587 Bergen Street

Prospect Heights, Brooklyn NY

Environmental Assessment Statement

CEQR NUMBER
17DCP163K

Site:
587 Bergen Street
Brooklyn, NY

Tax Lots:
Block: 1137, Lots: 15, 16, 17, 77, 81, 82 and p/o 14 & 18

Lead Agency:
New York City Department of City Planning
120 Broadway
New York, NY 10271

Prepared for:
1121 of Delaware, LLC
43 East 16th Street
Brooklyn, NY 11226

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

July 2017

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

Please fill out and submit to the appropriate agency (see instructions)

Part I: GENERAL INFORMATION

PROJECT NAME 587 Bergen Street Rezoning

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
17DCP163K	
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable) (*e.g.*, legislative intro, CAPA)
170357 ZRK and 170356 ZMK	

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY Department of City Planning			NAME OF APPLICANT 1121 of Delaware, LLC		
NAME OF LEAD AGENCY CONTACT PERSON Robert Dobruskin			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Kevin Williams, Equity Environmental Engineering		
ADDRESS 31st Floor, 120 Broadway			ADDRESS 500 International Drive, Suite 150		
CITY New York	STATE NY	ZIP 10271	CITY Mount Olive	STATE NJ	ZIP 07828
TELEPHONE 212-720-3427	EMAIL rdobrus@planning.nyc.gov		TELEPHONE 973-527-7451 x301	EMAIL kevin.williams@equityenvironmental.com	

3. *Action Classification and Type*

SEQRA Classification

☐ UNLISTED ☒ TYPE I: Specify Category (see 6 NYCRR 617.4 and NYC Executive Order 91 of 1977, as amended): 617.4(b)9

Action Type (refer to Chapter 2, "Establishing the Analysis Framework" for guidance)

☐ LOCALIZED ACTION, SITE SPECIFIC ☒ LOCALIZED ACTION, SMALL AREA ☐ GENERIC ACTION

4. *Project Description*

The Applicant, 1121 of Delaware, LLC, is seeking two discretionary actions in connection with a proposed development located at 587 Bergen Street (Block 1137, Lots 77, 81, and 82) in Prospect Heights, Brooklyn, Community District 8: a zoning map amendment from MI-1 to R6B affecting Lots 15, 16, 17, 77, 81, 82 and part of Lot 18 (the "Proposed Rezoning Area"); and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Proposed Rezoning Area. The Proposed Rezoning Area includes an approximately 20,586 sf portion of Block 1137 and is located east of Carlton Avenue between Bergen and Dean Streets. The Proposed Rezoning Area is contiguous to the New York City Landmarks Preservation Commission designated Prospect Heights Historic District, which is mapped along the western boundaries of the Rezoning Area and the Development Site, and across Bergen Street to the south. Therefore the SEQRA classification for the proposed actions is Type I. The Proposed Rezoning Area is also located within the Transit Zone as defined in Appendix I of the Zoning Resolution of the City of New York ("Transit Zone"). The proposed actions would facilitate a proposal by the Applicant to construct a four-story, 34,497 gross square foot (gsf) multi-family residential building that contains 16 market rate and 10 affordable housing units pursuant to MIH and a subsurface parking garage containing 13 parking spaces. The Applicant proposes Mandatory Inclusionary Housing Option 2 which requires that 30% of the residential floor area be affordable to tenants at 80% of AMI. The proposed rezoning would also bring conforming status to the existing residential uses occupying Tax Lots 15, 16, and 17.

The Applicant-controlled site (Lots 77, 81, and 82 -- the "Development Site") is currently occupied by a surface parking lot and an open-air storage for surrounding industrial uses. Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the proposed rezoning area. Lots 15, 16, and 17 are each developed with legal non-conforming, two-family residences that would be brought into conformity with zoning and are not projected to be altered in response to the proposed actions.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 8	STREET ADDRESS 587-597 Bergen Street
TAX BLOCK(S) AND LOT(S) Block 1137; Lots 77, 81, 82		ZIP CODE 11238

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS north side of Bergen Street between Carlton and Vanderbilt Avenues

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-1 | ZONING SECTIONAL MAP NUMBER 16c

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

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

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

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
- ☐ RULEMAKING
- ☐ CONSTRUCTION OF PUBLIC FACILITIES
- ☐ 384(b)(4) APPROVAL
- ☐ OTHER, explain:
- ☐ FUNDING OF CONSTRUCTION, specify:
- ☐ POLICY OR PLAN, specify:
- ☐ FUNDING OF PROGRAMS, specify:
- ☐ PERMITS, specify:

Other City Approvals Not Subject to CEQR (check all that apply)

- ☐ PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC)
- ☐ LANDMARKS PRESERVATION COMMISSION APPROVAL
- ☐ OTHER, explain:

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

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 20,732
Roads, buildings, and other paved surfaces (sq. ft.): 20,732
Waterbody area (sq. ft.) and type:
Other, describe (sq. ft.):

7. *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): 12,432
NUMBER OF BUILDINGS: one
GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 34,497
HEIGHT OF EACH BUILDING (ft.): Approx. 50 feet
NUMBER OF STORIES OF EACH BUILDING: four stories

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: 12,432
The total square feet not owned or controlled by the applicant: 8,300

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 disturbance (if known):
AREA OF TEMPORARY DISTURBANCE: 12,432 sq. ft. (width x length)
VOLUME OF DISTURBANCE: 125,000 cubic ft. (width x length x depth)
AREA OF PERMANENT DISTURBANCE: 12,432 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2020

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 18		
WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☒ YES ☐ NO		IF MULTIPLE PHASES, HOW MANY?
BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:		

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

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

DESCRIPTION OF EXISTING AND PROPOSED CONDITIONS

The information requested in this table applies to the directly affected area. The directly affected area consists of the project site and the area subject to any change in regulatory control. The increment is the difference between the No-Action and the With-Action conditions.

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
LAND USE				
Residential	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type of residential structures	2-story attached	2-story attached	2-story attached; four-story multiple dwelling	
No. of dwelling units	5	5	31	26
No. of low- to moderate-income units	not known	not known	10	10
Gross floor area (sq. ft.)	7,120	7,120	41,617	34,497
Commercial	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Describe type (retail, office, other)				
Gross floor area (sq. ft.)	0	0	0	
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type of use	garage/storage	garage/storage	garage/storage	
Gross floor area (sq. ft.)	2,956 (2810 SF from Lot 18 p/o total 5,560 SF garage/storage building/ 146.3 SF from Lot 14- p/o 2,200 SF garage/storage building)	2,956 (2810 SF from Lot 18 p/o total 5,560 SF garage/storage building/ 146.3 SF from Lot 14- p/o 2,200 SF garage/storage building)	2,956 (2810 SF from Lot 18 p/o total 5,560 SF garage/storage building/ 146.3 SF from Lot 14- p/o 2,200 SF garage/storage building)	
Open storage area (sq. ft.)				
If any unenclosed activities, specify:				
Community Facility	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type				
Gross floor area (sq. ft.)				
Vacant Land	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," describe:	Lots 77, 81, and 82 comprise an open 12,432 square foot parcel formerly used for parking	Lots 77, 81, and 82 comprise an open 12,432 square foot parcel formerly used for parking		
Publicly Accessible Open Space	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify type (mapped City, State, or Federal parkland, wetland—mapped or otherwise known, other):				
Other Land Uses	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," describe:				
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces				
No. of accessory spaces			13	13
Operating hours			24/7	
Attended or non-attended			unattended	
Lots	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces				

	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
No. of accessory spaces				
Operating hours				
Other (includes street parking)	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If "yes," describe:				
POPULATION				
Residents	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify number:	10-12	10-12	approx. 60-62	50
Briefly explain how the number of residents was calculated:	assume two residents per existing and proposed dwelling unit.			
Businesses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. and type	garage/storage facilities at p/o lot 14 and 18 are both private garage/storage and do not appear as active businesses	garage/storage facilities at p/o lot 14 and 18 are both private garage/storage and do not appear as active businesse	garage/storage facilities at p/o lot 14 and 18 are both private garage/storage and do not appear as active businesse	
No. and type of workers by business				
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:				
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☐ NO	☐ YES ☐ NO	☐ YES ☐ NO	
If any, specify type and number:				
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-1	M1-1	R6B	
Maximum amount of floor area that can be developed	1.0 FAR for manufacturing and commercial, 2.4 FAR for community facility	1.0 FAR for manufacturing and commercial, 2.4 FAR for community facility	2.2 FAR for residential and community facility in MIH	
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	residential, commercial, warehouse; M1-1; R6B; R7A/C1-2	residential, commercial, warehouse; M1-1; R6B; R7A/C1-2	residential, commercial, warehouse; M1-1; R6B; R7A/C1-2	
Attach any additional information that may be needed to describe the project. If your project involves changes that affect one or more sites not associated with a specific development, it is generally appropriate to include total development projections in the above table and attach separate tables outlining the reasonable development scenarios for each site.				

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 Full EAS Form. For example, if a question is answered "no," an agency may request a short explanation for this response.

	YES	NO
1. *LAND USE, ZONING, AND PUBLIC POLICY*: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	☒	☐
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	☒	☐
(c) Is there the potential to affect an applicable public policy?	☒	☐
(d) If "yes," to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	☐	☒
○ If "yes," complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries?	☐	☒
○ If "yes," complete the Consistency Assessment Form.		
2. *SOCIOECONOMIC CONDITIONS*: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
○ Generate a net increase of more than 200 residential units *or* 200,000 square feet of commercial space?	☐	☒
▪ If "yes," answer *both* questions 2(b)(ii) and 2(b)(iv) below.		
○ Directly displace 500 or more residents?	☐	☒
▪ If "yes," answer questions 2(b)(i), 2(b)(ii), and 2(b)(iv) below.		
○ Directly displace more than 100 employees?	☐	☒
▪ If "yes," answer questions under 2(b)(iii) and 2(b)(iv) below.		
○ Affect conditions in a specific industry?	☐	☒
▪ If "yes," answer question 2(b)(v) below.		
(b) If "yes" to any of the above, attach supporting information to answer the relevant questions below. If "no" was checked for each category above, the remaining questions in this technical area do not need to be answered.		
i. Direct Residential Displacement		
○ If more than 500 residents would be displaced, would these residents represent more than 5% of the primary study area population?	☐	☐
○ If "yes," is the average income of the directly displaced population markedly lower than the average income of the rest of the study area population?	☐	☐
ii. Indirect Residential Displacement		
○ Would expected average incomes of the new population exceed the average incomes of study area populations?	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent?	☐	☐
▪ Would the population of the primary study area increase by more than 5 percent in an area where there is the potential to accelerate trends toward increasing rents?	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected?	☐	☐
iii. Direct Business Displacement		
○ Do any of the displaced businesses provide goods or services that otherwise would not be found within the trade area, either under existing conditions or in the future with the proposed project?	☐	☐
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve,	☐	☐

	YES	NO
enhance, or otherwise protect it?		
iv. Indirect Business Displacement		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area?	☐	☐
○ Would the project capture retail sales in a particular category of goods to the extent that the market for such goods would become saturated, potentially resulting in vacancies and disinvestment on neighborhood commercial streets?	☐	☐
v. Effects on Industry		
○ Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?	☐	☐
○ Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?	☐	☐
3. *COMMUNITY FACILITIES*: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
○ Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, health care facilities, day care centers, police stations, or fire stations?	☐	☒
(b) Indirect Effects		
i. 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)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the group child care/Head Start centers in the study area that is greater than 100 percent?	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
ii. 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)	☐	☒
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels?	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area?	☐	☐
iii. 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)	☐	☒
○ If "yes," would the project result in a collective utilization rate of the elementary and/or intermediate schools in the study area that is equal to or greater than 100 percent?	☐	☐
○ If "yes," would the project increase this collective utilization rate by 5 percent or more from the No-Action scenario?	☐	☐
iv. Health Care Facilities		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of health care facilities in the area?	☐	☐
v. Fire and Police Protection		
○ Would the project result in the introduction of a sizeable new neighborhood?	☐	☒
○ If "yes," would the project affect the operation of fire or police protection in the area?	☐	☐
4. *OPEN SPACE*: CEQR Technical Manual Chapter 7		
(a) Would the 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?	☐	☒
(c) If "yes," would the project generate more than 50 additional residents or 125 additional employees?	☐	☒
(d) Is the project located within a well-served area in the Bronx, Brooklyn, Manhattan, Queens, or Staten Island?	☒	☐
(e) If "yes," would the project generate more than 350 additional residents or 750 additional employees?	☐	☒
(f) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	☐	☒
(g) If "yes" to questions (c), (e), or (f) above, attach supporting information to answer the following:		
○ If in an under-served area, would the project result in a decrease in the open space ratio by more than 1 percent?	☐	☐
○ If in an area that is not under-served, would the project result in a decrease in the open space ratio by more than 5	☐	☐

	YES	NO
percent?		
○ If "yes," are there qualitative considerations, such as the quality of open space, that need to be considered? Please specify:	☐	☐
5. *SHADOWS*: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in a net height increase of any structure of 50 feet or more?	☐	☒
(b) Would the proposed project result in any increase in structure height and be located adjacent to or across the street from a sunlight-sensitive resource?	☐	☒
(c) If "yes" to either of the above questions, attach supporting information explaining whether the project's shadow would reach any sunlight-sensitive resource at any time of the year.		
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 affected area is adjacent to the Prospect Heights Historic District		
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?	☐	☒
(c) If "yes" to either of the above, please provide the information requested in Chapter 10. New development would be consistent with the established built form in adjacent residence districts.		
8. *NATURAL RESOURCES*: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11?	☐	☒
○ If "yes," list the resources and attach supporting information on whether the project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed?	☐	☒
○ If "yes," complete the Jamaica Bay Watershed Form and submit according to its instructions.		
9. *HAZARDOUS MATERIALS*: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	☒	☐
(b) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	☐	☒
(c) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in Appendix 1 (including nonconforming uses)?	☒	☐
(d) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	☐	☒
(e) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (*e.g.*, gas stations, oil storage facilities, heating oil storage)?	☐	☒
(f) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	☐	☒
(g) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	☐	☒
(h) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: No RECs were identified	☐	☒
(i) Based on the Phase I Assessment, is a Phase II Investigation needed?	☐	☒
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	☐	☒

	YES	NO
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 that listed in Table 13-1 in Chapter 13?	☐	☐
(d) Would the project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	☐	☒
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas, including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	☐	☐
(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 contribute contaminated stormwater to a separate storm sewer system?	☐	☒
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	☐	☒
(i) If "yes" to any of the above, conduct the appropriate preliminary analyses and attach supporting documentation.		
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): 779		
○ 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?	☐	☒
○ If "yes," would the proposed project comply with the City's Solid Waste Management Plan?	☐	☐
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): 4,370,770		
(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 appropriate screening analyses, attach back up data as needed for each stage, and answer the following questions:		
○ Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	☐	☐
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? ***It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.*	☐	☐
○ Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	☐	☐
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway/rail trips per station or line?	☐	☐
○ Would the proposed project result in more than 200 pedestrian trips per project peak hour?	☐	☐
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	☐	☐
14. *AIR QUALITY*: CEQR Technical Manual Chapter 17		
(a) *Mobile Sources*: Would the proposed project result in the conditions outlined in Section 210 in Chapter 17?	☐	☒
(b) *Stationary Sources*: Would the proposed project result in the conditions outlined in Section 220 in Chapter 17?	☒	☐
○ If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17? (Attach graph as needed)	☐	☒
(c) Does the proposed project involve multiple buildings on the project site?	☐	☒
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	☐	☒
(e) Does the proposed project site have existing institutional controls (*e.g.*, (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	☐	☒
(f) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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) Would the proposed project result in the development of 350,000 square feet or more?	☐	☒
(d) If "yes" to any of the above, would the project require a GHG emissions assessment based on guidance in Chapter 18?	☐	☐

	YES	NO
○ If "yes," would the project result in inconsistencies with the City's GHG reduction goal? (See Local Law 22 of 2008; § 24-803 of the Administrative Code of the City of New York). Please attach supporting documentation.	☐	☐
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?	☐	☒
(e) If "yes" to any of the above, conduct the appropriate analyses and attach any supporting documentation.		
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. No impacts to any of the constituent elements of public health would occur.		
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. No impacts to any of the constituent elements of neighborhood character would occur.		
19. *CONSTRUCTION*: CEQR Technical Manual Chapter 22		
(a) Would the project's construction activities involve:		
○ Construction activities lasting longer than two years?	☐	☒
○ Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	☐	☒
○ Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, *etc.*)?	☒	☐
○ Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	☐	☒
○ The operation of several pieces of diesel equipment in a single location at peak construction?	☐	☒
○ Closure of a community facility or disruption in its services?	☐	☒
○ Activities within 400 feet of a historic or cultural resource?	☒	☐
○ Disturbance of a site containing or adjacent to a site containing natural resources?	☐	☒
○ 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 pursuant to applicable DOB and DOT regulations and will comply with the procedures set forth in TPPN 10/88 to avoid damage to historic structures within the adjacent Prospect Heights Historic District.		

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	SIGNATURE	DATE
Kevin Williams	Kevin Williams	7-21-2017

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE

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, EARD	NYC Department of City Planning
NAME	DATE
Olga Abinader	July 21, 2017

SIGNATURE





BUILDING ELEVATION

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

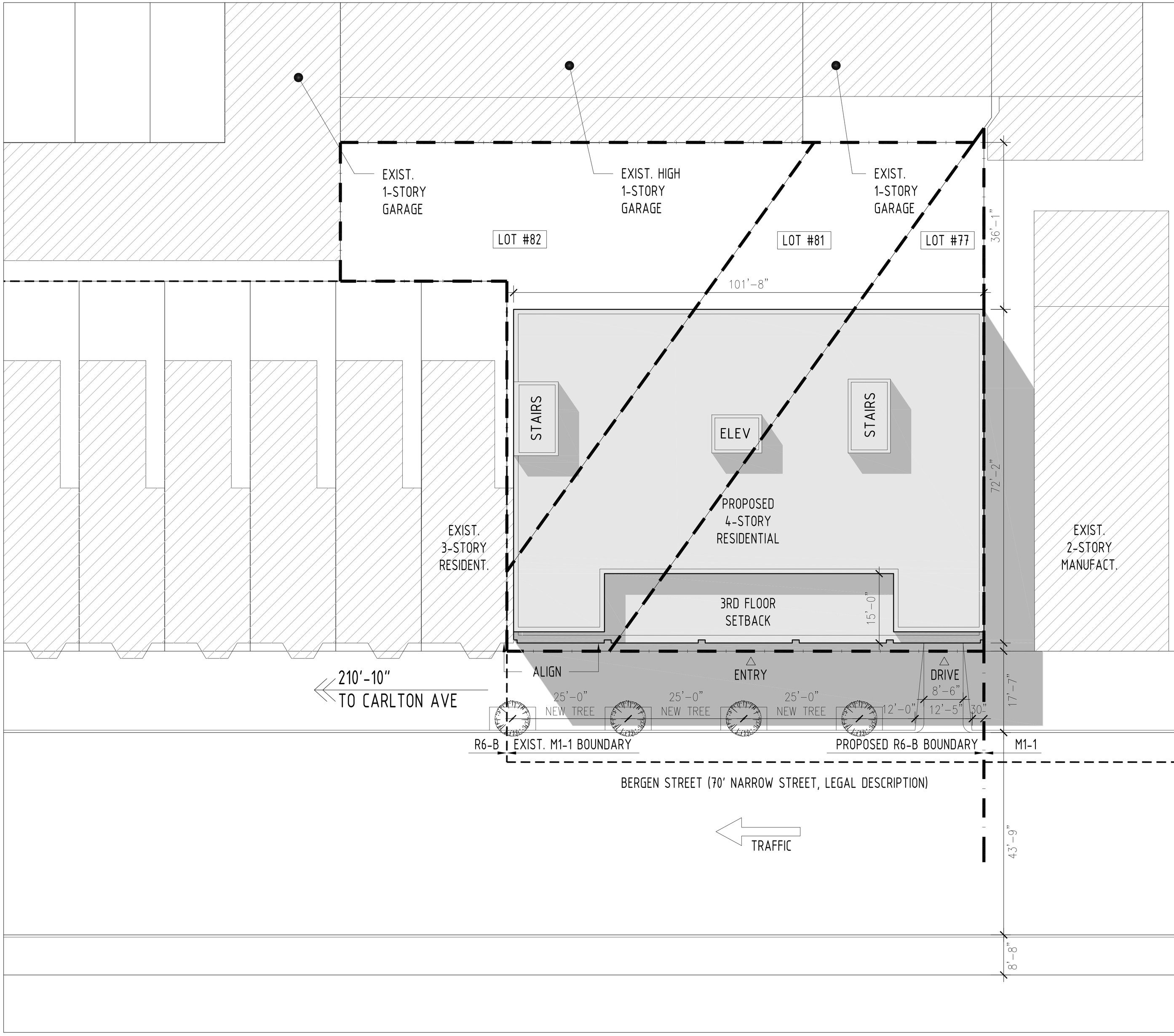
DWG. TITLE:
BUILDING ELEVATION

SCALE: 3/16" = 1'-0"

DATE: 10/25/2016

DWG. #:
A-600.00

X OF X



NOTE:
APPLICANTS STAMP AND SEAL REFERS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

LEGEND	
- - - - -	ZONING DISTRICT
— —	ZONING LOT
— — —	TAX LOT

0 8 16 24

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
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BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

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68 JAY STREET
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PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET
REZONING

DWG. TITLE:
SITE PLAN

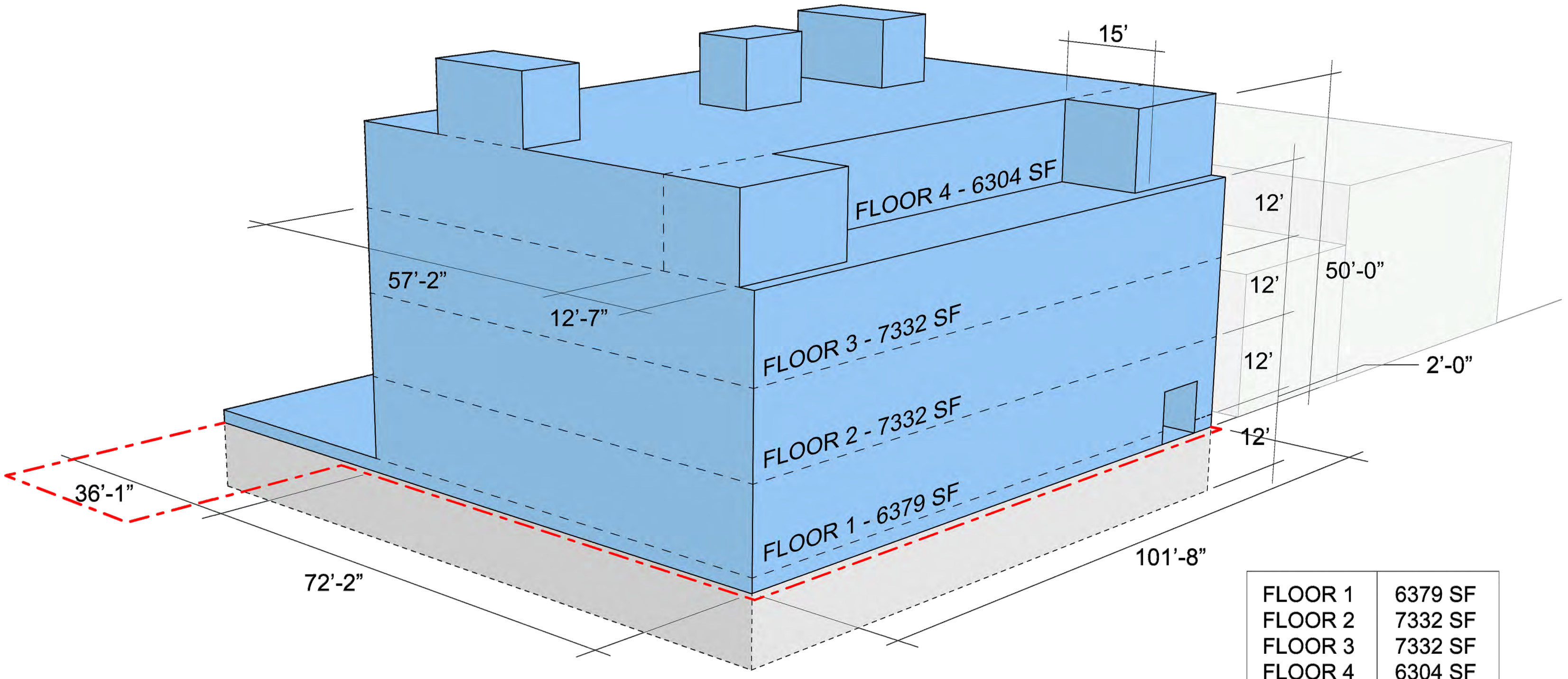
SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:

G-000.00

X OF X



FLOOR 1	6379 SF
FLOOR 2	7332 SF
FLOOR 3	7332 SF
FLOOR 4	6304 SF
TOTAL SF	**27,347 SF**

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

DWG. TITLE:
PROPOSED MIH MASSING

SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:
G-001.00

X OF X

587 Bergen Street

Prospect Heights, Brooklyn NY

Environmental Assessment Statement

CEQR NUMBER
17DCP163K

Site:
587 Bergen Street
Brooklyn, NY

Tax Lots:
Block: 1137, Lots: 15, 16, 17, 77, 81, 82 and p/o 14 & 18

Lead Agency:
New York City Department of City Planning
120 Broadway
New York, NY 10271

Prepared for:
1121 of Delaware, LLC
43 East 16th Street
Brooklyn, NY 11226

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

July 2017

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1.0 PROJECT OVERVIEW

1.1 Introduction

The Applicant, 1121 of Delaware, LLC, is seeking two discretionary actions in connection with a proposed development located at 587 Bergen Street (Block 1137, Lots 77, 81, and 82) in Prospect Heights, Brooklyn, Community District 8: a zoning map amendment from Ml-1 to R6B affecting Lots 15, 16, 17, 77, 81, 82 and part of Lot 18 (the "Proposed Rezoning Area"); and a zoning text amendment to Appendix F of the New York City Zoning Resolution (ZR) to establish a Mandatory Inclusionary Housing (MIH) area coterminous with the Proposed Rezoning Area. The Proposed Rezoning Area includes an approximately 20,586 sf portion of Block 1137 and is located east of Carlton Avenue between Bergen and Dean Streets. The Proposed Rezoning Area is contiguous to the New York City Landmarks Preservation Commission designated Prospect Heights Historic District, which is mapped along the western boundaries of the Rezoning Area and the Development Site, and across Bergen Street to the south. Therefore the SEQRA classification for the proposed actions is Type I. The Proposed Rezoning Area is also located within the Transit Zone as defined in Appendix I of the Zoning Resolution of the City of New York ("Transit Zone"). The proposed actions would facilitate a proposal by the Applicant to construct a four-story, 34,497 gross square foot (gsf) multi-family residential building that contains 16 market rate and 10 affordable housing units pursuant to MIH and a subsurface parking garage containing 13 parking spaces. The Applicant proposes Mandatory Inclusionary Housing Option 2 which requires that 30% of the residential floor area be affordable to tenants at 80% of AMI. The proposed rezoning would also bring conforming status to the existing residential uses occupying Tax Lots 15, 16, and 17.

The Applicant-controlled site (Lots 77, 81, and 82 -- the "Development Site") is currently occupied by a surface parking lot and an open-air storage for surrounding industrial uses. Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the proposed rezoning area. Lots 15, 16, and 17 are each developed with legal non-conforming, two-family residences that would be brought into conformity with zoning and are not projected to be altered in response to the proposed actions.

An existing R6B zoning district that extends 210-feet from Carlton Avenue and 80-feet from the north side of Bergen Street abuts the Proposed Rezoning Area. The proposed zoning map amendment would extend the existing R6B district boundary to the centerline of the block between Bergen Street and Dean Street to a depth of 310 feet from Carlton Avenue.

1.2 Background

The Proposed Rezoning Area has been zoned M1-1 since the enactment of the Zoning Resolution and corresponding zoning maps in 1961. While there have been no zoning changes in the surrounding area in the last 15 years, a portion of the former M1-1 zoning district adjacent to the Proposed Rezoning Area was changed to a R6 zoning district in 1975 (CP-23005), and the same area was changed from an R6 zoning district to an R6B zoning district as part of the Prospect Heights Rezoning in 1993 (ULURP No. C 930430 ZMK)[1].

There have been three BSA approved conversions of manufacturing uses to residential occupancy in the surrounding area since 2001. Including, CEQR 01BSA081K – 626 Dean Street for the conversion of a vacant manufacturing building located in M1-1 zoning district to residential

[1] See Appendix for Historic Rezoning Areas for both 1975 and 1993 rezoning.

occupancy; CEQR 01BSA098K – 618 Dean Street conversion of a vacant manufacturing building located in an M1-1 zoning district to residential occupancy; and CEQR 03BSA029K – 638 Dean Street – conversion from building zoned manufacturing to residential use.

1.3 Description of the Surrounding Area

The Project Study Area is in the Prospect Heights section of Brooklyn Community District 8, two blocks southeast of the Barclay's Center arena and one block south of Pacific Park Brooklyn, the proposed mixed-use commercial and residential development project formerly known as Atlantic Yards. The land uses within the area surrounding the Project Study Area are primarily one & two family residential to the South with mixed commercial and residential buildings due north of the Proposed Rezoning Area on Dean Street and directly to the west on Vanderbilt Avenue, while Pacific Park related construction projects above the existing rail yard lie approximately 500-600 feet to the north of the Project Study Area are still under construction and the area remains zoned M1-1.

The Project Study Area is within a designated transit zone in Brooklyn – as such, there are multiple public transit options accessible in the area surrounding the Project Site including MTA subway and bus service. Within walking distance to the Proposed Rezoning Area, are subway stops at Atlantic Avenue providing access to the B, Q, 2,3,4,5, and LIRR, Bergen Street and Grand Army Plaza providing access to the 2 & 3, and 7th Avenue providing access to the B & Q. The Proposed Rezoning Area is also well served by bus services including nearby access to B65, B45, B69, B63, B41, B25 & B26 lines.

The Prospect Heights Historic District, identified in **Figure 2.4-1** (in Chapter 2.4 of this document), which was designated on June 23, 2009 (LP-02314), is mapped immediately adjacent to and west of the Proposed Rezoning Area.

Photographs of the Development Site and Project Study Area are shown in **Figures 1-4 through 1-9**.

1.4 Description of the Proposed Rezoning Area

The Proposed Rezoning Area is located to the north of Bergen Street and south of Dean Street, between Carlton Avenue to the west and Vanderbilt Avenue to the east in the Prospect Heights section of Community District 8, Brooklyn. The Proposed Rezoning Area includes 7 tax lots and comprises approximately 20,732 sf of land.

- Lots 77, 81 and 82 are owned by the Applicant and comprise the Development Site. The Site is currently used as a surface parking lot and an open-air storage for surrounding industrial uses.
- Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the Proposed Rezoning Area.
- Lots 15, 16, and 17 are each developed with a legal non-conforming, two-family residence.
- Lot 14 is developed with a one-story garage, of which – approximately 1 foot deep of the Lot's eastern boundary with Lot 15 is within the Proposed Rezoning Area.

Non-Applicant Owned Sites

Other than the Development Site on Lots 77, 81, and 82 there are five non-Applicant owned lots within the Proposed Rezoning Area. Of these, Lots 15, 16, and 17 are developed with legal non-conforming residences. Lots 15 & 17 are each 1,778 square feet (sf) in size, while Lot 16 is 1,788

SF. Lot 15 is built out with an approximately 2,160 gross square feet (gsf) structure that contains 2 market rate dwelling units, Lot 16 is built out with a 2,160 gsf structure that contains 2 market rate dwelling units, and Lot 17 is built out with a 2,800 gsf residential structure containing 1 market rate dwelling unit. The 2,810 sf portion of Lot 18 that is within the Proposed Rezoning Area is part of a 5,560-sf one-story garage/storage building fronting Dean Street that is outside of the Proposed Rezoning Area. The 145.3-sf portion of Lot 14 that is within the Proposed Rezoning Area is a part of a one-story parking garage building fronting Dean Street that is 2213.9 sf.

The Proposed Rezoning Area is in the Prospect Heights section of Brooklyn Community District 8, two blocks southeast of the Barclay's Center arena and one block south of Pacific Park Brooklyn, the proposed mixed-use commercial and residential development project formerly known as Atlantic Yards. The Proposed Rezoning Area is within a designated transit zone in Brooklyn.

The Development Site is located on the north side of Bergen Street approximately 210 feet east of its intersection with Carlton Avenue (**Figure 1.1-1**). The properties along the north side of Bergen Street to the west of the Development Site are improved with attached three-story, three-family townhomes with brick and/or stone facades. Properties to the east of the Development Site on the north side of Bergen Street are improved with one- and two-story mixed-use, light industrial and industrial buildings. Two of these properties are improved with four-story industrial buildings (Block 1137, Lots 64 and 66).

Most properties fronting the south side of Bergen Street, which is zoned R6B, are developed with two- or three-story and basement attached townhouses having brick and/or stone facades. There are two one-story non-conforming buildings located midblock along the south side of Bergen Street (Block 1144, Lots 31 and 36), which are currently used for storage or garage-related uses.

The Prospect Heights Historic District is mapped to the west, south and east of the Development Site with the Historic District boundary coinciding with the Development Site's western lot line. The south side of Bergen Street is located entirely within the Historic District.

1.5 Description of the Proposed Development Site

The Development Site is located on the north side of Bergen Street approximately 210 feet east of its intersection with Carlton Avenue, and is known by the street address 587 Bergen Street. It is a slightly irregularly shaped zoning lot with 103.17 feet of frontage on Bergen Street, a lot depth that ranges from 110 feet to 113.08 feet, and a lot area of approximately 12,432 square feet. There is one existing curb cut, located approximately 240 feet from the intersection of Bergen Street and Carlton Avenue that provides vehicular access to the Development Site from Bergen Street, which is 70 feet wide and therefore a narrow street.

The Development Site has historically been an unimproved, paved parcel of land used for storage and parking for the adjoining industrial properties located within the M1-1 zoning district. The Development Site is currently only occasionally used as a surface parking lot and an open-air storage facility by the Applicant in the event that any work is being performed at the adjacent 3-story commercial building located at 594 Dean Street.

1.6 Description of the Proposed Development

Pursuant to the proposed zoning map amendment, the Applicant proposes to build a new four-story, 50' high residential building on Lots 77, 81 and 82 of Block 1137. The building would set back 15 feet from the street line above the third floor at the base height of 38 feet. Cellar level

parking would provide space for 13 vehicles, as well as bicycle storage. The Development Site is located within a designated transit zone and would qualify for reduced parking requirements for Restricted Housing Units and Affordable Independent Residences for Seniors. Under the Zoning for Quality and Affordability text amendment, new income-restricted dwelling units located in transit zones do not require accessory off-street parking. The proposed accessory parking would provide one space for 50% of the dwelling units – both Market Rate and income restricted, which exceeds the zoning requirements.

The proposed building would have approximately 34,497 gsf of floor area, with approximately 27,347 square feet of residential zoning floor area (2.2 FAR). There would be 16 market rate residential units consisting of 10 one-bedroom apartments and 6 two-bedroom units, an average of 1,011 square feet per unit for a total of 16,190 zsf, and 10 affordable housing units consisting of 4 one-bedroom apartments and 6 two-bedroom units, an average of 695 square feet per unit for a total of 6,950 zsf. The proposed building would include 4,234 gsf of "eligible common area" as defined in ZR 23-911 (in an MIH site, this includes any residential floor area that is not located within any other dwelling unit and that no user fee is charged for, such as lobby space, corridors, and stairwells). MIH Option 2 requires 30% of the residential floor area to be designated as "affordable floor area", which would be a minimum of 8,026 zsf. As defined in ZR 23-911, where one or more of the dwelling units in an MIH site are not affordable housing units, the affordable floor area is the sum of: (1) all of the residential floor area of the affordable housing units plus (2) a figure determined by multiplying the residential floor area of the eligible common areas by a fraction, the numerator of which is all of the residential floor area of the affordable housing units and the denominator of which is the sum of the residential floor area of the affordable housing units plus the residential floor area of the dwelling units that are not affordable housing units. The proposed building would provide 6,950 zsf of affordable housing units plus 1,076 zsf of eligible common area for a total of 8,026 zsf of affordable floor area or (6,950 + [4,234 x (6,950/27,347)]).

1.7 Action(s) Necessary to Facilitate the Project

The following actions are necessary to facilitate the Development Site on the Development Site:

1. *a Zoning Map Amendment to rezone a portion of Block 1137 (Lots p/o 14, 15, 16, 17, p/o 18, 77, 81, and 82) in Brooklyn, New York (the "Proposed Rezoning Area") from an M1-1 zoning district to an R6B zoning district; and*

An existing R6B zoning district abuts the Development Site, bounded by a line drawn 210 feet west of and parallel to Carlton Avenue, a line drawn 80 feet north of and parallel to Bergen Street, and a line drawn 100 feet west of and parallel to Carlton Avenue. The Applicant proposes an extension of that existing R6B zoning district boundary to include the Proposed Rezoning Area to the west. The proposed R6B zoning district would be bounded by a line drawn 310 feet west of and parallel to Carlton Avenue, the centerline of the block between Bergen Street and Dean Street, and a line drawn 150 feet west of and parallel to Carlton Avenue.

The proposed medium-density R6B zoning district permits residential use (Use Groups 1 and 2), as well as community facility use (Use Groups 3 and 4). The maximum permitted floor area ratio within a MIH area is 2.20 FAR. The maximum permitted base height is 40 feet at the street line and a total height of 50 feet after a 15-foot setback (required on a narrow street) or a 10-foot setback (required on a wide street). Residential buildings in R6B districts require off-street parking for 50% of the dwelling units (0 spaces are required for affordable housing units within a Transit Zone).

The existing M1-1 zoning precludes development of needed residential housing in the area, and limits the development potential of the Development Site, which has been historically underutilized. The proposed action would allow for the natural extension of the existing residential neighborhood that characterizes Prospect Heights, making the existing residential uses currently located on Lots 15, 16 and 17 conforming, and allowing for redevelopment of the Development Site with a 4-story residential building that provides a transition between the rowhouses in the R6B zoning district to the west and the warehouse and industrial buildings within the M1-1 zoning district to the east.

The Development Site that would be facilitated by the R6B zoning designation would be 3 stories and 38 feet tall at the street wall height, setting back 15 feet before rising to the maximum height of 4 stories and 50 feet. From the street level, this height and number of stories is consistent with the scale of adjacent development, which ranges from approximately 30 feet to38 feet in height. Although the Development Site will be approximately 100 feet wide, the façade will be articulated at regular intervals to mimic the existing rowhouse character prevalent along both sides of Bergen Street, and the materials used would be complementary to existing historic development.

- *Option 1:* 25 percent of the residential floor area shall be provided as housing affordable to households at an average of 60 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

- *Option 2:* 30 percent of the residential floor area shall be provided as housing affordable to households at an average of 80 percent of the Income Index (AMI), with no unit targeted at a level exceeding 130 percent of AMI.

The proposed zoning text amendment would make both Options 1 and 2 available to the designated MIH area, but as currently proposed, the Development Site will provide 8,223 square feet of affordable floor area, or 30% of the total proposed residential floor area, in compliance with Option 2.

