Herkimer-Williams
Environmental Assessment Statement

CEQR No: 24DCP055K

Lead Agency:
New York City Department of City Planning

Applicant:
Broadway Junction Partners LLC

Prepared by:
Philip Habib & Associates

November 17, 2023

HERKIMER-WILLIAMS

ENVIRONMENTAL ASSESSMENT STATEMENT

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EAS Form

Full Form

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 Herkimer-Williams

1. *Reference Numbers*

CEQR REFERENCE NUMBER (to be assigned by lead agency)	BSA REFERENCE NUMBER (if applicable)
24DCP055K	N/A
ULURP REFERENCE NUMBER (if applicable)	OTHER REFERENCE NUMBER(S) (if applicable)
TBD	(*e.g.*, legislative intro, CAPA) N/A

2a. *Lead Agency Information*			**2b. *Applicant Information***		
NAME OF LEAD AGENCY			NAME OF APPLICANT		
New York City Department of City Planning (DCP)			Broadway Junction Partners LLC		
NAME OF LEAD AGENCY CONTACT PERSON			NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON		
Stephanie Shellooe, AICP, Director, EARD			Tucker Reed		
ADDRESS 120 Broadway, 31st Floor			ADDRESS 634 Dean Street		
CITY New York	STATE NY	ZIP 10271	CITY Brooklyn	STATE NY	ZIP 11238
TELEPHONE	EMAIL		TELEPHONE	EMAIL	
212.720.3328	sshellooe@planning.nyc.gov		718.355.8942	tucker@totembrooklyn.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)(6)

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

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

4. *Project Description*

The Applicant, Broadway Junction Partners LLC, is seeking several discretionary actions in order to facilitate the redevelopment of several Applicant-owned (Block 1555, Lot 19; Block 1576, Lots 1 and 34; and Block 1577, Lots 17, 26, 32, 35, 51, and 53) and several Owner-Authorized properties (Block 1576, Lot 9 and Block 1577, Lots 1, 7, 56, and 58) in the East New York neighborhood of Brooklyn Community District (CD) 5. All Applicant-owned and Owner-Authorized properties are collectively referred to as the "Development Site." The Applicant seeks several discretionary actions that would affect the properties described above, as well as several "Out Parcels," including those owned by the Metropolitan Transit Authority (MTA) (Block 1555, Lot 1 and Block 1576, Lot 13) and Amba Mata Inc (Block 1576, Lot 32). The Development Site and the Out Parcels are referred to, collectively, as the "Project Area."

The Applicant is seeking City Planning Commission (CPC) approval of several discretionary actions, including (i) a Zoning Map Amendment to rezone the Project Area from a M1-2 district to C6-4 and M1-6 districts; (ii) a Zoning Text Amendment to (a) map a Mandatory Inclusionary Housing (MIH) Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5, (b) amend Zoning Resolution (ZR) Section 74-742 to modify Large-Scale General Development (LSGD) ownership requirements, and (c) amend ZR Section 23-154(d)(2) to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; (iii) a LSGD Special Permit pursuant to ZR Section 74-743 to modify certain building height, setback, and rear yard regulations; (iv) a City Map Amendment to eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street[1]; and (v) a CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail uses within M1-6 zoning districts (collectively, the "Proposed Actions").

[1] It should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.

Approval of the Proposed Actions would facilitate the development of four new buildings (Buildings "B" through "E"[2]) containing a combined total of approximately 1,667,836 gross square feet (gsf), including approximately 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 540,114 gsf of residential space (596 dwelling units [DUs]), 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space, as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of publicly accessible area ("PAA") space (the "Proposed Development"). Pursuant to the City's MIH program, up to 25-30 percent or 149-179 units would be designated as permanently affordable at an average of 60-80 percent area median income (AMI) depending on the selected Option (the Applicant intends to pursue Option 1). In addition to the 149-179 permanently affordable units pursuant to MIH, the Applicant intends to work with the New York City Department of Housing and Preservation (HPD) in exploring financing opportunities to allow the balance of the proposed DUs to be designated as 100 percent affordable units. The Proposed Development is expected to be completed and operational by 2036.

However, for conservative analysis purposes, the Reasonable Worst Case Development Scenario (RWCDS) will assume an average DU size of 850 sf. Thus, under the RWCDS, in total the Proposed Actions could result in the development of approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space, as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space.

In addition, consistent with the proposed LSGD Special Permit plans, the Applicant could develop additional community facility uses in Building D as well as additional light industrial uses in Building E. Specifically, as presented in the ULURP drawings, Building D could include up to 101,660 gsf of community facility uses; and Building E could include up to 112,070 gsf of manufacturing/light industrial uses. Thus under the RWCDS, the Proposed Development could be developed with a combined total of approximately 1,881,565 gsf, including approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 120,645 gsf of community facility space (of which, approximately 18,985 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), and 122,473 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 112,070 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf). As such, where applicable, the RWCDS will consider the environmental effects of Building D containing additional community facility uses and Building E containing additional light industrial uses when such a scenario represents a worst-case condition for conservative analysis purposes.

Additionally, in the event the Applicant chooses to not exercise the LSGD Special Permit, the Development Site would only be constrained by the underlying zoning. As such, the proposed Zoning Map and Text Amendments would increase the maximum permitted residential FAR on the Development Site to approximately 8.1[3], and thus, a second RWCDS (the "Alternate Residential Scenario") will also need to be assessed. Under the Alternate Residential Scenario, the Applicant could potentially construct four new mixed-use buildings containing a combined total of approximately 1,954,193 gsf, including approximately 1,035,993 gsf of residential uses (1,218 DUs, of which up to 305-365 units would be designated as permanently affordable pursuant to MIH), 281,352 gsf of commercial office space, 264,580 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 251,183 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 240,780 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space. As such, under the Alternate Residential Scenario, Building E would be developed with an office tower above a three-story retail podium, and Buildings C and D would be developed with two individual mixed-use residential towers, each above a three-story retail podium.

[2] The Proposed Development does not include a building titled "Building A."

[3] The maximum permitted residential FAR on the Development Site (8.1) was determined by dividing the lot area of the Development Site that would be zoned C6-4 in the future With-Action condition (99,068 sf) by the total lot area of the Development Site (146,250 sf).

The remaining lots within the Project Area (i.e., Block 1576, Lot 34, which is owned and controlled by the Applicant; Block 1555, Lot 1 and Block 1576, Lot 13, which are owned and controlled by the MTA; and Block 1576, Lot 32, which is owned and controlled by Amba Mata Inc.) are not anticipated to be redeveloped as a result of the Proposed Actions in the future 2036 condition, and there are no known development plans on any of these sites that would result in new development by the 2036 Build Year.

Project Location

BOROUGH Brooklyn	COMMUNITY DISTRICT(S) 5	STREET ADDRESS Development Site: 45 Van Sinderen Avenue, 1520 Herkimer Street, 2465 Atlantic Avenue, 1 Williams Place, 47 Williams Place, 2488 Fulton Street, 2514 Fulton Street, 1809-1833 East New York Avenue Out Parcels: 2473 Atlantic Avenue
TAX BLOCK(S) AND LOT(S) Development Site: Block 1555, Lot 19; Block 1576, Lots 1, 9, 34; Block 1577, Lots 1, 7, 17, 26, 32, 35, 51, 53, 56, 58 Out Parcels: Block 1555, Lot 1; Block 1576, Lots 13, 32		ZIP CODE 11207

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS Fulton Street to the north, Van Sinderen Avenue to the west, Atlantic Avenue to the south, and East New York Avenue to the east.

EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-2 | ZONING SECTIONAL MAP NUMBER 17c

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

Zoning Text Amendment to map an MIH Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5; Zoning Text Amendment to amend ZR Section 74-742 to modify ownership requirements for LSGD areas; Zoning Text Amendment to amend ZR Section 23-154(d)(2) in order to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; LSGD Special Permit pursuant to ZR Section 74-743 to modify ZR Sections 23-47, 23-664, 33-432, 33-454, and 33-26; and CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail establishments. (Refer to Attachment A, "Project Description" for more information.)

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 ☐ Cogeneration Facility ☐ Title V Permit

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

Physical Setting (both developed and undeveloped areas)

Total directly affected area (sq. ft.): approximately 216,353 sf (190,474 sf of existing lot area + 25,879 sf of demapped area)

Waterbody area (sq. ft.) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): approximately 216,353 sf

Other, describe (sq. ft.): N/A

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): 1,881,565 gsf[4]

NUMBER OF BUILDINGS: 4

GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): Building B: 427,980 gsf; Building C: 302,619 gsf; Building D: 545,152 gsf; Building E: 605,815 gsf

HEIGHT OF EACH BUILDING (ft.): Building B: 335 ft; Building C: 330 ft; Building D: 445 ft; Building E: 400 ft

NUMBER OF STORIES OF EACH BUILDING: Building B: 29-stories; Building C: 24-stories; Building D: 24-stories; Building E: 21-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: 60,154 sf (+ 25,879 sf of demapped area to be purchased by the Applicant)

The total square feet not owned or controlled by the applicant: 130,320 sf

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: 143,783 sq. ft. (width x length)

VOLUME OF DISTURBANCE: 1,582,278 cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: 119,247 sq. ft. (width x length)

8. *Analysis Year* CEQR Technical Manual Chapter 2

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2036

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: 120 months

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE? ☐ YES ☒ NO IF MULTIPLE PHASES, HOW MANY? 4 phases

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE:

Assuming the completion of the CEQR and ULURP review processes by 2026, and a period of approximately 10 years for construction over four phases of construction*, completion of the Proposed Development is expected in 2036. While the phasing plan is still in development, it is anticipated that Phase 1 would include construction of Building B (totaling 384 DUs, 5,708 gsf of retail space, 18,985 gsf of community facility space, 10,403 gsf of light industrial [Use Group 11] space, 14,932 gsf of commercial office space, 4,750 sf of PAA space, and 36 accessory parking spaces), starting in 2026 and ending in 2028. Phase 2 would include the construction of Building C (212 DUs, 64,506 gsf of retail space, 6,558 sf of PAA space, 61 accessory parking spaces, and two loading berths), starting in 2029 and ending in 2031. Phase 3 would include the construction of Building D (330,292 gsf of office space, 83,655 gsf of retail space, 3,346 sf of PAA space, 61 accessory parking spaces, and three loading berths), starting in 2031 and ending in 2033. And Phase 4 would include the construction of Building E (394,162 gsf of office space, 93,979 gsf of retail space, 9,882 sf of PAA space, 92 accessory parking spaces, and three loading berths), starting in 2033 and ending in 2036.

[4] Consistent with the proposed LSGD Special Permit plans, the Applicant could develop additional community facility uses in Building D and additional light industrial uses in Building E. Therefore, the RWCDS for the Proposed Development comprises a combined total of approximately 1,881,565 gsf.

** The Proposed Development will be constructed in four phases, with each phase providing the amount of parking and open space required for the associated new development. The phasing plan is currently in development and will be structured so as to avoid or minimize the loss of open space, amenities and/or parking during construction.*

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

☒ RESIDENTIAL ☒ MANUFACTURING ☒ COMMERCIAL ☒ PARK/FOREST/OPEN SPACE ☒ OTHER, specify: Parking, Vacant, Public Facilities & Institutions, Transportation & Utility

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.

PROPOSED DEVELOPMENT[1,3,4]	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	N/A	N/A	Multi-family elevator	Multi-family elevator
No. of dwelling units[2]	N/A	N/A	636	+636
No. of low- to moderate-income units	N/A	N/A	159-191	+159-191
Gross floor area (sq. ft.)	N/A	N/A	540,114	+540,114
Commercial	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Describe type (retail, office, other)	Office	Office	Office, Retail, Custom Manufacturing (UG 11)	Retail, Custom Manufacturing (UG 11); Additional Office
Gross floor area (sq. ft.)	9,000	9,000	1,006,637	+997,637
Manufacturing/Industrial	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
Type of use	Warehouse, Storage, Maintenance Facility, Auto Repair, Auto Sales Lot	Warehouse, Storage, Maintenance Facility, Auto Repair, Auto Sales Lot	N/A	Elimination of Warehouse, Maintenance Facility, Auto Repair, and Auto Sales Lot
Gross floor area (sq. ft.)	50,422	50,422	N/A	-50,422
Open storage area (sq. ft.)	54,709	54,709	N/A	-54,709
If any unenclosed activities, specify:			N/A	
Community Facility	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
Type	House of Worship	House of Worship	House of Worship	
Gross floor area (sq. ft.)	12,904	12,904	18,985	+6,081
Vacant Land	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	
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):	N/A	N/A	(PAA Space) 24,536 sf	+24,536 sf of PAA Space
Other Land Uses	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	
PARKING				
Garages	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. of public spaces	N/A	N/A	N/A	
No. of accessory spaces	N/A	N/A	250	+250
Operating hours	N/A	N/A	24/7	
Attended or non-attended	N/A	N/A	Non-attended	
Lots	☒ YES ☐ NO	☒ YES ☐ NO	☐ YES ☒ NO	
If "yes," specify the following:				
No. of public spaces	0	0	N/A	
No. of accessory spaces	31	31	N/A	-31
Operating hours	N/A	N/A	N/A	
Other (includes street parking)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If "yes," describe:	N/A	N/A	N/A	

PROPOSED DEVELOPMENT[1,3,4]	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
POPULATION				
Residents	☐ YES ☒ NO	☐ YES ☒ NO	☒ YES ☐ NO	
If "yes," specify number:	N/A	N/A	1,845	+1,845
Briefly explain how the number of residents was calculated:	Based on 2020 Census data for average household size for dwelling units in Brooklyn CD 5 (2.90 persons per household)			
Businesses	☒ YES ☐ NO	☒ YES ☐ NO	☒ YES ☐ NO	
If "yes," specify the following:				
No. and type	Office, Light Industrial, House of Worship	Office, Light Industrial, House of Worship	Office, Retail, Use Group 6D, Custom Manufacturing (UG 11), House of Worship, Residential, Parking	Introduction of Retail, Use Group 6D, Custom Manufacturing (UG 11), Residential, and Parking
No. and type of workers by business	125	125	3,834	+3,709
No. and type of non-residents who are not workers				
Briefly explain how the number of businesses was calculated:	Assumes 1 worker per 250 sf of office; 3 workers per 1,000 sf of retail; 3 workers per 1,000 sf of community facility (house of worship); 1 worker per 1,000 sf of light industrial; 1 worker per 25 DUs; and 1 worker per 50 attended parking spaces.			
Other (students, visitors, concert-goers, *etc.*)	☐ YES ☒ NO	☐ YES ☒ NO	☐ YES ☒ NO	
If any, specify type and number:	N/A	N/A	N/A	N/A
Briefly explain how the number was calculated:				
ZONING				
Zoning classification	M1-2	M1-2	C6-4/M1-6 (Plus Separate Demapping Action)	Change from M1-2 to C6-4/M1-6 (Plus Separate Demapping Action)
Maximum amount of floor area that can be developed	R: 0 zsf C: 380,948 zsf CF: 914,275 zsf M: 380,948 zsf	R: 0 zsf C: 380,948 zsf CF: 914,275 zsf M: 380,948 zsf	R: 1,752,459 zsf C: 2,163,530 zsf CF: 2,163,530 zsf M: 471,820 zsf	R: +1,752,459 zsf C: +1,782,582 zsf CF:+1,249,255 zsf M: +90,872 zsf
Predominant land use and zoning classifications within land use study area(s) or a 400 ft. radius of proposed project	Land Use: Industrial/Manufacturing, Transportation/Utility, Parking Facilities, Office, Public Facilities & Institutions, Residential, Open Space, Mixed-use, Vacant Land Zoning: M1-1, M1-2, M1-4, C4-5D, R5B, R6B, R7A	Land Use: Industrial/Manufacturing, Transportation/Utility, Parking Facilities, Office, Public Facilities & Institutions, Residential, Open Space, Mixed-use, Vacant Land Zoning: M1-1, M1-2, M1-4, C4-5D, R5B, R6B, R7A	Land Use: Industrial/Manufacturing, Transportation/Utility, Parking Facilities, Custom Manufacturing (UG 11), Office & Retail, Public Facilities & Institutions, Residential, Open Space, Mixed-use, Vacant Land Zoning: M1-2, M1-4, M1-6, C4-5D, C6-4, R5B, R6B, R7A	Land Use: Introduction of Retail, Custom Manufacturing (UG 11); additional Office and Residential Zoning: Elimination of M1-2; introduction of M1-6 and C6-4

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.

Notes:

[1] While Block 1555, Lot 1 and Block 1576, Lot 13 are located within the Project Area, these sites are not considered projected or potential sites and are not expected to experience any changes in future No-Action or With-Action conditions, and therefore, are not included in the calculations above (with exception to the 'Zoning' section directly above which calculates maximum permitted floor area that can be developed).

[2] For conservative analysis purposes, residential DUs are calculated by assuming an average DU size of 850 sf.

[3] According to the proposed LSGD plans for the Development Site, floor four through eight in Building D could be developed with either commercial office (Use Group 6) or community facility uses (Use Group 3, 4); and similarly, in Building E, floors four through six could be developed with either

PROPOSED DEVELOPMENT[1,3,4]	EXISTING CONDITION	NO-ACTION CONDITION	WITH-ACTION CONDITION	INCREMENT
commercial office (Use Group 6) or manufacturing uses (Use Group 11, 16, 17). As such, in the future with the Proposed Actions, the Proposed Development could be developed with approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 120,645 gsf of community facility space (of which, approximately 18,985 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), and 122,473 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 112,070 gsf of additional Use Group 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space. Refer to Attachment A, "Project Description" for further details. *[4] In the event the Applicant chooses to not exercise the LSGD Special Permit, the Development Site would only be constrained by the underlying zoning. As such, the proposed zoning map and text amendment would increase the maximum permitted residential FAR on the Development Site to approximately 8.1, and thus, a second RWCDS (the "Alternate Residential Scenario") will also need to be assessed. Under the Alternate Residential Scenario, the Applicant could potentially construct four new mixed-use buildings containing a combined total of approximately 1,954,193 gsf, including approximately 1,035,993 gsf of residential uses (1,218 DUs, of which up to 305-365 units would be designated as permanently affordable pursuant to MIH), 281,352 gsf of commercial office space, 264,580 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 251,183 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 240,780 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space. As such, under the Alternate Residential Scenario, Building E would be developed with an office tower above a three-story retail podium, and Buildings C and D would be developed with two individual mixed-use residential towers, each above a three-story retail podium.*				

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. **To be included in the EIS**		
(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 **See "Socioeconomic Conditions" section of Attachment B**		
○ Would expected average incomes of the new population exceed the average incomes of study area populations? **To be determined in the EIS**	☐	☐
○ If "yes:"		
▪ Would the population of the primary study area increase by more than 10 percent? **To be determined in the EIS**	☐	☐
▪ 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? **To be determined in the EIS**	☐	☐
○ If "yes" to either of the preceding questions, would more than 5 percent of all housing units be renter-occupied and unprotected? **To be determined in the EIS**	☐	☐
iii. Direct Business Displacement **See "Socioeconomic Conditions" section of Attachment B**		
○ 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? **To be determined in the EIS**	☐	☐

	YES	NO
○ Is any category of business to be displaced the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it? **To be determined in the EIS**	☐	☐
iv. Indirect Business Displacement **See "Socioeconomic Conditions" section of Attachment B**		
○ Would the project potentially introduce trends that make it difficult for businesses to remain in the area? **To be determined in the EIS**	☐	☐
○ 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? **To be determined in the EIS**	☐	☐
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. Early Childhood Programs		
○ 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 Early Childhood Programs in the study area that is greater than 100 percent? **To be determined in the EIS**	☐	☐
○ If "yes," would the project increase the collective utilization rate by 5 percent or more from the No-Action scenario? **To be determined in the EIS**	☐	☐
ii. 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 utilization rate of the elementary or middle schools that is equal to or greater than 100 percent? **To be determined in the EIS**	☐	☐
○ If "yes," would the project generate 100 or more elementary or middle school students past the 100% utilization rate? **To be determined in the EIS**	☐	☐
○ If "yes," would the project result in a utilization rate of the high schools that is equal to or greater than 100 percent? **To be determined in the EIS**	☐	☐
○ If "yes," would the project increase the high school utilization rate by 5 percent or more from the No-Action scenario? **To be determined in the EIS**	☐	☐
iii. 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) **The Proposed Actions would result in a 5 percent or more increase in the ratio of residential units to library branches under the Alternate Residential Scenario.**	☒	☐
○ If "yes," would the project increase the study area population by 5 percent or more from the No-Action levels? **To be determined in the EIS**	☐	☐
○ If "yes," would the additional population impair the delivery of library services in the study area? **To be determined in the EIS**	☐	☐
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?	☐	☒

	YES	NO
(b) Would the project generate more than 200 additional residents or 500 additional employees?	☒	☐
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. **To be included in the EIS**		
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. **To be determined in the EIS**		
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. **To be included in the EIS**		
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 Protection Plan Project Tracking Form and submit according to its instructions. **To be included in the EIS**		
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) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	☐	☒
(c) 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?	☐	☒
(d) 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 the Hazardous Materials Appendix (including nonconforming uses)?	☒	☐
(e) 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?	☒	☐
(f) 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)?	☒	☐
(g) 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?	☐	☒
(h) 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?	☐	☒
(i) Has a Phase I Environmental Site Assessment been performed for the site?	☒	☐
○ If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: **To be determined in the EIS**	☐	☐
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? **To be determined in the EIS**	☐	☐
10. *WATER AND SEWER INFRASTRUCTURE*: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	☐	☒
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	☒	☐

	YES	NO
(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. **To be included in the EIS**		
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): **188,349 (based on the Alternate Residential Scenario)**		
○ 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): **393,335,682 MBTUs (based on the Alternate Residential Scenario)**		
(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, bus trips, or 50 Citywide Ferry Service ferry 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), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	☒	☐
○ 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, bus stop, or Citywide Ferry Service landing?	☒	☐
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. **To be included in the EIS**		
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?	☐	☒

	YES	NO
(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?	☒	☐
○ 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. **To be determined in the EIS**	☐	☐
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 114 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. **To be included in the EIS**		
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. **To be included in the EIS**		
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. **To be included in the EIS**		
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. **To be included in the EIS**		

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
Tucker Reed Broadway Junction Partners LLC		11/17/2023

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

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

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

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

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

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

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

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

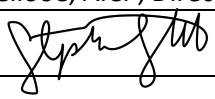
☒ **Positive Declaration**: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental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

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

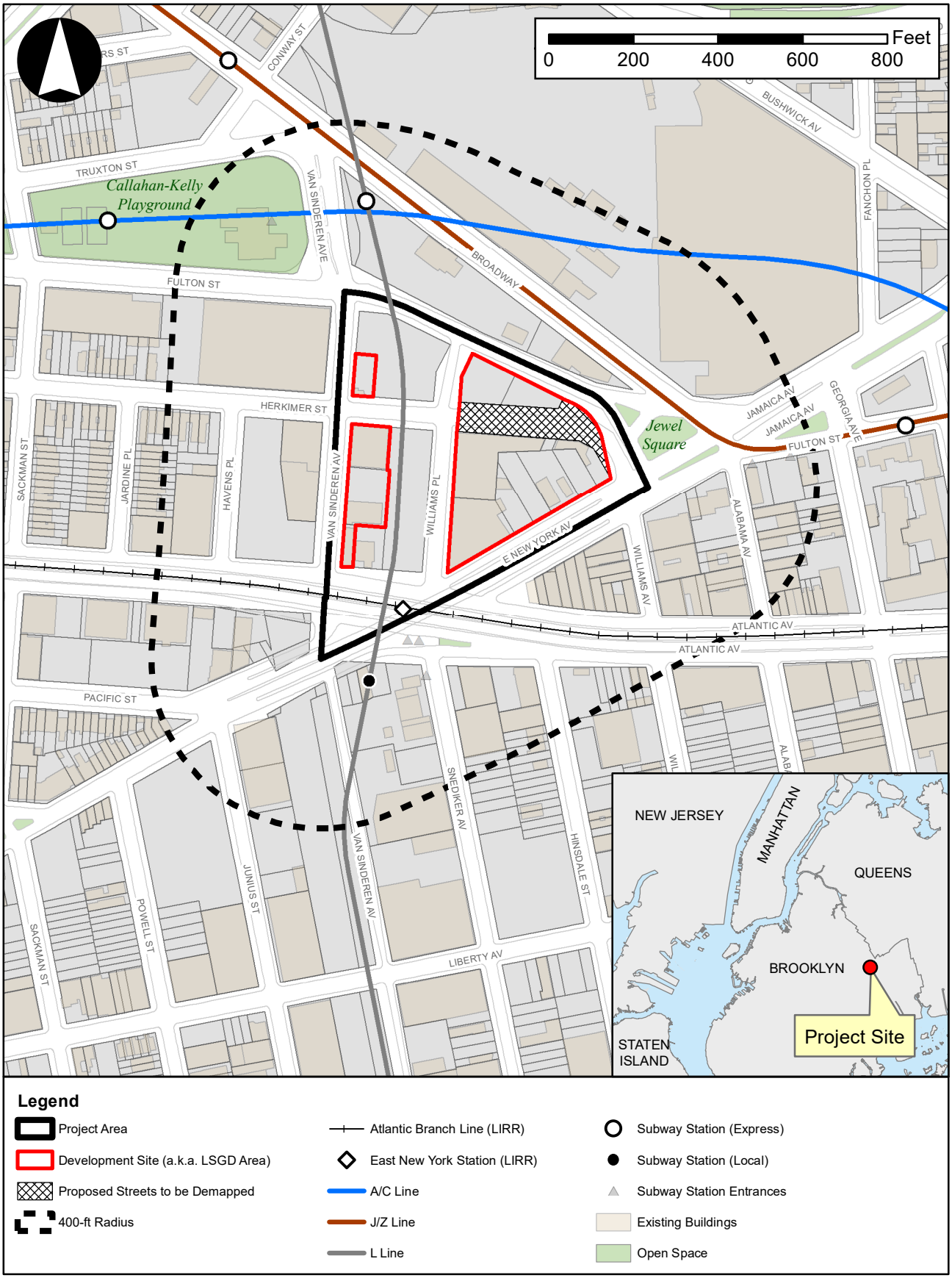
☐ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see template) or using the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

