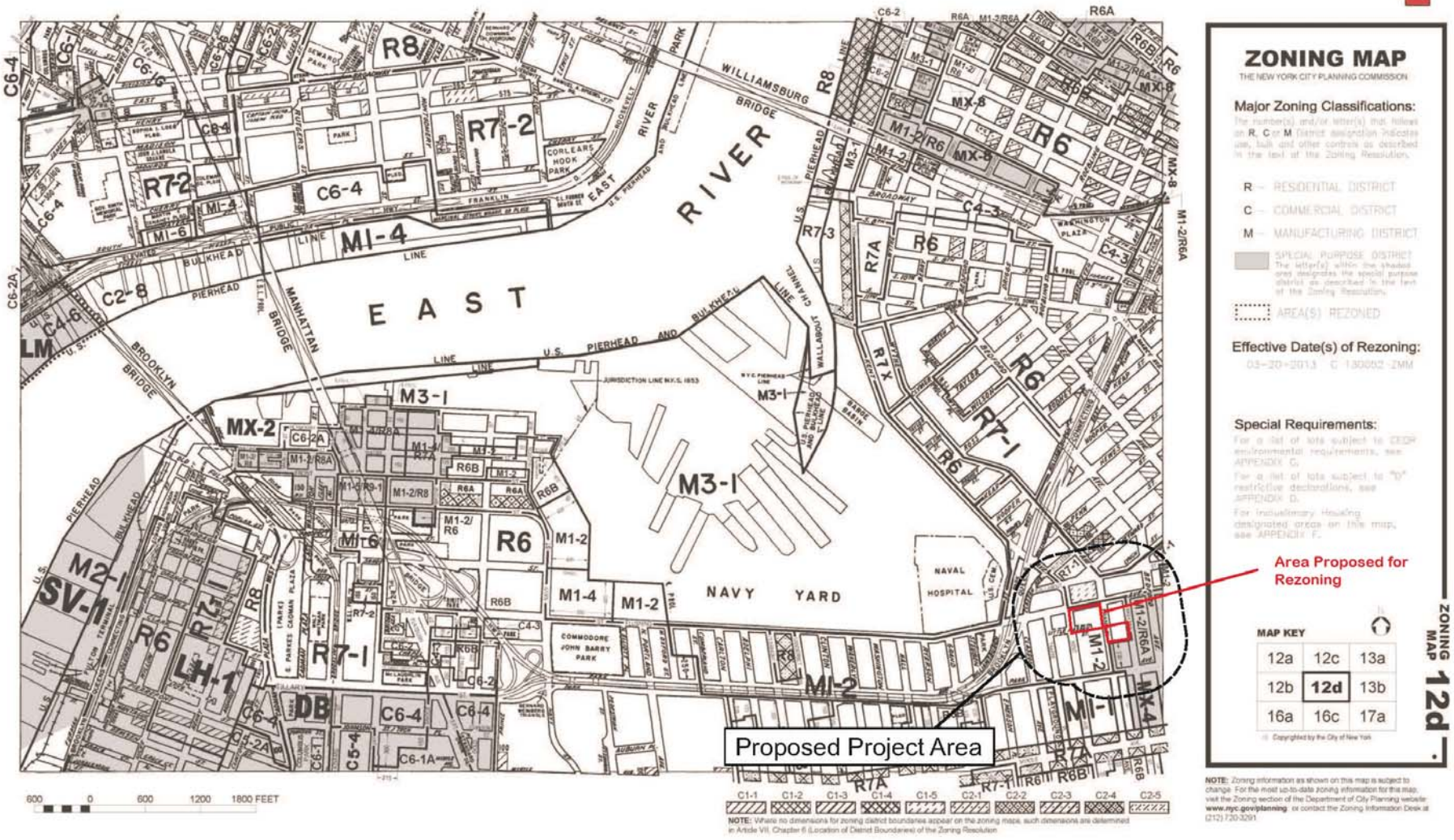
4. ***LEAD AGENCY'S CERTIFICATION***

TITLE	LEAD AGENCY
Deputy Director, Envionmental Assessment & Review Division	New York City Department of City Planning
NAME	**DATE**
Olga Abinader	September 30, 2016

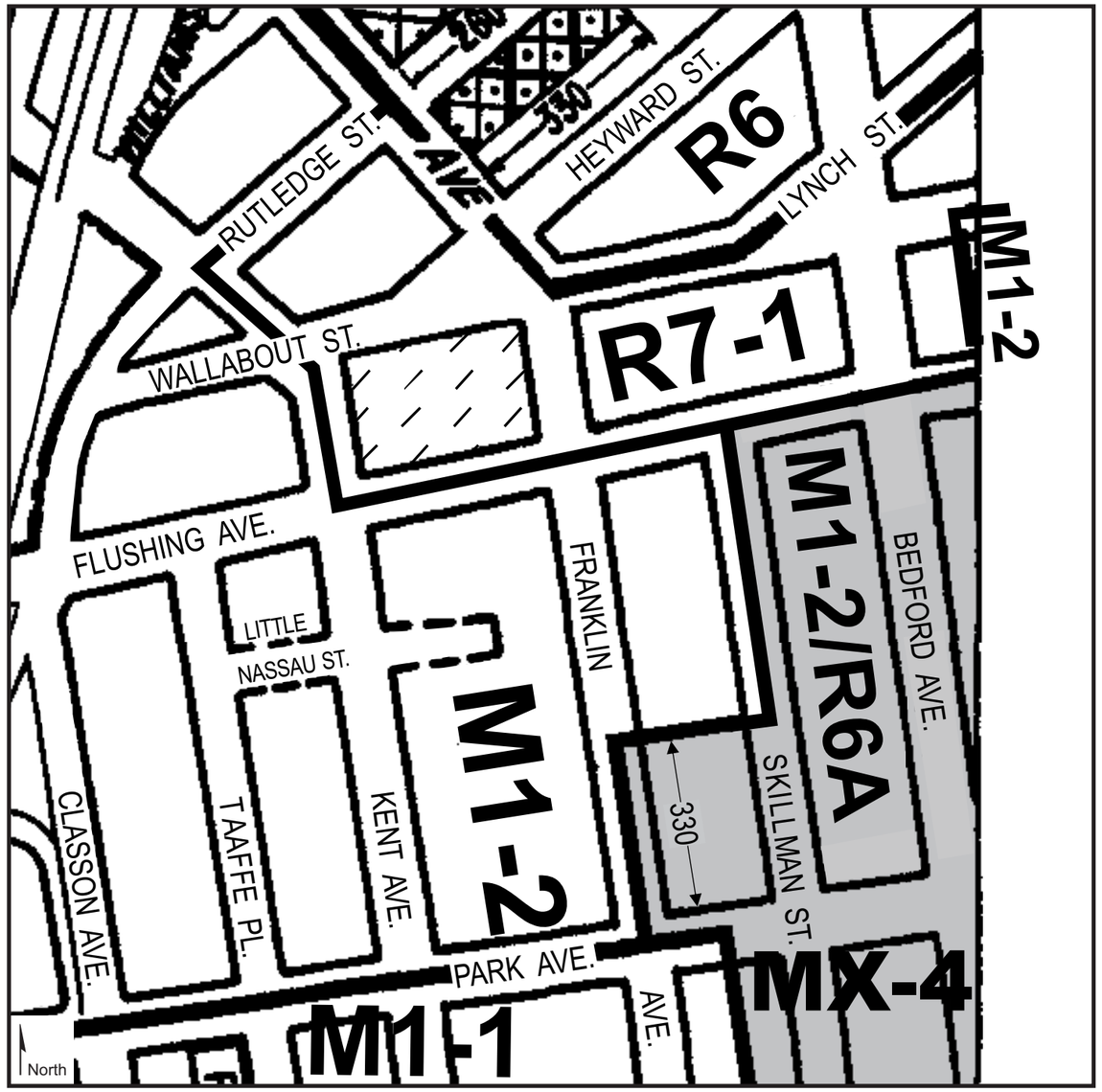
SIGNATURE



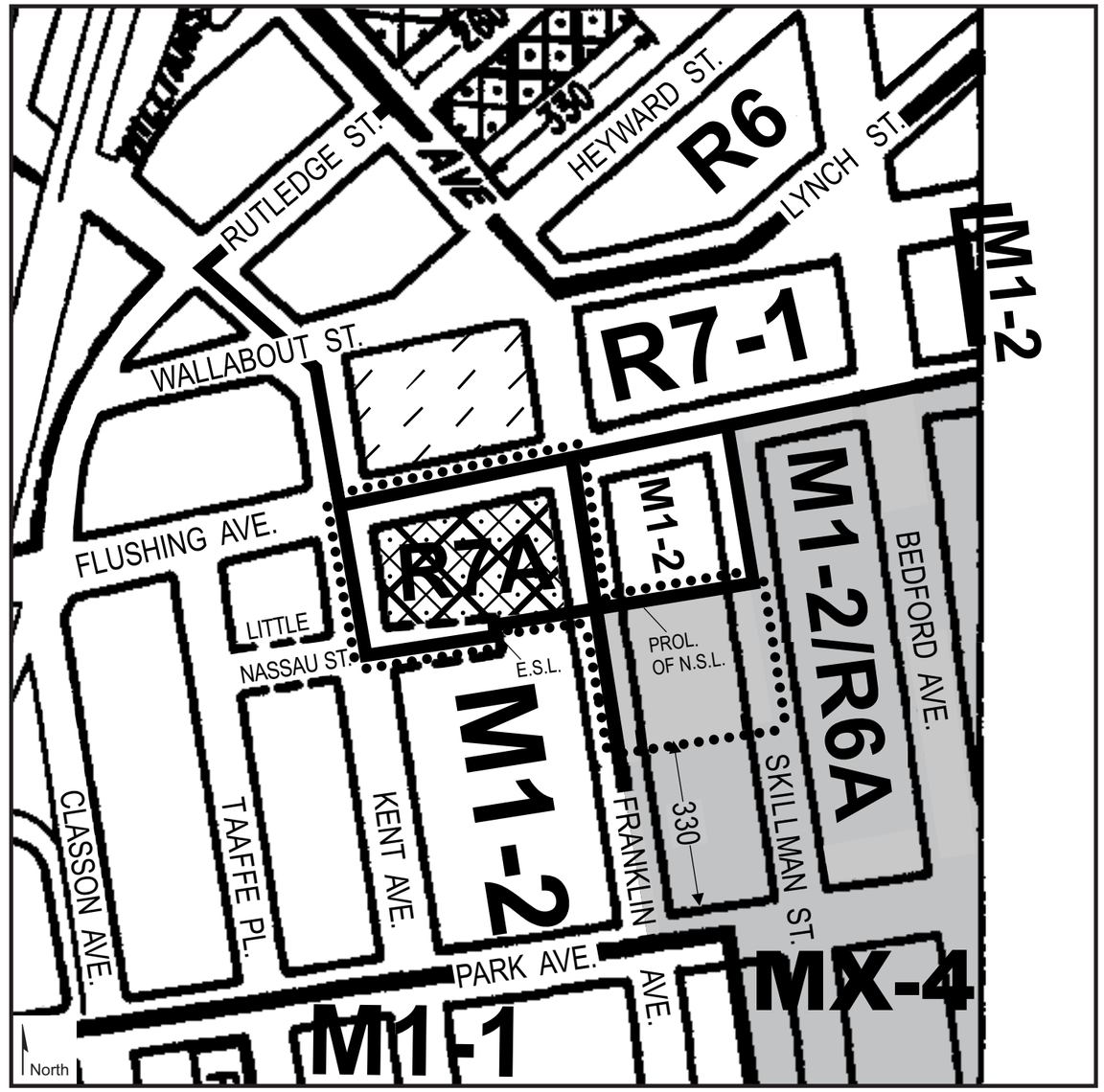
376-378 Flushing Avenue, Brooklyn



Zoning Change Map



Current Zoning Map (12d)



Proposed Zoning Map (12d) - Project Area is outlined with dotted lines

Block 1884: Rezoning from M1-2 to R7A/C2-4
Block 1885: Rezoning from M1-2 to M1-2/R6A

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

376-378 Flushing Avenue, Brooklyn

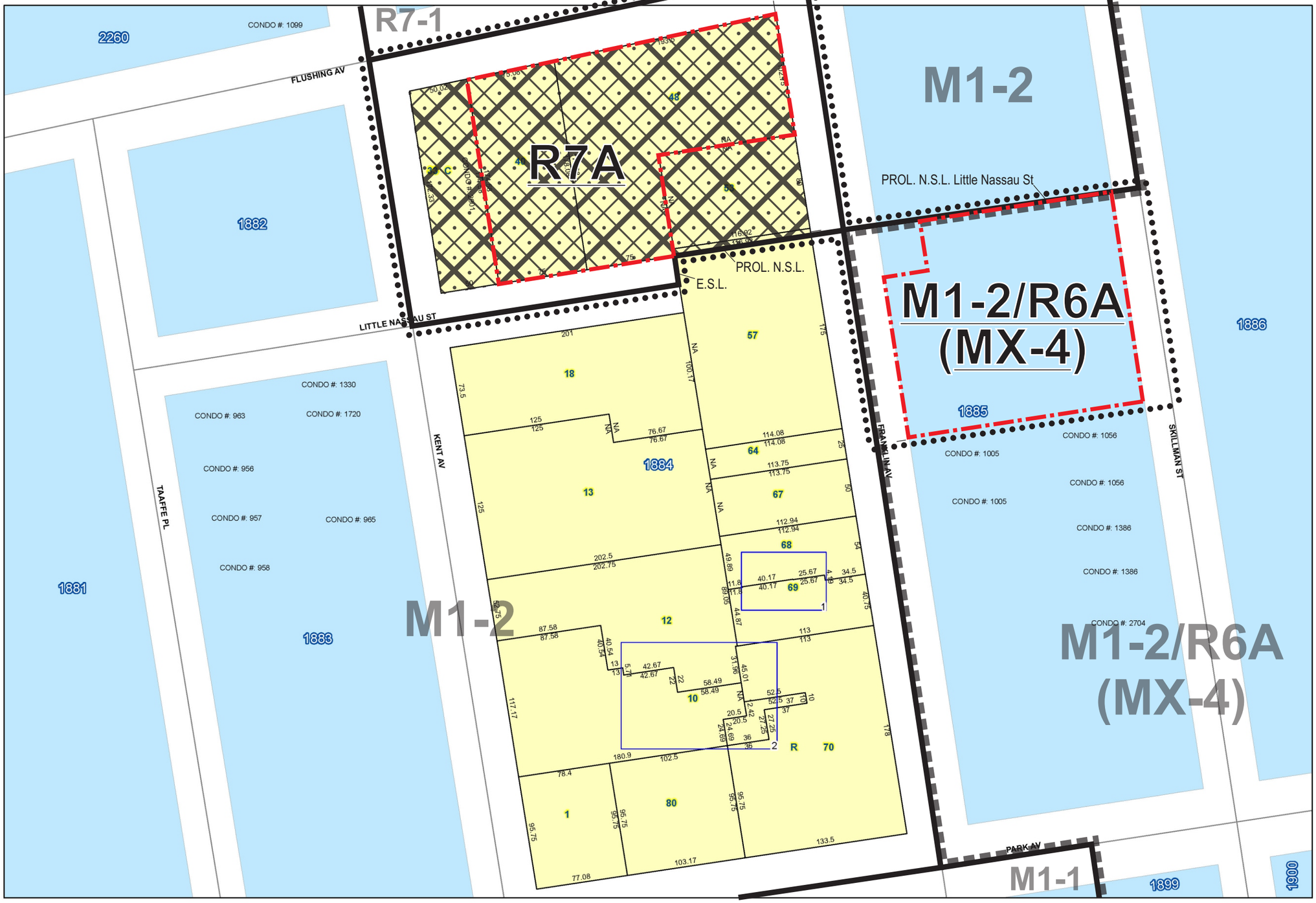
NYC Finance

NYC Digital Tax Map

Effective Date : 05-26-2011 09:38:03
End Date : Current
Brooklyn Block: 1884

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning District Line
- Special District Line
- Development Site
- Area Proposed to be Rezoned
- C2-4 Commercial Overlay
- M1-2 Existing Zoning District
- R7A Proposed Zoning District



NYC Finance

NYC Digital Tax Map

Effective Date : 04-26-2010 11:00:24
End Date : Current
Brooklyn Block: 1885

N W E S

Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Zoning District Line
- Special District Line
- Development Site
- Area Proposed to be Rezoned
- C2-4 Commercial Overlay
- C1-5 Commercial Overlay
- M1-2 Existing Zoning District
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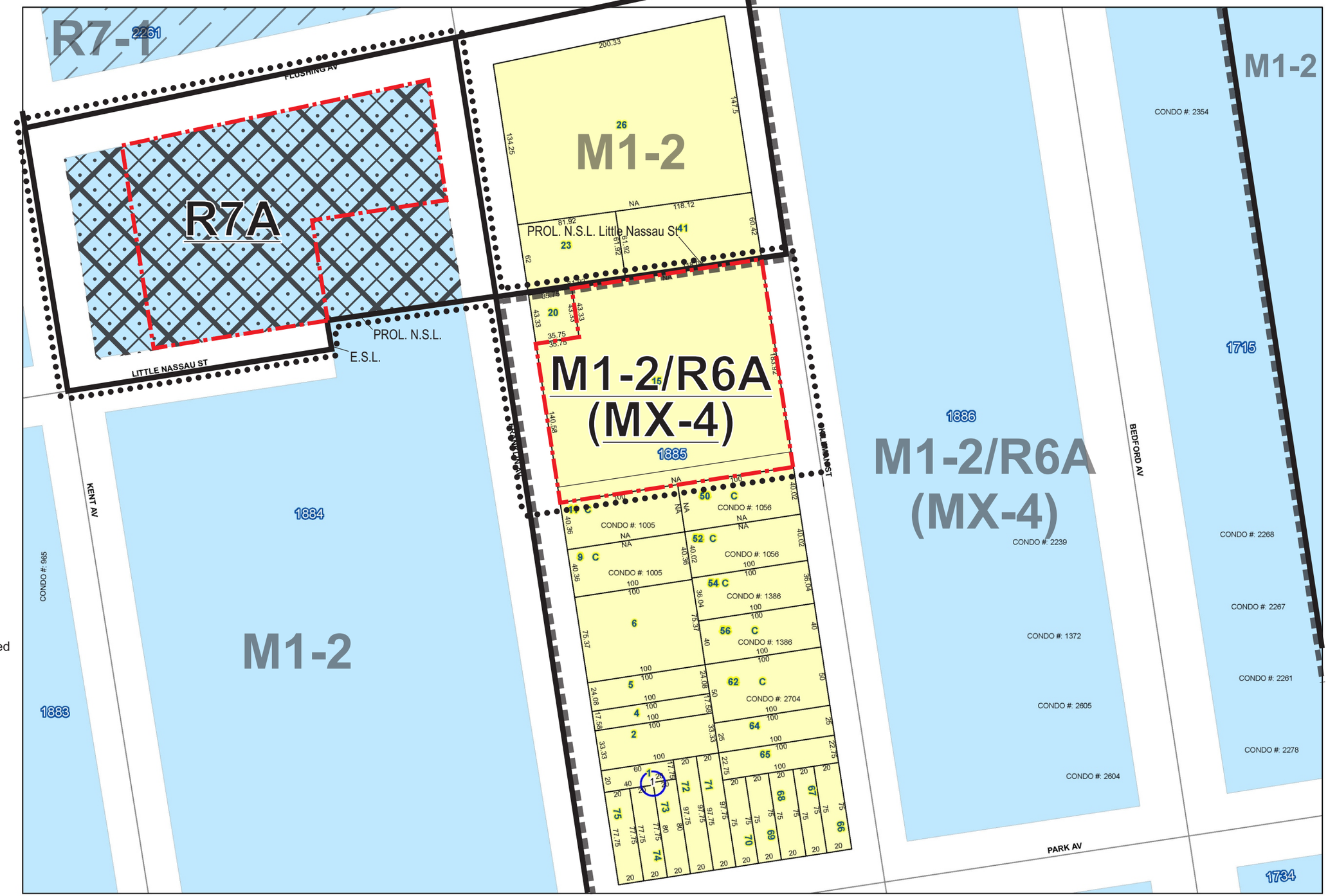


Feet
0 10 20 40 60 80

Area Map

376-378 Flushing Avenue, Brooklyn
Block 1884, Lots 40 & 48; Block 1885, Lot 15

Project Information

- 600' Radius
- Development Site
- Project Area
- Zoning Districts
- Special Districts

Existing Commercial Overlays

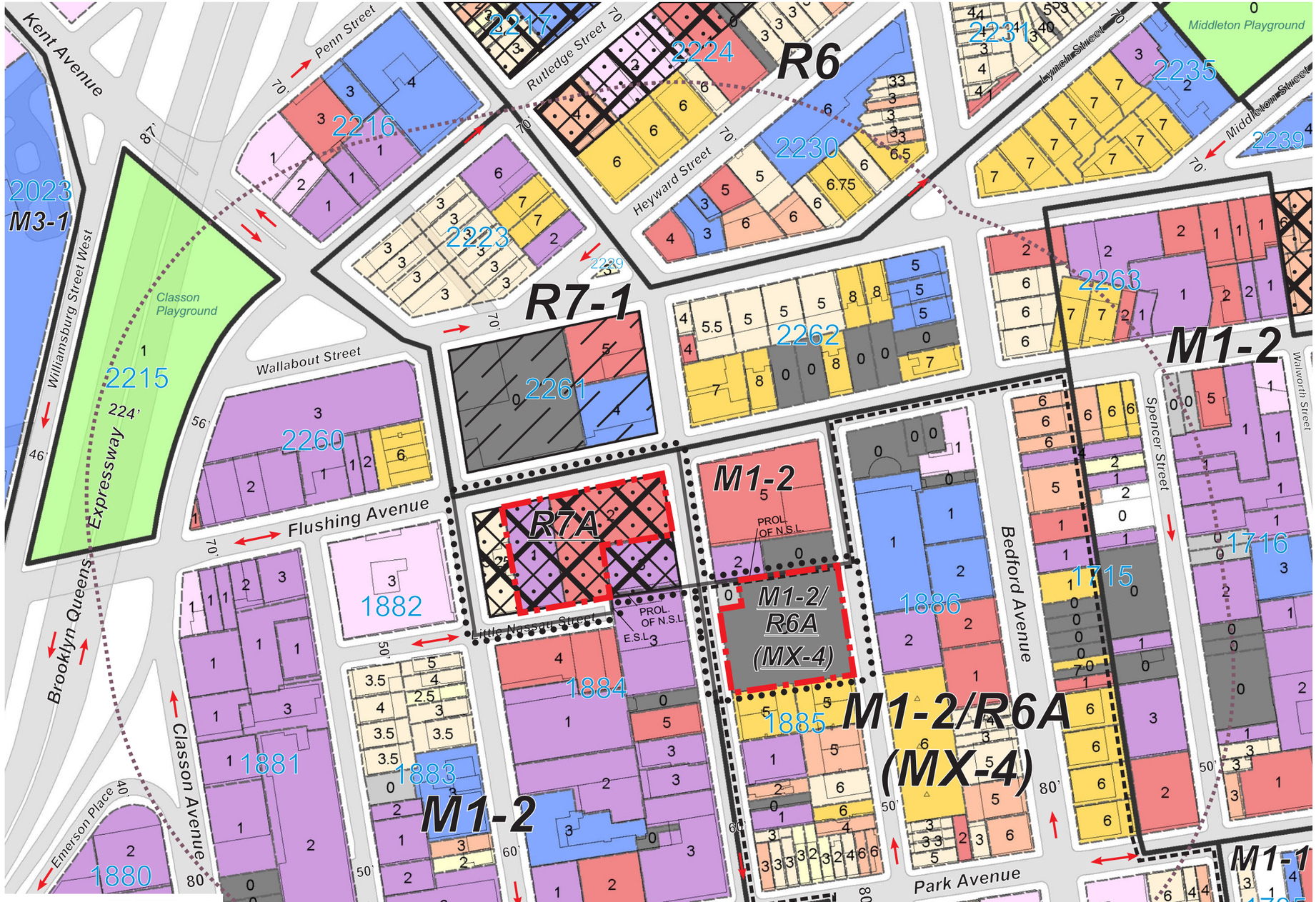
- C1-1
- C1-2
- C1-3
- C1-4
- C1-5
- C2-1
- C2-2
- C2-3
- C2-4
- C2-5
- Subway Entries
- 5037 Block Numbers
- Property Lines
- 5 Number of Floors
- Building Footprints

Land Uses

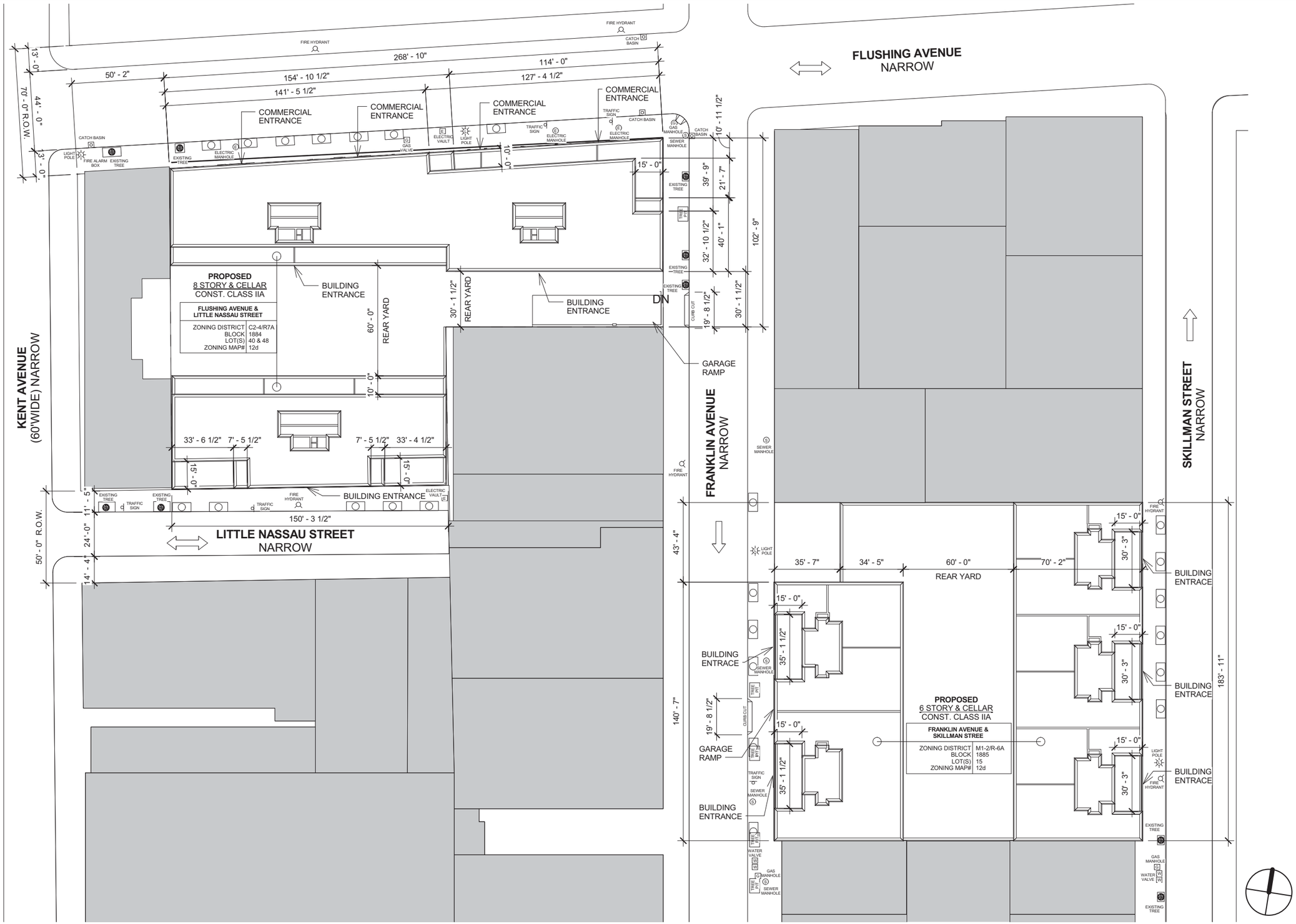
- One & Two Family Residential Buildings
- Multi-Family Residential Buildings
- Mixed Residential & Commercial Buildings
- Commercial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilities & Institutions
- Open Space
- Parking Facilities
- Vacant Land

North

0 200 400 600 Feet



Prepared by Urban Cartographics February 2015



1 **PROPOSED SITE PLAN**
1" = 50'-0"

SALAMON ENGINEERING GROUP

ALBOLIBERIS
266 BROADWAY STE 301, BKLYN NY 11211
718.599.1388 | WWW.ZCCG.COM
INFOZONINGANDCODE.COM

OWNER:
COMPANY NAME
ADDRESS
ADDRESS

APPLICANT OF RECORD:
DAVID SALAMON
55 WEST 39TH ST. SUITE 303
NEW YORK NY 10018
T. (212) 465-1616
E. SEGGRP@GMAIL.COM

CPC APPLICATION		07/24/2015	2
CPC APPLICATION	1	07/16/2015	1
REVISIONS:		ISSUE DATE:	NO.:

PROJECT No.: 1405

ROSE CASTLE
BROOKLYN, NY 11205

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DRAWING TITLE:
SITE PLAN

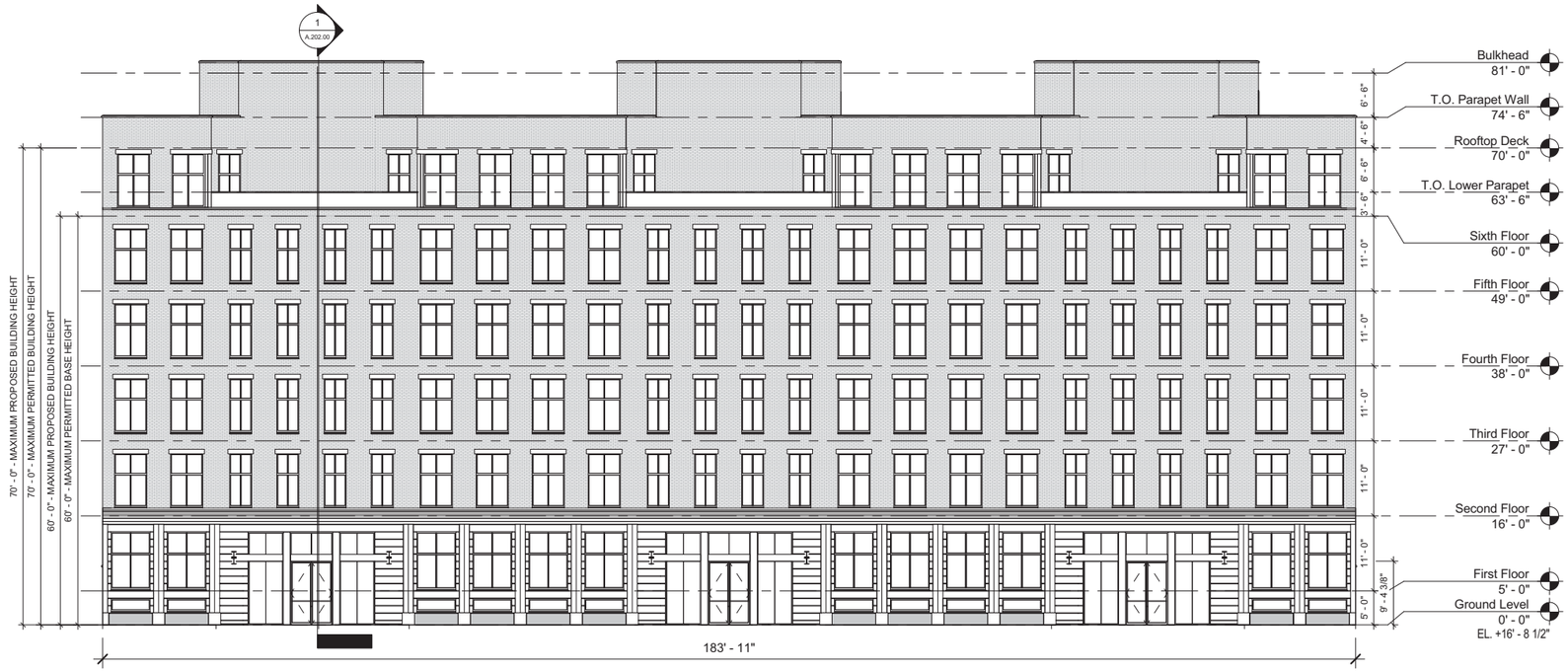
SEAL AND SIGNATURE:

STATE OF NEW YORK · DAVID SALAMON · 030730 · LICENSED PROFESSIONAL ENGINEER

FOR REVIEW

T.103.00

FOR ILLUSTRATIVE PURPOSES ONLY



2 **EAST ELEVATION - SKILLMAN STREET**



1 **WEST ELEVATION - FRANKLIN AVENUE**
3/64" = 1'-0"

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CPC APPLICATION		07/16/2015	1
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ROSE CASTLE
BROOKLYN, NY 11205

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DRAWING TITLE:
ELEVATIONS - LOT 15

SKILLMAN ST / FRANKLIN AVE

SEAL AND SIGNATURE:



FOR REVIEW

A.200.00

FOR ILLUSTRATIVE PURPOSES ONLY



2 **SOUTH ELEVATION**
3/64" = 1'-0"



1 **NORTH ELEVATION - FLUSHING AVENUE**
3/64" = 1'-0"

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CPC APPLICATION	07/24/2015	2
CPC APPLICATION	07/16/2015	1
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PROJECT No.: 1405

ROSE CASTLE

BROOKLYN, NY 11205

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DRAWING TITLE:
ELEVATIONS - LOTS 40 & 48

FLUSHING AVE / LITTLE NASSAU ST

SEAL AND SIGNATURE:



FOR REVIEW

A.201.00

FOR ILLUSTRATIVE PURPOSES ONLY



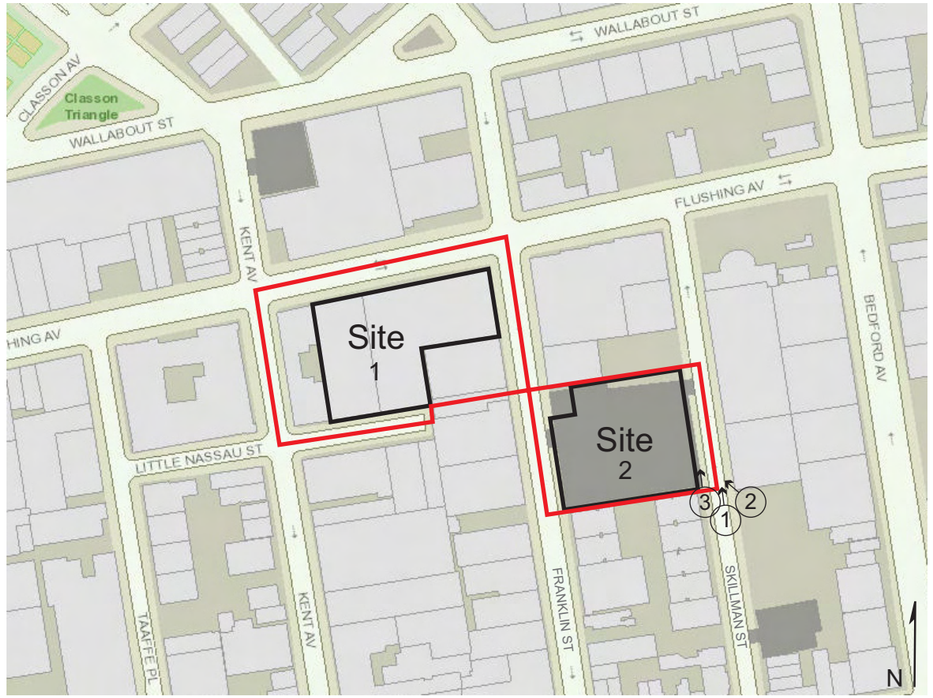
1. View of Skillman Street facing north (Site 2 at left).