Rationale for the Proposed Zoning Map Amendment

The Development Site's existing M1-1 zoning precludes development of market rate and affordable housing. The proposed action would extend the existing R6B Zone located to the south and west of the Proposed Rezoning Area and would facilitate the Applicant's proposal to construct market rate and affordable housing on the Development Site (Block 1137, Lots 77, 81, and 82). The proposed action would also bring conforming status to the residential uses occupying lots 15, 16, and 17. The proposed zoning map amendment is consistent with the City's policy goals as articulated by the City Planning Commission in the recent East New York Rezoning (C 160035ZMK). The Commission report indicates that the rezoning would "promote mixed-use medium density development with affordable housing along key corridors and adjacent to transit where new residential development is not permitted or restricted to low densities today, thus expanding the capacity for new housing development."

The actions proposed in this application similarly serve these goals in Prospect Heights – where the creation and preservation of affordable housing is badly needed. The proposed zoning map amendment would promote the development of new medium-density residential development, including mandatory affordable housing to address the City's growing need for additional housing. The existing M1-1 zoning district is surrounded by residential development in an area well-served by transit. The proposed R6B zoning district provides an appropriate extension of the existing R6B abutting the Proposed Rezoning Area to the southwest. The proposed zoning map

amendment facilitates the development (26 units total) of a medium-density mixed building containing 10 units of affordable housing.

1.8 Analysis Framework

This EAS studies the potential for individual and cumulative environmental impacts related to the proposed action occurring in a Project Study Area of approximately 400 feet around the Proposed Rezoning Area. As shown in **Figure 1-1: Site Location Map**, this irregular shaped Proposed Rezoning Area is composed of Tax Lots 15, 16, 17, 77, 81, 82 and p/o 14 & 18 in Tax Block 1137. 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:

Existing Conditions

The Proposed Rezoning Area is located to the north of Bergen Street and south of Dean Street, between Carlton Avenue to the west and Vanderbilt Avenue to the east in the Prospect Heights section of
Community District 8, Brooklyn. The Proposed Rezoning Area includes 8 tax lots and comprises approximately 20,586 square feet of land.

- Lots 77, 81 and 82 are owned by the Applicant and comprise the Development Site. The Site is currently used as a surface parking lot and an open-air storage for surrounding industrial uses.
- Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the Proposed Rezoning Area.
- Lots 15, 16, and 17 are each developed with a legal non-conforming, two-family residence.
- Lot 14 is developed with a one-story garage, of which – approximately 1 foot deep of Lots eastern boundary with Lot 15 is within the Proposed Rezoning Area.

The affected lots are identified on the attached **Figure 1-2: Tax Map**. Use of these lots is presented in the following, **Table 1-1: Affected Lots-Existing Conditions**.

Table 1-1: Affected Lots within the Proposed Rezoning Area

LOT #	Lot Area	EXISTING			NO-ACTION			WITH-ACTION				
		Residential Floor Area	Manufacturing/ commercial Floor Area	DU's	Residential Floor Area	Manufacturing/ commercial Floor Area	DU's	Residential Floor Area	Manufacturing/ commercial Floor Area	DU's	MIH DU'S	Net Induced DU's
15	1,778	2,160	-	2	2,160	-	2	2,160	-	2		
16	1,788	2,160	-	2	2,160	-	2	2,160	-	2		
17	1,778	2,800		1	2,800		1	2,800		1		
77	4,592	-	-		-			34,497	-	26	10	26
81	3,411	-	-		-							
82	4,429	-	-		-							
14*	146.3		146.3			146.3			146.3			
18*	2,810	-	2,810		-	2,810		-	2,810			
TOTAL	**20,732**	**7,120**	**2,956**	**5**	**7,120**	**2,956**	**5**	**41,617**	**2,956**	**31**	**10**	**26**

* Only the rear portion of Lot 18, comprising 2,810 square feet of lot area, is within the affected area. The front 2,750 square feet would remain in an M1-1 district

* Only 146.3 SF portion of 2200 sf Lot 14 - or the portion of the lot that is 100 feet from Carleton Avenue is within the Proposed Rezoning Areas

Purpose and Need

The Development Site's existing M1-1 zoning precludes development of market rate and affordable housing. The proposed action would extend the existing R6B Zone located to the south and west of the Proposed Rezoning Area and would facilitate the Applicant's proposal to construct market rate and affordable housing on the Development Site (Block 1137, Lots 77, 81, and 82). The proposed action would also bring conforming status to the residential uses occupying lots 15, 16, and 17.

Reasonable Worst-Case Devlopment Scenario

Future No-Action Scenario:
Under the site's existing M1-1 zoning, development of commercial or light industrial uses at a maximum of 1.0 FAR would be permitted. The Development Site (Lots 77, 81, and 82), is currently vacant, formerly used as a surface parking lot and an open-air storage for surrounding industrial uses. The Development Site has a lot area of 12,432 square feet. Given that the Development Site has remained undeveloped under existing zoning for many years, it is conservatively assumed that existing conditions would remain.

- The other buildings within the Proposed Rezoning Area on Lots 15, 16, and 17 would continue in their current use. These lots are developed with legal non-conforming residences. The portion of Lot 18 that is within the Proposed Rezoning Area (rear flag portion without street frontage) is not expected to experience any development in the future without the proposed action. The entirety of Lot 18, including the rear portion, would remain developed with the existing one-story manufacturing building. The 146.3 sf portion of Lot 14 that is within the Proposed Rezoning Area is not expected to experience any development in the future without the proposed action. is developed with a one-story garage, of which – approximately 1 foot deep of Lots eastern boundary with Lot 15 is within the Proposed Rezoning Area.

Future With-Action Scenario:
The Proposed Development as envisioned constitutes a Reasonable Worst-Case Development Scenario for the Development Site. The R6B zoning districts permits a maximum FAR of 2.0, maximum lot coverage of 60% for interior or through-lots; 80% for corner lots, base height must be between 30-40 feet, maximum front wall setback of 20 feet; minimum front yard 5 feet and parking spaces for 50% of the number of dwelling units. The proposed total FAR of 2.2 is the maximum permitted under the proposed R6B zoning district under MIH and therefore takes full advantage of the Development Site's potential in the With-Action condition.

Pursuant to the proposed zoning map amendment the Applicant proposes to build a new four-story, 50' high residential building on Lots, 77,81 and 82 of Block 1137. The building would set back 15 feet from the street line above the third floor. Cellar level parking would provide space for 13 vehicles, as well as bicycle storage. The Development Site is located within a designated transit zone and would qualify for reduced parking requirements for Restricted Housing Units and Affordable Independent Residences for Seniors. Under the Zoning for Quality and Affordability plan new income-restricted dwelling units located in transit zones do not require accessory off-street parking.

The proposed building would have approximately 34,497 gsf of floor area, with approximately 27,347 square feet of residential zoning floor area (2.2 FAR). There would be 16 market rate residential units consisting of 10 one-bedroom apartments and 6 two-bedroom units, an average of 1,011 square feet per unit for a total of 16,190 gsf, and 10 affordable housing units consisting of 4 one-bedroom apartments and 6 two-bedroom units, an average of 695 square feet per unit

for a total of 6,950 gsf. The proposed building would include 4,234 gsf of "eligible common area" as defined in ZR 23-911 (in an MIH site, this includes any residential floor area that is not located within any other dwelling unit and that no user fee is charged for, such as lobby space, corridors, and stairwells). MIH Option 2 requires 30% of the residential floor area to be designated as "affordable floor area", which would be a total of 8,204 zsf.

Other Affected Sites
The proposed zoning map amendment would affect multiple properties not under the Applicant's control, as described above. In addition to the Development Site (Lots 77, 81 and 82), the proposed rezoning would affect Tax Lots 15, 16, 17, and part of 14 &18. Lots 15 and 16 are each 1,788 square feet in size and are developed with non-conforming two-family residences at a floor area ratio of 1.2, while Lot 17 is 1,778 square feet with a built FAR of 1.57. The proposed rezoning would bring conforming status to these properties. At 1.2 FAR, these lots are each built to 60% of the maximum allowable FAR in the proposed R6B and therefore are not significantly underbuilt as individual lots or as a potential assemblage and are not considered 'soft' for redevelopment under the proposed R6B zoning district.

The proposed rezoning would affect the rear 2,810 square feet of Lot 18, a flag-shaped lot with frontage on Dean Street. The Lot is occupied by a one-story full-coverage building. The front portion of the lot would remain within an M1-1 zoning district. No residential development of the affected portion of Lot 18 would be permitted since such residential use would not have legal access to a street and new building within the affected portion of Lot 18 would violate the applicable rear yard regulations. Therefore, no new development of Lot 18 would occur because of the proposed action, and conditions on Lot 18 would remain unchanged.

The proposed rezoning would affect approximately 1 foot or 146.3 sf of the eastern side of Lot 14 facing Lot 15. The 2,200 sf lot is occupied by an approximately 2,200 sf garage/warehouse use – which is almost entirely located within the existing R6B zone to the west of the Proposed Rezoning Area – all but the above 146.3 SF lies within the existing M1-1 zone of the Proposed Rezoning Area which is seeking rezoning to a R6B under the Proposed Action.

The no-action, and with-action conditions on the lots within the subject site are presented in the following table.

Build Year

Factoring the ULURP process, closing for financing sources, and an 18-24-month construction schedule, the projected build year will be 2020

Figure 1-1 Proposed Rezoning Area Location

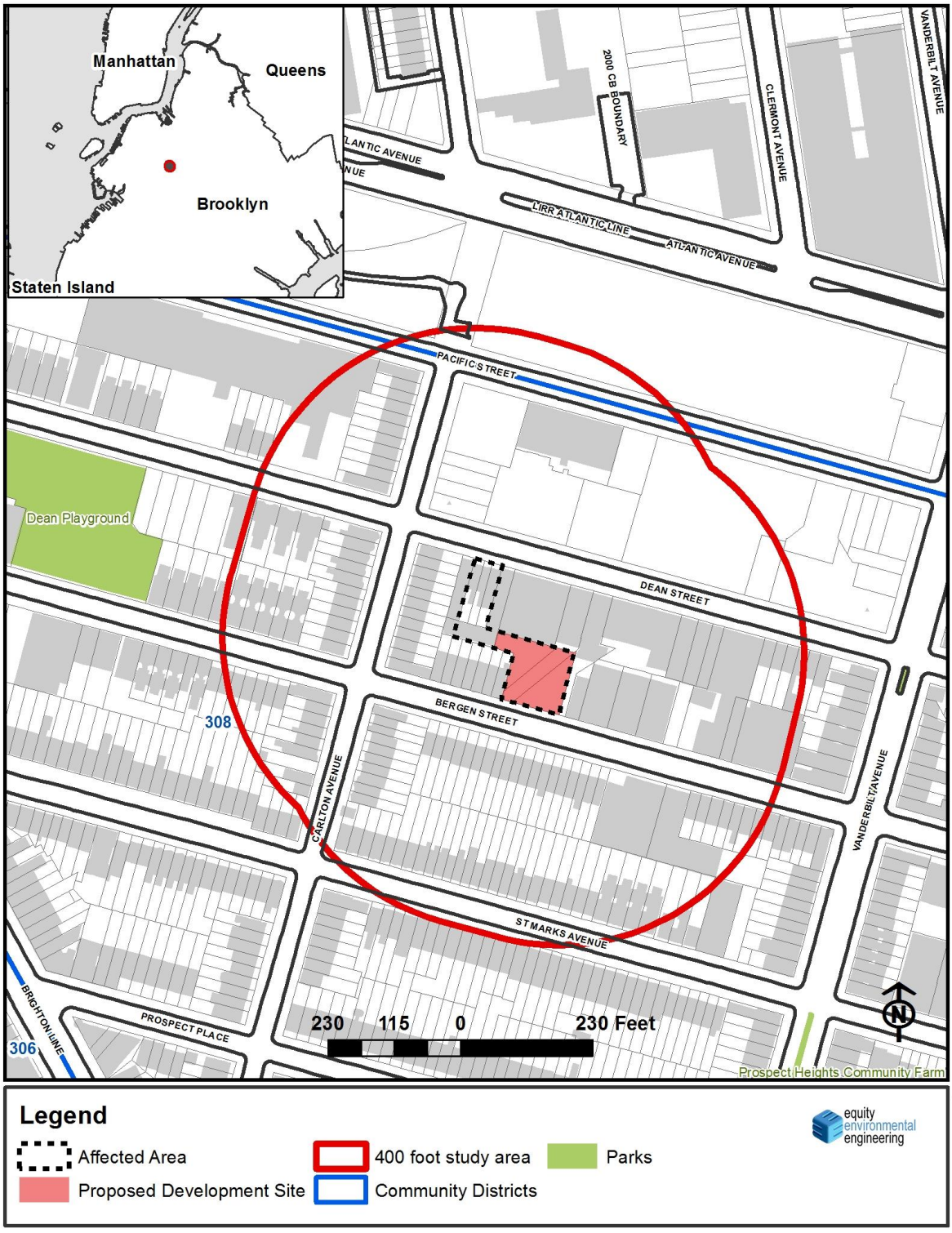


Figure 1-2 Tax Map

587-597 Bergen Street, Brooklyn

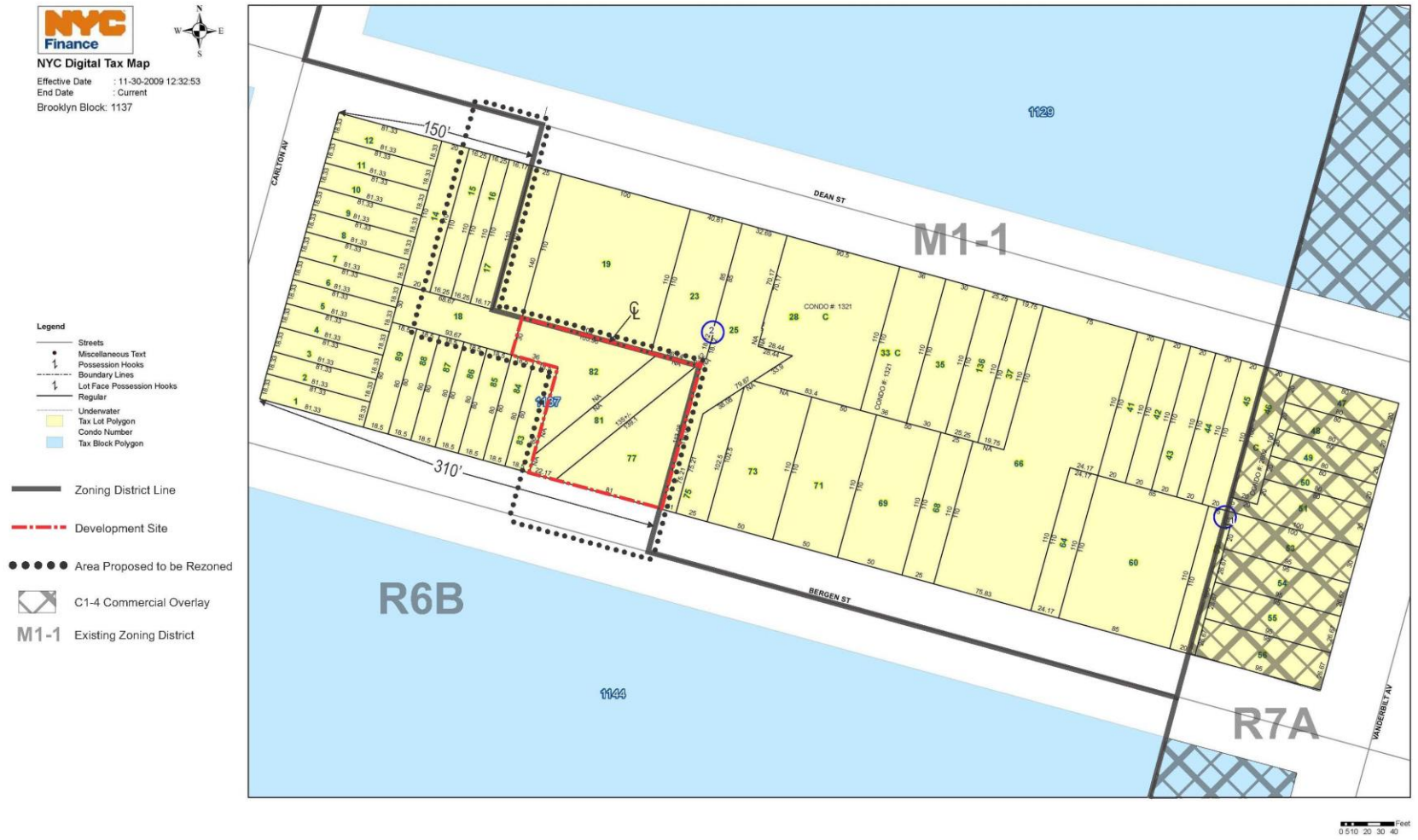
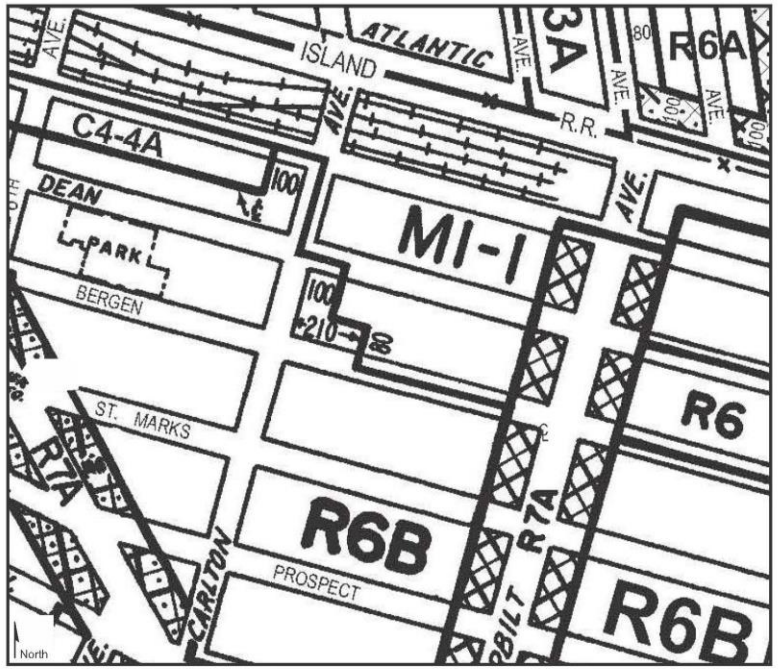
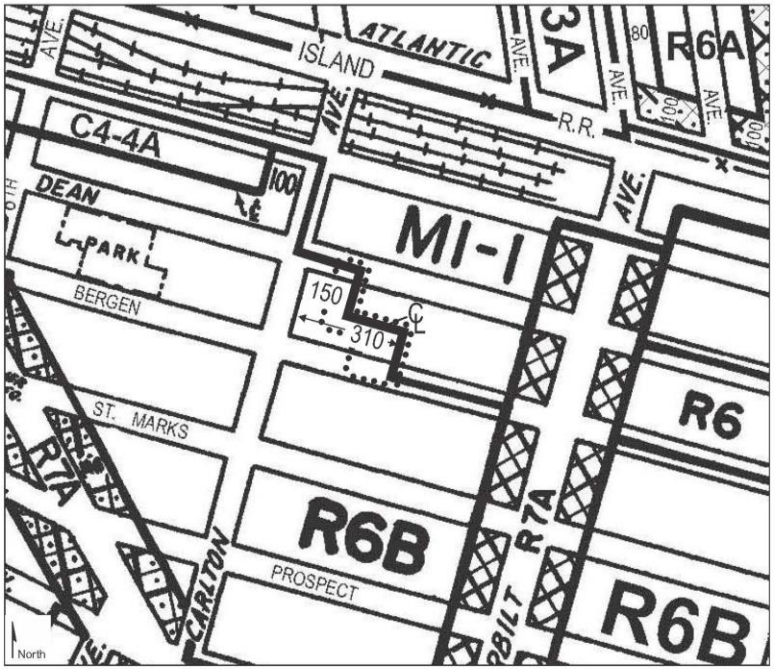


Figure 1-3 Zoning Change Map



Current Zoning Map (Map 16c)



Proposed Zoning Map (16c) - Project Area is outlined with dotted lines

Rezoning from M1-1 to R6B

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

Figure 1-4 Photos 1-3



1. View of the Site facing north from Bergen Street.



2. View of the Site facing northwest from Bergen Street.



3. View of Bergen Street facing west (Site at right).



Photographs Taken on July 18, 2017

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587-597 Bergen Street, Brooklyn

Figure 1-5 Photos 4-6



4. View of the side of Bergen Street facing southeast from the Site.



5. View of the side of Bergen Street facing southwest from the Site.



6. View of the Site facing northeast from Bergen Street.



Photographs Taken on July 18, 2017

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587-597 Bergen Street, Brooklyn

Figure 1-6 Photos 7-9



7. View of Bergen Street facing east (Site at left).



8. View of the sidewalk along the north side of Bergen Street facing east (Site at left).



9. View of the sidewalk along the north side of Bergen Street facing west (Site at right).



Photographs Taken on July 18, 2017

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587-597 Bergen Street, Brooklyn

Figure 1-7 Photos 10-12



10. View of Dean Street between Carlton Avenue and Vanderbilt Avenue facing east.



11. View of the side of Dean Street between Carlton Avenue and Vanderbilt Avenue facing southeast.



12. View of the side of Dean Street between Carlton Avenue and Vanderbilt Avenue facing south.



Photographs Taken on July 18, 2017

587-597 Bergen Street, Brooklyn

Figure 1-8 Photos 13-15



13. View of the side of Dean Street between Carlton Avenue and Vanderbilt Avenue facing southwest.



14. View of Dean Street between Carlton Avenue and Vanderbilt Avenue facing west.



15. View of the side of Dean Street between Carlton Avenue and Vanderbilt Avenue facing northeast.



Photographs Taken on July 18, 2017

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587-597 Bergen Street, Brooklyn

2.0 ENVIRONMENTAL REVIEW

The following technical sections are provided as supplemental assessments to the Environmental Assessment Statement ("EAS") Long Form. Part II: Technical Analyses of the EAS forms a series of technical thresholds for each analysis area in the respective chapter of the *CEQR Technical Manual*. If the proposed project was demonstrated not to meet or exceed the threshold, the 'NO' box in that section was checked; additional analyses were not needed. If the proposed project was expected to meet or exceed the threshold, or if this was not able to be determined, the 'YES' box was checked on the EAS Short Form, resulting in a preliminary analysis to determine whether further analyses were needed. For those technical sections, the relevant chapter of the *CEQR Technical Manual* was consulted for guidance on providing additional analyses (and supporting information, if needed) to determine whether detailed analysis was needed.

A 'YES' answer was provided in the following technical analyses areas on the EAS Short Form:

- Land Use, Zoning and Public Policy
- Community Facilities
- Open Space
- Shadows
- Historic and Cultural Resources
- Urban Design and Visual Resources
- Hazardous Materials
- Air Quality
- Noise
- Construction

In the following technical sections, where a preliminary or more detailed assessment was necessary, the discussion is divided into Existing Conditions, the Future No-Action Conditions (the Future Without the Proposed Action), and the Future With-Action Conditions (the Future With the Proposed Action).

2.1 LAND USE, ZONING AND PUBLIC POLICY

The *CEQR Technical Manual* recommends procedures for analysis of land use, zoning and public policy to ascertain the impacts of a project on the surrounding area. Land use, zoning and public policy are described in detail below. Existing land uses were determined by reference to the New York City Zoning and Land Use (Zola) database and PLUTOTM 16v2 shapefiles. These uses were then confirmed through site visits. Existing zoning districts within the 400-foot study area were identified with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of New York City Department of City Planning (NYCDCP) and other city agencies programs and documentation.

2.1.1 Land Use

Existing Conditions

Existing land use patterns of city blocks within approximately 400 feet of the Proposed Rezoning Area are presented in **Figure 2.1-1**. The *CEQR Technical Manual* suggests that a land use, zoning and public policy study area should extend 400 feet from the site of the proposed action.

Proposed Rezoning Area

The Proposed Rezoning Area is located to the north of Bergen Street and south of Dean Street, between Carlton Avenue to the west and Vanderbilt Avenue to the east in the Prospect Heights section of Community District 8, Brooklyn. The Proposed Rezoning Area includes 8 tax lots and comprises approximately 20,732 square feet of land.

The Proposed Rezoning Area includes the Applicant-owned Development Site – 587 Bergen Street (Lots 77, 81 and 82). The Development Site has a total area of 12,432 square feet and is currently vacant formerly used as open storage for an adjacent warehouse use.

In addition to the Development Site, the Proposed Rezoning Area consists of:

- 586 Dean Street (Lot 15), which has a lot area of 1,788 square feet and is occupied by a two-story, two-family residence with 2,160 square feet of floor area and built to an FAR of 1.21;
- 588 Dean Street (Lot 16), which has a lot area of 1,788 square feet and is occupied by a two-story, two-family residence with 2,160 square feet of floor area and built to an FAR of 1.21;
- 590 Dean Street (Lot 16), which has a lot area of 1,778 square feet and is occupied by a three-story, one-family residence with 2,800 square feet of floor area and built to an FAR of 1.57;
- 592 Dean Street (p/o 18), this partial lot has an area of 2810 square feet in the rear of Lot 18 and is currently occupied by a one-story full lot coverage garage/storage building;
- 594 Dean Street (p/o 14), this partial lot has an area of 146.3 square feet within the Proposed Rezoning Area on its eastern boundary with Lot 15 square feet and is currently occupied by a one-story full lot coverage garage/storage building

Surrounding Area

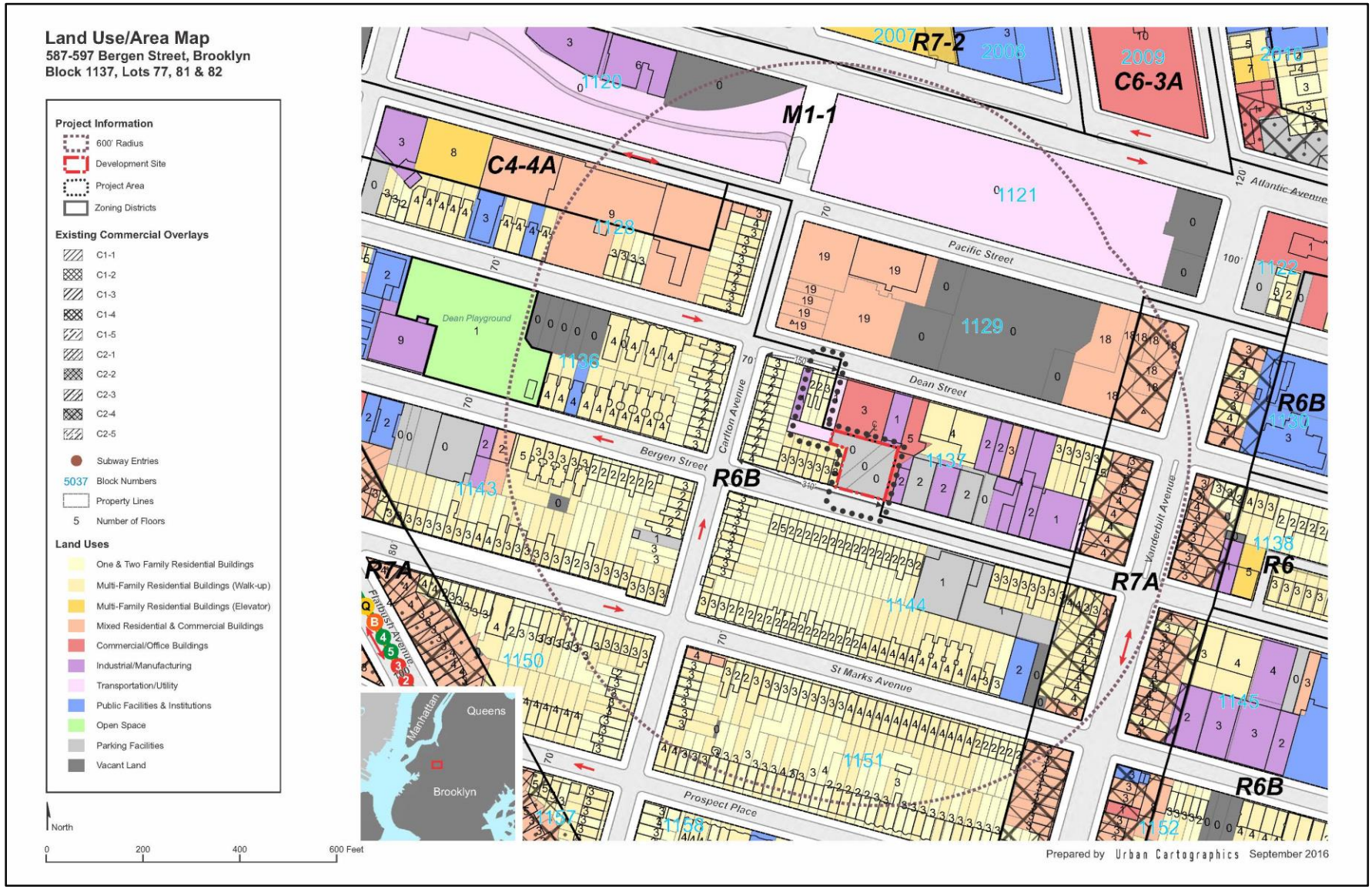
The Proposed Rezoning Area is in the Prospect Heights section of Brooklyn Community District 8, two blocks southeast of Barclay's Center arena and one block south of Pacific Park Brooklyn, the proposed mixed-use commercial and residential development project formerly known as Atlantic Yards.

The Development Site is located on the north side of Bergen Street approximately 210 feet east of its intersection with Carlton Avenue. The properties along the north side of Bergen Street to the west of the Development Site are improved with attached three-story, three-family townhomes with brick and/or stone facades. Properties to the east of the Development Site on the north side of Bergen Street are improved with one- and two-story semi-industrial and industrial buildings. Two of these properties are improved with four-story industrial buildings (Block 1137, Lots 64 and 66).

Most properties fronting the south side of Bergen Street, which is zoned R6B, are developed with two- or three-story and basement attached townhouses having brick and/or stone facades. There are two one-story non-conforming buildings located midblock along the south side of Bergen Street (Block 1144, Lots 31 and 36), which are currently used for storage or garage-related uses.

The Prospect Heights Historic District is mapped to the west, south and east of the Development Site with the Historic District boundary coinciding with the Development Site's western lot line. The south side of Bergen Street is located entirely within Historic District.

2.1-1 Land Use/ Zoning Map



As is shown in **Figure 2.1-1**, the general mix of land uses observed in the Proposed Rezoning Area is a mix of light industrial and one- & two family residential uses, while no other manufacturing uses are to be found within the broader 400-foot Study Area other than Block 1137, the rest of the Study Area to the south matches the one- & two family residential character of those residential uses present on Block 1137 – where the Proposed Rezoning Area is located. As **Table 2.1.1** reflects, Community District 8 is slightly more residential than the Study Area, which contains more industrial/manufacturing, parking, vacant land, and public facilities uses as a percentage of the whole. However, the Study Area is still more than 50% residential.

Table 2.1-1 Comparison of Existing Land Use Distribution for Brooklyn Community District 8 and 400-foot Study Area

Land Uses	**Community Distict 8**		**400-Foot Project Area**	
	Land Area	Percentage of Total	*Land Area*	Percentage of Total
RESIDENTIAL USES				
Residential 1&2 Family	6,098,640	18.57%	158,233	27.62%
Residential Multi-Family (walk-up)	9,937,522	30.26%	140,205	24.47%
Residential Multi-Family (Elevator)	3,973,305	12.10%		
Mixed Residential and Commercial	2,621,691	7.98%	4,042	0.71%
Subtotal of Residential Uses	22,631,158	68.91%	302,479	52.80%
NON-RESIDENTIAL USES				
Commercial Use	803,133	2.45%	22,874	3.99%
Industrial/Manufacturing	1,003,771	3.06%	61,302	10.70%
Transportation/Utility	1,880,413	5.73%	5,319	0.93%
Public Facilities/Instituions	3,163,196	9.63%		
Open Space/Recreation	1,699,636	5.18%		
Parking	765,350	2.33%	89,668	15.65%
Vacant Land	767,955	2.34%	91,276	15.93%
No Identified Land Use	128,514	0.39%		
Subtotal of Non-Residential Uses	10,211,968	31.09%	270,438	47.20%
Total	**32,843,126**	**100%**	**572,917**	**100%**

Source: *Community District Profiles, New York City Department of City Planning.*
Note: Percentages may not add up to 100.0 percent due to rounding.

Future No-Action Conditions

Study Area

The Development Site Site located in the Prospect Heights neighborhood of Brooklyn, which is densely developed. Directly north of the Study Area, extensive mixed-use redevelopment is occurring in connection with the Pacific Park Project. The Proposed Rezoning Area's development potential under existing zoning is limited by the small lot sizes, and the existing M1-1. Manufacturing and industrial uses in the Study Areas have been declining and now are only present on Block 1137. Adjacent to Lot 18 a new two-story post office was recently constructed. No other development on this block is likely however as current building stock is in a state of good repair and the existing zoning does not allow for significant benefit to accrue through redevelopment.

In the future without the proposed action, it is presumed that no additional floor area or changes in use would occur at any site within the proposed rezoning boundaries. Therefore, for the purposes of this analysis, it is assumed that conditions in the Future No-Action scenario would be consistent with conditions as they currently exist.

Future With-Action Conditions

Proposed/ Projected Development Site

As noted earlier, only the Applicant-owned Development Site (Lots, 77, 81, and 82) would be developed given the change in zoning to R6B. The proposed zoning map amendment would affect properties on Block 1137 not under the Applicant's control, as described above (the "Non-Applicant Sites"). The proposed project as envisioned constitutes a Reasonable Worst-Case Development Scenario for the Development Site. The proposed total FAR of 2.2 is the maximum permitted under the proposed R6B in an MIH mapped zoning district and therefore takes full advantage of the site's development potential in the With-Action condition.

Other Affected Sites

Owners of sites that are currently underdeveloped with respect to the proposed zoning may take advantage of the expanded floor area allowed under the proposed R6B zoning. Based on the soft site criteria of the 2014 CEQR Technical Manual described previously, redevelopment of any of the other lots within the Proposed Rezoning Area is not projected to occur under the proposed action.

The proposed zoning map amendment would affect multiple properties not under the Applicant's control, as described above. In addition to the Development Site (Lots 77, 81 and 82), the proposed rezoning would affect lots 15, 16, 17, and part of 14 & 18. Lots 15, 16, and 17 are 1,788, 1,788, and 1,778.7 square feet in size respectively, - Lots 15 & 16 are developed with non-conforming two-family residences at a floor area ratio of 1.2 while Lot 17 is a single-family residence at 1.57 FAR. The proposed rezoning would bring conforming status to these properties. Each of these lots are each built over 60% of the maximum allowable FAR under the proposed R6B and therefore are not significantly underbuilt as individual lots or as a potential assemblage and are not considered 'soft' for redevelopment under the proposed R6B zoning district.

The proposed zoning map amendment also would affect the rear 2,810 square feet of Lot 18, a flag-shaped lot with frontage on Dean Street. The lot is occupied by a one-story full-coverage building. The front portion of the lot would remain within an M1-1 zoning district. No residential development of the affected portion of Lot 18 would be permitted since such residential use would not have legal access to a street and new building within the affected portion of Lot 18 would violate the applicable rear yard regulations. Therefore, no new development of Lot 18 would occur as a result of the proposed action, and conditions on Lot 18 would remain unchanged.

The Propose zoning map amendment would affect a 1.1 foot portion of Lot 14's eastern border with Lot 15, where approximately 146.3 sf of this 2,200-sf Lot would be within the Proposed Rezoning Area. This lot, currently occupied by a 2,200-sf one-story garage is almost entirely within the existing R6B, the rezoning would bring the entire lot into the R6B. The change in zoning of the small portion of this lot is not anticipated to induce redevelopment of the existing structure or its use – which has been in existence for over 50 years.

There are no other projected development sites within the Proposed Rezoning Area. Therefore, the with-action condition assumes development of only the Applicant's Development Site – as a result, the total induced development would therefore be the same as the Development Site – or 26 dwelling units, 10 of which would be required to be affordable to households at an average of 80% AMI.

Surrounding Area

Beyond the Proposed Rezoning Area, existing land use patterns and development trends are expected to continue in the future with the proposed action. The area north of the Dean Street between Carlton Avenue and Vanderbilt Avenue is currently under development as part of the Pacific Park project and will alter this portion of the surrounding area significantly to a high density residential and commercial area, replacing the M1-1 uses that previously were located there. As demand for housing in the area increases, developable properties where zoning permits residential development may be redeveloped in keeping with established trends.

The Development Site is a positive complement to this primarily residential neighborhood, replacing what is now a vacant lot in a primarily residential neighborhood with a residential use. The increased density and height at the Development Site, when compared with the primarily two to three story residential neighborhood that abuts appropriate to the scale and type of development long present in the area. In addition, the provision of affordable housing establishes a contribution to maintaining the mixed income character that has long prevailed in the surrounding area. Finally, the provision of affordable housing near mass transit further contributes to the mission and purpose of integrated housing with transportation and jobs. The Development Site 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.

2.1.2 Zoning

The *New York City Zoning Resolution* dictates the use, density and bulk of developments within New York City. Additionally, the Zoning Resolution provides required and permitted accessory parking regulations. The City has three basic zoning district classifications – residential (R), commercial (C), and manufacturing (M). These classifications are further divided into low, medium, and high-density districts.

Existing Conditions

Zoning designations within and around the project study area are depicted in **Figure 2.1-2**, while **Table 2.1-2** summarizes use, floor area and parking requirements for the zoning districts in the Study Area.

Proposed Rezoning Area

The Proposed Rezoning Area is within an M1-1 zoning district established in 1961, which extends from the western boundary of the Proposed Rezoning Area to the remainder of Block 1137. M1-1 zoning is also mapped to the north of the Proposed Rezoning Area across from Dean Street and north of Pacific Avenue, a block from the Proposed Rezoning Area. However, this area is part of the Pacific Park Development, which is under the control of the Empire State Development Corporation and not subject to local zoning controls. The existing M1-1 zoning district permits light industrial uses, such as woodworking shops, repair shops, wholesale service, storage facilities, limited community facility uses, and commercial uses. The maximum FAR for permitted manufacturing and commercial uses within the M1-1 district is 1.0 and 2.4 for permitted community facility uses.

Surrounding Area

The existing zoning districts in the surrounding area include:

M1-1

The M1-1 zone extends beyond the Proposed Rezoning Area to the east and north although as noted this area is controlled by the New York Empire State Development Corporation and is to be developed as a high density mixed-use residential neighborhood. The uses permitted in M1-1 are described above.

R6B

The majority of the surrounding area is within a large R6B zoning district that is bounded by R7A with C2-4 overlay on Flatbush Ave to the west and R7A with a C1-4 overlay on Vanderbilt Avenue to the east, which intersect at Sterling Place just before Grand Army Plaza to the south. The northern section of this large R6B area that surrounds the Study Area is bounded by the Pacific Park redevelopment area and a high density mixed-use C4-4 area to the northwest of the Proposed Rezoning Area.

Per the NYC Zoning Text

"*R6B districts are often traditional row house districts, which preserve the scale and harmonious streetscape of neighborhoods of four-story attached buildings developed during the 19th century. Many of these houses are set back from the street with stoops and small front yards that are typical of Brooklyn's "brownstone" neighborhoods, such as Park Slope, Boerum Hill and Bedford Stuyvesant.*

The Floor Area Ratio (FAR) of 2.0 and the mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale. The base height of a new building before setback must be between 30 and 40 feet; the maximum height is 50 feet. Curb cuts are prohibited on zoning lot frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Off-street parking is required for 50% of dwelling units. It is not allowed in front of a building".