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

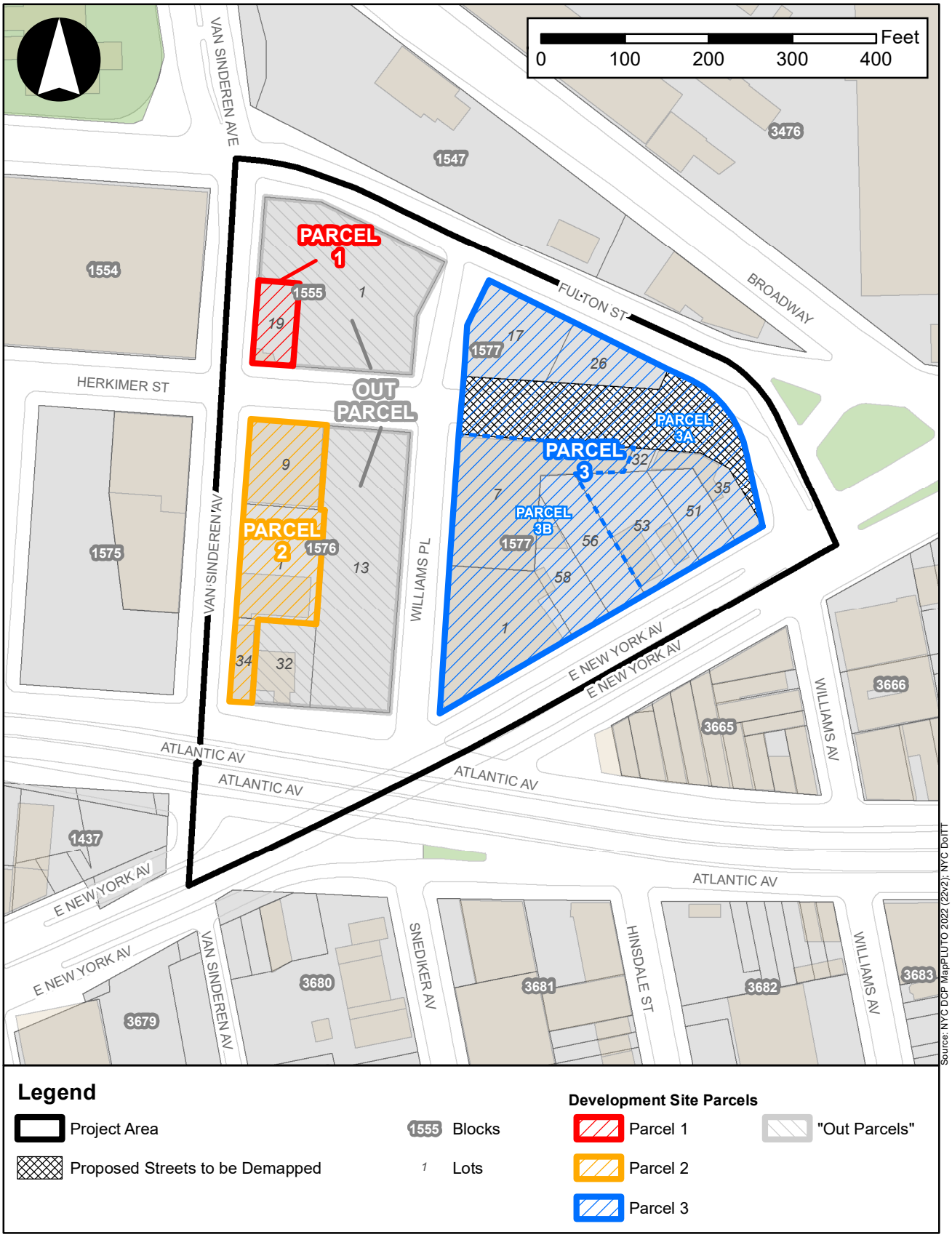
TITLE	LEAD AGENCY
Director, Environmental Assessment and Review Division	Department of City Planning on behalf of the City Planning Commission
NAME	DATE
Stephanie Shellooe, AICP, Director	November 17, 2023

SIGNATURE 

Project Site Location



Development Site Parcels and "Out Parcels"



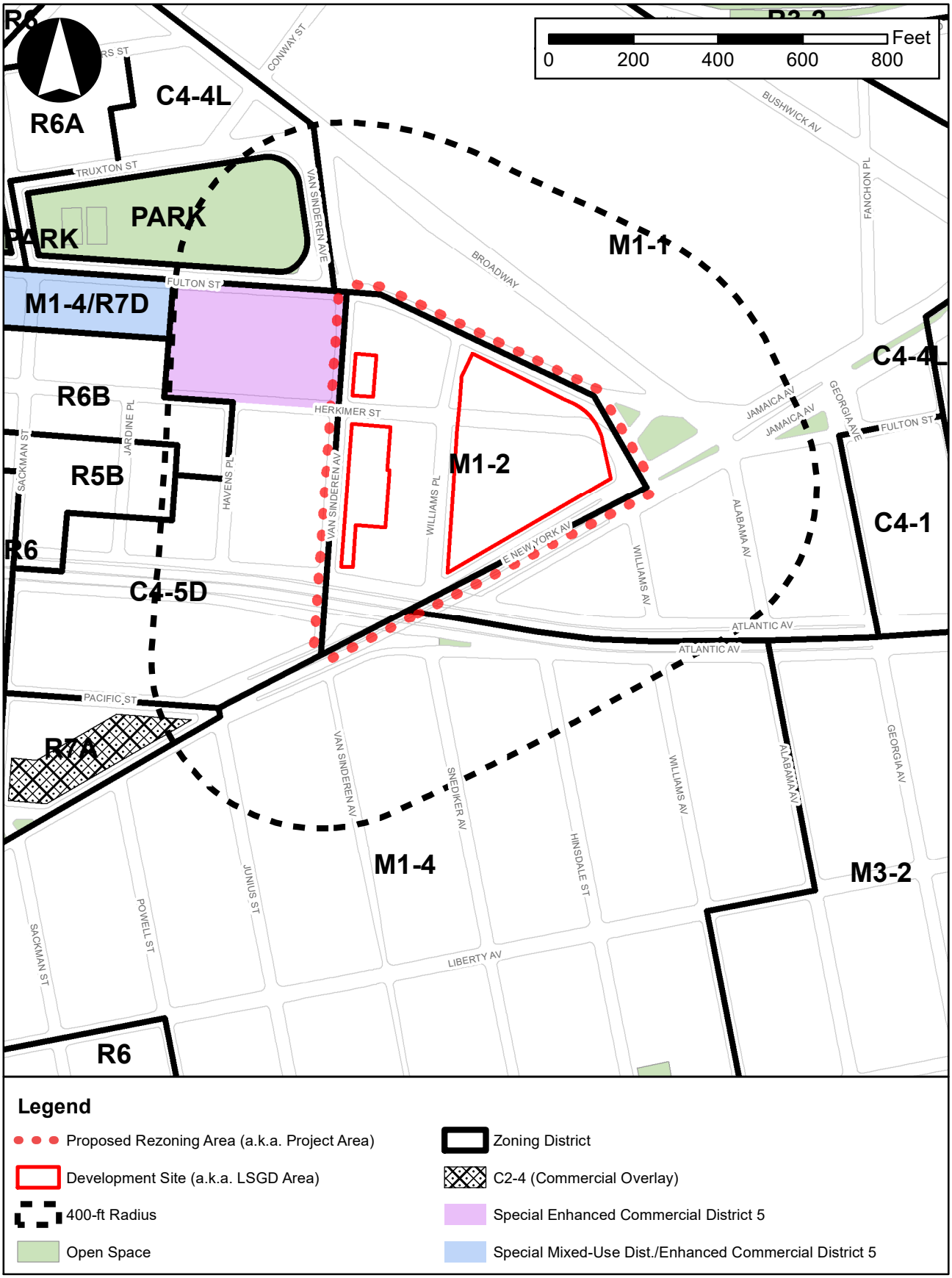
Legend

- Project Area
- Proposed Streets to be Demapped
- 1555 Blocks
- 1 Lots

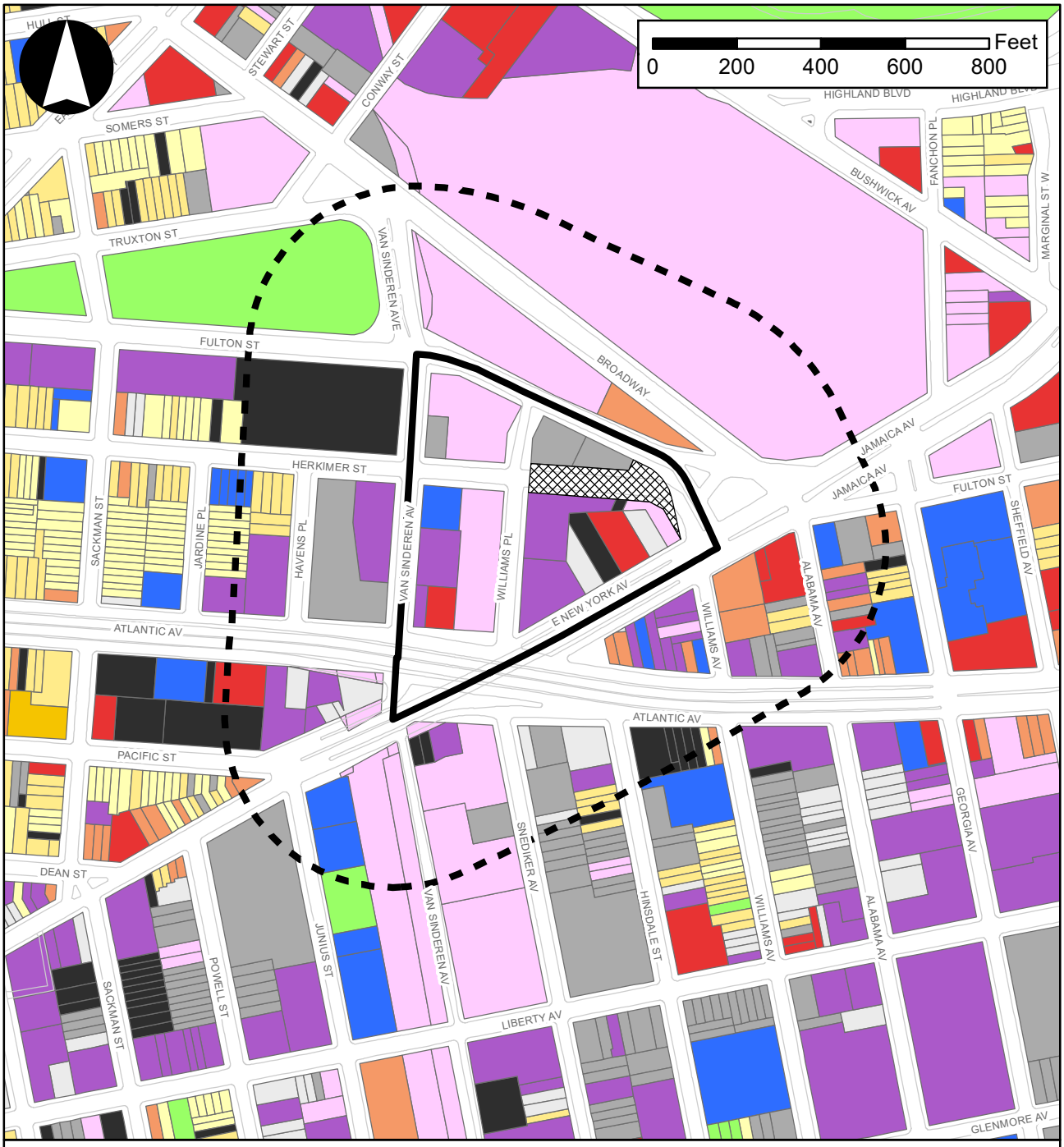
Development Site Parcels

- Parcel 1
- Parcel 2
- Parcel 3
- "Out Parcels"

Study Area Zoning



Land Uses

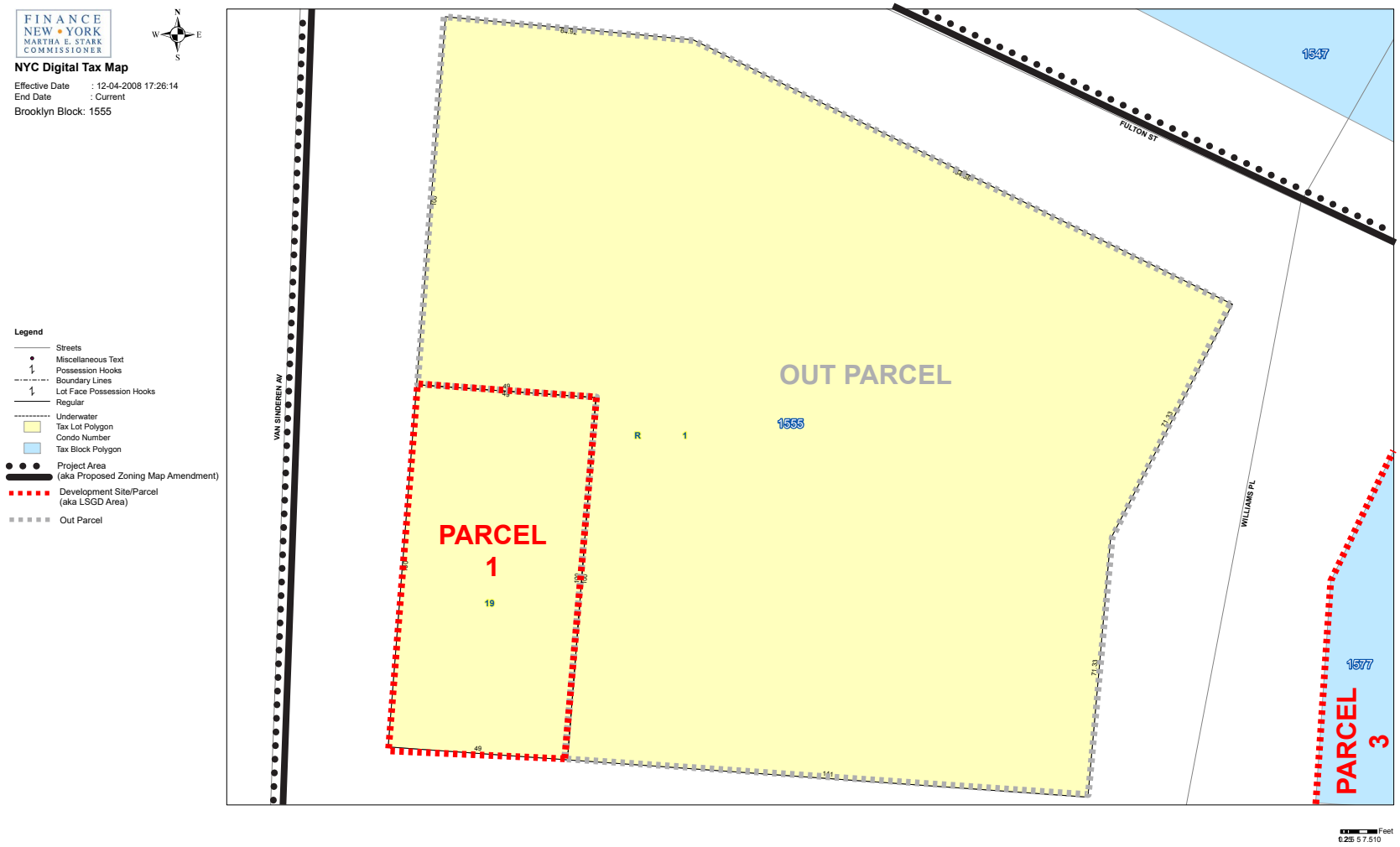


Legend

- Project Area
- 400-ft Radius
- Proposed Streets to be Demapped

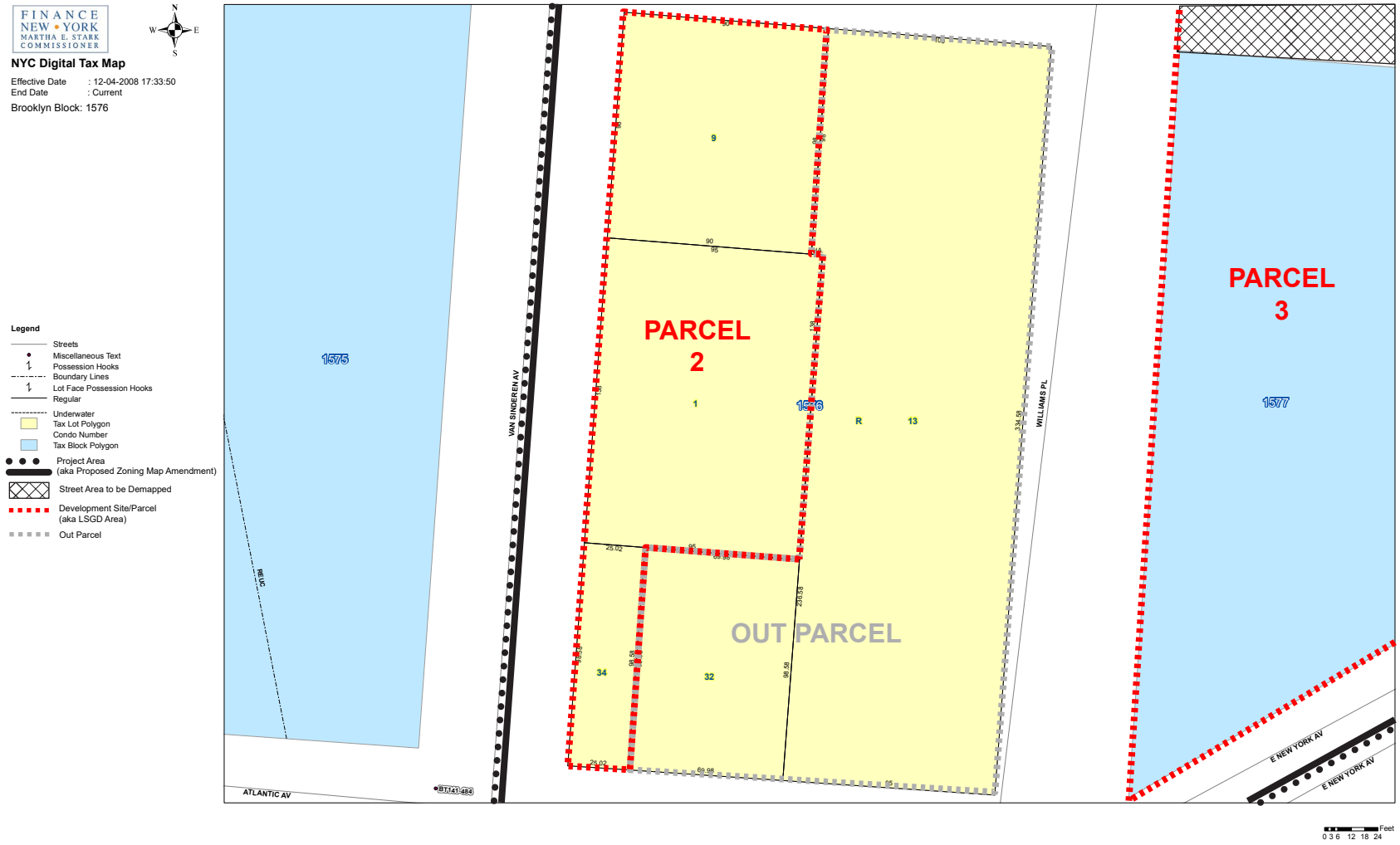
Land Use

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



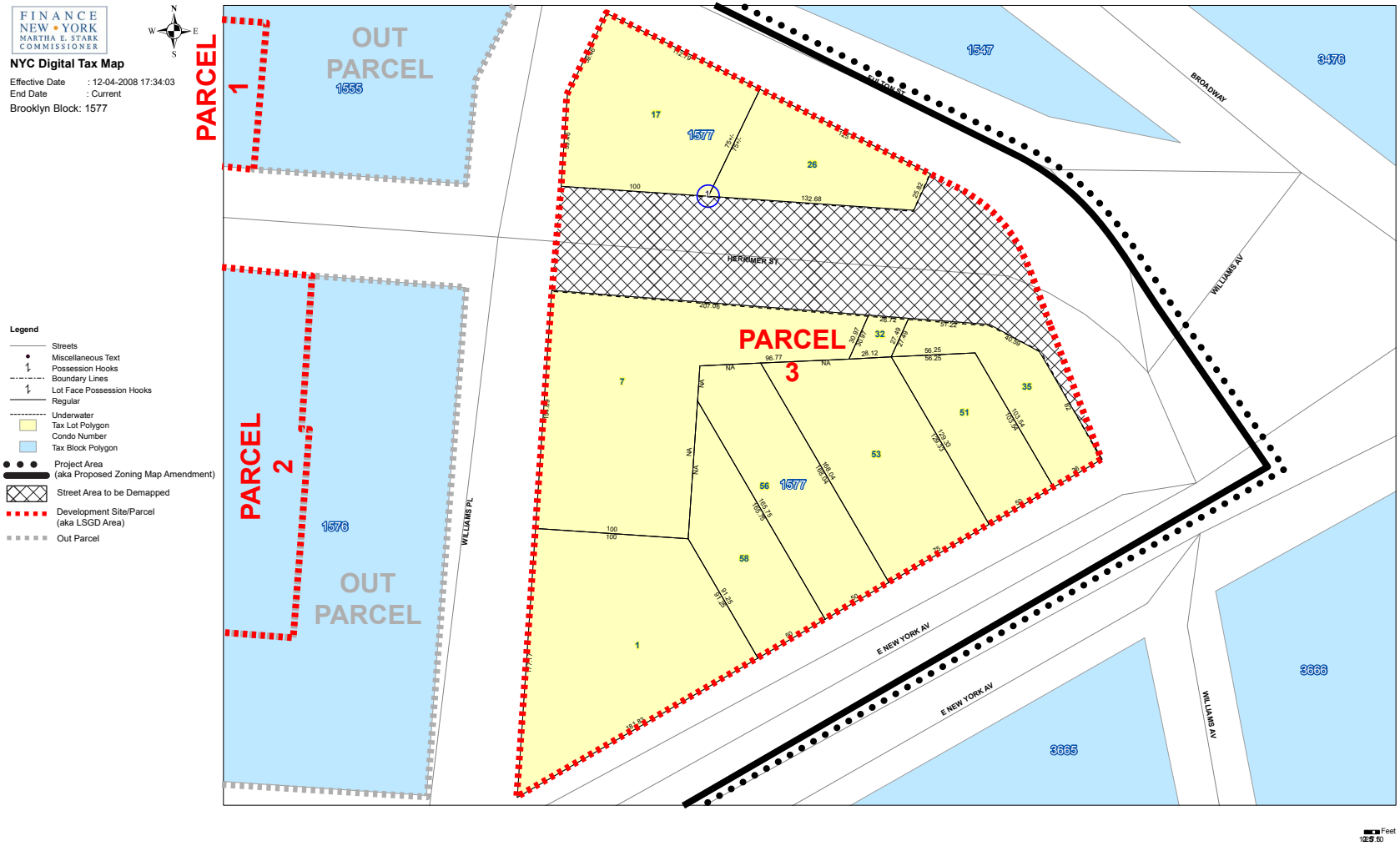
Herkimer-Williams

Figure 5a
Tax Map - Block 1555



Herkimer-Williams

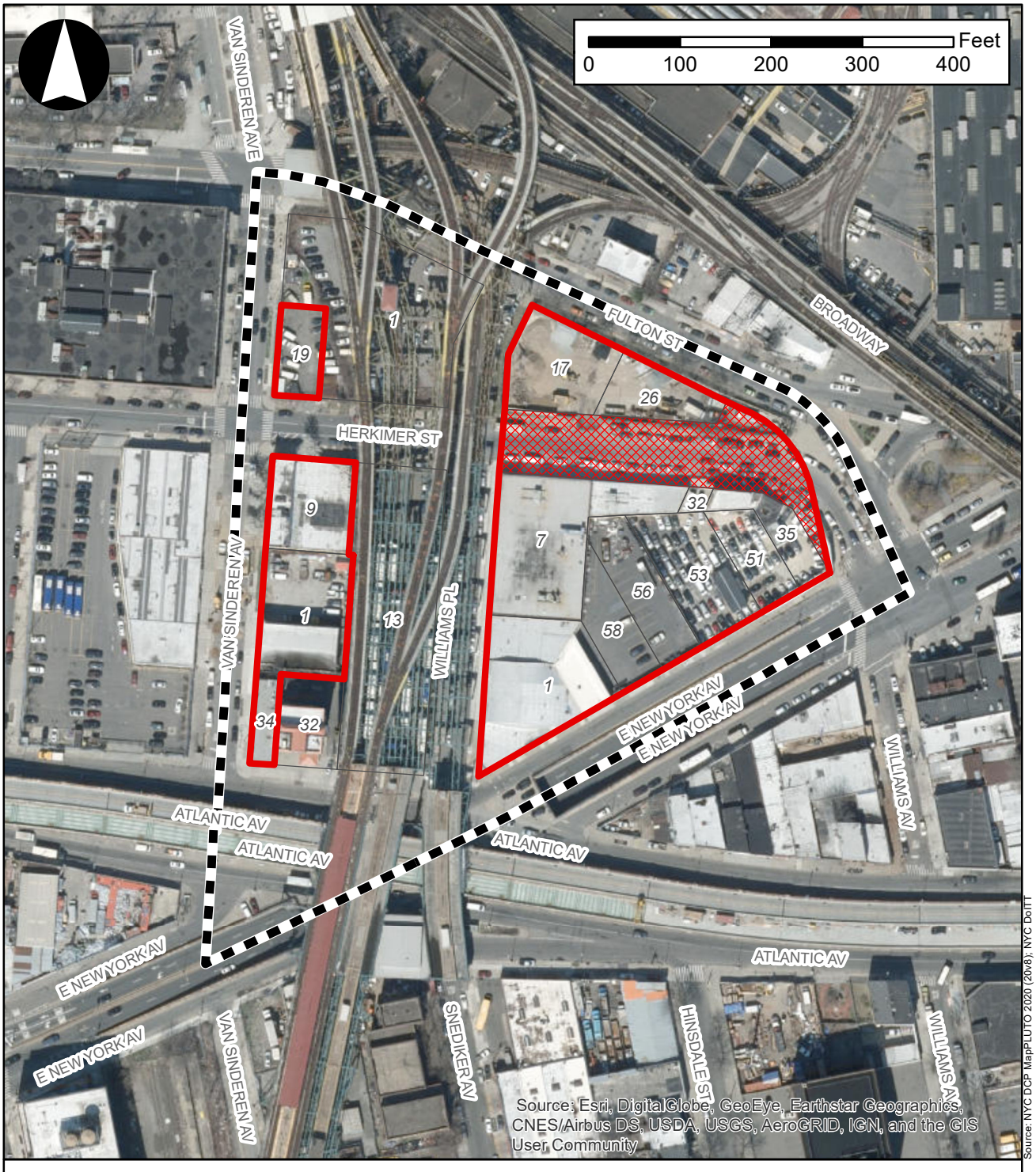
Figure 5b
Tax Map - Block 1576



Herkimer-Williams

Figure 5c
Tax Map - Block 1577

Existing Site Conditions - Key



Legend

- Project Area
- Development Site
- Proposed Streets to be Demapped
- 1 Lots

Attachment A

Project Description

HERKIMER-WILLIAMS EAS
Attachment A: Project Description

I. INTRODUCTION

This Environmental Assessment Statement (EAS) considers the discretionary actions requested by the Applicant, Broadway Junction Partners LLC, that would facilitate the redevelopment of several Applicant-owned (Block 1555, Lot 19; Block 1576, Lots 1 and 34; and Block 1577, Lots 17, 26, 32, 35, 51, and 53) and several Owner-Authorized properties (Block 1576, Lot 9 and Block 1577, Lots 1, 7, 56, and 58) in the East New York neighborhood of Brooklyn Community District (CD) 5. All Applicant-owned and Owner-Authorized properties are collectively referred to as the "Development Site." The Applicant seeks several discretionary actions that would affect the properties described above, as well as several "Out Parcels," including those owned by the Metropolitan Transit Authority (MTA) (Block 1555, Lot 1 and Block 1576, Lot 13) and Amba Mata Inc (Block 1576, Lot 32). The Development Site and the Out Parcels are referred to, collectively, as the "Project Area."

The Applicant is seeking City Planning Commission (CPC) approval of several discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from a M1-2 zoning district to C6-4 and M1-6 districts; (ii) a Zoning Text Amendment to (a) map a Mandatory Inclusionary Housing (MIH) Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5, (b) amend Zoning Resolution (ZR) Section 74-742 to modify Large-Scale General Development (LSGD) ownership requirements, and (c) amend ZR Section 23-154(d)(2) to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; (iii) a LSGD Special Permit pursuant to ZR Section 74-743 to modify certain building height, setback, and rear yard regulations; (iv) a City Map Amendment to eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street;[1] and (v) a CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail uses within M1-6 zoning districts (collectively, the "Proposed Actions").

Approval of the Proposed Actions would facilitate the development of four new buildings (Buildings "B" through "E"[2]) containing a combined total of approximately 1,667,836 gross square feet (gsf), including approximately 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 540,114 gsf of residential space (596 dwelling units [DUs]), 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space,[3] as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of publicly accessible area ("PAA") space (the "Proposed Development"). Pursuant to the City's MIH program, up to 25-30 percent or 149-179 units would be designated as permanently affordable at an average of 60-80 percent area median income (AMI) depending on the selected Option (the Applicant intends to pursue Option 1). In addition to the 149-179 permanently affordable units pursuant to MIH, the Applicant intends to work with the New York City

[1] It should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.

[2] The Proposed Development does not include a building titled "Building A."

[3] "Light industrial" specifically refers to ZR Use Group 11 uses, which consist of custom manufacturing, wholesale, and accessory uses. These uses are permitted in C6-4 commercial districts and would allow, for example, creative maker spaces in the Proposed Development.