2. View of Site 2 facing northwest from Skillman Street.



3. View of the sidewalk along the west side of Skillman Street facing north (Site 2 at left).





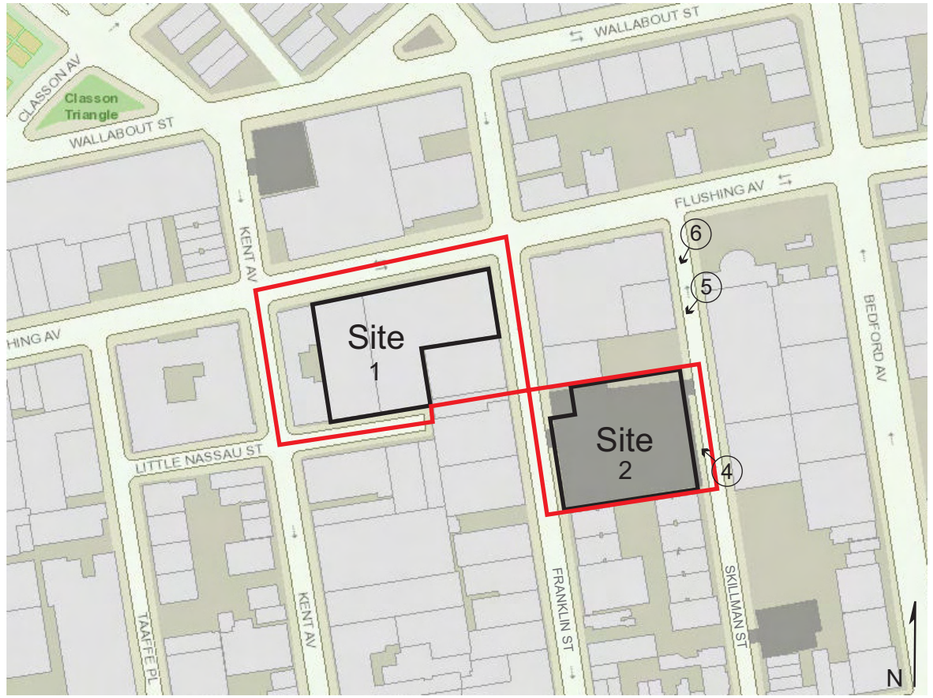
4. View of Site 2 facing northwest from Skillman Street.



5. View of Site 2 facing southwest from Skillman Street.



6. View of the west side of Skillman Street facing southwest.





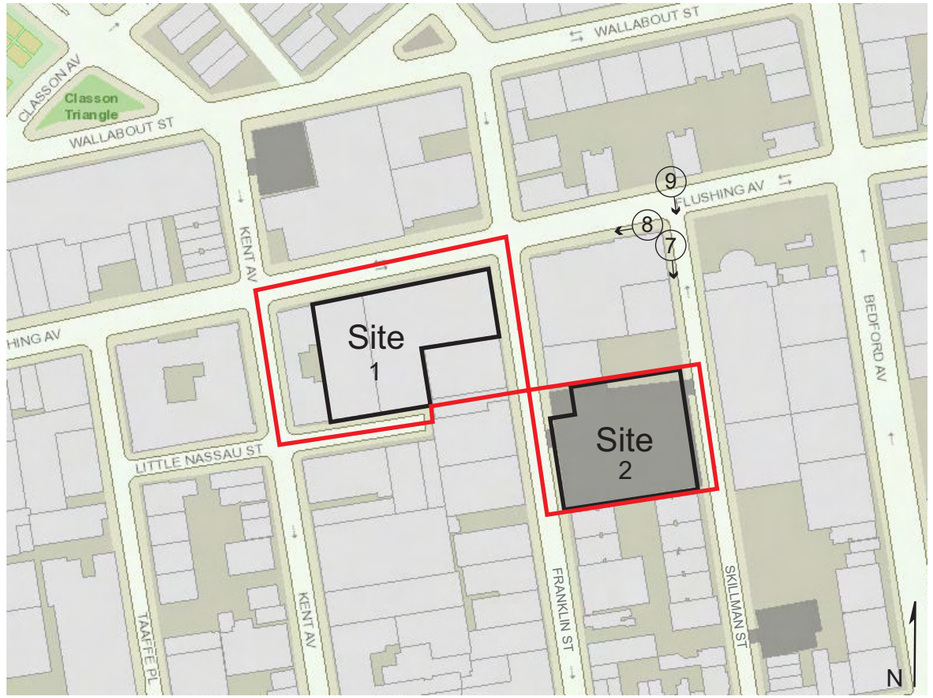
7. View of the sidewalk along the west side of Skillman Street facing south from Flushing Avenue.



8. View of the sidewalk along the south side of Flushing Avenue facing west from Skillman Street.



9. View of Skillman Street facing south from Flushing Avenue.





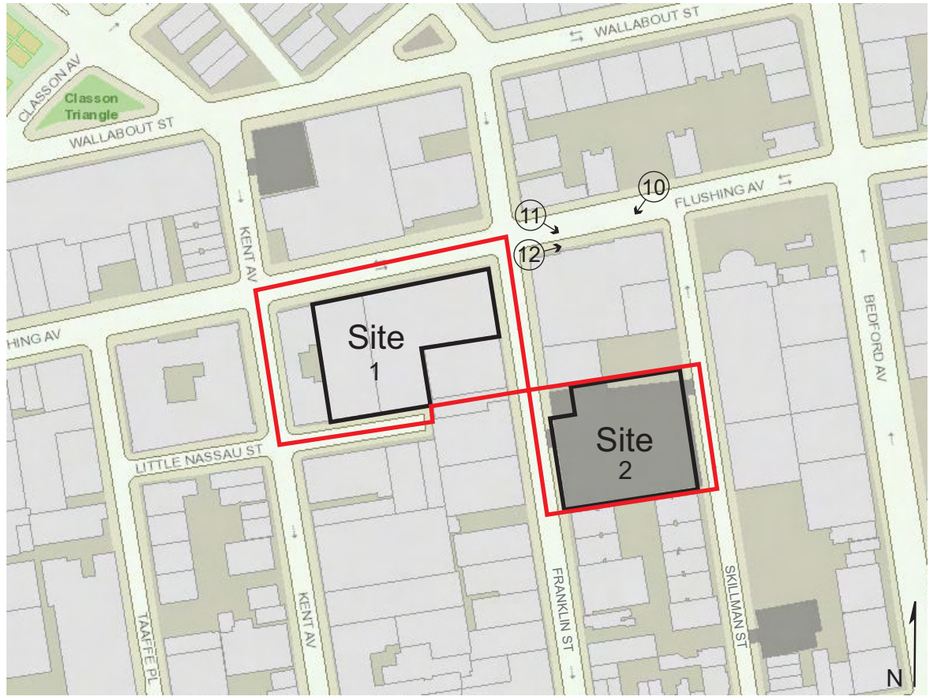
10. View of the south side of Flushing Avenue facing southwest.



11. View of the south side of Flushing Avenue facing southeast.



12. View of the sidewalk along the south side of Flushing Avenue facing east from Franklin Avenue.





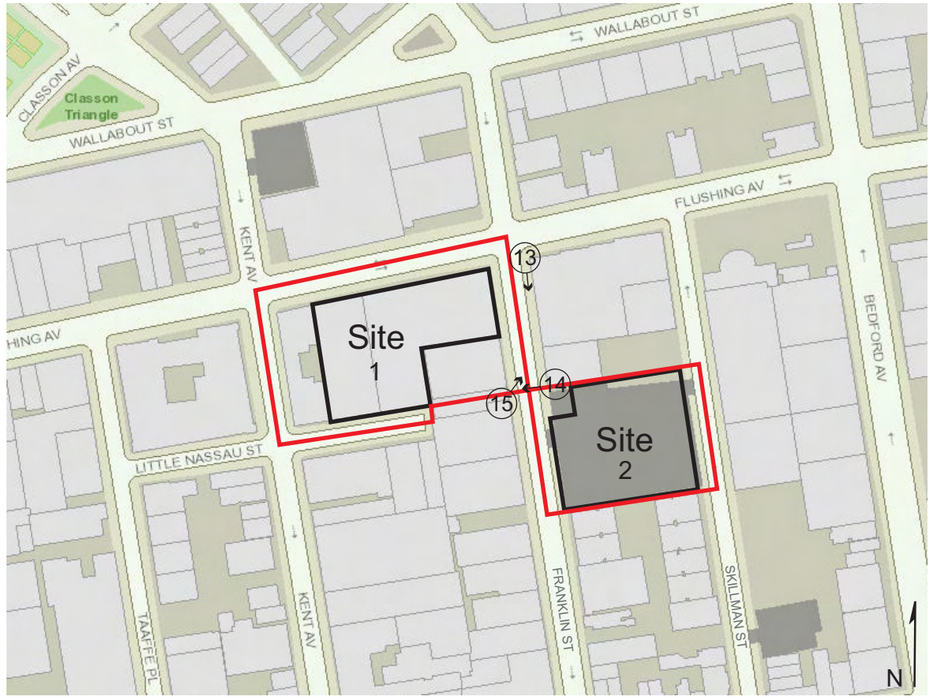
13. View of the sidewalk along the east side of Franklin Avenue facing south from Flushing Avenue.



14. View of the west side of Franklin Avenue facing west.



15. View of the east side of Franklin Avenue facing northeast.





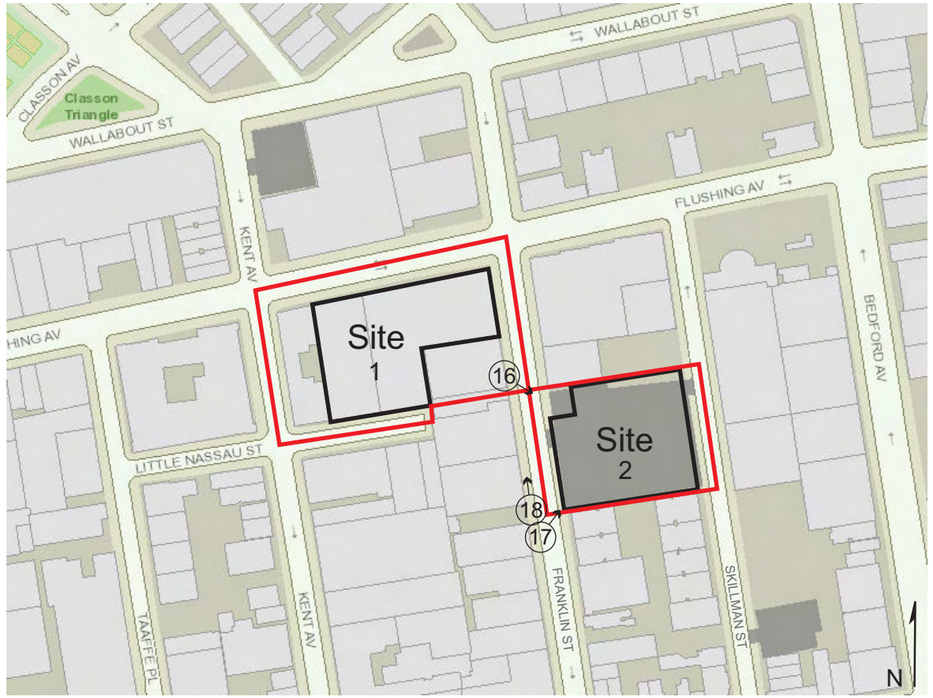
16. View of the east side of Franklin Avenue facing southeast.



17. View of the east side of Franklin Avenue facing northeast.



18. View of the sidewalk along the west side of Franklin Avenue facing north.





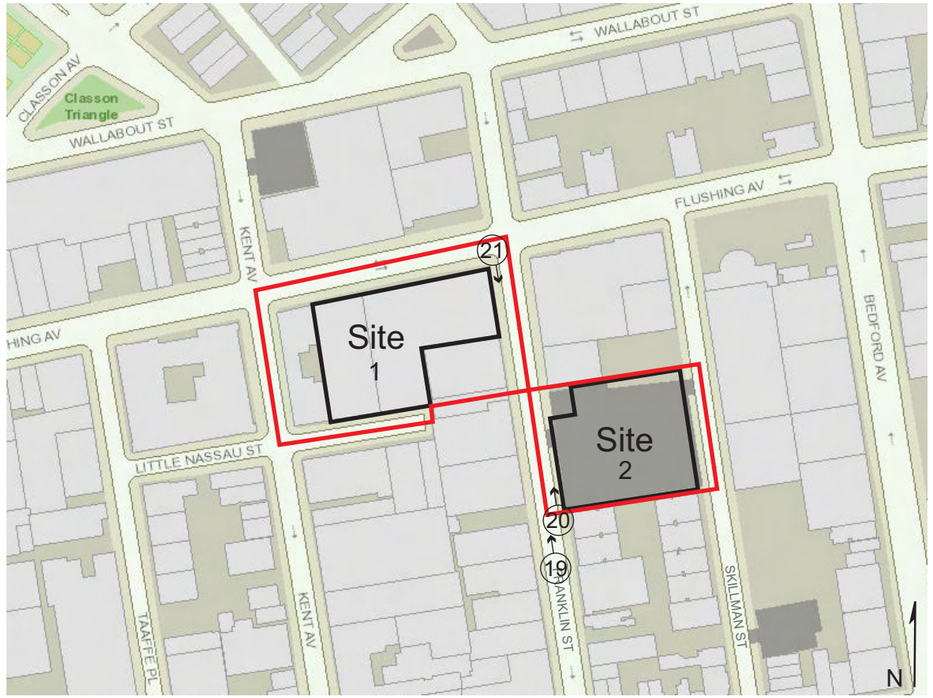
19. View of Franklin Avenue facing north.



20. View of the sidewalk along the east side of Franklin Avenue facing north.



21. View of the sidewalk along the west side of Franklin Avenue facing south from Flushing Avenue.





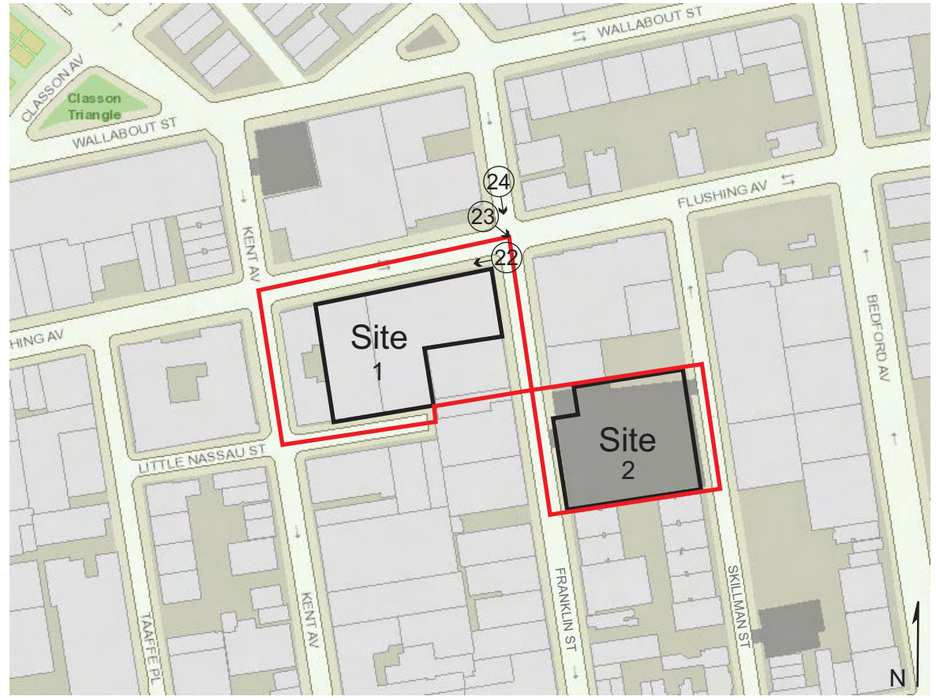
22. View of the sidewalk along the south side of Flushing Avenue facing west from Franklin Avenue (Site 1 at left).



23. View of Flushing Avenue facing southeast from Franklin Avenue.



24. View of Franklin Avenue facing south (Site 1 at right).





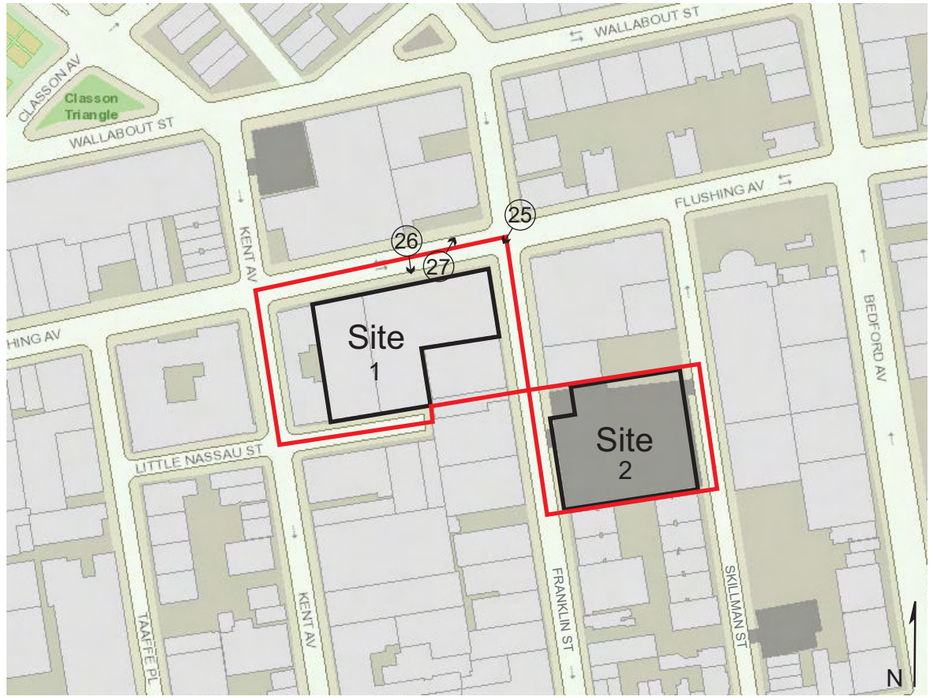
25. View of Site 1 facing southwest from the intersection of Franklin Avenue and Flushing Avenue.



26. View of Site 1 facing south from Flushing Avenue.



27. View of the side of Flushing Avenue facing northeast from Site 1.





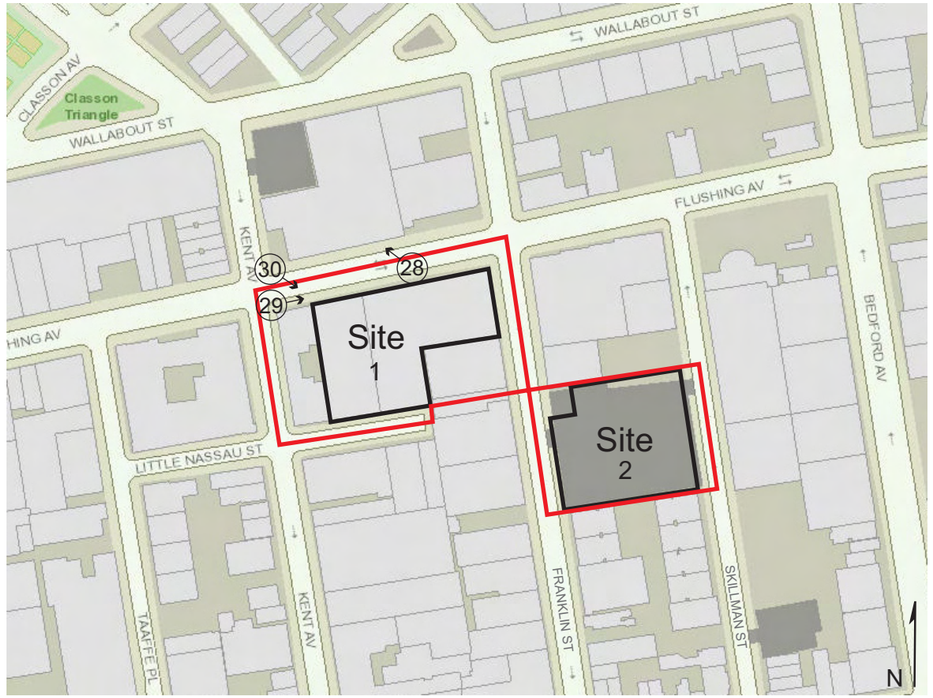
28. View of the north side of Flushing Avenue facing northwest from Site 1.



29. View of the sidewalk along the south side of Flushing Avenue facing east from Kent Avenue (Site 1 at right).



30. View of Site 1 facing southeast from Flushing Avenue.





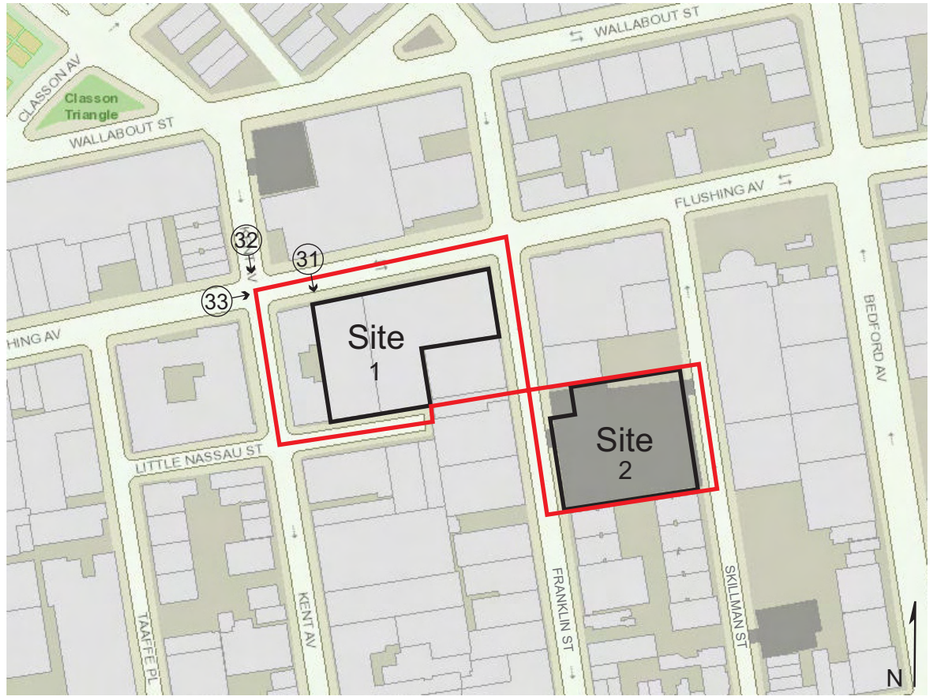
31. View of Site 1 facing south from Flushing Avenue.



32. View of Kent Avenue facing south from Flushing Avenue.



33. View of Flushing Avenue facing east from Kent Avenue.





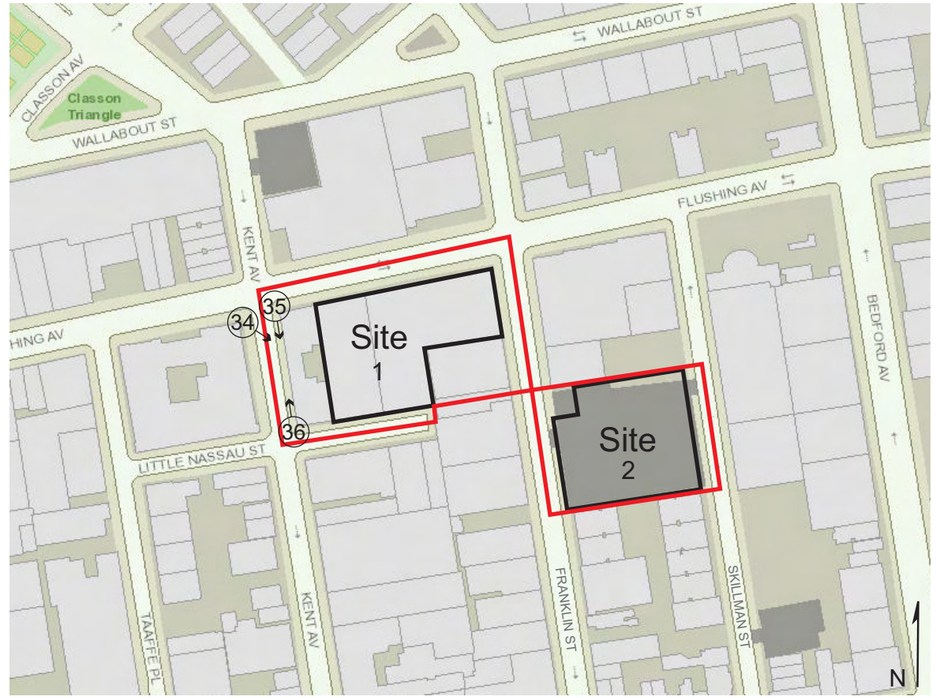
34. View of the east side of Kent Avenue facing southeast from Flushing Avenue.



35. View of the sidewalk along the west side of Kent Avenue facing south from Flushing Avenue.



36. View of the sidewalk along the west side of Kent Avenue facing north from Little Nassau Street.





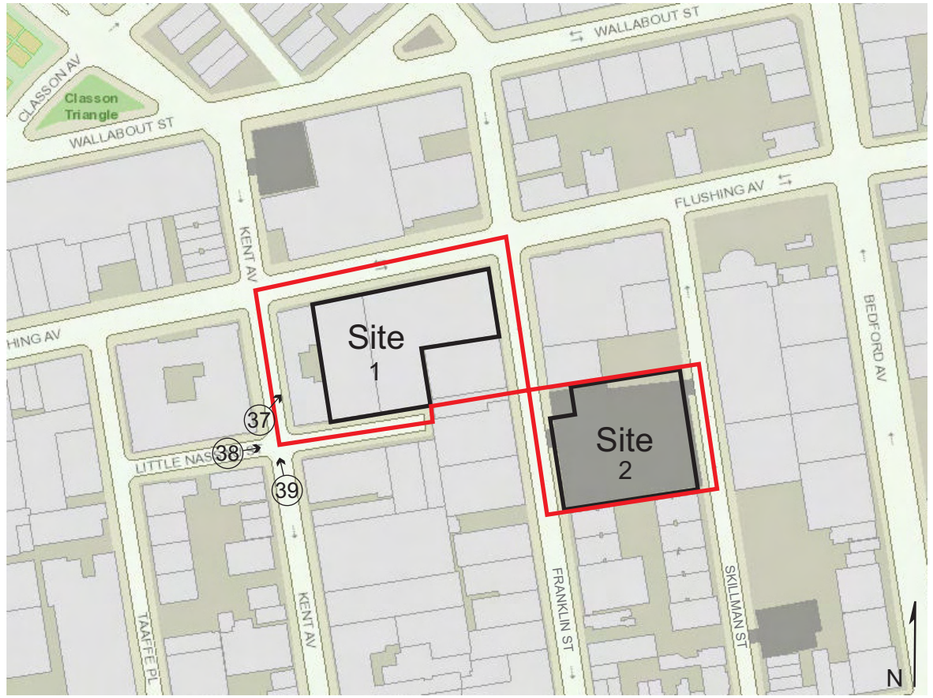
37. View of the side of Kent Avenue facing northeast from Little Nassau Street.



38. View of Little Nassau Street facing east from Kent Avenue.



39. View of Kent Avenue facing north from Little Nassau Street.





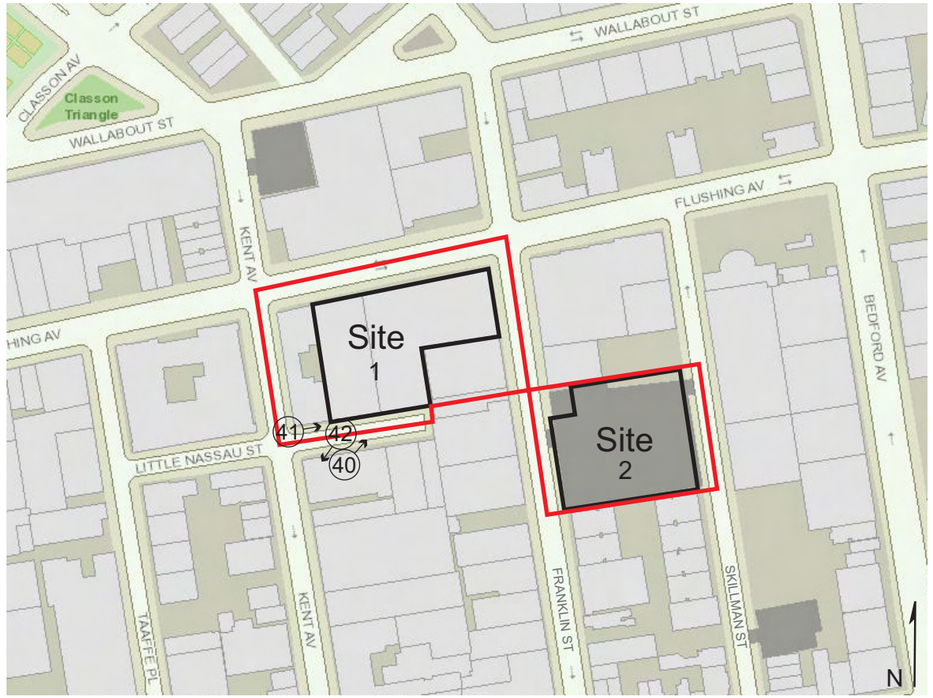
40. View of Site 1 facing northeast from Little Nassau Street.



42. View of the side of Little Nassau Street facing southwest from Site 1.



41. View of the sidewalk along the north side of Little Nassau Street facing east (Site 1 ahead, on left).





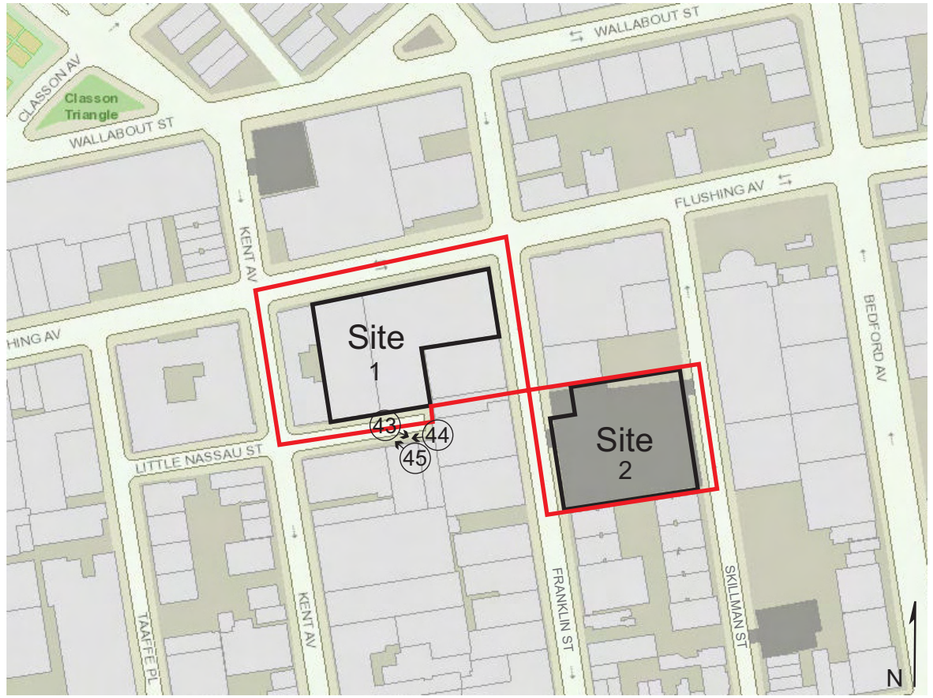
43. View of the side of Little Nassau Street facing southeast from Site 1.



44. View of Little Nassau Street facing west (Site 1 at right).



45. View of Site 1 facing northwest from Little Nassau Street.



Introduction

Introduction

The Applicant, Riverside Developers USA, Inc., is seeking a zoning map amendment affecting portions of two blocks (Block 1884, Lots 33, 40, 48, and 53 and p/o Lot 57, and Block 1885, Lots 15 and 20, the "Affected Area") in the Bedford-Stuyvesant neighborhood of Brooklyn Community District 3. The zoning map amendment would rezone the rezoning area from an existing M1-2 district to a R7A/C2-4 district (Block 1884, Lots 7501, 40, 48, and 53 and p/o Lot 57), and an M1-2/R6A mixed use (MX-4) district (Block 1885, Lots 15 and 20). The Applicant is also seeking a zoning text amendment to Zoning Resolution (ZR) Section 23-933 Appendix F to establish a Mandatory Inclusionary Housing (MIH) area that is coterminous with the Affected Area, and a text amendment to ZR Section 123-63 to modify the Special Mixed Use District (MX-4).