C4-4A

The edge of the 400-foot Study Area overlaps the southeastern corner a C4-4A zoning district. C4 districts are mapped for regional commercial centers outside of central business districts. Use groups 5,6,8,9, 10 and 12 are allowed in C4 districts which seek to establish strong retail oriented presence. C4-4A is a contextual zoning district that supports mixed-use residential and commercial development with reduced parking requirements, appropriate in more densely developed areas. The C4-4A zoning district allows commercial FAR of 4.0, a residential zoning equivalent to an R7A that allows an FAR of 4.0 as well as an increase pursuant to Inclusionary Housing Program.

Figure 2.1-2 Existing Zoning Map

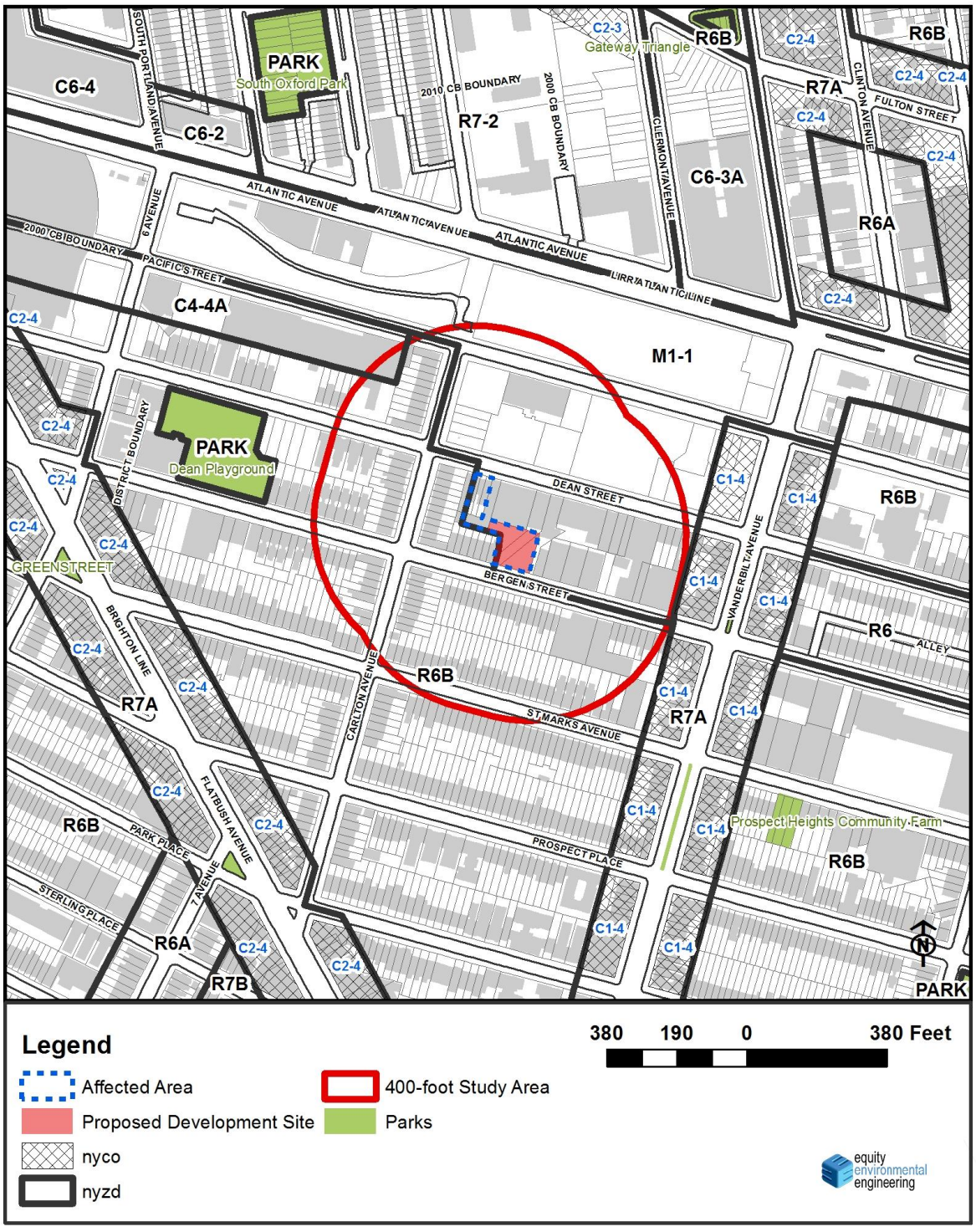


Table 2.1-2 Summary of Existing Zoning Regulations within 400 feet of Proposed Rezoning Area

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
M1-1	Light Manufacturing UGs 4-14, 16, 17	1.0 FAR – Manufacturing 1.0 FAR – Commercial 2.4 FAR – Community Facility	Varies by Use
R6B	Residential UGs 1-4	2.0 FAR – Residential 2.0 FAR – Community Facility	50 percent of dwelling units

Source: Zoning Handbook, New York City Department of City Planning, January 2006

Future No-Action Conditions

In the future without the proposed action, zoning changes are not expected to occur in the Proposed Rezoning Area or within the surrounding study area. No authorizations, certifications or other approvals would be sought from the CPC relating to the Development Site. Because the Applicant may not construct new residential square footage on the Development Site without the proposed zoning map and text amendments, it is assumed that the No-Action Scenario would remain consistent with existing conditions. Therefore, if the mapping of the requested R6B zoning district and Mandatory Inclusionary Housing designated area are not granted, the existing conditions would continue in the future no-action scenario.

No rezoning actions are presently being contemplated by the NYC Department of City Planning (DCP), nor have any BSA variance applications been identified for the Study Area by the project build year of 2020.

Future With-Action Conditions

The Proposed Rezoning Area is located to the north of Bergen Street and south of Dean Street, between Carlton Avenue to the west and Vanderbilt Avenue to the east in the Prospect Heights section of Community District 8, Brooklyn. The Proposed Rezoning Area includes 8 tax lots and comprises approximately 20,732 square feet of land.

- Lots 77, 81 and 82 are owned by the Applicant and comprise the Development Site. The Site is currently vacant and was formerly used as open storage for an adjacent warehouse use.
- Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the Proposed Rezoning Area.
- Lots 14 is a lot fronting Dean Street which has 143.6 sf of its eastern boundary (a 1.1 foot slice along its border with lot 15) within the Proposed Rezoning Area. It is currently developed with a one-story garage.
- Lots 15, 16, and 17 are each developed with a legal non-conforming two-family residence.

Table 2.1-3 Summary of Proposed Rezoning for Proposed Rezoning Area shows the with action proposal to map R6B over the Proposed Rezoning Area, which is currently zoned M1-1. **Figure 2.1-3 Proposed Rezoning**, below - shows a map of the proposed zoning change under the With-Action condition.

Proposed R6B

The R6B zoning district proposed for the Proposed Rezoning Area is a contextual district designed to maintain the scale and form of a traditional moderate density neighborhood in order to preserve the existing unique context that defines a neighborhood as a place and are commonly applied to traditional row house districts such as the Prospect Heights Historic Neighborhood, which directly abuts the Proposed Rezoning Area, in addition the R6B zoning district is also

> "designed *to remedy additions or changes through new development types that are feasible in the contemporary building market by allowing an FAR of 2.0 and through the mandatory Quality Housing regulations also accommodate apartment buildings at a similar four- to five-story scale. The base height of a new building before setback must be between 30 and 40 feet; the maximum height is 50 feet. Curb cuts are prohibited on zoning lot frontages less than 40 feet. The street wall of a new building, on any lot up to 50 feet wide, must be as deep as one adjacent street wall but no deeper than the other. Buildings must have interior amenities for the residents pursuant to the Quality Housing Program. Off-street parking is required for 50% of dwelling units. It is not allowed in front of a building"*[2].

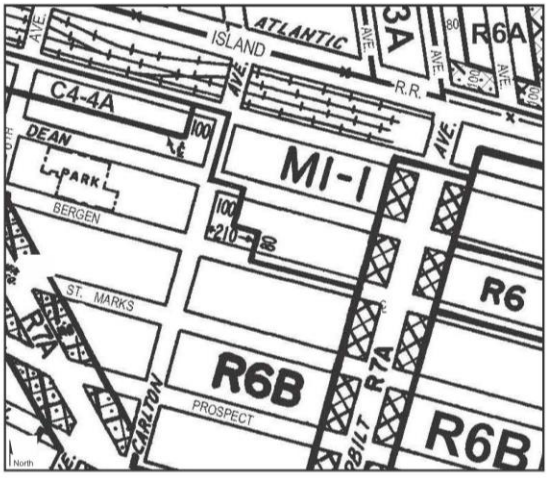
Table 2.1-3 Summary of Proposed Zoning for Proposed Rezoning Area

Zoning District	Type and Use Group (UG)	Floor Area Ratio (FAR)	Parking (Required Spaces)
R6B	Residential UGs 1-4	2.2 FAR – Residential (with MIH) 2.0 FAR – Community Facility	50 percent of dwelling units

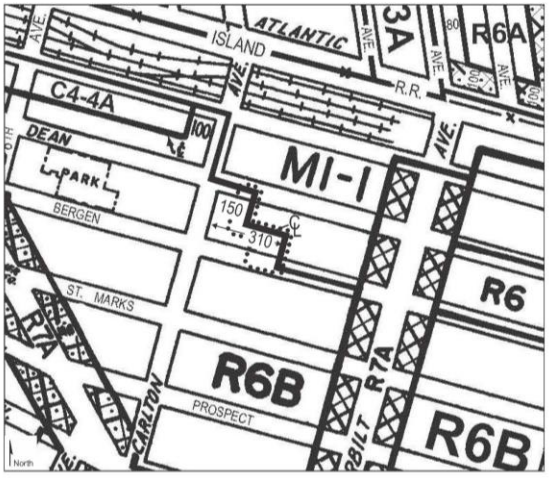
Source: Zoning Handbook, New York City Department of City Planning, January 2006

[2] https://www1.nyc.gov/site/planning/zoning/districts-tools/residence-districts-r1-r10.page

Figure 2.1-3 Proposed Rezoning



Current Zoning Map (Map 16c)



Proposed Zoning Map (16c) - Project Area is outlined with dotted lines

Rezoning from M1-1 to R6B

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

The proposed text amendment of Zoning Resolution ("ZR") Appendix F: Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas for Community District 8, Brooklyn establishes the Proposed Rezoning Area as a Mandatory Inclusionary Housing ("MIH") Area.

The proposed text amendment would permit the Applicant to develop the Development Site in accordance with the MIH program. Pursuant to the MIH program, a percentage of the new dwelling units in the Development Site must be affordable units, resulting in an affordable housing set-aside for either 25 percent of the residential floor area at an average of 60 percent of the Average Median Income ("AMI") ("Option 1") or 30 percent of the residential floor area at an average of 80 percent AMI) ("Option 2"). The Applicant proposes mapping both MIH Option 1 and Option 2 within the Proposed Rezoning Area to provide maximum flexibility for non-Applicant controlled sites. The Applicant seeks Option 2, and plans to develop the Site with 30 percent of all units below 80 percent AMI. The proposed affordable housing set asides ensure that the development within the Proposed Rezoning Area would address the need for housing to serve a broad range of the City's diverse incomes.

The proposed action would reinforce the prevailing zoning and land use in the neighborhood by extending the R6B that surrounds the Proposed Rezoning Area as well as make conforming those high-quality brownstone residences present on Dean Street within the Proposed Rezoning Area that are currently non-conforming under the M1-1 zoning. The Development Site Site is vacant, formerly used as surface parking and storage, disrupts the character and continuity of the surrounding residential neighborhood. The proposed action would therefore not have a significant impact on the extent of conformity with the current zoning in the surrounding area, and it would not adversely affect the viability of conforming uses on nearby properties – in fact it will enhance and reinforce prevailing land uses in the surrounding area. Therefore, significant adverse impacts to zoning are not anticipated and further zoning analysis is not warranted.

2.1.3 Public Policy

The Development Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Business Improvement District (BID), Industrial Business Zone (IBZ), or the New York City Landmarks Law. The proposed action is also not a large publicly sponsored project, and as such, consistency with the City's PlanNYC 2030 for sustainability is not warranted.

Waterfront Revitalization Program

Since the Proposed Rezoning Area is not located in the Coastal Management Zone, a consistency review is not required.

2.2 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. Per 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.

Preliminary Screening

Based upon the proposed actions, the Development Site would add 26 new residential units compared to the no-action condition, 10 of which would be low to moderate income housing required under MIH. Based on a preliminary assessment of CEQR thresholds for analysis, as shown in **Table 2.3-1 Community Facilities – Preliminary Assessment of CEQR Thresholds,** this project does not trigger a detailed C*EQR* analysis for public schools, libraries, health care facilities, Publicly Funded Child Care and Head Start, or Police and Fire Protection services. As a result, no significant adverse impact is anticipated from the proposed action.

Table 2.2-1 Community Facilities-Preliminary Assessment of *CEQR* Thresholds

Community Facility	**Threshold**	**26 total DUs 10 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	8 3 4	No (Total of 11 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 the Brooklyn generate a total of 20 children (see 2014 *CEQR Technical Manual*, Table 6-1b)	0.178	4	No Up to 2 children estimated to be eligible for publicly funded day care/Head Start)
Fire Protection	Direct Effect			No
Police Protection	Direct Effect			No

2.3 OPEN SPACE

Open space is defined as publicly or privately owned land that is publicly accessible and operates, functions, or is available for leisure, play, or sport, or set aside for the protection and/or enhancement of the natural environment. 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 Proposed Rezoning 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.

The Development Site of the Development Site within the Proposed Rezoning Area would not directly affect any public open space. For most new projects in New York City located in areas that are neither "underserved" or "well-served" area for open space, an open space assessment is generally conducted if the proposed project would generate more than 200 residents or 500 employees. This area is not considered an underserved open space area by the NYC Mayor's Office of Sustainability.[3] The proposed action would potentially add a net increase of approximately 51 residents in 26 units (based on an average of 1.96 persons per unit[4]), but no net additional employees to the area from commercial or community facility development as a result of the requested action when compared to the No-Action Scenario. As the number of new residents anticipated resulting from the proposed action is far below the CEQR preliminary screening threshold level of 200 residents, a preliminary analysis of open space impacts due to new residents is not warranted.

[3] http://www.nyc.gov/html/oec/html/ceqr/open_space_maps_brooklyn.shtml
[4] Census FactFinder, *2009-2013 ACS Prospect Heights, CD 8*

2.4 HISTORIC AND CULTURAL RESOURCES

An assessment of historic and cultural resources is usually necessary for projects that are located in close proximity to historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated.

The term "historic resources" defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate city, state, and federal agencies are consulted. Historic resources include: the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

Architectural Resources

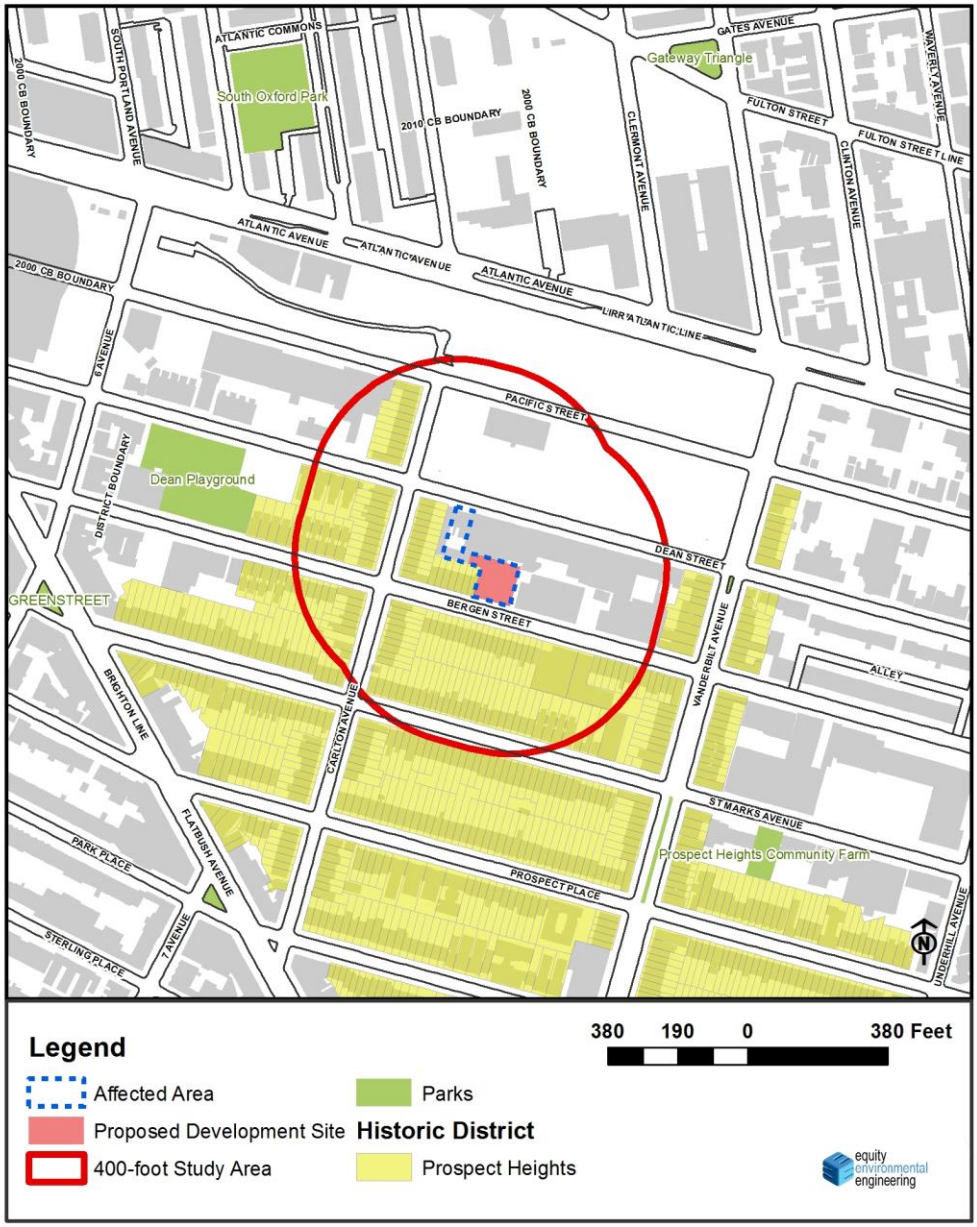
Per *CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the proposed action and in the area surrounding identified development sites. The historic resources study area is therefore defined as the Development Site plus an approximately 400-foot radius around the Proposed Rezoning Area.

To determine whether the Redevelopment Area has the potential to affect nearby off-site historic or architectural resources, the Study Area was screened for historic and architectural resources. The Development Site, is directly contiguous to the NYC Landmarks Preservation Commission-designated Prospect Heights Historic District to the south and west as shown in **Figure 2.4-1**. Further, the Redevelopment Area is directly contiguous to the boundary of the Historic District with the exception of Lot 14 which buffers the north-western edge of the Redevelopment Site from the Historic District. However, no impact from the Proposed Rezoning is anticipated, as the proposed R6B zoning is identical to that governing the Prospect Heights Historic District. The Rezoning Area would change from a M1-1 – which allows manufacturing and industrial uses to residential – a use which is identical to the contiguous Historic District Zoning. Further, the Development Site - at four floors - will not be taller than 50 feet and will adhere to all the bulk and setback requirements required under the contextual R6B zoning district. As required, the Development Site will be developed per mandatory Quality Housing Program requirements – the overall bulk, scale and articulation of the building are expected to complement the broader scale and quality of the neighborhood. Further, the three period brownstones located on Dean Street that are within the Proposed Rezoning Area will be made conforming by the R6B zoning – and as such further reinforce the quality and character of the abutting historic neighborhood. Given these considerations, the Development Site and rezoning is not expected to have a significant adverse impact to the Prospect Heights Historic District

The LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received in January 2017 indicating that the Projected Development Site and other Proposed Rezoning Area parcels do not contain any known architectural or archeological significance (see **Appendix B**). However, given that the Prospect Heights Historic District abuts the Development Site, measures to protect this area during construction are considered in Section 2.11 relating to an evaluation of Construction Impacts. As noted in Section 2.11, the City has two procedures for avoidance of damage to historic structures

from adjacent construction. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements. Given these measures and the residential nature of the rezoning to match the adjacent R6B no impacts are expected from the Proposed Rezoning either during or post construction.

Figure 2.4-1: Historic and Cultural Resources within 400-Foot of Rezoning Area



Cultural and Archaeological Resources

Unlike the architectural evaluation of a study area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts to archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archeological resources are physical remains, usually subsurface, of the prehistoric and historic periods such as burials, foundations, artifacts, wells and privies. The *CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

The project would result in an in-ground disturbance to build the Development Site – but not to an area that has not been previously excavated. As noted, the LPC was contacted for their initial review of the project's potential to impact nearby historic and cultural resources, and a response was received in January of 2017 (see **Appendix B**). The LPC has indicated that no cultural resource, architectural or archaeological significance is associated with the Development Site site or other sites within the Proposed Rezoning Area. Therefore, significant adverse impacts to archaeological resources are not expected because of the proposed action, and further analysis is not warranted.

2.5 URBAN DESIGN AND VISUAL RESOURCES

Per the *CEQR Technical Manual*, urban design is the totality of components that may affect a pedestrian's experience of public space. Elements that play an important role in the pedestrian's experience include streets, buildings, visual resources, open space, and natural features, as well as wind as it relates to channelization and downwash pressure from tall buildings.

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. As stated in the *CEQR Technical Manual*, the study area for urban design is the area where the project may influence land use patterns and the built environment, and is generally consistent with the study area used for the land use analysis (i.e., 400 feet around the project sites). For visual resources, existing publicly accessible view corridors within the study area should be identified. The purpose of the preliminary assessment is to determine whether any physical changes proposed by a project may raise the potential to significantly and adversely affect elements of urban design, which would warrant the need for a detailed urban design and visual resources assessment. The proposed action would result in rezoning of the M1-1 zoned Proposed Rezoning Area which currently consists of non-conforming brownstone residences fronting Dean Street, a portion of Lot 18 that is occupied by the rear portion of a two-story warehouse style building, a small portion of Lot 14 that is part of a larger lot already within an R6B and occupied by a full lot single story garage, and a vacant lot (the Applicant owned Development Site). The development that would result is not permitted under current zoning in the Proposed Rezoning Area and would constitute a new residential development which could not occur in the Proposed Rezoning Area without the proposed action.

2.5.1 Preliminary Analysis

Existing Conditions – Proposed Rezoning Area

The Area consists of Tax Lots 15, 16, 17, 77, 81, 82 and p/o 14 & 18 in Tax Block 1137 in Prospect Heights, Brooklyn. The Proposed Rezoning Area is located to the north of Bergen Street and south of Dean Street, between Carlton Avenue to the west and Vanderbilt Avenue to the east in the Prospect Heights section of Community District 8, Brooklyn. The Proposed Rezoning Area includes 7 tax lots and comprises approximately 20,586 square feet of land.

- Lots 77, 81 and 82 are owned by the Applicant and comprise the Development Site. The Site is currently vacant and was formerly used as open storage for an adjacent warehouse use.
- Lot 18 is a flag-shaped zoning lot with a lot frontage on Dean Street and is improved with a one-story manufacturing building. The rear portion of this lot, which does not have street frontage, is within the Proposed Rezoning Area.
- Lots 14 is a lot fronting Dean Street which has 143.6 sf of its eastern boundary (a 1.1-foot slice along its border with lot 15) within the Proposed Rezoning Area. It is currently developed with a one-story garage.
- Lots 15, 16, and 17 are each developed with a legal non-conforming two-family residence.

A ground level photograph map key photographs of the projected development site and the immediate surrounding area are provided in the previously presented **Figure 1-3 through 1-8** at the end of Section 1 of this document. As that section shows, there are no significant visual resources or natural features located in or around the Proposed Rezoning Area other than the Historic Prospect Height Neighborhood – which the Proposed Rezoning would in no way

adversely impact, as defined by the 2014 CEQR Technical Manual, nor does the Proposed Rezoning Areas have any visual or physical resources that connect the public realm to natural or built features of any significance.

Existing Conditions – Secondary Study Area

The surrounding area, or the 400-foot Secondary Study Area from the boundary of the Proposed Rezoning Area extends approximately one block in each direction from the Proposed Rezoning Area. The Proposed Rezoning Area is located in the Prospect Heights section of Brooklyn Community District 8, two blocks southeast of Barclay's Center arena and one block south of Pacific Park, the proposed mixed-use commercial and residential development project formerly known as Atlantic Yards.

The Development Site is located on the north side of Bergen Street approximately 210 feet east of its intersection with Carlton Avenue. The properties along the north side of Bergen Street to the west of the Development Site are improved with attached three-story, three-family townhomes with brick and/or stone facades. Properties to the east of the Development Site on the north side of Bergen Street are improved with one- and two-story semi-industrial and industrial buildings. Two of these properties are improved with four-story industrial buildings (Block 1137, Lots 64 and 66).

Many properties fronting the south side of Bergen Street, which is zoned R6B, are developed with two- or three-story and basement attached townhouses having brick and/or stone facades. There are two one-story non-conforming buildings located midblock along the south side of Bergen Street (Block 1144, Lots 31 and 36), which are currently used for storage or garage-related uses.

The Prospect Heights Historic District is mapped to the west, south and east of the Development Site with the Historic District boundary coinciding with the Development Site's western lot line. The south side of Bergen Street is located entirely within Historic District. The overall impression of the area is one of a very cohesive, historic, and well maintained residential district. The sidewalks are well maintained and lined with street trees. The streets are very active and the overall character is one which identifies the neighborhood as very traditional, social, family oriented, and of well preserved and maintained traditional but unique Brooklyn community.

Future No-Action Condition

Under the Future No-Action Condition, significant changes to the Study Area are not expected by the final analysis year of 2020. It is expected, due to the current restrictions of the existing M1-1 zoning, the existing building environment or uses would change to any substantial degree - while tenants within area manufacturing or retail may change, any physical changes to buildings in the Study Area would comply with designated zoning regulations and other surrounding districts. No significant changes to the Proposed Rezoning Area's character are anticipated. No changes to the Proposed Rezoning Area's views to the adjacent parks or open spaces are expected.

Future With-Action Condition

According to the *CEQR Technical Manual*, if a preliminary assessment determines that changes to the pedestrian environment are sufficiently significant to require greater explanation and further study, then a detailed urban design and visual resources analysis is appropriate. Very modest changes to the Proposed Rezoning Area will result from this limited area rezoning. The only site

that will change is the vacant Development Site Site (Lots 77, 81, and 82). The fact that the zoning will change from an M1-1 to match the dominant R6B zoning district comprising the Prospect Heights Historic District makes this Proposed Action a restorative one to the neighborhood rather than deleterious to its character. The proposed action will make conforming the traditional brownstone buildings present on Lots, 15,16, and 17 while redeveloping a vacant lot formerly used for parking and material storage for adjacent manufacturing uses.

Under the Future With-Action Condition, the Applicant proposes to build a new four-story, 50' building at the Development Site. The building would set back 15 feet from the street line above the third floor. Cellar level parking would provide space for 19 vehicles, as well as bicycle storage. The building would have approximately 34,497 gross square feet of floor area, with approximately 27,347 zoning square feet (2.2 FAR) and would contain 26 units, 10 of those would be affordable. A three-dimensional representation of an approximate building envelope allowed under a reasonable worst-case development scenario for the Development Site is overlaid a photograph of the street under existing conditions and compared with a photograph under existing conditions without the proposed building envelope in **Figures 2.5.1** and **2.5.2**

As the montages show, the project fits well in terms of bulk, density and height and serves as a transition from the manufacturing, warehouse and commercial buildings to the east to the historic brownstone residences to the west and south of the Site.

Figure 2.5.1 View of Bergen Street Looking North – No-Build



Figure 2.5.2 View of Bergen Street Looking North – Photomontage of Massing Scenario of Proposed Action



There are currently no views of consequence to the Development Site. Redevelopment would assist in visually improving this section of the Proposed Rezoning Area. The proposed actions would not result in any of the above conditions that would merit further detailed assessment of urban design and visual resources. As the proposed actions would not diminish or disturb the existing aesthetic continuity, pedestrian features of the community or neighborhood, and as the proposed action would not block any view corridors or views to/from any natural areas with rare or defining features, nor would the proposed action impact an historical or culturally sensitive community features, the proposed action is not expected to result in any significant adverse urban design or visual resource related impacts.

2.6 HAZARDOUS MATERIALS

A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to, heavy metals, volatile and semi-volatile organic compounds (VOCs and SVOCs), methane, polychlorinated biphenyls (PCBs), and hazardous wastes (defined as substances that are chemically reactive, ignitable, corrosive, or toxic). Per the *CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: a) hazardous materials exist on a site; and b) action would increase pathways to their exposure; or c) an action would introduce new activities or processes using 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 currently not allowed under the M1-1 zone in which it covers but would be equivalent to adjacent existing R6B zoning and result in an in-ground disturbance on sites that have a potential history of industrial uses. Accordingly, a Phase I Environmental Site Assessment was conducted for the Development Site.

2.6.1 Summary of Phase I ESA

A Phase 1 Environmental Site Assessment (ESA) was originally conducted for the Development Site at 587 Bergen Street (Block 1137/Lot 77, 81 & 82) Brooklyn, New York in November of 2014.

The area in which the Development Site is located is primarily light manufacturing/residential area. Most of the buildings in the immediate area are one or three-stories. The site is zoned as M1-1. There is currently a former paper warehouse that is undergoing renovations to the north of the Development Site. To the south of the Development Site you have residential buildings. No occupancy exists onsite. The vacant parking lot area was formerly used as a staging area for construction materials and construction debris. The Development Site consists of an asphalt parking lot/storage yard approximately 2,600 square feet (22' x 135') with 2, storm drains. Photographs of the Development Site are provided in the Appendix.

Findings

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. Historic RECs are RECs previously remediated to government standards. De minimis RECs are those that do not present a threat to health or the environment, and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimus and Historic RECs, are discussed. No significant data gaps were identified by this assessment. Equity performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 at the Development Site. Any exceptions to, or deviations from, this practice are described in Section VIII of this report.

Recognized Environmental Conditions

This assessment has revealed the following REC for the Development Site:

RECs - Equity found no RECs at the Development Site.
HRECs - Equity found no HRECs at the Development Site.
CRECs - Equity found no CRECs at the Development Site.
VECs - VECs can be ruled out for the Development Site.

2.6.2 Conclusions

The Phase I analysis as well as other environmental documentation identify no history or current existence of RECs for the Development Site. For the residential use contemplated under the proposed rezoning, no further investigation is recommended.

E-Designation(s)

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 this (E) designation in place, no significant adverse impacts related to hazardous materials are expected, and no further analysis is warranted.

2.7 AIR QUALITY

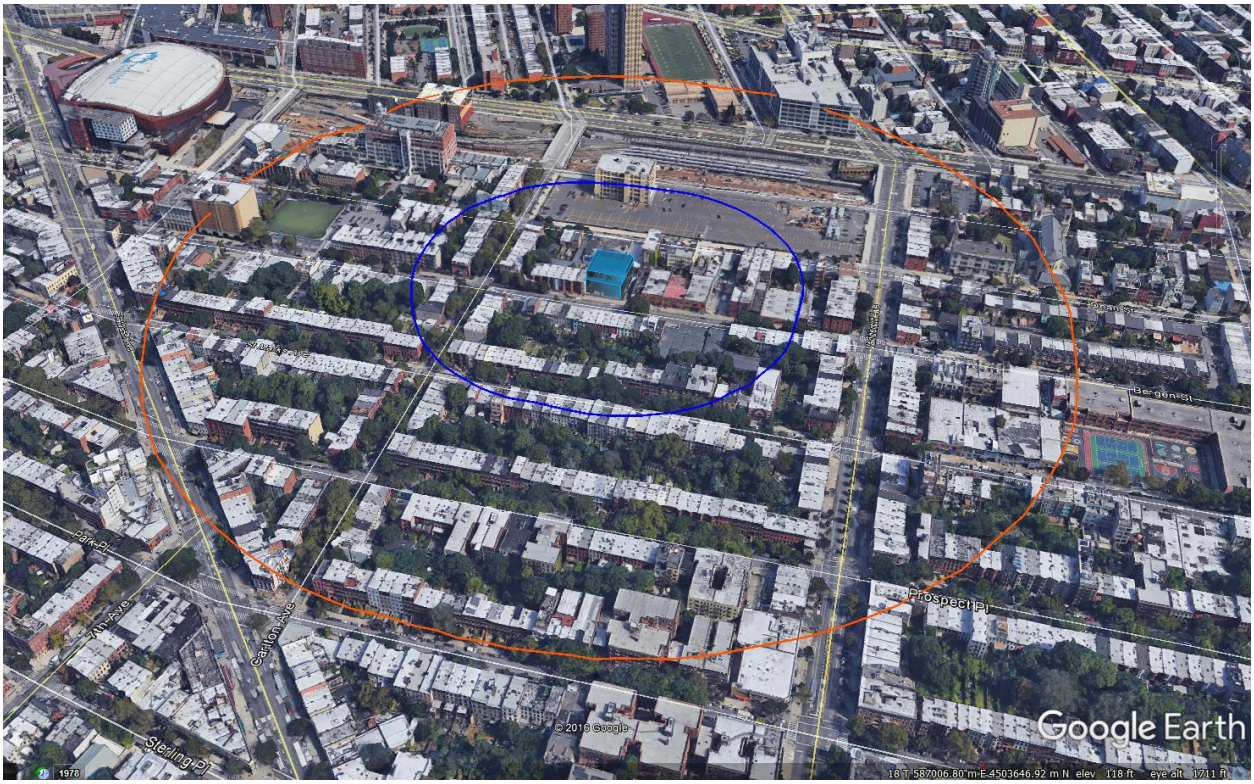
Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) are analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis frame work, as mandated by the State Environmental Review Act, follows the *New York City Environmental Quality Review 2014 Technical Manual (CEQR TM)*. The potential air quality impacts of the following emissions are estimated following the procedures and methodologies prescribed in the *CEQR TM*:

- The potential for changes in vehicular travel associated with Development Site activities to result in significant mobile source (vehicular related) air quality impacts.
- The potential for emissions from the heating, ventilation and air conditioning (HVAC) systems of the Development Site to significantly impact nearby existing land uses.
- The potential for air toxic emissions released from existing industrial facilities to significantly impact the Development Site.
- The potential for significant air quality impacts from the emissions of "major" existing emission sources (i.e., HVAC systems with 20 or more million Btu/hour heat input) located within 400 feet of the Development Site as well as large (e.g., power generating) facilities located within 1,000 feet of the Development Site.

The Development Site (Block 1137, Lots: 77, 81, and 82)

The Development Site would be redeveloped with a four-story residential building containing 34,497 gross square feet (gsf) of floor area. The building would rise to a height of 50 feet, where the fourth floor would have a 10-foot setback from the street wall facing Bergan Street. The building would also contain 13 parking spaces in the cellar level. Figure 17-1 displays the Development Site with 400-foot and 1,000-foot buffer zones to illustrate the study area.

Figure 2.7-1: The Development Site With a 400 and a 1,000-foot Buffer Zones



Principal Conclusion

A screening analyses for carbon monoxide and particulate matter associated with on-street traffic showed that a detailed analysis is not warranted. The Proposed Action's incremental vehicular trip generation would be below the 170 vehicular trip threshold. Therefore, no significant air quality impacts are expected as a result of the Proposed Actions.

A screening analysis for the parking garage showed that a detailed analysis is not warranted. According to the *CEQR TM,* Table 16-1 in conjunction with the *CEQR TM* Map 16-1, the threshold criteria level that would trigger a detailed analysis is 85 parking spaces. The 13 parking spaces of the Development Site pass the screening analysis. Therefore, no significant air quality impacts are expected as a result of the Proposed Actions.

A screening analysis for the Development Site impacts associated with the boiler stack emissions (HVAC), project-on-existing land uses, showed that no impact is expected beyond a distance of 48 feet from the Development Site. The distance between the Development Site and the 5-story building at 610 Dean Street (Block 1137, Lot 25) was determine to be 27 feet and a detailed analysis using AERMOD modeling was conducted. The HVAC analysis concluded that fuel would need to be restricted to the exclusive use of natural gas in the HVAC system of the Development Site building.

No major sources or odor producing facilities were found within 1,000 feet of the Proposed Rezoning Area, and online searches found no active manufacturing or commercial uses that require New York City Department of Environmental Protection (NYCDEP) operational permits.

Therefore, no significant air quality impacts are predicted from major and industrial sources emissions to the Proposed Rezoning Area.

2.7.1 Mobile Sources

According to the *CEQR Technical Manual*, projects, whether site- specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- Projects that would result in placement of operable windows, balconies, air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak hour heavy- duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.
- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

The proposed action would not result in any of the above thresholds being crossed and would not require further mobile source assessment. The proposed action would not result in the placement of new operable windows within 200 feet of any atypical vehicular source of pollutants, nor would it result in the creation of a fully or partially covered roadway, generate over 170 or more net new increment auto trips at any specific intersection within the Proposed Rezoning Area or notable heavy-duty diesel vehicle traffic, place new sensitive uses adjacent to a large parking facility, result in other mobile sources of pollution, or substantially increase vehicle miles traveled.

2.7.2 Stationary Sources

According to the *CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occurs:

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks so that surrounding uses are affected.

- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- Operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- "Non-point" sources that could result in fugitive dust are created.
- New uses near nonpoint sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a statio**n**

National Air Quality Standards

The U.S. Environmental Protection Agency (EPA) has identified six pollutants, known as criteria pollutants which are being of concern nationwide, and established threshold concentration based upon adverse effect on human health. The six pollutants and their characteristics are:

- Carbon Monoxide (CO) is mainly produced by motor vehicles from the incomplete combustion of gasoline. The impact of CO on the ambient air is analyzed next to roadways, intersections, parking lots, and parking garages vents as these locations are the most affected.
- Nitrogen Dioxide (NO_2) is a main concern related to the burning of natural gas. Emitted NOx from the burning of fossil fuel gradually convert to NO_2 in a chemical reaction that is effected by ozone concentration and the presence of sunlight. In a micro scale analysis, buildings HVAC systems are analyzed for NO_2 impact.
- Ozone (O_3) is formed by chemical reaction between hydrocarbons and nitrogen oxides and its impact is analyzed on a regional scale by monitoring stations.
- Lead (Pb) in the ambient air is monitored on a regional level. In a project scale analysis, impact due to Lead concentration levels are analyzed if a new source, such as lead smelters, is introduced into the environment or if a project is located next to a lead emitter.
- Particulate Matter emissions are associated with both stationary sources and mobile sources. Two sizes of particulate matters are analyzed: Inhalable Particles (PM_{10}) and Fine Particulate Matter ($PM_{2.5}$), where the subscript number refers to the diameter of the particulate matter in micrometers.
- Sulfur Dioxide (SO_2) emission is principally associated with stationary sources that burn oil or coal.

As required by the Clean Air Act, National Ambient Air Quality Standards (NAAQS) have been established for the criteria pollutants by EPA, and New York State has adopted the NAAQS as the State ambient air quality standards. The current standards together with their health-related averaging periods are presented in **Table 2.7-1**.