Department of Housing and Preservation (HPD) in exploring financing opportunities to allow the balance of the proposed DUs in Buildings B and C to be designated as 100 percent affordable units as well. The remaining lots within the Project Area (i.e., Block 1576, Lots 34, which is owned and controlled by the Applicant; Block 1555, Lot 1 and Block 1576, Lot 13, which are owned and controlled by the MTA; and Block 1576, Lot 32, which is owned and controlled by Amba Mata Inc.) are not anticipated to be redeveloped as a result of the Proposed Actions, and there are no known development plans on any of these sites that would result in new development in the future No-Action or With-Action conditions.

A Reasonable Worst Case Development Scenario (RWCDS) has been established for the Proposed Actions for an analysis year of 2036. In the future with the Proposed Actions, the proposed Zoning Map and Text Amendments, LSGD Special Permit, and CPC Special Permit would be approved, allowing the Applicant to construct the Proposed Development at the Project Area; the proposed City Map Amendment, a separate action that will be reviewed under a separate Uniform Land Use Review Procedure (ULURP) application, would also be approved in the future with the Proposed Actions. However, for conservative analysis purposes, the RWCDS will assume an average DU size of 850 sf. Thus, under the RWCDS, the Proposed Actions could result in the development of up to 636 DUs, of which up to 159-191 would be designated as permanently affordable pursuant to MIH.

In addition, consistent with the proposed LSGD Special Permit plans, the Applicant could develop additional community facility uses in Building D as well as additional light industrial uses in Building E. Specifically, as presented in the ULURP drawings, Building D could include up to 101,660 gsf of community facility uses; and Building E could include up to 112,070 gsf of manufacturing/light industrial uses. Thus under the RWCDS, the Proposed Development could be developed with a combined total of approximately 1,881,565 gsf, including approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 120,645 gsf of community facility space (of which, approximately 18,985 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), and 122,473 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 112,070 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf). As such, where applicable, the RWCDS will consider the environmental effects of Building D containing additional community facility uses and Building E containing additional light industrial uses when such a scenario represents a worst-case condition for conservative analysis purposes.

Additionally, in the event the Applicant chooses to not exercise the LSGD Special Permit, the Development Site would only be constrained by the underlying zoning. As such, the proposed Zoning Map and Text Amendments would increase the maximum permitted residential FAR on the Development Site to approximately 8.1[4], and thus, a second RWCDS (the "Alternate Residential Scenario") will also need to be assessed for conservative analysis purposes. Under the Alternate Residential Scenario, the Applicant could potentially construct four new mixed-use buildings containing a combined total of approximately 1,954,193 gsf, including approximately 1,035,993 gsf of residential uses (1,218 DUs, of which up to 305-365 units would be designated as permanently affordable pursuant to MIH),[5] 281,352 gsf of commercial office space, 264,580 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 251,183 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 240,780

[4] The maximum permitted residential FAR on the Development Site (8.1) was determined by dividing the lot area of the Development Site that would be zoned C6-4 in the future With-Action condition (99,068 sf) by the total lot area of the Development Site (146,250 sf).

[5] Conservatively assumes an average DU size of 850 sf.

gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space.

This attachment provides a detailed description of the Proposed Development and the Proposed Actions, including project background, project purpose and need, site description, project description, and the governmental approvals required. The supplemental analyses following this attachment examine the potential for the Proposed Actions to result in significant adverse environmental impacts in any technical area of the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*.

II. BACKGROUND AND EXISTING CONDITIONS

Project Area

As presented in **Figure 1** of the EAS Full Form, the Project Area encompasses the Development Site (Block 1555, Lot 19; Block 1576, Lots 1, 9, and 34; Block 1577, Lots 1, 7, 17, 26, 32, 35, 51, 53, 56, and 58; and a 25,879 sf portion of Herkimer Street to be demapped) and several "Out Parcels" (Block 1555, Lot 1; and Block 1576, Lots 13 and 32) in the East New York neighborhood of Brooklyn CD 5. Several properties within the Development Site – including Block 1555, Lot 19; Block 1576, Lots 1 and 34; and Block 1577, Lots 17, 26, 32, 35, 51, and 53) – are currently Applicant-owned, whereas the remaining Development Site properties are Owner-Authorized by Calvary Church (Block 1576, Lot 9) and Mystic Display Co., Inc. (Block 1577, Lots 1, 7, 56, and 58). The Out Parcels (described further below) are not owned and controlled by the Applicant, and include properties owned by the MTA (Block 1555, Lot 1; and Block 1576, Lot 13) and Amba Mata Inc (Block 1576, Lot 32). All Applicant-owned and Owner-Authorized properties are part of the proposed LSGD Special Permit and are referred to, collectively, as the Development Site. The Development Site encompasses a total of approximately 146,250 sf of lot area,[6] whereas the Out Parcels encompass approximately 70,103 sf of lot area. The Development Site and the Out Parcels are referred to, collectively, as the Project Area. The Project Area encompasses a total of approximately 216,353 sf of lot area and contains the entirety of three blocks (i.e., Blocks 1555, 1576, and 1577), with frontages generally bounded by Fulton Street (80-feet-wide) to the north, Van Sinderen Avenue (70-feet-wide) to the west, Atlantic Avenue (120-feet-wide west of Havens Place and greater than 120-feet-wide between Havens Place and Williams Avenue) to the south, and East New York Avenue (115-feet-wide) to the east. The Project Area is bifurcated in the east-west direction by Herkimer Street (70-feet-wide) and in the north-south direction by Williams Place (60-feet-wide).

Development Site

The Development Site is divided into three parcels. Parcel 1 is comprised of Block 1555, Lot 19. Lot 19 is owned by the Applicant and currently unimproved and vacant (0.0 FAR), and formerly used as unenclosed parking and storage space. There is one existing, 20-foot-side curb cut along Parcel 1's southern-facing frontage along Herkimer Street (approximately 30 feet east of Van Sinderen Avenue).

Parcel 2 is comprised of Block 1576, Lots 1, 9, and 34. Lots 1 and 34 are owned by the Applicant. Lot 1 is improved with a two-story manufacturing building containing approximately 8,800 gsf (8,000 zsf) of light industrial uses (0.61 FAR) and Lot 34 is improved with a three-story commercial building containing approximately 9,000 gsf (8,182 zsf) of office uses (3.32 FAR). Lot 9 is owned by Calvary Church. Lot 9 is improved with a two-story building containing approximately 12,904 gsf (11,731 zsf) of community facility

[6] The Development Site's total lot area calculation includes the 25,879 sf portion of Herkimer Street to be demapped.

(house of worship) uses (1.33 FAR). There are four existing curb cuts along Parcel 2's street frontages along Atlantic Avenue, Herkimer Street, Williams Place, and Van Sinderen Avenue. Specifically, there is one, 20-foot-wide curb cut along the north side of Atlantic Avenue (approximately 70 feet east of Van Sinderen Avenue); one 20-foot-wide curb cut along the east side of Van Sinderen Avenue (approximately 160 feet north of Atlantic Avenue); one 25-foot-wide curb cut along the south side of Herkimer Street (approximately 130 feet east of Van Sinderen Avenue); and one 20-foot-wide curb along the west side of Williams Place (approximately 10 feet north of Atlantic Avenue).

Parcel 3 is comprised of Block 1577, Lots 1, 7, 17, 26, 32, 35, 51, 53, 56, and 58 (Lots 17 and 26 are on the northern portion of Block 1577 and are separated from the other lots on the southern portion of Block 1577 by Herkimer Street), as well as the 25,879 sf portion of Herkimer Street between Williams Place and Fulton Street that is proposed to be demapped, detailed further below. As described above, Lots 17, 26, 32, 35, 51, and 53 are owned by the Applicant, whereas Lots 1, 7, 56, and 58 are Owner-Authorized and are owned by Mystic Display Co., Inc. and currently leased to the MTA. According to the MTA Lease Agreement that was executed in September 2015, Mystic Display Co., Inc. and the MTA agreed to a 10-year term set to expire in 2025, with a single 5-year renewal option that could be exercised by the MTA to remain in place until 2030. The MTA-leased sites are currently utilized as warehouse, parking, shop, and offices for NYCT's Automated Fare Collection (AFC) and Electronic Maintenance Division (EMD). Lot 1 is improved with a one-story maintenance facility containing approximately 17,224 gsf (15,658 zsf) of light industrial uses (0.91 FAR); Lot 7 is improved with a one-story (plus mezzanine) maintenance facility containing approximately 20,768 gsf (18,880 zsf) of light industrial uses (1.00 FAR); and Lots 56 and 58 are currently improved with an unenclosed surface parking lot that provides access to the adjacent Lots 1 and 7 (0.0 FAR each). Lots 17 and 26 are unimproved and used for parking and dead storage of vehicles (0.0 FAR each); Lots 32 and 51 are unimproved and vacant (0.0 FAR each); Lot 35 is improved with a one-story auto repair shop containing approximately 2,640 gsf (2,400 zsf) of light industrial uses (0.49 FAR); and Lot 53 is improved with a one-story building containing approximately 990 gsf (900 zsf) of light industrial uses (0.08 FAR). There are 16 existing curb cuts along the Parcel 3's street frontages along Williams Place, Fulton Street, Herkimer Street, and East New York Avenue.

The easterly, approximately 370-foot portion of Herkimer Street between Williams Street and Fulton Street is proposed to be demapped and incorporated into the LSGD. The total area to be demapped is approximately 25,879 sf and is generally bounded by Williams Place to the west, Fulton Street to the east, Block 1577, Lots 17 and 26 to the north, and Block 1577, Lots 7, 32, and 35 and East New York Avenue to the south. A preliminary review of utility maps shows a minimal presence of subsurface utilities within the portion of Herkimer Street to be demapped. This demapping would join the northern and southern halves of Block 1577 to create a contiguous parcel of land (Parcel 3) and generate additional floor area (up to 289,606 sf of available floor area for Buildings C, D, and E) from the bed of the demapped street. Specifically, Building C would include an additional 47,068 sf and Building D would include an additional 242,539 sf as a result of the floor area generated from the proposed demapping. With approval of the Proposed Actions, the demapped area and Applicant-owned Lots 17, 26, 32, 35, 51, and 53 will collectively comprise of a single zoning lot (or "Parcel 3A"), whereas the Owner-Authorized Lots 1, 7, 56, and 58 will comprise a separate zoning lot (or "Parcel 3B").

Out Parcels

Block 1555, Lot 1 ("Out Parcel X") is owned by the MTA and is improved with elevated subway structures and an at-grade parking lot (0.0 FAR). Block 1576, Lot 13 ("Out Parcel Y") is owned by the MTA as well and is improved with elevated subway structures and an at-grade parking lot (0.0 FAR). Block 1576, Lot 32 ("Out Parcel Z") is owned by Amba Mata Inc. and improved with a six-story hotel building containing

approximately 18,476 gsf (16,796 zsf) and 40 keyed-rooms (2.43 FAR). The above three lots are referred to, collectively, as the "Out Parcels."

Neighborhood Context

The area surrounding the Project Area is characterized by a wide variety of manufacturing/industrial, commercial, residential, community facility, and transportation/utility land uses and various building types. As shown in **Figure 3** of the EAS Full Form, the Project Area is entirely within a M1-2 zoning district. The Project Area was originally zoned M1-1 as part of the 1961 Zoning Resolution, and in 1967, was rezoned to M1-2 as part of multi-site rezoning which rezoned approximately 10 blocks in the East New York neighborhood generally bounded by Fulton Street to the north, Sackman Street/Sherlock Place to the west, Dean Street to the south, and East New York Avenue to the west. M1-2 districts permit most commercial and light manufacturing uses, and limited community facility uses; residential uses in M1-2 districts are not permitted as-of-right. M1-2 districts permit 2.0 FAR for commercial/manufacturing uses and up to 4.8 FAR for community facility uses. Buildings within M1-2 districts are permitted a maximum base height of up to 60 feet and are regulated by the sky exposure plane (2.7 to 1 along narrow streets and 5.6 to 1 along wide streets) beyond the maximum base height. As such, existing buildings within the Project Area are generally comprised of low-rise commercial, light industrial, and community facility (house of worship) buildings. Parking and loading requirements vary depending on size and type of use.

Predominant land uses within the 400-foot radius of the Project Area include manufacturing/industrial, commercial, residential, mixed-use commercial and residential, and transportation/utility uses, as well as some public/institutional, parking, and open space uses. Some vacant and underutilized properties are also present in the surrounding area. As shown in **Figure 4** of the EAS Full Form, many of the buildings found along Fulton Street, East New York Avenue, Atlantic Avenue, Williams Place, Van Sinderen Avenue, and Broadway are largely occupied by either manufacturing/industrial or transportation/utility uses. Some residential and mixed-use commercial and residential buildings can be found within the eastern portion of the study area (specifically, the area east of East New York Avenue and north of Atlantic Avenue).

Residential uses in the surrounding area mostly consist of low- to mid-density, multi-family residential buildings, with building heights ranging between two- to four-stories. Higher density multi-family residential/mixed-use buildings are located just outside of the 400-ft study area, including 2377 Pacific Street (southwest of the Project Area) and 62 Pennsylvania Avenue (east of the Project Area). 2377 Pacific Street is a recently constructed (2020), eight-story multi-family elevator residential with 136 DUs; and 62 Pennsylvania Avenue is a recently constructed (2020) nine-story mixed-use residential and commercial building containing 218 DUs. Additionally, the New York City Housing Authority's (NYCHA) Ocean Hill Houses and Howard Houses are located approximately 0.3 miles northwest and southwest of the Project Area, respectively. The Ocean Hill Houses consist of three, 14-story residential buildings containing a total of 238 DUs, and the Howard Houses consist of 10 residential buildings spread across an approximately 15.3-acre campus, with building heights ranging from seven- to 13-stories and containing a combined total of approximately 815 DUs.

Commercial and mixed-use commercial and residential buildings are generally located along Atlantic Avenue and East New York Avenue, and are generally low- to mid-rise, ranging from one- to four-stories in height. Commercial uses within the surrounding area are primarily hotels, local retail (such as eating and drinking establishments, pharmacies, beauty salons, clothing stores, and convenience stores), and local service uses (such as wholesale, grocery, and hardware stores). Industrial uses in the surrounding area are generally characterized as one- to two-story buildings and include warehouses, storage facilities,

and distributors. Institutional uses within 400 feet of the Project Area include the WIN Junius and Liberty Residences at 1 and 23 Junius Street, respectively, which both provide transitional housing services for formerly unhoused families, as well as several houses of worship, including the Sacred Fellowship Ministries and Glorious Praise Baptist Church (both located at 2519 Atlantic Avenue), the Kingdom Life Center (2533 Atlantic Avenue), and the Kingdom Life Christian Center (1466-1474 Herkimer Street). A portion of the Callahan-Kelly Playground, a 3.25-acre open space owned and operated by the New York City Department of Parks and Recreation (NYC Parks), is also located within the 400-foot radius, northwest of the Project Area. The playground features basketball and handball courts, playground equipment, spray showers, fitness equipment, bench seating, and tree plantings. As of August 2023, the playground had underwent extensive renovations that resulted in new and improved playground equipment, spray showers, perimeter sidewalks and walls, basketball courts, adult fitness equipment and sitting areas, as well as the introduction of a new skate park.

Special Ocean Hill Enhanced Commercial District (EC-5)

On April 20, 2016, as part of the *East New York Rezoning* (2016), the New York City Council approved Zoning Map and Text Amendments to establish the Special Ocean Hill and East New York Enhanced Commercial (EC-5 and EC-6, respectively) Districts on portions of an approximately 191-block area in the East New York, Cypress Hills and Ocean Hill neighborhoods of Brooklyn CDs 5 and 16, generally bounded by Sheffield Avenue to the west, Lincoln Avenue to the east, Fulton Street to the north, and Pitkin Avenue to the south (East New York); and Eastern Parkway Extension to the west, Van Sinderen Avenue to the east, Broadway to the north, and East New York Avenue to the south (Ocean Hill). The intention of the Special EC-5 and EC-6 Districts are to foster a safe and engaging pedestrian experience along portions of the Atlantic Avenue, Pitkin Avenue, Fulton Street, and Pennsylvania corridors by establishing regulations requiring non-residential ground floor uses, requiring minimum levels of transparency on the ground floor, limiting curb cuts, and requiring setbacks along corridors with elevated trains.

Specifically, the Special EC-5 District comprises of three major components for new developments or enlargements, and are as follows:

- Enlivening uses – Special Use Provisions require the entire ground floor be developed or enlarged with permitted non-residential uses, except where residential lobbies and off-street parking facilities are permitted. Of the ground floor frontage of the zoning lot, at least 50 percent must be occupied by streetscape enlivening commercial uses to a minimum depth of 30 feet.[7]
- Sidewalk continuity – To ensure pedestrian safety, curb cuts serving new buildings are generally limited to the side streets.
- Streetscape design – To ensure an interactive and social space along Fulton Street, new retail and commercial establishments are required to adhere to a minimum level of streetwall transparency.

The Special EC-5 District is located directly west of the Project Area, and portions of the special district are located with the 400-foot study area (i.e., Block 1554, Lot 16). However, no portion of the Special EC-5 District is located in the Project Area.

Area Transportation

Major thoroughfares in the surrounding area include Fulton Street and Broadway directly north, Atlantic

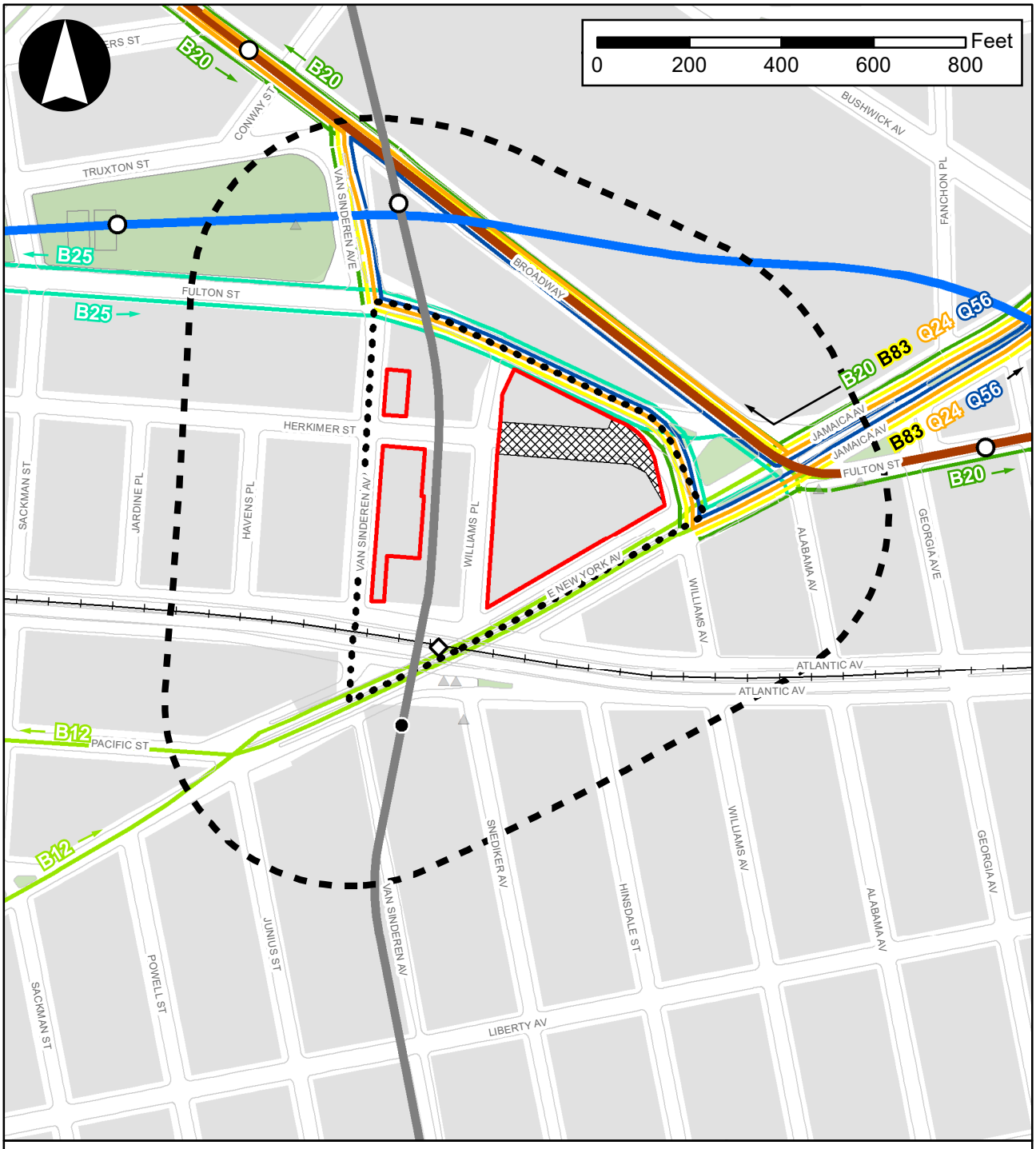
[7] However, for buildings containing Use Group 16, 17, and 18 at the ground floor level, up to 50 percent of the length of the streetwall may be exempt from such regulations; see ZR Section 132-32 for more details.

Avenue to the south, and East New York Avenue to the east. Just beyond the 400-foot study area East New York Avenue flows into Jamaica Avenue, which begins just east of Broadway. Additionally, the portion of Broadway, Fulton Street, Herkimer Street, and East New York Avenue within the 400-foot study area are designated by the New York City Department of Transportation (DOT) as a Local Truck Routes, whereas Atlantic Avenue is designated as a Through Truck Route.[8] The street network and interweaving mass transit surrounding the Project Area is unique. New York Avenue and Atlantic Avenue both have express and local service vehicular lanes. East New York Avenue's express lanes span between Herkimer Street and Junius Street (one block southwest of the Project Area) and are located in a subgrade tunnel below East New York and Atlantic avenues' local service lanes and the Long Island Rail Road (LIRR) commuter rail and East New York Station. Atlantic Avenue's express lanes span between Georgia Street (two blocks southeast of the Project Area) and Eastern Parkway (five blocks west of the Project Area) and are elevated above the LIRR commuter rail line and East New York and Atlantic avenues' local service lanes, and below the elevated Canarsie (L) subway line.

The Project Area is within a Transit Zone and is extremely well-served by mass transit, including the Broadway Junction Subway Station serving five subway lines (i.e., the A/C/J/L/Z lines), several bus lines, and the East New York Station serving the LIRR's Atlantic Branch (refer to **Figure A-1**). Several elevated MTA rail lines – including the elevated L (a.k.a. the 14th Street-Canarsie line) and J/Z (a.k.a. the Jamaica line) – cut through the Project Area: the elevated L line runs north-south and bifurcates the Project Area, whereas the elevated J/Z line runs southeast-northwest along Broadway and Jamaica Avenue just north and east of the Project Area. The Broadway Junction station provides access to Manhattan- and Ozone Park/Rockaway Beach-bound service along the A/C subway lines; Manhattan- and Jamaica Center-bound service along the J/Z subway lines; and Manhattan- and Canarsie/Rockaway Parkway-bound service along the L subway line. The A/C/J/L/Z lines converge at the Broadway Junction Subway Station complex, one block north of the Project Area, with elevated tracks of the L line running above the portion of Williams Place within the Project Area and the elevated tracks of the J/Z line running above Broadway one block north of the Project Area. The station complex is composed of three stations: the two elevated stations on the Jamaica (J/Z) and Canarsie (L) Lines, as well as the underground station on the Fulton Street (A/C) Line. The Fulton Street Line is accessible from the station's ground-level station house fronting the west side of Van Sinderen Avenue between Fulton and Truxton streets (located on Block 1546, Lot 1), using staircases down to the platform level. The Jamaica and Canarsie lines are reachable from the same station house via escalators from the street level to the upper mezzanine. The station house located on Van Sinderen Avenue is the only entrance/exit to the entire complex. The Atlantic Avenue (L) Subway Station is also located within the 400-foot study area, directly south of the Project Area, with entrances/exits located on the southwest corner of Snediker and Atlantic avenues. Additionally, the Alabama Avenue (J/Z) Subway Station is partially located within and to the east of the 400-foot study area, with the western portions of the station platform and entrance/exits located on the south side of Fulton Street between Alabama and Georgia avenues. In terms of commuter rail, the East New York station is located within the southern portion of the Project Area, with entrances along the north and south sides of Atlantic Avenue between Van Sinderen Avenue and Snediker Avenue/Williams Place, providing access to Downtown Brooklyn- and Long Island-bound service along the LIRR's Atlantic Branch. The Atlantic Branch runs east-west along and underneath an elevated portion of Atlantic Avenue. In addition, the MTA's East New York

[8] According to DOT, the New York City Truck Route Network is a set of roads that commercial vehicles must use in New York City, which is comprised of two distinct classes of roadways: Local Truck Routes and Through Truck Routes (defined in Section 4-13 of the New York City Traffic Rules). The Through Truck Route Network is primarily composed of major urban arterials and highways and must be used by trucks that have neither an origin nor destination within the borough. The Local Truck Route Network is designated for trucks with an origin and destination within a borough, which includes trucks that are traveling to make a delivery, or for loading or servicing.

Figure A-1
Study Area Transit Services



Rail Yard ("MTA Rail Yard") is located directly north of the Project Area and is generally bounded by Broadway to the south, Jamaica Avenue to the east, Bushwick Avenue to the north, and Conway Street to the west. The MTA Rail Yard is primarily used for storing subway cars used on the J, L, M, and Z lines, and is equipped with hand-operated switches. A separate part of the facility houses the MTA's East New York Bus Depot ("MTA Bus Depot"). Several local bus services are provided within the 400-foot radius, including the B12 (connecting Prospect Lefferts Gardens and East New York) which runs along East New York Avenue directly southeast of the Project Area; the B20 (connecting East New York, Brooklyn and Ridgewood, Queens) which runs along Fulton Street and Broadway directly north of the Project Area; the B25 (connecting Fulton Landing with East New York) which runs along Fulton Street directly north of the Project Area; the B83 (connecting Spring Creek/Gateway Center Mall with East New York) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east; the Q24 (connecting Jamaica, Queens with Bedford-Stuyvesant, Brooklyn) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east; and the Q56 (connecting Jamaica, Queens with East New York, Brooklyn) which runs along Fulton Street and Broadway to the north and Jamaica Avenue to the east. There are also two Citi Bike docking stations within 400-feet of the Project Area, located at the intersection Fulton Street Broadway, and at the northwest corner of the Van Sinderen Avenue and Atlantic Avenue intersection. Taken together, these transit options provide access to and from the Project Area from much of Brooklyn, Manhattan, and beyond.

III. DESCRIPTION OF THE PROPOSED ACTIONS

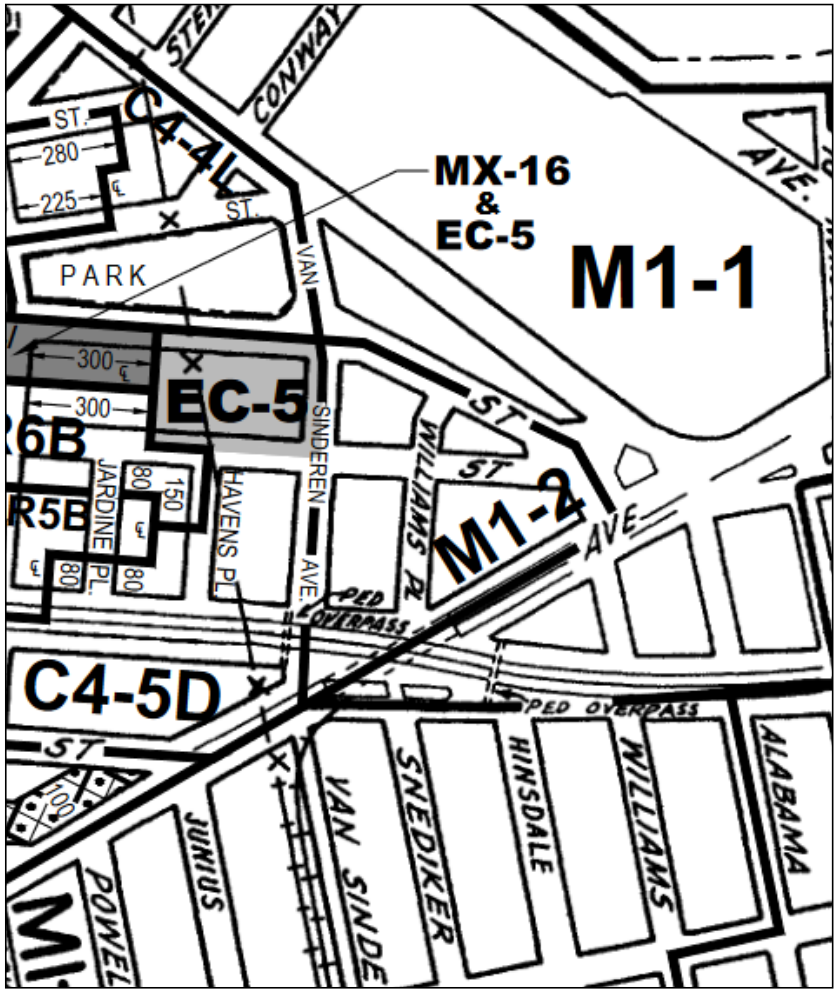
The Applicant is seeking approval of several discretionary actions from the CPC: (i) a Zoning Map Amendment to rezone the Project Area from a M1-2 district to C6-4 and M1-6 districts; (ii) a Zoning Text Amendment to (a) map an MIH Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5, (b) amend ZR Section 74-742 to modify LSGD ownership requirements, and (c) amend ZR Section 23-154(d)(2) to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; (iii) a LSGD Special Permit pursuant to ZR Section 74-743 to modify certain building height, setback, and rear yard regulations; (iv) a City Map Amendment to eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street;[9] and (v) a CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail uses within M1-6 zoning districts (collectively, the "Proposed Actions").