The proposed zoning map and text amendments (collectively, the "proposed actions") would facilitate a proposal by the Applicant to construct two buildings on two separate development sites within the Affected Area: 376-378 Flushing Avenue, Block 1884, Lots 40 and 48 (the "Flushing Avenue Site" or Development Site 1) and 43 Franklin Avenue, Block 1885, Lot 15 (the "Franklin/Skillman Site" or Development Site 2) (collectively the "Applicant-controlled Sites"). Development Site 1 would be developed with an eight-story, approximately 176,670 gross square foot (gsf) mixed use building consisting of 167,868 gsf of residential use for 168 dwelling units on the building's upper floors, 8,800 gsf of commercial use on the ground floor, and an 84-space accessory parking garage accessed from Franklin Avenue (via an approximately 20 foot curb cut). Development Site 2 would be built with an approximately 126,838 gsf, six-story residential building consisting of 128 dwelling units and a 64-space accessory parking garage accessed from Franklin Avenue (via an approximately 20 foot curb cut). Overall, the proposed development of the Applicant-Controlled Sites would provide 296 new dwelling units. The proposed site plan for Development Sites 1 and 2 is presented in Figure T.103.00. Elevations of the development proposed for Development Site 2 are presented in Figure A.200.00 and elevations of the development proposed for Development Site 1 are presented in Figure A.200.01.

Proposed Actions

The actions necessary to facilitate the proposal are: 1) a zoning map amendment (ZM) to map the R7A/C2-4 and M1-2/R6A zoning districts in the Project Area; 2) a zoning text amendment (ZR) to establish the Project Area as an MIH Area with both Option 1, 2 and the Workforce Option available to provide flexibility for non-Applicant controlled sites; and 3) a text amendment to ZR Section 123-63 to establish the maximum permitted residential floor area ratio in the proposed Mandatory Inclusionary Housing area within the proposed extension of the Special Mixed Use District (MX-4).

An R7A/C2-4 is proposed for the Flushing Avenue Site. R7A permits residential and community facility uses. Under the MIH program, the maximum FAR is 4.6 for developments that provide affordable housing pursuant to the program requirements. Base heights are required to be between 40 and 75 feet, and the maximum building height is 95 feet after a setback from the bases. The front walls of new buildings in R7A districts must be located no closer to the street than those of a neighboring building. Parking is required for 50 percent of the residential units. This parking

requirement may be waived if 15 or fewer spaces are required. No parking is required for affordable housing units in the Transit Zone. C2-4 zoning districts permit Use
Groups 5, 6, 7, 8, 9, and 14, requiring one accessory space per 1,000 sq. ft. for all types of commercial uses.

An MX-4 (M1-2/R6A) is proposed for the Franklin/Skillman Site. M1-2 allows up to 2.0 FAR of manufacturing and commercial uses including transient hotels but does not permit residential use as of right or community facility use as of right, except of houses of worship. R6A is a medium-density apartment district, with a maximum FAR of 3.6 under the MIH program for Use Groups 1, 2, 3, and 4. Above a base height of 40 to 65 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 85 feet. New structures in R6A districts are required to line up with adjacent structures to maintain the street wall. Off-street parking is required for 50 percent of dwelling units, but is not allowed in the front of the building. This parking requirement may be waived if five or fewer spaces are required. No parking is required for affordable housing units in the Transit Zone.

With the proposed text amendment, three of the Mandatory Inclusionary Housing options would be mapped over the Affected Area. Under Option 1, 25 percent of residential floor area would be affordable for residents with incomes averaging 60% AMI (of which 10% would be affordable at 40% AMI). Under Option 2, 30 percent of residential floor area would be affordable for residents with incomes averaging 80% AMI. The Workforce Option requires that 30 percent of residential floor area must be affordable for residents with incomes averaging 115% AMI (of which at least 5% of residential floor area would be affordable at 70% AMI and an additional 5% of residential floor area would be affordable at 90% AMI).

Surrounding Area

The area surrounding the Affected Area to the north, south, and east is predominantly medium-density residential use with local commercial services and community facilities. Within the M1-2 zoning district that extends from Flushing Avenue to Park Avenue, from the Brooklyn-Queens Expressway to Franklin Avenue, the mix of uses is predominantly warehouse/distribution, with some commercial, community facility, and non-conforming residential uses.

The prevailing built form of the area is a mix of mid-rise, mostly contextual-type residential buildings, and a mix of low- and mid-rise commercial buildings. Adjoining the Flushing Avenue site is a four-story residential building built to the street line. To the west of that, across Kent Avenue, there is a three-story Department of Environmental Protection facility also built to the street line. Cater-cornered to the Flushing site on the north side of Flushing Avenue is a seven story street wall residential building. On the north side of Flushing Avenue there is a construction site for an R7-1 Quality Housing Building, and there is also a four-story community facility building. Between Franklin and Bedford Avenues, the north side of Flushing Avenue has three, seven-story residential buildings with unbuilt properties between them. On the block to the east of that are additional multi-story residential apartment houses. There are mostly two and three- story commercial and industrial buildings, built to the street line, to the south of the Flushing Avenue site.

To the south of the Franklin/Skillman Site are five-story street wall residential apartment houses interspersed with low-rise commercial/warehousing buildings and older walkup residences. Adjoining the Franklin/Skillman Site to the north there is a vacant lot, a one-story commercial building and, on Flushing Avenue, a four- and five-story commercial and community facility building. To the west of this site, across Skillman Street is a catering facility on Flushing Avenue that is uncharacteristically set back from the street. One and two-story commercial buildings built to the street line make up the remainder of the northern portion of the block and three- and five-story residential buildings make up the southern block face facing Skillman Street.

Affected Area

The Affected Area is currently zoned M1-2, a district which allows community facility uses up to a maximum floor area ratio (FAR) of 4.8, and commercial and manufacturing uses up to a maximum FAR of 2.0. Residential uses are not permitted within an M1-2 district. The Affected Area contains a 60,437 sf area of Block 1884 that is generally bounded by Kent Avenue to the west, Flushing Avenue to the north, Franklin Avenue to the east and Little Nassau Street to the south. Properties on this portion of Block 1884 include:

1) **378 Flushing Avenue (Block 1884, Lot 48)** – a 26,057 sf lot that is developed with a one- and two-story, 47,230 gsf Use Group ("UG") 9 catering establishment, known as "Rose Castle";
2) **376 Flushing Avenue (Block 1884, Lot 40)** - a 13,250 sf lot that is developed with a one-story, 13,250 gsf UG 16 commercial vehicle storage building that is occupied by a door and window contractor;
3) **34 Franklin Avenue (Block 1884, Lot 53)** - a 9,000 sf lot that is developed with a three-story, 27,840 gsf building that was recently converted from manufacturing to UG 6 office space. Since the building was constructed prior to the Zoning Resolution, the building is legally non-complying in bulk;
4) **773 Kent Avenue (Block 1884, Lot 7501)** – an 8,620 sf lot that is developed with a five-story, 32,250 gsf UG 2 residential building that was constructed in 2009 pursuant to a BSA variance (BSA Cal. No. 259-98-BZ). The building is legally non-conforming in use and non-complying in bulk under the existing M1-2 zoning district; and
5) **40 Franklin Avenue (p/o Block 1884, Lot 57)** - portions of a three-story, 20,075 gsf UG 16 food and wholesale establishment.

The Affected Area also includes portions of Block 1885, totaling 36,799 sf of lot area, bounded by Franklin Avenue to the west, Skillman Street to the east, the northern lot line of Lots 15 and 20 to the north, and the southern lot line of Lot 15 to the south. Properties on this portion of Block 1884 include:

6) **43 Franklin Avenue (Block 1885, Lot 15)** - a 35,250 square feet (sf) vacant lot;
7) **37 Franklin Avenue (Block 1885, Lot 20)** - a five-space accessory parking lot for the auto parts store occupying Block 1885, Lot 23, with a total lot area of 1,549 sf.

Project Description

The Applicant is a general contracting company that focuses on local Brooklyn development with an emphasis on projects that provide for the needs of the neighborhoods where they are located.

In Brooklyn Community District 3, the Applicant has completed 25 developments, including 18 residential buildings, six mixed residential and commercial buildings, and a hotel.

In keeping with this local development strategy, the Applicant proposes to build two new buildings on the proposed Development Sites. The Flushing Avenue Site (Block 1884, Lots 40 and 48, "Development Site 1") would be developed with an eight-story mixed residential and commercial building. The proposed floor area for the building is 176,670.16 gsf, containing 167,868.31 gsf of residential floor area and approximately 8,801.85 gsf of local retail space. The proposed 80-foot tall building would provide 168 dwelling units 50 of which would be affordable dwelling units to households at 80% or less of AMI per the Mandatory Inclusionary Housing Program, and would be served by an 84-space accessory parking garage. The garage entrance would be accessed by a new curb cut located on Franklin Avenue. The building would have frontage on Flushing Avenue, a wide street, with ground floor retail space, and also frontage on Little Nassau Street, a narrow street, with a central courtyard.

The Franklin/Skillman Site (Block 1885, Lot 15, "Development Site 2") would be developed with a six-story residential building. The proposed 70-foot tall building would contain approximately 126,838.63 gsf of residential floor area (FAR 3.6) with 128 dwelling units 38 of which would be affordable dwelling units at or below 80% of AMI per the Mandatory Inclusionary Housing Program, and a 64-space accessory parking garage. The parking garage entrance would be accessed via a curb cut on Franklin Avenue in approximately the same location as a curb cut that serves the monthly parking lot that currently occupies the site. The building would have frontage on Franklin Avenue and on Skillman Street, both of which are narrow streets, with a central courtyard constructed on the roof of the below-grade parking garage.

In accordance with the MIH program, it is expected that 88 dwelling units (50 dwelling units from Development Site 1 and 38 dwelling units from Development Site 2) would be reserved for residents with incomes averaging 80% AMI.

Purpose and Need

The Affected Area proposed for rezoning currently contains virtually no manufacturing uses. A single manufacturing use – a window and door contractor's warehouse – is located on Block 1884, Lot 40. The remaining land uses in the area consist of commercial offices and retail, a catering hall, residential uses, and a school, as well as vacant and underutilized land.

Rationale for the proposed MX-4 (M1-2/R6A) zoning for Block 1885

The Franklin/Skillman Site (Block 1885, Lot 15, "Development Site 2") is used for monthly public parking. It is unlikely that new manufacturing buildings would be developed under the current zoning. Development Site 2 was within the area previously proposed for rezoning by DCP in the Flushing-Bedford Rezoning, which was approved by the City Planning Commission (C 000109 ZMK). The Commission found that:

This area contains a mix of residential, commercial and manufacturing uses. There has been a significant decline in industrial uses in this area beginning in the 1930's, resulting in an increase in auto related uses, junk yards and vacant land. The presence of vacant sites, coupled with the increasing demand for housing in adjacent communities, presents an opportunity for new

residential development in this part of Brooklyn. Since the mid 1980's there has been a marked increase in residential development, especially in the area north of Flushing Avenue as the traditional boundaries of Williamsburg have moved southward.

The Commission further found:

The proposed Mixed Use District on six blocks south of Flushing Avenue would allow for new manufacturing uses and the continued operation and expansion of existing industrial uses, as well as the residential reuse of underutilized and vacant land in this area. The Commission anticipates that the proposed zoning change could accommodate the growing need for housing while preserving industrial and commercial uses in the proposed mixed-use district.

All of these conditions remain the same today. In the intervening almost fourteen years, Development Site 2 has failed to attract a viable development for manufacturing use. The Applicant submits that the lack of development under the existing manufacturing zoning in the intervening years since the Flushing-Bedford rezoning justifies a new proposal to rezone this portion of Block 1885.

Rationale for the R7A/C2-4 district on Block 1884
There is no manufacturing use on the Flushing Avenue Site (Development Site 1) or elsewhere within the portion of Block 1884 proposed for rezoning. Development Site 1 is currently occupied by a catering hall (lot 48) and a small contractor's warehouse (lot 40). Adjacent to the Site, on Block 1884 Lot 7501, there is a six-story, 12-unit residential building constructed pursuant to a variance (BSA Cal. No. 259-98-BZ) within the existing M1-2 zoning district. Further, the proposed zoning map amendment would be consistent with the R7-1 zoning district mapped directly to the north of the proposed rezoning area (C 110390 ZMK).

Rationale for the Mandatory Inclusionary Housing Area
The proposed text amendment would permit the Applicant to develop the Rose Castle in accordance with the MIH program. The Applicant proposes mapping both MIH Option 2 and the Workforce Option to ensure that the development would address the need for housing to serve a broad range of the City's diverse incomes. Under the City's MIH program, the Applicant would provide 30 percent of the residential floor area as affordable units.

MIH Option 1
For MIH developments utilizing Option 1, developers are required to provide at least 25 percent of the residential floor area as affordable floor area for qualifying households. The weighted average of all income bands for affordable housing units cannot exceed 60 percent of the income index, and there cannot be more than three income bands. At least 10 percent of the residential floor area within such MIH development must be affordable within an income band at 40 percent of the income index, and no income band can exceed 130 percent of the income index.

MIH Option 2
For MIH developments utilizing Option 2, developers are required to provide at least 30 percent of the residential floor area as affordable floor area for qualifying households. The weighted average of all income bands for affordable housing units cannot exceed 80 percent of the income

index, and there cannot be more than three income bands. No income band can exceed 130 percent of the income index.

MIH Deep Affordability and Workforce Options

In addition to the options above, the City Council and the Commission may determine that either the Deep Affordability Option or the Workforce Option or both will also apply to the Project Area.

For MIH developments utilizing the Deep Affordability Option, developers are required to provide at least 20 percent of the residential floor area as affordable floor area for qualifying households. The weighted average of all income bands for affordable housing units cannot exceed 40 percent of the income index, and there cannot be more than three income bands. No income band can exceed 130 percent of the income index. No public funding can be utilized for such MIH development except where HPD determines that such public funding is necessary to support a significant additional amount of affordable housing.

For MIH developments utilizing the Workforce Option, developers are required to provide at least 30 percent of the residential floor area as affordable floor area for qualifying households. The weighted average of all income bands for affordable housing units cannot exceed 115 percent of the income index, and there cannot be more than four income bands. No income band can exceed 135 percent of the income index. At least 5 percent of the residential floor area within such MIH development must be affordable within an income band at 70 percent of the income index, and in addition, at least 5 percent of the residential floor area must be affordable within an income band at 90 percent of the income index. MIH development with the Workforce Option may not utilize public funding. The Workforce Option expires within an MIH Area ten years after the effective date of the amendment establishing or renewing it.

The Workforce Option is appropriate in this area because local market conditions do not support the skewing of rents to reach low incomes without subsidy, as contemplated in Option 1 and Option 2. The Workforce Option is intended to address issues highlighted in the feasibility analysis that informed the creation of the MIH program. Housing market conditions found in the Bedford-Stuyvesant neighborhood would support private housing construction at moderate rents that are not sufficient to support the internal subsidy of units affordable at low incomes. In these emerging and middlemarket conditions, the application of Option 1 or Option 2 alone could prevent the creation of moderate-income housing, resulting in less housing creation overall. Housing development would only be feasible in such a circumstance if scarce affordable housing subsidies were redirected from other areas. The purpose of the Workforce Option is to allow the creation of unsubsidized moderate-income housing, which is an important component of the housing stock in many New York City neighborhoods, including Bedford-Stuyvesant.

The requirement provides that a share of these units must be reserved as permanently affordable for moderate incomes residents. This provision would also preserve the availability of housing subsidies that can be used instead to reach lower income households in these and other neighborhoods.

The Bedford-Stuyvesant neighborhood needs and would benefit from permanently affordable housing that locks in moderate rents. The Workforce Option would ensure permanently affordable housing in this area, which is likely to experience housing cost increases in the future.

Analysis Framework

This environmental assessment considers the potential effects of the proposed action compared to future conditions without the approvals sought by the project sponsor. This analysis framework is described below:

Projected Development Sites

Pursuant to the proposed Zoning Map Amendment, the applicant proposes to build two new buildings. Development Site 1 (Block 1884, Lots 40 and 48) would be developed for an eight-story mixed residential and commercial building containing 167,868.31 gsf of residential floor area providing 168 dwelling units 50 of which would be affordable dwelling units at or below 80% of AMI, per the Mandatory Inclusionary Housing Program, and approximately 8,801.85 gsf of local retail space and served by an 84-space accessory below-grade garage served by an entrance on Franklin Avenue. Retail would occupy the ground floor along Flushing Avenue.

Development Site 2 (Block 1885, Lot 15) would be developed with a six- story residential building 126,838.6 gsf of residential floor area providing 128 dwelling units, 38 of which would be affordable dwelling units at or below 80% of AMI per the Mandatory Inclusionary Housing Program, with 64 accessory parking spaces below grade. The parking garage would be served by an entrance on Franklin Avenue. The building would contain elements facing on Franklin Avenue and on Skillman Street, with a central courtyard constructed on the roof of the below-grade parking garage.

Other Affected Sites

The proposed zoning map amendment would affect multiple properties not under the applicant's control, as described above. Owners of sites that are currently underdeveloped with respect to the proposed zoning may take advantage of the expanded floor area and uses allowed under the proposed R7A/C2-4 district. Pursuant to 2014 *CEQR Technical Manual* methodology, sites may be considered 'soft' if they are built to substantially less than the maximum allowable floor area ratio and are of a sufficient size, or could be assembled into a parcel of sufficient size, to support a feasible development. The minimum size for an economically viable development site is typically considered to be approximately 5,000 gsf pursuant to CEQR Technical Manual methodology. Sites that have recently been developed or redeveloped are considered less likely to be soft, due to the significant recent investment in the current use. The other lots within the affected area are not considered likely development sites for the following reasons:

Block 1884, Lot 53 is built at approximately 3.0 FAR and therefore would not be underbuilt under the proposed R7A/C2-4 zoning. This site was recently renovated for commercial office use and received its Final Certificate of Occupancy in 2016. This recent renovation constitutes a significant investment in the site's current use and makes it unlikely that the owner would seek to convert the building in the foreseeable future. Additionally, commercial tenants may hold long-term leases which would further make redevelopment unlikely in the foreseeable future. The

commercial use of the building would continue to be conforming under the proposed R7A/C2-4 zoning; however the building's commercial FAR would continue to exceed the maximum allowable commercial FAR of 2.0.

Block 1884, Lot 57 is a 20,075-square foot lot, of which only 17.5% (3,501 gsf) is within the affected area. The majority of this lot would remain within an M1-2 zoning district. The proposed action would not allow significant development of this lot.

Block 1884, Lot 7501 is legally occupied by twelve multiple dwellings, at an FAR of 3.8, under BSA variance. This lot is not significantly underbuilt under the proposed R7A/C2-4 district. The proposed actions would bring conforming and complying status to the multiple dwellings but would not induce additional development. This building, which was developed in 2009. It is not considered likely that any dwelling units would be displaced in order to permit conversion of ground floor space to commercial use.

Block 1885, Lot 20 is used as accessory parking for an auto parts store that occupies the adjoining Block 1885, Lot 23, which is not within the area proposed for rezoning. The small size and shallow depth of Lot 20 (1,549 gsf, and 43.33' wide by 35.75' deep) is well below the typical 5,000-square foot size considered to be a viable development site. Additionally, its use in conjunction with an active retail use makes its redevelopment unlikely. The accessory parking for a commercial retail use would remain a conforming use in the proposed MX district.

The Reasonable Worst Case Development Scenario under the proposed actions therefore only assumes development of both of the applicant controlled properties (Development Sites 1 and 2). Total development under the proposed action would consist of 296 dwelling units, of which 88 would be affordable pursuant to MIH, along with 8,808 gsf of local retail space.

Build Year:
Development under the proposed action would consist of two buildings located on separate blocks on opposite sides of Franklin Avenue. Factoring the ULURP process, closing for financing sources, relocation of existing tenants, the developer's available resources, construction and marketing periods, and the time required for sale, closing and occupancy of the new development is expected to occur within eight years, or seven years from the date of adoption of the proposed zoning and text amendments, so a build year of 2024 is assumed.

Reasonable Worst-Case Development Scenario

No-Action Scenario:
Under the affected area's existing M1-2 zoning, development of commercial or light industrial uses at up to 2.0 FAR would be permitted and community facility uses at up to 4.8 FAR. The existing zoning does not permit residential development, and therefore no market rate or affordable housing could be provided in the no-action condition. It is expected that existing land uses would remain on the Development Sites and other sites within the affected area.

***With-Action Scenario*:**

Development Site 1

The proposed project as envisioned constitutes a Reasonable Worst-Case Development Scenario for the Development Sites. Development Site 1 (Block 1884, Lots 40 and 48) would be developed with an eight-story mixed residential and commercial building. The proposed floor area for the building is 176,670.16 gsf, containing 167,868.31 gsf of residential floor area and approximately 8,801.85 gsf of local retail space. The proposed 80-foot tall building would provide 168 dwelling units of which 30% (50 units) would be affordable at 80% of AMI per the Mandatory Inclusionary Housing Program, and would be served by a 84-space accessory parking garage. The garage entrance would be accessed via a new curb cut on Franklin Avenue. The building would have frontage on Flushing Avenue, a wide street, with ground floor retail space, and also frontage on Little Nassau Street, a narrow street, with a central courtyard.

Development Site 2

Development Site 2 (Block 1885, Lot 15) would be developed with a six-story residential building. The proposed 70-foot tall building would contain approximately 126,838.63 gsf of residential floor area (FAR 3.6) with 128 dwelling units of which 30% (38 units) would be affordable at 80% of AMI per the Mandatory Inclusionary Housing Program and a 64-space accessory parking garage which would be accessed via a curb cut in approximately the same location as an existing curb cut that serves the parking lot that currently occupies the site. The parking garage entrance would be located on Franklin Avenue. The building would have frontage on Franklin Avenue and on Skillman Street, both of which are narrow streets, with a central courtyard constructed on the roof of the below-grade parking garage.

	EXISTING CONDITION	NO-ACTION CONDITION	*WITH-ACTION CONDITION*	INCREMENT
LAND USE				
Residential	X YES NO	X YES NO	X YES NO	
If "yes," specify the following:				
Describe type of residential structures				
No. of dwelling units	0	0	296	296
No. of low- to moderate-income units			88	88
Gross floor area (sq. ft.)			294,708	294,708
Commercial	X YES NO	X YES NO	X YES NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Catering hall	Catering hall	Retail	
Gross floor area (sq. ft.)	47,230	47,230	8,802	-38,428
Manufacturing/Industrial	X YES NO	X YES NO	YES X NO	
If "yes," specify the following:				
Type of use	Door fabricator	Door fabricator		
Gross floor area (sq. ft.)	13,250	13,250		-13,250
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	YES X NO	YES X NO	YES X NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	YES X NO	YES X NO	YES X NO	
If "yes," describe:				
Other Land Uses	YES NO	YES NO	*YES NO*	
If "yes," describe:				
PARKING				
Garages	YES X NO	YES X NO	*X YES NO*	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces			*148*	148
Lots	X YES NO	X YES NO	*X YES NO*	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces	100	100	*0*	-100
ZONING				
Zoning classification	M1-2	M1-2	*R7A/C2-4 and M1-2/R6A IZ/C2-4*	
Maximum amount of floor area that can be developed	2.0 FAR of manufacturing or commercial; 4.8 community facility	2.0 FAR of manufacturing or commercial; 4.8 community facility	*4.6 FAR of residential, 2.0 FAR of commercial; 3.6 FAR of residential; 1.0 FAR of commercial*	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	M1-2; M1-2/R6A; R7-1; R7-1/C1-5 mix of residential, commercial, industrial	M1-2; M1-2/R6A; R7-1; R7-1/C1-5 mix of residential, commercial, industrial	*M1-2; M1-2/R6A; R7-1; R7-1/C1-5 mix of residential, commercial, industrial*	

Land Use, Zoning, and Public Policy

Land Use

Existing Conditions

Affected Area
The remaining land uses in the area consist of commercial offices and retail, a catering hall, residential uses, accessory parking, and a monthly public parking lot. The Affected Area contains a 60,437 sf area of Block 1884 that is generally bounded by Kent Avenue to the west, Flushing Avenue to the north, Franklin Avenue to the east and Little Nassau Street to the south. Properties on this portion of Block 1884 include:

1) **378 Flushing Avenue (Block 1884, Lot 48)** – a 26,057 sf lot that is developed with a one- and two-story, 47,230 gsf Use Group ("UG") 9 catering establishment, known as "Rose Castle";
2) **376 Flushing Avenue (Block 1884, Lot 40)** - a 13,250 sf lot that is developed with a one-story, 13,250 gsf UG 16 commercial vehicle storage building that is occupied by a door and window contractor;
3) **34 Franklin Avenue (Block 1884, Lot 53)** - a 9,000 sf lot that is developed with a three-story, 27,840 gsf building that was recently converted from manufacturing to UG 6 office space. Since the building was constructed prior to the Zoning Resolution, the building is legally non-complying in bulk;
4) **773 Kent Avenue (Block 1884, Lot 7501)** – an 8,620 sf lot that is developed with a five-story, 32,250 gsf UG 2 residential building that was constructed in 2009 pursuant to a BSA variance (BSA Cal. No. 259-98-BZ). The building is legally non-conforming in use and non-complying in bulk under the existing M1-2 zoning district; and
5) **40 Franklin Avenue (p/o Block 1884, Lot 57)** - portions of a three-story, 20,075 gsf UG 16 food and wholesale establishment.

The Affected Area also includes portions of Block 1885, totaling 36,799 sf of lot area, bounded by Franklin Avenue to the west, Skillman Street to the east, the northern lot line of Lots 15 and 20 to the north, and the southern lot line of Lot 15 to the south. Properties on this portion of Block 1884 include:

6) **43 Franklin Avenue (Block 1885, Lot 15)** - a 35,250 square feet (sf) vacant lot;
7) **37 Franklin Avenue (Block 1885, Lot 20)** - a five-space accessory parking lot for the auto parts store occupying Block 1885, Lot 23, with a total lot area of 1,549 sf.

Surrounding Area

The Affected Area is located in the Bedford-Stuyvesant neighborhood in the Borough of Brooklyn within Community District 3. The Affected Area borders Community District 1, which has a district boundary running along Flushing Avenue. The existing land uses in the area immediately surrounding area the Affected Area are a mix of warehouse/distribution, commercial, community facility, and conforming and non-conforming residential uses.

The area surrounding the Affected Area to the north, south, and east is predominantly medium-density residential use with local commercial services and community facilities. Within the M1-2 zoning district that extends from Flushing Avenue to Park Avenue, from the Brooklyn-Queens Expressway to Franklin Avenue, the mix of uses is predominantly warehouse/distribution, with some commercial, community facility, and non-conforming residential uses.

The prevailing built form of the area is a mix of mid-rise, mostly contextual-type residential buildings, and a mix of low- and mid-rise commercial buildings. Adjoining Development Site 1 is a four-story residential building built to the street line. To the west of that, across Kent Avenue, there is a three-story Department of Environmental Protection facility also built to the street line. Cater-cornered to Development Site 1 on the north side of Flushing Avenue is a seven story street wall residential building. On the north side of Flushing Avenue there is a construction site for an R7-1 Quality Housing Building, and there is also a four-story community facility building.

Between Franklin and Bedford Avenues, the north side of Flushing Avenue has three seven-story residential buildings with unbuilt properties between them. On the block to the east of that are additional multi-story residential apartment houses. There are mostly two and three- story commercial and industrial buildings, built to the street line, to the south of Development Site 1.

To the south of Development Site 2 are five-story street wall residential apartment houses interspersed with low-rise commercial/warehousing buildings and older walkup residences.

Adjoining Development Site 2 to the north there is a vacant lot, a one-story commercial building and, on Flushing Avenue, a four- and five-story commercial and community facility building. To the west of this site, across Skillman Street is a catering facility on Flushing Avenue that is uncharacteristically set back from the street. One and two-story commercial buildings built to the street line make up the remainder of the northern portion of the block and three- and five-story residential buildings make up the southern block face facing Skillman Street.

The Affected Area is well served by Metropolitan Transportation Authority ("MTA") bus routes. The B57 line runs east/west along Flushing Avenue and the B48 line runs east/west on Wallabout Street before turning south on Franklin Avenue and returns north along nearby Classon Avenue. The B44 line at Flushing Avenue provides additional north/south bus service that pairs Bedford and Nostrand Avenues. In addition, there is an MTA subway station with G line service located at Flushing Avenue and Marcy Avenue approximately one-half mile from the Development Sites.

Future Without the Proposed Actions

Under the Affected Area's existing M1-2 zoning, land uses are expected to remain unchanged. Although vacant and underbuilt sites could be redeveloped as of right for permitted commercial and community facility uses, existing land uses are expected to remain.

Existing land use patterns in the project vicinity are expected to remain in the future without the proposed action. Areas where new residential development is permitted, including areas to the east of the Affected Area that were rezoned to MX4 as a result of the Flushing Bedford rezoning, would continue to experience new residential development on suitable sites. No other changes in land use are anticipated for the area.

Future With the Proposed Actions

Under the proposed action, Development Site 1 (Block 1884, Lots 40 and 48) would be developed with an eight-story mixed residential and commercial building. The proposed floor area for the building is 176,670.16 sq. ft., containing 167,868.31 sq. ft. of residential floor area and approximately 8,801.85 sq. ft. of local retail space. The proposed 80-foot tall building would provide 168 dwelling units, and would be served by a 84-space accessory parking garage. The garage entrance would be located on Franklin Avenue. The building would have frontage on Flushing Avenue, a wide street, with ground floor retail space, and also frontage on Little Nassau Street, a narrow street, with a central courtyard.

Development Site 2 (Block 1885, Lot 15) would be developed with a six-story residential building. The proposed 70-foot tall building would contain approximately 126,838.63 sq. ft. of residential floor area (FAR 3.6) with 128 dwelling units and a 64-space accessory parking garage. The parking garage entrance would be located on Franklin Avenue. The building would have frontage on Franklin Avenue and on Skillman Street, both of which are narrow streets, with a central courtyard constructed on the roof of the below-grade parking garage.

Elsewhere within the Affected Area, existing land uses are expected to continue under the proposed action. Beyond the Affected Area, existing land use patterns and development trends are expected to continue. As demand for housing in the area increases, developable properties where zoning permits residential development may be redeveloped in keeping with established trends.

The proposed development is consistent with the surrounding land use pattern of high-density residences. The proposed development would not introduce a new land use into the area, would not create conflicts with existing land uses, and would not alter the overall land use pattern in the area.

Zoning

Existing Conditions

Affected Area
The Affected Area is currently zoned M1-2, a district which allows community facility uses up to a maximum floor area ratio (FAR) of 4.8, and commercial and manufacturing uses up to a maximum FAR of 2.0. Residential uses are not permitted within an M1-2 district.

Surrounding Area
The existing zoning districts in the area immediately surrounding the Affected Area include both manufacturing and residential designations. There is an M1-2 zoning district mapped within the Affected Area and to the southwest and east that extends from Flushing Avenue to Park Avenue, generally from Cumberland Avenue to the west to Franklin Avenue and Skillman Street to the east. The existing M1-2 zoning district permits light manufacturing, commercial and limited community facility uses. The maximum FAR for permitted manufacturing and commercial uses within the M1-2 district is 2.0 and 4.8 for community facility uses. There is an MX-4 zoning district with an M1-2/R6A designation located to the south and east of the Affected Area extending south from Flushing Avenue to Myrtle Avenue, generally bounded by Franklin Avenue and Spencer Avenue. The MX-4 zoning district permits residential, commercial, and light manufacturing uses.

Mapped to the north and east of the Affected Area, there is an R7-1 zoning district that extends generally from Flushing Avenue to Rutledge Street and from Kent Avenue to the west and Marcy Avenue to the east. One block, Block 2261, within the R7-1 zoning district is mapped with a C1-5 commercial overlay bounded by Wallabout Street, Franklin Avenue, Flushing Avenue, and Kent Avenue pursuant to the 74 Wallabout Street Rezoning (C 110390 ZMK).

Further to the north, there is an R6 zoning district mapped to the northeast of Wythe Avenue extending north toward Williamsburg. There is an M1-1 zoning district mapped to the south of the Affected Area across Park Avenue, which permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, some community facilities, and commercial uses.

Future Without the Proposed Action
No additional zoning changes are anticipated in the zoning pattern in the project vicinity.

Future With the Proposed Action
The Applicant proposes to map an R7A/C2-4 zoning district on Block 1884, Lots 40, 48, 7501, 53, and 57 (partial). The Applicant further proposes to map an MX-4 zoning district with an M1-2/R6A designation for Block 1885 Lots 15 and 20. The proposed text amendment of Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas for Community District 3, Brooklyn would establish the Affected Area as a Mandatory Inclusionary Housing ("MIH") Area.

R7A permits residential and community facility uses. Under the MIH program, the maximum FAR is 4.6 for developments that provide affordable housing pursuant to the program requirements. Base heights are required to be between 40 and 65 feet, and the maximum building height is 80 feet after a setback from the base and typically produces 6- to 8-story buildings. The front walls of new buildings in R7A districts must be located no closer to the street than those of a neighboring building. Parking is required for 50 percent of the residential units. This parking requirement may be waived if 15 or fewer spaces are required. C2-4 zoning districts permit Use Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 14. C2-4 overlays require one accessory space per 1,000 square feet for all types of commercial uses.

Extension of an existing MX-4 (M1-2/R6A) is proposed for the portion of Block 1885 within the Affected Area. M1-2 allows up to 2.0 FAR of manufacturing and commercial uses including transient hotels but does not permit residential use as of right or community facility use as of right, with the exception of houses of worship. R6A is a medium-density apartment district, with a maximum FAR of 3.6 under the MIH program for Use Groups 1, 2, 3, and 4. Above a base height of 40 to 60 feet, the building must set back to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum height of 70 feet. New structures in R6A districts are required to line up with adjacent structures to maintain the streetwall. Off-street parking is required for 50 percent of dwelling units, but is not allowed in the front of the building. This parking requirement may be waived if five or fewer spaces are required.

The Zoning for Quality and Affordability text amendment ("ZQA"), adopted by the City Planning Commission in February 2016 and the City Council in March 2016 would affect the bulk and parking requirements applicable to the project. The ZQA text promotes a variety of changes to current zoning regulations including the increase in maximum building and ceiling heights, and the reduction of parking requirements for new affordable housing units in specified transit zones. ZQA would permit an increase in the height of buildings in R6A zoning districts from 70 to 75 feet and in R7A districts from 80 to 85 feet.

The proposed zoning map amendment would be compatible with the area's established zoning pattern which includes an MX-4 (M1-2/R6A) mixed use district to the east and south of the Affected Area, and an R7-1 district mapped to the north. No zoning incompatibilities would be created.