Table 2.7-1: National and New York States Ambient Air Quality

Pollutant	Averaging Period	National and State Standards
NO_2	Maximum 1-Hour Concentration	0.10 ppm (188 µg/m^3)
	Annual Arithmetic Average	0.053 ppm (100 µg/m^3)
$PM_{2.5}$	24-Hour Concentration	35 µg/m^3
	Average of 3 Consecutive Annual Means	12 µg/m^3
PM_{10}	Maximum 24-Hour Concentration	150 µg/m^3
Lead	Rolling 3-month Average	0.15 µg/m^3
Ozone	8-Hour Maximum	0.075 ppm
CO	Maximum 8-Hour	9 ppm
	Maximum 1-Hour	35 ppm
SO_2	Maximum 1-Hour Concentration	0.070 ppm (196 µg/m^3)
	Maximum 3-Hour Concentration	0.050 ppm (1,300 µg/m^3)
	Maximum 24-Hour Concentration	0.14 ppm (365 µg/m^3)
	Annual Arithmetic Means	0.03 ppm (80 µg/m^3)

NO_2 NAAQS

Nitrogen oxide (NO_x) emissions from gas combustion consist predominantly of nitric oxide (NO) at the source. The NO_x in these emissions are then gradually converted to NO_2, which is the pollutant of concern, in the atmosphere (in the presence of ozone and sunlight as these emissions travel downwind of a source).

The 1-hour NO_2 NAAQS standard of 0.100 ppm (188 ug/m^3) is the 3-year average of the 98th percentile of daily maximum 1-hour average concentrations in a year. For determining compliance with this standard, the EPA has developed a modeling approach for estimating 1-hour NO_2 concentrations that is comprised of 3 tiers: Tier 1, the most conservative approach, assumes a full (100%) conversion of NO_x to NO_2; Tier 2 applies a conservative ambient NOx/NO_2 ratio of 80% to the NO_x estimated concentrations; and Tier 3, which is the most precise approach, employs AERMOD's PVMRM module. The PVMRM accounts for the chemical transformation of NO emitted from the stack to NO_2 within the source plume using hourly ozone background concentrations. When Tier 3 is utilized, AERMOD generates 8th highest daily maximum 1-hour NO_2 concentrations or total 1-hour NO_2 concentrations if hourly NO_2 background concentrations are added within the model.

Per the *CEQR TM*, a Tier 1 approach is initially applied, followed by a Tier 2 application of NOx/NO_2 ratio of 80% to the NOx modeled concentration to determine whether violation of the NAAQS is likely to occur. A less conservative Tier 3 approach is then applied if exceedances of the 1-hour NO_2 NAAQS were estimated.

The annual NO_2 standard is 0.053 ppm (100 ug/m^3). In order to conservatively estimate annual NO_2 impacts, a NO_2 to NOx ratio of 0.75 percent, which is recommended by the NYCDEP for an annual NO_2 analysis, was applied.

New York State Standards

As mentioned, New York State has adopted the national standard, NAAQS. In addition, the New York State Department of Environmental Conservation (NYSDEC) has established guidelines for maximum allowable concentration of "noncriteria pollutants," which are potentially toxic or

carcinogenic pollutants. The maximum allowable guidelines set a maximum 1-hour and annual averaging time concentrations and are published in the DAR-1 AGC/SGC Table, where AGC/SGC refers to Annual and Short-term Guideline Concentrations. The most recent DAR-1 guidelines were created on July 14, 2016.

NYSDEC also regulates pollutants that produce discomfort due to odors, where significant discomfort is evaluated on quantity, characteristic or duration.

NYC Interim Guidelines

In addition to the NAAQS, the *CEQR TM* requires that projects subject to CEQR apply a $PM_{2.5}$ and CO significant impact criteria (based on concentration increments). These criteria are called *de minimis* and they are more stringent than the NAAQS and the state standards as the criteria set a maximum increase of pollutant concentration that is below the national standard. If the estimated impacts of a proposed project are less than the *de minimis* criteria, the impacts are not considered to be significant. As outlined in the *CEQR TM,* CO significant impacts are evaluated as follow:

- An increase of 0.5 parts per million (ppm) or more in the maximum 8-hour average CO con-centration at a location where the predicted No-Action 8-hour concentration is equal to 8 ppm or between 8 ppm and 9 ppm; or
- An increase of more than half the difference between baseline (*i.e.*, No-Action) concentrations and the 8-hour standard, when No-Action concentrations are below 8 ppm.

Per the *CEQR TM*, significant adverse $PM_{2.5}$ concentration is determined by:

- Predicted 24-hour maximum $PM_{2.5}$ concentration increase of more than half the difference between the 24-hour background concentration and the 24-hour standard; or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.1 $\mu g/m^3$ at ground level on a neighborhood scale (*i.e.*, the annual increase in concentration representing the average over an area of approximately 1 square kilometer, centered on the location where the maximum ground-level impact is predicted for stationary sources; or for mobile sources, at a distance from a roadway corridor similar to the minimum distance defined for locating neighborhood scale monitoring stations); or
- Predicted annual average $PM_{2.5}$ concentration increments greater than 0.3 $\mu g/m^3$ at any receptor location for stationary sources.

Background Concentrations

Determination of significant impact criteria is evaluated by adding the background concentrations at the nearest NYSDEC monitoring station to the concentrations of criteria pollutants in the ambient air of the Proposed Rezoning Area.

Background concentrations of relevant criteria pollutants were obtained from the NYSDEC's annual report for 2015 at the nearest monitoring stations.

Table 2.7-2: Background Concentration at the Queens College and JHS 126 Monitoring Stations (NYSDEC 2015 Report)

Pollutant	Averaging Period	Background Concentration	Monitoring Station
NO_2	Maximum 1-Hour Concentration	11.2 $\mu g/m^3$	Queens College
	Annual Arithmetic Average	40.8 $\mu g/m^3$	
$PM_{2.5}$	24-Hour Concentration	23.0 $\mu g/m^3$	JHS 126

	Average of 3 Consecutive Annual Means	9.1 µg/m^3	

The *de minimis* criteria for $PM_{2.5}$ was evaluated as described in the NYC Interim Guidelines and the concentration increment are presented below:

- 24-hour $PM_{2.5}$ 6.0 µg/m^3
- Annual $PM_{2.5}$ 0.3 µg/m^3

HVAC ANALYSIS

Screening Analysis

Based on CEQR recommendations, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system boiler emissions can be significant. This CEQR screening procedure is applicable to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

The distance between the Development Site and the 5-story building at 610 Dean Street (Block 1137, Lot 25) was determined to be 27 feet. Therefore, the screening analysis is not applicable and a detailed dispersion analysis is required to estimate the impact of the Development Site on the existing building at 610 Dean Street.

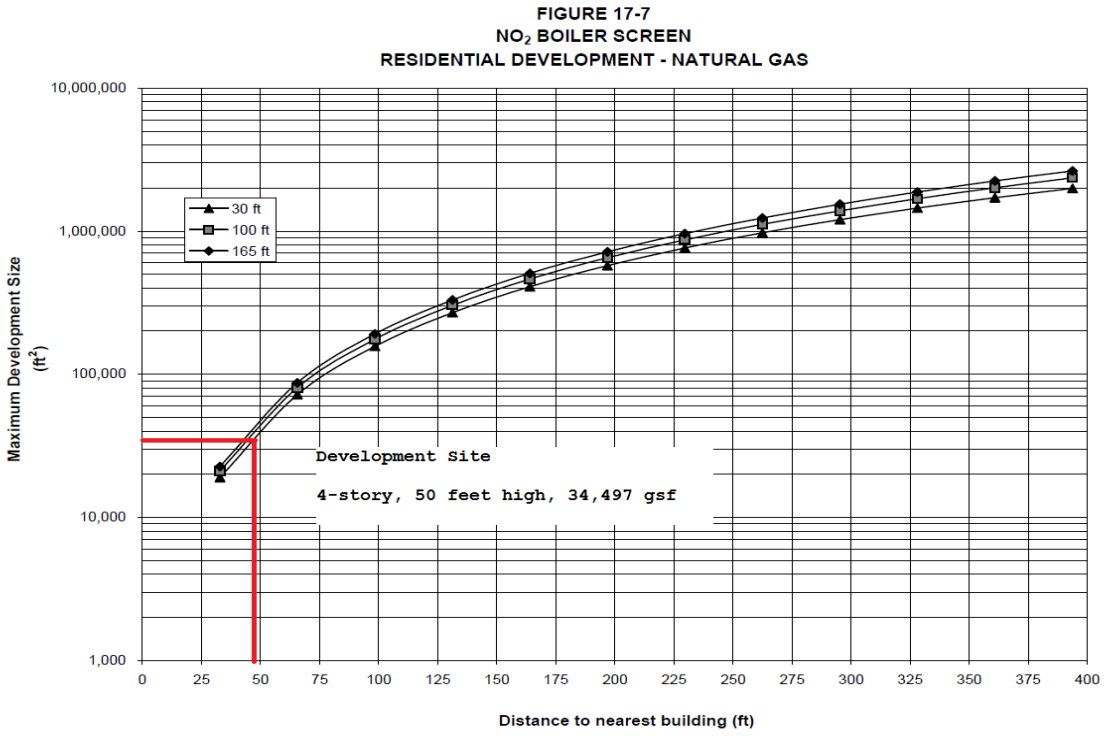
The Development Site is expected to use natural gas for the heat and hot water system. Therefore, a screening analysis was performed for natural gas use and environmental designations added to specify use of natural gas only.

Per the *CEQR TM*, the total square footage of the Development Site was used in the analysis and the CEQR natural gas nomograph depicted on Figure 17-7 of the *CEQR TM* Appendix for a 30-foot stack height was applied (as the 30 feet curve height is closest to but not higher than the proposed stack height, as the CEQR screening procedure requires). This nomograph depicts the size of the development versus distance below which the potential impact can occur, and provides a conservative estimate of the threshold distance.

If the actual distance between a stack and the 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 a detailed analysis would be required.

Figure 2.7-2 depict the screening analysis of the Development Site on existing land uses, where the square footage of the Development Site is 34,497 gsf.

Figure 2.7-2: The Development Site Minimum Distance - HVAC Screen Nomograph for Natural Gas Use



The screening analysis nomograph shows that a detailed analysis would be required for any existing land uses that is 50 feet or higher and at a distance of no more than 48 feet from the Development Site.

A review of existing land uses within 400 feet of the Development Site via the New York City Open Accessible Space Information System (OASIS) Land Use interactive mapping application and Google imaging map shows that there is no existing building similar to or greater in height within a radius of 48 feet of the Development Site, other than the previously identified 60 feet high building at 610 Dean Street (Block 1137, Lot 25).

Detailed Analysis

A dispersion modeling analyses was conducted to estimate impacts from the stack emissions of the Development Site using the latest version of EPA's AERMOD dispersion model 9.3.0 (EPA version 16216r). In accordance with CEQR guidance, these analyses were conducted assuming stack tip downwash, urban dispersion surface roughness length of 1.0 meter, elimination of calms, and with and without downwash effect on plume dispersion. AERMOD's Tier I module was utilized for the 1-hour NO_2 analysis – to account for a full NOx to NO_2 conversion – and a ratio of 80% of NOx/NO_2 ratio was applied to the modeled pollutant concentration.

HVAC Emissions

Emission rates were estimated as follows:

- The Development Site is expected to be heated by natural gas, emission rates of NOx and $PM_{2.5}$ were calculated based on annual natural gas usage corresponding to the gross floor area of the buildings,

EPA AP-42 emission factors for natural gas combustion in small boilers, and gross heating values of natural gas (1,020 Btu per million cubic feet).

- $PM_{2.5}$ emissions from natural gas combustion accounted for both filterable and condensable particulate matter.
- The natural gas fuel usage factor (59.1 cubic foot per square foot per year) was used to estimate annual natural gas usage for residential use and was calculated by dividing the energy consumption rate of 60.3 thousand Btu/ft^2 by natural gas heating value of 1020 Btu/ft^3.

Table 2.7-3 provides NO_2 and $PM_{2.5}$ emission rates, both short-term and annual, for the Project Site and the Lot 7 Site. The diameter of the stacks and the exhaust's exit velocities were estimated based on values obtained from the NYCDEP "CA Permit" database for the corresponding boiler sizes (i.e., rated heat input or million Btu per hour). Boiler sizes were estimated based on the assumption that all fuel was consumed during the 100 day (or 2,400 hour) heating season. The stack exit temperature was assumed to be 300°F (423°K), which is appropriate for boilers.

Table 2.7-3. Estimated Short-term and Annual Emission Rates of The Project Site and The Lot 7 Site

Site ID	Floor Area	NO_2 Emission factor (2) g/sec		$PM_{2.5}$ Emission factor (1) g/sec	
	ft^2	1-hour	Annual	24-hour	Annual
Project Site	34,497	1.07E-02	2.93E-03	8.05E-04	2.23E-04

Notes:
1. PM2.5 emission factor for natural gas combustion of 7.6 lb/106 cubic feet included filterable and condensable particulate matter, filterable PM2.5=1.9 lb/100 cubic feet and condensable PM2.5=5.7 lb/106 cubic feet (AP-42, Table 1.4-2).
2. NOx emission factor for natural gas of 100 lb/100 cubic feet for uncontrolled boilers with <100MMBtu/hr (AP-42, Table 1.4-1).
3. Boiler size was estimated based on a fuel consumption rate of 1,020 Btu/ft3 and the assumption that all fuel is consumed in a 100 day (2,400 hours) heating season using the following equation: MMBtu/hr = X ft3/yr / 2,400hrs/yr * 1020 Btu/ft3/106 MMBtu/Btu.

HVAC Meteorological Data

All analyses were conducted using the latest five consecutive years of meteorological data (2012-2016). Surface data was obtained from La Guardia Airport and upper air data was obtained from Brookhaven station, New York. Data was processed by Lakes Environmental Software, Inc. using the current EPA AERMET version (14134) and EPA procedures. These meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevations over the 5-year period.

Meteorological data were combined to develop a 5-year set of meteorological conditions, which was used for the AERMOD modeling runs and Anemometer height of 9.4 meters was specified per Lakes Environmental Software Inc.

Per Lakes Environmental Inc., $PM_{2.5}$ special procedure which is incorporated into AERMOD calculates concentrations at each receptor for each year modeled, averages those concentrations across the number of years of data, and then selects the highest values across all receptors of the 5-year averaged highest values.

HVAC AERMOD Setting

AERMOD calculates concentrations according to the dispersion option, pollutant and averaging time, and output specified in the model. All models specified flat terrain, the default urban roughness coefficient of 1.0 meter with a population of 2,000,000. The other parameters of each pollutant corresponding to the scenario modeled were:

1-hour NO_2: NAAQS option enabled, Tier I conversion method and 8th highest value output.

Annual NO_2: NO_2 pollutant selected and Report Maximum Annual Average for Each Met Year enabled.

24-hour $PM_{2.5}$ NAAQS: Based on a multi-year average of ranked maximum daily values enabled and 1st highest value output.

Annual $PM_{2.5}$: $PM_{2.5}$ pollutant selected and Report Maximum Annual Average for Each Met Year enabled.

HVAC Stack and Receptor Locations

The New York City Building Code (Building Code) requires that a rooftop stack should be at least 10 feet away from the edge of the roof and at least 3 feet higher than the roofline. As such, the HVAC stacks on the Development Site building was located on the building's highest tier, 10 feet from the edge of the roof, and as close as possible to the receiving building.

Figure 2.7-3 displays AERMOD's buildings configuration plotted in Google Earth to illustrate the stack's location of the project-on-existing model, where the Development Site is shaded in blue and the receiving building at 610 Dean Street is shaded in green. As illustrated, the stack was reasonably located on the building's highest tier, 3 feet above the roofline, and 10 feet from the rooflines facing the receiving building.

Figure 2.7-3. AERMOD's Development Site Input Plotted in Google Earth With a 48-foot Buffer Zone.



- All dispersion analyses for the project-on-existing models of both NO_2 and $PM_{2.5}$ used the calculated emission factors.
- Building Profile Input Program (BPIP) was run with the downwash effect enabled.

Receptors on the receiving building were placed at 10 foot increments on all floor levels, and conservatively at 5 feet below the roof line.

Results of Dispersion Analyses

Result of the project-on-existing HVAC NO_2 and $PM_{2.5}$ analyses are shown in **Table 2.7-4,** where the modeled maximum concentrations were at the 5th floor level at a height of 55 feet above grade.

Table 2.7-4. Detailed HVAC Analyses Results

Project Site ID	Projected Development Receptor Sites	24-hr PM2.5 Impacts	Annual PM2.5 Impacts	1-hr NO2 Impacts (1)	Annual NO2 Impacts (1)
		µg/m³	µg/m³	µg/m³	µg/m³
Development Site	Block 1137, Lot 25	3.0	0.07	173.3	41.7
Threshold Criteria µg/m³		**6.0**	**0.3**	**188**	**100**

Notes:

1. Total 1-hour Tier 2 approach and annual concentrations of NO_2 include background concentrations values of 113.2 µg/m³ and 40.8 respectively.

The results are compared with the 24-hour/annual $PM_{2.5}$ significant impact criteria, and the 1-hour/annual NO_2 NAAQS.

The $PM_{2.5}$ impacts are less than the significant impact criteria for $PM_{2.5}$ of 6.0 µg/m³ and 0.3 µg/m³, respectively, and both the 1-hour and annual NO_2 concentrations estimated are less than the 1-hour and annual NO_2 NAAQS of 188 µg/m³and 100 µg/m³, respectively.

Therefore, with (E) Designations in place, the emissions from the Development Site would not significantly impact any of the existing land uses.

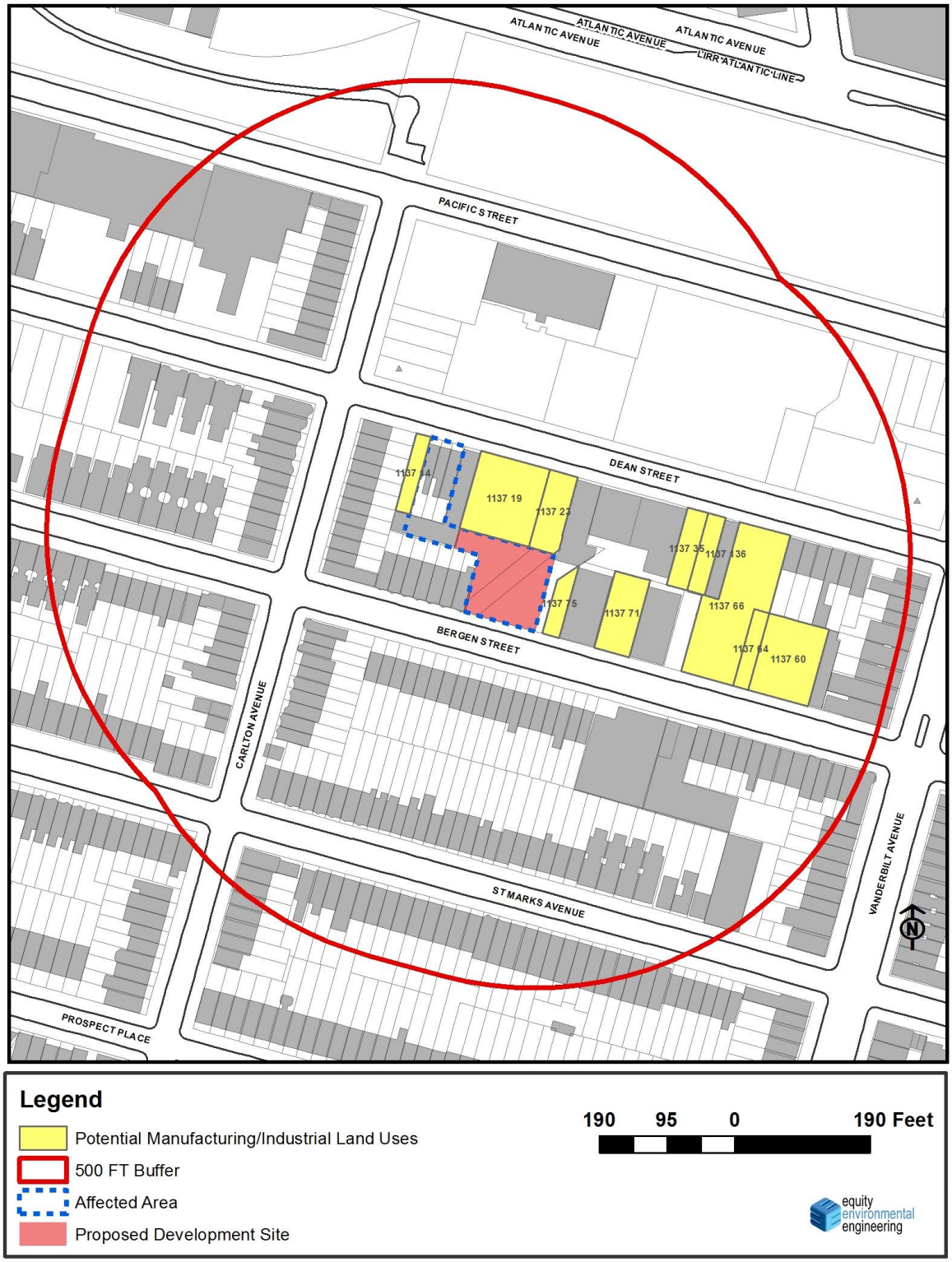
Air Toxics Screening

In addition to evaluating the impact of the proposed rezoning on existing neighborhood land uses, a determination must be made whether the Proposed Rezoning Area might be impacted by existing or planned toxic emissions from nearby adjacent industrial or manufacturing uses. Because the Proposed Rezoning Area is located in an area with a mix of industrial and residential uses directly adjacent to one another and the Site itself, an assessment of industrial uses near the Proposed Rezoning Area was conducted. A search of potential industrial sites was performed to identify any NYC DEP Air Quality Permits issued within 500 feet of the Proposed Rezoning Area. This Study Area and the mapped uses identified by NYC DCP as being present in this area are shown in **Figure 2.7-4.** As this Figure shows, there are only a handful of potential manufacturing or industrial uses present on Block 1137 which is primarily zoned M1-1. Upon further investigation however, even most of those uses shown as manufacturing or industrial under MapPluto are in fact commercial/office or residential. After each location was further evaluated for its actual use, a CATS Air Quality Permit Search was performed to determine if existing hazardous air toxics would have the potential to impact the Development Site. **Table 2.7-5** shows the following industrial or manufacturing sites were identified and reviewed for permit activity as well as the actual uses and current permits present at each site.

Table 2.7-5 Industrial Sites within 500 feet of Proposed Rezoning Area

Block	Lot	Address	OwnerName	Use	DCP AQ Permit
1137	60	631 BERGEN STREET	LEEDAS TRADING INC	Import - Export Warehouse	BOILER PEMIT
1137	136	636 DEAN STREET	JAMES GREENFIELD	Art Gallery	
1137	71	607 BERGEN STREET	CRAWFORD JOHN C	under development - Pacific Park	
1137	23	606 DEAN STREET	PRIMO REALTY INC	Primo Uniform - Cleaning	BOILER PEMIT
1137	66	619 BERGEN STREET	TRI-GENERAL INC	Universal Peace Buddha Temple of NY	
1137	75	601 BERGEN STREET	ULANO CORPORATION	light manufacturing/non-conforming residential	
1137	19	594 DEAN STREET	1121 LLC	social office space	BOILER PEMIT
1137	35	634 DEAN STREET	BROOKLYN DEAN, LLC	commercial offfice space TERRA CRG	
1137	64	623 BERGEN STREET	623 BERGEN, LLC	warehouse - art exhibition space	

Figure 2.7-4 Potential Industrial and Manufacturing Uses within the 500-Foot Study Area



Only three current permits were identified, all of which were for boiler operations with no industrial type permits issued. Based on data investigation and a field evaluation, no risk from any adjacent land use in terms of air quality exists to the Proposed Rezoning Area.

Although permit was issued for the former Newsday building on Block 1128 Lot 7501 for a paper and printing press processing and expired in 1999. This building has been converted to residential use for the last 15 years and poses no air toxic threat to the Proposed Rezoning Area

(E) Designation

The HVAC analysis for the Development Site concluded that fuel would need to be restricted to the exclusive use of natural gas in its HVAC system, and the minimum stack height would need to be specified.

The (E) Designation language is as follows:

Block 1137, Lots: 77, 81, and 82 (the Development Site): Any new residential or commercial development on the above-referenced property must exclusively use natural gas as the type of fuel for heating, ventilating, air conditioning (HVAC) and hot water system to avoid any potential significant adverse air quality impacts. The HVAC stack shall be located at least 20 feet from the lot line facing Dean street at the highest tier, or at a minimum of 53 feet above grade to avoid any potential significant adverse air quality impact.

With the assignment of the E Designation for air quality, the proposed actions are not expected to result in significant adverse impacts.

CONCLUSION

Air quality analyses addressed mobile sources, stationary HVAC systems, and air toxics. The results of the analyses are summarized below.

- Emissions from project-related vehicle trips would not cause significant air quality impacts to receptors at the local or neighborhood scale;
- Emission from the parking garage of the Development Site building would not cause significant air quality impacts to receptors at the local scale; and
- Emissions from project-related heating, ventilation, and air conditioning systems (HVACs) would not cause significant air quality impacts to receptors at the local scale with (E) - Designations in place.

2.8 NOISE

Noise is defined as any unwanted sound, and sound is defined as any air pressure variation that the human ear can detect. Human beings can detect a large range of sound pressures ranging from 20 to 20 million micropascals, but only those air-pressure variations occurring within a 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.

In terms of hearing, humans are less sensitive to low frequencies (<250 Hz) than mid-frequencies (500-1,000 Hz). Humans are most sensitive to frequencies in the 1,000 to 5,000 Hz range. Since ambient noise contains many different frequencies all mixed together, measures of human response to noise assign more weight to frequencies in this range. This is known as the A-weighted sound level.

Noise is measured in sound pressure level (SPL), which is converted to a decibel scale. The decibel is a relative measure of the sound level pressure with respect to a standardized reference quantity. Decibels on the A-weighted scale are termed “dB(A).” The A-weighted scale is used for evaluating the effects of noise in the environment because it most closely approximates the response of the human ear. On this scale, the threshold of discomfort is 120 dB(A), and the threshold of pain is about 140 dB(A). **Table 2.8-1** shows the range of noise levels for a variety of indoor and outdoor noise levels.

Because the scale is logarithmic, a relative increase of 10 decibels represents a sound pressure level that is 10 times higher. However, humans do not perceive a 10 dB(A) increase as 10 times louder; they perceive it as twice as loud. The following are typical human perceptions of dB(A) relative to changes in noise level:

- 3 dB(A) change is the threshold of change detectable by the human ear;
- 5 dB(A) change is readily noticeable; and
- 10 dB(A) increase is perceived as a doubling of the noise level.

The *CEQR Technical Manual* recommends an analysis of two principal types of noise sources: mobile sources; and stationary sources. Both types of noise sources are examined in the following sections.

Site Location

As discussed in the *CEQR Technical Manual*, if the proposed project is located in areas with high ambient noise levels, which typically include those near heavily-traveled thoroughfares, airports, exposed rail, or other loud activities, further noise analysis may be warranted to determine the attenuation measures for the project. The proposed action would allow for redevelopment of a former parking lot to accommodate a residential building. As only the Development Site Site is projected to develop under the proposed action – only this Site was evaluated for this assessment. The Development Site is located on the north side of Bergen Street between Carlton Ave and Vanderbilt Avenue within the Prospect Heights district of Brooklyn, New York. Vehicular traffic is the predominant source of noise, and therefore the Development Site warrants an assessment of the potential for adverse effects on project occupants from ambient noise. The proposed redevelopment of the Development Site 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 Site.

The Development Site Site is identified as Tax Block 1137, Lots 77, 81, and 82. The site only has one frontage on Bergen Street, which is a one-way westbound street with one moving lane. The B65 bus (Downtown Brooklyn – Crown Heights) operates on Bergen Street directly in front of the Development Site. The area in which the Development Site is located is primarily residential and industrial. The Development Site is currently a vacant parking lot enclosed by a chain-link fence. The Development Site lots have a total of approximately 100 feet of frontage on Bergen Street.

2.8.1 Mobile Sources

Mobile noise sources are those which move in relation to receptors. The mobile source screening analysis addresses potential noise impacts associated with vehicular traffic generated by the proposed action.

Per the *CEQR Technical Manual*, if existing passenger car equivalent (PCE) values are increased by 100 percent or more due to a proposed action, a detailed analysis is generally performed. Vehicular traffic studies are not warranted, as the proposed action is not expected to generate a magnitude of trips through any local intersection during peak periods that would trigger the need for detailed analysis. Within the Proposed Rezoning Area, no significant adverse mobile source noise impacts due to vehicular traffic are anticipated because of the proposed action.

2.8.1 Stationary Sources

The *CEQR Technical Manual* states that based upon previous studies, unless existing ambient noise levels are very low and/or stationary source levels are very high (and there are no structures that provide shielding), it is unusual for stationary sources to have significant impacts at distances beyond 1,500 feet. A detailed analysis may be appropriate if the proposed project would: cause a substantial stationary source (i.e., unenclosed mechanical equipment for manufacturing or building ventilation purposes, playground, etc.) to be operating within 1,500 feet of a receptor, with a direct line of sight to that receptor; or introduce a receptor in an area with high ambient noise levels resulting from stationary sources, such as unenclosed manufacturing activities or other loud uses. Machinery, mechanical equipment, heating, ventilating and air-conditioning units, loudspeakers, new loading docks, and other noise associated with building structures may also be considered in a stationary source noise analysis. Impacts may occur when a stationary noise source is near a sensitive receptor, and is unenclosed.

Even though the Proposed Rezoning Area abuts an existing M1-1 district, no unenclosed specific stationary noise sources of concern were observed during field inspection. As the Development Site is not subject to high ambient noise levels from any nearby stationary source, no stationary source noise impacts from surrounding uses are anticipated. Further all the existing uses in this section of the M1-1 will be replaced by residential uses. Additionally, as the proposed project would not introduce a new stationary noise source, no significant adverse stationary source impacts are anticipated because of the proposed action, and no further analysis is warranted.

In 1983, the New York City Department of Environmental Protection (NYCDEP) adopted the City Environmental Protection Order-City Environmental Quality Review (CEPO-CEQR) noise standards at the exterior façade to achieve interior noise levels of 45 dB(A) or below. CEPO-CEQR Noise Standards classify noise exposure into four categories: Acceptable, Marginally Acceptable, Marginally Unacceptable and Clearly Unacceptable. As noted in the *CEQR Technical Manual*, these standards

are the basis for classifying noise exposure into the following categories based on the L_{10} measured directly outside the projected development site:

Table 2.8-1 Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[1]	(I) 28 dB(A)	(II) 31 dB(A)	(III) 33 dB(A)	(IV) 35 dB(A)	$36 + (L_{10} - 80)^2$ dB(A)

Source: *CEQR Technical Manual*
Notes:
[1] The above composite window-wall attenuation values are for residential dwellings. Commercial and office spaces/meeting rooms would be 5 dB(A) less in each category. All the above categories require a closed window situation and hence an alternate means of ventilation.
[2] Required attenuation values increase by 1 dB(A) increments for L_{10} values greater than 80 dBA.

Framework of Noise Analysis

The *CEQR Technical Manual* provides noise exposure guidelines in terms of L_{eq} and L_{10} for the maximum amount of allowable noise under existing regulations. L_{eq} is the continuous equivalent sound level. The sound energy from the fluctuating sound pressure levels 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 greater effect on the L_{eq} than low noise levels. The L_{eq} has an advantage over other descriptors because L_{eq} values from different noise sources can be added and subtracted to determine cumulative noise levels. In comparison, L_{10} is the SPL exceeded 10 percent of the time. Similar descriptors include the L_{50}, L_{01}, and L_{90} values.

Table 2.8-2 Sound Pressure Level & Loudness of Typical Noises in Indoor & Outdoor Environments

Noise Level dB(A)	Subjective Impression	Typical Sources		Relative Loudness (Human Response)
		Outdoor	Indoor	
120-130	Uncomfortably Loud	Air raid siren at 50 feet (threshold of pain)	Oxygen torch	32 times as loud
110-120	Uncomfortably Loud	Turbo-fan aircraft at take-off power at 200 feet	Riveting machine Rock band	16 times as loud
100-110	Uncomfortably Loud	Jackhammer at 3 feet		8 times as loud
90-100	Very Loud	Gas lawn mower at 3 feet Subway train at 30 feet Train whistle at crossing Wood chipper shredding trees Chain saw cutting trees at 10 feet	Newspaper press	4 times as loud
80-90	Very Loud	Passing freight train at 30 feet Steamroller at 30 feet Leaf blower at 5 feet Power lawn mower at 5 feet	Food blender Milling machine Garbage disposal Crowd noise at sports event	2 times as loud

70-80	Moderately Loud	NJ Turnpike at 50 feet Truck idling at 30 feet Traffic in downtown urban area	Loud stereo Vacuum cleaner Food blender	Reference loudness (70 dB(A))
60-70	Moderately Loud	Residential air conditioner at 100 feet Gas lawn mower at 100 feet Waves breaking on beach at 65 feet	Cash register Dishwasher Theater lobby Normal speech at 3 feet	2 times as loud
50-60	Quiet	Large transformers at 100 feet Traffic in suburban area	Living room with TV on Classroom Business office Dehumidifier Normal speech at 10 feet	1/4 as loud
40-50	Quiet	Bird calls Trees rustling Crickets Water flowing in brook	Folding clothes Using computer	1/8 as loud
30-40	Very quiet		Walking on carpet Clock ticking in adjacent room	1/16 as loud
20-30	Very quiet		Bedroom at night	1/32 as loud
10-20	Extremely quiet		Broadcast and recording studio	
0-10	Threshold of Hearing			

Sources: Noise Assessment Guidelines Technical Background, by Theodore J. Schultz, Bolt Beranek and Newman, Inc., prepared for the US Department of Housing and Urban Development, Office of Research and Technology, Washington, D.C., undated; Sandstone Environmental Associates, Inc.; Highway Noise Fundamentals, prepared by the Federal Highway Administration, US Department of Transportation, September 1980; Handbook of Environmental Acoustics, by James P. Cowan, Van Nostrand Reinhold, 1994.

Measurement Location and Equipment

Because the predominant noise source in the area of the proposed project 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. Monitoring was conducted at only the Bergen Street frontage of the Development Site as shown in **Figure 2.8-1 and 2.8-2**.

Measurement Conditions

Monitoring was conducted during typical midweek conditions, on Tuesday, October 21, 2014. The weather was dry and wind speeds were moderate throughout the day. Traffic volumes and vehicle classification were documented during the noise monitoring. Since this timeframe – no significant additional development or sources of noise are present within the 400-foot Study Area. The sound meter was calibrated before and after each monitoring session.

Figure 2.8-1 Noise Monitoring Location

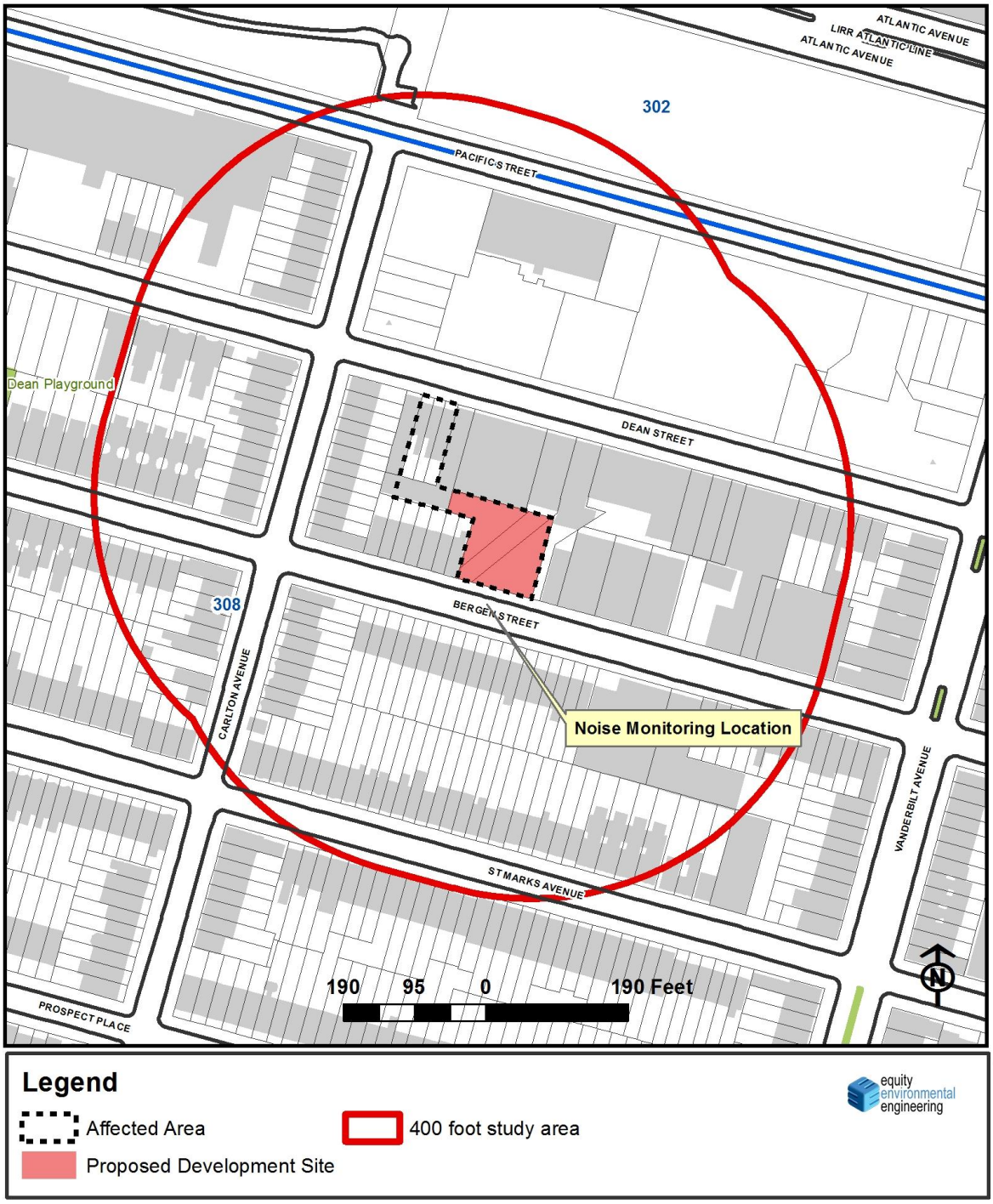


Figure 2.8-2 Photo of Monitoring Location



Photo: Noise monitoring location, Bergen Street

Existing Conditions

Based on the noise measurements taken at the Development Site, the predominant source of noise is commercial vehicular traffic. The volume of vehicular traffic, and its corresponding level of noise, is light to moderate on Bergen Street. Given that there is a bus line that operates on Bergen Street, it constitutes a worst-case condition for noise at the Development Site. **Table 2.8-1** contains the results for the measurements taken at the Development.

Table 2.8-2 Noise Levels at the Development Site Site – 587 Bergen Street

	Tuesday, October 21, 2014		
	8:24 - 8:49 am	12:01 - 12:25 pm	5:02 - 5:25 pm
L_{max}	80.9	76.5	77.3
L_5	70.9	67.7	68.1
L_{10}	**68.8**	**65.7**	**66.5**
L_{eq}	65.1	62.0	62.8
L_{50}	61.5	58.4	59.3
L_{90}	56.4	55.0	51.3
L_{min}	51.0	52.8	47.9

Table 2.8-3 Traffic Volumes and Vehicle Classifications on Carroll Street (20-minute counts for duration of each monitoring session)

	AM	Mid-Day	PM
Car/Taxi	85	40	57
Van/Lt. Truck/SUV	70	34	66
Heavy Truck	8	9	10
Bus	2	1	3
Mini Bus	1	1	0
Motorcycle/Moped	1	1	1

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 Bergen Street frontage of the Development Site was 68.8 during the morning period.

Therefore, no window-wall noise attenuation would be required, and there would be no adverse impacts related to noise.