Each of the Proposed Actions is a discretionary action that is subject to the Uniform Land Use Review Procedure (ULURP). The Proposed Actions are also subject to environmental review under the City Environmental Quality Review (CEQR) process. These actions are described in more detail below.

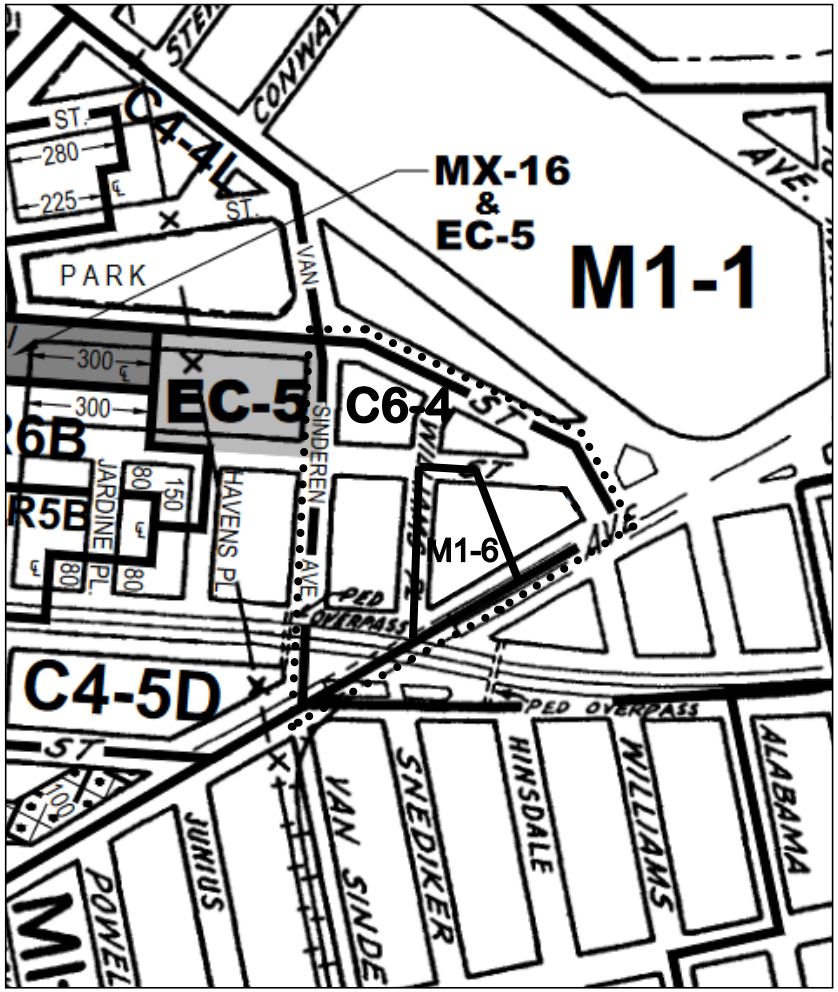
Zoning Map Amendment

The proposed Zoning Map Amendment would rezone the Project Area from M1-2 to C6-4 and M1-6 (refer to **Figure A-2**). As shown in **Figure 3** of the EAS Full Form, the proposed Zoning Map Amendment would affect all of Blocks 1555, 1576, and 1577. Specifically, the proposed C6-4 district would include all of Block 1555, Lots 1 and 19; all of Block 1576, Lots 1, 9, 13, 32, and 34; all of Block 1577, Lots 17, 26, 32, 35, 51, 53, and 56; and portions of Block 1577, Lot 7; whereas the proposed M1-6 district would include all of

[9] As stated above, it should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.



Exis ng Zoning Map (17c)



Proposed Zoning Map (17c)
Area to be rezoned is outlined with do ed lines

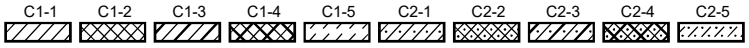


Figure A-2
Existing and Proposed Zoning

Block 1577 Lots 1 and 58, and portions of Lot 7 (refer to **Figure A-3**).

Table A-1 compares the use and bulk requirements under the existing and proposed zoning districts. C6-4 zoning districts (R10 equivalent) are non-contextual commercial districts typically mapped within the City's major business districts, which allow a maximum FAR of 10.0 for commercial uses, 10.0 for residential uses (or 12.0 FAR in an Inclusionary Housing designated area), and 10.0 for community facility uses. The proposed C6-4 district would be governed by the sky exposure plane and do not require a contextual base. For residential uses, off-street parking is generally required for 40 percent of a building's dwelling units, but requirements are lower for income-restricted housing units and are further modified in certain areas, such as within Transit Zones and the Manhattan Core, or for lots less than 15,000 sf; however, off-street parking is not required for any non-residential uses.

M1 zoning districts are non-contextual manufacturing districts that often serve as buffers between M2 and M3 districts and adjacent to residential or commercial districts. M1 districts are industrial/manufacturing districts that have performance standards and typically include light industrial uses such as woodworking shops, repair shops, and wholesale service and storage facilities. M1-6 districts allow a maximum FAR of 10.0 for manufacturing uses, 10.0 for commercial uses, and 10.0 for community facility uses (Use Group 4 only, which are allowed by special permit). Pursuant to the recently approved M1 Hotel Text Amendment, hotels are only permitted by special permit. Residential development is not allowed in M1 districts. Buildings within M1-6 districts are governed by the sky exposure plane, which begins 85 feet above the street line. Off-street parking is generally not required in M1-6 districts, but may vary depending on use, such as hospitals, refreshment stands, drive-ins, and motels which may require off-street parking.

TABLE A-1
Comparison of Existing and Proposed Zoning

	Existing	Proposed	
	M1-2	**C6-4**	**M1-6**
Use Group	4-14, 16, 17	1-12	4-14, 16, 17
Maximum Permitted FAR			
Residential	Not Permitted	12.0[1,2]	Not Permitted
Community Facility	4.8	10.0	10.0
Commercial	2.0	10.0	10.0
Manufacturing	2.0	Not Permitted	10.0
Overall Maximum Permitted	4.8	12.0[1,2]	10.0

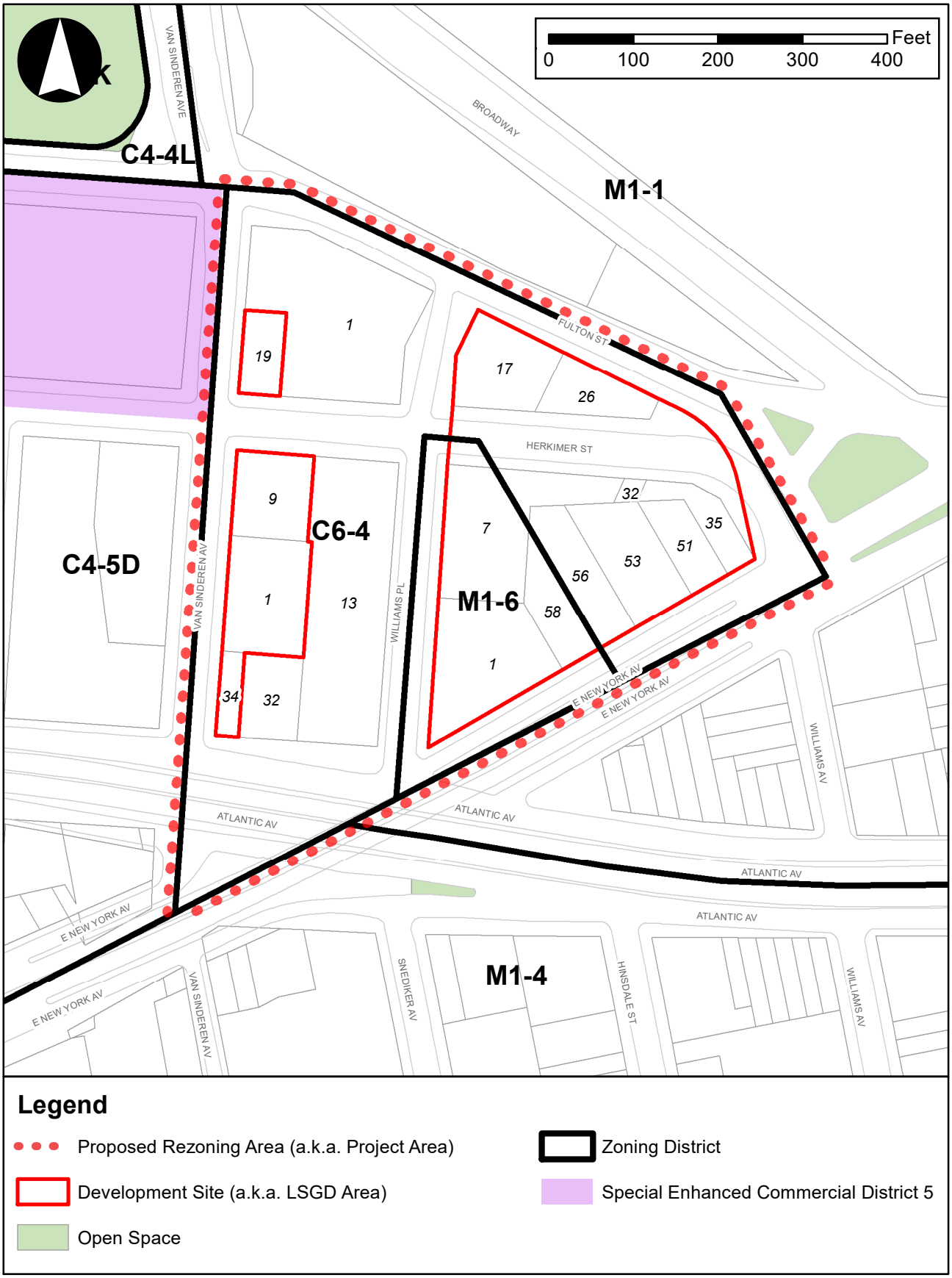
Source: *Zoning Resolution of the City of New York*.
Notes:
[1] Up to 20 percent increase for a public plaza bonus.
[2] Up to 12.0 FAR with MIH.

Zoning Text Amendment – MIH

The Applicant is also proposing a Zoning Text Amendment that is required to map the proposed C6-4 zoning district as an MIH Area by creating a new map for Brooklyn CD 5 in Appendix F of the ZR. The MIH Area would require any new developments containing residential uses to provide affordable units pursuant to one of the MIH options described below:

- Option 1 – requires 25 percent of residential floor area must be affordable housing for residents with incomes averaging 60 percent AMI; and
- Option 2 – requires 30 percent of residential floor area must be affordable housing for residents with incomes averaging 80 percent AMI.

Proposed Zoning Map Amendment



The MIH Area would require 25-30 percent affordable floor area based on a higher residential FAR than is permitted by the underlying C6-4 zoning district (10.0 FAR). With the designation of the proposed C6-4 (R10 equivalent) district as an MIH Area, the maximum permitted FAR would be increased to 12.0.

Zoning Text Amendment – LSGD Ownership Requirement Modifications

The Applicant is proposing a Zoning Text Amendment to amend ZR Section 74-742 to modify ownership requirements for LSGD areas. Specifically, under the proposed Zoning Text Amendment to subsection (g), sites partially under State or City ownership and occupied by an elevated rail line within Brooklyn CD 5 and located within a C6-4 zoning district and mapped as a MIH Area shall be considered a street or part of a street for the contiguity purposes for establishing a LSGD area. The proposed Zoning Text Amendment would allow Blocks 1555, Lot 19 and Block 1576, Lots 1, 9, and 34 to be included in the proposed LSGD area. Absent the proposed Zoning Text Amendment, these lots would not be included in the LSGD area.

Zoning Text Amendment – Special Floor Area Provisions for MIH Areas

The Applicant is proposing a Zoning Text Amendment to amend ZR Section 23-154(d)(2) in order to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5. This Zoning Text Amendment would allow Building B to be constructed with up to 12.0 FAR of residential uses, thus resulting in more affordable housing units than is permitted under the proposed C6-4 district.

Large-Scale General Development (LSGD) Special Permit

A LSGD Special Permit pursuant to ZR Section 74-743, which will be applicable to the Applicant-owned Zoning Lot, are being sought to allow the Applicant to waive or modify certain building height and setback requirements, the minimum required distances between buildings on the same zoning lot, and rear yard requirements. Absent the LSGD Special Permit, the Proposed Development under C6-4 and M1-6 zoning would be limited to a maximum streetwall height of 85 feet or six stories (whichever is less), with an initial setback distance of 20 feet along narrow streets and 15 feet along wide streets. The proposed configuration of the buildings would be affected by minimum distance requirements (60 feet) and rear yard requirements (30-60 feet). By waiving the underlying height and setback regulations, minimum distance and rear yard requirements, the proposed LSGD Special Permit would allow greater design flexibility for the purpose of better site planning and urban design. Upon approval, the Applicant would enter into a Restrictive Declaration (the "City RD"), a legally binding mechanism tied to the Zoning Lot that would govern the provisions of the LSGD. This would ensure that the Proposed Development is the RWCDS in terms of building envelope. In connection with the LSGD Special permit, the Applicant also seeks the approval of a phased demolition and construction plan for the buildings and open space.

Large Retail Special Permit

The Applicant is also proposing a large retail CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail establishments in the proposed M1-6 zoning district. Under the proposed CPC Special Permit, the CPC may modify the applicable floor area limitations on certain commercial stores (e.g., department stores, dry goods or fabric stores, food stores, household appliance stores, etc.) so long as the CPC finds that the application meets certain conditions regarding vehicular access locations and design, and that the application does not adversely affect neighborhood character and nearby land uses, and that it does not obstruct neighboring streets and properties' access to light and air. Absent the large retail CPC Special Permit, certain commercial retail stores within the proposed M1-6 district would be limited to 10,000 sf of floor area per establishment.

City Map Amendment

The proposed City Map Amendment would eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street to be utilized by the Proposed Development (the demapped area and Applicant-owned Lots 17, 26, 32, 35, 51, and 53 will collectively comprise of a single zoning lot, referred to as "Parcel 3A"). The total area to be demapped is an approximately 25,879 sf portion of Herkimer Street, which would be incorporated into the LSGD Special Permit site plan and generate up to approximately 289,606 zsf of non-residential floor area at Parcel 3. As stated above, it should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.

IV. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

To facilitate the Proposed Development, the Applicant is seeking: (i) a Zoning Map Amendment to rezone the Project Area from a M1-2 district to C6-4 and M1-6 districts; (ii) a Zoning Text Amendment to (a) map an MIH Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5, (b) a Zoning Text Amendment to amend ZR Section 74-742 to modify LSGD ownership requirements, and (c) amend ZR Section 23-154(d)(2) to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; (iii) a LSGD Special Permit pursuant to ZR Section 74-743 to modify certain building height, setback, and rear yard regulations; (iv) a City Map Amendment to eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street;[10] and (v) a CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail uses within M1-6 zoning districts (collectively, the "Proposed Actions").

The Proposed Actions are intended to facilitate the development of new residential, office, retail, and community facility space at the Project Area by increasing the permitted residential, commercial, and community facility FAR on the proposed Development Site. The Proposed Actions would assist Broadway Junction, one of largest transit centers in New York City, to fulfill its potential as "a more accessible and dynamic transit hub and economic center," as described in a 2019 report by the New York City Economic Development Corporation (NYCEDC) and NYCDCP.[11] In addition to providing open space and affordable housing, the Proposed Actions would also provide economic opportunities benefitting the surrounding neighborhoods, which have faced a disproportionate negative impact due to COVID-19. The approximately 1.7 million gsf mixed-use development could accommodate a variety of tenants, including an institutional anchor like a hospital or university, retail designed to cater to the needs of the neighborhood, and offices. The City of New York is already in the process of moving City agencies to the area, including 275,000 sf of office space for the Human Resources Administration (HRA) at 2440 Fulton Street, directly west of the Project Area.

The Proposed Actions would increase density in the Project Area to create economic and employment opportunities and provide community resources in a way that is not currently feasible based on existing

[10] As stated above, it should be noted that while this action runs parallel with the other Proposed Actions, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.

[11] "*Broadway Junction: A Vision for the Future*" (2019). NYCEDC and NYCDCP; https://edc.nyc/sites/default/files/2019-09/broadwayjunction.pdf

site constraints. The existing, aged buildings and infrastructure are in need of essential maintenance and upgrades and have limited ability to provide the type of accommodations needed and/or desired for the growing technology, advertising, media, and information (TAMI) businesses. The existing low-rise light industrial buildings limit the potential of the Project Area, much of which is currently occupied by unenclosed parking and storage facilities. In addition, the existing M1-2 district, which was mapped in 1967, further limits the Project Area from being redeveloped with new, state-of-the-art commercial spaces as the maximum permitted commercial and industrial FAR is 2.0; limited community facility uses are permitted as-of-right at up to 4.8 FAR, whereas residential uses are not permitted. By providing additional residential and commercial space on-site, the Proposed Actions could reshape the Project Area's role as a new regional central business district in an appropriate, transit-rich area and provide viable development sites, creating much needed job opportunities and affordable housing. The increased density of the Proposed Development would be subject, with some design flexibility, to building envelope and open space controls in a LSGD plan and Special Permit that is responsive to the neighborhood context and improves the pedestrian and retail environment. The Proposed Development would leverage the existing assets of full-block frontage on several wide streets and excellent mass transit access to better enhance and activate the Project Area. The proposed PAA spaces would further enhance the pedestrian experience at the Project Area by providing widened sidewalks and multifaceted passive recreation space at the three corners of the block that make up Parcel 3, as well as at building recesses along the mid-block.

Zoning Map Amendment

As described above, the Applicant seeks a zoning map change to Zoning Map 17c to rezone portions of the Project Area from M1-2 to C6-4 and M1-6. Specifically, the proposed C6-4 district would include all of Block 1555, Lots 1 and 19; all of Block 1576, Lots 1, 9, 13, 32, and 34; all of Block 1577, Lots 17, 26, 32, 35, 51, 53, and 56; and portions of Block 1577, Lot 7; whereas the proposed M1-6 district would include all of Block 1577 Lots 1 and 58, and portions of Lot 7. Due to the scarcity of land and the resulting high land costs, the bulk and density of the proposed C6-4 (R10 equivalent) and M1-6 districts are necessary and appropriate to facilitate the development of the Proposed Development on under-utilized lots in one of Brooklyn's most transit-rich areas. Equivalent zoning districts are mapped at key transportation hubs and downtown clusters in Brooklyn and Manhattan. The C6-4 district would facilitate the development of retail, office, residential, community facility, and open space, while the M1-6 district would help to preserve permitted manufacturing and industrial uses at the Project Area.

The proposed Zoning Map Amendment would allow for new office and retail space in the Project Area by increasing the buildable commercial FAR. Introducing additional commercial office space at Broadway Junction would provide the space and infrastructure for future growth in reshaping the area as an emerging regional central business district in an appropriate, transit-rich area and would add more office space that caters to TAMI firms. The Proposed Actions would result in new Class A office and retail space that could accommodate a wide variety of tenants generating new employment opportunities in the Project Area. Further, the proposed commercial office and retail development would align with the goals of the Rebuild, Renew, Reinvent policy, which is a series of long- and short-term plans to make New York City's economy more equitable and accessible to its residents. Specifically, the policy calls for the need to plan and build for inclusive growth for the present and future by re-envisioning the City's jobs hubs in response to shifting trends in where New Yorkers live and work, investing equitably in neighborhood infrastructure, and increasing opportunities for low-cost housing in every neighborhood in the City.

Zoning Text Amendment

As described above, the proposed Zoning Text Amendment to modify Appendix F of the ZR to map a MIH

Area coterminous with the boundaries of the proposed C6-4 district would increase the affordable housing capacity for the neighborhood. The Applicant is interested in pursuing either Option 1 or Option 2 of the City's MIH program. Pursuant to Option 1 of the MIH program, up to 25 percent of the residential floor area would be required to be set aside for permanently affordable housing at or below 60 percent AMI; pursuant to Option 2, up to 30 percent of the residential floor area would be required to be set aside for permanently affordable housing at or below 80 percent AMI. Currently, Option 1 and/or 2 are proposed for the residential uses at Buildings B and C; additionally, the Applicant intends to work with HPD to explore financing opportunities to allow the balance of the units at Buildings B and C to be 100 percent affordable. The Proposed Actions would create new affordable housing units that would be consistent with the goals set forth by Mayor Eric L. Adams' *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, which aims to create and preserve affordable housing. The Proposed Development would be consistent with the current *Housing Our Neighbors: A Blueprint for Housing and Homelessness* policy by adding a minimum of approximately 149 permanently affordable DUs (pursuant to Option 1 of the MIH program) and as much as 179 permanently affordable DUs (pursuant to Option 2 of the MIH program), as well as an additional 417 affordable units pursuant to a to-be-determined (in coordination with HPD) City/State/Federal affordable housing program in a community where affordable housing demand is high.

The Applicant is also seeking a Zoning Text Amendment to amend ZR Section 74-742 to modify ownership requirements for LSGD areas. Specifically, under the proposed Zoning Text Amendment, sites partially under State or City ownership and occupied by an elevated rail line within Brooklyn CD 5 and located within a C6-4 zoning district and mapped as a MIH Area shall be considered a street or part of a street for the contiguity purposes for establishing a LSGD area. The proposed Zoning Text Amendment, which would be codified under ZR Section 74-742(g), would allow Blocks 1555 (Lots 1 and 19) and 1576 (Lots 1, 9, 13, 32, and 34) to be included in the LSGD area, thus allowing the transfer of unused development rights from Block 1555, Lot 19 and Block 1576, Lot 34 to Building B in order to maximize the amount of affordable housing units provided on Parcel 2. Absent the proposed Zoning Text Amendment, Blocks 1555 and 1576 would not be included in the LSGD area and no development rights would be transferred to Building B, resulting in the creation of fewer affordable housing units on Parcel 2.

The Applicant also seeks a Zoning Text Amendment to amend ZR Section 23-154(d)(2) in order to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5. This text amendment would allow Building B to be constructed with up to 12.0 FAR of residential uses, thus resulting in more affordable housing units than is permitted under the proposed C6-4 district. Absent the proposed Zoning Text Amendment, Building B would be developed with up to 129 fewer affordable housing units compared to the Proposed Development.

LSGD Special Permit

As described above, a LSGD Special Permit pursuant to ZR Section 74-743, which will be applicable to the Applicant-owned and Owner-Authorized Zoning Lots, are being sought to allow the Applicant to waive or modify certain building height and setback requirements. Absent the LSGD Special Permit, the Proposed Development under C6-4 and M1-6 zoning would be limited to a maximum streetwall height of 85 feet or six stories (whichever is less), with an initial setback distance of 20 feet along narrow streets and 15 feet along wide streets. By waiving the underlying height and setback regulations, the proposed LSGD Special Permit would allow greater design flexibility for the purpose of better site planning and urban design. Uses in an LSGD must adhere to the underlying zoning district. The waivers granted under the LSGD Special Permit would result in a better site plan and relationships among buildings and open areas to adjacent streets, surrounding development, and adjacent open areas that would not be possible without such

modification. Additionally, the proposed LSGD Special Permit is needed in order to redistribute floor area across Buildings B, C, D, and E, thereby creating a site plan and building layout and design that would better serve the public realm compared to what would be allowed as-of-right under the proposed zoning districts.

Large Retail Special Permit

The proposed large retail CPC Special Permit to waive floor area limitations for certain retail establishments in the proposed M1-6 zoning district would provide the necessary flexibility for the Proposed Development (specifically at Building E) to maximize its retail potential while also preserving the M1-6 district's as-of-right manufacturing/industrial uses needed to facilitate the proposed replacement storage, maintenance, and repair facilities for the MTA.

City Map Amendment

It should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application. As described above, the proposed City Map Amendment would eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of the demapped street to be utilized by the Proposed Development. The total area to be demapped is an approximately 25,879 sf portion of Herkimer Street, which would be incorporated into the LSGD Special Permit site plan and generate up to approximately 289,606 zsf of floor area at Parcel 3.[12] The proposed demapping would also eliminate a confusing intersection where Herkimer and Fulton streets meet and intersect with East New York Avenue, and would effectively reduce the width of the north crosswalk at the intersection of East New York Avenue and Herkimer Street/Fulton Street, thus creating a safer experience for pedestrians and vehicles. Absent the City Map Amendment, the proposed site plan and massing orientation of the Proposed Development would not be possible, and the street network at the Project Area would remain unchanged.

V. DESCRIPTION OF PROPOSED DEVELOPMENT

In the future with the Proposed Actions, the Applicant proposes to demolish the existing buildings at the Development Site (with exception to the existing three-story office building on Block 1576, Lot 34) to facilitate the development of four new buildings containing a combined total of approximately 1,667,836 gsf, including approximately 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 540,114 gsf of residential space (596 DUs), 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space, as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space (the "Proposed Development").[13] Pursuant to the City's MIH program, up to 25-30 percent or 149-179 units would be designated as permanently affordable at an average of 60-80 percent AMI depending on the selected Option (the

[12] As a result of the demapping action, the additional lot area apportioned to Building C would be 15,410 sf of additional lot area, and the additional lot area apportioned to Building D would be 10,469 sf. As the maximum permitted residential FAR at Building C would be 12 and as the maximum permitted non-residential FAR at Building D would be 10, the zoning lot would be permitted an additional 289,606 sf of floor area generated by the demapping action.

[13] Please note that the 250 accessory parking spaces are not required by zoning under the proposed C6-4 and M1-6 districts.

Applicant intends to pursue Option 1). In addition to the 149-179 permanently affordable units pursuant to MIH, the Applicant intends to work with HPD in exploring financing opportunities to allow the balance of the proposed DUs to be designated as 100 percent affordable units.

On Parcel 1, the Applicant intends to improve the site with open space. The proposed, approximately 4,750 sf public open space would act as a gateway into the Development Site from adjacent Callahan-Kelly Playground/Park and provide passive recreation space and amenities. Unused development rights from Block 1555, Lot 19 (up to approximately 58,650 zsf) will be transferred to Parcel 2/Building B pursuant to the proposed LSGD.

On Parcel 2, the Applicant intends to demolish the existing buildings on Lots 1 and 9 and redevelop the site with a residential development ("Building B"), which would also include new community facility space intended to expand upon the existing house of worship (Calvary Church) currently located on Lot 9. As shown in **Figures A-4**, **A-5**, and **A-6**, Building B would rise to approximately 29-stories (335'-0") and contain approximately 427,980 gsf, including approximately 327,693 gsf of residential (affordable housing) space (384 DUs, of which, up to 96-116 units would be designated as permanently affordable pursuant to MIH),[14] 5,708 gsf of retail space, 14,932 gsf of commercial office space, 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space. Building B would also include approximately 36 accessory parking spaces to be located in the two sub-cellars of the building, and approximately 4,716 sf of private passive outdoor recreational space that would feature residential amenities reserved for the residents of Building B. The existing three-story commercial office building on Lot 34 would remain as under existing conditions; however, unused development rights from Block 1576, Lot 34 (up to approximately 21,398 zsf) will be transferred to Building B pursuant to the proposed LSGD.