Public Policy

Public policy for land use in the area is established by the area's zoning. According to Section 4-420 of the CEQR Technical Manual, the following should be considered in determining whether land use changes are significant and adverse:

• Whether the project would create a land use conflict or would itself conflict with public policies and plans for the site or surrounding area.
• Whether the project would result in significant material changes to existing regulations or policy.

The proposed action would not create any land use conflicts with existing land uses within and near the Affected Area. Granting the proposed zoning map amendment and zoning text amendment would be supportive of public policy goals calling for the provision of affordable housing in areas where the development would be integrated into an established community and building occupants would have access to surrounding services.

The proposed action would not result in significant material changes to existing regulations or policy. New development would be built pursuant to established zoning regulations, including the provision of affordable housing. As discussed above, Riverside Developers USA, Inc. (the "Applicant") proposes a zoning map amendment and text amendment to facilitate the development of a mixed residential and commercial building and a residential building in the Bedford-Stuyvesant neighborhood of Brooklyn within Community District 3. The proposed zoning map amendment would permit residential uses, which are not permitted within the current M1-2 zoning district. The proposed text amendment of ZR Appendix F would establish the Affected Area as an Inclusionary Housing Designated Area. Development Site 1 would be developed with a new eight-story mixed building with residential and commercial uses. The building would contain 168 dwelling units and an 84-space accessory parking garage. Development Site 2 would be developed with a six-story residential building with 128 dwelling units and a 64-space accessory parking garage.

These actions would permit the development of underutilized land with new housing, including affordable housing, to address the City's growing need for additional housing. The City's Census enumerated population has been growing since the 1980 Census and is currently estimated at 8,405,837 for July 2013. This is the highest estimated or enumerated population in the City's history and projections by the Department of City Planning and the New York Metropolitan Transportation Council ("NYMTC") predict continued growth in the City's population. NYMTC's draft project for 2050 forecasts a population of close to 9.2 million residents. The City Planning Commission and the City Council recognized this growth when approving most of the proposed Flushing/Bedford rezoning in 2001. In the intervening years, the demand for housing, both in this community and throughout the City, have only increased. This has resulted in rising prices for for-sale residences and rising rents for rental housing.

The shortage of affordable housing and housing in general has been highlighted by the current administration as an urgent issue that needs addressing. The combination of existing housing demand and future population growth is why *Housing New York* concludes that "To become a more affordable city, we must become a denser city." The proposed rezoning addresses the City's objectives in a number ways. The proposed action would allow for development of underused

land, a substantial portion of which has been vacant for many years, for productive uses that address the City's need for additional housing. The proposed action would create 340 new dwelling units while supporting the shift from low density warehousing, commercial and parking uses to middle-density residential use. Finally, the proposed action would provide between 117 and 137 affordable housing units pursuant to the MIH program thereby ensuring that the proposed development addresses the need for housing to serve a broad range of the City's and Community District 3's diverse incomes.

Socioeconomic Conditions

Pursuant to the 2014 *CEQR Technical Manual*, the purpose of a socioeconomic assessment is to disclose potentially adverse changes that would be created by an action and identify whether they rise to the level of significance. According to the CEQR Technical Manual, a socioeconomic assessment should be conducted if a project may be reasonably expected to create socioeconomic changes in the area affected by the project that would not be expected to occur in the absence of the project. The following screening assessment considers threshold circumstances identified in the CEQR Technical Manual and enumerated below that can lead to socioeconomic changes warranting further assessment.

1. Direct Residential Displacement: *Would the project directly displace residential population to the extent that the socioeconomic character of the neighborhood would be substantially altered? Displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic character of a neighborhood.* The Development Sites consist of commercial properties. No direct residential displacement would occur. Therefore, an assessment of direct residential displacement is not warranted.

2. Direct Business Displacement: *Would the project directly displace more than 100 employees? If so, assessments of direct business displacement and indirect business displacement are appropriate.* The Proposed Action would result in redevelopment of a building occupied by a catering hall and window and door contractor's warehouse, and a public parking lot serving monthly customers. These businesses employ fewer than 100 employees. New development is projected to include approximately 8,802 gross sq. feet of retail space, which will provide new employment opportunities.

3. Direct Business Displacement: *Would the project directly displace a business whose products or services are uniquely dependent on its location, are the subject of policies or plans aimed at its preservation, or serve a population uniquely dependent on its services in its present location? If so, an assessment of direct business displacement is warranted*. The businesses that may be displaced by redevelopment under the Proposed Action are not uniquely dependent on their current location, are not the subject of policies or plans aimed at their preservation, and do not serve a population uniquely dependent on their services in their present location.

4. Indirect Displacement due to Increased Rents: *Would the project result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood? Residential development of 200 units or less or commercial development of 200,000 sf or less would typically not result in significant socioeconomic impacts. For projects exceeding these thresholds, assessments of indirect residential displacement and indirect business displacement are appropriate.* The proposed action would result in the induced development of 296 dwelling units. Therefore further analysis of the potential for indirect displacement due to increased rents is warranted.

5. Indirect Business Displacement due to Retail Market Saturation: *Would the project result in a total of 200,000 sf or more of retail on a single development site or 200,000 sf or more of region serving retail across multiple sites? This type of development may have the potential to*

draw a substantial amount of sales from existing businesses within the study area, resulting in indirect business displacement due to market saturation. The Proposed Action is projected to result in development of 8,802 square feet of local retail space. Induced retail development would be far below relevant thresholds, and therefore further analysis of indirect business displacement is not warranted.

6. Adverse Effects on Specific Industries: *Is the project expected to affect conditions within a specific industry? This could affect socioeconomic conditions if a substantial number of workers or residents depend on the goods and services provided by the affected businesses, or if the project would result in the loss or substantial diminishment of a particularly important product or service within the City.* The catering hall, window and door contractor, and public monthly parking lot occupying the Development Sites do not constitute a special industry and their potential displacement would not result in the loss or substantial diminishment of a particularly important product or service.

Because the proposed action would result in induced development of over 200 residential units, further analysis of the potential for indirect impacts associated with increased rents was conducted, relying on the methodology of the 2014 *CEQR Technical Manual*. An initial study area of ¼ mile radius is identified as appropriate in Chapter 5, Section 310 of the *CEQR Technical Manual*. To estimate existing population within the study area, reference was made to the 2010 United States Census. The study area was defined to include those census tracts that are more than 50% within a ¼-mile radius of the affected area. The following table presents 2010 and 2000 population for these tracts.

Table Socioeconomics-1: Study Area Population

Census Tract	2000 Population	2010 Population	Population Change 2000-2010	Percentage Change 2000-2010
235	1,953	3,928	1,975	101.1%
531	2,582	7,027	4,445	172.2%
533	7,560	6,566	-994	-13.1%
537	1,963	3,575	1,612	82.1%
543	38	327	289	760.5%
1237	1,838	6,008	4,170	226.9%
TOTAL	**15,934**	**27,431**	**11,497**	**72%**

The proposed action would introduce 296 new dwelling units, of which 30% would be affordable pursuant to Mandatory Inclusionary Housing. Assuming an average household size of 2.3 persons, which is the average for Community District 3, there would be 681 new residents resulting from the proposed action.

In determining whether a detailed analysis of potential indirect residential displacement is warranted, *CEQR Technical Manual* Chapter 5, Section 322.1, Step 2, states in part, 'if the population increase is less than 5% within the study area, or identified subarea, further analysis is not necessary as this change would not be expected to affect real estate market conditions.' The 681 new residents of induced development would result in a population increase of 2.48%, compared to the study area's 2010 population. This is well below the 5% increment identified as

warranting further assessment. Overall, induced development resulting from the proposed action would continue established trends of population growth in the area and would not significantly affect socioeconomic conditions.

Community Facilities and Services

A community facilities assessment may be necessary if an action could potentially affect the provision of services provided by public or publicly funded community facilities such as schools, hospitals, libraries, day care/Head Start facilities, and fire and police protection. According to the screening levels established in the *CEQR Technical Manual*, there are direct and indirect effects. An assessment of the project's effects on community facilities is generally warranted if:

- a project would add new population to an area that would increase the demand for services and cause potential indirect effects on service delivery. Depending on the size, income characteristics, and age distribution of the new population there may be effects on public or publicly funded schools, libraries, health care facilities, or day care/Head Start facilities.

- a project would physically alter a community facility, whether by displacement of the facility or other physical change. This direct effect triggers the need to assess the service delivery of the facility and the potential effect that the change may have on that service delivery.

The Proposed Development would add 296 new residential units, 88 of which would be low to moderate income housing. Based on a preliminary assessment of CEQR thresholds for analysis, as shown in Table Community Facilities-1, this project does not trigger a detailed C*EQR* analysis for libraries, publicly funded day care and head start, health care facilities, or Police and Fire Protection services. However, there is a potential impact to public schools. A preliminary assessment was conducted to determine the necessity of additional analysis.

Public Schools
Based on this analysis, the proposed action is not expected to have a significant adverse impact on public schools in the study area, defined as Community School District 14. The proposed action is projected to result in the development of 296 market rate and low- to moderate-income dwelling units. Pursuant to the *CEQR Technical* Manual Table 3C-2, the projected increment of 296 dwelling units would result in the introduction of 99 elementary school students and 41 middle school students to the school district.

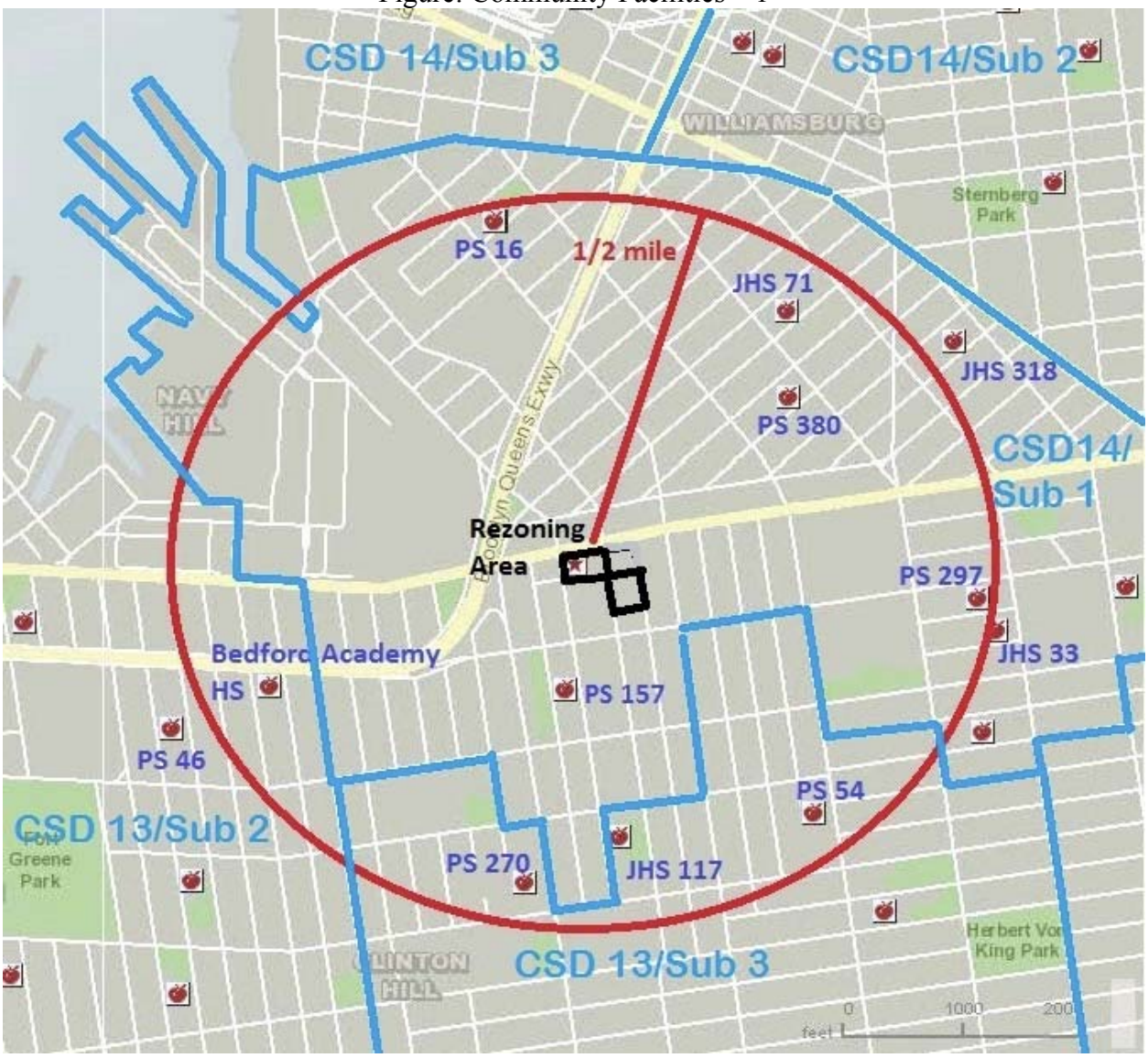
An assessment has been made of the utilization rate of local public elementary and middle schools, to determine their ability to accommodate any project-related increase in enrollment. Information on existing school enrollment and capacity was obtained from the 2014-2015 Blue Book. Information on future projected enrollment was obtained from the Department of Education's Enrollment Projections (Actual 2011, Projected 2012-2021).

Table Community Facilities-1: Preliminary Assessment of *CEQR* Thresholds

Community Facility	Threshold	296 additional DUs 88 low to moderate income DUs		Exceeds Criteria Threshold
Public Schools Elementary School and Middle School Students High School Students	>50 elementary and middle school children (combined) >150 high school students (see 2014 *CEQR Technical Manual*, Table 6-1a)	0.29 0.12 0.14	86 36 41	Yes (Total of 122 elementary and middle school) No
Libraries >5% Increase in ratio of residential units	>734 DUs in Brooklyn (*CEQR Technical Manual* Table 6-1)		NA	No
Health Care Facilities >600 low or low-to-moderate income units	NA		NA	No
Publicly Funded Day Care/Head Start Facilities <6 years old	> 20 children 110 low-to-moderate income DUs in Brooklyn generate a total of 20 children (see 2014 *CEQR Technical Manual*, Table 6-1b)	0.178	16	No (Up to 16 children eligible for publicly funded day care/Head Start)
Fire Protection	Direct Effect			No
Police Protection	Direct Effect			No

The following map (Figure Community Facilities-1) shows elementary and intermediate schools located within ½ mile of the Affected Area, and the boundaries of the Community School Districts and sub-districts. Table Community Facilities-2 provides the location, enrollment capacity and utilization rate of elementary schools within Community School District 14, Sub-district 1, and Table Community Facilities -3 provides the location, enrollment capacity and utilization rate of intermediate schools within Community School District 14, Sub-district 1:

Figure: Community Facilities – 1



According to the *CEQR Technical Manual*, if a proposed action would cause an increase of five percent or more in deficiency of available seats in the affected schools there may be a significant adverse impact on schools. The Affected Area is within Subdistrict 1 of Community School District 14. As shown in the following tables, excluding charter schools, Subdistrict 1 has a capacity of 3,000 seats at the elementary level, with an enrollment of 2,114 students, a utilization rate of 70%. There are currently 886 available elementary seats. In the future without the action, the Board of Education anticipates enrollment at the elementary level will increase to 2,768 students, decreasing the number of available seats to 232 and increasing the utilization rate to 92.3%. The proposed action would result in 86 additional students at the elementary level, thereby resulting in a surplus of 146 seats in Subdistrict 1, at a utilization rate of 95.1%.

As stated in Section 6-410 of the 2014 CEQR Technical Manual, a significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of

the following: A collective utilization rate of the elementary or intermediate schools that is equal to or greater than 100 percent in the With-Action Condition; and an increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions. The with-action utilization rate would be 95.1 %. Therefore the proposed action would not result in significant adverse impacts related to elementary school enrollment.

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Table Community Facilities-2 Elementary School Enrollment and Capacity Community School District 14; Subdistrict 1

School Address	Enrollment	Capacity	Over/Under	% Utilization
PS 16: 157 Wilson Street	238	605	-367	39
PS 23: 545 Willoughby Ave	297	466	-169	64
PS 59: 211 Throop Ave	325	324	1	100
PS 157: 850 Kent Ave**	359	593	-234	61
PS 297: 700 Park Ave	237	374	-137	63
PS 380: 370 Marcy Ave	658	638	20	103
Existing Totals (excluding charters)	2,114	3,000	-886	70
No-Action Increment+	654	-		
No-Action Totals	2,768	3,000	232	92.3
With Action Increment	**86**			
With Action Totals	**2,854**	**3,000**	**146**	**95.1**

**Elementary component of PS/IS20
+DOE Projections, Including Pipeline housing projections

As shown in the following tables, Subdistrict 1 has a capacity of 2,751 seats at the intermediate level, with an enrollment of 2,141 students, not including charter schools. There are currently 610 available middle school seats, and a utilization rate of 78%. In the future without the action, the Board of Education anticipates enrollment at the intermediate level will increase by 877 students to 3,018, resulting in a shortfall of 267 seats and a utilization rate of 109.7%. The proposed action would result in 36 additional students at the middle school level, thereby increasing the shortfall in Subdistrict 1 intermediate schools to 303 seats, and increasing the utilization rate to 111%. This analysis indicates that the proposed action therefore would t result in a utilization rate of over 105%, however there would not be an increase of five percent or more in the collective utilization rate between the no-action and with-action conditions, so there would not be significant adverse impacts related to middle school utilization.

Table Community Facilities-3 Middle School Enrollment and Capacity
Community School District 14; Subdistrict 1

School Address	Enrollment	Capacity	Over/Under	% Utilization
IS 71: 215 Heyward Street	294	506	-212	58
PS 157: 850 Kent Avenue	183	302	-119	61
IS 318: 101 Walton Street	1,607	1,598	9	101
IS 330: 70 Tompkins Avenue	57	345	-288	17
Existing Totals	2,141	2,751	-610	78
No-Action Increment	877	-		
No-Action Totals	3,018	2,751	267	109.7
With Action Increment	36			
With Action Totals	**3,054**	2,751	303	111%

Open Space

Pursuant to the *CEQR Technical Manual*, an open space assessment may be necessary if an action could potentially have a direct or indirect effect on open space resources in the Affected Area. A direct impact would occur if the proposed action would physically change, diminish, or eliminate an open space or reduce its utilization or aesthetic value. Introduction of a substantial new user population that would create or exacerbate an over utilization of open space resources would result in an indirect impact.

Direct effects would occur if the proposed action would result in the physical loss of a public open space; change of use of an open space so that it no longer serves the same user population; limit public access to an open space; or cause increased noise or air pollutant emissions, odors, or shadows on public open space that would affect its usefulness, whether temporary or permanent.

I. Introduction

The proposed development of the Projected Development Sites within the Affected Area would not directly affect any public open space.

The population introduced (approximately 681 residents) as a result of development under the proposed action would be above the relevant threshold size requiring assessment of open space utilization and availability. The Affected Area is within an area that is not identified as being either underserved or well-served by open spaces, and therefore the threshold for assessment of the potential for indirect impacts is 200 new residents. The projected development of 296 dwelling units, with an average occupancy of 2.3 persons based on the average household size within CB3, warrants assessment of indirect effects on public open space resources.

II. Methodology

According to the guidelines of the City's *CEQR Technical Manual* for analysis of residential development, census tracts with at least half of their geographic area within a one-half mile radius of the Projected Development Sites should comprise the open space study area. Using current population figures, an open space ratio is calculated for both the future no-action and future action scenarios, expressed as the amount of open space acreage per 1,000 user population. Typically, a comparison is made to the median open space ratio of the City, which is 1.50 acres per 1,000 residents. A reduction in the open space ratio increment of more than 5 percent over future no-action conditions generally warrants a more detailed analysis, unless the open space ratio is below the citywide average, in which case even a small reduction could be considered significant.

In addition to field surveys, information from the NYC Department of City Planning's Community District Needs Statements, NYC Parks Department website, and Census 2010 data were utilized in preparing the open space analysis.

III. Study Area Definition

In accordance with the guidelines established in the City's 2014 *CEQR Technical Manual*, the open space study area is defined to analyze both the nearby open spaces and the population using those open space resources. It is generally defined by a reasonable walking distance that users would travel to reach local open spaces and recreational areas. The study area is typically a one-half-mile radius from residential users. Since the proposed action would not introduce a significant daytime user population (i.e., workers), the 0.5 mile study area is used for a residential population.

IV. Existing Conditions

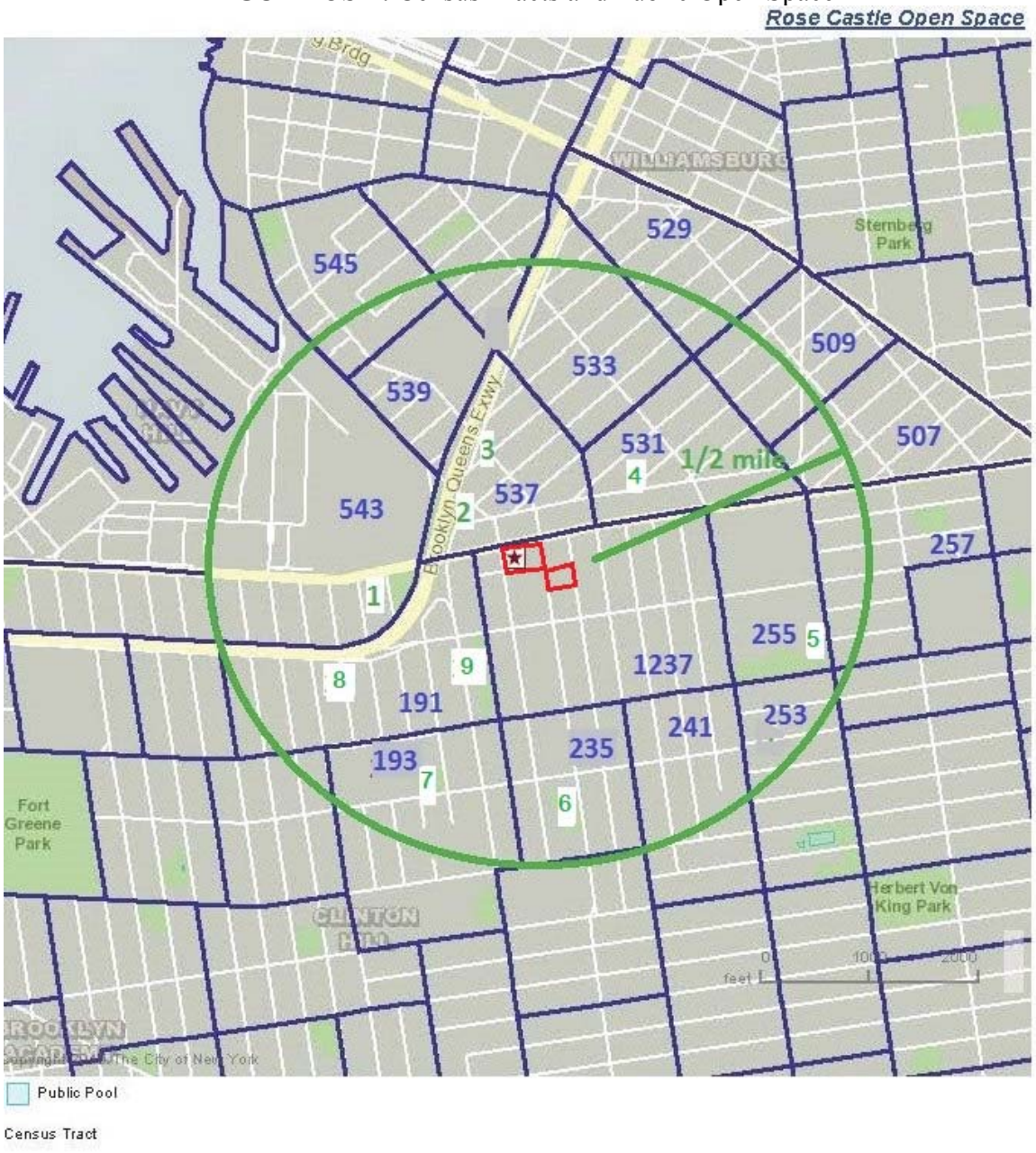
Study Area Population

Because the proposed project would generate new residents, a study area based on a one-half mile distance from the Projected Development Sites was used. The study area was further adjusted to include all census tracts falling entirely within the one-half mile radius of the Projected Development Sites as well as census tracts that have 50 percent or more of their area within that radius. Using this methodology, the resultant open space study area is shown on Figure OS-1.

Secondary sources were used to determine the residential and non-residential populations served by the existing open space resources in the study area. To estimate the total residential population, tables of 2010 Census data for New York City developed by the Department of City Planning's (DCP) Population Division were used.

An assessment of open space utilization was conducted pursuant to CEQR Technical Manual methodology. This requires delineating a half-mile radius study area, and identifying all census tracts with at least 50% of their area within the half-mile radius, as well as all open spaces within the study area. Using these criteria, the census tracts that fall within the ½ mile study area are 191, 193 235, 241, 255, 531, 533, 537, 539, 543, and 1237, as shown in Figure OS-1 below

FIGURE OS-1: Census Tracts and Public Open Space



537 Census Tract
9 Open Space Resource
Study Area (census tracts primarily within ½ mile radius

The study area has a total combined residential population of 45,478 persons as shown in Table OS-1, below.

TABLE OS-1: STUDY AREA POPULATION

Census Tract	Population
191	2,332
193	5,628
235	3,928
241	2,229
255	5,102
531	7,027
533	6,566
537	3,575
539	2,756
543	327
1237	6,008
TOTAL	45,478

The ½-mile radius study area contains multiple open spaces, primarily small playgrounds and squares. These open space resources have a total acreage of 14.3 acres. These parks, keyed to Figure OS-1, are:

TABLE OS-2: OPEN SPACE RESOURCES

ID #	Name	Address	Owner ship	Acreage	%Active	% Passive	Total Active	Total Passive	Utilization	Quality	Features
1	Steuben Playground	Flushing Av, Steuben Av	NYC DPR	1.2	75	25	0.9	0.3	Moderate	Acceptable	HB, PG, FE
2	Classon Playground and Triangle	Classon Av, Kent Av	NYC DPR	3.2	75	25	2.4	0.8	Moderate	Acceptable	HB, BB, PG, Be, Ww
3	Penn Triangle	Penn St, Wythe Av	NYC DPR	0.2	50	50	0.1	0.1	Moderate	Acceptable	PG, Be, SS
4	Middleton Playground	Lynch St, Bedford Av	NYC DPR	1.1	75	25	.8	.3	Moderate	Acceptable	BB, HB, PG, SS
5	Marcy Playground	Myrtle Av Marcy Av	NYC DPR	3.2	75	25	2.4	0.8	Moderate	Acceptable	HB, PG, SS, VC, Be, WW
6	Star Spangled Playground	Franklin Av Willoughby Av	NYC DPR	1.7	75	25	1.3	0.4	Moderate	Acceptable	BC, HC, SS,SF, RT, PG
7	Pratt Playground	Willoughby, Stuben Av	NYC DPR	1.0	50	50	.5	.5	Moderate	Acceptable	BC, HB, PG, SS, Be, SS
8	Washington Hall Park	Park Av Washington	NYC DPR	0.9	75	25	0.7	0.2	Moderate	Acceptable	BC, HB, PG, SS, Be
9	Taaffe Playground	Taaffe Pl Myrtle Av	NYC DPR	1.8	75	25	1.3	0.5	Moderate	Undergoing reconstruction	BC, PG, HB, SS, Be
	Total			**14.3**			**10.4**	**3.9**			

Features:
BC=Basketball Courts
BR=Bathrooms
RT=Running track
Be=Benches
CG=Community Garden
HB=Handball Courts
BF=Baseball fields
VC=Volleyball courts
Wa=Walkways
PG=Playground
FE=Fitness Equip
SF=Soccer Fields
SS= Spray Showers

V. Effects of the Proposed Action

The study area has 14.3 acres of open space and an existing residential population, based on 2010 census data, of 45,478 persons. The open space ratio under existing conditions is 0.31 acres per thousand residents. In the future without the proposed action, it is expected that population growth in the area would continue recent trends. Between 2000 and 2010, population in the study area increased by 33%, or 2.93% per annum, compounded. At this rate of growth, area population by the project's expected build year of 2024 would be 49.8% higher than in 2010, or 68,138. With this population, the open space ratio would be 0.21 acres per thousand people. This is well below the citywide average of 1.5 acres per thousand people, and reflects the area's relatively high population density and lack of large park facilities.

The proposed project would result in the development of 296 new dwelling units. With an expected average occupancy of 2.3 persons, the resulting increase in population would be 681 people. This would increase population in the with-action condition to 72,870. With this addition to area population, the open space ratio would decrease from 0.210 to 0.208 acres per thousand residents. This represents a decrease of 0.99 percent. Under both no-action and with-action conditions, open space ratio in the area would be well below 1.5 acres per thousand residents, which is the citywide average. By *CEQR Technical Manual* methodology, a decrease in open space ratio that approaches or exceeds 5 percent is generally considered to be a substantial change warranting more detailed analysis. The *CEQR Technical Manual* further states that detailed analysis of open space effects on residents is generally unnecessary if the open space ratio decreases by less than 1 percent.

Because the proposed action would decrease open space ratio by less than 1 percent, no additional analysis is warranted and no significant adverse impacts related to open space would occur.

Detailed Analysis

Pursuant to 2014 CEQR Technical Manual methodology, the first step in a detailed analysis is to identify the study area population by age group. Relying on data from the 2010 US Census, population by five year age group within the study area is as follows:

CENSUS TRACT	Total Population	Under 5 Years	5-9 Years	10-14 Years	15-19 Years	20-24 Years	25-29 Years	30-34 Years	35-39 Years	40-44 Years	45-49 Years	50-54 Years	55-59 Years	60-64 Years	65 Years and Over
191	2,332	136	119	132	97	261	387	306	239	144	110	116	87	65	133
193	5,628	209	162	185	1,014	987	353	319	306	261	239	228	236	270	859
235	3,928	602	405	214	180	537	604	482	261	188	134	100	69	58	94
241	2,229	103	56	66	111	341	356	256	207	130	88	81	70	69	295
255	5,102	347	382	454	614	494	321	275	274	314	342	318	238	219	510
531	7,027	1,583	1,305	854	564	513	623	566	339	154	135	128	94	68	101
533	6,566	1,368	740	552	572	781	587	300	183	111	147	222	313	179	511
537	3,575	686	541	447	371	282	242	179	105	98	102	108	117	103	194
539	2,756	329	263	278	324	187	127	129	107	72	87	136	256	224	237
543	327	22	8	3	4	20	44	77	51	46	23	16	6	5	2
1,237	6,008	1,366	1,064	686	337	415	549	626	394	168	97	87	66	45	108
TOTAL	45,478	6,751	5,045	3,871	4,188	4,818	4,193	3,515	2,466	1,686	1,504	1,540	1,552	1,305	3,044
PERCENTAGE		15%	11%	9%	9%	11%	9%	8%	5%	4%	3%	3%	3%	3%	7%

Source: 2010 US Census developed by the Department of City Planning Population Division

This data shows that the population of the study area is young relative to Brooklyn and to New York City. Thirty-five percent of the study area's population is fourteen years or younger, compared to eighteen percent for the city as a whole, and nineteen percent for Brooklyn.

Parks within the study area are identified and described above. Most parks were observed to be in acceptable condition. It is noted that one park within the affected area, Taaffe Playground, is currently undergoing reconstruction. It is expected that the improvements will be completed by the proposed action's analysis year, improving the quality of open space resources in the area.

Playground equipment is widely available in the study area's parks. As noted in the CEQR Technical Manual, this equipment is well suited to the younger age groups which are over represented in the study area relative to the city and the borough as a whole. Additionally there are multiple playgrounds in close proximity to the Affected Area so that new residents would have several playgrounds to choose from in close proximity.

Other qualitative factors to be considered include the availability of large parks and recreation facilities beyond the study area. Fort Greene Park, which features multiple playgrounds, fitness paths, tennis and basketball courts, and barbecuing areas, is approximately ¾ mile from the Affected Area. Kosciuszko Pool, located on Marcy Avenue between Kosciuszko Street and DeKalb Avenue, is slightly over ½ mile from the Affected Area. Herbert Von King Park, which features a recreation center along with ballfields, playground and fitness equipment, and barbecue areas, is approximately ¾ mile from the Affected Area.

The Affected Area is in a part of the city with a low open space ratio, however projected development and would result in a decrease in this ratio of less than 1%. Therefore there would be no significant indirect impact on open space. The available park facilities are well-suited to the area's young population. There are several playgrounds in close proximity to the Affected Area, so residents of new development would have multiple options to choose from. One of the area's park facilities, Taaffe Playground, is undergoing reconstruction and will be a more valuable open space resource upon completion of the reconstruction. Slightly beyond the ½-mile radius there are parks that have special facilities, such as Fort Greene Park, Kosciusko Pool and the recreation center at Von King Park, that serve visitors from a wider area.

Shadows

According to the guidelines of Chapter 8, Section 300 of the 2014 CEQR Technical Manual, a shadow assessment is generally required if a new building would cast a shadow long enough to reach a sunlight-sensitive resource. Therefore, a shadow assessment is required only if the project would either result in new structures or additions to existing structures of 50 feet or more or be located adjacent to, or across the street from, a sunlight-sensitive resource.

Development Site1 would be developed with an eight-story building with a maximum height of 83 feet, and Development Site 2 would be developed with a six-story building with a maximum height of 75 feet. Accordingly, a preliminary assessment of shadows is warranted.

Tier 1 Screening Assessment
The proposed 8-story building on Development Site 1 would have a maximum height of 83 feet and the longest action-induced shadow would be approximately 357 feet (4.3 x 83 feet) in length. The 6-story building on Development Site 2 would have a maximum height of 75 feet and the longest action-induced shadow would be approximately 353 feet (4.3 X 75 feet) in length. There are no sun-light sensitive resources located within the perimeter of the shadow, as shown on the following figure Shadows-1. There are no significant adverse impacts from shadows, no further assessment is warranted.

Figure Shadows-1



Historic and Cultural Resources

Architectural Resources
The Affected Area is not located in proximity to any a designated New York City Landmark or Historic District or any property listed on the National Register of Historic Places. The closest designated landmark is the Naval Hospital within the Brooklyn Navy Yard, located approximately ¼ mile to the west of the affected area. Multiple buildings, and the elevated Brooklyn-Queens Expressway, are between this historic resource and the affected area, and there is no visual relationship between this historic resource and any of the development sites within the affected area.

Archaeological Resources
Development Sites 1 and 2 have been previously developed, and were determined not to be sensitive for the recovery of historic or prehistoric archaeological resources.