2.9 CONSTRUCTION

Construction impacts, although temporary in duration, can have disruptive and noticeable effects on the area that surrounds a project site. The potential for construction impacts to become significant could occur when construction activity results in a significant adverse effect on such technical areas as transportation, air quality, noise, historic and cultural resources, hazardous materials, natural resources, open space, socioeconomic conditions, community facilities, land use and public policy, neighborhood character or infrastructure. The determination of significance and need for related mitigation is generally based on the duration and magnitude of the potential construction 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.

None of the above factors exist for a preliminary assessment to be warranted. The project is not located in a CBD, or along a major thoroughfare, no lane closures are anticipated, and the project is not located in an area where sensitive uses exist with high pedestrian activity, nor are there multiple development sites or construction that would last more than two years.

AIR QUALITY AND NOISE
Per 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 and does not involve construction of multiple buildings.

HISTORIC AND CULTURAL RESOURCES
As discussed elsewhere in this document, the Landmarks Preservation Commission has

determined that the Proposed Rezoning Area does not possess architectural or archaeological resources. However, the Proposed Rezoning Area does abut the Prospect Heights Historic District and therefore construction measures appropriate to this context should be identified.

The City has two procedures for avoidance of damage to historic structures from adjacent construction. All buildings are provided some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.

The second protective measure applies only to designated NYCL and S/NR listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed. The 90-foot distance is recognized as being close enough to potentially experience adverse construction-related impacts from ground-borne construction-period vibrations, falling debris, and/or collapse.

As discussed in in **Chapter 2.4** above, the Prospect Heights Historic District is within 400 feet of the Development Site Site and would therefore be protected under the measures of TPPN 10/88. Provided these measures are followed, the proposed actions would not result in significant adverse construction-related impacts at these resources.

By following the protection measures under DOB Code Section 27-166 (C26-112.4) and DOB's TPPN #10/88 for those applicable resources, demolition and/or construction work on the projected development site would not cause any significant adverse construction-related impacts to nearby historic and cultural resources.

HAZARDOUS MATERIALS
As discussed previously, no RECs exist for the Proposed Rezoning Area, as such no impacts from hazardous materials are anticipated during construction.

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.

equity environmental engineering

587-597 Bergen Street

Prospect Heights, Brooklyn NY

APPENDIX TO

Environmental Assessment Statement

July, 2017

Site:
587-597 Bergen Street
Brooklyn, NY

Tax Lots:
Block: 1137, Lots: 15, 16, 17, 77, 81, 82 and p/o 14 & 18

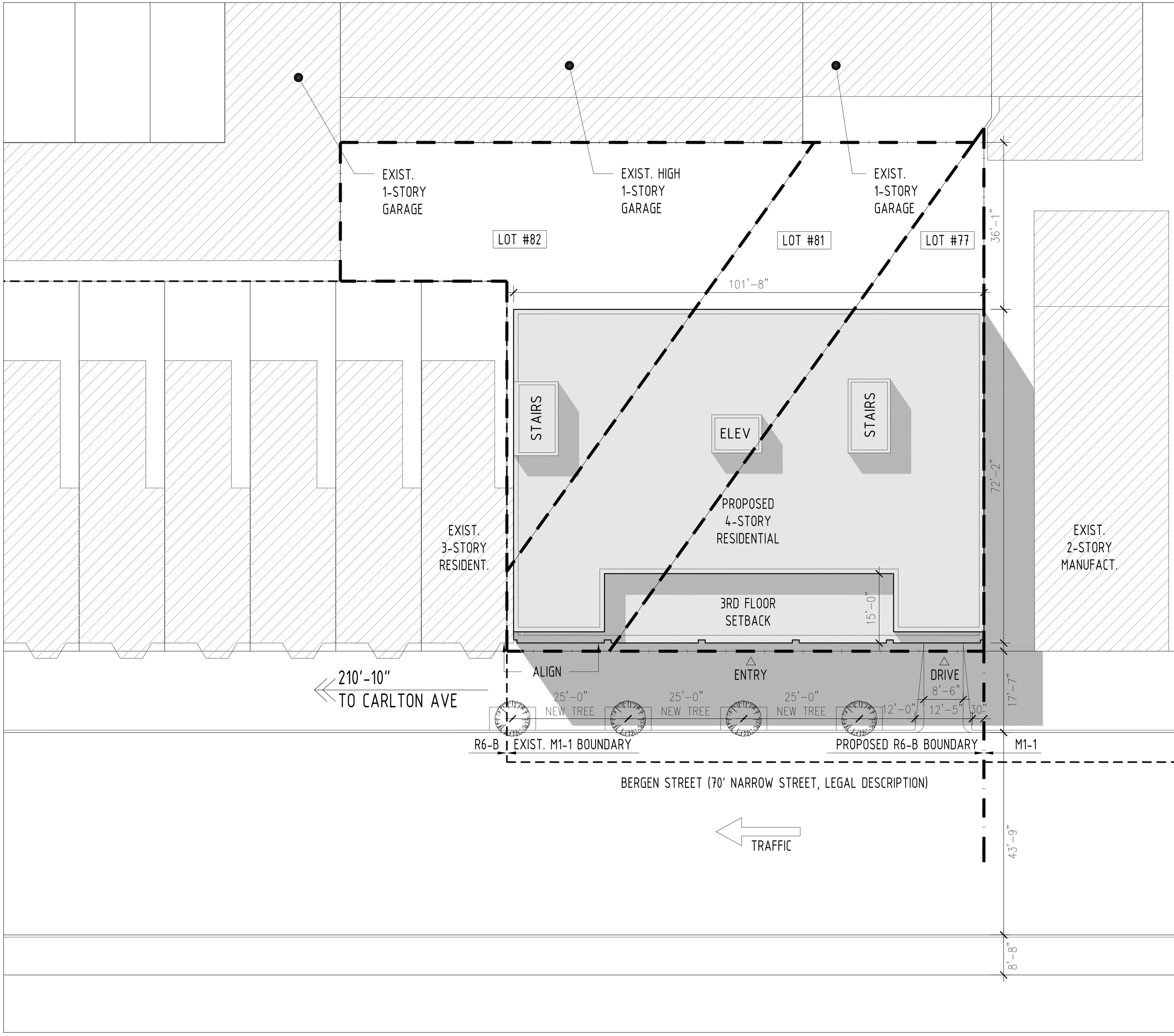
Lead Agency:
New York City Department of City Planning
120 Broadway
New York, NY 10271

Prepared for:
1121 of Delaware, LLC
43 East 16th Street
Brooklyn, NY 11226

Prepared by:
Equity Environmental Engineering
500 International Drive, Suite 150
Mount Olive, NJ 07828

equity
environmental
engineering

ARCHITECTURE



NOTE:
APPLICANTS STAMP AND SEAL REFERS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.

LEGEND	
- - - - -	ZONING DISTRICT
— —	ZONING LOT
— — —	TAX LOT

0 8 16 24

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET
REZONING

DWG. TITLE:
SITE PLAN

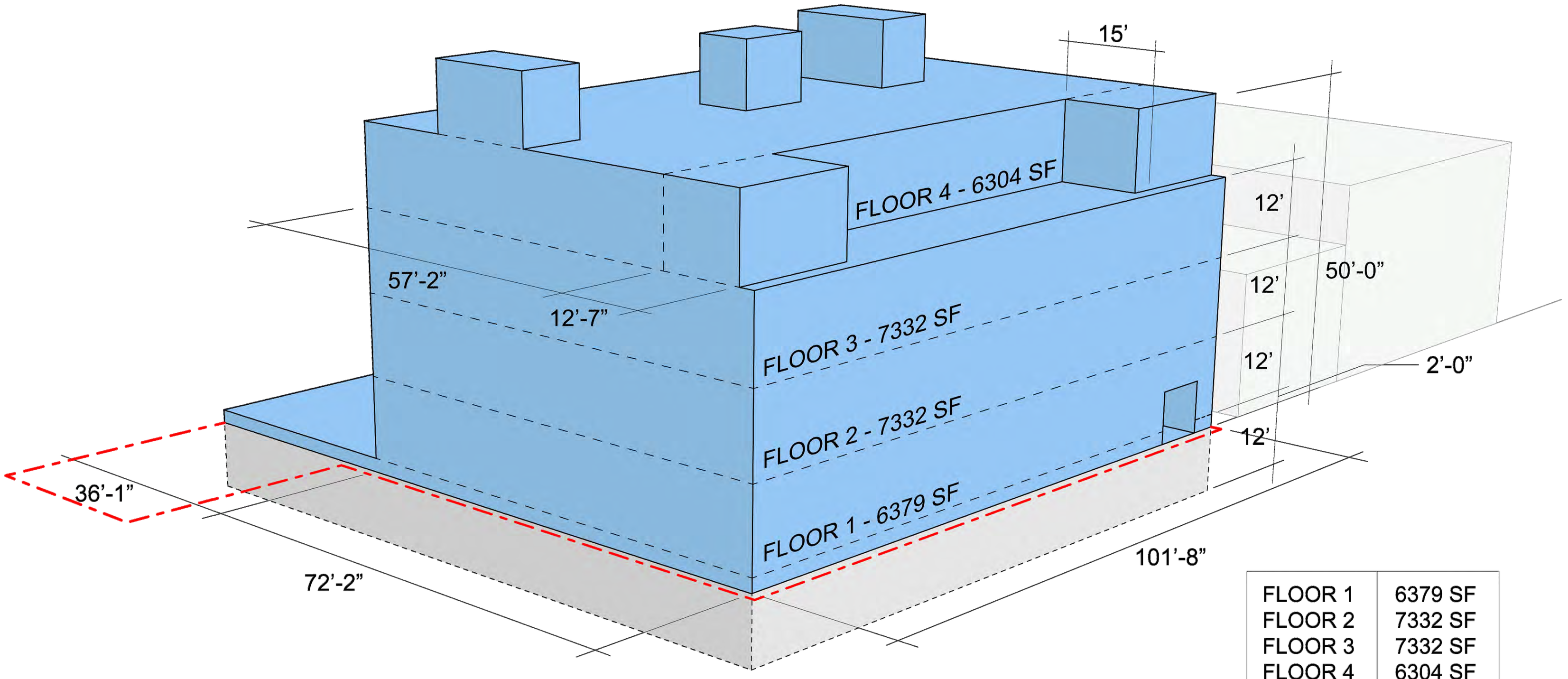
SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:

G-000.00

X OF X



FLOOR 1	6379 SF
FLOOR 2	7332 SF
FLOOR 3	7332 SF
FLOOR 4	6304 SF
TOTAL SF	**27,347 SF**

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

DWG. TITLE:
PROPOSED MIH MASSING

SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:
G-001.00

X OF X

SITE DATA

Block: 1137

Lots: 77, 81, 82

Street Address: 587-597 Bergen Street

Existing Zoning: M1-1

Proposed Zoning: R6B

Community District: 8, Brooklyn

Zoning Section Map No. 16c

Zoning Lot Area: 12,432 SF

List of Required Actions:

1. Zoning map amendment to rezone the existing M1-1 zoning district to an R6B zoning district
2. Zoning text amendment (Appendix F) to designate a Mandatory Inclusionary Housing Area (MIHA) coterminous with the boundaries of the proposed R6B zoning district

ZR Section	Item/Description	Permitted/Required	Proposed	Compliance/Notes
22-10	USES	Use Groups 1-4	Use Group 2	Complies
23-153 24-10 24-161	FLOOR AREA / FAR	Residential FAR 2.20 (MIH – 30% of floor area restricted to average of 80% AMI)	2.20 FAR	Complies
		Community Facility FAR 2.00	0 FAR	Complies
		Total FAR (for all uses) 2.20	2.20 FAR	Complies
		Residential floor area 12,432 SF x 2.20 =27,350 SF	27,347 SF	Complies
		Community Facility Floor Area 12,432 SF x 2.00 = 24,864 SF	0 SF	Complies
		Total Floor Area 12,432 SF x 2.20 =27,350 SF	27,347 SF	Complies
23-22	DENSITY	Dwelling Unit Factor 680 27,347 / 680 = 40 units	26 units	Complies
23-45 23-462(c) 23-47	YARDS	Front – None required	None	Complies
		Side – None required but if provided, minimum of 8' wide	None	Complies
		Rear – 30' deep	36' – 1" deep	Complies
23-153	LOT COVERAGE	Corner lot 100%, Interior or through lot 60% 12,432 x 60% = 7,459.2 SF max lot coverage	7,337 SF	Complies
23-662	HEIGHT & SETBACK	30' minimum base height 40' maximum base height (45' with Qualifying Ground Floor per 26-52) 50' total height (55' with Qualifying Ground Floor per 26-52) 15' setback above max base (narrow street) 10' setback above max base (wide street)	38' base height 50' total height 15' setback above 38' base	Complies
25-23 25-251	PARKING	50% of market rate dwelling units no spaces required for income restricted units 10 income restricted units = 0 spaces 16 units x 50% = 8 parking spaces	13 spaces	Complies
25-811	BICYCLE PARKING	1 space per 2 dwelling units 26 units / 2 = 13 enclosed bicycle spaces	13 spaces	Complies
26-41	STREET TREES	One tree per 25 feet of street frontage of the zoning lot 103.17 feet of frontage / 25 = 4 trees	4 street trees	Complies

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

DWG. TITLE:
ZONING ANALYSIS

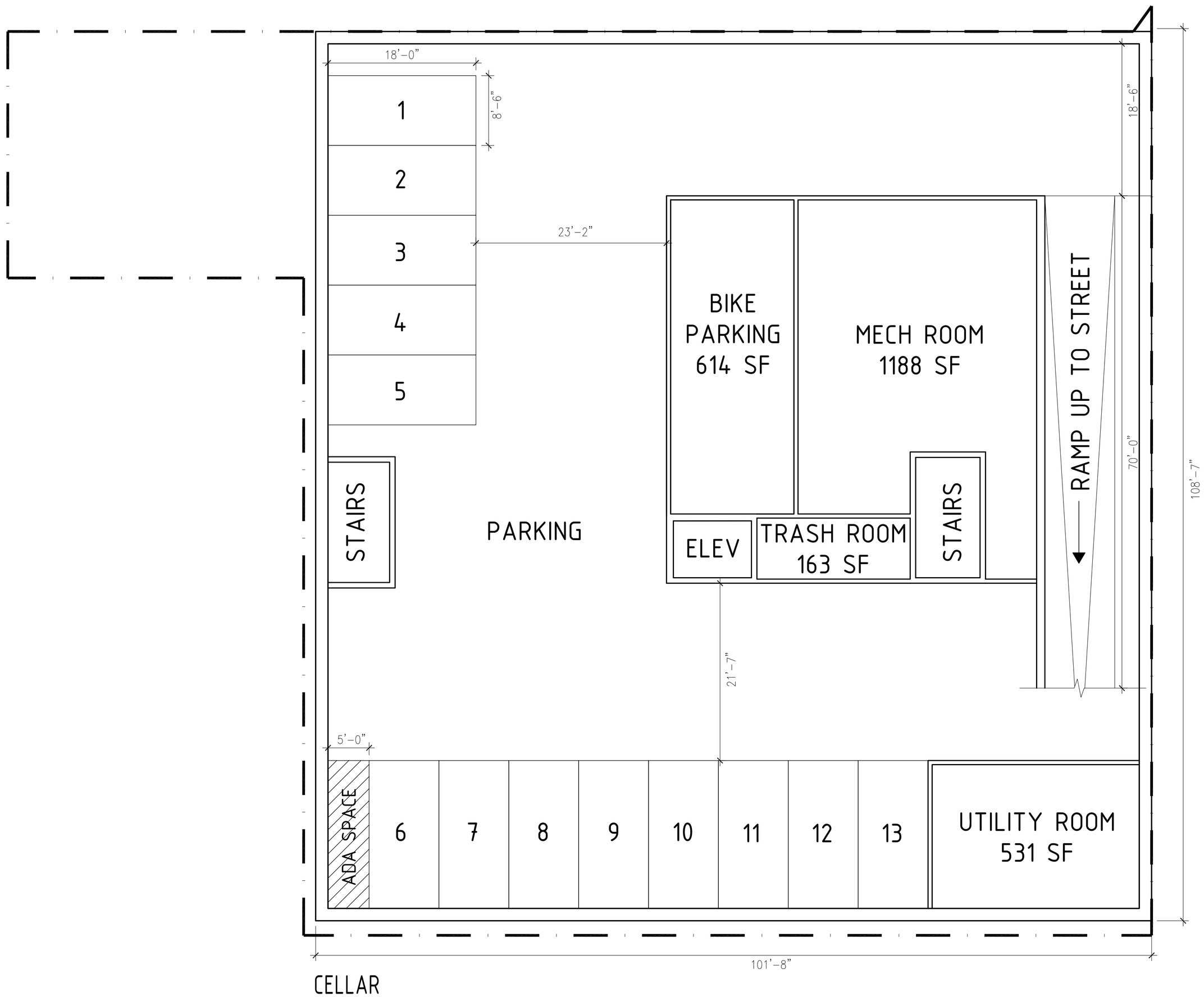
SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:

Z-100.00

X OF X



CELLAR

NOTE:
FOR ILLUSTRATIVE PURPOSES ONLY

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

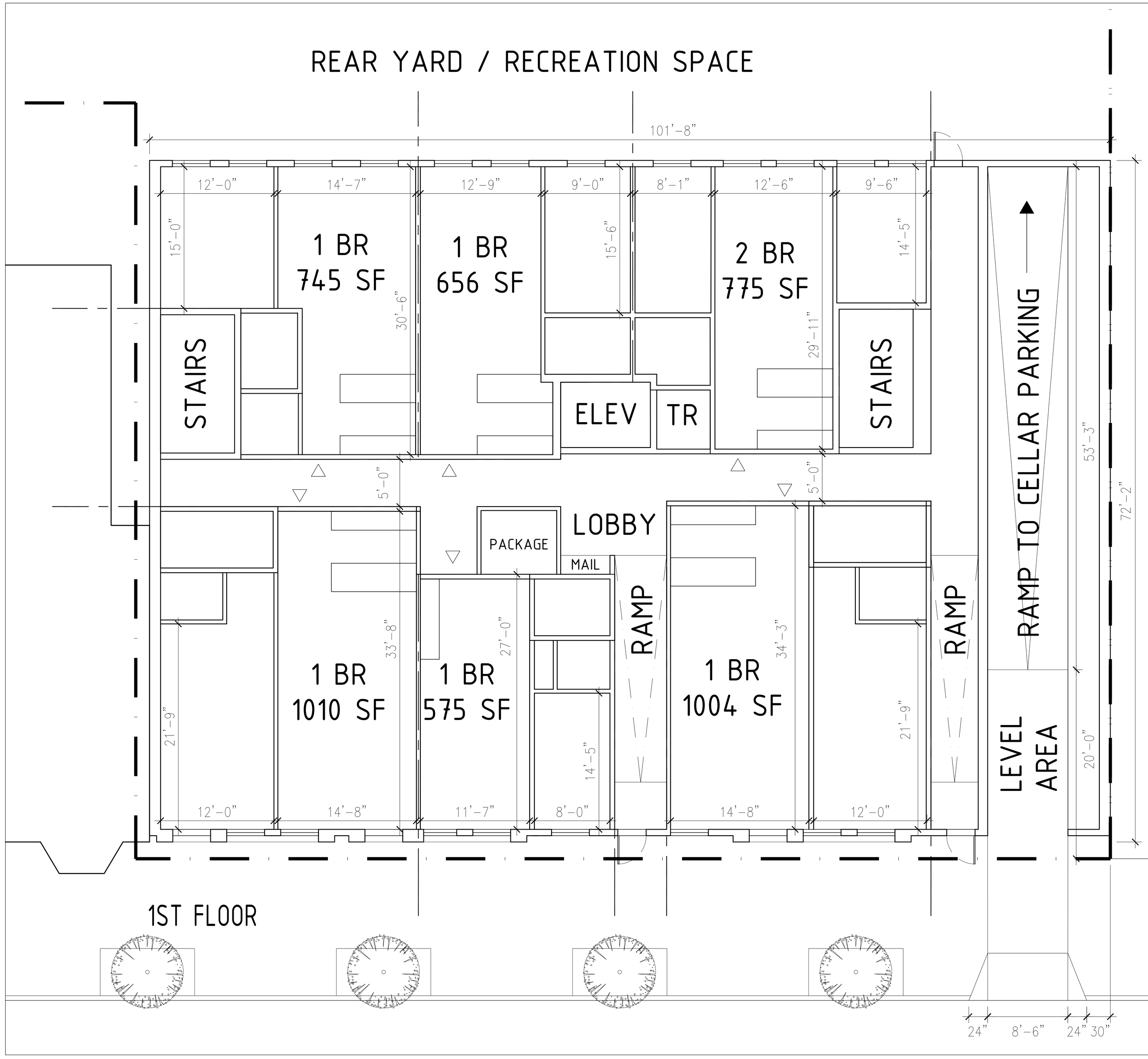
DWG. TITLE:
CELLAR PLAN

SCALE: 1/8" = 1'-0"

DATE: 10/25/2016

DWG. #:
A-200.00

X OF X



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TEL: 718-858-4018
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INFO@N-PLUS.US

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68 JAY STREET
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587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET
REZONING

DWG. TITLE:
1ST FLOOR PLAN

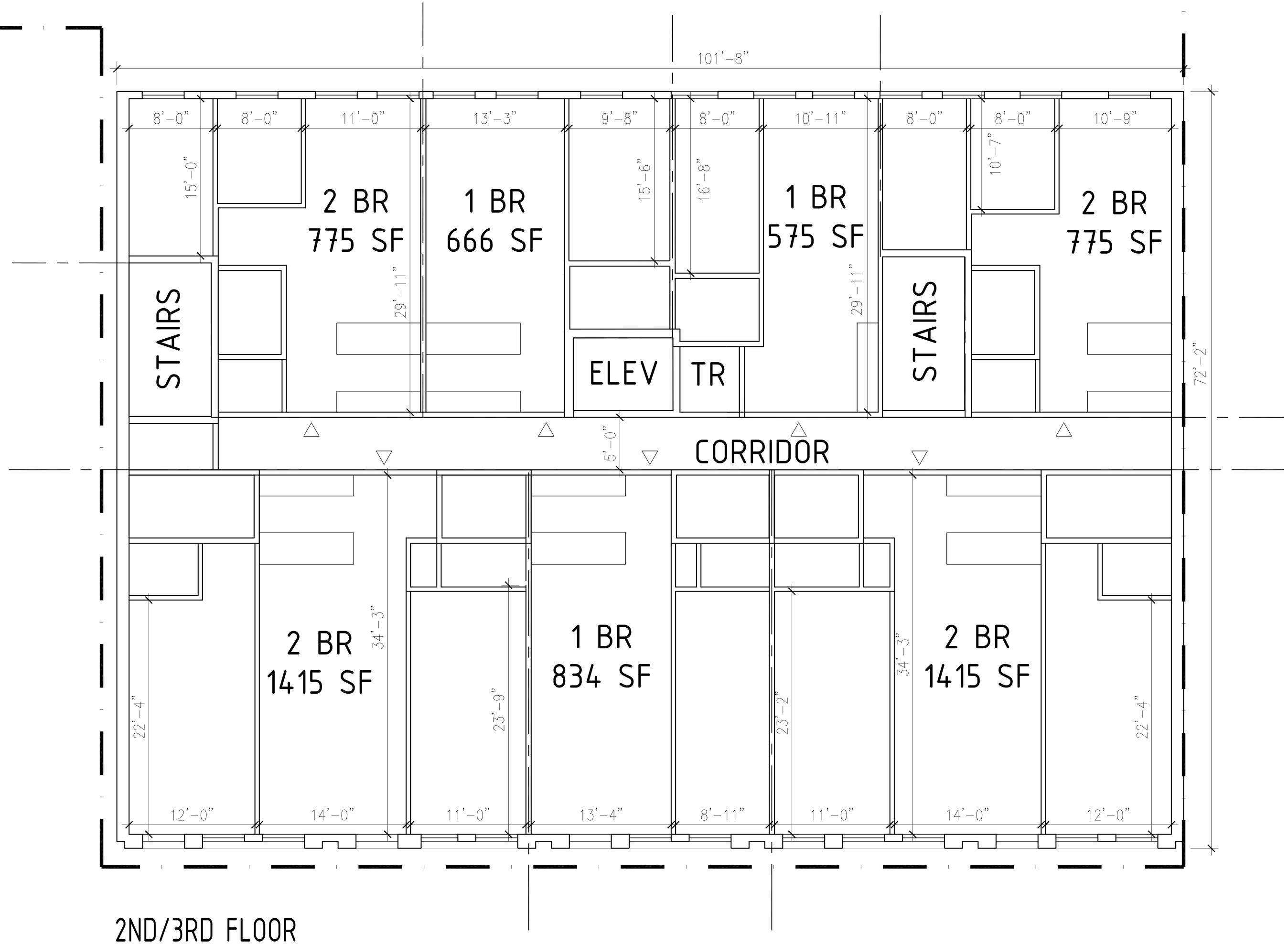
SCALE: 3/16" = 1'-0"

DATE: 10/25/2016

DWG. #:

A-201.00

X OF X



2ND/3RD FLOOR

NOTE:
FOR ILLUSTRATIVE
PURPOSES ONLY

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET
REZONING

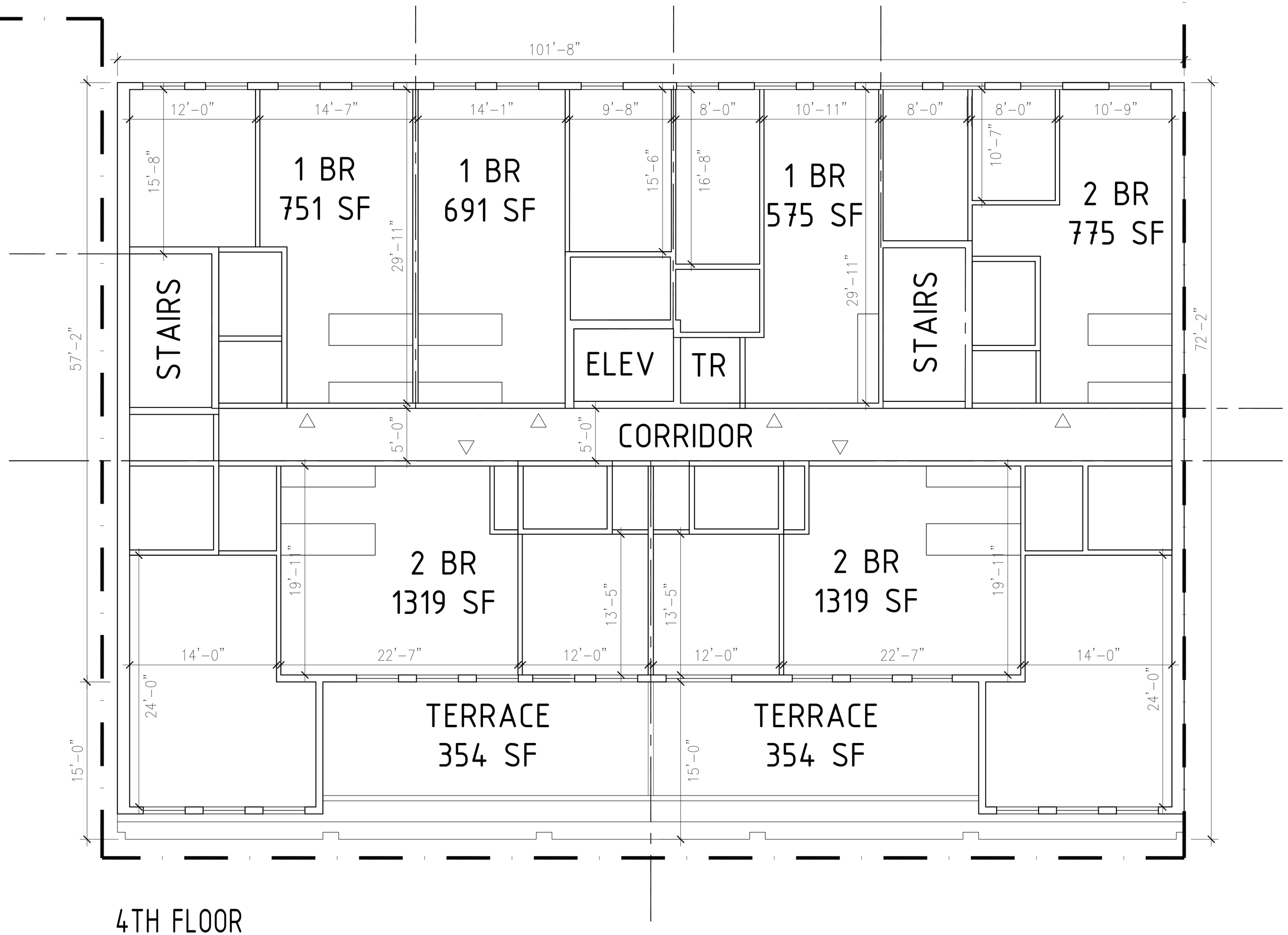
DWG. TITLE:
2ND AND 3RD FLOOR PLAN

SCALE: 3/16" = 1'-0"

DATE: 10/25/2016

DWG. #:
A-202.00

X OF X



4TH FLOOR

NOTE:
FOR ILLUSTRATIVE
PURPOSES ONLY

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET
REZONING

DWG. TITLE:
4TH FLOOR PLAN

SCALE: 3/16" = 1'-0"

DATE: 10/25/2016

DWG. #:
A-204.00

X OF X



BUILDING ELEVATION

REVISIONS:

Number	Date

N-PLUS DESIGN STUDIO
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@N-PLUS.US

RSVP ARCHITECTURE STUDIO PLLC
68 JAY STREET
SUITE NO. 306
BROOKLYN, NY 11201
TEL: 718-858-4018
FAX: 718-858-7091
INFO@RSVP-STUDIO.COM

PROJECT NAME:
587 Bergen St.

PROJECT LOCATION:
587 Bergen St.
Brooklyn, NY 11238

OWNER:

EXPEDITOR

STRUCTURAL ENGINEER

MECHANICAL ENGINEER

587 BERGEN STREET REZONING

DWG. TITLE:
BUILDING ELEVATION

SCALE: 3/16" = 1'-0"

DATE: 10/25/2016

DWG. #:
A-600.00

X OF X

equity environmental engineering

HAZARDOUS MATERIAL DOCUMENTATION

equity environmental engineering

November 5, 2014

Ms. Colleen Carolan
Latitude Management Real Estate Investors Inc.
350 South Beverl Drive, Suite 350
Beverly Hills, California 90212

Re: Environmental Site Assessment, Phase I
587 Bergen Street – Phase I
587 Bergen Street
Brooklyn, NY

Please find enclosed the Phase I Environmental Site Assessment we have completed for the above referenced site. We appreciate this opportunity to serve you. Please contact me if you have any questions or concerns about the report.

Sincerely,

Faron W. Moser
Project Scientist

227 Route 206, Suite 6; Flanders, NJ 07836-9122
973-527-7451 973-858-0280 fax
www.equityenvironmental.com

Phase I Environmental
Site Assessment Report

587 Bergen Street - Phase I
587 Bergen Street
Brooklyn, NY

Prepared for

Latitude Management Real Estate Investors Inc.
350 South Beverl Drive, Suite 350
Beverly Hills , California 90212

Prepared by

Equity Environmental Engineering
227 Route 206, Suite 6
Flanders, NJ 07836
Phone: 973-527-7451

Job Number: 2014062
11/5/2014

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1.0 GENERAL INFORMATION

Project Information:
587 Bergen Street - Phase I
Project Number:
2014062

Consultant Information:
Equity Environmental Engineering
227 Route 206, Suite 6
Flanders, NJ 07836
Phone: 973-527-7451
Fax: 973-858-0280
E-mail Address: Faron.Moser@equityenvironmental.com
Inspection Date: 10/14/2014
Report Date: 11/5/2014

Site Information:
587 Bergen Street - Phase I
587 Bergen Street
Brooklyn, NY
Latitude, Longitude: 40.679640, -73.969206
Site Access Contact:

Client Information:
Latitude Management Real Estate Investors Inc.
Colleen Carolan
350 South Beverl Drive, Suite 350
Beverly Hills , California 90212

Senior Reviewer



Robert L. Jackson
Managing Director

Certification:

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Robert L. Jackson - Managing Director

2.0 EXECUTIVE SUMMARY

2.1 Subject Property Description

The subject property consists of a parking lot/storage yard approximately 2,600 square feet with 2 storm drains.

2.2 Data Gaps

No data gaps have been found.

2.3 Environmental Report Summary

Report Section		No Further Action	REC	HREC	CREC	Issue/Further Investigation	Comments
4.4	**Current Use of Property**		X				
4.6	**Adjoining Property Information**	X					
6.1	**Standard Environmental Records Sources**	X					
6.4.1	**Historical Summary**	X					
6.4.7	**Other Environmental Reports**	X					
7.3.1	**Hazardous Substances**						NA
7.3.2	**Petroleum Products**						NA
7.3.3	**USTs**						NA
7.3.4	**ASTs**						NA
7.3.5	**Other Suspect Containers**						NA
7.3.6	**Equipment Likely to Contain PCBs**						NA
7.3.7	**Interior Staining/Corrosion**						NA
7.3.8	**Discharge Features**	X					2 Storm Water Drains
7.3.9	**Pits, Ponds, And Lagoons**						NA
7.3.10	**Solid Waste Dumping/Landfills**						NA
7.3.11	**Stained Soil/Stressed Vegetation**						NA
7.3.12	**Wells**						NA

2.4 Recommendations

Equity Environmental Engineering LLC (Equity), concludes that no further investigation is needed for the subject property.

3.0 INTRODUCTION

3.1 Purpose

Latitude Management Real Estate Investors Inc. retained Equity to conduct a Phase I Environmental Site Assessment on 587 Bergen Street (Block 1137/Lot 77, 81 & 82) Brooklyn, New York, in accordance with the American Society for Testing and Materials (ASTM) Standard E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The ASTM Standard constitutes all appropriate inquiry into previous ownership and uses of the property consistent with good commercial or customary practice. The ASTM Standard also satisfies the requirements of the United States Environmental Protection Agency (EPA) All Appropriate Inquiry Standard, 40 CFR Part 312, which is required to qualify for certain landowner liability protections under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).

This investigation was conducted to identify Recognized Environmental Conditions (RECs), Historic RECs (HRECs), Controlled RECs (CRECs) and Vapor Encroachment Condition (VECs) which are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release or a material threat of a release into structures on the subject property or into the ground, groundwater or surface waters of the property.

3.2 Scope of Work

The Phase I Environmental Site Assessment consisted of the following four components:

1. Records Review:
   - Environmental Records;
   - Historic Records

2. Site Reconnaissance.

3. Interview with Present Owner.

4. Evaluation and Report Preparation.

3.3 Significant Assumptions

Equity has prepared this Phase I in accordance with the contractual scope of work, using reasonable efforts to attempt to identify RECs. The conclusions in this report are based solely on visual observations, readily available records, interviews, and other secondary sources, which are assumed accurate unless otherwise documented. Equity does not warrant the accuracy or completeness of information provided by secondary sources. Equity does not warrant that contamination that may exist on the site has been discovered, that the site is suitable for any particular purpose, or that the site is clear and free of liability.

This report is intended for use in its entirety. No excerpts may be taken to be representative of the findings of this assessment. Opinions and recommendations presented in this report apply to the site conditions and features, as they existed at the time of the site visit, and those reasonably foreseeable. They cannot necessarily apply to conditions and features of which Equity is unaware and has not had an opportunity to evaluate.

3.4 Limitations and Exceptions

The environmental assessment is non-invasive, and does not include any testing or sampling of materials, such as soil, water, air, or building materials such as asbestos containing material (ACM) and lead-based paint (LBP). The environmental assessment does not include a review of the following: Industrial Hygiene, Health and Safety, Indoor Air Quality, Soil Gas, Radon, Lead in Drinking Water, Mold, Wetlands, Regulatory Compliance, Cultural and Historic Resources, Ecological Resources, Endangered Species, and Biological Agents. RECs do not include de minimus conditions that do not present a threat to health or the environment, and that would not be subject to an enforcement action by government agencies.

3.5 Deviations

No deviations from the recommended scope of ASTM Standard E 1527-00 were performed as part of this Phase I ESA with the exception of any additions noted in Detailed Scope of Services.

3.6 Special Terms and Conditions

Authorization to perform this assessment was given by the client on October 14, 2014. Instructions as to the location of the property, access, and an explanation of the property and facilities to be assessed were provided by Latitude Management Real Estate Investors Inc.

No additional services were requested.

3.7 Reliance

This Phase I report has been prepared for the exclusive use of Latitude Management Real Estate Investors Inc. Photocopying this document, in part or in whole, by parties other than those designated by Latitude Management Real Estate Investors Inc. is prohibited.

LATITUDE MANAGEMENT REAL ESTATE CAPITAL III, LATITUDE MANAGEMENT REAL ESTATE INVESTORS INC. AND ITS AFFILIATES (COLLECTIVELY, "LMREI"), RATING AGENCIES AND CERTAIN LIMITED INVESTORS INVOLVED IN THE SECURITIZATION (AS DEFINED BELOW), MAY USE AND RELY UPON THIS REPORT IN CONNECTION WITH A PLANNED LOAN SECURITIZATION INVOLVING THE ASSET (THE "SECURITIZATION"), INCLUDING, WITHOUT LIMITATION, UTILIZING SELECTED INFORMATION IN THE REPORT IN LMREI'S OFFERING MEMORANDUM RELATING TO THE SECURITIZATION AND EQUITY ENVIRONMENTAL ENGINEERING LLC. AGREES TO COOPERATE IN ANSWERING QUESTIONS BY ANY OF THE ABOVE PARTIES IN CONNECTION WITH THE SECURITIZATION.

4.0 SITE DESCRIPTION

4.1 Location and Legal Description

The subject property is located at 587 Beregn Street (Block 1137/Lot 77, 81 & 82) Brooklyn, New York. A Site Location Map is provided in the Appendix A.

4.2 Activity/Use Limitations

Equity has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 of the property located at 587 Bergen Street, Brooklyn, NY. Any exceptions to or deletions from this practice are described in Section 3.5 of this report. This assessment has revealed no evidence of a Recognized Environmental Conditions (REC),

4.3 Site and Vicinity Description

The area in which the subject property is located is primarily light manufacturing/residential area. Most of the buildings in the immediate area are one or three-stories. The site is zoned as M1-1. There is currently a former paper warehouse that is undergoing renovations to the north of the subject property. To the south of the subject property you have residental buildings.

4.4 Current Use of Property

No occupancy exists onsite. The parking lot area is currently being used as a staging area for construction materials and construction debris. Photographs of the subject property are provided in the Appendix B.

4.5 Description of Structures and Other Improvements

The subject property consists of an asphalt parking lot/storage yard approximately 2,600 square feet (22' x 135') with 2 storm drains. The lot is currently being used as a staging area for building supplies for 592 - 594 Dean Street, Brooklyn, NY, building renovations and a temporary parking area for applicable construction workers.

4.6 Adjoining Property Information

During the vicinity reconnaissance, Equity observed the following land use on properties in the immediate vicinity of the subject property:

- To the west of the building are residential buildings approximately 3 stories.
- To the south are residential buildings.
- To the north a former paper warehouse is undergoing renovations.
- To the east are more light manufacturing facilities and residential buildings.

5.0 USER PROVIDED INFORMATION

5.1 Specialized Knowledge

Equity has no specialized knowledge of the Subject Property outside of the research which was conducted and reported as part of this report. The property owner who was interviewed as part of this investigation, has not reported any specialized knowledge of this subject property outside of what is contained in this report.

5.2 Valuation Reduction for Environmental Issues

Equity has not been provided with an appraisal for the subject property. However, this property is to be refinanced rather than sold.