On Parcel 3, the Applicant intends to develop a mixed-use residential tower above a three-story retail podium ("Building C") and two individual office towers, each above a three-story retail podium ("Building D" and "Building E"), as well as large areas of landscaped and programmed open space. As shown in **Figures A-4**, **A-5**, and **A-6**, Building C would be the northernmost tower along Fulton Street rising to a height of approximately 24 stories (330'-0") and contain approximately 302,619 gsf, including approximately 212,421 gsf of residential space (212 DUs, of which all 212 units would be designated as affordable),[15] and 64,506 gsf of retail space, as well as approximately 10,613 sf of private passive outdoor recreational spaces that would serve the building's residential and commercial uses.[16] As shown in **Figures A-4**, **A-5**, and **A-6**, Building D will be the easternmost tower at the corner of Fulton Street and East New York Avenue rising to a height of approximately 24 stories (445'-0") and contain approximately 545,152 gsf, including approximately 330,292 gsf of commercial office space above an 88,655 gsf retail podium, as well as approximately 7,440 sf of private passive outdoor recreational spaces that would serve the building's commercial uses. As shown in **Figures A-4**, **A-5**, and **A-6**, Building E will be the southernmost

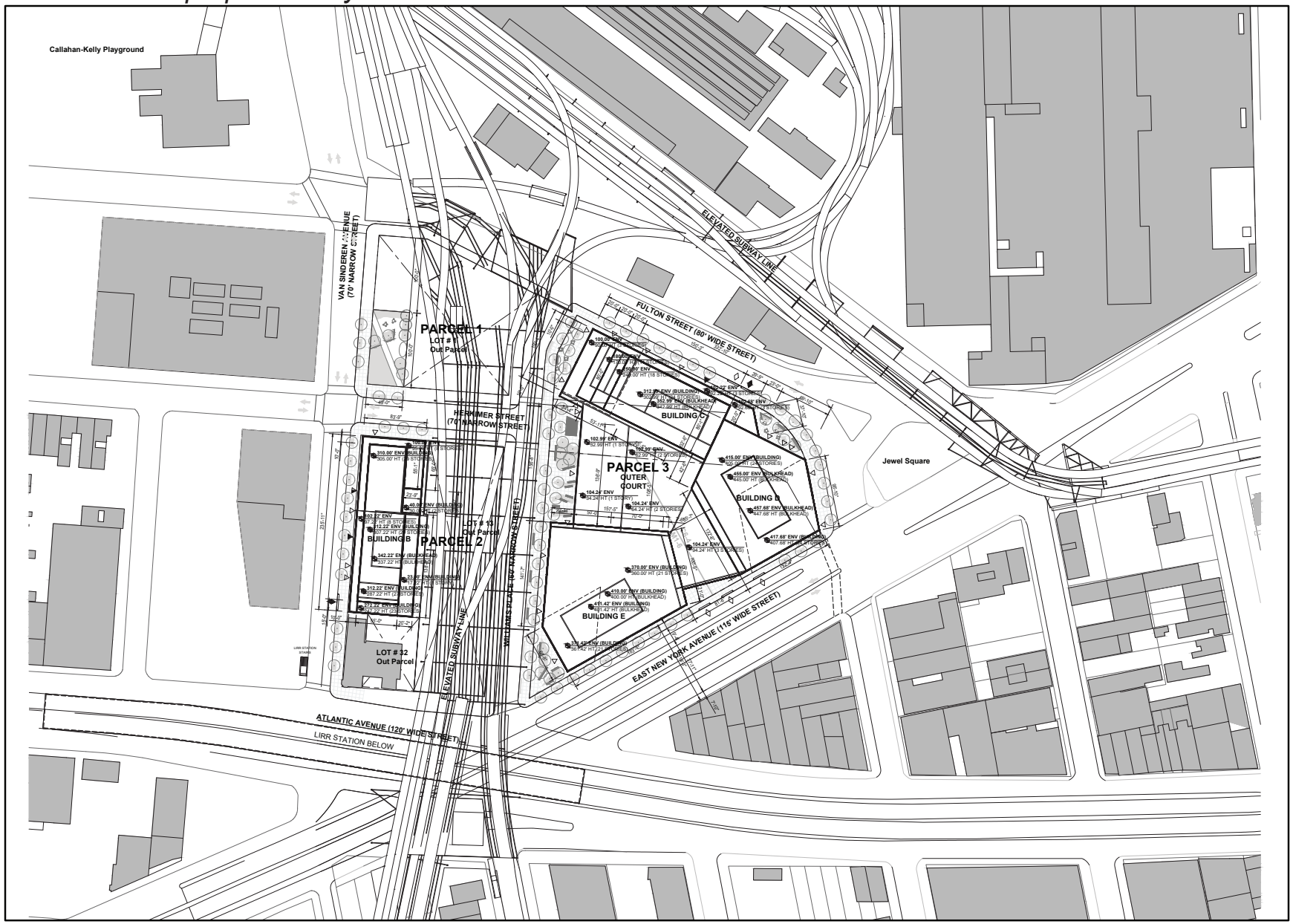
[14] It should be noted that of the 384 units proposed at Building B, up to 96-116 units would be designated as permanently affordable pursuant to MIH, depending on the selected Option (the Applicant intends to pursue Option 1); and the Applicant intends to work with HPD in exploring financing opportunities to allow the balance of the proposed DUs to be designated as 100 percent affordable.

[15] It should be noted that of the 212 units proposed at Building C, up to 53-64 units would be designated as permanently affordable pursuant to MIH, depending on the selected Option (the Applicant intends to pursue Option 1); and the Applicant intends to work with HPD in exploring financing opportunities to allow the balance of the proposed DUs to be designated as 100 percent affordable.

[16] While the Applicant intends to develop 212 DUs at Building C, for conservative analysis purposes it is assumed that the Applicant could develop up to 250 DUs, which conservatively assumes an average DU size of 850 sf. As such, under the RWCDS, at Building C up to 63-75 units would be designated as permanently affordable pursuant to MIH, depending on the selected Option (the Applicant intends to pursue Option 1).

Proposed Development

For illustrative purposes only



Herkimer-Williams

Figure A-4a
Site Plan - Development Site

Proposed Development

For illustrative purposes only

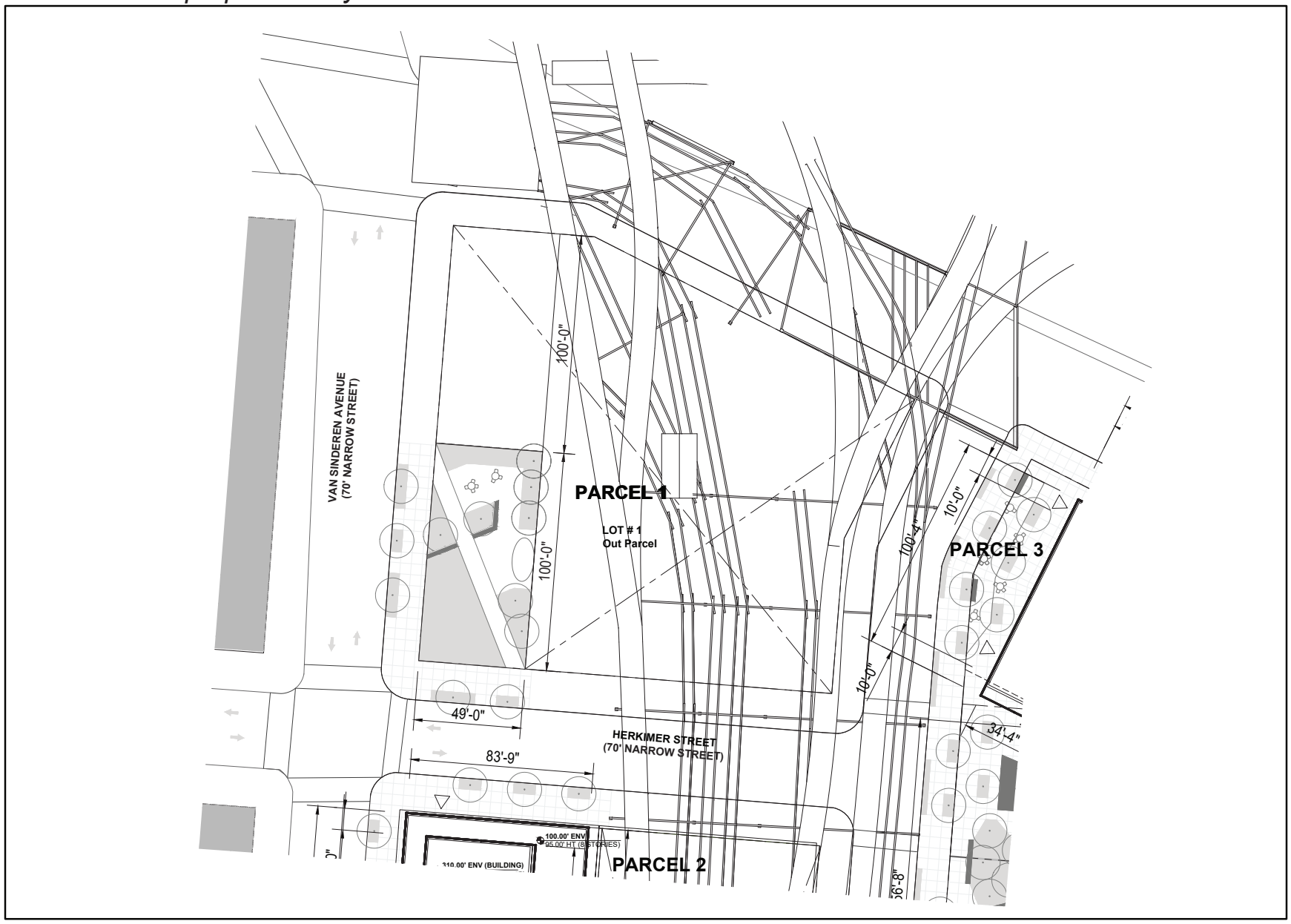
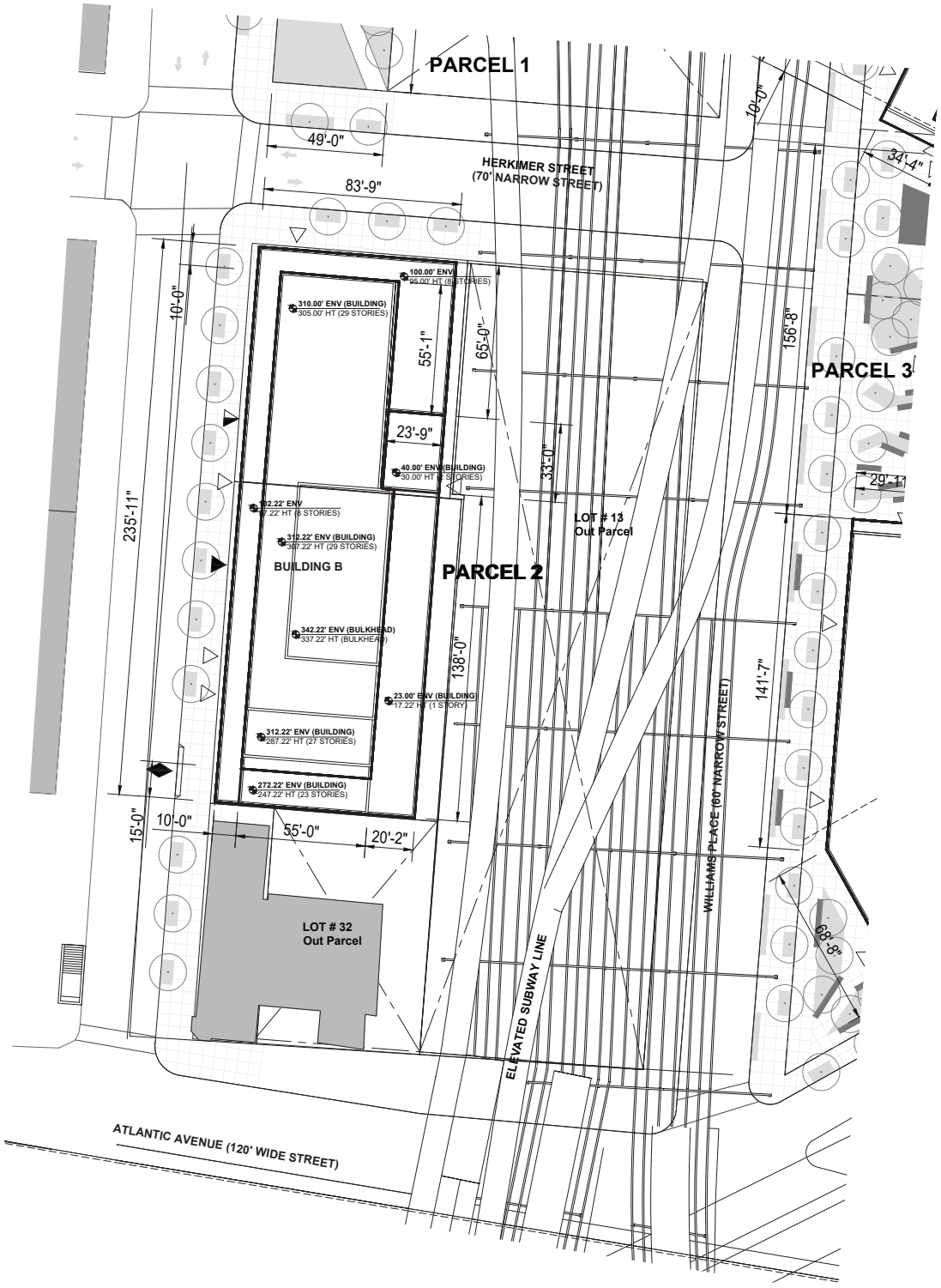


Figure A-4b
Site Plan - Parcel 1

Proposed Development

For illustrative purposes only



Proposed Development

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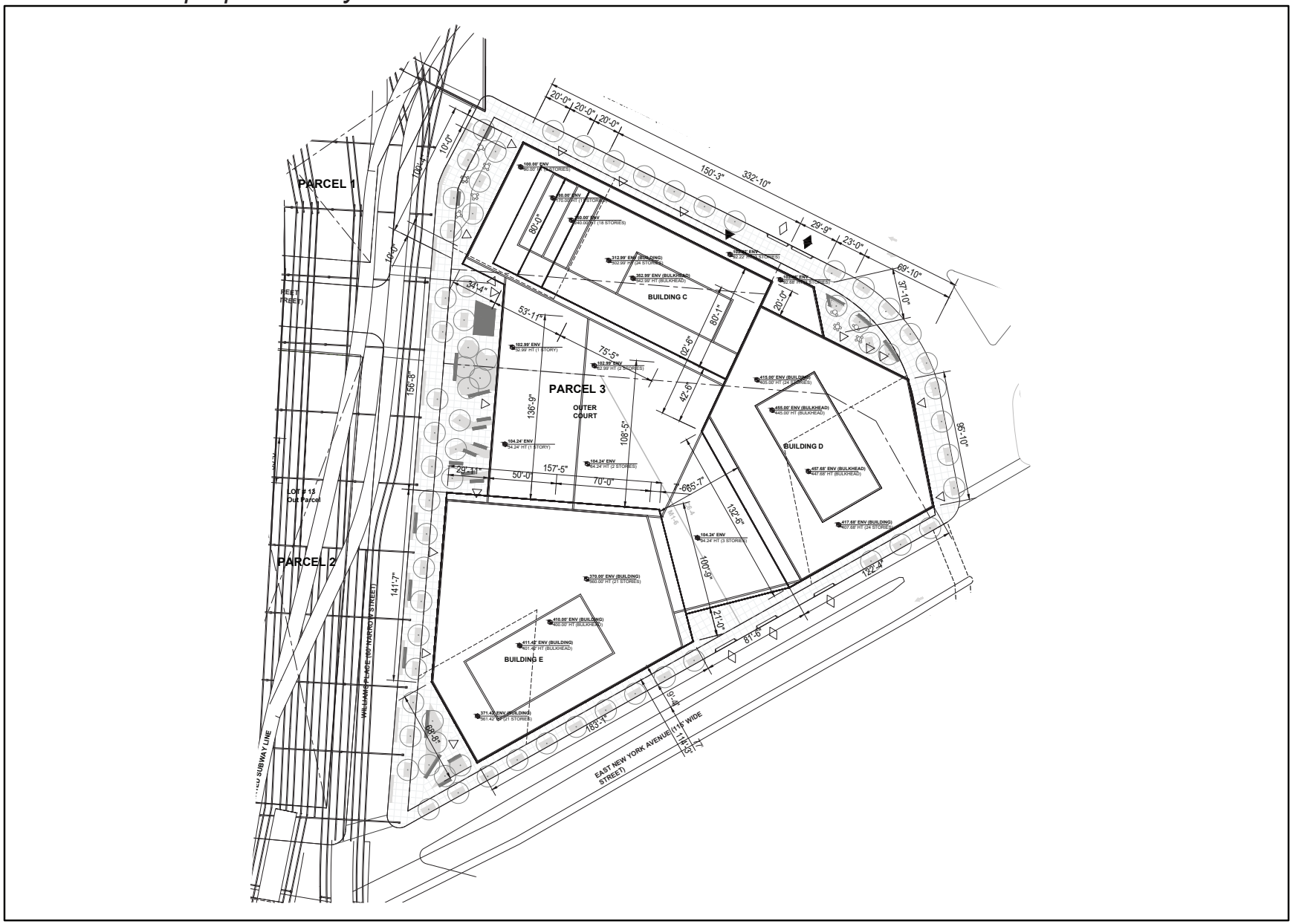
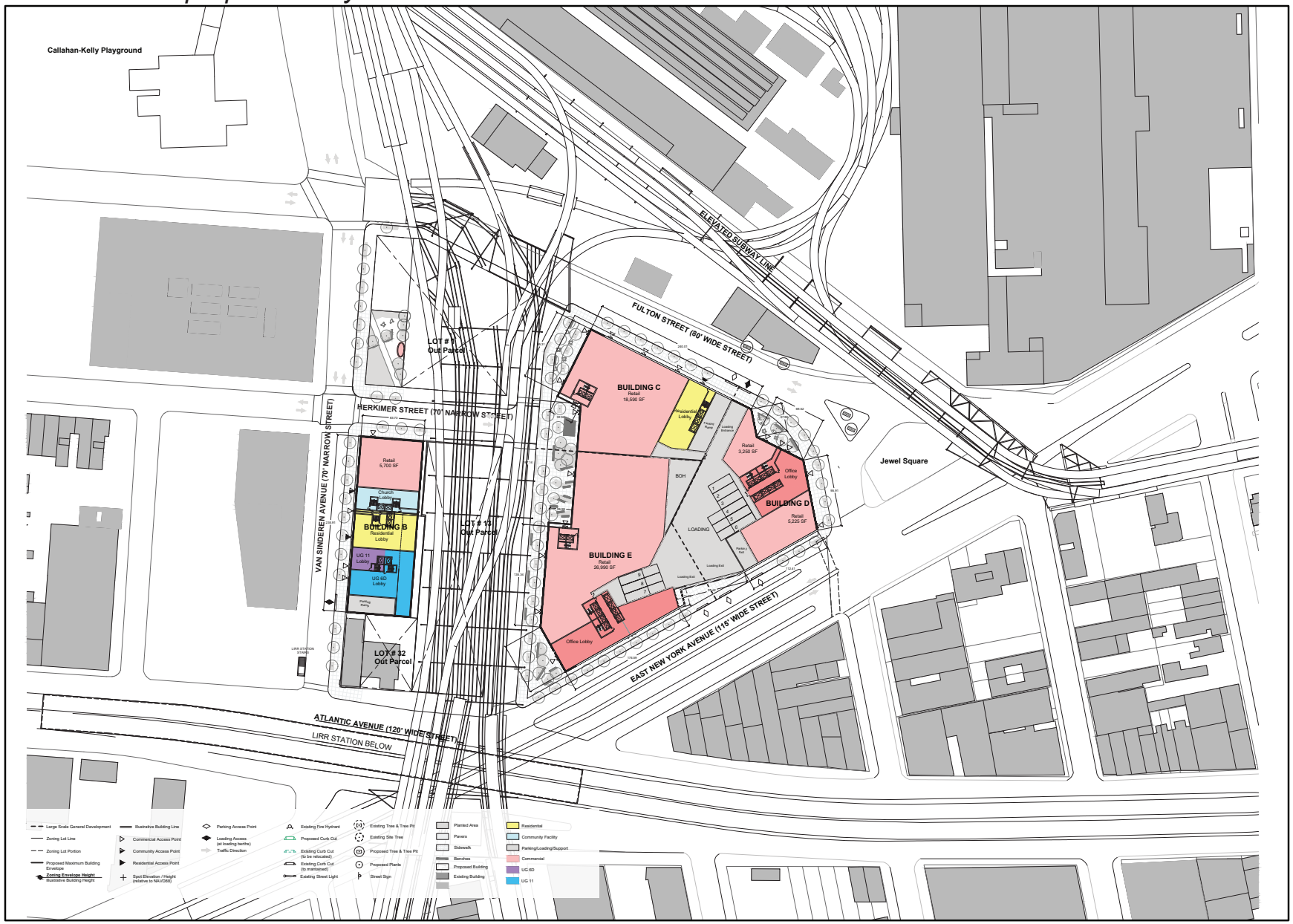


Herkimer-Williams

Figure A-4d
Site Plan - Parcel 3

Proposed Development

For illustrative purposes only



Herkimer-Williams

Figure A-5a
Ground Floor Plan - Development Site

Proposed Development

For illustrative purposes only

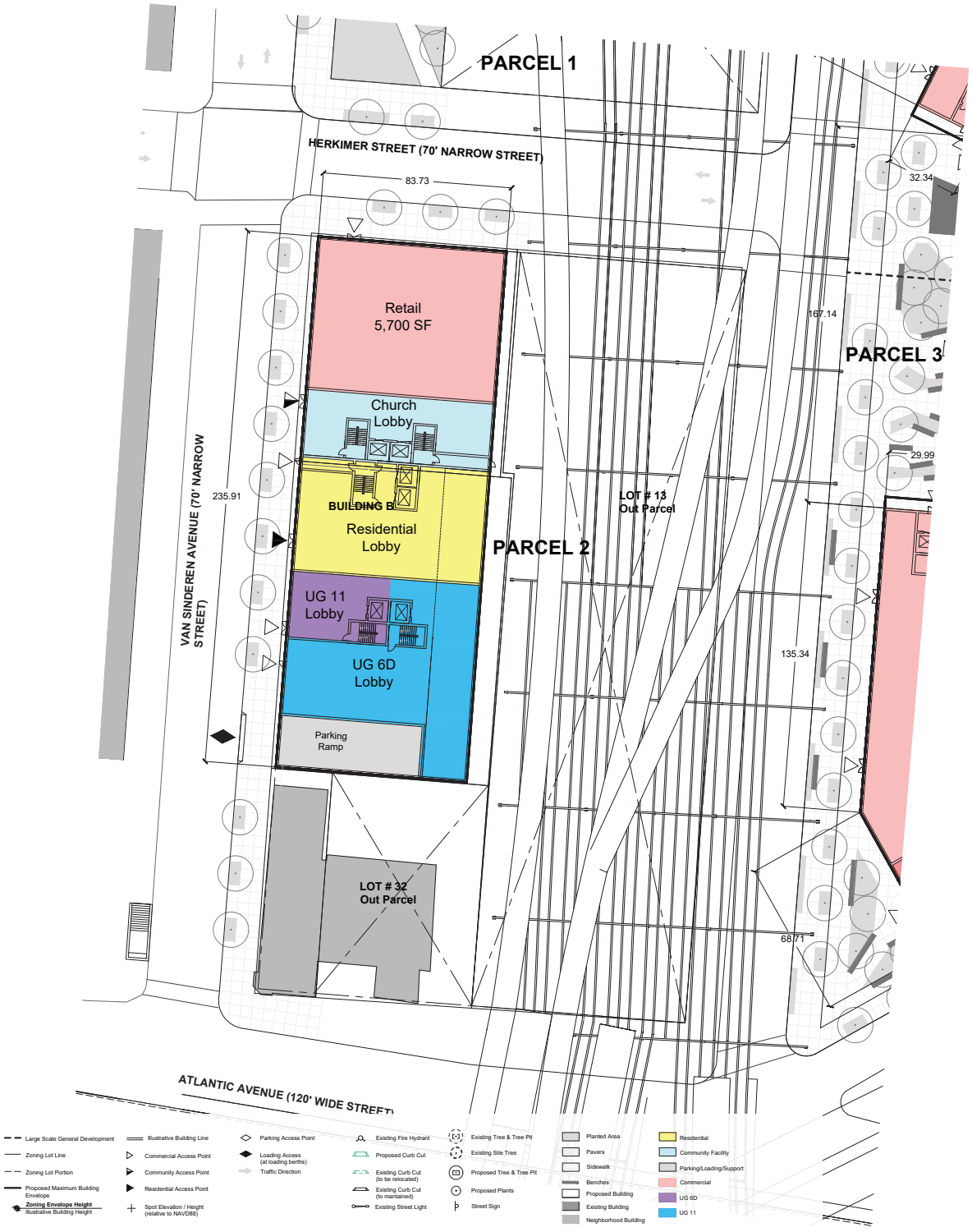


Herkimer-Williams

Figure A-5b
Ground Floor Plan - Parcel 1

Proposed Development

For illustrative purposes only



Proposed Development

For illustrative purposes only

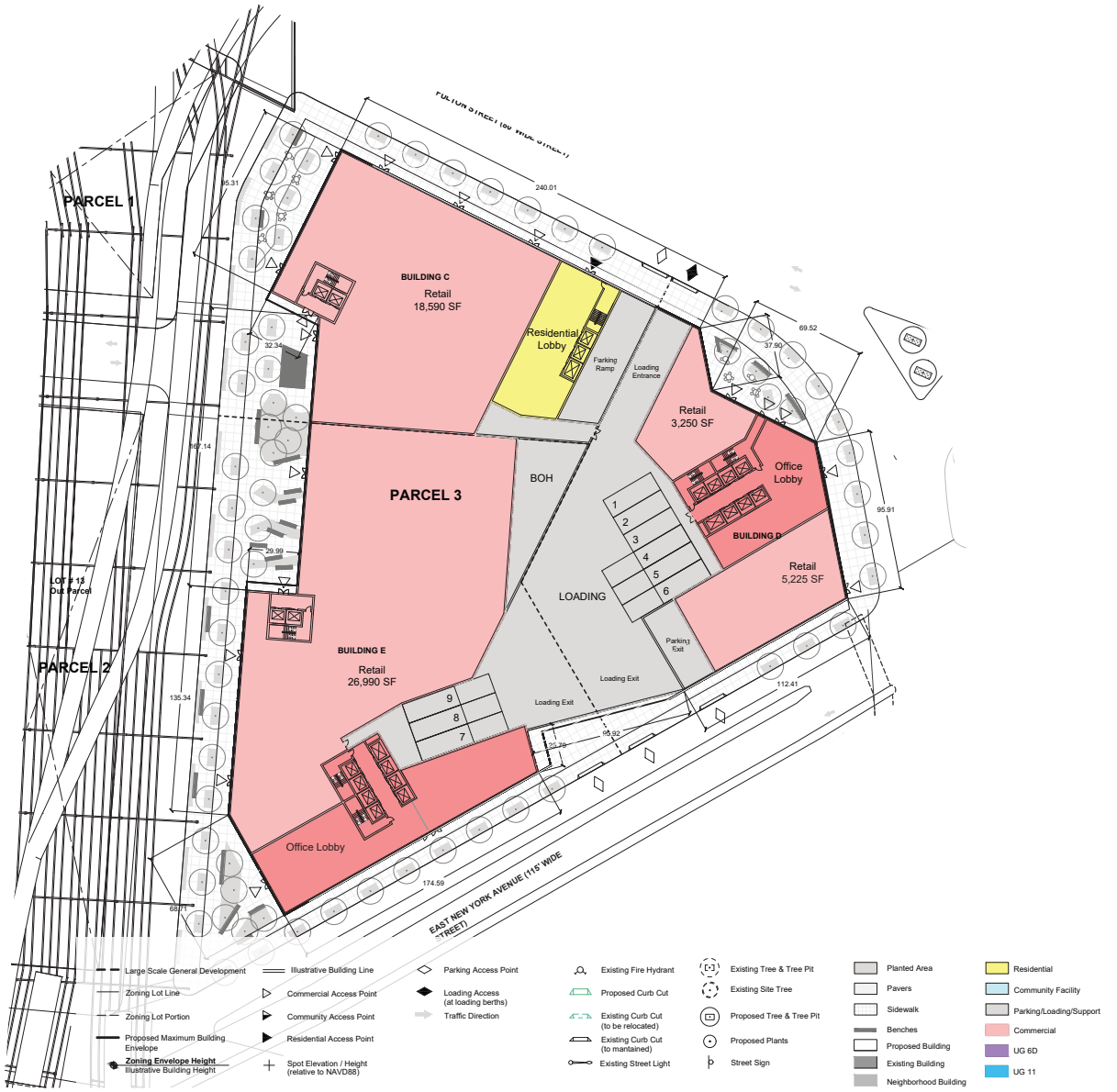
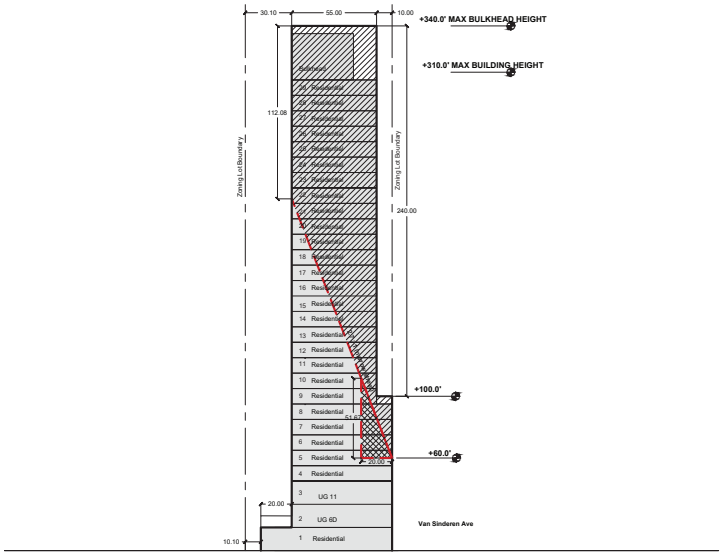