The Landmarks Preservation Commission has reviewed the proposed action and by letter dated February 9, 2016 has concluded that none of the Projected Development Sites are architecturally or archaeologically significant. The LPC letter is included in the Agency Correspondence Appendix to this document.

Therefore the proposed project would not result in significant adverse impacts related to historic resources.

Urban Design and Visual Resources

Pursuant to the 2014 *CEQR Technical Manual*, an assessment of Urban Design may be warranted when a proposed action may affect one or more of the elements that contribute to the pedestrian experience of an area, specifically the arrangement, appearance, and functionality of the built environment. The proposed action would result in infill development of low-rise industrial sites and open parking lots within a mixed-use section of Bedford Stuyvesant. The development that would result is not permitted under the site's current zoning and would constitute a new element in the built environment that could not occur without the proposed action.

Existing Conditions

Affected Area

Development Site 1 is 39,307 square feet in size located on the south side of Flushing Avenue between Franklin Avenue and Kent Avenue. Development Site 1 contains a two-story catering facility, Rose Castle, and a one-story warehouse structure occupied by Exclusive Doors and Molding. The remainder of the affected area on Block 1884 contains a five-story residential building and a three-story office building, as well as a narrow portion of a three-story warehouse building.

Development Site 2 is 35,250 square feet in size and is a parking lot used by monthly customers. The site is a through lot with frontage on Franklin Avenue and Skillman Street and is currently developed with a parking lot

Surrounding Area

The existing land uses in the area immediately surrounding area the Affected Area are a mix of warehouse/distribution, commercial, community facility, and conforming and non-conforming residential uses.

The area surrounding the Affected Area to the north, south, and east is predominantly medium-density residential use with local commercial services and community facilities. Within the M1-2 zoning district that extends from Flushing Avenue to Park Avenue, from the Brooklyn-Queens Expressway to Franklin Avenue, the mix of uses is predominantly warehouse/distribution, with some commercial, community facility, and non-conforming residential uses.

The prevailing built form of the area is a mix of mid-rise, mostly contextual-type residential buildings, and a mix of low- and mid-rise commercial buildings. Adjoining Development Site 1 is a four-story residential building built to the street line. To the west of that, across Kent Avenue, there is a three-story Department of Environmental Protection facility also built to the street line. Cater-cornered to Development Site 1 on the north side of Flushing Avenue is a seven story street wall residential building. On the north side of Flushing Avenue there is a construction site for an R7-1 Quality Housing Building, and there is also a four-story community facility building.

Between Franklin and Bedford Avenues, the north side of Flushing Avenue has three seven-story residential buildings with unbuilt properties between them. On the block to the east of that are

additional multi-story residential apartment houses. There are mostly two and three- story commercial and industrial buildings, built to the street line, to the south of the Flushing Avenue site.

To the south of Development Site 2 are five-story street wall residential apartment houses interspersed with low-rise commercial/warehousing buildings and older walkup residences.

Adjoining Development Site 2 to the north there is a vacant lot a one-story commercial building with accessory parking and, on Flushing Avenue, a four- and five-story commercial and community facility building. To the west of the Affected Area, across Skillman Street is a catering facility on Flushing Avenue that is uncharacteristically set back from the street. One and two-story commercial buildings built to the street line make up the remainder of the northern portion of the block east of the Affected Area and three- and five-story residential buildings make up the southern block face of the block east of the Affected Area facing Skillman Street.

Future Without the Proposed Action

No changes to the area's urban design are anticipated in the future without the proposed action. Built form and the street grid would remain as under existing conditions. Additional new residential development in the vicinity is anticipated to the north and east where zoning permits such development. This new development would be a continuation of recent land use trends in the area.

Future With the Proposed Action

Under the proposed action, Development Site 1 (Block 1884, Lots 40 and 48) would be developed with an eight-story mixed residential and commercial building. The proposed floor area for the building is 176,670.16 sq. ft., containing 167,868.31 sq. ft. of residential floor area and approximately 8,801.85 sq. ft. of local retail space. The proposed 80-foot tall building would provide 168 dwelling units, and would be served by a 84-space accessory parking garage. The garage entrance would be located on Franklin Avenue. The building would have frontage on Flushing Avenue, a wide street, with ground floor retail space, and also frontage on Little Nassau Street, a narrow street, with a central courtyard.

Development Site 2 (Block 1885, Lot 15) would be developed with a six-story residential building. The proposed 70-foot tall building would contain approximately 126,838.63 sq. ft. of residential floor area (FAR 3.6) with 128 dwelling units and a 64-space accessory parking garage. The parking garage entrance would be located on Franklin Avenue. The building would have frontage on Franklin Avenue and on Skillman Street, both of which are narrow streets, with a central courtyard constructed on the roof of the below-grade parking garage.

Elsewhere within the Affected Area, existing land uses are expected to continue under the proposed action.

According to the *CEQR Technical Manual*, determining the significance of an urban design impact requires consideration of the degree to which a project results in a change to the built

environment's arrangement, appearance, or functionality such that the change would negatively affect a pedestrian's experience of the area.

Development of Development Site 1 would stimulate local street activity by including a ground floor local retail component, and would provide a commercial amenity to residents of the neighborhood.

Development of Development Site 2 would enhance the pedestrian experience by creating a continuous streetwall where a parking lot currently exists. Development Site 1's garage would be served by an entrance on Franklin Avenue, which is more suited to the light industrial uses along Franklin Street, as opposed to the residential uses located across Skillman Street. The existing parking lot occupying Development Site 2 has entrances on both Franklin Avenue and Skillman Street.

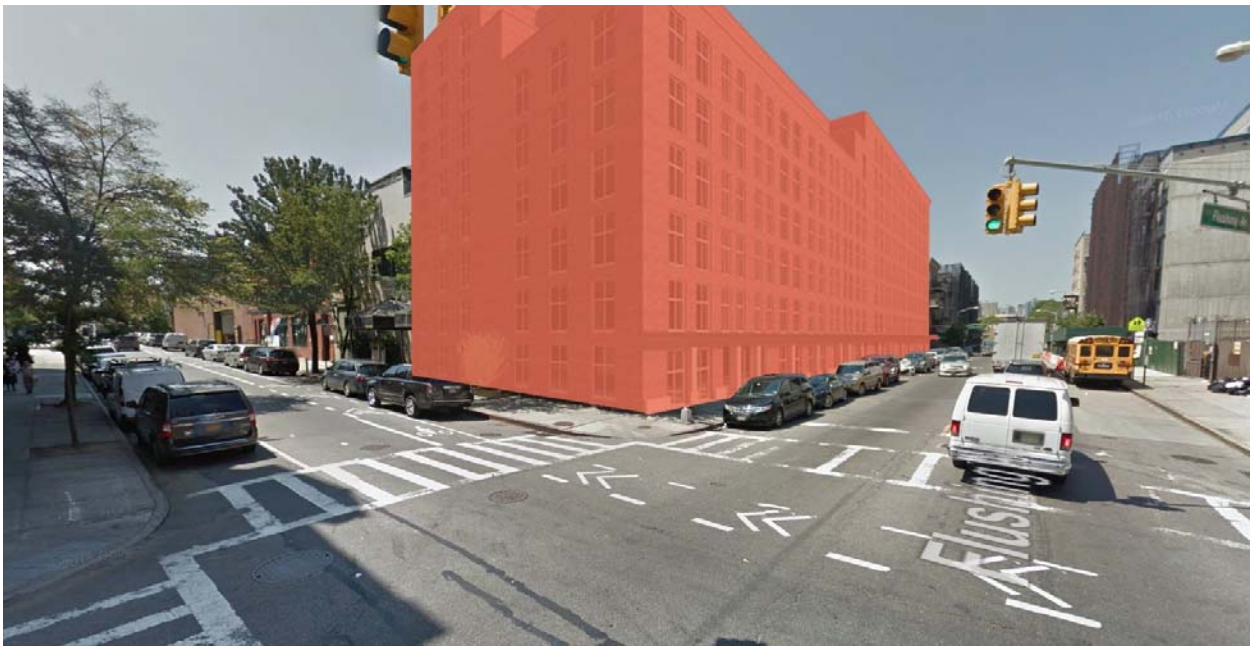
An R7A/C2-4 zoning district is proposed for the portion of the Affected Area within Block 1884, including Development Site 1. R7A permits residential and community facility uses. Under the MIH program, the maximum FAR is 4.6 for developments that provide affordable housing pursuant to the program requirements. The maximum building height for eligible Inclusionary Housing buildings with qualifying ground floors is 95 feet after a setback from the base height of 40-75 feet. The building must set back above the maximum base height to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum of 9 floors. The front walls of new buildings in R7A districts must be located no closer to the street than those of a neighboring building. Off-street parking is required for 50 percent of the residential dwelling units, but is not required for affordable housing units within specified Transit Zones. This parking requirement may be waived if 15 or fewer spaces are required. C2-4 zoning districts permit Use Groups 1, 2, 3, 4, 5, 6, 7, 8, 9, and 14. C2-4 overlays require one accessory space per 1,000 square feet for all types of commercial uses.

An MX-4 zoning district pairing M1-2 and R6A districts is proposed for the portion of the Affected Area within Block 1885, including Development Site 2. The M1-2 zoning district allows up to 2.0 FAR of manufacturing and commercial uses. R6A is a medium-density apartment district, with a maximum FAR of 3.6 under the MIH program for Use Groups 1, 2, 3, and 4. Above a base height of 40 to 65 feet, the maximum building height for eligible Inclusionary Housing buildings with qualifying ground floors is 85 feet. The building must set back above the maximum base height to a depth of 10 feet on a wide street and 15 feet on a narrow street before rising to a maximum of 8 floors. The front walls of new buildings in R6A districts must be located no closer to the street than those of a neighboring building. Off-street parking is required for 50 percent of the residential dwelling units, but is not required for the affordable housing units within specified Transit Zones. This parking requirement may be waived if five or fewer spaces are required.

The following figures show the relationship of new development with the established built form of the area. Newer residential buildings in the area are generally up to seven stories in height. The proposed rezoning would result in development that is consistent with this medium-density residential development that has occurred recently in surrounding residential and mixed-use zoning districts to the north and east, as well as within the affected area by BSA variance. The

proposed action would not alter the area's street pattern and would not introduce a new visual element to the area.

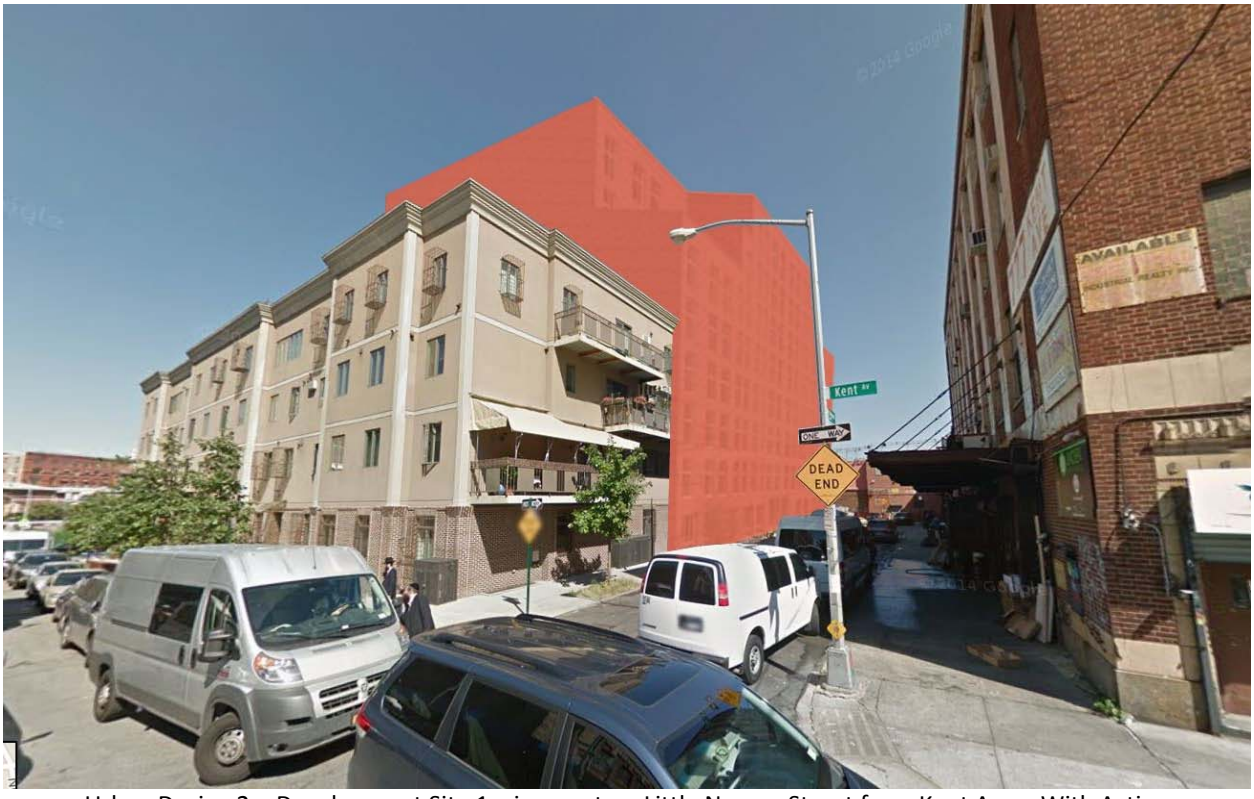
No significant adverse impacts related to urban design are anticipated.



Urban Design 1a: Development Site 1, corner of Flushing and Franklin – With Action



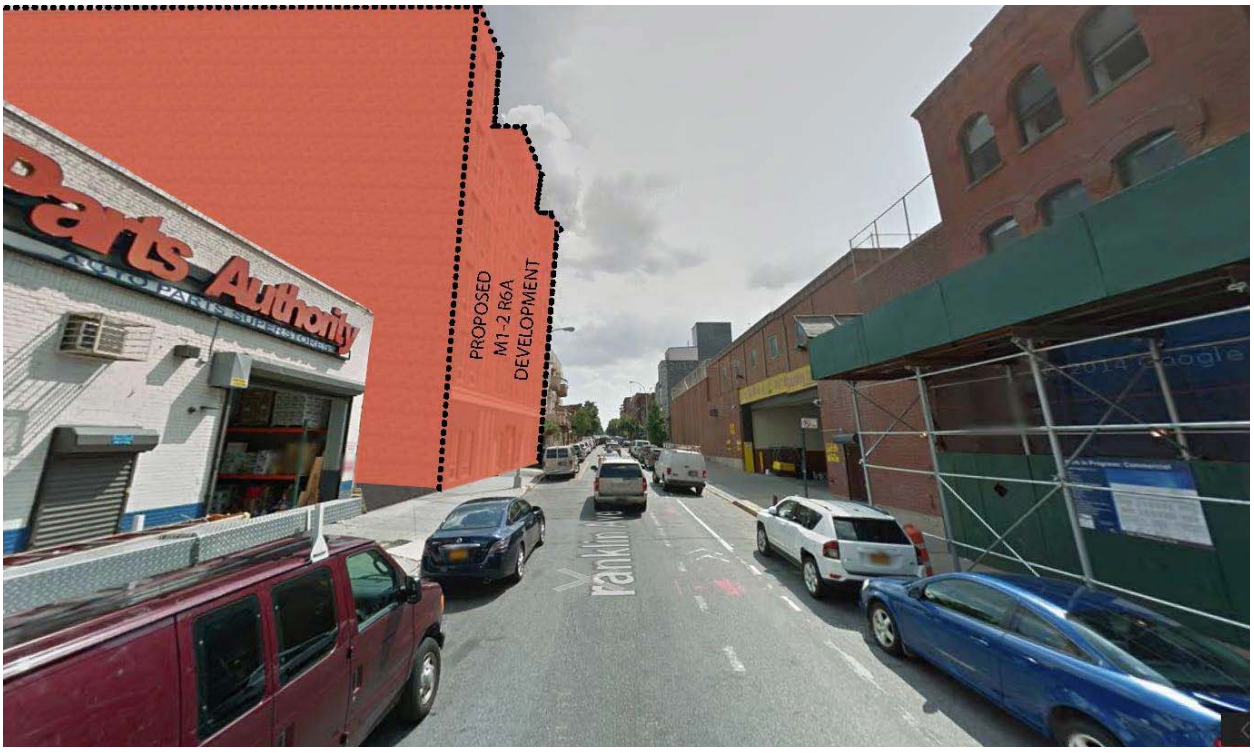
Urban Design 1b: Development Site 1, corner of Flushing and Franklin – No Action



Urban Design 2a: Development Site 1, view east on Little Nassau Street from Kent Ave – With Action



Urban Design 2b: Development Site 1, view east on Little Nassau Street from Kent Ave – No Action



Urban Design 3a: Development Site 2, view south of Franklin Avenue – With Action



Urban Design 3b: Development Site 2, view south of Franklin Avenue – No Action



Urban Design 4a: Development Site 2, view north on Skillman Street – With Action



Urban Design 4b: Development Site 2, view north on Skillman Street – No Action



Urban Design 5a: Development Site 2, view south on Skillman Street – With Action



Urban Design 5b: Development Site 2, view south on Skillman Street – No Action

Visual Resources

An assessment of visual resources is concerned with whether a proposed development has the potential to block publicly accessible views of significant features such as view corridors or historic structures. The proposed development would not encroach on public streets or sidewalks, and would be within the range of building heights in the area. There are no significant visual resources in the area. Therefore no further assessment of visual resources is needed. Should the potential for adverse impacts related to visual resources be identified during project review, the project sponsor commits to such project modifications as may be necessary to ensure no adverse impacts would occur.

Hazardous Materials

Pursuant to *CEQR Technical Manual* methodology, actions that would result in ground disturbance in an area where current or past uses on or near the site raise the potential for the presence of hazardous materials should be assessed for hazardous materials.

The proposed action would allow new residential development in an area where current zoning limits development to commercial, manufacturing, and certain community facility uses. Accordingly, Phase I Environmental Site Assessments were conducted for the Flushing Avenue and Franklin Avenue development sites. These documents have been submitted separately and are under review by the New York City Department of Environmental Protection (DEP).

Development Site 1 (Block 1884, Lots 40 and 48)
A Phase I Environmental Site Assessment (Phase I) was prepared by Equity Environmental Engineering LLC in August 2015. This Phase I identified the current use of the site as a one-story building on Lot 40 used as a door and moldings showroom, warehouse and office, and a two-story building occupied by a catering hall on Lot 48. The site was previously occupied by stores and residences prior to 1935. After 1935 a large auto repair garage occupied a portion of the site, as well as a business identified as "N.Y. Cleaning and Dyeing Company." The Phase I noted two Recognized Environmental Conditions (RECs): the presence of a pit in the southwest corner of Lot 48 that warrants further investigation, as well as staining on the concrete warehouse floor that appears to be crease from a grease trap. Based on the presence of these RECs, additional investigation may be warranted.

Development Site 2 (block 1885, Lot 15)
A Phase I Environmental Site Assessment (Phase I) was prepared by Equity Environmental Engineering LLC in August 2015. This Phase I identified the current use of the site as a paved parking lot ('Parking Inn'). Prior to 1947 the site was part of the 'Gutta Percha &Rubber Manufacturing Company. Since then the site has been open and used as parking. No Recognized Environmental Conditions were identified, and no further investigation is recommended.

Based on their review of these documents, the Department of Environmental Protection by letter dated February 25, 2016 requested that an 'E' Designation for hazardous materials be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution be placed on Block 1884, Lots 33 a/k/a 7501, Lot 53 and P/O Lot 57, and Block 1885, Lots 20, 23, 26, and 41. Additionally they requested submission of a Remedial Investigation Work Plan (RIWP) and Investigative Health and Safety Plan (HASP) be submitted for the sites under the applicant's control, Development Site 1 (Block 1884, lots 40 and 48) and Development Site 2 (Block 1885, Lot 15).

In order to ensure that investigation and, if necessary, remediation is completed as a condition of any site development or occupancy, an [E] designation will be placed on Block 1884, Lots 33 a/k/a 7501, 40, 48, 53 and P/O Lot 57, and Block 1885, Lot 15 that will require a Phase II Environmental Site Assessment be performed to identify/characterize the surface and subsurface

soil/groundwater of the subject property. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling soil, groundwater and soil sampling activities will be submitted to MOER for review and approval. The Work Plan will include blueprints and/or site plans displaying the current surface grade and subsurface grade elevations and a site map depicting the proposed soil/groundwater boring locations and soil vapor sampling locations.

The [E] requirements related to hazardous materials would apply to the following sites:

Block 1884, Lots 33 a/k/a 7501, 40, 48, 53 and P/O Lot 57, and Block 1885, Lots 15 and 20. E text related to hazardous materials is as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

With these requirements in place, there are no significant issues identified at the subject property or its immediate vicinity which could adversely impact upon its environmental quality or that would warrant further environmental study at this time.

Transportation

Pursuant to *CEQR Technical Manual* methodology, a transportation assessment may be necessary when a proposed action would alter the transportation network by closing, opening, or realigning an element of the transportation system such as a roadway, pedestrian way, or transit route, or if it would generate new trips on the transportation network. The objective of the transportation analyses is to determine whether a proposed project may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, safety of all roadway users (pedestrians, bicyclists and vehicles), on- and off-street parking, or goods movement.

Trip Generation

The proposed action would not result in development that would directly affect any element of the transportation system. According to Table 16-1 of the 2014 *CEQR Technical Manual*, a residential development of fewer than 200 residential units, 25,000 square feet of community facility space, or 15,000 square feet of local retail typically does not warrant further assessment of the potential for adverse effects on Transportation. The development scenario under the proposed action is projected to result in total induced development of 296 dwelling units and 8,802 square feet of local retail space. Because the proposed project contains both residential, and commercial elements, and the residential component exceeds the *CEQR Manual* screening threshold, further assessment is warranted. The initial step in determining this potential is to analyze the proposed trip generation characteristics. According to the *CEQR Technical Manual*, a proposed action that would generate over fifty vehicular trips during the peak travel hour, over 200 transit trips, or over 200 walking trips, would warrant more detailed study.

To assess the trip generation characteristics of the proposed development, the following sources were used: The sources for the daily residential trip rate and the peak hour temporal distributions and directional distribution for the residents living in the new DUs is the 2014 *CEQR Technical Manual*. Trips would be generated at a rate of 8.07 daily trips per dwelling unit, with 10% occurring during the AM peak hour, 10.9% during the midday hour, and 11% during the PM peak hour.

Travel mode for the residential component was based on data from the 2006-2010 U.S. Census American Community Survey. It was determined that 37.8% of area residents' travel is by private car, 30.9% is by subway, 12.57% is by bus, and 15.3% of trips are walk only.

The projected development would include 8,802 square feet of local retail space that would serve the surrounding community. Trip generation and temporal distribution for the retail component were taken from the 2014 CEQR Technical Manual. Daily trip rate is 205 per thousand square feet, with 3% of trips occurring during the AM peak hour, 19% during the midday hour, and 10% during the PM peak hour.

Travel mode was taken from the DEIS for the East New York Rezoning. The project's retail component is expected to generate trips at the rate of 205 trips per thousand square feet of space,

Travel would be primarily by foot, with 80% of travel walk-only, 5% by subway, 10% by bus, 3% private vehicle, and 2% taxi.

The Transportation Planning Assumptions for the project components are presented in the following Table Transportation-1.

Transportation-1: Transportation Planning Assumptions

SUMMARY - Transportation Planning Assumptions for Project Components						
					Local	
Land Use			Residential		Commercial	
Daily			8.07		205	
Trip Generation			(per d.u.)			
Temporal		AM (8-9)	10.0%		3.0%	
Distribution		MD(12-1)	10.9%		19.0%	
		PM(5-6	11.0%		10.0%	
Modal Split		Auto	37.8%		5.0%	
		Taxi	0.3%		1.0%	
		Subway	30.9%		3.0%	
		Bus	12.5%		6.0%	
		Walk-only	15.3%		85.0%	
Vehicle		Auto	1.3		1.6	
Occupancy		Taxi	1.3		2.0	
Directional			Inbound	Outbound	Inbound	Outbound
Distribution		AM (8-9)	17%	83%	50%	50%
		MD(12-1)	40%	60%	50%	50%
		PM(5-6	67%	33%	50%	50%
Daily Truck			0.06		0.35	
Trip Gen.			(trips/d.u.)		(trips/1,000 gsf)	
Truck Trip		AM (8-9)	12%		8%	
Temporal		MD(12-1)	9%		11%	
Distribution		PM(5-6	2%		2%	
sources:						
residential trip generation, temporal distribution, directional distribution from 2014 *CEQR Technical Manual* and Pushkarev & Zupan, Urban Space for Pedestrians						
residential mode split and vehicle occupancy from 2006-2010 U.S. Census American Community Survey for tracts 191, 193, 235, 241, 255, 531, 537, and 1237						
Local commercial trip generation from 2014 CEQR Technical Manual						
local commercial trip mode split, vehicle occupancy, and directional distribution from East New York DEIS						
residential and commercial truck trip generation, temporal distribution from Harlem Park EAS						

Applying these trip generation assumptions to the proposed project and the projected development, as presented in Table Transportation-2 below, the proposed action has the potential to generate up to 88 vehicular trips, 88 subway trips, 48 bus trips, and 258 walk-only trips during the midday peak period. Adding together bus, subway, and walk-only trips, the maximum total number of trips including a pedestrian component would be 395 during the midday peak period.

In the no-action condition, existing uses are expected to remain on the two Development Sites. Development Site 1 is occupied by a catering hall and a window and door contractor. The catering hall is typically not active during the midday period, and the window and door

contractor generates minimal vehicular and pedestrian activity during this period. Development Site 2 is currently used as a commercial parking lot serving monthly customers only.

To determine no-action trips associated with the monthly parking lot on Development Site 2, counts of arriving and departing vehicles were conducted during the midday period on a typical weekday. Based on this survey, vehicular trips associated with the parking lot currently occupying Development Site 2 totaled 10 inbound and 8 outbound, and walking trips totaled 8 inbound and 13 outbound.

The proposed project would generate a net of 70 vehicular trips 237 walk-only trips, 88 subway trips, and 48 bus trips during the midday period. Total trips with a pedestrian component would be 374. Since in all instances, bus and subway trip generation would be below the relevant thresholds, no further assessment is warranted, and no impacts are anticipated. Further assessment of pedestrian and vehicular travel is warranted. Accordingly the next step in the CEQR analysis is to assign those trips to the local road and pedestrian network, to determine if any individual element (intersection, sidewalk, crosswalk, corner) would experience incremental vehicular traffic in excess of fifty hourly trips or pedestrian traffic in excess of 200 hourly trips.

Trips were generated separately for the Development Sites for the with-action condition, and for Development Site 2 (Block 1884, Lot 15) for the no-action condition.

Transportation- 2: With-Action Trip Generation – Development Site 1

Residential Trip Generation

Residential Component Trip Generation									
							Peak Hours	Inbound	Outbound
Residential Units =			168		AM	10.0%	of daily trips	17%	83%
Person Trips/Unit/Day =			8.07		Midday	10.9%	of daily trips	40%	60%
Daily Person Trips =			1355.76		PM	11.0%	of daily trips	67%	33%
Percent Auto Use =			37.8%						
Auto Occupancy =			1.3						
Percent Subway Use =			30.9%			Peak Hour Auto Trips			
Percent Bus Use =			12.5%				Arriving	Departing	Total
Percent Taxi Use =			0.3%			AM	7	33	39
Taxi Occupancy =			1.4			Midday	17	26	43
Percent Walk Only =			15.3%			PM	29	14	43
Peak Hour Person Trips									
	Inbound	Outbound	Total			Peak Hour Taxi Trips			
AM	23	113	136				Arriving	Departing	Total
Midday	59	89	148			AM	0	0	0
PM	100	49	149			Midday	0	0	0
						PM	0	0	0
Peak Hour Person Trips by Auto									
	Arriving	Departing	Total						
AM	9	43	51						
Midday	22	34	56						
PM	38	19	56						
Peak Hour Person Trips by Taxi									
	Arriving	Departing	Total						
AM	0	0	0			Peak Hour Vehicle Trips auto, taxi, truck			
Midday	0	0	0				Arriving	Departing	Total
PM	0	0	0			AM	7	33	41
						Midday	18	27	44
						PM	29	14	44
Daily Truck		0.06					Peak Hour Subway Trips		
Trip Gen.		(trips/d.u.)					Arriving	Departing	Total
						a.m.	7	35	**42**
Truck Trip		AM (8-9)	8%			midday	18	27	**46**
Temporal		MD(12-1)	11%			p.m.	31	15	**46**
Distribution		PM(5-6	2%						
							Peak Hour Bus Trips		
							Arriving	Departing	Total
Daily Truck Trips						a.m.	3	14	**17**
10						midday	7	11	**18**
						p.m.	13	6	**19**
Balanced Truck Trips									
	Inbound	Outbound	Total				Peak Hour Walk-only Trips		
AM	0	0	1				Arriving	Departing	Total
Midday	0.55	0.55	1.11			a.m.	4	17	**21**
PM	0	0	0			midday	9	14	**23**
						p.m.	15	8	**23**

Transportation- 2 (cont): With-Action Trip Generation –Development Site 1

Retail Trip Generation

Floor area (1000 square foot)			8.8			Peak Hour Trips			Percent Auto Use =	5%
Daily visitors (per 1000 ft)			205		a.m.	3.0%			Auto Occupancy =	1.6
Daily visitors			1804		midday	19.0%			Percent Taxi Use=	1%
					p.m.	10.0%			Taxi Occupancy=	2
Peak Hour Person Trips									Percent Bus Use=	6%
	Inbound	Outbound	Total						Percent Subway Use=	3%
AM	27	27	54						Percent Walk=	85%
Midday	171	171	343						Directonal Distributior	50%/50%
PM	90	90	180						(all periods)	
Net Peak Hour Person Trips						Peak Hour Auto Trips				
	Inbound	Outbound	Total				Arriving	Departing	Total	
AM	20	20	41			AM	1	1	1	
Midday	129	129	257			Midday	4	4	8	
PM	68	68	135			PM	2	2	4	
Peak Hour Person Trips by Auto										
	Arriving	Departing	Total			Peak Hour Taxi Trips				
AM	1	1	2				Arriving	Departing	Total	
Midday	6	6	13			AM	0	0	0	
PM	3	3	7			Midday	1	1	1	
						PM	0	0	1	
Peak Hour Person Trips by Taxi						Peak Hour Vehicle Trips auto, taxi, truck				
	Arriving	Departing	Total				Arriving	Departing	Total	
AM	0	0	0			AM	1	1	2	
Midday	1	1	3			Midday	5	5	9	
PM	1	1	1			PM	2	2	5	
Daily Truck		0.35					Peak Hour Subway Trips			
Trip Gen.		**(trips/1,000 gsf)**					Arriving	Departing	Total	
						a.m.	1	1	**1**	
Truck Trip		**AM (8-9)**	8%			midday	4	4	**8**	
Temporal		**MD(12-1)**	11%			p.m.	2	2	**4**	
Distribution		**PM(5-6**	2%							
							Peak Hour Bus Trips			
							Arriving	Departing	Total	
Daily Truck Trips						a.m.	1	1	**2**	
3						midday	8	8	**15**	
						p.m.	4	4	**8**	
Balanced Truck Trips										
	Inbound	Outbound	Total				Peak Hour Walk-only Trips			
AM	0.1232	0.1232	0.2464				Arriving	Departing	Total	
Midday	0	0	0			a.m.	17	17	**35**	
PM	0	0	0			midday	109	109	**219**	
						p.m.	58	58	**115**	

Transportation- 3: With-Action Trip Generation – Development Site 2

Residential Trip Generation

Residential Component Trip Generation

						Peak Hours		Inbound	Outbound
Residential Units =		128		AM	10.0%	of daily trips		17%	83%
Person Trips/Unit/Day =		8.07		Midday	10.9%	of daily trips		40%	60%
Daily Person Trips =		1032.96		PM	11.0%	of daily trips		67%	33%
Percent Auto Use =		37.8%							
Auto Occupancy =		1.3							
Percent Subway Use =		30.9%			Peak Hour Auto Trips				
Percent Bus Use =		12.5%				Arriving	Departing	Total	
Percent Taxi Use =		0.3%			AM	5	25	30	
Taxi Occupancy =		1.4			Midday	13	20	33	
Percent Walk Only =		15.3%			PM	22	11	33	

Peak Hour Person Trips

	Inbound	Outbound	Total
AM	18	86	103
Midday	45	68	113
PM	76	37	114

Peak Hour Person Trips by Auto

	Arriving	Departing	Total
AM	7	32	39
Midday	17	26	43
PM	29	14	43

Peak Hour Person Trips by Taxi

	Arriving	Departing	Total
AM	0	0	0
Midday	0	0	0
PM	0	0	0

Peak Hour Taxi Trips

	Arriving	Departing	Total
AM	0	0	0
Midday	0	0	0
PM	0	0	0

Peak Hour Vehicle Trips auto, taxi, truck

	Arriving	Departing	Total
AM	5	25	31
Midday	14	20	34
PM	22	11	33

Daily Truck		0.06				Peak Hour Subway Trips		
Trip Gen.		**(trips/d.u.)**				Arriving	Departing	Total
					a.m.	5	26	**32**
Truck Trip		**AM (8-9)**	8%		midday	14	21	**35**
Temporal		**MD(12-1)**	11%		p.m.	23	12	**35**
Distribution		**PM(5-6**	2%					
						Peak Hour Bus Trips		
						Arriving	Departing	Total
Daily Truck Trips					a.m.	2	11	**13**
8					midday	6	8	**14**
					p.m.	10	5	**14**

Balanced Truck Trips

	Inbound	Outbound	Total
AM	0	0	1
Midday	0	0	1
PM	0	0	0

	Peak Hour Walk-only Trips		
	Arriving	Departing	Total
a.m.	3	13	**16**
midday	7	10	**17**
p.m.	12	6	**17**

Transportation-4: With-Action Trip Generation – Total

PROJECT TOTAL - COMBINED COMPONENTS

Peak Hour Person Trips

	Arriving	Departing	Total
AM	61	219	279
Midday	233	285	517
PM	244	154	398

Peak Hour Auto Trips

	Arriving	Departing	Total
AM	12	58	71
Midday	34	49	84
PM	53	27	81

Peak Hour Person Trips by Auto

	Arriving	Departing	Total
AM	16	76	92
Midday	46	65	111
PM	70	36	106

Peak Hour Taxi Trips

	Arriving	Departing	Total
AM	0	1	1
Midday	1	1	2
PM	1	1	1

Peak Hour Person Trips by Taxi

	Arriving	Departing	Total
AM	0	1	1
Midday	2	2	3
PM	1	1	2

Peak Hour Taxi Trips - Balanced*

	Arriving	Departing	Total
AM	0	1	0
Midday	1	1	2
PM	1	1	1

Peak Hour Subway Trips

	Arriving	Departing	Total
a.m.	13	62	75
midday	36	52	88
p.m.	56	29	136

Daily Truck Trips

21

Balanced Truck Trips

	Inbound	Outbound	Total
AM	1	1	2
Midday	1	1	2
PM	0	0	0

Peak Hour Bus Trips

	Arriving	Departing	Total
a.m.	6	26	32
midday	21	27	48
p.m.	26	15	41

Peak Hour Walk-only Trips

	Arriving	Departing	Total
a.m.	23	48	71
midday	125	133	258
p.m.	85	71	155

Total Vehicle Trips - Cars, Taxis, Trucks

	Inbound	Outbound	Total
AM	13	60	**73**
Midday	36	51	**88**
PM	54	28	**82**

Total Walk Trips Inclusive of Transit

	Arriving	Departing	Total
a.m.	43	135	**178**
midday	182	213	**395**
p.m.	167	115	**281**

*assumes 1/2 of arriving taxis would be available for departing trips

Taking credit for the no-action vehicular trips associated with the public monthly parking lot currently on Development Site 2, incremental vehicular trips associated with the proposed action would be as presented in the following table

Transportation -5: Incremental Vehicles

Development Site	No-Action Trips		With-Action Trips		Incremental Trips	
	Inbound	Outbound	Inbound	Outbound	Inbound	Outbound
Development Site 1	-	-	23	31	23	31
Development Site 2	10	8	14	20	4	12
TOTAL	**10**	**8**	**37**	**51**	**27**	**43**

Taking credit for the no-action pedestrian trips associated with the parking lot on Development Site 2, incremental pedestrian trips associated with the proposed action would be as presented in the following table

Transportation -6: Incremental Pedestrians

Development Site	No-Action Trips		With-Action Trips		Incremental Trips	
	Inbound	Outbound	Inbound	Outbound	Inbound	Outbound
Development Site 1	-	-	156	173	156	173
Development Site 2	8	13	26	40	19	26
TOTAL	8	13	182	213	175	199

Level 2 Analysis: Trip Assignment

Since the proposed action would generate vehicular and pedestrian trips in excess of CEQR Technical Manual thresholds, the next step in the analysis is to assign these trips to the surrounding transportation network to see if any individual component of the road network, such as a single intersection, would receive in excess of fifty hourly vehicular trips, or if any individual component of the pedestrian network, such as a crosswalk, sidewalk, or corner, would receive in excess of two hundred hourly pedestrian trips.