5.3 Owner, Property Manager, and Occupant Information

The subject property is currently owned by 1121 LLC according to Mr. Serabjit Singh and the information in the New York City Finance database.

5.4 Reason For Performing Phase I ESA

The purpose of this Phase I Environmental Site Assessment (ESA) was to identify existing or potential Recognized Environmental Conditions (as defined by ASTM Standard E 1527-13) in connection with the Subject Property. Equity understands that the findings of this study will be used as part of environmental due diligence prior to refinancing of the property.

6.0 RECORDS REVIEW

6.1 Standard Environmental Records Sources

Equity contracted Environmental Data Resources, Inc. (EDR) to conduct a search of Federal and State databases containing known and suspected sites of environmental contamination. The number of listed sites identified within the approximate minimum search distance (AMSD) from the Federal and State environmental records database listings specified in ASTM Standard E 1527-13 are summarized in the following table. Detailed information for sites identified within the AMSDs is provided below, along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the subject property. Copies of the EDR research data and a description of the databases are included in Appendix D of this report.

The database provides the topographic elevations and can be used to assess the potential impacts of nearby uses on the subject property. Although groundwater flow often follows the topographic gradient of the ground surface, its flow direction can be affected by other variables, such as soils, geology, seasonal fluctuations, production wells, and underground structures. On-site groundwater monitoring wells are required to determine the actual flow direction at a particular site.

The database search is a tool to identify various environmental situations and/or activities within the required radius of the subject property. Many of these databases will only acknowledge the presence of a specific item on a property such as an underground storage tank or a dry cleaner. They do not determine the potential impact to the subject property and cannot take into account natural and man-made impediments that would limit or prevent the migration of contaminants from one site to another. Other databases provide sufficient knowledge to determine if there was an incident and what the severity of that incident was. For example, the majority of items within the LTANKS (leaking tanks) and/or HIST LTANKS (historic leaking tanks) deal with tank test failures that have de minimis releases or small enough quantity releases that are addressed by the owner/operator and do not migrate beyond the location of the tank.

The subject property does not appear on any of the researched databases. There are 20 Orphan sites 6 of which are Con Edison. There are 44 leaking storage tank incident reports (LTANKS) within 1/2-mile of the subject property, 12 New York Spill (NY Spill) sites, and 13 Historic Cleaners within 1/8-mile of the site.

Map Findings Summary

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NPL		1	0	0	0	1	NR	1
Proposed NPL		1	0	0	0	0	NR	0
CERCLIS		0.5	1	0	0	NR	NR	1
CERCLIS-NFRAP		0.5	0	0	0	NR	NR	0
CORRACTS		1	0	0	0	0	NR	0
RCRA-TSDF		0.5	0	0	0	NR	NR	0
RCRA-LQG		0.25	2	0	NR	NR	NR	2
RCRA-SQG		0.25	1	4	NR	NR	NR	5
RCRA-CESQG		0.25	0	2	NR	NR	NR	2
US ENG CONTROLS		0.5	0	0	0	NR	NR	0
US INST CONTROL		0.5	0	0	0	NR	NR	0
ERNS		TP	NR	NR	NR	NR	NR	0
EDR US Hist Cleaners		0.25	0	13	NR	NR	NR	13
NY HIST UST		0.25	1	9	NR	NR	NR	10
NY CBS AST		0.25	0	0	NR	NR	NR	0
NY HIST SPILLS		0.125	0	NR	NR	NR	NR	0
NY LTANKS		0.5	2	11	31	NR	NR	44
NY SPILLS		0.125	12	NR	NR	NR	NR	12
NY CBS UST		0.25	1	0	NR	NR	NR	1
NY HIST LTANKS		0.5	0	0	0	NR	NR	0
NY HSWDS		0.5	0	0	0	NR	NR	0
NY SWF/LF		0.5	0	1	2	NR	NR	3
NY AST		0.25	4	18	NR	NR	NR	22
NY UST		0.25	2	20	NR	NR	NR	22
NY BROWNFIELDS		0.5	0	2	0	NR	NR	2

6.1 Standard Environmental Records Sources (continued)

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NY CBS		0.25	1	0	NR	NR	NR	1
EDR MGP		1	0	0	0	2	NR	2

6.1.1 Regulatory File Review

Equity Environmental Engineering LLC (Equity) contracted Environmental Data Resources, Inc. (EDR) to conduct a search of Federal and State databases containing known and suspected sites of environmental contamination. The number of listed sites identified within the approximate minimum search distance (AMSD) from the Federal and State environmental records database listings specified in ASTM Standard E 1527-13 are summarized in the following table. Detailed information for sites identified within the AMSDs is provided below, along with an opinion about the significance of the listing to the analysis of recognized environmental conditions in connection with the subject property. Copies of the EDR research data and a description of the databases are included in Appendix D of this report.

6.2 Additional Environmental Record Sources

No additional environmental record sources were reviewed.

6.3 General Site Setting

The general site setting in which the subject property is located is primarily residential/light manufacturing.

6.3.1 Topography

Based on a review of a current USGS 7.5 Minute topographic map of the subject property, the elevation of the site is 68 feet MSL and groundwater is inferred to flow to the west towards the Gowanus Canal. The area is relatively flat from west to east, however there is a steady increases in elevation from the target property to the south by 78 feet.

6.3.2 Surface Water Bodies

The nearest surface water in the vicinity of the subject property is the Gowanus Canal located approximately 1.05 miles to the west of the subject property. No surface water is located on the site.

6.3.3 Geology and Hydrology

The subject property is located in Brooklyn, New York. The report shows the rock geology of the site as formed during the Mesozoic Era, Stratified Sequence Category, Cretaceous System, Upper Cretaceous Series, and Code uK. The soil is described as Urban Land, and does not qualify as hydric soil.

6.4 Historical Use

6.4.1 Historical Summary

Historical information identifying the past site use was obtained from a variety of sources as detailed in Appendix C of this report and included: City Directories, Aerial Photographs, Sanborn Fire Insurance Maps, and/or Topographic Maps. Based on a review of the city directories, aerial photographs and Sanborn maps, it appears that the area historically has been developed primarily for light manufacturing and residential dwelling use.

Source Reviewed	Date(s)	Source Details
USEPA Enforcement Compliance History Online	June 2007	http://www.epa.gov/echo/
USEPA Envirofacts Data Warehouse Multi-System Report	June 2007	http://www.epa.gov/enviro/html/multisystem_query_java.html
County Appraiser Website	June 2007	http://dor.myflorida.com/dor/property/appraisers.html

6.4.1 Historical Summary (continued)

EDR Aerial Photo Decade Package (Inquiry Number 4106420.9S)	1924, 1951, 1954, 1961, 1966, 1974, 1984, 2006, 2009, 2011, 9999	EDR, 440 Wheelers Farms Road, Milford, CT 06461, (800) 352-0050.
EDR City Directory Abstract (Inquiry Number 4106420.5S)	1928, 1934, 1940, 1945, 1949, 1960, 1965, 1970, 1973, 1976, 1980, 1985, 1992, 1997, 2000, 2005, 2008, 2013	EDR, 440 Wheelers Farms Road, Milford, CT 06461, (800) 352-0050.
EDR Historical Topo Map (Inquiry Number 4106420.4S)	1900-1924, 1900, 1947, 1956, 1967-1979, 1967, 1995	EDR, 440 Wheelers Farms Road, Milford, CT 06461, (800) 352-0050.
EDR Sanborn Map Search/Print (Inquiry Number 4106420.3S)	1888, 1906, 1926, 1951, 1965, 1978, 1979, 1980, 1982, 1985, 1987, 1988, 1991, 1992, 1993, 1994, 1995, 2001, 2002, 2003, 2004, 2005, 2006, 2007	EDR, 440 Wheelers Farms Road, Milford, CT 06461, (800) 352-0050.
EDR Radius Map Report (Inquiry Number 4106420.2S)		EDR, 440 Wheelers Farms Road, Milford, CT 06461, (800) 352-0050.

6.4.2 Title Records

Recorded Land Title Records - Equity reviewed the title information for 587 Bergen Street in the NYC ACRIS website. There is a deed transfer for the property from Ulano Corporation to 1121 LLC on 06/20/2013. The document can be found in Appendix H.

6.4.3 City Directories

Property Tax Files - Equity did not review property tax records for the subject property.

Zoning/Land Use Records - The site is in a M1-1 zone, which is designated for light manufacturing. A zoning map can be found in Appendix A.

Local Street Directories - Equity reviewed local street directory listings for the immediate area around the subject property from 1928 through 2013. Directory information for the subject property from 1934 to 2005 includes listings as parking lot and storage yard. Surrounding properties were also used for light manufacturing purposes as well as sporting goods, chair caning, garages, general trucking, interment company, tar productions, iron works and furniture manufacturing. A copy of the City Directory can be found in Appendix D.

6.4.4 Aerial Photos

Equity reviewed the aerial photos provided from 1924 to 2011. The photographs all show the subject property as a parking lot/storage yard since 1951. Prior to 1951 it shows small garages onsite. There is no evidence of any major construction activities in any of these aerial photos. Copies of the photographs are provided in Appendix C.

6.4.5 Sanborn/Historical Maps

Equity reviewed a total of 24 Sanborn Fire Insurance maps from 1888 to 2007. The following description of each succeeding map builds upon the previous one without reiterating them. Copies of the Sanborn Fire Insurance Maps are provided in Appendix C.

6.4.5 Sanborn/Historical Maps (continued)

Summary

Date(s)	Property Comments	Surrounding Area Comments
1888	Small dwelling units, sheds, stable and an open lot are on subject property location.	Dwelling units surround the property.
1906	Wagon shed and more dwelling units are on the subject property.	See 1888 Surrounding area comments
1926	See 1906 Property Comments	Dwelling units still around property, The 594 Dean Street remains a small dwelling. 592 Dean Street expanded building into an "L" shape and is labeled as a garage.
1951	Wagon shed and small garages are not present, lot is shown as current size and has become part of a large lot labeled "Auto Parking."	Numerous lots have become manufacturing facilities. In particular to the east at 610 Dean Street there is now a paint manufacturing facility.
1965	Large auto parking area lot is now its current size for 587 Bergen Street with 2 small buildings in the south east corner of the property.	594 Dean Street has gone from "Auto Parking" to being labeled "Paper and Wax Co." and is now at its current size. Numerous manufacturing facilities have changed names and there are still dwellings around the subject property.
1978	Small buildings in south east corner are no longer on property and subject property is at current size.	Small manufacturing building remain in area along with buildings labeled as dwellings.
1979 - 2007	Same as 1978 Property comments.	Same as 1978 Surrounding Area comments.

6.4.6 Historical Topographic Maps

Equity reviewed historic topographic maps, from 1900 through 1995. The maps show limited detail of the area. Brooklyn target quad maps were provided. Copies of the maps are provided in Appendix C.

6.4.7 Other Environmental Reports

Equity has not requested or reviewed other environmental reports for the subject property.

6.4.8 Building Department Records

Building Department and Finance Records - NYC Department of Building records were reviewed on the NYC DOB website. There are no active violations for the property on the DOB webpage. Finance records were reviewed on the NYC Property Information website. The finance webpage shows 1121 LLC as the property owner.

6.4.9 Other Land Use Records

Other Historical Sources - No other sources of historical information about the site and its surroundings were reviewed.

FOIL Request - A Freedom of Information Law (FOIL) Requests were not submitted because the property is not included on any of the researched databases.

6.5 Environmental Liens and Activity/Use Limitations

No environmental liens (legal, i.e. deed notice) or Activity and Use Limitations (physical, i.e. engineering controls) were identified through a review of NYC ACRIS information.

6.6 Vapor Encroachment Evaluation

Equity conducted an analysis of the various properties listed in the Phase I database search with respect to the Vapor Encroachment Condition (VEC) in accordance with the requirements of the American Society for Testing and Materials (ASTM) 2600-10. It is Equity's conclusion that a VEC can be ruled out for the subject property. See Apendix F for the Vapor Encroachment Evaluation.

Standard Environmental Records	Maximum Search Distance*	Property Total	Total within 1/10 mile from Property	Total between 1/10-1/3 mile from Property
Federal NPL	0.333	0	0	0
Federal CERCLIS	0.333	0	1	0
Federal RCRA CORRACTS facilities list	0.333	0	0	0
Federal RCRA TSD facilities list	0.333	0	0	0
Federal RCRA generators list	property	0	-	-
Federal institutional controls / engineering controls registries	0.333	0	0	0
Federal ERNS list	property	0	-	-
State and tribal - equivalent NPL	not searched	-	-	-
State and tribal - equivalent CERCLIS	0.333	0	0	0
State and tribal landfill / solid waste disposal	0.333	0	0	1
State and tribal leaking storage tank lists	0.333	0	0	26
State and tribal registered storage tank lists	property	0	1	5
State and tribal institutional control / engineering control registries	0.5	0	-	-
State and tribal voluntary cleanup sites	0.333	0	0	0
State and tribal Brownfield sites	0.333	0	0	2
Other Standard Environmental Records	0.5	0	9	16

*Each category may include several separate databases, each having a different search distance. For each category, the table reports the maximum search distance applied.

Historical Use Records	Maximum Search Distance*	Property Total	Total within 1/10 mile from Property	Total between 1/10-1/3 mile from Property
Former manufactured Gas Plants	0.333	0	0	0
Historical Gas Stations	0.25	0	0	22
Historical Dry Cleaners	0.25	0	0	13

*Each category may include several separate databases, each having a different search distance. For each category, the table reports the maximum search distance applied.

7.0 SITE RECONNAISSANCE

7.1 Methodology and Limiting Conditions

The site reconnaissance was conducted on Tuesday, October 14, 2014 by Mr. Faron Moser, Project Scientist and Mr. Robert Jackson, P.E. with Equity. The visual reconnaissance consisted of observing the boundaries of the property and systematically traversing the site to provide an overlapping field of view, wherever possible. Photographs of pertinent site features identified during the site reconnaissance are included in Appendix B.

7.2 General Site Setting

The general setting in which the subject property is located is primarily residential/ light manufacturing.

The potential presence of the following RECs was evaluated. Those observed or identified through the records review are discussed below:

- **Storage Tanks**: No storage tanks were observed onsite
- **Drums**: No drums were observed onsite.
- **Other Hazardous Substances/Petroleum Product Containers**: No petroleum product containers or other hazardous substances were observed onsite.
- **Unidentified Substance Containers**: No unidentified substance containers were observed onsite.
- **Evidence of Fill Material**: No evidence of fill material was observed onsite.
- **Pools of Liquid**: No pools of liquid was observed onsite.
- Stained Soil or **Pavement**: No stained soils or stained pavement was observed onsite.
- **Stressed Vegetation**: No stressed vegetation was observed onsite.
- **Waste Water/ Storm water**: Two storm water drains/catch basins were observed onsite.
- **Septic System**: No septic system was observed onsite.
- **Wells**: No wells were observed onsite.
- **Pits, Ponds, Lagoons**: No pits, ponds or lagoons were observed onsite.
- **PCB Equipment**: No PCB equipment was observed onsite.
- **Exterior Staining**: No exterior staining was observed onsite.
- **Interior Staining or Corrosion**: No interior staining or corrosion was observed onsite.
- **Interior Drains and Sumps**: No interior drains or sumps were observed onsite, however there were 2 storm water drains obsered in the parking lot area.
- **Elevators**: No elevator was observed onsite.
- **Debris**: Construction debris was observed throughout the subject property.

7.3 Site Visit Findings

7.3.1 Hazardous Substances

No hazardous substances were identified on the subject property during the site reconnaissance.

7.3.2 Petroleum Products

No petroleum product containers were identified on the subject property during the site reconnaissance.

7.3.3 USTs

No underground storage tanks (USTs) were identified on the subject property during the site reconnaissance.

7.3.4 ASTs

No above ground storage tanks (ASTs) were identified on the subject property during the site reconnaissance.

7.3.5 Other Suspect Containers

No other suspect containers were identified on the subject property during the site reconnaissance.

7.3.6 Equipment Likely to Contain PCBs

No other equipment likely to contain PCBs were identified on the subject property during the site reconnaissance.

7.3.7 Interior Staining/Corrosion

No interior staining/corrosion were identified on the subject property during the site reconnaissance.

7.3.8 Discharge Features

Two (2) storm water drains were observed on the subject property leading out to the New York City sewer system along Bergen Street during the site reconnaissance.

7.3.9 Pits, Ponds, And Lagoons

No pits, ponds or lagoons were identified on the subject property during the site reconnaissance.

7.3.10 Solid Waste Dumping/Landfills

No evidence of solid waste dumping, suspect fill material, or landfills was identified on the subject property during the site reconnaissance.

7.3.11 Stained Soil/Stressed Vegetation

No stained soil/stressed vegetation were identified on the subject property during the site reconnaissance.

7.3.12 Wells

No evidence of a well water supply or groundwater monitoring wells was observed on the subject property during the site reconnaissance.

8.0 INTERVIEWS

Interview with the client (Mr. Serabjit Singh - 1121 LLC):

According to Mr. Serabjit Singh, the subject property was previously owned by Ulano Corporation and used for parking and storage area for the 592 - 594 Dean Street property. Currently the property is being used as a parking area and staging area for construction supplies during ongoing renovations to 592 - 594 Dean Street Building.

FINDINGS

Recognized Environmental Conditions (RECs) are defined as the presence or likely presence of any hazardous substances or petroleum products under conditions that indicate an existing release, past release or a material threat of a release into structures on the property or into the ground, groundwater or surface waters of the property. Historic RECs are RECs previously remediated to government standards. De minimis RECs are those that do not present a threat to health or the environment, and would not be the subject of an enforcement action by a government agency. All RECs, excluding de minimus and Historic RECs, are discussed. No significant data gaps were identified by this assessment.

Equity performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527 at the subject property. Any exceptions to, or deviations from, this practice are described in Section VIII of this report. This assessment has revealed the following REC for the property:

RECs - Equity found no RECs at the subject property.

HRECs - Equity found no HRECs at the subject property.

CRECs - Equity found no CRECs at the subject property.

VECs - VECs can be ruled out for the subject property.

CONCLUSIONS

Equity feels that no further investigation is needed for the subject property.

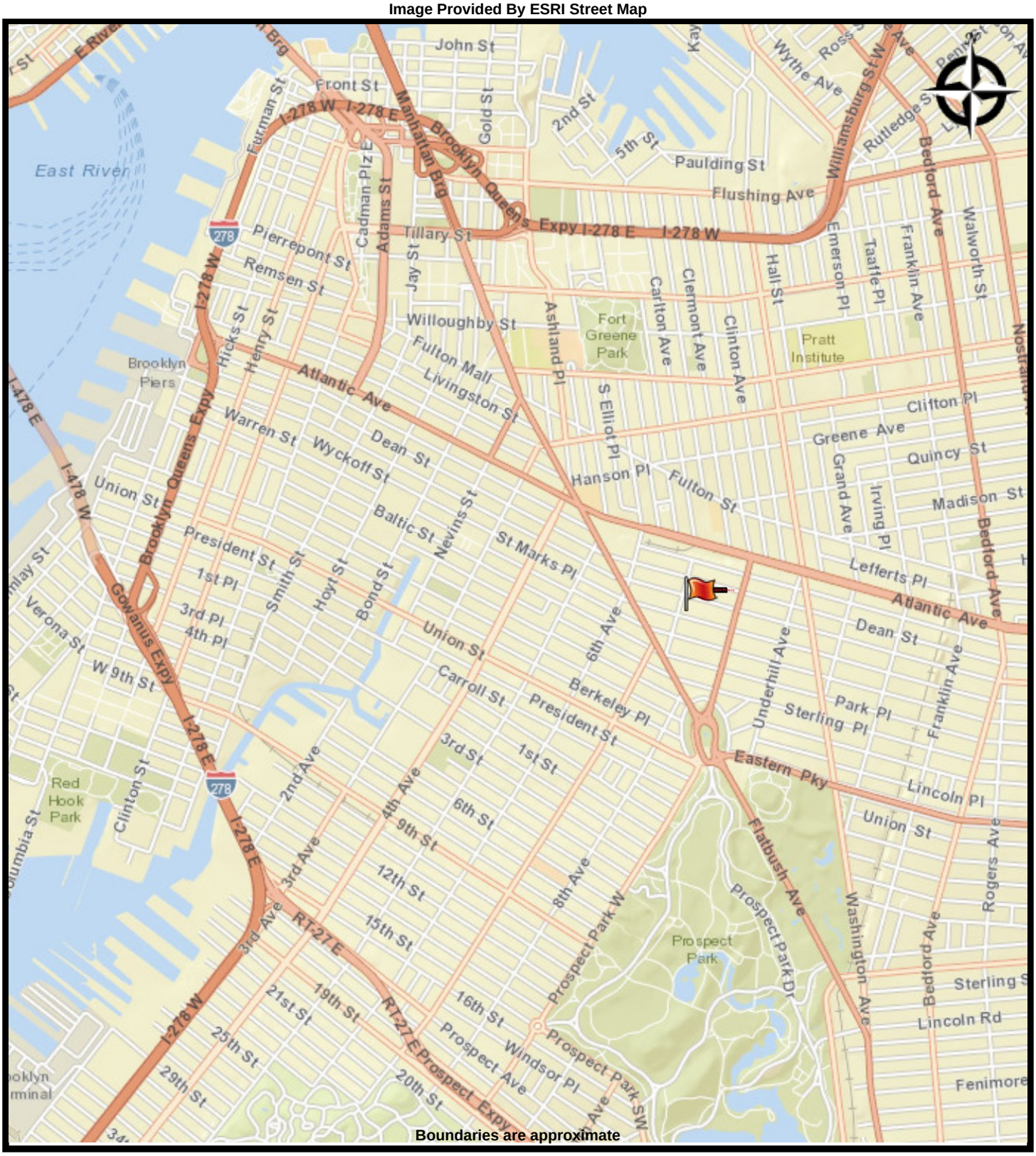
REFERENCES

- EDR Environmental Databases
- Aerial Photographs
- City Directories
- Historic Topographic Maps
- Sanborn Maps
- NYC property databases
- Zoning Map

Appendix A:

Figures

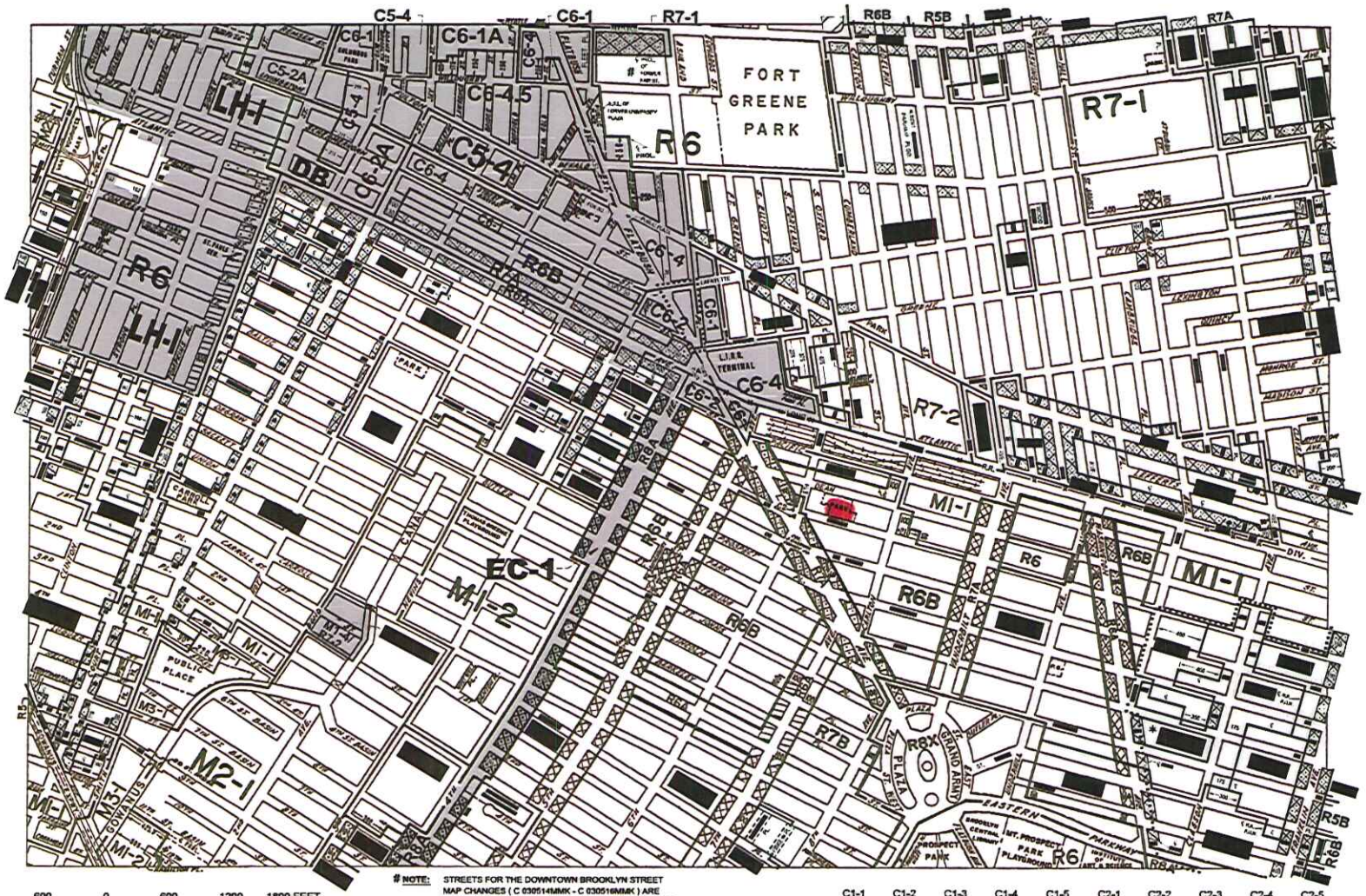
Image Provided By ESRI Street Map



equity environmental engineering
working together to design solutions

SITE LOCATION MAP
587 BERGEN STREET
587 Bergen Street
Brooklyn New York 11238

PREPARED FOR: 1121 LLC
PROJ. MGR:
DATE: 10/22/2014
DRAWN BY: Faron Moser
PROJ. #: 2014062



NOTE: STREETS FOR THE DOWNTOWN BROOKLYN STREET MAP CHANGES (C 030514MMK - C 030516MMK) ARE SHOWN ON THIS MAP PRIOR TO BECOMING EFFECTIVE IN ORDER TO LOCATE ZONING DISTRICT BOUNDARIES.

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

NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:

The number(s) and/or letter(s) that follows an **R**, **C** or **M** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R – RESIDENTIAL DISTRICT

C – COMMERCIAL DISTRICT

M – MANUFACTURING DISTRICT

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

Effective Date(s) of Rezoning:

*09-24-2013 C 130213 ZMK
06-17-2013 C 130116 ZMK

Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas on this map, see APPENDIX F.

N

MAP KEY

12b	12d	13b
16a	**16c**	17a
16b	16d	17b

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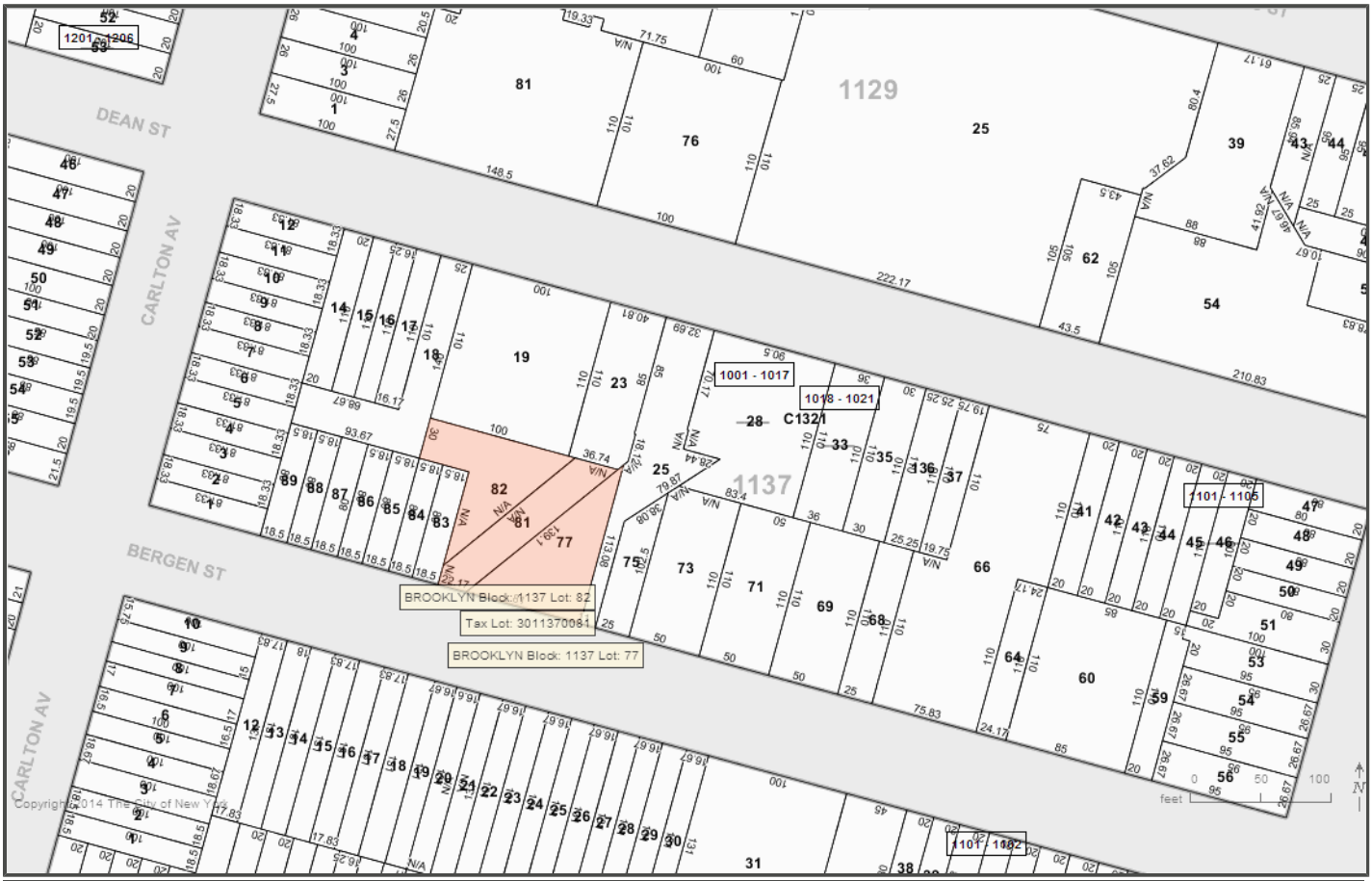
ZONING MAP **16c**

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: www.nyc.gov/planning or contact the Zoning Information Desk at (212) 720-3291.

Digital Tax Map - 587 Bergen Street, Brooklyn, NY - 10/22/2014

[Digital Tax Map - New York City Dept. of Finance]



Borough Boundary		C50	Condo Flag/Condo Nunber
Tax Block Boundary		A50	Air Right Flag/Lot Number
50	Tax Block Number	S50	Subterranean Right Flag/Lot Number
Tax Lot Boundary		R	REUC Flag
50	Tax Lot Number		Under Water Tax Lot Boundary
~~50~~	Condo FKA Tax Lot Number		Other Boundary
50.5	Tax Lot Dimension		Possession Hook
+/-5.5	Approximate Tax Lot Dimension	Misc	Miscelaneous Text
1500 - 1550	Condo Units Range Label		Small Tax Lot Dimension
	Building Footprint		Surface Water

Appendix B:

Photographs



Front of subject property - photo facing north across Bergen Street

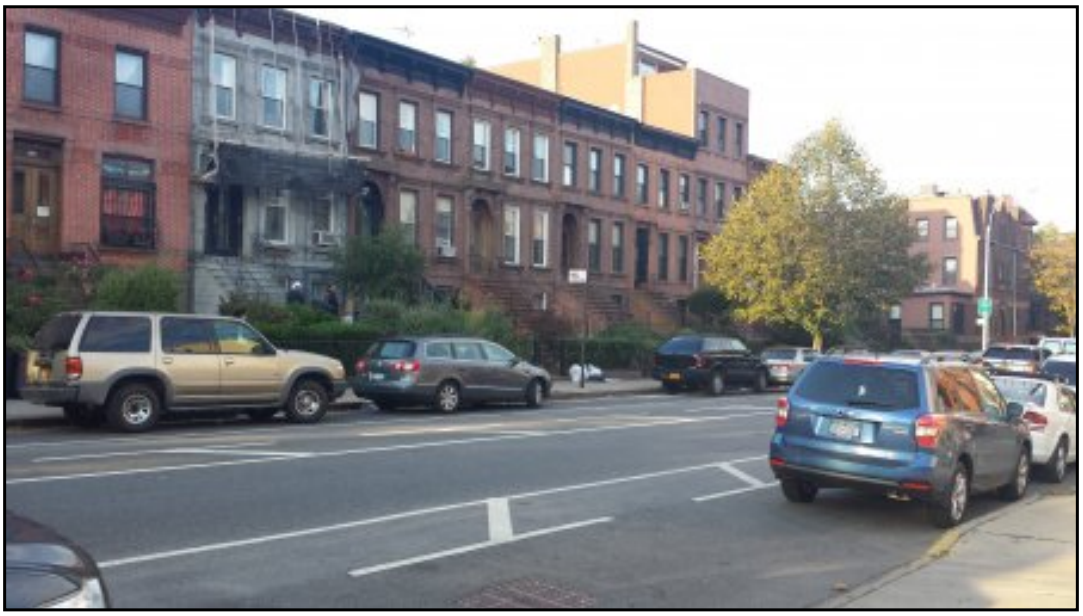


Photo facing southwest from subject property. Residential area across Bergen Street.

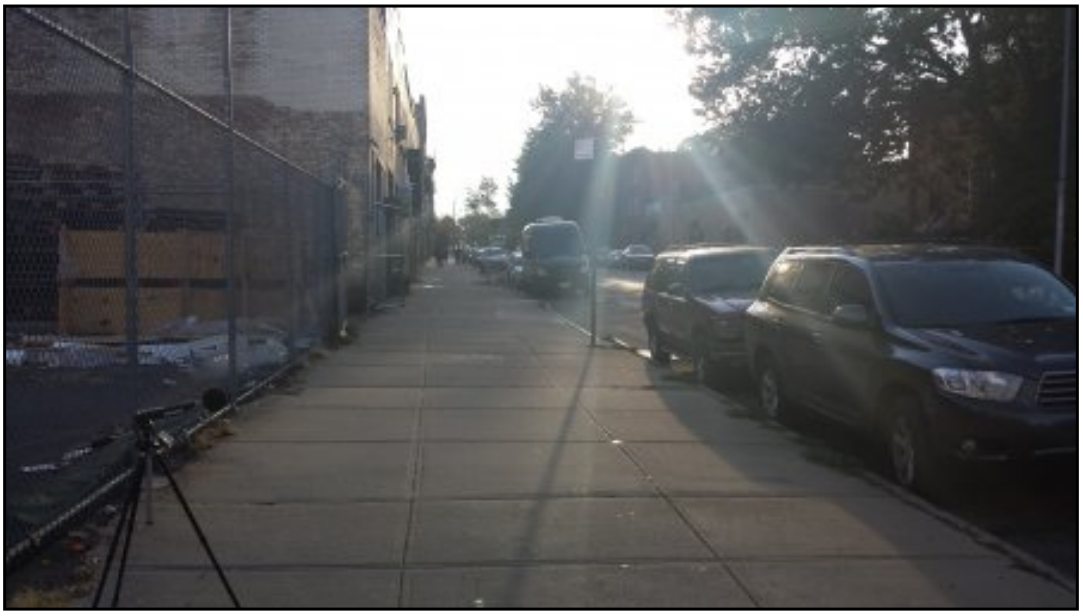


Photo facing east from subject property.



Photo facing north east. Showing light manufacturing operation neighboring subject property.



Storm Drain 1 - This storm drain is further away from Bergen Street. Construction debris on ground.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Storm Drain 2 - This storm drain is closet to Bergen Street.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Storm Drain 1 - Photo facing south.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Photo facing north and shows former fence post holes on subject property.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Photo facing west to show a small portion of the lot area with construction debris and equipment.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Photo showing neighboring property to the east (589 Bergen Street). Area used as drum staging area.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.



Subject property with construction material facing southeast.
Note: Date stamp on photo is not correct date onsite - 10/14/14 is correct date.

Appendix H:

Additional Documentation

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument.The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.

2013062501242001001EC578

RECORDING AND ENDORSEMENT COVER PAGE **PAGE 1 OF 5**

Document ID: 2013062501242001 Document Date: 06-20-2013 Preparation Date: 06-25-2013
Document Type: DEED
Document Page Count: 3

PRESENTER:
RIDGE ABSTRACT CORP. LD) PICK UP
1967 MCDONALD AVENUE
BROOKLYN, NY 11223
718-338-0065
RA11223@AOL.COM

RETURN TO:
ERIC M. ZIM
HORWITZ & ZIM LAW GROUP, P.C.
260 MADISON AVENUE
NEW YORK, NY 10016
L585726KZZ

PROPERTY DATA

Borough	Block	Lot		Unit	Address
BROOKLYN	1137	19	Entire Lot		594 DEAN STREET

Property Type: INDUSTRIAL BUILDING

Borough	Block	Lot		Unit	Address
BROOKLYN	1137	77	Entire Lot		597 BERGEN STREET

Property Type: INDUSTRIAL BUILDING

☒ Additional Properties on Continuation Page

CROSS REFERENCE DATA

CRFN_____ *or* DocumentID_____ *or* _____ Year_____ Reel____ Page_____ *or* File Number_____

PARTIES

GRANTOR/SELLER:
ULANO CORP.
110 THIRD AVENUE
BROOKLYN, NY 11217

GRANTEE/BUYER:
1121 LLC
43 EAST 16TH STREET
BROOKLYN, NY 11238

FEES AND TAXES

Mortgage :		
Mortgage Amount:	$	0.00
Taxable Mortgage Amount:	$	0.00
Exemption:		
TAXES: County (Basic):	$	0.00
City (Additional):	$	0.00
Spec (Additional):	$	0.00
TASF:	$	0.00
MTA:	$	0.00
NYCTA:	$	0.00
Additional MRT:	$	0.00
TOTAL:	$	0.00
Recording Fee:	$	64.00
Affidavit Fee:	$	0.00

Filing Fee:		
	$	250.00
NYC Real Property Transfer Tax:		
	$	157,500.00
NYS Real Estate Transfer Tax:		
	$	24,000.00

RECORDED OR FILED IN THE OFFICE OF THE CITY REGISTER OF THE CITY OF NEW YORK
Recorded/Filed 07-02-2013 09:17
City Register File No.(CRFN): **2013000260301**

City Register Official Signature

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NYC DEP AIR PERMIT SEARCH RESULTS

Suspending the Rules: H | PLUTO Data Dictionary | Play Chess Online - Free | Washington Post: Bre | NYC DEP CATS Informati | Kevin
Secure | https://a826-web01.nyc.gov/DEP.BoilerInformationExt/Home/Success/CB413103

Environmental Protection

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NYC.gov always open

NYC DEP CATS Information

PREMISES: 606 DEAN STREET BROOKLYN BIN: 027860 BLOCK: 01137 LOT: 0023

Owner: PRIMO REALTY INC.	**Application #:** CB413103	**Type:** REGISTRATION - BOILER	**Expiration Date:** 3/17/2019	
Business Type: NA	**Request Type:** Renewal - Boiler	**Status:** CURRENT	**Submitted Date:** 11/17/2015	**Decision Date:** 11/30/2015
Boiler Make / Model: FULTON FB-015A / FULTON FB-015A	**Fuel Type 1:** NATURALGAS	**Fuel Type 2:** NONE	**Heat Input (Million BTU/Hr.):** 630000	
Burner Make / Model: FULTON FB-015A / FULTON FB-015A	**Number of Identical Units:** 1			

If you have any questions please contact CATS Online Permitting System at Catsfeedback@dep.nyc.gov or call us at **718-595-3855**.