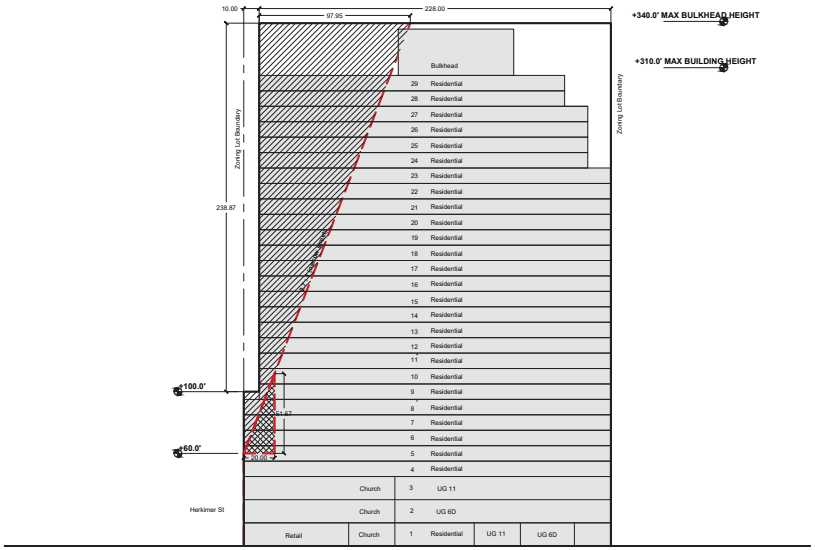
Figure A-5d
Ground Floor Plan - Parcel 3

Proposed Development

For illustrative purposes only



A Z-033 **ZONING SECTION - VAN SINDEREN AVENUE**
SCALE: 1" = 40'-0"



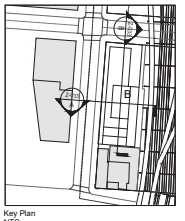
B Z-033 **ZONING SECTION - HERKIMER STREET**
SCALE: 1" = 40'-0"

Legend

- LSGD Boundary
- Zoning Envelope
- Illustrative Building
- Street Wall Waiver
- Height and Setback Waiver
- Distance Waiver

Notes

1. Elevations referenced to North American Vertical Datum of 1988 (NVD88) which is 1,095 feet above National Geodetic Survey Datum at Sandy Hook, New Jersey.
2. Building shown within zoning envelopes are for illustrative purposes only and are subject to change.
3. Location of bulkheads illustrative and subject to change.
4. Graphic scale applicable to all non-dimensioned elements.
5. Existing building elevation shown including parapet height.



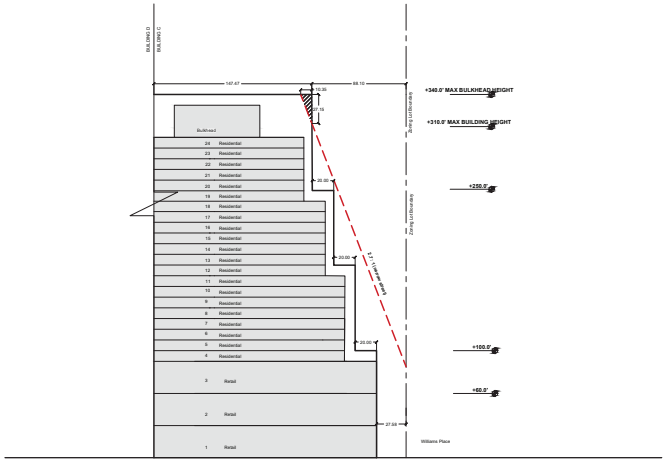
Key Plan
NTS

Scale
0 15' 30' 90'

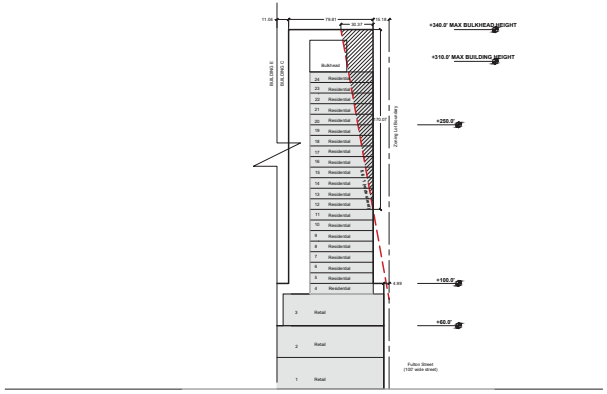
N

Proposed Development

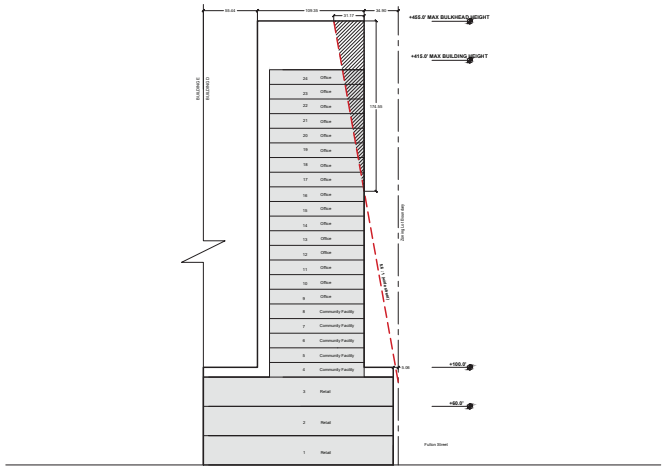
For illustrative purposes only



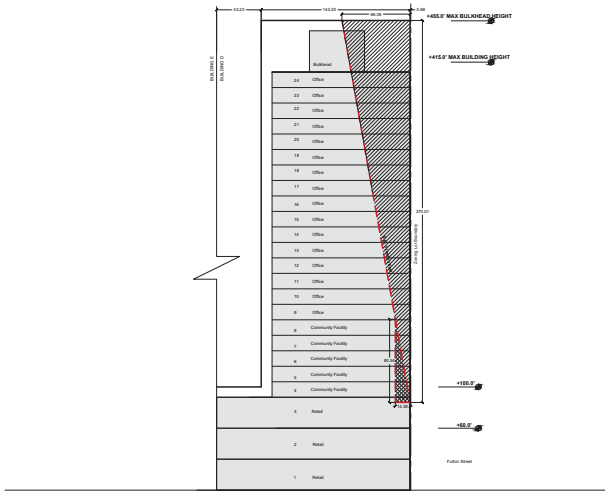
1 Z-043 **ZONING SECTION - WILLIAMS PL, BUILDING C**
SCALE: 1" = 40'-0"



2 Z-043 **ZONING SECTION - FULTON ST, BUILDING C**
SCALE: 1" = 40'-0"



3 Z-043 **ZONING SECTION - FULTON ST, BUILDING D**
SCALE: 1" = 40'-0"



4 Z-043 **ZONING SECTION - FULTON ST, BUILDING D**
SCALE: 1" = 40'-0"

Legend

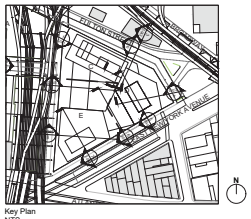
- LSGD Boundary
- Zoning Envelope
- Illustrative Building
- Street Wall Waiver
- Height and Setback Waiver

Notes

1. Elevations referenced to North American Vertical Datum of 1988 (NVD88) which is 1,095 feet above National Geodetic Survey Datum at Sandy Hook, New Jersey.
2. Building shown within zoning envelopes are for illustrative purposes only and are subject to change.
3. Location of bulkheads illustrative and subject to change.
4. Graphic scale applicable to all non-dimensioned elements.
5. Existing building elevation shown including parapet height.

Scale

0 15' 30' 90'



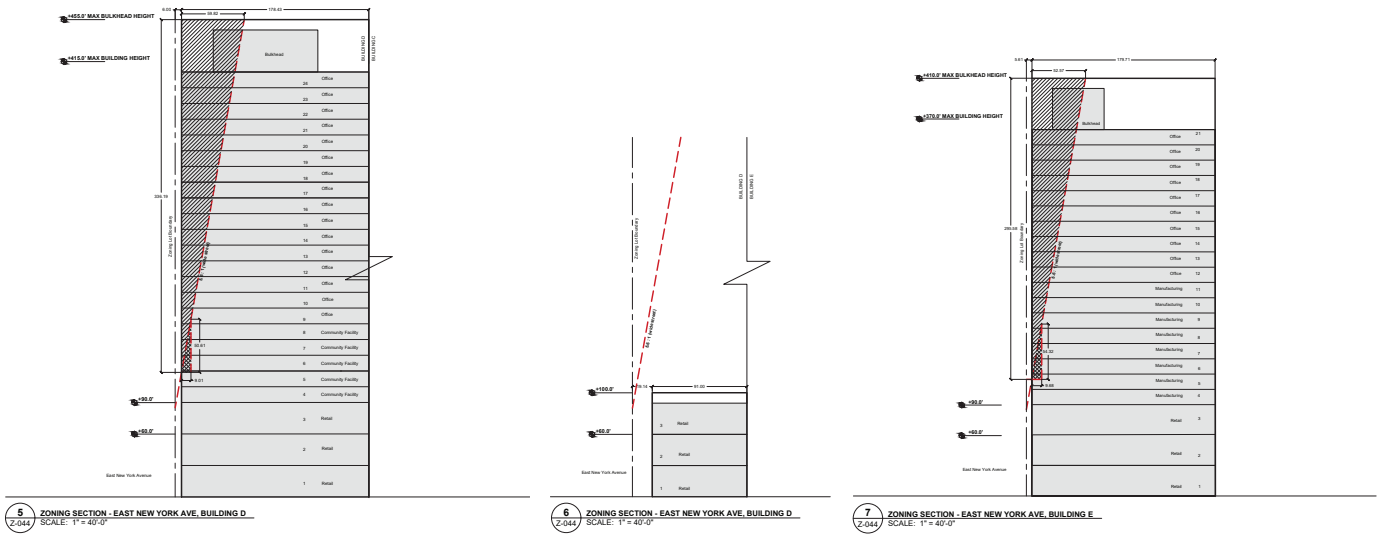
Key Plan
NTS

Herkimer-Williams

Figure A-6b
Building Sections - Parcel 3, Buildings C & D

Proposed Development

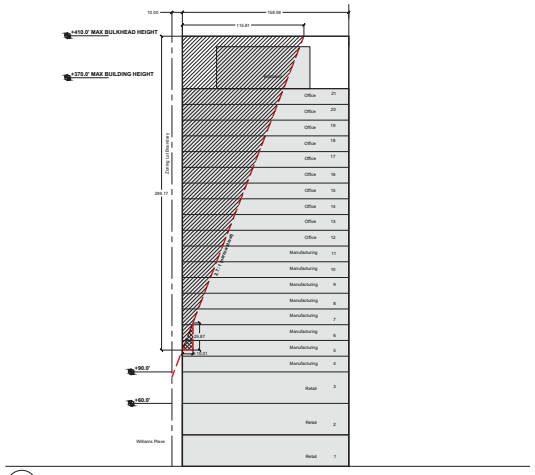
For illustrative purposes only



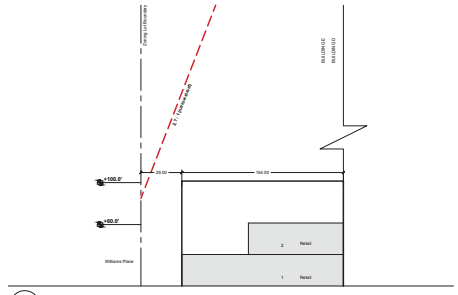
5 Z-044 ZONING SECTION - EAST NEW YORK AVE, BUILDING D
SCALE: 1" = 40'-0"

6 Z-044 ZONING SECTION - EAST NEW YORK AVE, BUILDING D
SCALE: 1" = 40'-0"

7 Z-044 ZONING SECTION - EAST NEW YORK AVE, BUILDING E
SCALE: 1" = 40'-0"



8 Z-044 ZONING SECTION - WILLIAMS PL, BUILDING E
SCALE: 1" = 40'-0"



9 Z-044 ZONING SECTION - WILLIAMS PL, BUILDING E
SCALE: 1" = 40'-0"

Legend

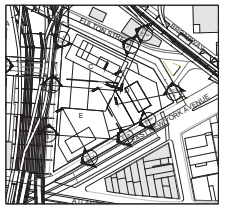
- LSGD Boundary
- Zoning Envelope
- Illustrative Building
- Street Wall Waiver
- Height and Setback Waiver

Notes

1. Elevations referenced to North American Vertical Datum of 1988 (NVD88) which is 1,095 feet above National Geodetic Survey Datum at Sandy Hook, New Jersey.
2. Building shown within zoning envelopes are for illustrative purposes only and are subject to change.
3. Location of bulkheads illustrative and subject to change.
4. Graphic scale applicable to all non-dimensioned elements.
5. Existing building elevation shown including parapet height.

Scale

0 15' 30' 90'



Key Plan
NTS

tower at the corner of East New York Avenue and Williams Place rising to a height of 21 stories (400'-0") and will contain approximately 605,815 gsf, including approximately 394,162 gsf of commercial office space above a 93,979 gsf retail podium, as well as approximately 14,656 sf of private passive outdoor recreational spaces that would serve the building's commercial uses. The three buildings at Parcel 3 would also share an interconnected sub-cellar that would contain up to 250 accessory parking spaces and the required eight loading berths for the three buildings. In total, the Proposed Development would contain approximately 1,667,836 gsf, including approximately 540,114 gsf of residential space (596 DUs, of which 149-179 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space.

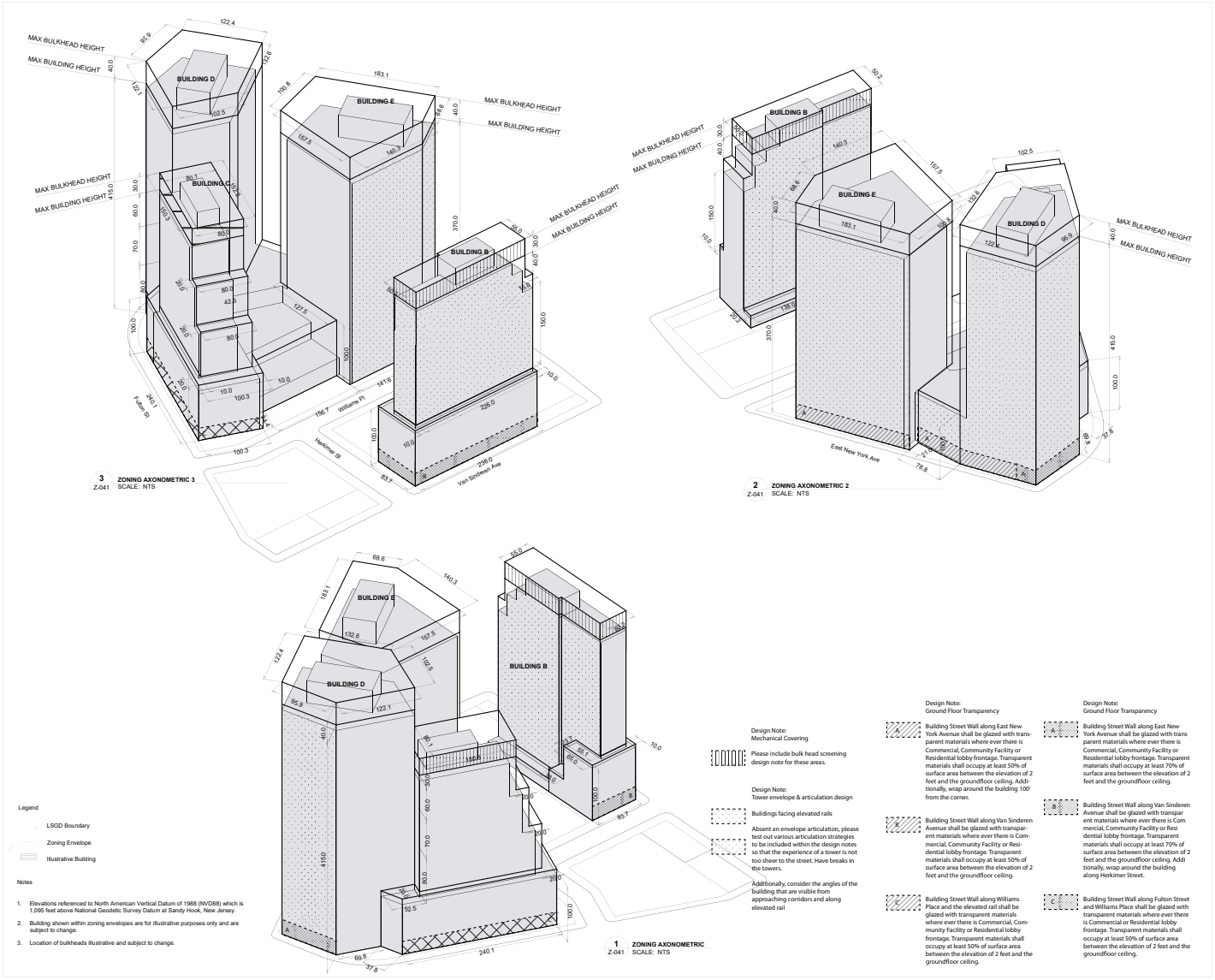
The Proposed Development would also include a mixture of publicly accessible outdoor open space areas, semi-private publicly accessible outdoor open space areas, and private outdoor open space areas. The Proposed Development would introduce approximately 4,750 sf of PAA space on Parcel 1 and approximately 19,786 sf of PAA space on Parcel 3. The proposed PAA spaces on Parcels 1 and 3 would largely consist of passive outdoor recreational spaces and would all be located at-grade. At Parcel 3, the proposed PAA space would include small at-grade passive outdoor open space areas at the northwest (Fulton Street and Williams Place), southwest (East New York Avenue and Williams Place), and eastern (Herkimer Street and Fulton Street) corners of the block, as well as at building recesses at the mid-block along Parcel 3's East New York Avenue, Williams Place, and Fulton Street frontages. In total, the Proposed Development would provide approximately 24,536 sf of PAA space (approximately 16.8 percent of the Development Site's total lot area). In addition, Parcel 3 will provide up to 15,892 sf of additional semi-private publicly accessible outdoor open space that would largely serve Building C and E's retail users as these semi-private outdoor open spaces would be located on Building C and E's second-story terraces adjacent to the proposed retail spaces at these buildings. Parcel 3 would also contain approximately 10,718 sf of private outdoor open space to be utilized by office workers at Buildings D and E. These private office amenity spaces will be located along Building D (7,440 gsf) and E's (3,278 gsf) third- and fourth-story terraces and would only be accessed by the adjacent office uses at these buildings. Additionally, Buildings B and C will contain approximately 10,815 gsf of private residential amenity outdoor open space. Specifically, Building B will include approximately 4,716 gsf of private residential amenity outdoor open space on the building's fourth floor rear terrace, and Building C will include approximately 6,099 gsf of private residential amenity outdoor open space on the building's fourth floor terrace fronting Williams Place and Fulton Street.

For the proposed residential uses on Parcel 2/Building B and Parcel 3/Building C, it should be noted that the Applicant is interested in pursuing Option 1 or Option 2 of the City's MIH program. Pursuant to Option 1 of the MIH program, 25 percent of the buildings' residential floor area would be permanently affordable at or below at an average of 60 percent AMI, which would result in up to 96 permanently affordable units at Building B and 53 permanently affordable units at Building C, for a total of up to 149 permanently affordable units. Pursuant to Option 2, 30 percent of the buildings' residential floor area would be permanently affordable at or below an average of 80 percent AMI, which would result in up to 115 permanently affordable units at Building B and 64 permanently affordable units at Building C, for a total of up to 179 permanently affordable units. In addition, the Applicant intends to work with HPD to explore financing opportunities to allow the balance of the units at Buildings B and C to be designated as 100 percent affordable as well.

Figure A-7 provides an illustrative rendering of the design of the Proposed Development and depicts the maximum bulk envelope permitted by the LSGD Special Permit. The maximum permitted development envelope is slightly larger than the space that would be occupied by the Proposed Development in order

Proposed Project and Maximum Development Envelope

For illustrative purposes only



Herkimer-Williams

Figure A-7
Maximum Development Envelope

to allow for limited design flexibility. As the maximum development envelope is slightly larger than the Proposed Development, the potential effects associated with the maximum development envelope are considered in the EAS.

VI. ANALYSIS FRAMEWORK

The Proposed Actions would change the regulatory controls governing land use and development in the Project Area. The 2021 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

Analysis Year

It is anticipated that the Proposed Actions would be certified in ULURP in 2025. Assuming the completion of the CEQR and ULURP processes in 2026, and a period of approximately 10 years for construction over four phases of construction,[17] completion and occupancy of the Proposed Development is expected to occur by 2036. While the phasing plan is still in development, it is anticipated that Phase 1 would include construction of Building B (totaling 384 DUs, 5,708 gsf of retail space, 18,985 gsf of community facility space, 10,403 gsf of light industrial [Use Group 11] space, 14,932 gsf of commercial office space, 4,750 sf of PAA space, and 36 accessory parking spaces), starting in 2026 and ending in 2028. Phase 2 would include the construction of Building C (212 DUs, 64,506 gsf of retail space, 6,558 sf of PAA space, 61 accessory parking spaces, and two loading berths), starting in 2029 and ending in 2031. Phase 3 would include the construction of Building D (330,292 gsf of office space, 88,655 gsf of retail space, 3,346 sf of PAA space, 61 accessory parking spaces, and three loading berths), starting in 2031 and ending in 2033. And Phase 4 would include the construction of Building E (394,162 gsf of office space, 93,979 gsf of retail space, 9,882 sf of PAA space, 92 accessory parking spaces, and three loading berths), starting in 2033 and ending in 2036. Refer to **Figure A-8** for an overview of the preliminary phasing plan for the Proposed Development.

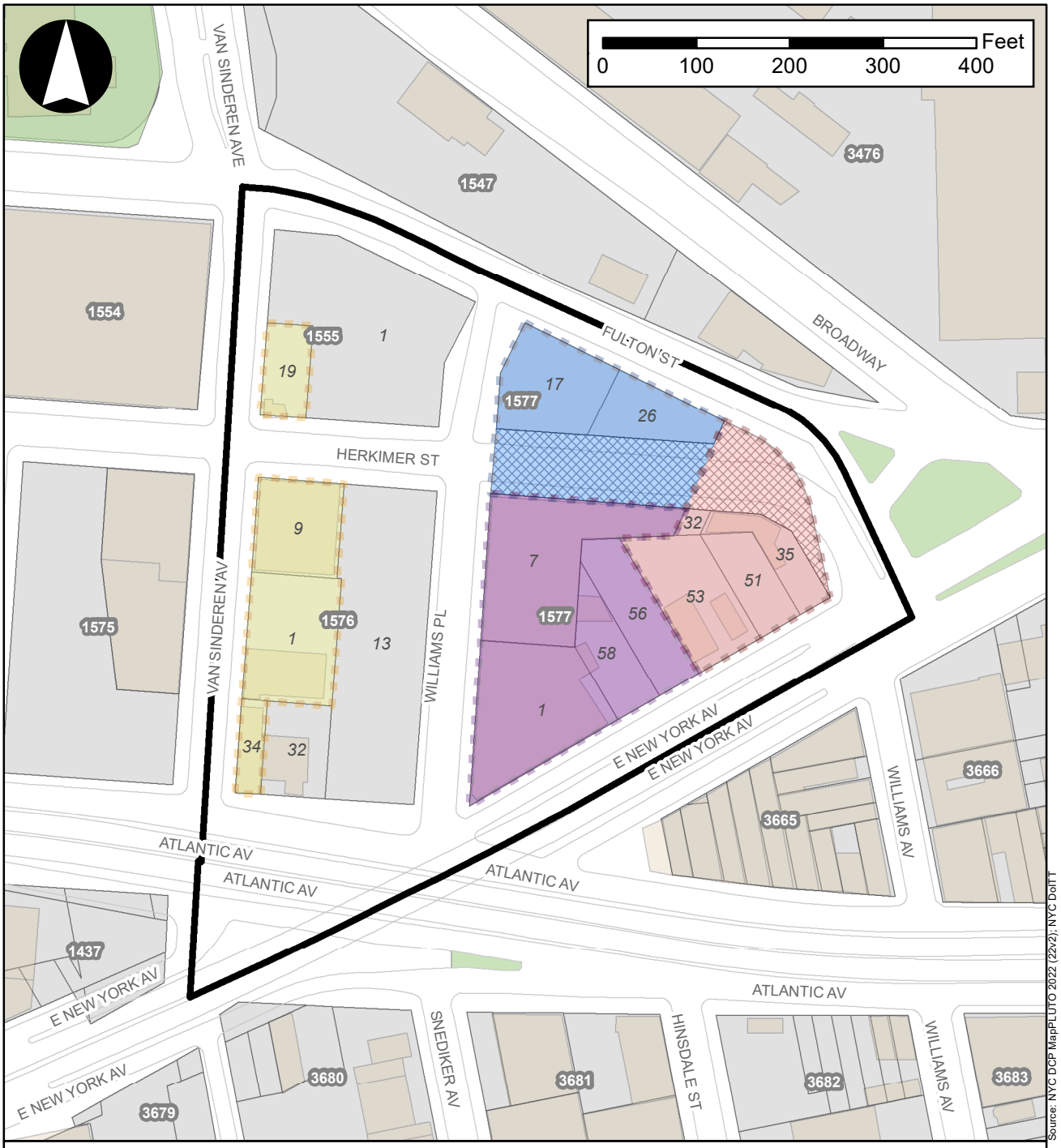
This Build Year reflects a reasonable estimate of the time needed for the Applicant to demolish the existing structures at the Development Site and construct the Proposed Development over four phases. Accordingly, this environmental review will use 2036 as the Build Year for analysis of future conditions consistent with 2021 *CEQR Technical Manual* guidance.