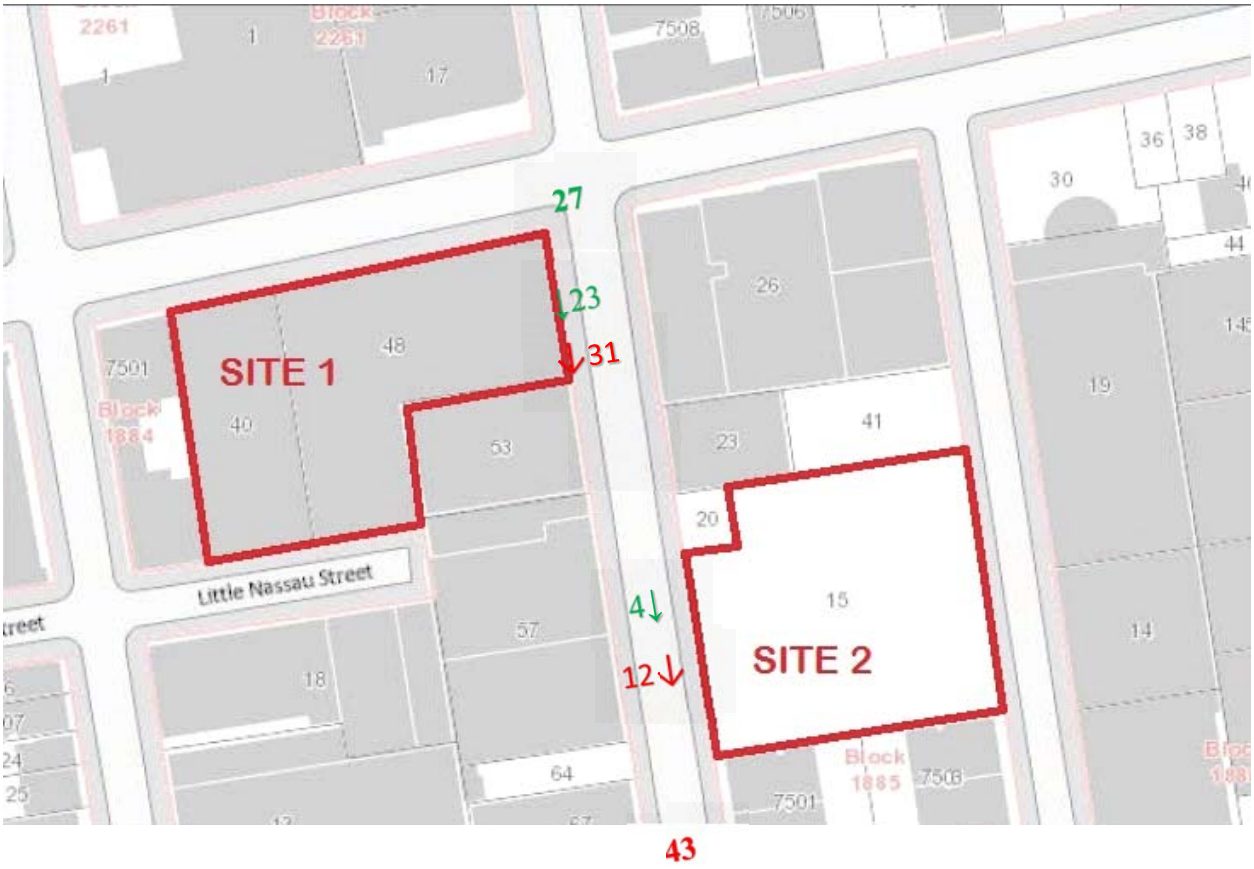
Vehicular Trip Assignment

Incremental trips associated with the proposed development would include residents of the two development sites and shoppers and staff of the retail component on Development Site 1.

Development Site 1's parking facility would be located on the west side of Franklin Avenue south of Flushing Avenue. It is assumed that vehicular trips associated with the site would originate and terminate at this location. Development Site 2's parking facility would be located on the east side of Franklin Avenue midblock between Flushing Avenue and Park Avenue. Franklin Avenue is a one-way southbound street in the project vicinity, and Skillman Street is a one-way northbound street in the project vicinity. Therefore all vehicular trips associated with Development Sites 1 and 2 would arrive from the north and depart to the south. Based on the net vehicular trip generation for each development site, and the access routes to these sites, incremental vehicle trips are presented in the following figure. Arriving trips are shown in green, and departing trips are shown in red. As shown, the proposed action would result in a maximum of 43 additional hourly trips at any intersection, at the intersection of Franklin Avenue

and Park Avenue. Therefore further assessment is not warranted and no impacts related to vehicular traffic are anticipated.

FIGURE TRANSPORTATION-2: INCREMENTAL VEHICULAR TRIPS



Pedestrian Trip Assignment
Incremental trips associated with the proposed development would include residents of the two development sites, visitors and shoppers and staff of the retail component of Development Site 1.

Residents of Development Site 1 would enter and leave via entrances on Franklin Avenue and on Little Nassau Street. Trips associated with the retail component would enter and leave via multiple retail entrances on Flushing Avenue between Kent Avenue and Franklin Avenue. Residents of Development Site 2 would enter and leave via entrances on Franklin Avenue and on Skillman Street. It is assumed that trips associated with the residential components of these developments would be proportional to the number of dwelling units served by the entrances. For Development Site 1, 38% of residential trips would access the site via Little Nassau Street, and 62% via Franklin Avenue. For Development Site 2, 41% of trips would be via Franklin Avenue, and 59% would be via Skillman Street. Trip generation by project component for the net 374 midday pedestrian trips is presented in the following table:

Transportation – 7: Net Pedestrian Trips By Project Component

Development Site 1						Development Site 2			
Flushing Avenue Retail		Little Nassau Residential		Franklin Avenue Residential		Franklin Avenue Residential		Skillman Street Residential	
In	Out	In	Out	In	Out	In	Out	In	Out
121	121	13	21	21	32	8	10	11	16

It was assumed that walk-only trips would be distributed evenly to the north, south, east and west, by the most direct route. For eastbound and westbound trips associated with the midblock development site (Development Site 2) it was assumed that ½ of these trips would travel to the east or west by Flushing Avenue, and ½ by Park Avenue.

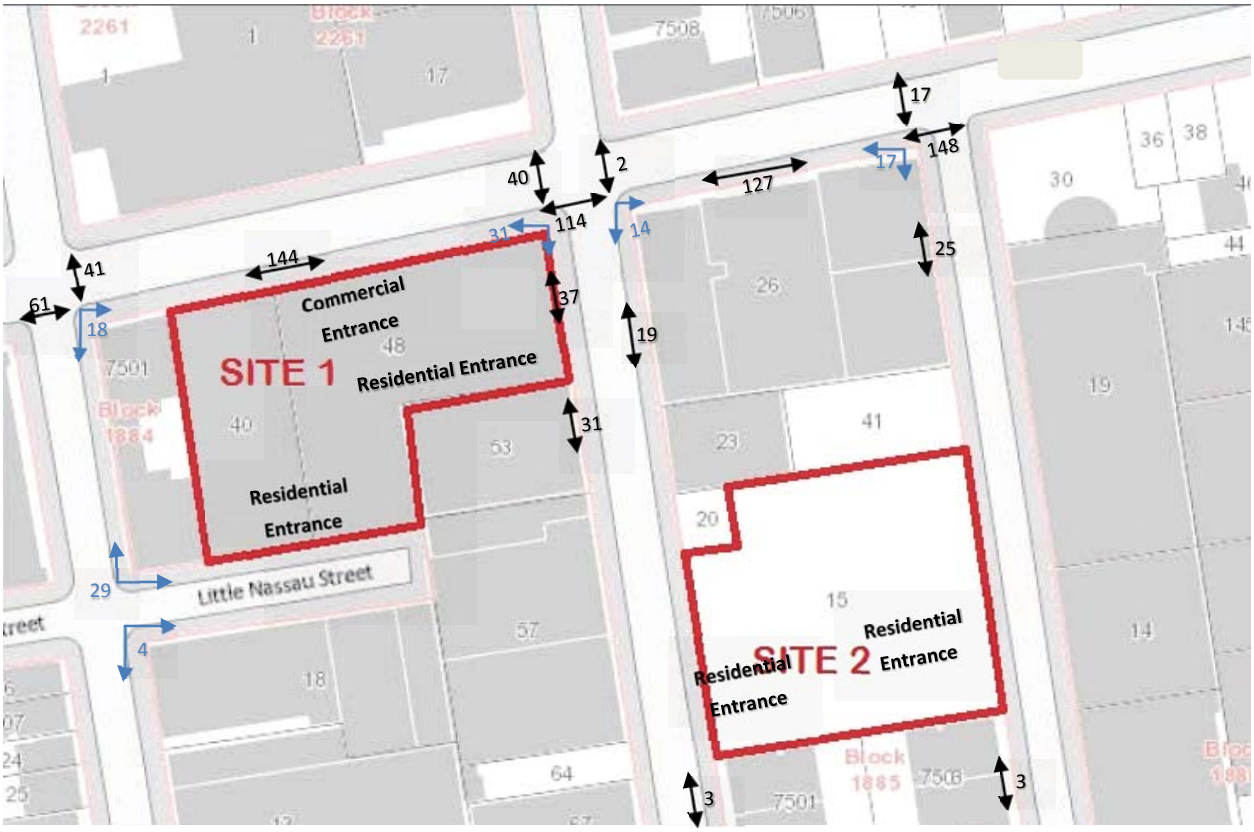
Bus trips would be directed to bus stops along Flushing Avenue. It is assumed that ½ of bus-related trips during the midday analysis period would be to and from westbound stops located on the north side of Flushing Avenue, and ½ would be to and from eastbound stops located on the south side of Flushing Avenue.

It was assumed that all subway trips would be to and from the closest subway station, which is the Flushing Avenue station of the IND G train, located at Flushing and Marcy Avenues. This is a conservative assumption in that it concentrates all subway trips along a single pedestrian route. It is reasonable to expect that some subway trips would actually be to and from the closest station of a route that goes to Manhattan, in this case the Hewes Avenue station of the BMT J and M trains, located at Broadway and Hewes Avenue.

Based on this assignment of the incremental trips generated by the proposed action, the pedestrian location that would receive the greatest number of new trips is the south crosswalk on Flushing Avenue at Skillman Street, which would receive 148 hourly trips. This is below the CEQR Technical Manual threshold of 200 trips. It should be noted that many of these trips are subway trips. As noted above, it was conservatively assumed that all subway trips would be to and from the G train's Flushing Avenue station. To the extent that any subway trips are to and

from other stations, this 148-trip increment would be reduced, and be further below the relevant threshold. Based on this analysis, the proposed action does not have the potential for significant impacts related to pedestrian conditions and no further analysis is warranted.

FIGURE TRANSPORTATION-3: INCREMENTAL PEDESTRIAN TRIPS



Parking

Based on the trip generation assumptions presented above, the proposed project trip generation does not exceed 50 vehicular trips per hour at any location, and consistent with the guidelines presented in the 2014 CEQR Technical Manual, further analysis of the parking system is not warranted. New development would be subject to the parking requirements of the proposed R7A/C2-4 and M1-2/R6A zoning districts.

Air Quality

1. INTRODUCTION

The Proposed Action would facilitate construction of two applicant-owned buildings on two blocks: one 8-story building on Block 1884/Lots 40 and 48 (Development Site 1) and one 7-story building on Block 1885/Lot 15 (Development Site 2) in the Bedford Stuyvesant area of Brooklyn Community District 3. Each of these developments would be served by an accessory parking facility. The Proposed Action would alter land uses in the study area and allow a sensitive (residential) land use in an area where the existing zoning permits only commercial and industrial activity along with some community facility uses.

Air quality, which is a general term used to describe pollutant levels in the atmosphere, would be affected by the Proposed Action as follows:

- The heating, ventilation, and air conditioning (HVAC) emissions of the proposed developments could impact each other (project-on-project impact);
- The HVAC emissions could impact nearby existing sensitive land uses (project-on-existing impact);
- The applicant-owned buildings could be affected by the emissions of nearby industrial sources with toxic air emissions; and
- Emissions generated by vehicles using the proposed parking facilities could impact nearby sensitive land uses.

ANALYSES CONDUCTED

Project-on Project HVAC Analysis

Figure 1 shows the Development Sites. The proposed 7-story building on Development Site 2 is shorter than the 8-story building on Development Site 1 and, as such, could potentially impact the 8-story building.. Accordingly, analysis of the HVAC emissions from Development Site 2 on the building to be built on Development Site 1was conducted.

Project-on-Existing HVAC Analysis -- Impacts on Existing Land Uses

As several existing buildings located within 400 feet of the Development Sites are taller or the same height as the projected buildings, these existing buildings could be impacted by the HVAC emissions from the Development Sites. An analysis was therefore conducted to estimate the potential impacts of the Development Sites' HVAC emissions on existing land uses.

Toxic Facilities Emissions Analysis

As several industrial facilities are located within 400 feet of the Development Sites, an analysis was conducted to estimate whether the potential impacts of the toxic emissions from these industrial facilities have the potential to significantly impact occupants of the Development Sites.

Garage Analysis

An analysis was conducted to estimate whether the potential air quality impacts of the vehicular emissions generated by the vehicles using the proposed garages would be significant.

Mobile Source Analysis

As documented in the Transportation section of this document, induced development from the proposed action would generate fewer than 170 hourly auto trips and fewer than 12 heavy duty diesel vehicle trips. Therefore a mobile source analysis is not warranted.

Figure 1: Buildings on Block 1884 (Development Site 1) and Block 1885 (Development Site 2)



2. PROCEDURES AND METHODOLOGIES

The potential air quality impacts of the HVAC emissions of the proposed developments, the potential industrial-source air toxic impacts on the Development Sites, and the garage-related emissions were estimated following the procedures and methodologies provided in the *2014 New York City Environmental Quality Review Technical Manual (CEQR TM)*.

HVAC ANALYSIS

CEQR Screening Analysis

Project-on-Project Analysis

In accordance with *CEQR* guidance, a screening analysis was conducted as a first step to predict whether the impacts of the HVAC emissions of the Development Sites would have the potential to be significant and therefore require a detailed analysis

CEQR procedures can be used to assess impacts of the building on Development Site 2 (Block 1885/Lot 15) on the taller building on Development Site 1 (Block 1884 Lots 40/48) because these buildings are apart more than 30 feet from each other. The total square footage of the building on Development Site 2 (126,838 gross square feet [gsf]) was used in the analysis. This value was applied on the nomograph on Figure 17-7 of the *CEQR Air Quality Appendix NO_2 Boiler Screen* (Residential Development -- Natural Gas). This nomograph depicts the size of the development versus the distance below which a potential impact could occur, and provides a threshold distance. As required by *CEQR* screening procedures, the 30 foot height curve was applied as this height is closest to but not higher than the maximum height of the 7-story building on Development Site 2 (70-foot).

If the actual distance between a stack and an affected building is greater than the threshold distance for a building size, then that building passes the screening analysis (and no significant impact is predicted). However, if the actual distance is less than the threshold distance for a building, then there is a potential for a significant impact and further analysis would be required.

The result of this analysis is that the minimum distance from lot line of the building on Development Site 2 to the lot line of the taller building on Development Site 1 is approximately 130 feet, which is greater than the threshold distance of 85 feet (as determined using Figure 17-7), indicating that the development passed the screen and that there is no potential for a significant impact to occur.

The results of the screening project-on-project analysis are presented in Table AQ-1.

Table AQ-1: Results of the Screening Project-on-Project Analysis

Site ID	Block/Lot	Floor Area	Bldg. Height	Nearest Building	Potential B on B Impact	Distance to Nearest Building	Threshold Distance	CEQR Nomograph Results	
		sq. ft.	feet			feet	feet	Pass	Fail
Site 2	1885/15	126,838	70	Site 1	Site 2 on Site 1	130	85	Pass	

Site 2 – applicant-owned building on Development Site 2 Block 1885/Lot 15

Project-on-Existing Analysis

A review of existing land uses via the New York City Open Accessible Space Information System (OASIS) Land Use interactive mapping application and Geographic Information System (GIS) shape files shows that four (4) existing residential buildings located within 400 feet of the Development Sites that are taller than or the same height as the projected development. These buildings, which could be impacted by the HVAC emissions of the projected developments, are as follows:

- A 7-story building on Block 2262/Lot 7508;
- An 8-story building on Block 2262/Lot 7505;
- An 8-story building on Block 2262/Lot 7506; and
- A 6-story building on Block 1886/Lot 7506.
- A 5-story building on Block 1884/Lot 67

In addition, based on a review of Google images, it was found that the building on Block 1885 Lot 26 consists of two sections – a lower 5-story section (approximately 55 feet in height) on the south, , and a taller section (approximately 117 feet in height) on the north of Lot 26, facing Flushing Avenue. [This is in contrary with the OASIS GIS application, which identifies this building on Lot 26 as a 5-story building.]

It was conservatively assumed that the Google image contains more current information, and the existing building on Lot 26 was considered as a two-tiered structure -- a 55-foot section and a 117-foot section (which would be taller than both applicant-owned buildings on Development Sites 1 and 2). The 117-foot section could be impacted by the HVAC emissions from both applicant-owned Development Sites 1 and 2.

The screening analysis of the HVAC emissions of the applicant-owned buildings on these existing buildings was conducted using the same *CEQR* screening procedure previously used for the project-on-project analysis.

The total square footage of each of the buildings on Development Sites 1 and 2 was used in the analysis with the nomograph on Figure 17-7. The results of the screening analysis for project-on-existing land uses are presented in Table AQ-2.

Table AQ-2: Results of the Screening Project-on-Existing Analysis

Site ID	Block /Lot	Floor Area	Bldg. Height	Nearest Building	Potential B on B Impact	Distance to Nearest Building	Threshold Distance	CEQR Nomograph Results	
		sq. ft.	feet			feet	feet	Pass	Fail
Site 1	1884/ 40 & 48	176,670	80	8-story EB1 on Block 2262/7505	Site 1 on EB1	302	95	Pass	
				8-story EB1 on Block 2262/7506	Site 1 on EB2	175		Pass	
				11-story EB4 on Block 1885/26	Site 1 on EB4	120		Pass	
Site 2	1885/ 15	126,838	70	8-story EB1 on Block 2262/7505	Site 2 on EB1	280	85	Pass	
				8-story EB2 on Block 2262/7506	Site 2 on EB2	270		Pass	
				7-story EB3 on Block 2262/7508	Site 2 on EB3	267		Pass	
				11-story EB4 on Block 1885/26	Site 2 on EB4	148		Pass	
				5-story EB5 on Block 1884/67	Site 2 on EB5	60			Fail

EB = existing buildings
Site 1 = applicant-owned building on Block 1884 Lot 40 and 48;
Site 2 = applicant-owned building on Block 1885 Lot 15;

As shown in Table AQ-2, the actual distances between existing buildings and both applicant-owned buildings are greater than the threshold distances determined using the nomograph, indicating that all buildings passed the screening analysis and no further detailed analysis is required, with the exception of potential impacts from Site 2 on Existing Building 5, which is located across Franklin Avenue from Site 2. To avoid potential impacts, an [E] Designation would be placed on Site 2 regulating fuel source and stack location. The [E] language is presented below. Therefore, the HVAC emissions of the applicant-owned and non-applicant buildings would not cause significant air quality impacts on existing land uses.

Conclusion of HVAC Analysis

No significant adverse air quality impacts from the HVAC emissions of Development Site 1 (Block 1884/Lots 40 and 48) or Development Site 2 (Block 1885/Lot 15) on project-on-project and project-on-existing land uses would occur with the proposed E-designations which will require exclusive use of natural gas for all sites and would limit the location of exhaust stacks for Development Site 2.

E-Designations for HVAC Exhaust Stacks

E-designation should also be placed on Development Sites 1 and 2 that will require the exclusive use of natural gas in their HVAC systems. This would ensure that the potential impact of the HVAC emissions from the proposed action would not cause exceedances of the *CEQR* $PM_{2.5}$ significant impact criteria or violations of the NAAQS and would therefore have no significant adverse air quality impacts.

Any future construction on Development Site 1 (Block 1884/Lot 40 and 48) would be required to comply with the following (E) designation:

> **Block 1884/Lots 40 and 48: Any new development or enlargement on the above-referenced property must use natural gas as the type of fuel for heating, ventilating, and air conditioning (HVAC). Adherence to these conditions would avoid any potential significant adverse air quality impacts.**

Any future construction on Development Site 2 (Block 1885/Lot 15) would be required to comply with the following (E) designation:

> **Block 1885/Lot 15: Any new development on Block 1885, Lot 15 must exclusively use natural gas as the type of fuel for HVAC systems, and ensure that the heating, ventilating and air conditioning stack(s) is located at least 40 feet away from the lotline facing Franklin Avenue,**

to avoid any potential significant air quality impacts. Adherence to these conditions would avoid any potential significant adverse air quality impacts.

3. ANALYSIS OF TOXIC AIR EMISSIONS FROM EXISTING NEARBY INDUSTRIAL FACILITIES

Emissions of toxic pollutants from the operation of existing industrial facilities located within 400 feet of the Development Sites could affect occupants of new development on these sites. An analysis was therefore conducted to determine whether the potential impacts of these emissions would be significant.

Data Sources

Information necessary to perform this analysis, which includes facility types, source identifications and locations, etc., was obtained from existing DEP air permits and/permit applications (PAs). Data necessary to conduct the air quality analyses were developed using the following procedures:

- The Open Accessible Space Information System (OASIS) mapping and data analysis application together with GIS shape files were used to identify industrial uses within the study area and develop a land use map for the analysis.
- Aerial photographs (via Google Earth) were reviewed.
- A search was performed to identify NYSDEC Title V permits and permits listed in the EPA's Envirofacts database in this study area.
- A formal request for the relevant information, with blocks and lot numbers necessary to identify industrial source permits within 400 feet of the proposed developments was submitted to DEP.
- The data on the toxic facilities received from DEP that were contained in the permits or permit applications (PAs) for the identified facilities were reviewed to determine the types of operations, emission exhaust locations, and pollutant emission rates.
- Field observations were conducted to identify and validate the existence of the permitted facilities and determine if there are any non-permitted facilities currently operating within the study area.

Methodology

Toxic air pollutants can be grouped into two categories: carcinogenic air pollutants, and non-carcinogenic air pollutants. The EPA developed cancer risk guideline values based on compound-specific unit risk factors for carcinogenic pollutants and annual and short-term acute (1-hour) guideline values for non-carcinogenic pollutants.

Consistent with this and following the EPA approach, the NYSDEC has established short-term guideline concentrations (SGCs) and annual guideline concentrations (AGCs) to evaluate short-term and annual impacts of carcinogenic and non-carcinogenic pollutants. These are maximum allowable guideline concentrations that are considered acceptable concentrations below which there should be no adverse effects on the health of the general public. These data are contained in the NYSDEC database (DAR-1). In DAR-1, AGCs for the carcinogenic pollutants is based on cancer risk threshold of one per million (however, no carcinogenic pollutants were identified as being released from facilities under consideration).

In accordance with established procedure to estimate impact of the non-carcinogenic pollutants using NYSDAR-1-based approach, maximum 1-hour and annual estimated concentrations of each pollutant are to be divided by their respective SGCs or AGCs and these ratios (e.g., concentrations to guideline values) are used to determine whether the guideline values are exceeded. If no exceedances are found (respective

ratios are less than 1), no adverse health effects would occur. This approach, together with the use of current 2014 DAR-1 guideline values, was used in the toxic analysis for this project.

Industrial Facilities Considered in the Analysis

The following permits for industrial facilities, which were identified from the permit or permit applications received from DEP, were considered in the analysis (Figure 4):

- Multi Color Ind. Inc. -- located at 791 Kent Ave (Block 1884/Lot 12), with one permit (PA043194); and
- Color Tech Inc. -- located at 347 Flushing Avenue (Block 2260/Lot 35), with two permits (PB046605 and PB045001).
- Silverman-Shaw Inc. -- located at 62 Franklyn Ave (Block 1884/Lot 68), with two permits (PA098974, PA018075);

Multi Color Industries Inc. is involved in the drying of dyed cloth; Color Tech Inc. is involved in textile dyeing; and Silverman-Shaw Inc. is involved in the treatment of steel.

[Seven additional permits were listed in the DEP search-find list (PA077690, PA077790, PA077890, PA077990, PA078090, PA009992, and PA000214). These are for the Hercules Heat Treating Company, which is located at 101 Classon Avenue (Block 1881, Lot 17). However, the distance between this industrial facility and the closest proposed development site (Block 1884/Lot 40) is 482 feet, which is beyond the 400 feet radius area specified in the *CEQR* guidelines. Therefore, emissions from the Hercules Heat Treating Company were not included in this analysis.]

An additional permit was identified for the DEP facility at 350 Flushing Avenue (Block 1882, Lot 1). However this permit is for an emergency generator that is used at Van Cortlandt Park. Accordingly this permit was excluded from the analysis.

Block 1885, Lot 23 is identified as a manufacturing use. However, site visits confirm this lot is used as a retail auto parts store and is not a potential source of industrial emissions.

Pollutants

Multi Color Industries operates 39 internally vented steam-heated industrial tumblers (dryers), with each unit equipped with a fabric lint collector. The pollutant listed in the permit is "particulates mineral," with a Chemical Abstracts Service (CAS) number of NY075-00-1. In the DAR-1 database, the CAS Number for total particulates is NY75-00-0. According to the permit, the control efficiency of the lint filters is 99%. Particles that are not retained by the lint collectors are assumed to be exhausted into the atmosphere through the general ventilation system. Permit PA043194 lists only the uncontrolled emission rate for CAS NY075-00-1 as 0.2 pounds per hour (lb/hr) or 480 lb/year (i.e., control efficiency was not applied). Because particulate emissions for this analysis were considered as $PM_{2.5}$ emissions (as per current NYCDEP/NYCDCP guidance) and because information on the control efficiency for $PM_{2.5}$ is not available, a conservative control efficiency of 70% was assumed to estimate $PM_{2.5}$ emissions rates (as opposed to 99% for total particulates).

Color Tech operates gas-fired textile dryers to remove moisture from the textile process. The CAS number shown in permit PB046605 is CAS 02-732-18-5, which is not listed in the DAR-1 database. The permit application for PB045001 also contains no pollutants or emission rates. However, because the dryers are heated with natural gas, pollutant and emission rates developed using the USEPA AP-42 emission factors for combustion installations were applied. The maximum firing rate for industrial-type dryers was assumed. Four pollutants associated with combustion of natural gas were evaluated – $PM_{2.5}$, NO_2, sulfur dioxide (SO_2), and carbon monoxide (CO).

Silverman-Shaw operates acid tanks. Permit PA018075 lists three pollutants -- sulfuric acid mist (CAS 07664-93-9), acid mist nec (CAS NY103-00-0), and liquid mist nec (CAS NY105-00-0). Permit PA098974 list two pollutants -- acid mist nec (CAS NY103-00-0) and liquid mist nec (CAS NY105-00-0). Neither CAS NY103-00-0 nor CAS NY105-00-0 is listed in the DAR-1 database or have equivalents. However, because it is indicated in the process description that muriatic acid tanks can be used, one of the pollutants that should be considered is hydrochloric acid (or hydrogen chloride [vapors]). Therefore, emission rates listed in these permits for acid mist nec and liquid mist nec were combined together to represent hydrogen chloride emission rates for both permits combined.

Facilities locations permit numbers, type of pollutants, and amounts of emissions listed in the permits for these facilities are provided in Table AQ-3.

Figure 2: Toxic Facilities near Development Sites



Table AQ-3: Air Toxic Permitted Facilities Considered in the Analysis

No	Facility Name	Facility Type	Block	Lot	Address	Permit No.	Emission Type	Pollutant Name	CAS No.	Distance to Sites	Emissions	
											Hourly	Annual
										feet	lb/hr	lb/year
1	**Multi-Color Inc**	Drying of Dyed Cloth	1884	12	791 Kent Ave	**PA043194**	Process Emissions	Particulate	NY075-00-0	184	0.1	240
2	**Silverman Shaw Inc.**	Surface Treatment of Steel	1884	68	62 Franklyn Ave	**PA018075**	Process Emissions	Sulfuric Acid Mist Hydrogen Chloride	07664-93-9 07647-01-0	80	0.015 0.023	24 36
3	**Silverman Shaw Inc.**	Cleaning of Steel Parts	1884	68	62 Franklyn Ave	**PA098974**	Process Emissions	Hydrogen Chloride	07647-01-0	80	0.030	47
4	**Color Tech Inc.**	Textile Processing Natural Gas Firing	2260	35	347 Flushing Ave	**PB045001**	Combustion Emissions	Particulate Sulfur Dioxide Nitrogen Oxides Carbon Monoxide	NY075-00-0 07446-09-5 10102-44-0 00630-08-0	325	0.006 0.0005 0.081 0.068	14.4 1.176 194.4 163.2
5	**Color Tech Inc.**	Textile Processing Natural Gas Firing	2260	35	347 Flushing Ave	PB046605	Combustion Emissions	Particulate Sulfur Dioxide Nitrogen Oxides Carbon Monoxide	NY075-00-0 07446-09-5 10102-44-0 00630-08-0	325	0.006 0.0005 0.081 0.068	14.4 1.176 194.4 163.2

CEQR Screening Analysis

The *CEQR TM* recommends using a screening procedure for industrial emission sources with toxic air pollutants as a first step in analysis. This procedure is based on using pre-tabulated pollutant concentration values based on a generic emission rate of 1 gram per second from Table 17-3, "Industrial Source Screen," of the *CEQR TM* for the applicable averaging time periods. This approach, which can provide maximum short-term and annual average concentration values at various distances (from 30 to 400 feet) from an emission source, was used to assess the potential impacts of the emissions from several of the identified toxic facilities as follows:

Multi Color Industries.

This facility is located 184 feet from Development Site 2 (Block 1885/Lot 15). At this distance, based on a 1 gram per second emission rate (using *CEQR* Table 17-3), the maximum 1-hour and annual concentrations are approximately 3,961 and 199 ug/m^3. These values were then multiplied by the particulate emission rate to estimate the actual maximum particulate concentrations.

Table AQ-4 provides the estimated emission rates and short-term and annual concentrations for Development Sites 1 and 2. Tables AQ-6 through 10 provide the maximum estimated short-term (1-hour) and annual concentration ratios for the Development Sites using the corresponding DAR-1 guideline values (e.g., SGC = 88 ug/m^3 and AGC = 12 ug/m^3). Tables 11 and 12 provide short-term and annual concentration ratios for cumulative impacts.

As the estimated 1-hour and annual concentration ratios are less than the respective SGC and AGC values, particulate emissions passed the screening analysis, and no detailed analysis is warranted.

Color Tech Inc.

This facility is located 325 feet from Development Site 1on Block 1884/Lots 40 and 48. At this distance, based on a 1 gram per second emission rate (using *CEQR* Table 17-3), the maximum 1-hour and annual concentrations are approximately 1,734 ug/m^3 and 75 ug/m^3, respectively. These values were then multiplied by actual emission rate to estimate the actual concentration of pollutants. The distance from this facility to Development Site 2on Block 1885 is greater than 400 feet and, therefore, no significant impacts from this facility on Development Site 2 would occur.

Table AQ-4 provides the estimated emission rates and short-term and annual concentrations at Development Sites 1 and 2. Tables AQ-6 and AQ-7 provide the maximum estimated short-term (1-hour) and annual concentration ratios for the Development Sites. Tables AQ-8 and AQ-9 provide short-term and annual concentration ratios for cumulative impacts.

As the 1-hour and annual ratios of each toxic pollutant concentration to SCG and AGC are less than the respective SGC and AGC values, all pollutants passed the screening analysis, and no detailed analysis for is warranted.

Silverman Shaw Inc.