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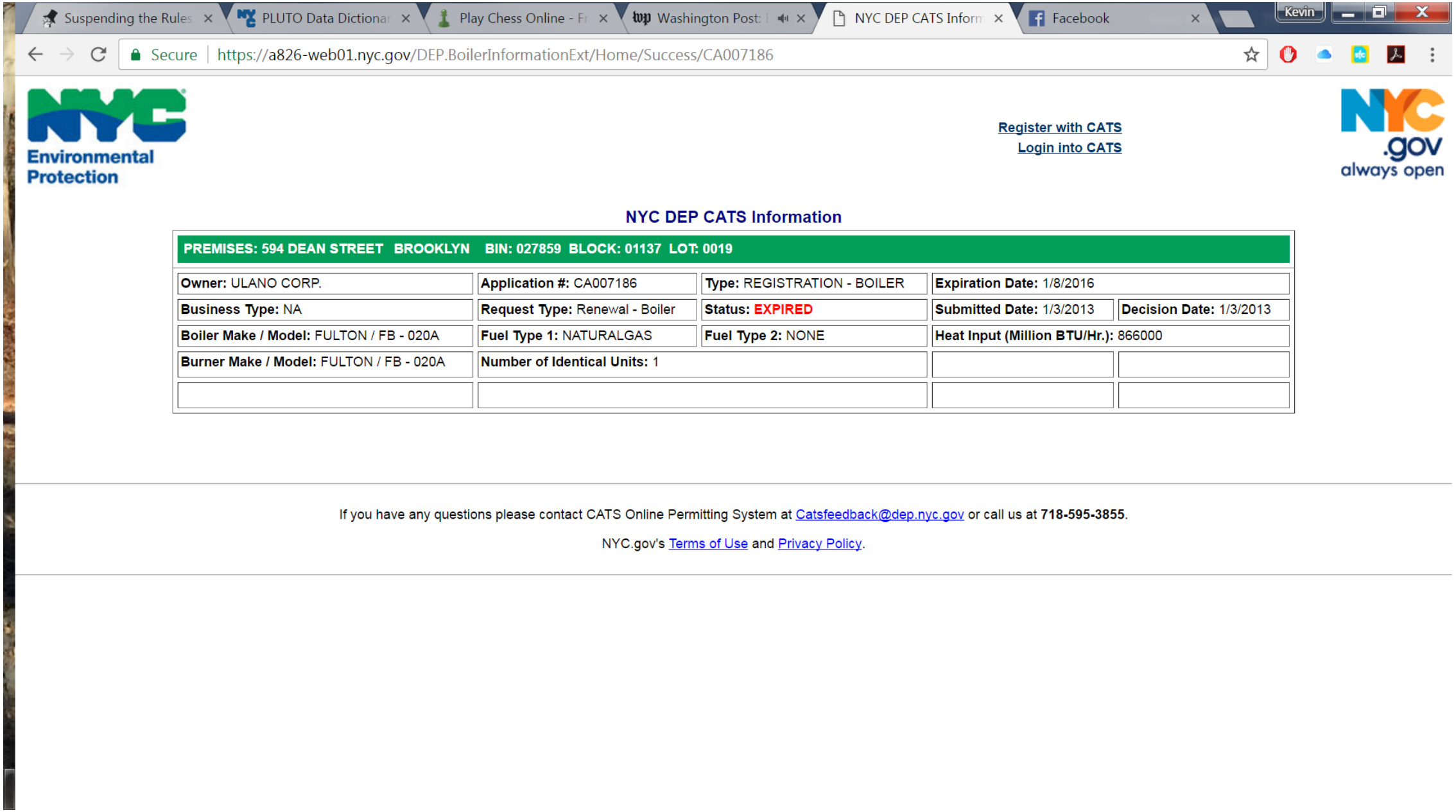

NYC DEP CATS Information

PREMISES: 594 DEAN STREET BROOKLYN BIN: 027859 BLOCK: 01137 LOT: 0019				
Owner: ULANO CORP.	**Application #:** CA007186	**Type:** REGISTRATION - BOILER	**Expiration Date:** 1/8/2016	
Business Type: NA	**Request Type:** Renewal - Boiler	**Status:** EXPIRED	**Submitted Date:** 1/3/2013	**Decision Date:** 1/3/2013
Boiler Make / Model: FULTON / FB - 020A	**Fuel Type 1:** NATURALGAS	**Fuel Type 2:** NONE	**Heat Input (Million BTU/Hr.):** 866000	
Burner Make / Model: FULTON / FB - 020A	**Number of Identical Units:** 1			

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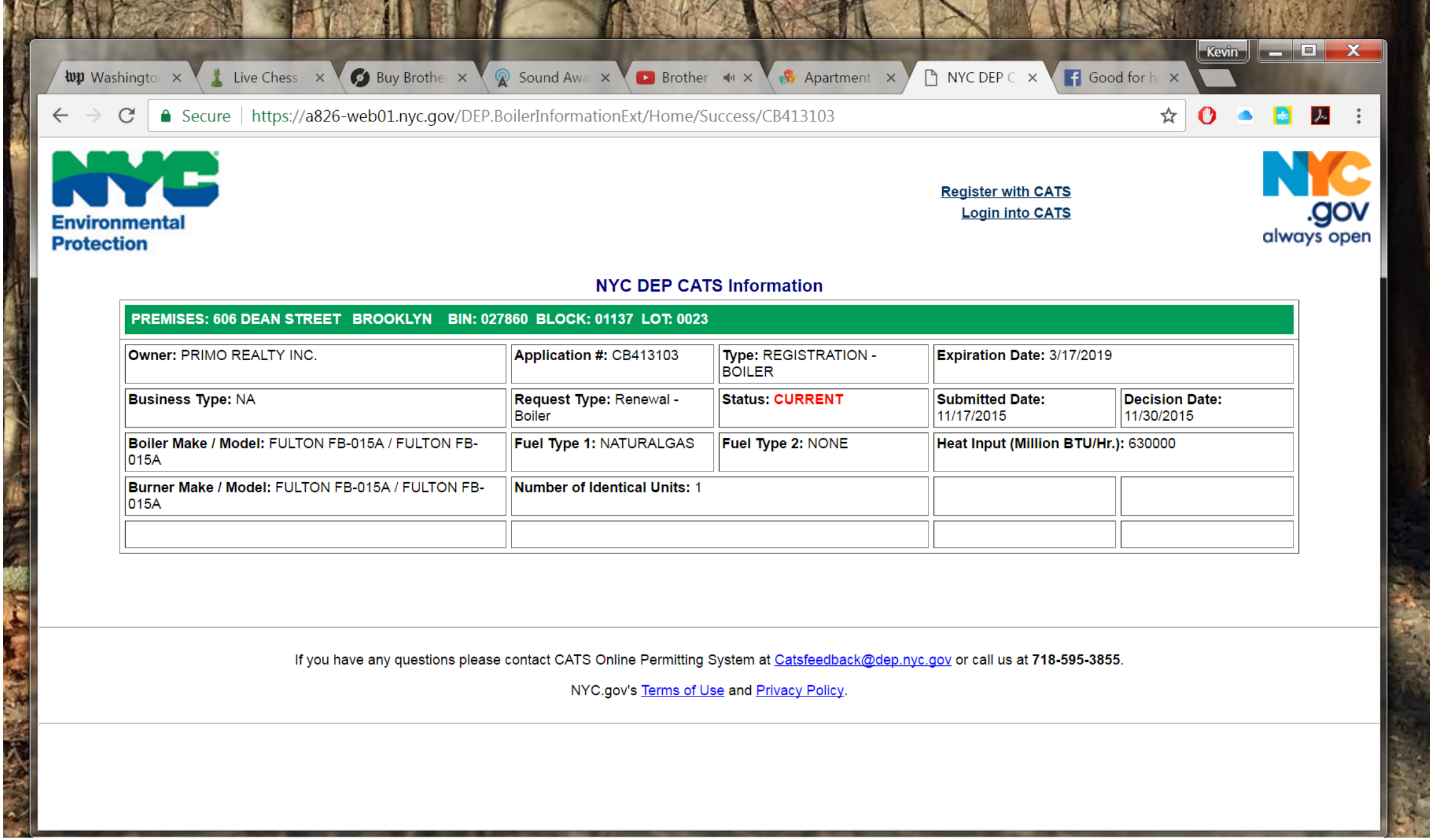

Kevin

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Secure | https://a826-web01.nyc.gov/DEP.BoilerInformationExt/Home/Success/CB413103

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NYC DEP CATS Information

PREMISES: 606 DEAN STREET BROOKLYN BIN: 027860 BLOCK: 01137 LOT: 0023

Owner: PRIMO REALTY INC.	**Application #:** CB413103	**Type:** REGISTRATION - BOILER	**Expiration Date:** 3/17/2019	
Business Type: NA	**Request Type:** Renewal - Boiler	**Status:** CURRENT	**Submitted Date:** 11/17/2015	**Decision Date:** 11/30/2015
Boiler Make / Model: FULTON FB-015A / FULTON FB-015A	**Fuel Type 1:** NATURALGAS	**Fuel Type 2:** NONE	**Heat Input (Million BTU/Hr.):** 630000	
Burner Make / Model: FULTON FB-015A / FULTON FB-015A	**Number of Identical Units:** 1			

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LANDMARK AND PRESERVATION LETTER

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: BOARD OF STANDARDS AND APPEALS / LA-CEQR-K
Project:
Address: 651-671 GATES AVENUE, **BBL:** 3018110019
Date Received: 1/18/2017

---

[x] No architectural significance

[X**] No archaeological significance**

[ ] Designated New York City Landmark or Within Designated Historic District

[ ] Listed on National Register of Historic Places

[X] in radius Appears to be eligible for National Register Listing and/or New York City Landmark Designation

[ ] May be archaeologically significant; requesting additional materials

Comments: In the study area: Quincey St. area of interest, between Throop Ave. and Marcus Garvey Blvd. No adverse impacts anticipated.

Gina Santucci 1/24/2017

SIGNATURE DATE
Gina Santucci, Environmental Review Coordinator

File Name: 32072_FSO_DNP_01232017.doc

NOISE BACKUP

General Information

Serial Number	02230
Model	SoundTrack LxT®
Firmware Version	2.206
Filename	14102100.LD0
User	
Job Description	
Location	
Measurement Description	
Start Time	Tuesday, 2014 October 21 08:24:43
Stop Time	Tuesday, 2014 October 21 08:49:27
Duration	00:24:44.1
Run Time	00:23:57.9
Pause	00:00:46.2
Pre Calibration	Tuesday, 2014 October 21 08:23:53
Post Calibration	None
Calibration Deviation	---

Note

Overall Data

LASeq		65.1	dB
LASmax	2014 Oct 21 08:26:59	80.9	dB
LApeak (max)	2014 Oct 21 08:47:48	98.9	dB
LASmin	2014 Oct 21 08:24:47	51.0	dB
LCSeq		74.8	dB
LASeq		65.1	dB
LCSeq - LASeq		9.7	dB
LAIeq		68.6	dB
LAeq		65.2	dB
LAIeq - LAeq		3.4	dB
LASE		96.7	dB
EAS		521.0	µPa²h
EAS8		10.44	mPa²h
EAS40		52.18	mPa²h
# Overloads		0	
Overload Duration		0.0	s
# OBA Overloads		0	
OBA Overload Duration		0.0	s

Statistics

LAS5.00	70.9	dBA
LAS10.00	68.8	dBA
LAS33.30	64.0	dBA
LAS50.00	61.5	dBA
LAS66.60	59.3	dBA
LAS90.00	56.4	dBA
LAS > 85.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LAS > 115.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 135.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 137.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 140.0 dB (Exceedence Counts / Duration)	0 / 0.0	s

Dose

Name	OSHA-1	
Dose	---	%
Projected Dose	---	%
TWA (Projected)	---	dBA
TWA (t)	---	dBA
Lep (t)	52.1	dBA

Settings

Exchange Rate	5	dB
Threshold	90.0	dBA
Criterion Level	90.0	dBA
Criterion Duration	8.0	h
RMS Weight	A Weighting	
Peak Weight	A Weighting	
Detector	Slow	
Preamp	PRMLxT2	
Microphone Correction	Off	
Integration Method	Exponential	
OBA Range	Low	
OBA Bandwidth	1/1 Octave	
OBA Freq. Weighting	A Weighting	
OBA Max Spectrum	At Lmax	
Under Range Limit	35.5	dB
Under Range Peak	97.0	dB
Noise Floor	23.2	dB
Overload	140.7	dB

1/1 Spectra

Freq. (Hz):	8.0	16.0	31.5	63.0	125	250	500	1k	2k	4k	8k	16k
LASeq	18.3	16.0	33.7	46.1	51.2	55.2	56.7	59.7	58.4	57.5	50.9	39.4
LASmax	18.3	15.7	41.1	54.7	71.1	72.5	74.1	75.8	73.8	70.5	64.7	53.8
LASmin	18.3	15.7	22.8	33.9	41.5	44.5	45.4	42.9	39.5	31.9	22.3	24.1

Calibration History

Preamp	Date	dB re. 1V/Pa
PRMLxT2	21 Oct 2014 08:23:48	-47.0
PRMLxT2	08 Oct 2014 17:21:47	-47.1
PRMLxT2	08 Oct 2014 16:59:03	-47.1
PRMLxT2	08 Oct 2014 12:26:19	-47.1
PRMLxT2	08 Oct 2014 11:58:03	-47.1
PRMLxT2	08 Oct 2014 08:42:25	-47.0
PRMLxT2	08 Oct 2014 08:15:56	-47.0
PRMLxT2	07 Oct 2014 18:11:38	-47.0
PRMLxT2	07 Oct 2014 16:56:35	-47.1
PRMLxT2	07 Oct 2014 13:06:26	-47.3
PRMLxT2	07 Oct 2014 11:59:23	-47.2

General Information

Serial Number	02230
Model	SoundTrack LxT®
Firmware Version	2.206
Filename	14102101.LD0
User	
Job Description	
Location	
Measurement Description	
Start Time	Tuesday, 2014 October 21 12:01:23
Stop Time	Tuesday, 2014 October 21 12:25:40
Duration	00:24:17.1
Run Time	00:21:27.2
Pause	00:02:49.9
Pre Calibration	Tuesday, 2014 October 21 11:55:53
Post Calibration	None
Calibration Deviation	---

Note

Overall Data

LASeq		62.0	dB
LASmax	2014 Oct 21 12:02:47	76.5	dB
LApeak (max)	2014 Oct 21 12:19:27	95.1	dB
LASmin	2014 Oct 21 12:22:34	52.8	dB
LCSeq		71.7	dB
LASeq		62.0	dB
LCSeq - LASeq		9.6	dB
LAIeq		64.6	dB
LAeq		62.1	dB
LAIeq - LAeq		2.6	dB
LASE		93.1	dB
EAS		229.3	µPa²h
EAS8		5.129	mPa²h
EAS40		25.65	mPa²h
# Overloads		0	
Overload Duration		0.0	s
# OBA Overloads		0	
OBA Overload Duration		0.0	s

Statistics

LAS5.00	67.7	dBA
LAS10.00	65.7	dBA
LAS33.30	61.0	dBA
LAS50.00	58.4	dBA
LAS66.60	56.6	dBA
LAS90.00	55.0	dBA

LAS > 85.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LAS > 115.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 135.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 137.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 140.0 dB (Exceedence Counts / Duration)	0 / 0.0	s

Dose

Name	OSHA-1	
Dose	---	%
Projected Dose	---	%
TWA (Projected)	---	dBA
TWA (t)	---	dBA
Lep (t)	48.6	dBA

Settings

Exchange Rate	5	dB
Threshold	90.0	dBA
Criterion Level	90.0	dBA
Criterion Duration	8.0	h
RMS Weight	A Weighting	
Peak Weight	A Weighting	
Detector	Slow	
Preamp	PRMLxT2	
Microphone Correction	Off	
Integration Method	Exponential	
OBA Range	Low	
OBA Bandwidth	1/1 Octave	
OBA Freq. Weighting	A Weighting	
OBA Max Spectrum	At Lmax	
Under Range Limit	35.5	dB
Under Range Peak	97.0	dB
Noise Floor	23.2	dB
Overload	140.7	dB

1/1 Spectra

Freq. (Hz):	8.0	16.0	31.5	63.0	125	250	500	1k	2k	4k	8k	16k
LASeq	18.4	16.1	29.9	42.3	47.9	54.7	55.6	57.7	53.9	46.2	38.6	31.3
LASmax	18.4	22.1	34.8	48.5	61.6	73.2	71.7	67.9	63.5	57.6	58.2	38.3
LASmin	18.4	15.8	20.1	33.0	39.4	43.0	44.5	43.2	37.9	30.1	22.1	24.1

Calibration History

Preamp	Date	dB re. 1V/Pa
PRMLxT2	21 Oct 2014 11:55:53	-47.0
PRMLxT2	21 Oct 2014 08:50:27	-47.0
PRMLxT2	21 Oct 2014 08:23:48	-47.0
PRMLxT2	08 Oct 2014 17:21:47	-47.1
PRMLxT2	08 Oct 2014 16:59:03	-47.1
PRMLxT2	08 Oct 2014 12:26:19	-47.1
PRMLxT2	08 Oct 2014 11:58:03	-47.1
PRMLxT2	08 Oct 2014 08:42:25	-47.0
PRMLxT2	08 Oct 2014 08:15:56	-47.0
PRMLxT2	07 Oct 2014 18:11:38	-47.0
PRMLxT2	07 Oct 2014 16:56:35	-47.1

General Information

Serial Number	02230
Model	SoundTrack LxT®
Firmware Version	2.206
Filename	14102102.LD0
User	
Job Description	
Location	
Measurement Description	
Start Time	Tuesday, 2014 October 21 17:02:16
Stop Time	Tuesday, 2014 October 21 17:25:48
Duration	00:23:32.2
Run Time	00:21:49.2
Pause	00:01:43.0
Pre Calibration	Tuesday, 2014 October 21 16:59:22
Post Calibration	None
Calibration Deviation	---

Note

Overall Data

LASeq		62.8	dB
LASmax	2014 Oct 21 17:13:29	77.3	dB
LApeak (max)	2014 Oct 21 17:16:20	104.7	dB
LASmin	2014 Oct 21 17:25:48	47.9	dB
LCSeq		74.5	dB
LASeq		62.8	dB
LCSeq - LASeq		11.7	dB
LAIeq		65.5	dB
LAeq		62.8	dB
LAIeq - LAeq		2.7	dB
LASE		93.9	dB
EAS		274.7	µPa²h
EAS8		6.044	mPa²h
EAS40		30.22	mPa²h
# Overloads		0	
Overload Duration		0.0	s
# OBA Overloads		0	
OBA Overload Duration		0.0	s

Statistics

LAS5.00	68.1	dBA
LAS10.00	66.5	dBA
LAS33.30	63.2	dBA
LAS50.00	59.3	dBA
LAS66.60	55.9	dBA
LAS90.00	51.3	dBA

LAS > 85.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LAS > 115.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 135.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 137.0 dB (Exceedence Counts / Duration)	0 / 0.0	s
LApeak > 140.0 dB (Exceedence Counts / Duration)	0 / 0.0	s

Dose

Name	OSHA-1	
Dose	---	%
Projected Dose	---	%
TWA (Projected)	---	dBA
TWA (t)	---	dBA
Lep (t)	49.3	dBA

Settings

Exchange Rate	5	dB
Threshold	90.0	dBA
Criterion Level	90.0	dBA
Criterion Duration	8.0	h
RMS Weight	A Weighting	
Peak Weight	A Weighting	
Detector	Slow	
Preamp	PRMLxT2	
Microphone Correction	Off	
Integration Method	Exponential	
OBA Range	Low	
OBA Bandwidth	1/1 Octave	
OBA Freq. Weighting	A Weighting	
OBA Max Spectrum	At Lmax	
Under Range Limit	35.5	dB
Under Range Peak	97.0	dB
Noise Floor	23.2	dB
Overload	140.7	dB

1/1 Spectra

Freq. (Hz):	8.0	16.0	31.5	63.0	125	250	500	1k	2k	4k	8k	16k
LASeq	18.3	16.5	37.1	46.9	49.1	51.5	55.9	59.3	55.2	47.4	40.1	30.8
LASmax	18.3	16.4	36.8	54.6	59.3	68.2	73.3	72.2	68.7	61.4	53.6	35.0
LASmin	18.3	15.7	18.6	30.3	35.4	38.8	41.3	42.6	38.5	31.2	22.3	24.1

Calibration History

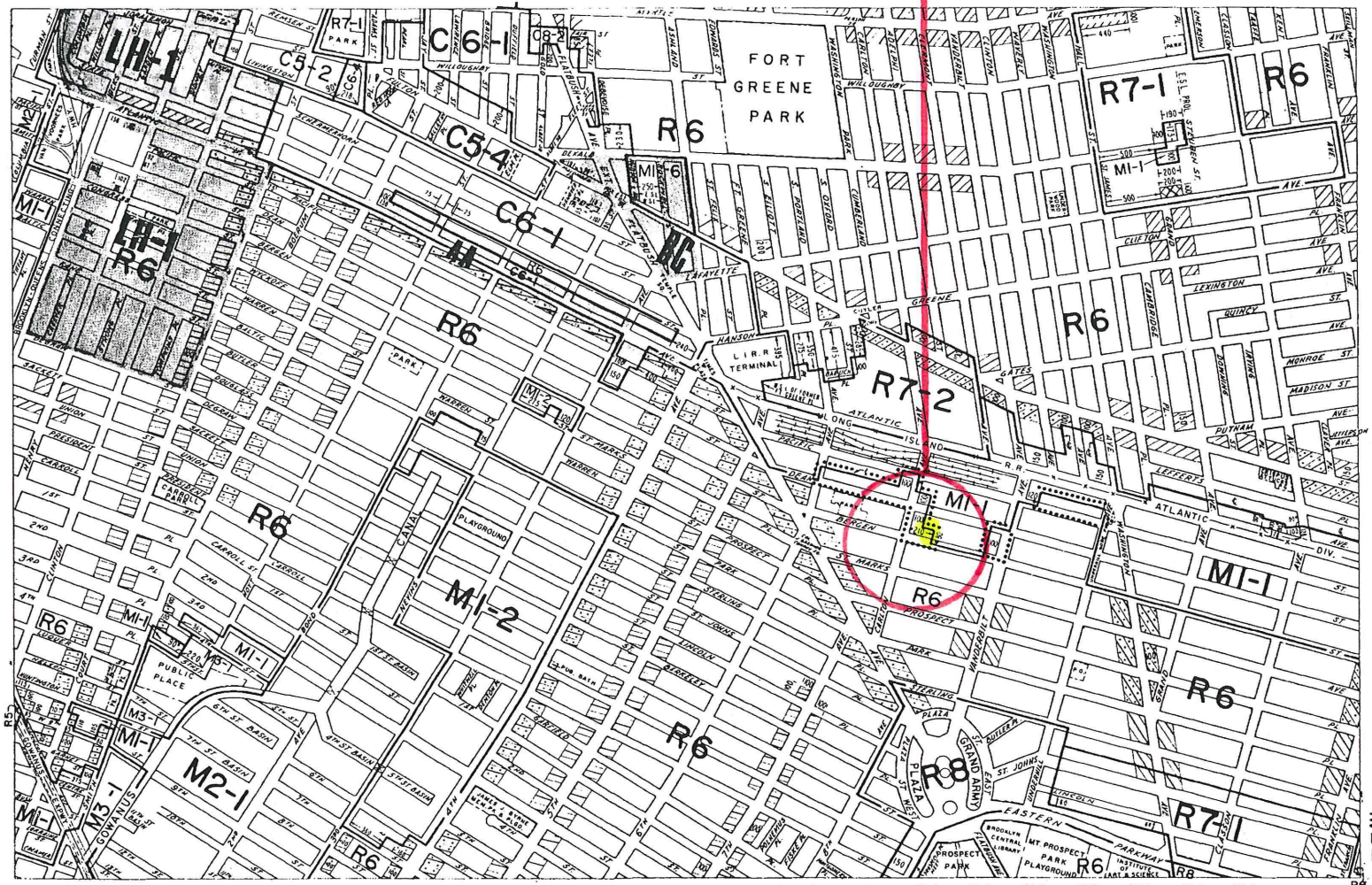
Preamp	Date	dB re. 1V/Pa
PRMLxT2	21 Oct 2014 16:59:21	-47.0
PRMLxT2	21 Oct 2014 12:29:46	-47.0
PRMLxT2	21 Oct 2014 11:55:53	-47.0
PRMLxT2	21 Oct 2014 08:50:27	-47.0
PRMLxT2	21 Oct 2014 08:23:48	-47.0
PRMLxT2	08 Oct 2014 17:21:47	-47.1
PRMLxT2	08 Oct 2014 16:59:03	-47.1
PRMLxT2	08 Oct 2014 12:26:19	-47.1
PRMLxT2	08 Oct 2014 11:58:03	-47.1
PRMLxT2	08 Oct 2014 08:42:25	-47.0
PRMLxT2	08 Oct 2014 08:15:56	-47.0


0085
0070
0008
0002
0001
0001
Car/Taxi
Lt. Trk/Van /SUV
Heavy Truck
Buss
Mini Bus
Other


0040
0034
0009
0001
0001
0001
Car/Taxi
Lt. Trk/Van /SUV
Heavy Truck
Buss
Mini Bus
Other

HISTORICAL REZONING INFORMATION

PROJECT AREA



16c

ZONING MAP

CITY PLANNING COMMISSION

THE CITY OF NEW YORK

12b	12d	13b
16a	**16c**	17a
16b	16d	17b

INDICATES PROPERTY REZONED BY AMENDMENT EFFECTIVE: JULY 17, 1975

A-1203

026

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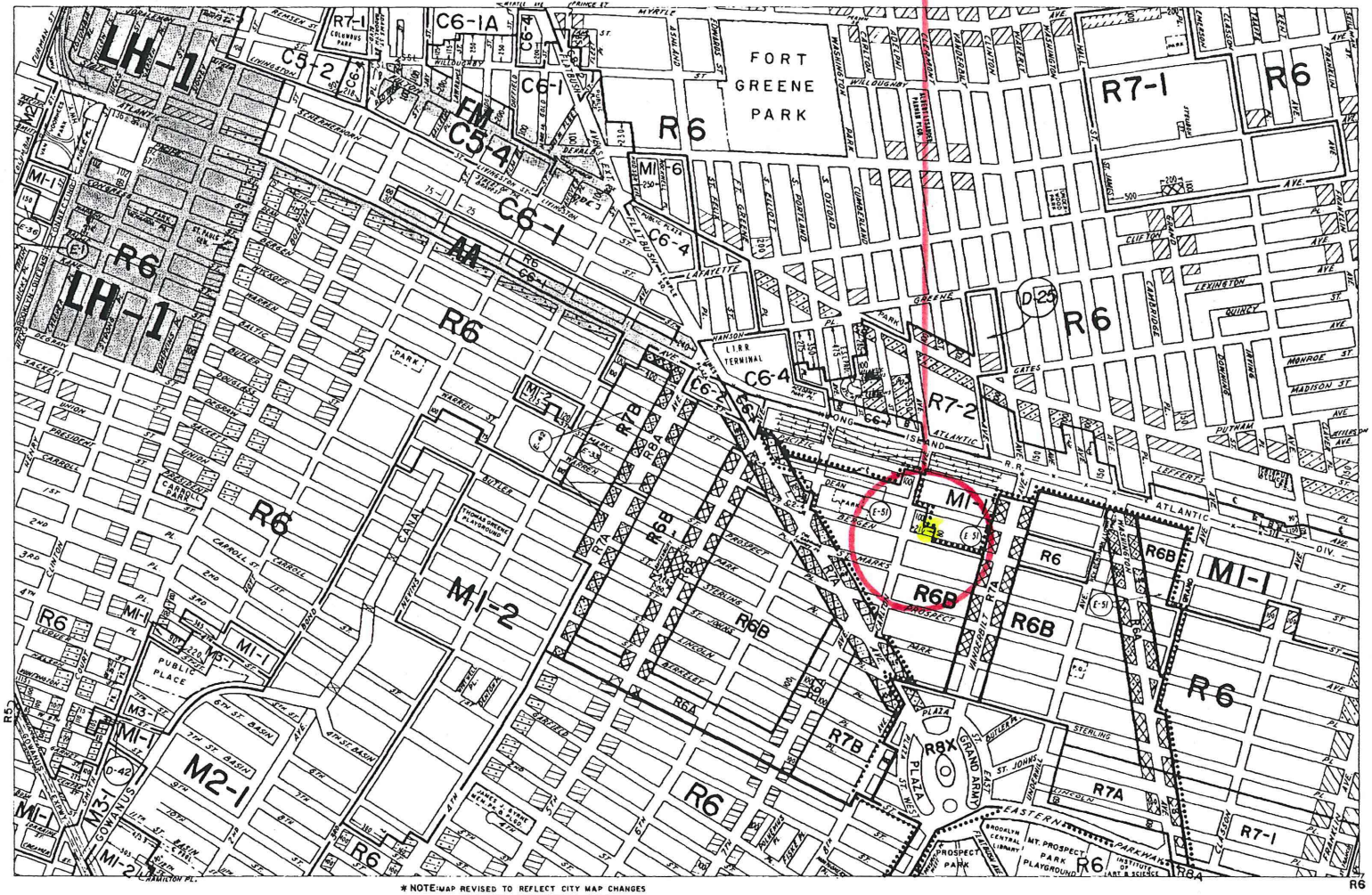
PROJECT AREA



* NOTE: MAP REVISED TO REFLECT CITY MAP CHANGES
RE: 920073 MMK EFFECTIVE: 10-31-94

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

ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

MAJOR ZONING CLASSIFICATIONS

N

R — RESIDENTIAL DISTRICT

C — COMMERCIAL DISTRICT

M — MANUFACTURING DISTRICT

The number(s) and/or letter(s) which follows an "R", "C", or "M" district designation indicates use, bulk, and other controls as described in the text of the Zoning Resolution.

SPECIAL PURPOSE DISTRICTS

The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

INDICATES PROPERTY REZONED BY AMENDMENT EFFECTIVE 02-09-94 930430 ZMK, A-1669

(D) RESTRICTIVE DECLARATION, FOR DETAIL REFER TO R.D. SHEET.

(E) CITY ENVIRONMENTAL QUALITY REVIEW DECLARATION, FOR DETAIL REFER TO C.E.Q.R. SHEET.

MAP KEY

12b	12d	13b
16a	**16c**	17a
16b	16d	17b

ZONING MAP **16C**

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053

CITY PLANNING COMMISSION

December 20, 1993/Calendar No. 10 C 930430 ZMK

IN THE MATTER OF an application submitted by the Department of City Planning, pursuant to Sections 197-c and 200 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 16c and 16d:

1. changing from an R8 district to an R6 district property bounded by a line 150 feet west of Prospect Park West, 1st Street, a line 100 feet west of Prospect Park West, and Union Street;

2. changing from an R6 district to an R6A district property bounded by Bergen Street, a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet east of Washington Avenue, Park Place, Grand Avenue, Prospect Place, and a line 100 feet east of Washington Avenue;

3. changing from an M1-1 district to an R6A district prop rty bounded by Bergen Street, a line 100 feet east of Washington Avenue, a line midway between Atlantic Avenue and Pacific Street, Underhill Avenue, and a line 100 feet west of Washington Avenue;

4. changing from an R6 district to an R6B district property bounded by:

   a. a line 100 feet east of Flatbush Avenue, a line 100 feet north of Bergen Street, 6th Avenue, Bergen Street, a line 100 feet east of Flatbush Avenue, Carlton Avenue, Park Place, a line 100 feet east of Flatbush Avenue, Sterling Place, a line 100 feet west of Vanderbilt Avenue, Bergen Street, a line 210 feet east of Carlton Avenue, a line 80 feet north of Bergen Street, a line 100 feet east of Carlton Avenue, Dean Street, Carlton Avenue, Pacific Street, a line 100 feet west of Carlton Avenue, a lin midway between Pacific Street and Dean Street, 6th Avenue, and Dean Street;

   b. a line 100 feet east of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Underhill Avenue, a lin midway between Sterling Place and St. Johns Place, a lin 100 feet west of Washington Avenue, Bergen Street, Underhill Avenue, a line midway between Atlantic Avenue and Pacific Street, a line 120 feet east of Vanderbilt Avenue, and Pacific Street; and

   c. a line 100 feet east of Washington Avenue, Prospect Place, Grand Av nue, and Bergen Street;

5. changing from an M1-1 district to an R6B district property bound d by:

   a. a line 100 feet east of Flatbush Avenue, Dean Street, 6th Avenue, and a line midway between Pacific Street and Dean Street;

   b. a line 100 feet east of Vanderbilt Avenue, Pacific Street, a line 120 feet east of Vanderbilt Avenue, and a line midway between Atlantic Avenue and Pacific Str et;

   c. Underhill Avenue, Bergen Street, and a line 100 feet west of Washington Avenue; and

   d. a line 100 feet east of Washington Avenue, Bergen Street, a line 100 feet west of Grand Avenue, and a line midway between Atlantic Avenue and Pacific Street;

6. changing from an R6 district to an R7A district property bounded by a line 100 feet west of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Vanderbilt Avenue, Pacific Street, Vanderbilt Avenue, and Dean Street;

7. changing from an M1-1 district to an R7A district prop rty bounded by:

   a. 5th Avenue, Flatbush Avenue, Dean Street, a line 100 f t east of Flatbush Avenue, and Pacific Street; and

   b. a line 100 feet west of Vanderbilt Avenue, Dean Stre t, Vanderbilt Avenue, and Pacific Street;

8. changing from an R7-1 district to an R7A district property bounded by a line 100 feet east of Underhill Avenue, a lin 60 feet south of Lincoln Place, Washington Avenue, East rn Parkway, a line 100 feet east of Washington Avenue, and a lin midway between Sterling Place and St. Johns Place;

9. changing from an R8 district to an R7B district prop rty bounded by 8th Avenue, Union Street, a line 100 feet east of 8th Avenue, and Lincoln Place;

10. changing from an R8 district to an R8X district prop rty bounded by 8th Avenue, Lincoln Place, a line 100 feet east of 8th Avenue, Union Street, a line 100 feet west of Prosp ct Park West, 1st Street, Prospect Park West, a line passing through two points: one at the intersection of the prolongat d center lines of Prospect Park West and Plaza Street West and the other at the intersection of the prolongated center lin s of Eastern Parkway and Plaza Street East, Eastern Parkway, Washington Avenue, a line 60 feet south of Lincoln Plac , a

lin 100 fe t east of Underhill Avenue, Sterling Place, and Flatbush Avenue;

11. eliminating within an existing R6 district a C1-3 district bounded by:

    a. St. Marks Place, a line 150 feet west of Vanderbilt Avenue, Park Place, and a line 150 feet east of Vanderbilt Avenue; and

    b. Park Place, a line 150 feet west of Washington Avenu , a line midway between Sterling Place and St. Johns Place, and a line 150 feet east of Washington Avenue;

12. eliminating within an existing R6 district a C2-3 district bounded by Bergen Street, a line 150 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet east of Washington Avenue, St. Marks Place, and a line 150 feet east of Washington Avenue;

13. eliminating within an existing R7-1 district a C1-3 district bounded by a line midway between Sterling Place and St. Johns Place, a line 150 feet west of Washington Avenue, St. Johns Place, and a line 150 feet east of Washington Avenue;

14. eliminating within an existing R8 district a C2-3 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 150 feet east of Flatbush Avenue;

15. establishing within a proposed R6A district a C1-4 district bounded by a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a lin 100 feet east of Washington Avenue, and Park Place;

16. establishing within a proposed R7A district a C1-4 district bounded by:

    a. a line 100 feet west of Vanderbilt Avenue, Park Place, a line 100 feet east of Vanderbilt Avenue, and Pacific Street; and

    b. a line 100 feet west of Washington Avenue; Lincoln Plac , Washington Avenue, a line midway between Lincoln Plac and Eastern Parkway, a line 100 feet east of Washington Avenue, and a line midway between Sterling Place and St. Johns Place;

17. establishing within a proposed R6A district a C2-4 district bounded by Underhill Avenue, a line 100 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Place,

a line 100 feet east of Washington Avenue, and a line midway betwe n Atlantic Avenue and Pacific Street;

18. establishing within a proposed R7A district a C2-4 district bounded by 5th Avenue, Flatbush Avenue, Dean Street, a line 100 feet east of Flatbush Avenue, and Pacific Street; and

19. establishing within a proposed R8X district a C2-4 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 100 feet east of Flatbush Avenue;

Borough of Brooklyn, Community Districts 6 and 8, as shown on a diagram (for illustrative purposes only) dated August 2, 1993 and subject to CEQR Declaration E-51.

The application for an amendment of the Zoning Map was filed by the Department of City Planning on April 26, 1993, to change the zoning districts in the fifty three block area from R6/C1-3 and C2-3, R7-1/C1-3, R8/C2-3, and M1-1, to R6, R6B, R6A/C1-4 and C2-4, R7B, R7A/C1-4 and C2-4, and R8X/C2-4. The application was modifi d December 20, 1993 to retain the R6 zoning district in a portion of th rezoning area.

BACKGROUND

The fifty-three block area proposed to be rezoned is generally bounded by Eastern Parkway, a line 100 feet east of Washington Avenue, Grand Avenue, Atlantic Avenue, and Flatbush Avenue in and around the Prospect Heights section of community districts 6 and 8. Th area contains single and multi-family housing with ground floor stores on the major avenues, community facilities, and some light industries.

The area proposed to b rezon d is bord red by R6, R7-1, and M1-1 zoning districts to the north and east. The R6 district, which is found east of Washington Avenue and continues on to cover most of Crown Heights, is chiefly developed with one and two family attached homes and small walk-up apartment houses. The area also has a large number of community facilities and little vacant land. The R7-1 district extends east of Washington Avenue between Eastern Parkway and Sterling Place. This district is characterized by larger three and four story apartment buildings that are very bulky in character (greater than 85% lot coverage); low rise in h ight and high in lot coverage. In the last few years, these blocks hav seen a significant amount of housing renovation activity and now has almost no vacant buildings and no vacant land. The M1-1 district bordering the site to the north along Atlantic Avenu features many auto-repair and collision shops. Light manufacturing and warehouse uses are located on Pacific and Dean streets with scattered vacant residential buildings and vacant land.

To the west and south, a contextually zoned neighborhood and a regional park border the area to be rezoned. R7A/C2-4 is mapped along both sides of Flatbush Avenue at a depth of 100 feet. This district primarily has three and four story walk-up buildings with ground floor stores. There are a significant amount of furniture and home improvement supply stores. Further west of Flatbush Avenue is the brownstone neighborhood of Park Slope, which is zoned R6B, R6A, and R7B. The Brooklyn Botanic Garden, Brooklyn Museum,

and Prospect Park are to the south of the rezoning area. A small portion of a R8A district that features a large number of public schools and four to six story apartment buildings also borders to the south.

Th Department of City Planning conducted a land use study between 1991 and 1992 of the 48 block area bounded by a line 100 feet east of Washington Avenue, Atlantic Avenue, Flatbush Avenue, Plaza Street East, and Eastern Parkway in response to a request by Community Board 8, and since the area had been identified as part of a potential study area in the Quality Housing Text Amendment EIS of 1987. Among the study's findings, it was concluded that approximately sixty-four percent of the study area's total land square footage consists of residential uses. The housing is primarily one and two-family rowhouses on the cross streets and multi-family apartment buildings along the wide streets clos to Prospect Park. Three and four story buildings with ground floor stores are built on Flatbush, Vanderbilt, and Washington avenues.