Reasonable Worst Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Actions, a RWCDS was established for both the future without the Proposed Actions (the "No-Action condition") and the future with the Proposed Actions (the "With-Action condition") for an analysis year, or Build Year, of 2036. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses. The Proposed Development described above in Section V would have a built FAR of approximately 10.84 and would therefore maximize the allowable commercial FAR for the Development Site under the proposed C6-4 and M1-6 zoning. However, as the Proposed Actions would increase the maximum permitted residential FAR to 12.0 for the portions of the Development Site within the C6-4 (MIH) district, a second RWCDS, the Alternate Residential Scenario, will also be assessed, as discussed in further detail

[17] The Proposed Development will be constructed in four phases, with each phase providing the amount of parking and open space required for the associated new development. The phasing plan is currently in development and will be structured so as to avoid or minimize the loss of open space, amenities and/or parking during construction.

Development Site - Phased Construction Plan



Legend

Phased Construction of Proposed Development

- Project Area
- Proposed Streets to be Demapped
- 1555 Blocks
- 1 Lots
- Phase 1
- Phase 2
- Phase 3
- Phase 4

below.

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

In the 2036 future absent the Proposed Actions (the No-Action condition), the Project Area would remain as under existing conditions. As such, within the Development Site, on Block 1555, Lot 19 would remain unimproved and vacant (0.0 FAR); on Block 1576, Lot 1 would continue to be occupied by a two-story manufacturing building containing approximately 8,800 gsf of light industrial uses (0.61 FAR), Lot 9 would continue to be occupied by a two-story building containing approximately 12,904 gsf of community facility (House of worship) uses (1.33 FAR) and Lot 34 would continue to be occupied by a three-story commercial building containing approximately 9,000 gsf of office uses (3.32 FAR); and on Block 1577, Lot 1 would continue to be occupied by a one-story maintenance facility containing approximately 17,224 gsf of light industrial uses (0.91 FAR), Lot 7 would continue to be occupied by a one-story (plus mezzanine) maintenance facility containing approximately 20,768 gsf of light industrial uses (1.00 FAR), Lots 17 and 26 would continue to be unimproved and used for parking and dead storage of vehicles (0.0 FAR each), Lots 32 and 51 would continue to be unimproved and vacant (0.0 FAR each), Lot 35 would continue to occupied by a one-story auto repair shop containing approximately 2,640 gsf of light industrial uses (0.49 FAR), Lot 53 would continue to be occupied by a one-story building containing approximately 990 gsf of light industrial uses (0.08 FAR), and Lots 56 and 58 would continue to be occupied by unenclosed surface parking lots that provides access to the adjacent Lots 1 and 7 (0.0 FAR each). Lots 1, 7, 56, and 58 would likely continue to be leased by the MTA utilized as warehouse, parking, shop, and offices for NYCT's AFC and EMD. In addition, the approximately 370-foot portion of Herkimer Street between Williams Place and Fulton Street would remain and continue to function as a one-way street carrying eastbound traffic with on-street parking on both sides of the street. As such, Block 1577 would continue to be bifurcated by Herkimer Street. Under the No-Action condition, no changes are expected for any of the Out Parcels (i.e., Block 1555, Lot 1; and Block 1576, Lots 13 and 32). Summaries of the No-Action condition uses within the Project Area are provided in **Tables A-2** and **A-3**, below.

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

In the 2036 future with the Proposed Actions (the "With-Action condition"), the proposed Zoning Map and Text Amendments, LSGD Special Permit, and CPC Special Permit would be approved and the Project Area would be redeveloped. In addition, the proposed City Map Amendment, a separate action that will be reviewed under a separate ULURP application, would also be approved in the future with the Proposed Actions. As such, all existing buildings on the Development Site would be demolished (with the exception of the existing structure on Block 1576, Lot 34, which will remain), the portion of Herkimer Street between Williams Place and East New York Avenue would be demapped, and Parcels 1, 2, and 3 would be redeveloped pursuant to the Proposed Actions with four new buildings (Buildings B through E) containing a combined total of approximately 1,667,836 gsf, including approximately 540,114 gsf of residential space (596 DUs, of which up to 149-179 would be designated as permanently affordable pursuant to MIH, depending on the selected Option [the Applicant intends to pursue Option 1]), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space, as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space.

However, for conservative analysis purposes the RWCDS will assume an average DU size of 850 sf. Thus, under the RWCDS, Building C could be redeveloped with a 24-story mixed-use building containing approximately 250 DUs (of which up to 63-75 units would be designated as permanently affordable pursuant to MIH), and 64,506 gsf of retail space. Therefore, in total the Proposed Actions could result in

the development of approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space, as well as approximately 250 accessory parking spaces (approximately 136,941 sf) and 24,536 sf of PAA space.

A summary of the Proposed Development's uses under the With-Action condition is provided in **Table A-2**.

TABLE A-2
Comparison of 2036 No-Action and With-Action Conditions at the Development Site (Proposed Development)

Use	No-Action Scenario	With-Action Scenario	Increment
Land Use			
Residential	0 gsf	540,114 gsf	**+ 540,114 gsf**
Total Units	*0 DUs*	*636 DUs*	***+ 636 DUs***
Market Rate Units	*0 DUs*	*445-477 DUs*	***+ 445-477 DUs***
Affordable Units	*0 DUs*	*159-191 DUs*	***+ 159-191 DUs***
Commercial	9,000 gsf	1,006,637 gsf	**+ 997,637 gsf**
Office	*9,000 gsf*	*748,386 gsf*	***+ 739,386 gsf***
Retail	*0 gsf*	*247,848 gsf*	***+ 247,848 gsf***
Light Industrial (Use Group 11)	*0 gsf*	*10,403 gsf*	***+ 10,403 gsf***
Community Facility	12,904 gsf	18,985 gsf	**+ 6,081 gsf**
House of Worship	*12,904 gsf*	*18,985 gsf*	***+ 6,081 gsf***
Manufacturing/Industrial	50,422 gsf	0 gsf	**- 50,422 gsf**
Open Space[3]	0 acres (0 sf)	0.56 acres (24,536 sf)	**+ 0.56 acres** **(+ 24,536 sf)**
Parking	31 spaces	250 spaces	**+ 219 spaces**
Populations[1,2]			
Residents	0	1,845	**+ 1,845 residents**
Workers	125	3,834	**+ 3,709 workers**

Notes:
[1] The No-Action and With-Action worker estimates are based on the following assumptions: one worker per 250 sf of office space; three workers per 1,000 sf of retail space; three workers per 1,000 sf of community facility space; one worker per 1,000 sf light industrial space; one worker per 25 DUs, and one worker per 50 attended parking spaces.
[2] The No-Action and With-Action residential population is based on 2020 Census data for the average household size for dwelling units in Brooklyn CD 5 (i.e., 2.90 persons per household).
[3] It should be noted that references to With-Action open spaces are those that are identified as PAA spaces only; as such, the Proposed Actions could result in the increment of up to approximately 0.56 acres of PAA space, but would not result in any gain or loss of publicly-owned open space resources.

In addition, according to the proposed LSGD plans for the Development Site, floors four through eight in Building D could be developed with either commercial office (Use Group 6) or community facility uses (Use Group 3, 4); and similarly, in Building E, floors four through six could be developed with either commercial office (Use Group 6), retail or service establishment (Use Group 7 and 9), or light industrial uses (Use Group 11, 16, 17). As such, in the future with the Proposed Actions, the Proposed Development could be developed with a combined total of approximately 1,881,565 gsf, including approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 120,645 gsf of community facility space (of which, approximately 18,985 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), and 122,473 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 112,070 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately

250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space. For conservative analysis purposes, this development scenario will be analyzed for any technical area in the Environmental Impact Statement (EIS) where this development scenario serves as the more conservative RWCDS compared to the Proposed Development or the Alternate Residential Scenario.

Additionally, in the event the Applicant chooses to not exercise the LSGD Special Permit, the Development Site would only be constrained by the underlying zoning. As such, the proposed Zoning Map and Text Amendments would increase the maximum permitted residential FAR on the Development Site to approximately 8.1, and thus, a second RWCDS (the "Alternate Residential Scenario") will also need to be assessed. Under the Alternate Residential Scenario, the Applicant could potentially construct four new mixed-use buildings containing a combined total of approximately 1,954,193 gsf, including approximately 1,035,993 gsf of residential uses (1,218 DUs, of which up to 305-365 units would be designated as permanently affordable pursuant to MIH),[18] 281,352 gsf of commercial office space, 264,580 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 251,183 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 240,780 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space. As such, under the Alternate Residential Scenario, Building E would be developed with an office tower above a three-story retail podium, and Buildings C and D would be developed with two individual mixed-use residential towers, each above a three-story retail podium. For conservative analysis purposes, the Alternate Residential Scenario will be analyzed for any technical area in the EIS where this development scenario serves as a more conservative RWCDS compared to the Proposed Development.

A summary of the Alternate Residential Scenario's uses under the With-Action condition is provided in **Table A-3**.

[18] Conservatively assumes an average DU size of 850 sf.

TABLE A-3
Comparison of 2036 No-Action and With-Action Conditions at the Development Site (Alternate Residential Scenario)

Use	No-Action Scenario	With-Action Scenario	Increment
Land Use			
Residential	0 gsf	1,035,993 gsf	**+ 1,035,993 gsf**
Total Units	*0 DUs*	*1,218 DUs*	***+ 1,218 DUs***
Market Rate Units	*0 DUs*	*853-913 DUs*	***+ 853-913 DUs***
Affordable Units	*0 DUs*	*305-365 DUs*	***+ 305-365 DUs***
Commercial	9,000 gsf	797,115 gsf	**+ 788,115 gsf**
Office	*9,000 gsf*	*281,352 gsf*	***+ 272,352 gsf***
Retail	*0 gsf*	*264,580 gsf*	***+ 264,580 gsf***
Light Industrial (Use Group 7, 9, 11, 16, and/or 17)	*0 gsf*	*251,183 gsf*	***+ 251,183 gsf***
Community Facility	12,904 gsf	18,985 gsf	**+ 6,081 gsf**
House of Worship	*12,904 gsf*	*18,985 gsf*	***+ 6,081 gsf***
Manufacturing/Industrial	50,422 gsf	0 gsf	**- 50,422 gsf**
Open Space[3]	0 acres (0 sf)	0.56 acres (24,536 sf)	**+ 0.56 acres** **(+ 24,536 sf)**
Parking	31 spaces	250 spaces	**+ 219 spaces**
Populations[1,2]			
Residents	0	3,533	**+ 3,533 residents**
Workers	125	2,282	**+ 2,157 workers**

Notes:

[1] The No-Action and With-Action worker estimates are based on the following assumptions: one worker per 250 sf of office space; three workers per 1,000 sf of retail space; three workers per 1,000 sf of community facility space; one worker per 1,000 sf light industrial space; one worker per 25 DUs, and one worker per 50 attended parking spaces.

[2] The No-Action and With-Action residential population is based on 2020 Census data for the average household size for dwelling units in Brooklyn CD 5 (i.e., 2.90 persons per household).

[3] It should be noted that references to With-Action open spaces are those that are identified as PAA spaces only; as such, the Proposed Actions could result in the increment of up to approximately 0.56 acres of PAA space, but would not result in any gain or loss of publicly-owned open space resources.

The requested LSGD Special Permit would require the submission of drawings to the CPC and would require that development program of the Proposed Development be within the scope of the RWCDS analyzed in the environmental review. Furthermore, upon approval of the LSGD Special Permit, the Applicant would enter into the City RD, a legally binding mechanism tied to the Zoning Lot that would govern the provisions of the LSGD. Therefore, the Proposed Development would represent the upper bounds of potential development within the Zoning Lot and the impact of the Proposed Actions would be no worse than those considered in the environmental review.

Possible Effects of the Proposed Actions

Proposed Development

Table A-2 above provides a comparison of the No-Action condition and the Proposed Development under the With-Action condition identified for analysis purposes. As shown, the incremental (net) change that would result from the Proposed Development would be the net addition of 540,114 gsf of residential space (636 DUs, of which 159-191 units would be designated as permanently affordable pursuant to MIH), 739,386 gsf of office space, 247,848 gsf of retail space, 10,403 gsf of light industrial (Use Group 11) space, 6,081 gsf of community facility (house of worship) space, 219 off-street accessory parking spaces, and 0.56 acres (24,536 sf) of PAA space, as well as a net reduction of approximately 50,422 gsf of manufacturing/industrial space in the Project Area. **Table A-2** also provides an estimate of the number of

residents and workers generated by the Proposed Actions. As shown in **Table A-2**, the incremental change in residents and workers that would result from the Proposed Actions is the net addition of 1,845 residents and 3,709 workers as compared to the No-Action condition.

In addition, as described above, floors four through eight in Building D could be developed with either commercial office (Use Group 6) or community facility uses (Use Group 3, 4); and similarly, in Building E, floors four through six could be developed with either commercial office (Use Group 6), retail or service establishment (Use Group 7 and 9), or light industrial uses (Use Group 11, 16, 17). As such, the Proposed Actions could result in the net addition of 540,114 gsf of residential space (636 DUs, of which 159-191 units would be designated as permanently affordable pursuant to MIH), 739,386 gsf of office space, 247,848 gsf of retail space, 72,051 gsf of light industrial (Use Group 6, 7, 9, 11, 16, and/or 17) space, 107,741 gsf of community facility space (of which, approximately 6,081 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), 219 off-street accessory parking spaces, and 0.56 acres (24,536 sf) of PAA space in the Project Area.

Alternate Residential Scenario

Table A-3 above provides a comparison of the No-Action condition and the Alternate Residential Scenario under the With-Action condition identified for analysis purposes. As shown, the incremental change that could result from the Alternate Residential Scenario could be the net addition of 1,035,993 gsf of residential space (1,218 DUs, of which 305-365 units would be designated as permanently affordable pursuant to MIH), 272,352 gsf of office space, 264,580 gsf of retail space, 200,761 gsf of light industrial (Use Group 6, 7, 9, 11, 16, and/or 17) space, 6,081 gsf of community facility (house of worship) space, 219 off-street accessory parking spaces, and 0.56 acres (24,536 sf) of PAA space, as well as a net reduction of approximately 50,422 gsf of manufacturing/industrial space in the Project Area. In terms of population, the Alternate Residential Scenario could generate approximately 3,533 incremental residents and 2,157 incremental workers, as compared to the No-Action condition.

VII. PUBLIC REVIEW PROCESS

The Applicant requires Zoning Map and Text Amendments, a LSGD Special Permit, and a CPC Special Permit to implement the Proposed Development. The proposed Zoning Map and Text Amendments, LSGD Special Permit, and CPC Special Permit are discretionary public actions that are subject to both ULURP and CEQR. In addition, the Applicant requires a City Map Amendment, which is a separate action that will be reviewed under a separate ULURP application.

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months. The process begins with certification by DCP that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case, Brooklyn Community Board 5). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. CPC then has up to 60 days, during which time a public hearing is held on the ULURP application. If approved by the CPC, the application is then forwarded to the City Council, which has 50 days to review the ULURP application. In the event the Council seeks to modify the application, the modifications are referred to the CPC for consideration, and the time for City Council action is extended to 65 days.

CEQR is a process by which agencies review discretionary actions for the purpose of identifying the effects those actions may have on the environment. The City of New York established CEQR regulations in accordance with the New York State Environmental Quality Review Act (SEQRA). In addition, the City has published a guidance manual for environmental review, the 2021 *CEQR Technical Manual*. The SEQRA and CEQR rules guide environmental review through the following steps:

- *Establish a Lead Agency*. Under CEQR, the "lead agency" is the public entity responsible for conducting environmental review. The environmental review for the Proposed Actions is a coordinated review, with DCP serving as the lead agency.
- *Environmental Review and Determination of Significance*. The lead agency determines whether the proposed actions may have a significant impact on the environment. To do so, an EAS must be prepared. This EAS is reviewed by the lead agency, which determines if the Proposed Actions and development have the potential to result in any significant adverse impacts on the environment. As the Proposed Actions are classified as a "Type I Action" and the EAS identified the potential for significant adverse impacts on the environment in certain impact categories, an EIS is required and must be prepared. A Positive Declaration will be issued by DCP, as lead agency.
- *Draft Scope of Work.* A Draft Scope of Work (DSOW) is required for the preparation of an EIS, and will contain a description of the Proposed Actions and the tasks that will be undertaken to analyze the potential environmental impact of the Proposed Development. The issuance of the DSOW marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the public comment period, those interested in reviewing the DSOW may do so and give their comments to the lead agency. The public, interested agencies, and elected officials are invited to comment on the DSOW, either in writing or orally, at a public scoping meeting.
- *Final Scope of Work.* Comments received during the scoping meeting and written comments received up to 10 days after the meeting will be considered and incorporated, as appropriate, into the Final Scope of Work (FSOW). The FSOW will incorporate all relevant comments made on the DSOW and revise the extent or methodologies of the studies, as appropriate, in response to comments made during the CEQR scoping process.
- *Draft EIS*. The Draft EIS (DEIS) will be prepared in accordance with the FSOW. Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments.
- *Final EIS*. At the close of the public review period, a Final EIS (FEIS) will be prepared. Comments made on the DEIS will be responded to and incorporate into the FEIS, as appropriate. The FEIS will then be used by the relevant City agencies to evaluate CEQR findings, which address project impacts and proposed mitigation measures, and to decide whether to approve the requested discretionary actions, with or without modifications.

Attachment B

Supplemental Screening

TECHNICAL AREAS

This Environmental Assessment Statement (EAS) has been prepared in accordance with the guidance and methodologies presented in the 2021 *City Environmental Quality Review* (CEQR) *Technical Manual*. For each technical area, thresholds are defined, which, if met or exceeded, require that a detailed technical analysis be undertaken. Using this guidance, preliminary screening assessments were conducted for the Proposed Actions to determine whether detailed analysis of any technical area may be appropriate. Part II of the EAS Full Form identifies the technical areas that warrant additional assessments. The technical areas that warranted a "Yes" answer in Part II of the EAS Full Form were: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic and Cultural Resources; Urban Design and Visual Resources; Hazardous Materials; Water and Sewer Infrastructure; Solid Waste and Sanitation Services; Transportation; Air Quality; Greenhouse Gas Emissions and Climate Change; Noise; Public Health; Neighborhood Character; and Construction. Therefore, a supplemental screening assessment for each of these technical areas is provided in this attachment. All remaining technical areas detailed in the 2021 *CEQR Technical Manual* were not deemed to require supplemental screening because they do not trigger initial CEQR thresholds, including Natural Resources and Energy.[1]

As detailed in **Attachment A, "Project Description,"** the Applicant, Broadway Junction Partners LLC, seeks City Planning Commission (CPC) approval of several discretionary actions to facilitate the redevelopment of several Applicant-owned (Block 1555, Lot 19; Block 1576, Lots 1 and 34; and Block 1577, Lots 17, 26, 32, 35, 51, and 53) and several Owner-Authorized properties (Block 1576, Lot 9 and Block 1577, Lots 1, 7, 56, and 58) in the East New York neighborhood of Brooklyn Community District (CD) 5. All Applicant-owned and Owner-Authorized properties are collectively referred to as the "Development Site." The Applicant seeks several discretionary actions that would affect the properties described above, as well as several "Out Parcels," including those owned by the Metropolitan Transit Authority (MTA) (Block 1555, Lot 1 and Block 1576, Lot 13) and Amba Mata Inc (Block 1576, Lot 32). The Development Site and the Out Parcels are referred to, collectively, as the "Project Area."

The Applicant is seeking CPC approval of several discretionary actions, including: (i) a Zoning Map Amendment to rezone the Project Area from an M1-2 zoning district to C6-4 and M1-6 districts; (ii) a Zoning Text Amendment to (a) map a Mandatory Inclusionary Housing (MIH) Area coterminous with the boundaries of the proposed C6-4 district within Brooklyn CD 5, (b) amend Zoning Resolution (ZR) Section 74-742 to modify Large-Scale General Development (LSGD) ownership requirements, and (c) amend ZR Section 23-154(d)(2) to permit a maximum residential FAR of 12.0 for MIH sites in LSGD sites within Brooklyn CD 5; (iii) a LSGD Special Permit pursuant to ZR Section 74-743 to modify certain building height, setback, and rear yard regulations; (iv) a City Map Amendment to eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), while also generating additional floor area from the bed of

[1] Though further analysis of energy is not warranted and is not expected to result in significant adverse impacts, projected energy consumption demand will be disclosed to determine the potential impacts on greenhouse gas emission levels.

the demapped street;[2] and (v) a CPC Special Permit pursuant to ZR Section 74-922 to waive floor area limitations for certain retail uses within M1-6 zoning districts (collectively, the "Proposed Actions").

Approval of the Proposed Actions would facilitate the development of four new buildings (Buildings "B" through "E"[3]) containing a combined total of approximately 1,667,836 gross square feet (gsf), including approximately 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 540,114 gsf of residential space (596 dwelling units [DUs]), 18,985 gsf of community facility (house of worship) space, and 10,403 gsf of light industrial (Use Group 11) space,[4] as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of publicly accessible area ("PAA") space (the "Proposed Development"). Pursuant to the City's MIH program, up to 25-30 percent or 149-179 units would be designated as permanently affordable at an average of 60-80 percent area median income (AMI) depending on the selected Option (the Applicant intends to pursue Option 1). In addition to the 149-179 permanently affordable units pursuant to MIH, the Applicant intends to work with the New York City Department of Housing and Preservation (HPD) in exploring financing opportunities to allow the balance of the proposed DUs in Buildings B and C to be designated as 100 percent affordable units as well. The remaining lots within the Project Area (i.e., Block 1576, Lots 34, which is owned and controlled by the Applicant; Block 1555, Lot 1 and Block 1576, Lot 13, which are owned and controlled by the MTA; and Block 1576, Lot 32, which is owned and controlled by Amba Mata Inc.) are not anticipated to be redeveloped as a result of the Proposed Actions, and there are no known development plans on any of these sites that would result in new development in the future No-Action or With-Action conditions.

A Reasonable Worst Case Development Scenario (RWCDS) has been established for the Proposed Actions for an analysis year of 2036. In the future with the Proposed Actions, the proposed Zoning Map and Text Amendments, LSGD Special Permit, City Map Amendment, and CPC Special Permit would be approved, allowing the Applicant to construct the Proposed Development at the Project Area. However, for conservative analysis purposes, the RWCDS will assume an average DU size of 850 sf. Thus, under the RWCDS, the Proposed Actions could result in the development of up to 636 DUs, of which up to 159-191 would be designated as permanently affordable pursuant to MIH.

In addition, consistent with the proposed LSGD Special Permit plans, the Applicant could develop additional community facility uses in Building D as well as additional light industrial uses in Building E. Specifically, as presented in the ULURP drawings, Building D could include up to 101,660 gsf of community facility uses; and Building E could include up to 112,070 gsf of manufacturing/light industrial uses. Thus under the RWCDS, the Proposed Development could be developed with a combined total of approximately 1,881,565 gsf, including approximately 540,114 gsf of residential space (636 DUs, of which up to 159-191 units would be designated as permanently affordable pursuant to MIH), 748,386 gsf of commercial office space, 247,848 gsf of commercial retail space, 120,645 gsf of community facility space (of which, approximately 18,985 gsf would consist of house of worship uses, and up to 101,660 gsf would consist of educational and/or medical office uses), and 122,473 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 112,070 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf). As such, where applicable, the RWCDS will consider the environmental effects of Building D containing additional community facility uses and Building E containing additional light industrial uses when such a

[2] It should be noted that while this action runs parallel with the other Proposed Actions described above, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application.

[3] The Proposed Development does not include a building titled "Building A."

[4] "Light industrial" specifically refers to ZR Use Group 11 uses, which consist of custom manufacturing, wholesale, and accessory uses. These uses are permitted in C6-4 commercial districts and would allow, for example, creative maker spaces in the Proposed Development.

scenario represents a worst-case condition for conservative analysis purposes.

Additionally, in the event the Applicant chooses to not exercise the LSGD Special Permit, the Development Site would only be constrained by the underlying zoning. As such, the proposed Zoning Map and Text Amendments would increase the maximum permitted residential FAR on the Development Site to approximately 8.1[5], and thus, a second RWCDS (the "Alternate Residential Scenario") will also need to be assessed for conservative analysis purposes. Under the Alternate Residential Scenario, the Applicant could potentially construct four new mixed-use buildings containing a combined total of approximately 1,954,193 gsf, including approximately 1,035,993 gsf of residential uses (1,218 DUs, of which up to 305-365 units would be designated as permanently affordable pursuant to MIH),[6] 281,352 gsf of commercial office space, 264,580 gsf of commercial retail space, 18,985 gsf of community facility (house of worship) space, and 251,183 gsf of industrial space (including 10,403 gsf of Use Group 11 space and up to 240,780 gsf of additional Use Group 7, 9, 11, 16, and/or 17 light industrial space), as well as approximately 250 accessory parking spaces (approximately 102,100 sf) and 24,536 sf of PAA space.

This information was used to determine whether the potential for significant adverse impacts exists in each of the impact categories. The increments of the Proposed Development and the Alternate Residential Scenario are summarized in **Tables A-2** and **A-3**, respectively, of **Attachment A, "Project Description,"** and are the basis for the analysis in each technical area.

1. Land Use, Zoning, and Public Policy

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a project. The analysis also considers the project's compliance with and effect on the area's zoning and other applicable public policies. Even when there is little potential for a project to be inconsistent with or affect land use, zoning, or public policy, a description of these issues is appropriate to establish conditions and provide information for use in other technical areas. A detailed assessment of land use is appropriate if a project would result in a significant change in land use or would substantially affect regulation or policies governing land use. CEQR also requires a detailed assessment of land use conditions if a detailed assessment has been deemed appropriate for other technical areas, or for generic or area-wide zoning map amendments.

The Proposed Actions include Zoning Map and Text Amendments, a LSGD Special Permit, and a CPC Special Permit. Therefore, the Proposed Actions would affect regulations and policies governing zoning within the Project Area. In addition, several public policies are applicable to the Project Area and surrounding area, including *Vision Zero*, *FRESH*, *Housing Our Neighbors: A Blueprint for Housing and Homelessness*, *Where We Live NYC Plan*, and the City's sustainability goals outlined in *OneNYC 2050: Building a Strong and Fair City*. The East New York Industrial Business Zone (IBZ) is also located near the Project Area. Therefore, consistent with the guidelines of the 2021 *CEQR Technical Manual*, an assessment of land use, zoning, and public policy is warranted, and will be provided in the Environmental Impact Statement (EIS), as described in the Draft Scope of Work (DSOW).

[5] The maximum permitted residential FAR on the Development Site (8.1) was determined by dividing the lot area of the Development Site that would be zoned C6-4 in the future With-Action condition (99,068 sf) by the total lot area of the Development Site (146,250 sf).

[6] Conservatively assumes an average DU size of 850 sf.

2. Socioeconomic Conditions

The 2021 *CEQR Technical Manual* identifies five principal issues of concern with respect to socioeconomic conditions are whether a project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. A socioeconomic assessment should be conducted if a project may reasonably be expected to create substantial socioeconomic changes in an area. This can occur if a project would directly displace a residential population, substantial numbers of businesses or employees, or eliminate a business or institution that is unusually important to the community. It can also occur if a project would bring substantial new development that is markedly different from existing uses and activities in the neighborhood, and therefore would have the potential to lead to indirect displacement of businesses or residents from the area.

The Project Area currently contains several active businesses that would be directly displaced as a result of the Proposed Actions. As the potential direct business displacement under the Proposed Actions is expected to exceed the 100-employee CEQR threshold, a detailed assessment of direct business displacement is warranted. The EIS will identify the existing businesses at the Project Area, including a description of the type and an estimate of the number of employees.