This facility is located 80 feet from Development Site 2 (Block 1885/Lot 15). At these distances, based on a 1 gram per second emission rate (using *CEQR* Table 17-3), the maximum 1-hour and annual concentrations are approximately 21,043 ug/m^3 and 1,038 ug/m^3. These values were then multiplied by actual emission rate to estimate the actual concentration of pollutants.

Table AQ-4 provides the estimated emission rates and short-term and annual concentrations for Development Sites 1 and 2. Tables AQ-5 tandAQ-6 provide the maximum estimated short-term (1-hour) and annual concentration ratios for the Development Sites. Tables AQ-7 and AQ-8 provide short-term and annual concentration ratios for cumulative impacts.

As the 1-hour and annual ratios of each toxic pollutant concentration to SCG and AGC are less than the respective SGC and AGC values, all pollutants passed the screening analysis, and no detailed analysis is warranted.

Table AQ-4: Pollutant Emission Rates and Estimated Short-Term and Annual Concentrations for Impact on Development Site 2

Permits No.	Pollutant Name	CAS No.	Pollutant Emission Rates				Conc. for 1 g/sec		Actual Conc.	
			Hourly	Annual	Hourly	Annual			Hourly	Annual
			lb/hr	lb/year	g/sec	g/sec	1-hour	Annual	1-hour	Annual
PA043194	Particulates	NY075-02-5	0.060	144	0.0076	0.0021	**3,961**	**199**	29.9	0.412
PB045001	Particulate	NY075-02-5	0.006	14.4	0.0008	0.00021	**1,734**	**75**	1.3	0.015
	Sulfur Dioxide	07446-09-5	0.0005	1.176	0.0001	0.00002			0.1	0.001
	Nitrogen Oxides	10102-44-0	0.081	194.4	0.0102	0.00280			17.7	0.208
	Carbon Monoxide	00630-08-0	0.068	163.2	0.0086	0.00235			14.9	0.175
PB046605	Particulate	NY075-02-5	0.006	14.4	0.0008	0.00021	**1,734**	**75**	1.3	0.015
	Sulfur Dioxide	07446-09-5	0.0005	1.176	0.0001	0.00002			0.1	0.001
	Nitrogen Oxides	10102-44-0	0.081	194.4	0.0102	0.00280			17.7	0.208
	Carbon Monoxide	00630-08-0	0.068	163.2	0.0086	0.00235			14.9	0.175
PA018075	Sulfuric Acid Mist	07664-93-9	0.015	24	0.0019	0.0003	**21,043**	**1,038**	39.8	0.358
	Hydrogen Chloride	07647-01-0	0.023	36	0.0029	0.0005			61.0	0.537
PA098974	Hydrogen Chloride	07647-01-0	0.030	47	0.0038	0.0007			79.5	0.702

Table AQ-5: Estimated 1-hour Concentration Ratios (C_a/SGC) for Impact on Development Site 2

Chemical Name	CAS No.	Max Estimated 1-hour Concentration	SGC	1-hour Concentration Ratios
		($\mu g/m^3$)	($\mu g/m^3$)	
PA043194				
Particulates	NY075-02-5	3.0E+01	88	3.40E-01
PB045001				
Particulate	NY075-02-5	1.31E+00	88	1.49E-02
Sulfur Dioxide	07446-09-5	1.07E-01	197	5.43E-04
Nitrogen Oxides	10102-44-0	1.77E+01	188	9.41E-02
Carbon Monoxide	00630-08-0	1.49E+01	14,000	1.06E-03
PB046605				
Particulate	NY075-02-5	1.31E+00	88	1.49E-02
Sulfur Dioxide	07446-09-5	1.07E-01	197	5.43E-04
Nitrogen Oxides	10102-44-0	1.77E+01	188	9.41E-02
Carbon Monoxide	00630-08-0	1.49E+01	14,000	1.06E-03
PA018075				
Sulfuric Acid Mist	07664-93-9	4.0E+01	120	3.31E-01
Hydrogen Chloride	07647-01-0	6.1E+01	2,100	2.90E-02
PA098974				
Hydrogen Chloride	07647-01-0	8.0E+01	2,100	3.79E-02
Total 1-hour Concentration Ratio				**9.60E-01**

Table AQ-6: Estimated Annual Concentration Ratios (C_a/AGC) for Impact on Development Site 2

Chemical Name	CAS No.	Max Estimated Annual Concentration ($\mu g/m^3$)	AGC ($\mu g/m^3$)	Annual Concentration Ratios
PA043194				
Particulates	NY075-02-5	4.1E-01	12	3.43E-02
PB045001				
Particulate	NY075-02-5	1.54E-02	12	1.29E-03
Sulfur Dioxide	07446-09-5	1.26E-03	N/A	N/A
Nitrogen Oxides	10102-44-0	2.08E-01	100	2.08E-03
Carbon Monoxide	00630-08-0	1.75E-01	N/A	N/A
PB046605				
Particulate	NY075-02-5	1.54E-02	12	1.29E-03
Sulfur Dioxide	07446-09-5	1.26E-03	N/A	N/A
Nitrogen Oxides	10102-44-0	2.08E-01	188	1.11E-03
Carbon Monoxide	00630-08-0	1.75E-01	N/A	N/A
PA018075				
Sulfuric Acid Mist	07664-93-9	3.583E-01	1	3.58E-01
Hydrogen Chloride	07647-01-0	5.374E-01	20	2.69E-02
PA098974				
Hydrogen Chloride	07647-01-0	7.016E-01	20	3.51E-02

Table AQ-7: Estimated Cumulative Short-term Concentration Ratios (C_a/SGC)

Chemical Name	CAS No.	Max Estimated 1-hour Concentration	SGC	1-hour Ratios
		µg/m³	µg/m³	
$PM_{2.5}$	NY075-02-5	6.09E+01	88	6.92E-01
Sulfur Dioxide	07446-09-5	2.14E-01	197	1.09E-03
Nitrogen Oxides	10102-44-0	3.54E+01	188	1.88E-01
Hydrogen Chloride	07647-01-0	1.80E+02	2,100	8.40E-02
Total 1-hour Cumulative Concentration Ratio				**9.66E-01**

Table AQ-8: Estimated Cumulative Annual Concentration Ratios (C_a/AGC)

Chemical Name	CAS No.	Max Estimated Annual Concentration	AGC	Annual Ratios
		µg/m³	µg/m³	
$PM_{2.5}$	NY075-02-5	7.91E-01	12	6.59E-02
Sulfur Dioxide	07446-09-5	2.52E-03	N/A	N/A
Nitrogen Oxides	10102-44-0	4.32E-01	100	4.32E-03
Hydrogen Chloride	07647-01-0	1.55E+00	20	7.76E-02
Total Annual Cumulative Concentration Ratio				**1.48E-01**

Cumulative Air Toxics Analysis

Because four of the same pollutants are emitted from the industrial facilities under these permits, hourly and annual emission rates of each of these pollutants from each permit were added together to estimate cumulative short-term and annual concentration ratios (Table AQ-8 and AQ-9). As these combined ratios are estimated to be less than 1, no significant cumulative impacts are predicted to occur.

$PM_{2.5}$ for Toxic Facilities Analysis

As mentioned above, under the current NYCDEP/NYCDCP approach, maximum pollutant concentrations of particulate matter released from industrial operations should be (in addition to being compared to the 1-hour DAR-1 SGC) considered as $PM_{2.5}$ emissions, and predicted impacts compared to the *CEQR* significant impact thresholds, and total concentrations to the 24-hour $PM_{2.5}$ NAAQS. As such, an analysis using the EPA AERMOD model was conducted to estimate potential cumulative 24-hour $PM_{2.5}$ impacts. $PM_{2.5}$ emissions from each of the three facilities under permits PA043194, PB045001, and PB046605 were therefore modeled in one modeling run.

Because the facilities are located apart from each other, one representative source was conservatively located on the roof of the facility (on Block 1884/Lot 12) located at the closest facility to Development Site 2 (Block 1884 Lot 15). Parameters of this source were approximated based on the permit information.

The results of these analyses are that the maximum cumulative 24-hour $PM_{2.5}$ impact from all three facilities is estimated to be 6.4 ug/m^3, which is less than the CEQR significant impact criteria of 6.55 ug/m^3. The maximum estimated 24-hr $PM_{2.5}$ total concentration, with the added background concentration of 21.9 ug/m^3, is also less than the 24-hour $PM_{2.5}$ NAAQS of 35 ug/m^3.

Results of the Air Toxics Analysis

The result of the toxic analysis is that emissions from the existing industrial sources of the toxic air pollutants currently operating in the study area would not cause exceedances of the SGCs, AGCs, and applicable NAAQS and, as such, would not significantly impact the applicant-owned and non-applicant developments.

4. PARKING GARAGE ANALYSIS

Parking Facilities

Two parking facilities are also proposed -- one is at Development Site 1 on the west side of Franklin Avenue south of Flushing Avenue and the second at Development Site 2 on the east side of Franklin Avenue midblock between Flushing Avenue and Park Avenue. The parking facility at Projected Development Site 1, associated with the highest number of project-generating trips, was selected as the worst-case facility for the analysis, and all vehicular trips associated all the Development Sites were conservatively assigned to this site. Generated trips include both residential and commercial components.

Emissions from the vehicles using the proposed parking garage could potentially affect pollutant levels at nearby sensitive land uses. An analysis was therefore conducted, in accordance with guidelines provided in the City Environmental Quality Review Technical Manual (*CEQR TM)* for parking facilities, to estimate whether the potential air quality impacts of these emissions would be significant.

Traffic and Design Parameters

Based on the net vehicular trip generation estimated for each development site, and the access routes to these sites, incremental vehicle trips were developed (Table AQ-9). As shown, the Proposed Action would result in a maximum number of eighty-two (82) hourly trips -- 32 inbound and 50 outbound.

It is assumed that the proposed 84-space parking garage will be totally enclosed and equipped with a mechanical ventilation system. Garage parameters (total floor area, lengths, width) were obtained from the proposed garage plan.

One exhaust vent, located near the garage entry from Franklyn Avenue, was conservatively assumed for the analysis. A pedestrian-height receptor on the near sidewalk on Franklyn Avenue was assumed to be approximately 5 feet from the garage and the far sidewalk receptor across the avenue was approximately 45 feet from the garage. To estimate cumulative impacts from the garage exhaust and on-street mobile sources at the near and far sidewalks, emissions from background traffic in the vicinity of garage were added to the emissions of the vehicular trips generated by the garage. Traffic data for this analysis were obtained from traffic counts conducted for the project's noise study. The traffic volumes on Flushing Avenue, which is two-way street, was estimated to be approximately 244 vehicles per hour and on Franklyn Avenue, which is a one-way southbound street, to be approximately 116 vehicles per hour. These volumes were modeled to estimate contributions from on-street vehicular traffic.

Figure 2: Development Sites



Table AQ-9: Project-Generating Incremental Hourly Vehicular Trips

Development Site	No-Action Trips		With-Action Trips		Incremental Trips	
	Inbound	Outbound	Inbound	Outbound	Inbound	Outbound
Development Site 1	-	-	23	31	23	31
Development Site 2	10	8	14	20	4	12
TOTAL	**10**	**8**	**37**	**51**	**27**	**43**

Methodology

The pollutants of concern for parking facilities are carbon monoxide (CO) and particulate matter smaller than 2.5 microns ($PM_{2.5}$). This analysis was conducted following guidelines provided in the *CEQR TM Appendices* for parking facilities.

The proposed garage would be a totally enclosed facility with mechanical ventilation system. To estimate pollutant concentrations, the garage's exhaust vent was analyzed as a "virtual point source" using the computational procedure provided in EPA's Workbook of Atmospheric Dispersion Estimates (AP-26), as referenced in the *CEQR TM* on Page 17-30. This methodology estimates concentrations at various distances from the vent (using appropriate initial horizontal and vertical dispersion coefficients) assuming that the concentrations within the garage are equal to the concentrations in the vent exhaust.

In accordance with CEQR guidance, pollutant concentrations were estimated at locations on the near and far pedestrian sidewalks to ensure that the maximum cumulative effects from on-street traffic and garage emissions are estimated. Concentrations were also estimated at a window receptor located directly above the vent.

Contributions from on-street CO and $PM_{2.5}$ vehicular emissions at these receptor locations were calculated through dispersion modeling analyses using EPA's AERMOD dispersion model, which is currently recommended by EPA for mobile source (intersection or highway) modeling, and these values were added to garage-generated impacts and appropriate background levels to estimate the total cumulative pollutant concentrations.

Pollutant concentrations within the garage were calculated assuming a minimum ventilation rate, as per New York City Building Code requirements, of 1 cubic foot per minute of fresh air per gross square foot of garage area.

To determine compliance with the 8-hour CO National Ambient Air Quality Standard (NAAQS) and the 24-hour $PM_{2.5}$ *CEQR* significant incremental impact criteria, maximum CO concentrations were predicted for an 8-hour averaging period and maximum $PM_{2.5}$ concentrations were predicted for a 24-hour time period.

The 24-hour $PM_{2.5}$ *CEQR* significant incremental impact criteria was estimated as half the difference between NAAQS of 35 ug/m^3 and the applicable $PM_{2.5}$ background concentration which was developed from monitoring data collected by the NYSDEC at Brooklyn JHS monitoring station which is the average of 98th percentile for the last 3-years (2012-2014).

As the 3-year 98% percentile of 24-hour $PM_{2.5}$ background concentrations is 21.9 ug/m^3, half the difference between NAAQS of 35 ug/m^3 and 21.9 ug/m^3 is 6.5 ug/m^3. This incremental value was used as the threshold level to determine whether the $PM_{2.5}$ garage emissions together with on-site mobile source emissions could

cause exceedances of *CEQR* significant impact criteria.

Emission Factors

The EPA MOVES2014 emission factor algorithm was used to estimate CO and $PM_{2.5}$ emission factors for entering, exiting, and idling vehicles within the garage, and vehicles travelling on nearby streets. Vehicles exiting the garage were assumed to idle for one minute before departing, and the speed within the garage was assumed to be 5 miles per hour (mph). Speeds on the Flushing and Franklyn avenues were assumed to be 25 mph.

Emission factors from MOVES expressed in grams/vehicle-mile for moving vehicles and grams per hour for idling vehicles were used to estimate pollutant concentrations from garage exhaust on near sidewalk and window receptors and model CO and $PM_{2.5}$ emissions from on-street traffic with the AERMOD dispersion model to estimate cumulative impact.

Modeling inputs for inspection/maintenance, fuel supply and formulation, age distribution, links source type, meteorology, etc., were all provided by the NYCDCP for the borough of Brooklyn. Traffic links for vehicles travelling in the vicinity of the garage were developed based on available traffic data. Running exhaust and crankcase running exhaust for $PM_{2.5}$, including brake and tire wear emissions, were all included in the emission factors estimates. Fugitive dust emission factors for $PM_{2.5}$ (i.e., from the re-entrainment of particles off the ground) were then added to the emission factors calculated by MOVES.

Fugitive dust emissions were estimated using equations from Section 13.2.1-3 of EPA's AP-42 for roadways with more than 5,000 vehicles a day, which is applicable for roadways in the vicinity of the garage. The formulas are based on an average fleet weight, which varies according to the vehicular mix for a given roadway, and a silt loading factor. A silt loading factor of 0.1 g/m^2, applicable for principal and minor urban arterials roads, was used, as recommended by the *CEQR TM*.

Even though full build out from the rezoning is anticipated to take place in 2025, the 2020 year was conservatively assumed as the project's Build year to estimate pollutant emission factors using the MOVES model. The MOVES model was run for the peak PM period of the 2020 year.

Post-processing was conducted using the MOVES MySQL Workbench data management software application to extract CO and $PM_{2.5}$ emission factors from MOVES output for each link included in the analysis. These emission factors, together with traffic hourly volumes on each link, were used to model nearby roadway links in the AERMOD dispersion analysis.

Dispersion Analysis

The AERMOD dispersion model was used to estimate CO and $PM_{2.5}$ contribution from the vehicular traffic on the nearby roadway links as components of the total predicted pollutant concentrations. AERMOD is currently recommended by EPA as preferred model to estimate concentration from vehicular traffic at intersections, highways, by simulating them as a line or series of volume sources. One of the advantages of using AERMOD over the previously used CAL3QHCR for mobile source modeling is associated with the ability to use five (5) consecutive years on meteorological data in one modeling run and obtain maximum concentrations over the 5-years period.

Traffic links were modeled as series of adjacent volume sources. Inputs to the model included total emission rates in grams per second, link coordinates, adjusted road widths, and volume source heights. Total emission rates were estimated based on MOVES emissions factors in grams per vehicle-mile, length of the roadway link, and number of vehicles traveling on the link. Based on total emission rates and road widths, the model equally distributes emission rates over each volume source comprised the link together and assigned the initial lateral and vertical dispersion parameters. Meteorological data from LaGuardia Airport for 2010-2014 consecutive years were used for this analysis.

Concentrations were estimated for receptors at the near and the far sidewalks near the proposed parking garage and at window above the exhaust vent. The vent was assumed to be 12 feet above the ground and the window above the vent to be 5 feet higher than the vent (17 feet). A pedestrian on the near sidewalk was assumed to be 5 feet from the garage vent while a pedestrian standing on the far sidewalk across Franklyn Avenue was approximately 43 feet from the vent.

The analysis for estimating pollutant concentrations was conducted based on the computational procedures provided in the *CEQR TM* referenced spreadsheets that include garage dimensions and total parking area, vent height(s), receptor distances from the vent, number of vehicles entering and exiting garage, emission factors for moving and idling vehicles, and pre-tabulated dispersion parameters to estimate concentration at the near and far sidewalks and windows above the vent. CO and $PM_{2.5}$ concentrations from the on-street mobile sources were added to garage impacts on far sidewalk receptors and the total CO and $PM_{2.5}$ cumulative concentrations were estimated by adding together the contributions from the garage exhaust vent, on-street sources, and background levels. The maximum estimated total 8-hour CO concentration was compared to the 8-hour CO NAAQS of 9 ppm and the maximum estimated 24-hour $PM_{2.5}$ impact was compared to the $PM_{2.5}$ significant incremental impact threshold.

All modeling inputs and emission factors determined by the MOVES model, as well as spreadsheets with estimated CO and $PM_{2.5}$ concentrations within the garage; at windows above the vent; near and far sidewalks, and on-street traffic as well as the cumulative pollutant concentrations at these locations are provided in the back-up documentation for this project.

Results of the Garage Analysis

The results of the garage analyses are summarized in Table AQ-10. As shown, the maximum estimated total 8-hour CO concentrations are 1.2 ppm at the near sidewalk, the far sidewalk, and the window above the vent, respectively. This value is all less than the 8-hour CO NAAQS of 9 ppm. The maximum $PM_{2.5}$ impact at these locations is also less than the *CEQR* significant incremental impact threshold of 6.5 ug/m^3. It should be noted that the $PM_{2.5}$ impacts from garage-generated vehicular traffic are substantially less than the impacts from the emissions of the on-street traffic.

The result of this analysis is that garage emissions, together with on-street mobile source emissions, would not cause a significant adverse air quality impact.

5. CONCLUSION

The result of this analysis for the Proposed Action is that:

- The HVAC emissions from Development Sites using natural gas-fired boilers would not cause significant air quality impacts with required E-designations:
- The emissions from nearby industrial facilities would not significantly impact the Development Sites;
- The emissions from the proposed parking facilities would not cause significant air quality impacts.

Table AQ-10: Estimated Cumulative Pollutant Concentrations from Garage and On-Street Mobile Source Emissions

Vent near Garage Facing Franklyn Avenue

CO Analysis	CO Concentrations		
	Near Sidewalk	**Far Sidewalk**	**Window Above**
Distance to Vent (feet)	5	43	5
Vent height (feet)	12	12	12
Receptor Height (feet)	6	6	17
Averaging Period	**8-hour**	**8-hour**	**8-hour**
Garage CO (ppm)	0.11	NA	0.12
Line Source (ppm)	NA	0.1029	NA
Background Value (ppm)	1.1	1.1	1.1
Total Concentration (ppm)	1.2	1.2	1.2
NAAQS, CO (ppm)	9	9	9
Significant Impact?	**No**	**No**	**No**

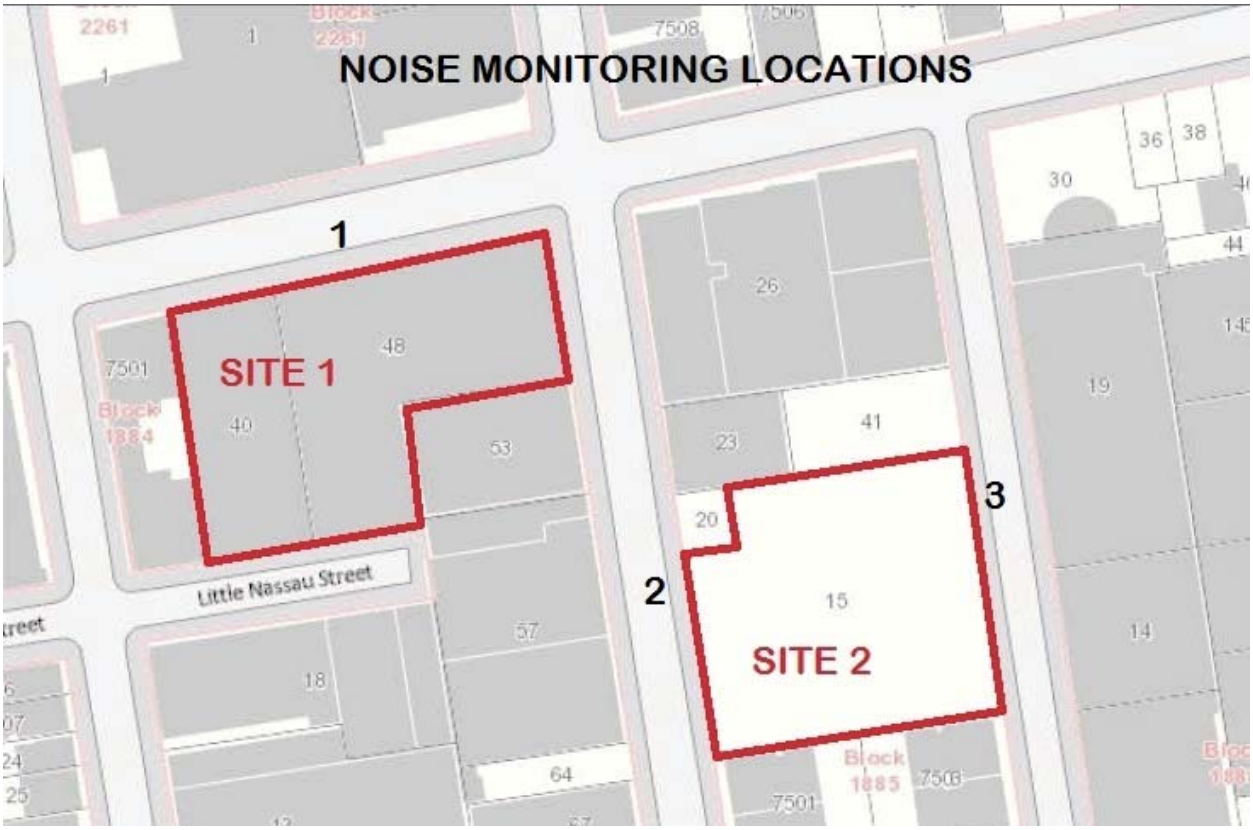
Vent near Garage facing Franklyn Avenue

	$PM_{2.5}$ Impact		
	Near Sidewalk	**Far Sidewalk**	**Window Above**
Distance to Vent (feet)	5	43	5
Vent height (feet)	12	12	12
Receptor Height (feet)	6	6	17
Averaging Period	**24-hour**	**24-hour**	**24-hour**
Garage $PM_{2.5}$ (ug/m^3)	0.0043	NA	0.0026
Line Source (ug/m^3)	NA	1.50	NA
Background Value (ug/m^3)	NA	NA	NA
Total Impacts (ug/m^3)	0.0043	1.50	0.0026
CEQR Significant Impact Criteria (ug/m^3)	6.5	6.5	6.5
Significant Impact?	**No**	**No**	**No**

Noise

Introduction

The proposed action would allow for redevelopment of two development sies in the Bedford Stuyvesant section of Brooklyn. The applicant's development sites consist of Block 1884, Lots 40 and 48, on the south side of Flushing Avenue west of Franklin Avenue, identified as Site 1 in the figure below, and Block 1885, Lot 15, a through-lot south of Flushing Avenue extending from Franklin Avenue to Skillman Street, identified as Site 2. A figure identifying the Development Sites and the noise monitoring locations is provided below.



The Affected Area is located in the Bedford Stuyvesant neighborhood of Brooklyn, New York. Vehicular traffic is the predominant source of noise, and therefore the proposed development warrants an assessment of the potential for adverse effects on project occupants from ambient noise. The proposed and projected development would not create a significant noise generator. Additionally, project-generated traffic would not double vehicular traffic on nearby roadways, and therefore would not result in a perceptible increase in vehicular noise. This noise assessment is limited to an assessment of ambient noise that could adversely affect occupants of the development.

Flushing Avenue is a two-way east/westbound street and local truck work connecting to the Brooklyn Queens Expressway several blocks west of the Affected Area. Franklin Avenue is a southbound street and Skillman Street is a northbound street. The intersections of Flushing

Avenue with Franklin Avenue and Flushing Avenue with Skillman Street are controlled by traffic signals. The area in which the Development Sites are located is developed primarily with a mix of mid-rise residential apartment buildings, community facilities such as schools, as well as commercial and industrial facilities.

Framework of Noise Analysis

Noise is defined as any unwanted sound, and sound is defined as any pressure variation that the human ear can detect. Humans can detect a large range of sound pressures, from 20 to 20 million micropascals, but only those air pressure variations occurring within a particular set of frequencies are experienced as sound. Air pressure changes that occur between 20 and 20,000 times a second, stated as units of Hertz (Hz), are registered as sound.

Because the human ear can detect such a wide range of sound pressures, sound pressure is converted to sound pressure level (SPL), which is measured in units called decibels (dB). The decibel is a relative measure of the sound pressure with respect to a standardized reference quantity. Because the dB scale is logarithmic, a relative increase of 10 dB represents a sound pressure that is 10 times higher. However, humans do not perceive a 10-dB increase as 10 times louder. Instead, they perceive it as twice as loud. The following Table Noise-1 lists some noise levels for typical daily activities.

Table Noise-1: Noise Levels of Common Sources

Table 19-1 Noise Levels of Common Sources	
Sound Source	**SPL (dB(A))**
Air Raid Siren at 50 feet	120
Maximum Levels at Rock Concerts (Rear Seats)	110
On Platform by Passing Subway Train	100
On Sidewalk by Passing Heavy Truck or Bus	90
On Sidewalk by Typical Highway	80
On Sidewalk by Passing Automobiles with Mufflers	70
Typical Urban Area	60-70
Typical Suburban Area	50-60
Quiet Suburban Area at Night	40-50
Typical Rural Area at Night	30-40
Isolated Broadcast Studio	20
Audiometric (Hearing Testing) Booth	10
Threshold of Hearing	0
Notes: A change in 3dB(A) is a just noticeable change in SPL. A change in 10 dB(A) Is perceived as a doubling or halving in SPL.	
Source: 2014 CEQR Technical Manual	

Sound is often measured and described in terms of its overall energy, taking all frequencies into account. However, the human hearing process is not the same at all frequencies. Humans are less sensitive to low frequencies (less than 250 Hz) than mid-frequencies (500 Hz to 1,000 Hz) and are most sensitive to frequencies in the 1,000- to 5,000-Hz range. Therefore, noise measurements are often adjusted, or weighted, as a function of frequency to account for human perception and sensitivities. The most common weighting networks used are the A- and C-weighting networks. These weight scales were developed to allow sound level meters, which use filter networks to approximate the characteristic of the human hearing mechanism, to simulate the frequency sensitivity of human hearing. The A-weighted network is the most commonly used, and sound levels measured using this weighting are denoted as dBA. The letter "A" indicates that the sound has been filtered to reduce the strength of very low and very high frequency sounds, much as the human ear does. C-weighting gives nearly equal emphasis to sounds of most frequencies. Mid-range frequencies approximate the actual (unweighted) sound level, while the very low and very high frequency bands are significantly affected by C-weighting.

The following is typical of human response to relative changes in noise level:

- 3-dBA change is the threshold of change detectable by the human ear;
- 5-dBA change is readily noticeable; and
- 10-dBA change is perceived as a doubling or halving of the noise level.

The SPL that humans experience typically varies from moment to moment. Therefore, various descriptors are used to evaluate noise levels over time. Some typical descriptors are defined below.

- L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating SPLs is averaged over time to create a single number to describe the mean energy, or intensity, level. High noise levels during a measurement period will have a greater effect on the L_{eq} than low noise levels. L_{eq} has an advantage over other descriptors because L_{eq} values from various noise sources can be added and subtracted to determine cumulative noise levels.
- $L_{eq(24)}$ is the continuous equivalent sound level over a 24-hour time period.

The sound level exceeded during a given percentage of a measurement period is the percentile-exceeded sound level (L_X). Examples include L_{10}, L_{50}, and L_{90}. L_{10} is the A-weighted sound level that is exceeded 10% of the measurement period.

The decrease in sound level caused by the distance from any single noise source normally follows the inverse square law (i.e., the SPL changes in inverse proportion to the square of the distance from the sound source). In a large open area with no obstructive or reflective surfaces, it is a general rule that at distances greater than 50 feet, the SPL from a point source of noise drops off at a rate of 6 dB with each doubling of distance away from the source. For "line" sources, such as vehicles on a street, the SPL drops off at a rate of 3 dBA with each doubling of the distance from the source. Sound energy is absorbed in the air as a function of temperature, humidity, and the frequency of the sound. This attenuation can be up to 2 dB over 1,000 feet. The drop-off rate also

will vary with both terrain conditions and the presence of obstructions in the sound propagation path.

Measurement Location and Equipment

Because the predominant noise source in the Affected Area is vehicular traffic, noise monitoring was conducted during peak vehicular travel periods, 8:00-9:00 am, 12:00 pm-1:00 pm, and 5:00-6:00 pm. Pursuant to CEQR Technical Manual methodology, readings were conducted for 20-minute periods during each peak hour. Noise monitoring was conducted using a Type 2 Larson-Davis LxT2 sound meter, with wind screen. The monitor was placed on a tripod at a height of approximately three feet above the ground, away from any other surfaces. The monitor was calibrated prior to and following each monitoring session. Because the affected area contains multiple Projected Development Sites on two blocks, three frontages were monitored. As indicated on the figure above, monitoring was conducted on Flushing Avenue adjacent to Development Site 1, Franklin Avenue adjacent to the western frontage of Development Site 2, and on Skillman Street adjacent to the eastern frontage of Development Site 2.

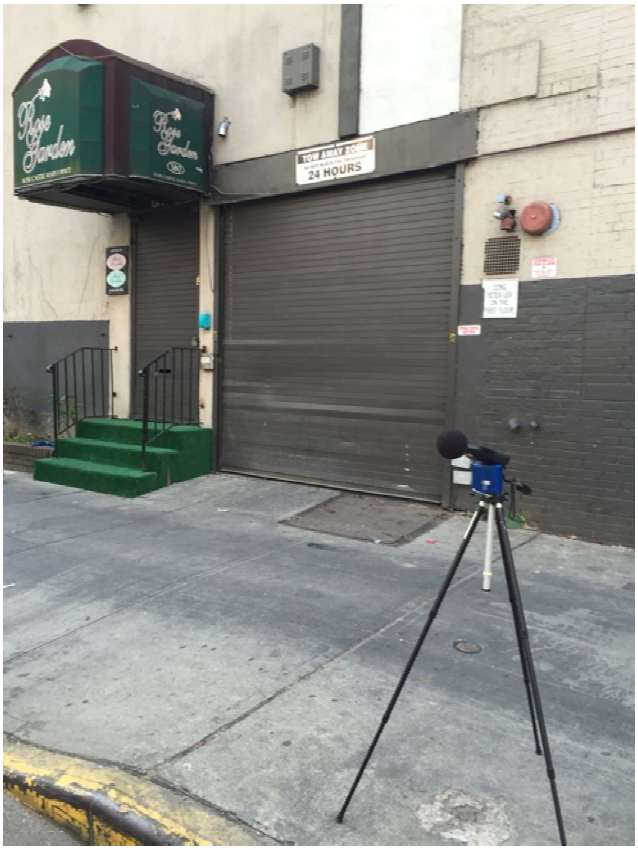


Photo 1: Flushing Avenue monitoring location



Photo 2: Franklin Avenue monitoring location



Photo 3: Skillman Street monitoring location

Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Wednesday, November 19, 2015. The weather was clear and wind speeds were moderate throughout the day. Light construction at the property across Flushing Avenue from Development Site 1, loading and unloading of vehicles as well as frequent heavy truck traffic and a manufacturer of building materials adjoining Development Site 1 contributed a significant amount of noise during this study. Traffic volumes and vehicle classification were documented during the noise monitoring. The sound meter was calibrated before and after each monitoring session.

Existing Conditions

Based on the noise measurements taken within the Affected Area, the predominant source of noise in the area is commercial vehicular traffic and adjoining/nearby manufacturing establishments. The volume of traffic, and its corresponding level of noise, is heavy on Flushing Avenue, moderate on Franklin Avenue and light on Skillman Street. Table Noise-2 contains the results for the measurements taken at the monitoring locations adjacent to the Development Sites.