Of the remaining thirty-six percent of the area, light industri s, warehouses, and heavy commercial (auto-related, storage) us s comprise approximately twenty-one percent of the area. These us s are centered mostly in the northern portion of the study ar a within and near the M1-1 zoning district. The area also contains community facilities (nearly 8% of the total land use), including two schools and three playground/parks. The remaining s v n

percent of th study ar a is vacant land; mostly composed of small scattered lots and some larger assemblages mostly found along the wide streets in the northeast section of the study area.

There are ten subareas to be rezoned in this application:

Subarea 1: Flatbush Avenue M1-1 to R7A/C2-4: In keeping with the analysis and recommendations of the Park Slop North Quality Housing Study of 1989 and subsequent rezoning action (900580 ZMK, adopted in April of 1993), the east side of Flatbush Avenue between Pacific and Dean streets is proposed to be rezoned from M1-1 to R7A/C2-4. The R7A district would allow a 4.0 floor area ratio with a typical height of seven stories. Maximum interior lot coverage is 65 percent, and corner lot coverage is 80 percent. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed zone would mandate the use of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. A mapping of a C2-4 commercial overlay is also proposed for this frontage. The proposed mapping would continue to allow uses that are primarily neighborhood service establishments listed in Use Groups 6,7,8, and 9. It

also has a parking requirement of on space for every 1,000 square feet of commercial floor area. The rezoning of this Subarea would consolidate this block frontage's zoning with the larger R7A/C2-4 district along the rest of Flatbush Avenue south towards Grand Army Plaza.

Subarea 2: Carlton Avenue/Cross-streets M1-1 and R6 to R6B: With a maximum FAR of 2.0 and a 5 to 20 foot front yard range, a rezoning from R6 (2.43 maximum FAR) to R6B would retain the existing character of these side streets. This district allows a 2.00 FAR with a maximum interior lot coverage of 60 percent and a corner lot coverage of 80 percent. Parking is required for each dwelling unit or 50 percent of the units if grouped. R6B has a 35 foot maximum street wall height and generally allows for a five story building with a setback. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed zone would mandate the use of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. Application of the non-Quality Housing text provisions permitted under the existing district could result in buildings that are taller and less consistent with the existing built form.

Subarea 3: Vanderbilt Avenue M1-1 and R6/C1-3 to R7A/C1-4: R7A is proposed for the Vanderbilt Avenue frontage between Pacific Street and Sterling Place. This zone allows a 4.0 floor area ratio with a typical height of seven stories. Maximum interior lot coverage is 65 percent, and corner lot coverage is 80 percent. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed zone would mandate the use of Quality Housing and would assure that any new development would result in a configuration which is consistent with the existing built form. A rezoning from C1-3 and mapping of a C1-4 commercial overlay (onto blocks previously not mapped with commercial overlays) is also proposed for this frontage. The proposed mapping would continue to allow uses that are primarily neighborhood retail establishments listed in Use Group 6. It would also reduce the mapped depth of the commercial overlay on this commercial strip from 150 feet to 100 feet since no existing commercial uses go beyond a depth of 100 feet. This would preclude commercial intrusions into the residential midblocks. Finally, the commercial rezoning would also reduce the parking requirement of one space for every 300 square feet of floor area to one space for

v ry 1,000 square fe t of commercial floor area since there is currently adequate on-street parking for the commercial uses.

Subarea 4: Underhill Avenue/Cross-streets M1-1 and R6 to R6B: This zone allows a 2.00 FAR with a maximum interior lot coverage of 60 percent and a corner lot coverage of 80 percent. Parking is required for each dwelling unit or 50 percent of the units if grouped. R6B has a 35 foot maximum street wall height and allows for a five story building with a setback. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed rezoning of portions of the M1-1 district along Pacific Street and the east side of Underhill Avenue will bring the majority of the uses on those properties affected into conformance. The proposed zone would mandate the use of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. Application of the non-Quality Housing text provisions permitted under the existing district would result in buildings that are taller and less consistent with the existing built form.

Subarea 5: Washington Avenu M1-1 and R6/C2-3 and C1-3 to R6A/C2-4 and C1-4: Washington Avenue is recommended to be rezoned to R6A with a C1-4 overlay and a C2-4 overlay between Pacific Street and St. Johns Place. The R6A zone allows a 3.0 floor area ratio with a typical height of six stories. Maximum interior lot coverage is 65 percent, and corner lot coverage is 80 percent. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed rezoning of portions of the M1-1 district will bring most of the affected properties into conformance, and allow for some residential development opportunities. The proposed zone would mandate the use of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. A rezoning from C2-3 and increased mapping of a C2-4 commercial overlay is also proposed for this frontage from Pacific Street to Park Place. The proposed mapping would continue to allow uses that are primarily neighborhood retail and service establishments listed in Use Groups 6, 7, 8, and 9. It would also reduce the mapped depth of the commercial overlay on this commercial strip from 150 feet to 100 feet, and reduce the parking

r quir m nt of one space for every 300 square feet to one space for every 1,000 square feet of commercial floor area. Similarly, a rezoning from a C1-3 to a C1-4 commercial overlay is also proposed for this frontage from Park Place to St. Johns Place (and continued in the R7A portion of this strip: see St. Johns R7A description). The proposed mapping would continue to allow uses that are primarily neighborhood retail establishments listed in Use Group 6. It would also reduce the parking requirement of one space for every 300 square feet to one space for every 1,000 square feet of commercial floor area.

Subarea 6: Grand Avenue/Cross-streets M1-1 and R6 to R6B:
R6B is proposed for the cross-streets between Washington and Grand avenues (with Atlantic Avenue roughly as the northern boundary and Park Place as the southern). This zone allows a 2.00 FAR with a maximum interior lot coverage of 60 percent and a corner lot coverage of 80 percent. Parking is required for each dwelling unit or 50 percent of the units if grouped. R6B has a 35 foot maximum street wall height and allows for a five story building with a setback. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing M1-1 zone is 1.00, and no residential uses are allowed. The proposed zone would mandate the

us of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. Application of the non-Quality Housing text provisions permitted under the existing zone could result in buildings that are taller and less consistent with the existing built form.

Subarea 7: St.Johns/Lincoln Places R7-1/C1-3 to R7A/C1-4:

R7A is proposed for the St. Johns Place and Lincoln Place frontages from 100 feet east of Underhill Avenue to 100 feet east of Washington Avenue. This zone allows a 4.0 floor area ratio with a typical height of seven stories. Maximum interior lot coverage is 65 percent, and corner lot coverage is 80 percent. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing R7-1 zone is 3.44. The proposed R7A zone would mandate the use of Quality Housing and would assure that any new development would result in a bulk and configuration which is consistent with the existing built form. A rezoning from C1-3 and increased mapping along blocks currently not zoned for commercial of a C1-4 commercial overlay is also proposed for the Washington Avenue frontage. The proposed mapping would continue to allow uses that are primarily neighborhood retail establishments listed in Use Group 6.

It would also reduce the mapped depth of the commercial overlay on this commercial strip from 150 feet to 100 feet, and reduce the parking requirement of one space for every 300 square feet to one space for every 1,000 square feet of commercial floor area.

Subarea 8: Grand Army Plaza R8/C2-3 to R8X/C2-4: Following the boundaries of the existing R8 district, a R8X district is recommended for this area (with the exception of two blockfronts on the east side of 8th Avenue proposed to be rezoned to R7B, and the midblock portion of five blocks west of Prospect Park West to be rezoned to R6). R8X allows a 6.02 floor area ratio with three alternative bulk and design controls that can result in buildings with a maximum streetwall height of 85 feet and a maximum overall height of either 9, 13, or 17 stories. Maximum interior lot coverage is 70 percent, and corner lot coverage is 80 percent. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing R8 zone is also 6.02. A rezoning from a C2-3 to a C2-4 commercial overlay is also proposed for the Flatbush Avenue frontage. The proposed mapping would continue to allow uses that are primarily neighborhood retail and service establishments listed in Use Groups 6, 7, 8, and 9. It would also reduce the mapped depth of the commercial

ov rlay on this commercial strip from 150 feet to 100 feet, and reduce the parking requirement of one space for every 300 square feet to one space for every 1,000 square feet of commercial floor area.

Subarea 9: Eighth Avenue R8 to R7B: In keeping with the analysis and recommendations of the Park Slope North Quality Housing Study and subsequent rezoning, the east side of Eighth Avenue between Lincoln Place and Union Street is proposed to be rezoned from its current R8 to R7B. Given the existing land-use and built form in this subarea, R7B is proposed for the Eighth Avenue frontage between Lincoln Place and Union Street. This zone allows a 3.0 floor area ratio with a typical height of six stories. Maximum interior lot coverage is 65 percent, and corner lot coverage is 80 percent. There is a minimum front yard requirement of 5 feet. This zone requires parking for 50 percent of the residential units. The maximum FAR permitted under the existing R6 zone is 2.43. The maximum FAR permitted under the existing R8 zone is 6.02.

Subarea 10: Prospect Park West R8 to R6: In the rezoning of Prospect Park West from the current R8 to R8X, the depth of the zoning district is proposed to be reduced from 150 feet to 100 feet. Therefore, R6 is proposed to

b mapp d from 100 f et to 150 feet west of Prospect Park West. This will unify this subarea with the larger R6 zoning district immediately to the west that covers the rest of these mid-blocks. This zone allows a 2.43 maximum floor area ratio with a 33.5 minimum open space ratio and a thirteen height factor building. Typical development on this subareas narrow lots would be around 5 to 6 stories. This zone requires one parking space per dwelling unit, or 70 percent of the residential units if grouped. The maximum FAR permitted under the existing R8 zone is 6.02.

ENVIRONMENTAL REVIEW

This application (C 930430 ZMK) was reviewed pursuant to th N w York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et. seq. and the City Environm ntal Quality Review (CEQR) Rules of Procedure of 1991 and Executiv Order No. 91 of 1977. The designated CEQR number is 93DCP037K. Th lead agency is the City Planning Commission.

To address potential hazardous materials concerns, the project would include an "E" designation on the zoning map for th following blocks and lots: Block 1127, Lot 1, Block 1129, Lots 46 and 50, Block 1139, Lots 15-17, Block 1131, Lot 22, Block 1140, Lot 48, and Block 1146, Lot 127.

The Negative Declaration states:

> Due to the presence of underground storage tanks containing petroleum products there is potential for contamination of the soil and groundwater by existing or past leakage from such tanks. To determine if contamination exists on-site and to determine and perform any appropriate remediation, certain tasks must be undertaken by the fee owners of the lot(s) restricted by the "E" designation prior to any demolition, site grading, excavation, or construction on the site for development.

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on August 2, 1993.

UNIFORM LAND USE REVIEW

This application (C 930430 ZMK) was certified as complete by the Department of City Planning on August 2, 1993, and was duly referred to Community Boards 6 and 8, the Borough President and the Borough Board, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Brooklyn Community Board 6 held a public hearing on this application on September 8, 1993, and on that date, by a vote of 28

to 0 with 2 abstentions, adopted a resolution recommending approval of the application.

Community Board 8 held a public hearing on this application on September 14, 1993, and on that date, by a vote of 25 to 0 with 1 abstentions, adopted a resolution recommending approval of the application with the following condition:

> "... that the rezoning will not effect the construction of the former 235 site (Block 1138) on Dean Street, Underhill, Bergen Street and Vanderbilt Avenue. This project has taken long enough to complete."

Borough Board Recommendation

The application was considered by the Brooklyn Borough Board which issued a recommendation approving the action on October 28, 1993, with the following conditions:

"1) That the proposed establishment of a R8X zoning district be held in abeyance until the release of the complet scope of modifications to the governing R8X zoning t xt regulations and the completion of the public's review of the subject modifications; and,

2) That Block 1138 be excluded from this rezoning action, so that the residential development of Site 8 of the Crown

H ights Urban Ren wal Area and Plan can be construct d in a manner consistent to the existing housing on Site 8."

Borough President Recommendation

This application was considered by the Brooklyn Borough President, who issued a recommendation approving the action on November 12, 1993, with the following conditions:

"1) That the proposed establishment of a R8X zoning district be held in abeyance until the release of the complete scope of modifications to the governing R8X zoning t xt regulations and the completion of the public's review of the subject modifications; and,

2) That Block 1138 be excluded from this rezoning action, so that the residential development of Site 8 of the Crown Heights Urban Renewal Area and Plan can be constructed in a manner consistent to the existing housing on Site 8."

City Planning Commission Public Hearing

On November 3, 1993 (Calendar No. 3), the City Planning Commission scheduled November 17, 1993, for a public hearing on this application (C 930430 ZMK). The hearing was duly held on November 17, 1993 (Calendar No. 12). There were two speakers in favor of the application and no speakers in opposition.

A r pr s ntativ of the Brooklyn Borough President spoke in favor of the application, but reiterated his concerns about Block 1138. Th representative reiterated the Borough President's recommendation that Block 1138 be deleted from the proposed rezoning action and retain its existing R6 zoning designation.

A representative of the New York City Housing Partnership also testified that they concurred with the Borough President's favorable opinion of the application, but with some concerns. The r presentative reiterated the potential additional costs associat d with a redesign of the site and the possible pitfalls of rear yard parking; based upon experience with developments they sponsored in the past. The representative also stated that from a marketing point of view, most of their clientele had voiced a stronger desir for front yard parking then rear yard parking. The representative further stated that while the costs do tend to be higher for th ir homes with rear yard parking, the homes still continue to s ll. Additionally, the representative stated that any delay in th development's completion due to the required redesign would b minimal since the development is still the subject of ongoing litigation; which has delayed this development's completion for more than eight years.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this amendment of the Zoning Map is appropriate as modified.

This amendment will replace the current zoning districts of the site with contextual zoning districts, thus changing the bulk r gulations to those that encourage low- to mid-rise, high-coverage buildings, and mandating the Quality Housing Program for all new r sidential development. This action will encourage residential development in keeping with the existing neighborhood character, and bring a large number of existing residential and commercial uses into conformance.

In 1991-1992, the Department of City Planning conducted a land-use study of the 48 block area bounded by a line 100 feet east of Washington Avenue, Atlantic Avenue, Flatbush Avenue, Plaza Street East, and Eastern Parkway since the area had been identified as part of a potential study area in the Quality Housing Text Amendment EIS of 1987. The study area contains ten soft sites. Under the existing zoning, new development could be out of context with the existing neighborhood character, particularly in th northeast section of the study area where the largest number of potential development sites were located.

The study recommended that most of the M1-1 zoning district that lies west of Vanderbilt Avenue should be retained, and is therefor

not proposed to be rezoned in this application. A follow-up review of th R8 zoning district west of Flatbush Avenue and extending along the frontage of Prospect Park West was performed after th completion of the study. The review concluded that this eight block area should be rezoned from R8 to R8X, and is therefor included in this application's proposed actions.

Under the proposed zoning districts, allowable density and bulk would be reduced along the residential cross-streets of the study area, with slight increases of allowable density and bulk along the residential-commercial avenues to channel any future development to those sections of the neighborhood that can support it. Additionally, the M1-1 zoning district is scaled back on thos streets that have a primarily residential land use character and some potential development opportunities. Finally, the commercial overlays along Flatbush, Vanderbilt, and Washington Avenues ar reduced in depth form 150 feet to 100 feet with the rezoning to limit encroachment of commercial uses into the midblocks of th residential cross-streets. The overlays are also expanded in length on these commercial strips to bring a significant number of existing commercial uses into conformance while also presenting opportunities to reactivate and expand commercial activity wer appropriate (resulting commercial compliance and conformanc figures are included in the overall figures for each of th proceeding subareas).

The propos d R6B districts to be mapped in three subareas allow a maximum FAR of 2.00, with a str etwall height limitation of 35 f et, and a maximum of five stories with setbacks. New buildings in these areas would typically rise between 3 and 4 stories. The zoning compliance in each of these subareas will increase (from 59% to 64% for the district centered around Carlton Avenue, from 78.7% to 79.0% for the district centered around Underhill Avenue, and from 83% to 87% for the district just west of Grand Avenue), as well as each of their overall zoning conformance figures (from 89% to 90% for the district centered around Carlton Avenue, from 86% to 88% for the district centered around Underhill Avenue, and from 43% to 85% for the district just west of Grand Avenue).

The proposed R6 district to be mapped in the mid-blocks west of Prospect Park West allows a maximum FAR of 2.43 in a 13 height factor building. Since the lots within this subarea are typically narrow, new buildings in this area would typically rise between 4 and 5 stories. The zoning compliance in the subarea will decreas from 74% to 33% since some of the high-rise apartment buildings fronting onto Prospect Park West have shallow rear yards that extend into the midblock and this area to be rezoned. The zoning conformance will remain unchanged at 100%.

The proposed R6A district to be mapped along Washington Avenu allows a maximum FAR of 3.00, with a streetwall height limitation of 65 feet, and a maximum of eight stories with setbacks. N w

buildings in this area would typically rise between 4 and 5 stories. Th zoning compliance in the subarea will increase from 35% to 59%, as well as the overall zoning conformance figure (from 73% to 78%).

The proposed R7B district to be mapped along Eighth Avenue allows a maximum FAR of 3.00, with a streetwall height limitation of 65 fe t, and a maximum of eight stories with setbacks. New buildings in this area would typically rise between 4 and 5 stories. The zoning compliance and overall zoning conformance figures will each remain unchanged at 100%.

The proposed R7A districts to be mapped in three subareas allow a maximum FAR of 4.00, with a streetwall height limitation of 75 feet, and a maximum of nine stories with setbacks. New buildings in these areas would typically rise between 5 and 7 stories. Th zoning compliance in each of these subareas will increase (from 75% to 78% for the district on the east side of Flatbush Avenue, from 29% to 62% for the district centered along Vanderbilt Avenue, and from 27% to 35% for the district centered around St. Johns and Lincoln Places), as well as each of their overall zoning conformance figures (from 33% to 75% for the district on the east side of Flatbush Avenue, from 68% to 89% for the district cent red along Vanderbilt Avenue, and from 82% to 100% for the district centered around St. Johns and Lincoln Places).

The proposed R8X district to be mapped along Prospect Park West, Plaza Street, and Eastern Parkway allows the same maximum FAR of 6.02 as the current zoning, but with a maximum streetwall height limitation of 85 feet, and maximum heights of either nine, thirteen, or seventeen stories on a contextual base under three different design alternatives. If a large enough site were assembled, new buildings in this high-rise section of the neighborhood could rise to the before-mentioned maximum heights. The zoning compliance in the subarea will decrease from 53% to 43% since some of the existing rowhouses have shallow rear yards that are legal under an R8 district, but do not meet the minimum open space requirement under contextual zoning bulk regulations. The zoning conformance will remain unchanged at 100%.

Regarding Community Board 8's, the Borough Board's, and the Borough President's conditions requesting that this zoning amendment proposal not delay the completion of the 235 Site/CHURA Site 8A (Block 1138) and be removed from this action, the Commission concurs that the rezoning of this block would place undue hardship on the completion of this development. The Commission is therefor approving this application as modified by leaving as R6, the portion of Block 1138 proposed for rezoning to R6B. The Commission believes that the desire for the completion of this long-delayed development is the strongest consideration here.

Regarding th Borough Board's and Borough President's recommendation that the R8X subarea be exclud d from this action until the Follow-up Quality Housing Text Amendments are approved, the Commission notes that the proposed text amendments are undergoing public review now and were referred to the Community Boards for review on December 20, 1993. As currently proposed, they include only minor bulk and design modifications to all medium to high density contextual zoning districts and will not significantly alter the R8X zoning regulations (nor the regulations for all of the other districts proposed in this action).

The Commission has asked and the Department has agreed to do a comprehensive planning study in the area of Community District 8 east of Washington Avenue.

The Commission considers the proposed rezoning to be consistent with the land use in the area and necessary to preserve th predominant physical character of the neighborhood.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on th environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to S ctions 197-c and 200 of the New York City Charter, that based on the environmental determination and the consideration and findings described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended by changing the Zoning Map, Section Nos. 16c and 16d:

1. changing from an R8 district to an R6 district property bounded by a line 150 feet west of Prospect Park West, 1st Street, a line 100 feet west of Prospect Park West, and Union Street;

2. changing from an R6 district to an R6A district property bounded by Bergen Street, a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet east of Washington Avenue, Park Place, Grand Avenue, Prospect Place, and a line 100 feet east of Washington Avenue;

3. changing from an M1-1 district to an R6A district property bounded by Bergen Street, a line 100 feet east of Washington Avenue, a line midway between Atlantic Avenue and Pacific Street, Underhill Avenue, and a line 100 feet west of Washington Avenue;

4. changing from an R6 district to an R6B district property bounded by:

a. a line 100 feet east of Flatbush Avenue, a line 100 feet north of Bergen Street, 6th Avenue, Bergen Street, a line 100 feet east of Flatbush Avenue, Carlton Avenue, Park Place, a line 100 feet east of Flatbush Avenue, Sterling Place, a line 100 feet west of Vanderbilt Avenue, Bergen Street, a line 210 feet east of Carlton Avenue, a line 80 feet north of Bergen Street, a line 100 feet east of Carlton Avenue, Dean Street, Carlton Avenue, Pacific Street, a line 100 feet west of Carlton Avenue, a line midway between Pacific Street and Dean Street, 6th Avenue, and Dean Street;

b. a line 100 feet east of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Underhill Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet west of Washington Avenue, and Bergen Street;

c. a line 100 feet east of Washington Avenue, Prospect Place, Grand Avenue, and Bergen Street; and

d. a line 100 feet east of Vanderbilt Avenue, Dean Street, Underhill Avenue, a line midway between Atlantic Avenu

and Pacific Street, a line 120 feet east of Vanderbilt Avenu , and Pacific Street;

5. changing from an M1-1 district to an R6B district property bounded by:

   a. a line 100 feet east of Flatbush Avenue, Dean Street, 6th Avenue, and a line midway between Pacific Street and Dean Street;

   b. a line 100 feet east of Vanderbilt Avenue, Pacific Street, a line 120 feet east of Vanderbilt Avenue, and line midway between Atlantic Avenue and Pacific Str t;

   c. Underhill Avenue, Bergen Street, and a line 100 feet west of Washington Avenue; and

   d. a line 100 feet east of Washington Avenue, Bergen Street, a line 100 feet west of Grand Avenue, and a line midway between Atlantic Avenue and Pacific Street;

6. changing from an R6 district to an R7A district prop rty bounded by a line 100 feet west of Vanderbilt Avenue, Sterling Place, a line 100 feet east of Vanderbilt Avenue, Pacific Street, Vanderbilt Avenue, and Dean Street;

7. changing from an M1-1 district to an R7A district property bound d by:

   a. 5th Avenue, Flatbush Avenue, Dean Street, a line 100 feet east of Flatbush Avenue, and Pacific Street; and

   b. a line 100 feet west of Vanderbilt Avenue, Dean Street, Vanderbilt Avenue, and Pacific Street;

8. changing from an R7-1 district to an R7A district property bounded by a line 100 feet east of Underhill Avenue, a lin 60 feet south of Lincoln Place, Washington Avenue, East rn Parkway, a line 100 feet east of Washington Avenue, and a line midway between Sterling Place and St. Johns Place;

9. changing from an R8 district to an R7B district property bounded by 8th Avenue, Union Street, a line 100 feet east of 8th Avenue, and Lincoln Place;

10. changing from an R8 district to an R8X district property bounded by 8th Avenue, Lincoln Place, a line 100 feet east of 8th Avenue, Union Street, a line 100 feet west of Prospect Park West, 1st Street, Prospect Park West, a line passing through two points: one at the intersection of the prolongat d center lines of Prospect Park West and Plaza Street West and the other at the intersection of the prolongated center lines

of Eastern Parkway and Plaza Str et East, Eastern Parkway, Washington Avenue, a line 60 feet south of Lincoln Place, a line 100 feet east of Underhill Avenue, Sterling Place, and Flatbush Avenue;

11. eliminating within an existing R6 district a C1-3 district bounded by:

    a. St. Marks Place, a line 150 feet west of Vanderbilt Avenue, Park Place, and a line 150 feet east of Vanderbilt Avenue; and

    b. Park Place, a line 150 feet west of Washington Avenu , a line midway between Sterling Place and St. Johns Plac , and a line 150 feet east of Washington Avenue;

12. eliminating within an existing R6 district a C2-3 district bounded by Bergen Street, a line 150 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Place, a line 100 feet east of Washington Avenue, St. Marks Place, and a lin 150 feet east of Washington Avenue;

13. eliminating within an existing R7-1 district a C1-3 district bounded by a line midway between Sterling Place and St. Johns Place, a line 150 feet west of Washington Avenue, St. Johns Place, and a line 150 feet east of Washington Avenue;

14. liminating within an existing R8 district a C2-3 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 150 feet east of Flatbush Avenue;

15. establishing within a proposed R6A district a C1-4 district bounded by a line 100 feet west of Washington Avenue, a line midway between Sterling Place and St. Johns Place, a line 100 feet east of Washington Avenue, and Park Place;

16. establishing within a proposed R7A district a C1-4 district bounded by:

    a. a line 100 feet west of Vanderbilt Avenue, Park Plac , a line 100 feet east of Vanderbilt Avenue, and Pacific Street; and

    b. a line 100 feet west of Washington Avenue; Lincoln Plac , Washington Avenue, a line midway between Lincoln Plac and Eastern Parkway, a line 100 feet east of Washington Avenue, and a line midway between Sterling Place and St. Johns Place;

17. establishing within a proposed R6A district a C2-4 district bounded by Underhill Avenue, a line 100 feet west of Washington Avenue, Park Place, Grand Avenue, Prospect Plac ,

a lin 100 feet east of Washington Avenue, and a line midway between Atlantic Avenue and Pacific Street;

18. establishing within a proposed R7A district a C2-4 district bounded by 5th Avenue, Flatbush Avenue, Dean Street, a lin 100 feet east of Flatbush Avenue, and Pacific Street; and

19. establishing within a proposed R8X district a C2-4 district bounded by Sterling Place, Flatbush Avenue, Plaza Street East, and a line 100 feet east of Flatbush Avenue;

Borough of Brooklyn, Community Districts 6 and 8, as shown on a diagram (for illustrative purposes only) dated August 2, 1993 and modified December 20, 1993 and which includes the Environmental Designation E-51.

The above resolution, duly adopted by the City Planning Commission on December 20, 1993 (Calendar No. 10), is filed with the Offic of the Speaker, City Council and the Brooklyn Borough President, in accordance with the requirements of Sections 197-d of the New York City Charter.

RICHARD L. SCHAFFER, Chairman
VICTOR G. ALICEA, Vice-Chairman
EUGENIE L. BIRCH, A.I.C.P., AMANDA M. BURDEN, A.I.C.P., ANTHONY GIACOBBE, ESQ., MAXINE GRIFFITH, JAMES C. JAO, R.A., BRENDA LEVIN, JOEL A. MIELE, SR., P.E., EDWARD T. ROGOWSKY, RONALD SHIFFMAN, ANALISA TORRES, ESQ., JACOB B. WARD, ESQ.,
Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Read Stre t, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address. ✓
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 930430 ZMK

DOCKET DESCRIPTION

SEE ATTACHED

COMMUNITY BOARD NO. 6
BOROUGH Brooklyn **BOROUGH BOARD** _____

DATE OF PUBLIC HEARING September 8, 1993 **LOCATION** same as below
WAS QUORUM PRESENT? X YES ___ NO
(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN
DATE September 8, 1993 **LOCATION** Methodist Hospital Auditorium 506 6th Street Brooklyn N Y 11215

RECOMMENDATION
xx APPROVE ___ APPROVE WITH MODIFICATIONS/CONDITIONS
___ DISAPPROVE ___ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS *(Attach additional sheets if necessary)*

VOTING
IN FAVOR 40 **AGAINST** 0 **ABSTAINING** 2
TOTAL MEMBERS APPOINTED TO BOARD 50

Craig K. Hammerman
COMMUNITY/BOROUGH BOARD OFFICER

October 8, 1993 District Manager
DATE **TITLE**

1/91

Community/B rough Board Rec mmendati n

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX# (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Jan

APPLICATION # C 930430 ZMK

DOCKET DESCRIPTION

Jan orig: I. Barnes
c. Brooklyn office
J. Edwards
P. Sperling

SEE ATTACHED

706

DEPT. OF CITY PLANNI
NOV 9 - 1993
OOKLYN OFFIC

COMMUNITY BOARD NO. _____ **BOROUGH BOARD** X

BOROUGH Brooklyn

PUBLIC HEARING HELD

DATE October 19, 1993 **LOCATION** Brooklyn Borough Hall

WAS QUORUM PRESENT FOR HEARING? ☒ YES ☐ NO (A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN

DATE October 19, 1993 **LOCATION** Brooklyn Borough Hall

RECOMMENDATIONS (Attach additional sheets if necessary)

SEE ATTACHED

93OCT29 PM 3:41
DEPT. OF CITY PLANNING

VOTING

IN FAVOR 10 **AGAINST** 0 **ABSTAINING** 0

TOTAL MEMBERS APPOINTED TO BOARD Eligible to Vote: 20

Howard Golden
Borough President

COMMUNITY/BOROUGH BOARD OFFICER **TITLE**

October 27, 1993
DATE

3/90

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification, one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 930430 ZMK

DOCKET DESCRIPTION

SEE ATTACHED

COMMUNITY BOARD NO. 8

BOROUGH Brooklyn *BOROUGH BOARD* _____

DATE OF PUBLIC HEARING September 14, 1993 *LOCATION* St. Teresa's R.C. Church 563 Sterling Place

WAS QUORUM PRESENT? ____ *YES* ____ *NO*

(A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.)

VOTE ADOPTING RECOMMENDATION TAKEN

DATE September 14, 1993 *LOCATION* 563 Sterling Place, Bklyn

RECOMMENDATION

____ *APPROVE* __X__ *APPROVE WITH MODIFICATIONS/CONDITIONS*

____ *DISAPPROVE* ____ *DISAPPROVE WITH MODIFICATIONS/CONDITIONS*

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

The Prospect Heights application was approved with the conditions that the rezoning will not effect the construction of the former 235 site (Block 1138) on Dean Street, Underhill, Bergen Street and Vanderbilt Avenue. This project has taken long enough to complete.

VOTING

IN FAVOR 25 *AGAINST* 0 *ABSTAINING* 1

TOTAL MEMBERS APPOINTED TO BOARD 43

COMMUNITY/BOROUGH BOARD OFFICER

September 14, 1993
DATE

Delsa Matthews 1st
TITLE

1/91

Brooklyn Borough President Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX# (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicants representative as indicated on the Notice of Certification.

APPLICATION # 930430 ZMK -
DESCRIPTION

PROSPECT HEIGHTS REZONING

COMMUNITY DISTRICT NO. 6 and 8 **BOROUGH OF BROOKLYN**

RECOMMENDATION

- ☐ APPROVE
- ☑ APPROVE WITH MODIFICATIONS/CONDITIONS
- ☐ DISAPPROVE
- ☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION — MODIFICATIONS/CONDITIONS

- ☑ RECOMMENDATION ATTACHED
- ☐ RECOMMENDATION TO FOLLOW

Howard Golden
BOROUGH PRESIDENT

11/12/93
DATE

PROSPECT HEIGHTS REZONING

(930430 ZMK)

RECOMMENDATION REPORT BY THE PRESIDENT OF THE BOROUGH OF BROOKLYN

Background

The Department of City Planning (DCP) requests approval for the rezoning of a 53 block area of the Prospect Heights section of Community Districts 6 and 8. The affected area is generally bounded by Atlantic, Flatbush and Washington Avenues, Plaza Street and Eastern Parkway; and is comprised of various low-rise residential, industrial and commercial buildings and vacant or underbuilt properties.

The DCP application proposes the establishment of eight contextual zoning districts and includes the establishment of commercial zoning overlays to Flatbush, Vanderbilt and Washington Avenues. The proposal seeks to insure that future development is made compatible to the existing n ighborhood and existing building character within the affected area.

Borough President's Public Hearing

On September 28, 1993, the Borough President held a public hearing on the application. There were three speakers; two representatives from th DCP and one representative from the Department of Housing Preservation and Development (HPD). All of the speakers spoke in favor of the application.

The DCP representative gave a brief presentation of the proposed actions. He stated that the rezoning proposal originated from requests from Community Board 8 to establish measures of preventing uncharacteristic buildings being constructed within the affected area and he also stated that the rezoning proposal would bring a substantial number of buildings and uses into compliance and conformity to the existing built nvironment. He further described the general building envelope p rmissible under the proposed zoning regulations.

In response to questions from the Borough President and his Executive Assistant concerning the impacts of the rezoning proposal on the continued d velopment of Site 8 of the Crown Heights Urban Renewal Area and Plan, th HPD representative stated that the proposed rezoning would prevent the siting of accessory vehicle parking in the front of the remaining uncompleted homes of the Site 8 development. He further spoke of the continuing efforts by the agency to proceed with the site's development d spite continuing property ownership and lien holder interest litigation difficulties.

BOROUGH BOARD RESOLUTION
PROSPECT HEIGHTS REZONING

OCTOBER 19, 1993

Whereas, the DCP, after several years of analysis, has proposed the establishment of contextual zoning districts and commercial zoning overlays in Prospect Heights section of Community Districts 6 and 8; and,

Whereas, the proposed zoning seeks to change the previously zoned manufacturing areas to residential and to promote new residential development to match the existing character and scale of the community; and,

Whereas, the DCP has proposed amending the zoning map in the area around the Grand Army Plaza and Eastern Parkway from R8 to R8X although it has not yet released the complete scope of its modifications to the R8X zoning district regulations; and,

Whereas, the establishment of the proposed R6B contextual zoning regulations will prohibit the siting of accessory vehicle parking on the front yard areas of the uncompleted residential development currently referred to as Site 8 (Block 1138) of the adopted Crown Heights Urban Renewal Area and Plan; and,

Whereas, in a recent meeting with the New York City Partnership, the Department of Housing Preservation and Development, the Department of City Planning and representatives of the Borough President, it was learned that the effects of the proposed rezoning may increase the construction and maintenance costs of the reconfigured homeowner parking on Site 8; and,

Whereas, as a result of the need to reconfigure the accessory parking areas of Site 8, the setback distance from the fronting street and the total area of each of the private back yards of the unconstructed homes will be reduced; and,

Whereas, the Brooklyn Borough Board believes that the implementation of the proposed rezoning would negatively impact on the marketability of the remaining unbuilt homes by increasing the costs of construction and maintenance of the planned parking areas, by the reduction of the setback distance from the fronting street, by the reduction of the private back yard area of each of the remaining unbuilt homes and by the disruption of the design continuity of the existing to the remaining unconstructed homes on Site 8.

NOW THEREFORE BE IT,

RESOLVED, that the Brooklyn Borough Board approves the proposed

zoning actions (930430 ZMK) within the affected area subject to the following modifications:

1. That the proposed establishment of a R8X zoning district be held in abeyance until the release of the complete scope of modifications to the R8X zoning text regulations to be followed by the completion of the public's review of the subject R8X modifications; and,

2. That Block 1138 be excluded from this rezoning action, so that the residential development of Site 8 of the Crown Heights Urban Renewal Area and Plan can be constructed in accordance to the originally designed and adopted development and plan; and,

Consid ration

The requested rezoning as currently proposed by the Department of City Planning (DCP) originates from requests made by Community Board 8 (CB 8). CB 8 requested that the DCP examine measures of promoting new residential development that is similar in building character and scale to the existing Western Crown Heights built environment. A similar request was made by its community and resulted in the establishment of contextual zoning districts to a large section of the adjacent northern Park Slope neighborhood of Community Districts 2, 6 and 8.

The Borough President commends the efforts of CB 8 to initiate and implement measures which preserve the neighborhood character and building scale of its community while also promoting new housing opportunities where appropriate.

The Borough President was made aware of the impacts of the proposed rezoning on the residential development of Site 8 (Block 1138) of the Crown Heights Urban Renewal Area (URA). Site 8's development has and continues to be beleaguered by property title and litigation difficulties which impedes the further development of the planned homes that are intended for private ownership by moderate and less than moderate income families.

As a result of testimony received at his public hearing, representatives of the Borough President's staff convened a meeting on October 15, 1993 with the representatives of the DCP, the Department of Housing Preservation (HPD) and the New York City Partnership Corporation (Partnership) to discuss the impacts of the proposed rezoning on the d velopment of Site 8. The attending DCP representatives indicated that HPD has been advised that it could expeditiously file for the respective building permits prior to the anticipated adoption of the DCP rezoning proposal. The advisement was suggested as a means of proceeding with the development's original building design plans.

The attending HPD representatives provided a brief history and summary of its property title and litigation difficulties in its effort to develop Site 8. They further indicated that due to pending court appeals which have yet to be scheduled for court dates, it would be difficult to stimate when construction would resume on the affected site.

A representative from the Partnership presented potential alternative designs to accommodate the required accessory parking should the DCP r zoning application be adopted. The alternative designs call for the group parking areas to be sited directly behind the remaining unbuilt homes and also call for the reduction of front and back yard distances. The representative from the Partnership further presented a letter from the current builder selected to complete the remaining homes. The letter described additional construction and maintenance costs to both the builder and to the future homeowners which may occur from the adoption of the DCP rezoning proposal.

At a subsequent hearing of the Brooklyn Borough Board held on October 19, 1993, th Borough President was made aware of forthcoming

modifications by the DCP to the Quality Housing and contextual zoning t xt regulations. H is dismayed that the agency would seek to establish z ning districts without th public's or his review of the complete scope of the anticipated modifications.

As part of their study for this rezoning proposal, the DCP identified several sites which are believed to offer a high potential for immediate d velopment. One of these sites, the privately-owned Site H located on Block 1172 as bounded by Saint John's Place, Plaza Street East, Eastern Parkway and Underhill Avenue. The site serves as visitor parking to the Union Temple Synagogue also located on the same block.

The Borough President is concerned about the scope of the anticipated modifications to the R8X zoning district text regulations for such a critical location within the Grand Army Plaza and, he is also outraged by the lack of coordination by the DCP, the HPD and the Partnership as it relates to the continued development of Site 8 of the Crown Heights URA.

Th Borough President believes that the adoption of the R6B zoning district regulations to Site 8 (Block 1138) would negatively effect the marketability of the remaining unbuilt homes by increasing the construction and maintenance costs of the planned parking areas, by the reduction of the setback distance from the fronting street, by the reduction of the back yard area of each of the remaining unbuilt homes and by the disruption of the design continuity of the existing homes to the remaining homes yet to be constructed on Site 8.

Therefore, the Borough President recommends approval of the application subject to conditions which require that the requested establishment of a n w R8X zoning district be held in abeyance until the completion of the public's review of the complete scope of modifications proposed to the accompanying zoning text regulations; and, that Block 1138, also known as Sit 8, should be excluded from this proposed rezoning action.

Recommendation

Whereas, the Department of City Planning (DCP) has proposed the establishment of contextual zoning districts and commercial zoning overlays in response to requests made by Community Board 8; and,

Wh reas, a substantial number of existing buildings and uses will be brought into compliance and conformity to the proposed zoning regulations; and,

Whereas, the proposed rezoning seeks to promote new construction to match the existing building character and scale of the Prospect Heights built environment; and,

Wh reas, the DCP application proposes the establishment of a R8X zoning district to the general area comprised of the Grand Army Plaza; and,

Whereas, the DCP has not yet released the complete scope of its modifications to the R8X zoning district regulations; and,