Table Noise-2 (1 of 3): Noise Levels at Flushing Avenue

	Wednesday, November 18, 2015		
	8:10 - 8:33 am	12:00 - 12:25 pm	5:01 - 5:23 pm
L_{max}	93.2	87.1	94.6
L_5	79.6	75.8	78.5
L_{10}	**77.3**	**73.9**	**76.3**
L_{eq}	74.6	70.1	73.9
L_{50}	70.3	67.2	68.9
L_{90}	62.5	62.6	63.2
L_{min}	58.2	58.9	58.5

Table Noise-2 (2 of 3): Noise Levels at Franklin Avenue

	Wednesday, November 18, 2015		
	8:44 – 9:06 am	12:28 - 12:50 pm	5:27 - 5:49 pm
L_{max}	85.6	93.1	102.3
L_5	75.3	76.9	71.1
L_{10}	**72.5**	**72.3**	**68.4**
L_{eq}	69.9	71.9	65.3
L_{50}	67.6	64.1	62.3
L_{90}	60.3	59.2	57.5
L_{min}	57.0	56.6	55.3

Table Noise-2 (3 of 3): Noise Levels at Skillman Street

	Wednesday, November 18, 2015		
	9:13- 9:34am	12:21 - 12:41 pm	5:54 - 6:18 pm
L_{max}	98.8	77.5	84.0
L_5	73.8	67.3	69.3
L_{10}	**72.1**	**63.2**	**65.1**
L_{eq}	72.0	61.1	64.0
L_{50}	60.7	55.1	55.9
L_{90}	53.7	52.7	52.8
L_{min}	51.2	51.0	51.6

Table Noise-3 (1 of 3): Traffic Volumes and Vehicle Classifications for AM study (20-minute counts for duration of each monitoring session)

	Flushing Avenue	**Franklin Avenue**	**Skillman Street**
Car/ Taxi	73	36	4
Van/Lt. Truck/SUV	123	66	10
Heavy Truck	32	5	0
Bus	16	9	15

Table Noise-3 (2 of 3): Traffic Volumes and Vehicle Classifications for Noon study (20-minute counts for duration of each monitoring session)

	Flushing Avenue	**Franklin Avenue**	**Skillman Street**
Car/ Taxi	63	34	7
Van/Lt. Truck/SUV	85	53	14
Heavy Truck	48	8	1
Bus	3	2	0

Table Noise-3 (3 of 3): Traffic Volumes and Vehicle Classifications for PM study (20-minute counts for duration of each monitoring session)

	Flushing Avenue	**Franklin Avenue**	**Skillman Street**
Car/ Taxi	74	39	7
Van/Lt. Truck/SUV	120	60	19
Heavy Truck	18	3	2
Bus	13	6	3

No-Action Noise Levels

Development under the proposed action is expected to occur over a ten-year period for
In addition to creating new sensitive land uses that may be affected by ambient noise, the proposed action would result in development that generates new vehicular traffic. To determine how project-generated traffic would affect ambient noise levels as experienced by occupants of action-induced development, a proportionality analysis was performed. This analysis accounts

for the increase in Passenger Car Equivalents that may occur in the future. Because the peak period for action-generated traffic is the midday period, that period was selected for this analysis.

Based on the vehicle counts and classifications conducted concurrently with noise monitoring, the Passenger Car Equivalents (PCEs) at each location were determined. Section 19-332 of the CER Technical Manual identifies the Passenger Car Equivalent for each vehicle type. These PCEs follow:

- Each Automobile or Light Truck: 1 Noise PCE
- Each Medium Truck: 13 Noise PCEs
- Each Bus: 18 Noise PCEs
- Each Heavy Truck: 47 Noise PCEs

Based on these factors, the one-hour Existing Conditions PCEs at each location during the AM, Midday, and PM monitoring periods are as follows:

1)	Noise Location 1 – Flushing Avenue	AM	5,964 PCEs
		Midday	7,374 PCEs
		PM	3,822 PCEs
2)	Noise Location 2 – Franklin Avenue	AM	1,497 PCEs
		Midday	1,497 PCEs
		PM	1,044 PCEs
3)	Noise Location 3 – Skillman Street	AM	852 PCEs
		Midday	204 PCEs
		PM	522 PCEs

Noise monitoring was conducted in November of 2015. Since a build year of 2026 was considered for this project, a projection of increased traffic by that year was made to determine no-action noise levels. There are no known development in the area that would contribute traffic to the locations where noise monitoring was conducted. To determine background traffic increases, an annual background growth rate of 0.5% per year was assumed for years 1-5, and a growth rate of 0.25% per year for was assumed for years 6 and beyond, consistent with Table 16-4 of the CEQR Technical Manual.

One Hour No-Action PCEs for the AM, Midday, and PM Peak Period at each location for the analysis year would be as follows:

1)	Noise Location 1 – Flushing Avenue	AM	8,402 PCEs
		Midday	10,388 PCEs
		PM	5,384 PCEs
2)	Noise Location 2 – Franklin Avenue	AM	2,109 PCEs
		Midday	2,109 PCEs
		PM	1,471 PCEs
3)	Noise Location 3 – Skillman Street	AM	1,200 PCEs
		Midday	287 PCEs
		PM	735 PCEs

To determine no-action noise levels, the following formula is used:

FNA NL =10 log (NA PCE/E PCE) + E NL
where:
FNA NL = Future No Action Noise Level
NA PCE = No Action PCEs
E PCE = Existing PCEs
E NL = Existing Noise Level

The existing L_{10} noise levels at the three monitoring locations were:

1)	Noise Location 1 – Flushing Avenue	AM	77.3 dB
		Midday	73.9 dB
		PM	76.3 dB
2)	Noise Location 2 – Franklin Avenue	AM	72.5 dB
		Midday	72.3 dB
		PM	68.4 dB
3)	Noise Location 3 – Skillman Street	AM	72.1 dB
		Midday	63.2 dB
		PM	65.1 dB

The resulting calculated value for No Action noise is

1)	Noise Location 1 – Flushing Avenue	AM	78.8 dB
		Midday	75.4 dB
		PM	77.8 dB
2)	Noise Location 2 – Franklin Avenue	AM	74.0 dB
		Midday	73.8 dB
		PM	69.9 dB
3)	Noise Location 3 – Skillman Street	AM	73.6 dB
		Midday	64.7 dB
		PM	66.6 dB

In all cases, no-action traffic growth would result in an increase in noise level of 1.5 decibels or less.

With-Action Noise Levels

To document With Action noise levels, the noise contribution of project-related traffic is added to the no-action noise, using the following formula.

FWA NL =10 log (WA PCE/NA PCE) + NA NL
where:
FWA NL = Future No Action Noise Level
WA PCE = With Action PCEs
NA PCE = No Action PCEs
NA NL = No Action Noise Level

Based on the trip generation analysis performed for this project, action-induced development would result in the following incremental traffic at the three monitoring locations, accounting for traffic associated with existing uses that would be displaced by new development:

1)	Noise Location 1 – Flushing Avenue	AM	-8 vehicles, 37 PCEs accounting for trucks
		Midday	24 vehicles, 24 PCEs
		PM	39 vehicles, 39 PCEs
2)	Noise Location 2 – Franklin Avenue	AM	41 vehicles, 87 PCEs accounting for trucks
		Midday	31 vehicles, 31 PCEs
		PM	10 vehicles, 10 PCEs
3)	Noise Location 3 – Skillman Street	AM	0 vehicles, 0 PCEs
		Midday	0 vehicles, 0 PCEs
		PM	0 vehicles, 0 PCEs

By adding these trips to the no-action condition, the following With-action noise levels would occur.

The resulting calculated value for With Action noise is

1)	Noise Location 1 – Flushing Avenue	AM	78.8 dB
		Midday	75.4 dB
		PM	77.8 dB
2)	Noise Location 2 – Franklin Avenue	AM	74.2 dB
		Midday	73.9 dB
		PM	69.9 dB
4)	Noise Location 3 – Skillman Street	AM	73.6 dB
		Midday	64.7 dB
		PM	66.6 dB

Conclusions

The 2014 *CEQR Technical Manual* Table 19-2 contains noise exposure guidelines. For a residential use such as would occur under the proposed action, an L_{10} of between 65 and 70 dB(A) is identified as marginally acceptable general external exposure. The highest recorded L_{10} at the Flushing Avenue monitoring location was 77.3 during the morning period, and the highest calculated with-action noise level is 78.8. The highest recorded L_{10} at the Franklin Avenue monitoring location was 72.5 during the morning period, and the highest calculated with-action noise level is 74.2. The highest recorded L_{10} at the Skillman Street monitoring location was 72.1 during the morning period and the highest calculated with-action noise level is 73.6.

According to the CEQR technical manual, window-wall noise attenuation would be required on all frontages of Projected Development Site 1 due to the marginally unacceptable noise results produced from this study.

According to Table 19-3 of the 2014 CEQR Technical Manual, an ambient noise level of between 78 and 80 dB warrants provision of 35 dB of noise attenuation. Accordingly, the Flushing Avenue frontage of Development Site 1 would require 35 dB(A) of attenuation. An ambient noise level of between 73 and 76 dB warrants provision of 31 dB of noise attenuation. Accordingly, the Franklin Avenue frontage of Development Site 1 would require 31 dB(A).

Pursuant to Section 123-32 of the Zoning Resolution, the Mixed Use MX-4 M1-2/R6A district proposed for Block 1885 includes a requirement that all new residential units shall be provided with a minimum of 35 db(A) of window wall attenuation to maintain an interior noise level of 45 dB(A) or less. This requirement would ensure an acceptable interior noise environment for Development Site 2 on Block 1885.

To ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 35 dBA and 31 dBA window/wall attenuation on the Flushing Avenue frontage and Franklin Avenue frontage, respectively, to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.

The following [E] designation language is proposed for the following block/lots: Block 1884, Lots 40, 48:

> **Block 1884, Lots 40, 48 (Development Site 1): To ensure an acceptable interior noise environment, future uses must provide a closed window condition with a minimum of 35 dBA window/wall attenuation on all façades to maintain an interior noise level of 45 dBA. To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, central air conditioning.**

Public Health

According to the 2014 *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.

Pursuant to 2014 CEQR Technical Manual methodology, for most proposed projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

Based on the analyses presented in this report, the proposed action does not have the potential for significant unmitigated impacts to any of the constituent elements of public health. Therefore no further analysis of public health is warranted.

Neighborhood Character

According to the 2014 *CEQR Technical Manual*, in a neighborhood character assessment under CEQR, one considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. An assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in any technical area presented below, or when the project may have moderate effects on several of the elements that define a neighborhood's character.

A Neighborhood Character assessment is appropriate when a project has the potential to result in any significant impacts in the following areas:

A. Land Use, Zoning, and Public Policy;
B. Socioeconomic Conditions;
C. Open Space;
D. Historic and Cultural Resources;
E. Urban Design and Visual Resources;
F. Shadows;
G. Transportation; or
H. Noise.

Based on the analyses conducted previously, the proposed action, including placement of an 'E' designation for noise, would not result in significant impacts to any of the constituent elements of neighborhood character. Therefore no further analysis is warranted and no impacts related to neighborhood character are anticipated.

Construction

According to the 2014 *CEQR Technical Manual*, construction activities, although temporary in nature, can sometimes result in significant adverse impacts. A project's construction activities may affect a number of technical areas analyzed for the operational period, such as air quality, noise, and traffic; therefore, a construction assessment relies to a significant extent on the methodologies and resulting information gathered in the analyses of these technical areas.

The following considerations are used to determine whether further analysis of a project's construction activities is needed for any technical area.

TRANSPORTATION
A transportation analysis of construction activities is predicated upon the duration, intensity, complexity, and/or location of construction activity. Analysis of the effects of construction activities on transportation is often not required, as many projects do not generate enough construction traffic to warrant such analysis. An analysis should consider a number of factors before determining whether a preliminary assessment of the effect of construction on transportation is needed. These factors include whether the construction would be located in a Central Business District or along an arterial or major thoroughfare, whether any closures or narrowing of moving or parking lanes or pedestrian facilities would be located in an area with high pedestrian activity or near sensitive land uses such as schools, hospitals, or parks, and whether the project would involve construction on multiple development sites in the same geographic area such that there is the potential for several construction timelines to overlap, and last for more than two years overall.

The proposed development would affect one site located on Flushing Avenue, which is a local truck route, as well as a midblock site with frontage on Franklin Avenue and on Skillman Street. There would be no construction activity within a Central Business District or on an arterial or major thoroughfare. The proposed development would occur in an area that experiences moderate pedestrian activity, and does not contain sensitive land uses such as schools, hospitals or parks. While two development sites have been identified, cumulative development on these sites is not expected to overlap and last for more than two years overall.

AIR QUALITY AND NOISE
According to the CEQR Technical Manual, an assessment of air quality and noise for construction activities is likely not warranted if the project's construction activities:
• Are considered short-term (less than two years);
• Are not located near sensitive receptors; and
• Do not involve construction of multiple buildings where there is a potential for on-site receptors on buildings to be completed before the final build-out.

The proposed action would not result in construction activities lasting longer than two years, and would not result in construction near sensitive receptors. Build out and

occupancy of development sites is expected to occur in such a way that occupancy of on-site receptors would not occur prior to final build out of a site.

HISTORIC AND CULTURAL RESOURCES
As discussed elsewhere in this document, the Landmarks Preservation Commission has determined that the affected area does not possess architectural or archaeological resources. Therefore construction activity does not have the potential for adverse impacts.

HAZARDOUS MATERIALS
As discussed elsewhere in this document, Phase I Environmental Site Assessments have been prepared for the Development Sites. Based on the potential for site contamination on the Development Sites, an [E] designation will be placed to ensure that further investigation and remediation would be provided to ensure that construction and occupancy of action-induced development does not result in significant adverse impacts related to hazardous materials.

NATURAL RESOURCES
The proposed action would result in redevelopment within a fully urbanized area that does not provide habitat for any rare or endangered plant or animal species. Construction activities would not have the potential for adverse impacts to natural resources.

OPEN SPACE, SOCIOECONOMIC CONDITIONS, COMMUNITY FACILITIES, LAND USE AND PUBLIC POLICY, NEIGHBORHOOD CHARACTER, AND INFRASTRUCTURE

According to the CEQR Technical Manual, a preliminary construction assessment is generally not needed for these technical areas unless the following are true:
• The construction activities are considered “long-term” (more than 2 years); or
• Short-term construction activities would directly affect a technical area, such as impeding the operation of a community facility (e.g., result in the closing of a community health clinic for a period of a month(s)).

Since none of these situations would occur, the proposed action does not have the potential for significant adverse impacts related to construction activity.

APPENDIX: Agency Correspondence

Environmental Protection

Emily Lloyd
Commissioner

Angela Licata
Deputy Commissioner of Sustainability

59-17 Junction Blvd.
Flushing, NY 11373

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February 25, 2016

Ms. Ingrid Young
New York City Department of City Planning
22 Reade Street
New York, New York 10007

Re: Rose Castle
Block 1884, Lots 40 and 48 (Applicant Control Sites)
Block 1885, Lot 15 ((Applicant Control Site)
Block 1884, Lots 33 a/k/a 7501, Lot 53 and P/O Lot 57 (Sites not under applicant control)
Block 1885, Lots 20, 23, 26 and 41 (Sites not under applicant control)
77DCP257K
Brooklyn, New York

Dear Ms. Young:

The New York City Department of Environmental Protection, Bureau of Sustainability (DEP) has reviewed the December 2015 Environmental Assessment Statement and the August 2015 Phase I Environmental Assessment Statement Reports (Phase Is) prepared by Equity Environmental Engineering on behalf of Riverside Developers USA Inc., (applicant) for the above referenced. It is our understanding that the applicant is seeking a Zoning Map Amendment affecting the northern portion of Blocks 1884 and 1885 and a Zoning Text Amendment to establish the inclusionary Housing Program within an area that is coterminous with the rezoning area. The proposed Zoning Map Amendment would change the zoning of Block 1884, Lots 33 a/k/a 7501, 40, 48, and 53 and part of Lot 57 from M1-2 to R7A/C2-4, and Block 1885, Lots 15, 20, 23, 26, and 41 from M1-2 to M1-2/R6A (MX-4). The proposed Zoning Text Amendment would establish the Inclusionary Housing Program for an area consisting of the same blocks and lots. The proposed action would facilitate redevelopment of the applicant's properties Block 1884, Lots 40, and 48, (the "Flushing Avenue Development Site) and Block 1885, Lot 15 (the "Franklin Avenue Development Site") into a mixed-use development containing residential, commercial, and community facilities uses on one of the blocks and a residential building on the other block. The properties are located in M1-2 commercial zoning district within the Bedford neighborhood of Brooklyn Community district 3. It should be noted that Block 1884, Lots 33 a/k/a 7501, Lot 53 and P/O Lot 57; Block 1885, Lots 20, 23, 26 and 41 are sites not own and or under applicant control, but included in the rezoning action.

376-378 Flushing Avenue (Applicant control sites)
Block 1884, Lots 40 and 48

The August 2015 Phase I revealed that historical on-site and surrounding area land uses consisting of residential and commercial uses including residential

dwellings with multiple storefronts, Louis Meyer Provisions and D. McKee BLKSM & Wheel-Wart, a large auto repair facility, consolidated paper company, N.Y. Cleaning and Dyeing Company, a steel pressing and shipping company, saw mill, lumber yard, Brewery, a rubber manufacturing company, Nassau Gas Light Company, H&A Chapel Freres & CIE Hatters, fur company, woodworking building company, Arkansas Company Inc., (with chemical work areas), storage warehouse, rope and fiber company, medical instrumentation company, truck sales lot, plastic processing company, Mid Brooklyn Health Society, garages and parking lots etc. It should be noted that Lot 40 consist of a one-story building that is currently being used as a door and molding showroom warehouse and offices (Exclusive Doors & Moldings). Lot 48 consist of a two-story building that is currently being used as a catering hall (Rose Castle), community service center and warehouse space for exclusive Doors & Moldings. A pit was observed on the southwest corner of the site and a drum next to a grease trap was also observed in the eastern portion of the warehouse. In addition, interior staining (from a grease trap) was observed in the garage/warehouse floor in the on-site property. The New York State Department of Environmental Conservation (NYSDEC) database revealed 44 Spills within 1/8 mile radius of the site and 40 Leaking Tanks sites within ½ mile radius of the property.

43-51 Franklin Avenue (Applicant control site)
Block 1885 and Lot 15

The August 2015 Phase I revealed that historical on-site and surrounding area land uses consisting of residential and commercial uses including Gutta Percha & Rubber Manufacturing Company, vacant lot, parking lot, residential dwelling units with store fronts, lumbar yard, Brewery, The Nassau Gas Light Company, light manufacturing operations, residential dwellings, auto body repair and parts shop, commercial and residential buildings, community college, Plastic processing company, Mid Brooklyn Health Society, garages, metal works company, grocery stores, pharmacies, restaurants, commercial stores and business etc. It should be noted that the approximately 32,500 square foot site consists of an asphalted parking lot (Parking Inn). The New York State Department of Environmental Conservation (NYSDEC) database revealed 44 Spills within 1/8 mile radius of the site and 40 leaking tanks sites within ½ mile radius of the property.

Based on our review of the submitted documents, we have the following comments/recommendations to DCP:

Sites not under applicant control
Block 1884, Lots 33 a/k/a 7501, Lot 53 and P/O Lot 57 & Block 1885, Lots 20, 23, 26 and 41

Based on prior on-site and/or surrounding area land uses which could result in environmental contamination, DEP recommends that an "E" designation for hazardous materials should be placed on the zoning map pursuant to Section 11-15 of the New York City Zoning Resolution for the subject properties. The "E" designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance. Further hazardous materials assessments should be coordinated through the Mayor's Office of Environmental Remediation.

376-378 Flushing Avenue & 43-51 Franklin Avenue (Sites under applicant control)
Block 1884, Lots 40 and 48 & Block 1885 and Lot 15

- DCP should inform the applicant that based on the historical on-site and/or surrounding area land uses, a Phase II Environmental Site Assessment (Phase II) is necessary to adequately identify/characterize the surface and subsurface soil/groundwater of the subject parcel. A Phase II Investigative Protocol/Work Plan summarizing the proposed drilling, soil, groundwater, and soil vapor sampling activities and geophysical survey of the property should be submitted to DEP for review and approval. The Work Plan should include blueprints and/or site plans displaying the current surface grade and sub-grade elevations and a site map depicting the proposed soil/groundwater boring locations and soil vapor sampling locations. Soil and groundwater samples should be collected and analyzed by a New York State Department of Health (NYSDOH) Environmental Laboratory Approval Program (ELAP) certified laboratory for the presence of volatile organic compounds (VOCs) by United States Environmental Protection Agency (EPA) Method 8260, semi-volatile organic compounds (SVOCs) by EPA Method 8270, pesticides by EPA Method 8081, polychlorinated biphenyls (PCBs) by EPA Method 8082 and Target Analyte List metals (TAL) (filtered and unfiltered for groundwater samples) and soil vapor samples by EPA Method TO-15. The soil vapor sampling should be conducted in accordance with NYSDOH's October 2006 Guidance for Evaluating Soil Vapor Intrusion in the State of New York. An Investigative Health and Safety Plan (HASP) should also be submitted to DEP for review and approval.

Future correspondence and submittal related to this project should include the following CEQR number **77DCP257K**. If you have any questions, you may contact Mohammad Khaja-Moinuddin at (718) 595-4445 or Maurice Winter at (718) 595-4514.

Sincerely,

Maurice S. Winter
Deputy Director, Site Assessment

c: E. Mahoney
W. Maurice
W. Yu
T. Estesen
M. Wimbish
R. Dobruskin-DCP
C. Evans-DCP

Landmarks Preservation Commission

1 Centre Street
9th Floor North
New York, NY 10007

Voice (212)-669-7700
Fax (212)-669-7960
http://nyc.gov/landmarks

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / 77DCP257K
Project: ROSE CASTLE
Date received: 2/9/2016

Properties with no Architectural or Archaeological significance:

1) ADDRESS: 376 Flushing Avenue, BBL: 3018840040
2) ADDRESS: 378 Flushing Avenue, BBL: 3018840048
3) ADDRESS: Franklin Avenue, BBL: 3018850015
4) ADDRESS: 16 Skillman Street, BBL: 3018850041
5) ADDRESS: 37 Franklin Avenue, BBL: 3018850020
6) ADDRESS: 33 Franklin Avenue, BBL: 3018850023

Gina Santucci 2/16/2016

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 31202_FSO_DNP_02162016.doc

NYC Environmental Protection Permit System

Review System

User: GerryK | Member of:

Supervisor Queue **Reviewer Queue** **Request Queue** **Edit** **Clerk**

Application ID: **PB037606** Expiration Date: **11/21/2018** Request Status: **APPROVED** Cancel Date: **N/A**

Generator Renewal

Business Information
Premise Information
Fee Information
Equipment Information

Q1. It is a/an: ○ Engine ◉ Generator ○ Micro Turbine ○ General Combustion

Q2. Is it for construction? ○ Yes ◉ No

4A. Manufacturer: CATERPILLAR

4B. Model No.: 3406

4C. Number of identical units: 1

4D. Serial No.: 2WB04351

4E. Engine Model Year:

4F. EPA Engine Family Name:

4G. EPA Tier:

4H. Displacement (litres):

4I. Fuel Type: No.2 Fuel Oil / Diesel

4J. Maximum Fuel Delivery Rate (gph or cfh): 27

4K. KW Rating (If applicable): 335

4L. Horsepower: 449

4M. Gross Input (BTU/Hr.): 3776600

4N. Is this equipment a replacement for equipment recently certified? ○ Yes ◉ No

4O. If Yes, provide the application number / installation number replacing (PA/PB/PR/PW):

Equipment Information From Old CATS:

Usage Information

5A. Noise Control: MUFFLER

Average Use

5B. Hours/Day:

5C. Hours/Year:

Environmental Protection
Emily Lloyd
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor, NY 11373
Records Control (718) 595-3855

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

ENGINES/GENERATORS REGISTRATION REQUEST FORM

☐ **NEW** ☑ **RENEWAL**

Date	Fee Paid	Application ID	Expiration Date	Request ID
3/21/2016	$0	PB037606	11/21/2015	169308

Business Information

Business Owner Information

1A. Business / Owner's Name:			1B. NAICS Code:	
NYC DEP BWSO				
Business / Owner's Address				
1C. House No.:	1C. Street Address:		1D. Floor / Suite No. (If any):	
59-17	JUNCTION BLVD			
1E. Borough / City:	1F. State:	1G. Zip Code:	1H. Telephone:	1I. Fax:
QUEENS	NY	11373	718-222-2409	
1J. Owner's Email Address: NLEON@DEP.NYC.GOV				

Business Representative / Agent Information

1K. Business Representative / Agent's Name:				
ANDREW KUCHYNSKY				
Business Representative / Agent's Address				
1L. House No.:	1L. Street Address:		1M. Floor / Suite No. (If any):	
59-17	JUNCTION BLVD			
1N. Borough / City:	1O. State:	1P. Zip Code:	1Q. Telephone:	1R. Fax:
QUEENS	NY	11373	718-595-5705	
1S. Representative's Email Address:				
AKUCHYNSKY@DEP.NYC.GOV				
1T. Ownership Type:		1U. Title:		
Other		None		

Premises Information

Premises Owner Information

2A. Premises Owner's Name:		
Premises Owner's Address		
2B. House No.:	2B. Street Address:	2C. Floor / Suite No. (If any):

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ENGINES/GENERATORS REGISTRATION REQUEST FORM

2D. Borough / City:	2E. State:	2F. Zip Code:	2G. Telephone:	2H. Fax:

2I. Building Owner's Email Address:

Premises Address Information

2J. Premises Name (If any):					
SHAFT 2B					
Premises Address					
2K. House No.:		**2K. Street Address:**		**2L. Floor / Suite No. (If any):**	
SHAFT 2B		VAN CORTLANDT PARK			
2M. Borough / City:	**2N. State:**	**2O. Zip Code:**	**2P. Equipment Location:**	**2Q. Block:**	**2R. Lot:**
Brooklyn	NY	11205		01882	0001
2S. Building Identification Number (BIN):			**2T. Number of Stacks:**		
054189					

Fee Exemption

3A. Tax Exempt: Yes	3B. Tax Exempt Agency: NYC Dept of Environmental Protection (NYCDEP) - Other Bureaus
3C. Fee Waiver: No	3D. Fee Waiver Reason:

Equipment Information

Q1. It is a/an : Generator		Q2. Is it for construction? No
4A. Manufacturer:	**4B. Model:**	**4C. Number of identical units:**
CATERPILLAR	3406	1
4D. Serial No. (Multiple serials numbers can be entered):		**4E. Engine Model Year:**
2WB04351		
4F. EPA Engine Family Name:	**4G. EPA Tier:**	**4H. Displacement (litres):**
4I. Fuel Type:	**4J. Max. Fuel Delivery Rate (gph/cfh):**	**4K. KW Rating (If applicable):**
No.2 Fuel Oil / Diesel	27	335
4L. Horsepower:	**4M. Gross Input (BTU/Hr.):**	**4N. Is this equipment a replacement for equipment recently certified?**
449	3776600	No
4O. If Yes, provide the application number / installation number replacing (PA/PB/PR/PW):		

Environmental Protection
Emily Lloyd
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
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Michael Gilsenan
Assistant Commissioner
Environmental Compliance

ENGINES/GENERATORS REGISTRATION REQUEST FORM

Usage Information	
5A. Primary Use:	5B. Noise Control:
Emergency	MUFFLER

Average Use	
5C. Hours/day:	5D. Hours/year:



PB037606

Environmental Protection

Emily Lloyd
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Environmental Compliance
59-17 Junction Blvd. 9th Floor, Flushing, NY 11373
Records Control (718) 595-3855

RENEWAL REQUEST FORM FOR INDUSTRIAL PROCESSES

Date:	Fee Paid:	Request ID:	Application ID:	Expiration Date:
3/21/2016	$0	169308	PB037606	11/21/2015

Facility Address

House No. and Street Address				Name of Premise (if any)		
SHAFT 2B VAN CORTLANDT PARK				SHAFT 2B		
		Brooklyn	11205	054189	01882	0001
Floor	Room No.	Borough	Zip Code	BIN	Block	Lot

Information of applicant.

Name of Applicant: NELSON LEON	Telephone:	Fax:
Email Address: NLEON@DEP.NYC.GOV	Cell Phone:	
Role of Applicant: General User		

Information of the owner of the equipment/business.

Name of Owner:	Telephone:	Fax:
Email Address:	Cell Phone:	

☐ Gas Station Registration Renewal

☑ Engine/Generator Registration Renewal

☐ Work Permit Extension

☐ Inspection Original ☐ Inspection Renewal

I am requesting:

☐ **An Inspection at the above referenced address**

☐ **A Re-Inspection at the above referenced address**



PB037606

Environmental Protection
Emily Lloyd
Commissioner

THE CITY OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Bureau of Environmental Compliance
59-17 Junction Boulevard, 9th Floor, NY 11373
Records Control (718) 595-3855

Michael Gilsenan
Assistant Commissioner
Environmental Compliance

ENGINE/GENERATOR REGISTRATION PERMIT

Business Owner Information

NYC DEP BWSO

59-17 JUNCTION BLVD, QUEENS, NY 11373

Application ID: PB037606
Issued Date: 3/31/2016
Expiration Date: 11/21/2018
Request ID: 169308

FACILITY ADDRESS:SHAFT 2B VAN CORTLANDT PARK, Brooklyn, NY 11205

Equipment Information	
Manufacturer: CATERPILLAR	**Serial No.(s):** 2WB04351
Model: 3406	
Number of Identical Units: 1	
Fuel Type: No2Fuel	
Max. Fuel Delivery Rate (gph/cfh): 27	
Gross Input (BTU/Hr.): 3776600	
Horsepower: 449	
KW Rating (If applicable): 335	

Usage Information	
5A. Primary Use: Emergency	**5B. Noise Control:** MUFFLER

Average Use	
5C. Hours/day:	**5D. Hours/year:**

The holder of this registration is responsible for the use of the equipment in accordance with all the application requirements and provisions of the New York City Air Pollution Control Code. The Commissioner may suspend or revoke this registration for willful or continued violation of the Air Code. Any purported or attempted transfer of a registration from one location to another or from one piece of equipment to another automatically revokes the registration. Section 24-135 NYC Air Pollution Code.

Engineer Name
M. Alagiriraj

Supervisor Name
M. Alagiriraj

PB037606

R. Radhakrishnan, P.E.
Director of Air Engineering / For the Commissioner

DISPLAY REGISTRATION ON PREMISES NEAR EQUIPMENT

Rose Castle Rezoning
Community District 3, Brooklyn
9/29/2016

Matter in underline is new, to be added;
Matter in ~~strikeout~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

Article XII - Special Purpose Districts

Chapter 3
Special Mixed Use District

* * *

123-63
Maximum Floor Area Ratio and Lot Coverage Requirements for Zoning Lots Containing Only Residential Buildings in R6, R7, R8 and R9 Districts

Where the designated #Residence District# is an R6, R7, R8 or R9 District, the minimum required #open space ratio# and maximum #floor area ratio# provisions of Section 23-151 (Basic regulations for R6 through R9 Districts) shall not apply. In lieu thereof, all #residential buildings#, regardless of whether they are required to be #developed# or #enlarged# pursuant to the Quality Housing Program, shall comply with the maximum #floor area ratio# and #lot coverage# requirements set forth for the designated district in Sections 23-153 (For Quality Housing buildings) or 23-155 (Affordable independent residences for seniors), as applicable.

* * *

However, in #Inclusionary Housing designated areas# and #Mandatory Inclusionary Housing areas#, as listed in the table in this Section, the maximum permitted #floor area ratio# shall be as set forth in Section 23-154 (Inclusionary Housing). The locations of such districts are specified in APPENDIX F of this Resolution.

#Special Mixed Use District#	Designated #Residence District#
MX 2 - Community District 2 Brooklyn	R7A R8A
MX 4 - Community District 3 Brooklyn	R6A
MX 8 - Community District 1 Brooklyn	R6 R6A R6B R7A
MX 11 - Community District 6 Brooklyn	R7-2
MX 13 – Community District 1 The Bronx	R6A R7A R7X R8A
MX 14 - Community District 6 The Bronx	R7A R7X
MX 16 - Community Districts 5 and 16 Brooklyn	R6A R7A R7D R8A

* * *

APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

Brooklyn

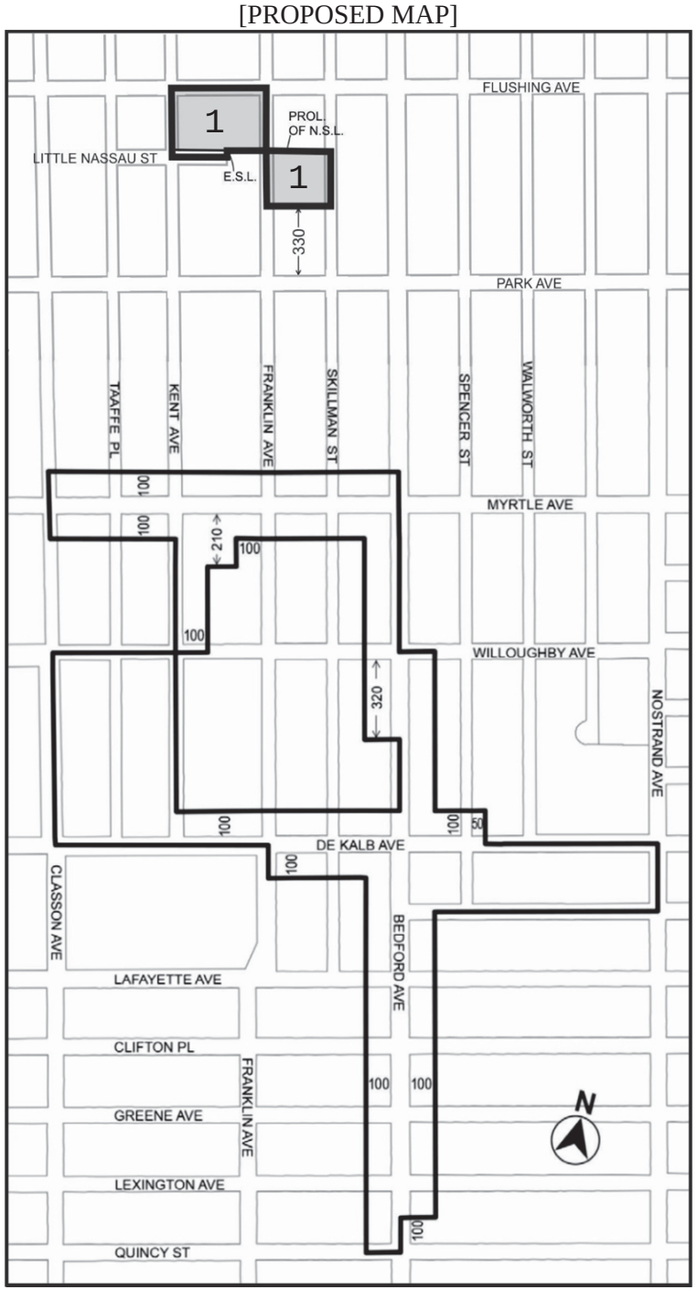
* * *

Brooklyn Community District 3
In the R6A, R7A and R7D Districts within the areas shown on the following Maps 1, 2, 3, 4, and 5:

* * *

Map 3 - [date of adoption]

[PROPOSED MAP]



Inclusionary Housing Designated Area

Mandatory Inclusionary Housing area *see Section 23-154(d)(3)*
Area **1** — [date of adoption] — MIH Program Option 1 and Option 2 and Workforce Option

Portion of Community District 3, Brooklyn

* * *