The socioeconomic assessment with respect to indirect business and institutional displacement considers whether a project could lead to increases in property values, and thus rents, making it difficult for some businesses or institutions to remain in the area. As the Proposed Actions would introduce more than 200,000 sf of new commercial uses to the Project Area, which is the CEQR threshold for "substantial" new commercial development, an assessment of potential socioeconomic effects due to indirect business and institutional displacement is warranted for the Proposed Actions and will be included in the EIS. Additionally, as the Proposed Actions would introduce more than 200 incremental residential units to the Project Area, which is the CEQR threshold for "substantial" new residential development, an assessment of potential indirect residential displacement is warranted as well and will be provided in the EIS.

As there are no existing residential uses in the Project Area, the Proposed Actions would not result in any direct residential displacement, and as such, further analysis of this issue is not warranted. In addition, the Proposed Actions are site-specific to the Project Area and do not include any Citywide regulatory changes that would adversely affect the economic and operational conditions of certain types of businesses or processes. Therefore, the Proposed Actions would not result in significant adverse impacts on specific industries, and no further analysis of this issue is warranted.

3. Community Facilities and Services

Community facilities are public or publicly funded schools, libraries, Early Childhood Programs, health care facilities, and fire and police protection services. The 2021 *CEQR Technical Manual* states that a community facilities assessment is appropriate if a project would have a direct effect on a community facility or if it would have an indirect effect by introducing new populations that would overburden existing facilities.

The Proposed Actions, under both the RWCDS for the Proposed Development and the Alternate Residential Scenario, would not result in the direct displacement of any existing publicly funded community facilities or services, nor would they affect the physical operations of or access to and from any police or fire stations. Therefore, the Proposed Actions would not have any significant adverse direct

impacts on existing community facilities or services, and a detailed analysis of potential direct impacts on community facilities and services is not warranted.

New population added to an area as a result of a project would use existing services, which may result in potential indirect effects on service delivery. The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from a proposed project. As per the 2021 *CEQR Technical Manual*, depending on the size, income characteristics, and age distribution of the new population, a project may have indirect effects on public schools, libraries, or Early Childhood Programs. The RWCDS associated with the Proposed Actions would introduce up to approximately 1,218 additional dwelling units to the area, with an estimated 3,533 residents (under the Alternate Residential Scenario). A discussion of the Proposed Actions' potential effects on community facilities and services is provided below.

Public Schools

According to 2021 *CEQR Technical Manual* guidance, if a project introduces 50 or more elementary and middle school age children, or 150 or more high school students, an assessment of public school facilities is required. According to updated 2019 student generation ratios for Brooklyn Community School District 19, the Proposed Actions would introduce up to approximately 220 elementary school students, 97 middle school students, and 61 high school students (under the Alternate Residential Scenario). As the number of additional students introduced by the Proposed Actions would exceed the elementary and middle school threshold, a detailed analysis of public elementary and middle schools is warranted and will be provided in the EIS, as described in the DSOW. The Proposed Actions would not trigger a detailed analysis of high schools.

Early Childhood Programs

According to 2021 *CEQR Technical Manual* guidance, a detailed analysis of publicly funded early childhood programs is warranted when a proposed project would produce substantial numbers of subsidized, low- to moderate-income affordable housing units that may therefore generate a sufficient number of eligible children to affect the availability of slots at group child care facilities. Typically, a proposed project that generates 20 or more eligible children under the age of six requires further analysis. Based on 2021 *CEQR Technical Manual* multipliers, 110 affordable DUs in Brooklyn would typically yield more than 20 children under the age of five eligible for publicly funded early childhood education services. As the number of affordable DUs introduced by the Proposed Actions (up to 365 units under the Alternate Residential Scenario) would exceed the CEQR impact analysis threshold for early childhood programs, a detailed analysis is warranted and will be provided in the EIS, as described in the DSOW.

Libraries

According to 2021 *CEQR Technical Manual* guidance, a detailed analysis of libraries is warranted if a proposed project would introduce a large residential population (i.e., greater than a five percent increase in the housing units served). In Brooklyn, if a proposed project would introduce 834 or more units, a detailed analysis is triggered. As the number of DUs introduced by the Proposed Actions (up to 1,218 DUs under the Alternate Residential Scenario) would exceed this threshold, a detailed libraries analysis is warranted and will be provided in the EIS, as described in the DSOW.

Police/Fire Services and Health Care Facilities

A detailed analysis of police and fire services and health care facilities is required if a proposed project would (a) introduce a sizeable new neighborhood where one has not previously existed, or (b) would displace or alter a hospital or public health clinic, fire protection services facility, or police station. As the Proposed Development would not result in any of the above, no significant adverse impacts would be expected to occur, and a detailed analysis of police/fire services and health care facilities is not required.

4. Open Space

An open space assessment is typically warranted if a project would directly affect an open space or if it would increase the area population by more than 200 residents or 500 non-residents.

Based on the RWCDS presented in **Attachment A, "Project Description,"** the Proposed Actions could result in approximately 3,533 new incremental residents (under the Alternate Residential Scenario) and 4,127 incremental workers (under the Proposed Development) in the Project Area.[7] As the Proposed Actions would result in an increase in both the residential and non-residential populations above the 2021 *CEQR Technical Manual* thresholds for detailed analysis, an open space analysis of indirect impacts on both the residential population (based on the Alternate Residential Scenario) and the non-residential population (based on the RWCDS for the Proposed Development) generated by the Proposed Actions is warranted, and will be provided in the EIS, as described in the DSOW.

5. Shadows

A shadows assessment is required for projects that would result in a new structure(s) or addition(s) to existing structure(s) that are greater than 50 feet in height and/or adjacent to an existing sunlight-sensitive resource. As the Project Area is located directly adjacent to the Callahan-Kelly Playground (which is a sunlight-sensitive resource) and as the Proposed Actions would result in increases in height of over 50 feet, consistent with the guidelines of the 2021 *CEQR Technical Manual* an analysis of the Proposed Actions' potential to result in shadow impacts on sunlight-sensitive resources is warranted and will be included in the EIS, as described in the DSOW.

6. Historic and Cultural Resources

A historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources. Impacts on historic resources are considered on those sites directly affected by the Proposed Actions and in the area surrounding the Project Area.

Historic (Architectural) Resources

There are no designated historic architectural resources in the Project Area. The Project Area is currently developed with several one- to three-story buildings, which contain a mix of light industrial/manufacturing, transportation/utility, commercial, and parking uses.

Based on a preliminary review, while there are no listed or eligible historic resources located within a 400-foot radius of the Project Area, there is one potential historic resource that the New York State Historic

[7] For conservative analysis purposes, the open space assessment will use the non-residential (0.25-mile) study area to determine the environmental effects of the Proposed Development and the residential (0.5-mile) study area to determine the environmental effects of the Alternate Residential Scenario.

Preservation Office (SHPO) has designated as 'undetermined' (meaning SHPO has not yet evaluated the unique site number's [USN] eligibility): the State/National Register of Historic Places (S/NR)-undetermined Atlantic Avenue Station, located directly south of the Project Area. As such, an assessment of the Proposed Actions' potential impacts on historic resources will be provided in the EIS, as described in the DSOW.

Archaeological Resources

According to the 2021 *CEQR Technical Manual*, archaeological resources are only considered in those areas where new excavation and ground disturbance would occur (i.e., the Project Area). The Proposed Actions would facilitate new excavation and/or removal of fill at depths greater than currently exist on the Development Site. However, based on a letter provided by the New York City Landmarks Preservation Commission (LPC) dated May 2, 2023 (refer to **Appendix A**), the lots comprising the Project Area do not have archaeological significance. As such, an assessment of archaeological resources is not warranted, and no significant adverse impacts would result from the Proposed Actions.

7. Urban Design and Visual Resources

An assessment of urban design and visual resources is required when a project may have effects on one or more of the elements that contribute to a pedestrian's experience of public space. These elements include streets, buildings, visual resources, open spaces, natural resources, wind, and sunlight. A preliminary analysis of urban design and visual resources is considered appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning, including the following: (1) projects that permit the modification of yard, height, and setback requirements; and (2) projects that result in an increase in built floor area beyond what would be allowed "as-of-right" or in the future without the Proposed Actions. A detailed analysis is stipulated for projects that would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings.

The Proposed Actions would result in physical changes to the Project Area beyond the bulk and form currently permitted as-of-right. This would include construction of four new mixed-use buildings within the Project Area that would exceed underlying height and setback requirements under the proposed C6-4 and M1-6 zoning pursuant to the proposed LSGD special permit. The Proposed Development would also result in the creation of new PAA space. In addition, a City Map Amendment is proposed that would eliminate Herkimer Street between Williams Place and Fulton Street in order to join the northern and southern halves of Block 1577 and create a contiguous parcel of land (Parcel 3), and thus eliminate any pedestrian or vehicular access to this portion of the street. The City Map Amendment action runs parallel with the other Proposed Actions described above; however, the City Map Amendment is a separate action that will be reviewed under a separate ULURP application. In addition, the New York City Economic Development Corporation (NYCEDC) is planning public realm improvements at the Broadway Junction Subway Station complex. As currently contemplated, the public realm improvements are planned to include two new public plazas introducing one acre of new open space, as well as streetscape and pedestrian safety improvements (lighting, signage, street furniture, and bike infrastructure) on Van Sinderen Avenue between Atlantic Avenue and Fulton Street.[8]

In total, the Proposed Actions as well as the proposed City Map Amendment proposed under a separate application, would result in changes within and surrounding the Project Area that could affect a pedestrian's experience of public space, requiring an urban design and visual resources assessment.

[8] https://edc.nyc/project/broadway-junction-east-new-york

Therefore, an assessment of urban design and visual resources will be provided in the EIS, as described in the DSOW.

8. Hazardous Materials

The potential for significant impacts from hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; (b) the project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources. An analysis should be conducted for any site with the potential to contain hazardous materials or if any future redevelopment is anticipated. The Project Area was zoned M1-1 from 1961 through 1967, was rezoned to M1-2 in 1967, and was historically occupied by industrial uses. The Proposed Actions would facilitate construction of four new mixed-use buildings at the Project Area, which would entail new in-ground excavation and subsurface disturbance. Therefore, the EIS will include an assessment of hazardous materials for the Project Area, as described in the DSOW.

9. Water and Sewer Infrastructure

Given the size of New York City's water supply system and the City's commitment to maintaining adequate water supply and pressures, few actions have the potential to cause significant impacts on this system. Therefore, only very large developments or actions having exceptionally large water demands (e.g., more than one million gallons per day) would warrant a detailed water supply assessment. As shown in **Table B-1** below, based on the average daily water use rates provided in Table 13-2 of the 2021 *CEQR Technical Manual*, it is estimated that the total With-Action water demand under the Proposed Development and Alternate Residential Scenario would be approximately 497,466 and 643,234 gallons per day (gpd), respectively (a net increase of approximately 471,405 and 617,172 gpd compared to the No-Action condition, respectively), and therefore, an assessment of water supply is not warranted and no significant adverse impacts are anticipated.

TABLE B-1
Water Demand and Wastewater Generation – No-Action Condition vs. With-Action Condition[1]

	Land Use	Area (GSF)	DUs (Residents)	Gallons Per Day (gpd) (Domestic only) Water/ Wastewater Generation	Gallons Per Day (gpd) (AC only) Air Conditioning	Gallons Per Day (gpd) Total (Domestic + AC)
No-Action Condition	Residential	0	0 (0)	0	N/A	0
	Retail	0	-	0	0	0
	Office	9,000	-	900	1,530	2,430
	Community Facility	12,904	-	1,290	2,194	3,484
	Light Industrial	50,422	-	11,575	8,572	20,147
No-Action Total				**13,765**	**12,296**	**26,061**
With-Action Condition (Proposed Development)	Residential	540,114	636 (1,833)	184,500	N/A	184,500
	Retail	247,848	-	59,484	42,134	101,618
	Office	748,386	-	74,839	127,226	202,064
	Community Facility	18,985	-	1,899	3,227	5,126
	Light Industrial	10,403	-	2,388	1,769	4,157
With-Action Total				**323,110**	**174,356**	**497,466**
Net Difference: No-Action vs. With-Action Condition (Proposed Development)				**314,984**	**162,060**	**471,405**
With-Action Condition (Alternate Residential Scenario)	Residential	1,035,993	1,218 (3,533)	353,300	N/A	353,300
	Retail	264,591	-	63,499	44,979	108,478
	Office	281,352	-	28,135	47,830	75,965
	Community Facility	18,985	-	1,899	3,227	5,126
	Light Industrial	251,183	-	57,664	42,701	100,365
With-Action Total				**504,497**	**138,737**	**643,234**
Net Difference: No-Action vs. With-Action Condition (Alternate Residential Scenario)				**490,731**	**126,441**	**617,172**

Notes:
[1] Uses 2021 *CEQR Technical Manual* water demand rates from Table 13-2 "Water Usage and Sewer Generation rates for Use in Impact Assessment."
Residential – 100 gpd/person;
Retail – 0.24 gpd/sf (domestic) and 0.17 gpd/sf (A/C);
Office – 0.10 gpd/sf (domestic) and 0.17 gpd/sf (A/C);
Community Facility – Uses the office rate: 0.1 0 gpd/sf (domestic) and 0.17 gpd/sf (A/C);
Light Industrial – 0.10 gpd/sf (domestic) and 0.17 gpd/sf (A/C);
Per 2020 US Census information for Brooklyn Community District 5, an average household size of 2.90 persons per DU is assumed.

For wastewater and stormwater conveyance and treatment, the 2021 *CEQR Technical Manual* indicates that a preliminary assessment would be needed if a project is located in a combined sewer area and would exceed 400 residential units or 150,000 sf or more of non-residential space outside of Manhattan (compared to the No-Action condition). As the Proposed Development would exceed both the residential and non-residential thresholds, an assessment of wastewater and stormwater infrastructure is warranted and will be provided in the EIS, as described in the DSOW.

10. Solid Waste and Sanitation Services

An assessment of solid waste and sanitation services is warranted if a project would have the potential to result in a substantial increase in solid waste production that could overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the 2021 *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste, defined as 50 tons (100,000 pounds) per week or more, and, therefore most projects would not result in significant adverse impacts.

As shown in **Table B-2**, based on the average daily solid waste generation rates provided in Table 14-1 of

the 2021 *CEQR Technical Manual*, it is estimated that the Proposed Development and Alternate Residential Scenario associated with the Proposed Actions would result in a net increase of approximately 56.7 tons (113,433 pounds) and 87.7 tons (175,374 pounds) of solid waste per week compared to the No-Action condition, respectively. Additionally, as described in **Attachment A, "Project Description,"** the Proposed Development could be developed with additional community facility and/or light industrial uses (refer to Section VI of **Attachment A, "Project Description"** for more details), which would result in a net increase of approximately 72.4 tons (144,785pounds) of solid waste per week compared to the No-Action condition. Therefore, an assessment of solid waste and sanitation services is warranted and will be provided in the EIS, as detailed in the DSOW.

TABLE B-2
Expected Solid Waste Generation due to the Proposed Actions – No-Action vs. With-Action[1]

	Land Use	Area (GSF)	Dwelling Units	Solid Waste Handled by DSNY (lbs/wk)	Solid Waste Handled by Private Carriers (lbs/wk)	Total Solid Waste (lbs/wk)
No-Action Condition	Residential	0	0	0	0	0
	Retail	0	-	0	0	0
	Office	9,000	-	0	468	468
	Community Facility	12,904	-	507	0	507
	Light Industrial	50,422	-	0	12,000	12,000
No-Action Total				**507**	**12,468**	**12,975**
With-Action Condition (Proposed Development)	Residential	540,114	636	26,076	0	26,076
	Retail	247,848	-	0	58,776	58,776
	Office	748,386	-	0	38,922	38,922
	Community Facility	18,985	-	741	0	741
	Light Industrial	10,403	-	0	2,400	2,400
With-Action Total				**26,310**	**100,098**	**126,408**
Net Difference: No-Action vs. With-Action Condition (Proposed Development)				**25,803**	**87,630**	**113,433**
With-Action Condition (Proposed Development w/addt'l CF and Industrial)	Residential	540,114	636	26,076	0	26,076
	Retail	247,848	-	0	58,776	58,776
	Office	748,386	-	0	38,922	38,922
	Community Facility	120,645	-	4,706	0	4,706
	Light Industrial	122,473	-	0	29,280	29,280
With-Action Total				**30,782**	**126,978**	**157,760**
Net Difference: No-Action vs. With-Action Condition (Proposed Development w/addt'l CF and Industrial)				**30,275**	**114,510**	**144,785**
With-Action Condition (Alternate Residential Scenario)	Residential	1,035,993	1,218	49,938	0	49,938
	Retail	264,580	-	0	62,805	62,805
	Office	281,352	-	0	14,625	14,625
	Community Facility	18,985	-	741	0	741
	Light Industrial	251,183	-	0	60,240	60,240
With-Action Total				**50,679**	**137,670**	**188,349**
Net Difference: No-Action vs. With-Action Condition (Alternate Residential Scenario)				**50,172**	**125,202**	**175,374**

Notes:
[1] Solid waste generation is based on Citywide average waste generation rates presented in Table 14-1 of the 2021 *CEQR Technical Manual*.
Residential – 41 lbs/wk/household (dwelling unit);
Retail – 79 lbs/wk/employee, 3 employees per 1,000 sf;
Office – 13 lbs/wk/employee, 1 employee per 250 sf;
Community Facility (medical office) – 13 lbs/wk/employee, 3 employees per 1,000 sf;
Light Industrial – 240 lbs/wk/employee, 1 employee per 1,000 sf.

11. Energy

According to the guidance of the *CEQR Technical Manual*, a detailed assessment of energy impacts would only be required for projects that may significantly affect the transmission or generation of energy.

In accordance with 2021 *CEQR Technical Manual* guidance, **Table B-3** discloses the Proposed Development's annual energy consumption. As shown in **Table B-3**, based on the average annual consumption rates provided in Table 15-1 of the 2021 *CEQR Technical Manual*, it is estimated that the Proposed Development and Alternate Residential Scenario associated with the Proposed Actions would be expected to require a net increment of approximately 261,313,133 annual British Thermal Units (BTUs) and 360,205,034 annual BTUs of energy, respectively, compared to the No-Action condition. Additionally, as described in **Attachment A, "Project Description,"** the Proposed Development could be developed with additional community facility and/or light industrial uses (refer to Section VI of **Attachment A, "Project Description"** for more details), which would be expected to require a net increment of approximately

348,919,696 annual BTUs compared to the No-Action condition (refer to **Table B-3**). The Proposed Development is not expected to result in any significant adverse impacts to the transmission or generation of energy, and therefore a detailed energy assessment is not warranted and will not be provided in the EIS. However, projected energy consumption demand will be disclosed to determine the potential impacts on greenhouse gas emission levels. An assessment of energy will be provided in the EIS, as detailed in the DSOW.

TABLE B-3
Expected Energy Consumption due to the Proposed Actions – No-Action vs. With-Action[1]

	Land Use	Area (GSF)	Consumption Rates (Thousand BTU (MBTU)/sf/yr.)	Annual Energy Use (million BTUs)
No-Action Condition	Residential	0	126.7	0
	Retail	0	216.3	0
	Office	9,000	216.3	1,946,700
	Community Facility	12,904	250.7	3,235,033
	Light Industrial	50,422	554.3	27,948,915
			No-Action Total	**33,130,648**
With-Action Condition (Proposed Development)	Residential	540,114	126.7	68,432,444
	Retail	247,848	216.3	53,609,522
	Office	748,386	216.3	161,875,892
	Community Facility	18,985	250.7	4,759,540
	Light Industrial	10,403	554.3	5,766,383
			With-Action Total	**294,443,781**
			Net Difference: No-Action vs. With-Action Condition (Proposed Development)	**261,313,133**
With-Action Condition (Proposed Development w/addt'l CF and Industrial)	Residential	540,114	126.7	68,432,444
	Retail	247,848	216.3	53,609,522
	Office	748,386	216.3	161,875,892
	Community Facility	120,645	250.7	30,245,702
	Light Industrial	122,473	554.3	67,886,784
			With-Action Total	**382,050,344**
			Net Difference: No-Action vs. With-Action Condition (Proposed Development w/addt'l CF and Industrial)	**348,919,696**
With-Action Condition (Alternate Residential Scenario)	Residential	1,035,993	126.7	131,260,313
	Retail	264,580	216.3	57,228,654
	Office	281,352	216.3	60,856,438
	Community Facility	18,985	250.7	4,759,540
	Light Industrial	251,183	554.3	139,230,737
			With-Action Total	**393,335,682**
			Net Difference: No-Action vs. With-Action Condition (Alternate Residential Scenario)	**360,205,034**

Note:
[1] Consumption rates are from the 2021 *CEQR Technical Manual* Table 15-1, "Average Annual Whole-Building Energy Use in New York City."

12. Transportation

Consistent with the guidelines of the 2021 *CEQR Technical Manual*, an assessment of transportation will be provided in the EIS. Based on preliminary estimates for the RWCDS, the Proposed Actions are expected to generate more than 50 additional vehicular trips in the weekday AM, midday, and PM peak hours, as well as the Saturday midday peak hour. The RWCDS is also expected to generate 50 or more vehicles per hour during each of the peak hours through one or more intersections. Therefore, detailed traffic analysis is warranted and will be provided in the EIS, as detailed in the DSOW. Furthermore, as described in the DSOW, the EIS will document changes in on-and off-street parking utilization in the future No-Action and With-Action conditions, and will include a parking assessment to determine whether the Proposed Actions and associated RWCDS would result in excess parking demand, and whether there is a sufficient number of other parking spaces in the study area to accommodate that excess demand.

Based on preliminary estimates, the RWCDS is expected to generate more than 200 subway trips at one or more stations and more than 50 bus passengers in a single direction on one or more bus routes in the weekday AM, midday, and PM peak hours. Therefore, detailed subway and bus transit analyses are warranted and will be provided in the EIS, as detailed in the DSOW. The transit analyses will focus on the weekday AM and PM peak commuter hours as it is during these periods that the overall demand on the subway and bus systems is usually highest.

Based on preliminary estimates, there are expected to be more than 200 project-generated pedestrian trips in all peak hours, which include walk-only trips as well as the pedestrian component associated with walking between other modes of travel, such as subway stations and bus stops. Some concentrations of new pedestrian trips exceeding the 200-trip 2021 *CEQR Technical Manual* threshold may occur during one or more peak hours along corridors in the immediate vicinity of Project Area and along corridors connecting these sites to area transit services. Therefore, a detailed pedestrian analysis is warranted and will be provided in the EIS, as described in the DSOW.

Additionally, under 2021 *CEQR Technical Manual* guidance, an evaluation of street user safety is needed for locations within the traffic and pedestrian study areas that have been identified as high-crash locations. These are defined as locations identified along a Vision Zero corridor/intersection or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available.[9] As the Project Area is located within a Vision Zero Priority Area and a Bike Priority Area and directly southwest of a Senior Pedestrian Zone, and as Fulton Street and Broadway (north of the Project Area), Atlantic Avenue (south of the Project Area), and East New York Avenue (east of the Project Area) are identified as Vision Zero Priority Corridors, a detailed street user safety analysis is warranted and will be provided in the EIS, as described in the DSOW.

13. Air Quality

Under CEQR, an air quality analysis determines whether a project would result in mobile or stationary sources of pollutant emissions that could have a significant adverse impact on ambient air quality, and considers the potential of existing sources of air pollution to impact the project. The Proposed Actions would require an air quality analysis including both mobile and stationary sources (including industrial and/or large emission source analyses) (refer to the DSOW).

The air quality analyses for the RWCDS associated with the Proposed Actions will include both mobile and stationary source analyses. As the Proposed Development will provide a new parking garage, the effects of carbon monoxide (CO) and particulate matter (PM) emissions from parking vehicles will be analyzed. In addition, the Proposed Development's new buildings would use fossil fuels for heat and hot water systems. Therefore, consistent with the guidelines of the 2021 *CEQR Technical Manual*, an assessment of air quality impacts due to heating and hot water systems of the Proposed Development's new buildings will be provided in the EIS. Emissions from large or major existing sources within a 1,000-foot radius of the Project Area and existing industrial/manufacturing permitted uses within a 400-foot study area will also be assessed to examine the potential for impacts on the Proposed Development. Additionally, as the Proposed Development could potentially introduce light industrial space under Use Group 7, 9, 11, 16, and/or 17 to the Project Area (specifically in Building E), an assessment of project-generated industrial sources introduced by the Proposed Development will also be included to determine potential impacts of

[9] Vision Zero seeks to eliminate all deaths from traffic crashes regardless of whether on foot, bicycle, or inside of a motor vehicle. Vision Zero corridors and intersections are identified as locations that disproportionately account for pedestrian fatalities and severe injuries, thus prioritizing them for safety interventions.

criteria and noncriteria pollutant concentrations on existing and proposed sensitive receptors within the 400-foot study area.

14. Greenhouse Gas Emissions and Climate Change

The 2021 *CEQR Technical Manual* notes that while the need for a greenhouse gas (GHG) emissions assessment is highly dependent on the nature of the project and its potential impacts, the GHG consistency assessment currently focuses on city capital projects, projects proposing power generation or a fundamental change to the City's solid waste management system, and projects being reviewed in an EIS that would result in development of 350,000 sf or more (or smaller projects that would result in the construction of a building that is particularly energy-intense, such as a data processing center or health care facility). As the Proposed Development associated with the RWCDS would exceed 350,000 sf, a GHG assessment is warranted and will be provided in the EIS, as discussed in the DSOW. As a GHG emissions analysis will be provided in the EIS, pursuant to 2021 *CEQR Technical Manual* guidance, the Proposed Actions' RWCDS energy consumption will be calculated and provided in the EIS, as described in the DSOW.

According to the 2021 *CEQR Technical Manual*, depending on a project's sensitivity, location, and useful life, it may be appropriate to provide a qualitative discussion of the potential effects of climate change on a project in environmental review. Rising sea levels and increases in storm surge and coastal flooding are the most immediate threats in New York City for which site-specific conditions can be assessed, and an analysis of climate change may be deemed warranted for projects at sites located within the 100- or 500-year flood zone. Based on the Federal Emergency Management Agency (FEMA) Preliminary Flood Insurance Rate Maps (FIRMs), no portion of the Project Area is located within the 100- or 500-year flood zones or located within the 2020s and 2050s 100- and 500-year flood zone projections. Therefore, an assessment of climate change is not warranted.

15. Noise

According to the 2021 *CEQR Technical Manual*, a noise analysis is appropriate if a project would generate any mobile or stationary sources of noise or would be located in an area with high ambient noise levels. Specifically, an analysis will be required if a project generates or reroutes vehicular traffic, if a project would introduce a noise sensitive receptor located near a heavily trafficked thoroughfare, or if a project would introduce a noise sensitive receptor within 1,500 feet of existing rail activity (and with a direct line of sight to that rail activity) or would either generate or reroute aircraft or introduce a new receptor that is within a 65 dBA DNL contour. A noise assessment would also be appropriate if the project would result in a playground or would cause a stationary source to be operating within 1,500 feet of a receptor (with a direct line of sight to that receptor), or if the project would include unenclosed mechanical equipment for manufacturing or building ventilation purposes, or if the project would introduce a noise sensitive receptor located in an area with high ambient noise levels resulting from stationary sources.

The Proposed Development would provide enclosed space for Use Group 7, 9, 11, 16, and/or 17 light industrial uses in Building E, which could result in new stationary sources of noise. However, the Proposed Development's light industrial uses enclosed within Building E would all be allowed by the proposed M1-6 zoning district and would be required to adhere to performance standards that apply to M1 districts as outlined in ZR Sections 42-20 and 42-21. Therefore, a detailed noise analysis of the Proposed Development's light industrial uses on existing sensitive receptors in the vicinity of the Project Area is not warranted, because machinery or mechanical equipment associated with industrial and manufacturing operations would be enclosed and would adhere to applicable performance standards. For sensitive receptors introduced by the Proposed Development, specifically residential, community facility, and

commercial office uses in Building B and commercial office uses in Building E, sufficient partitions and/or attenuation between the Building E's light industrial uses and the residential, community facility, and commercial office uses in Buildings B and E will be memorialized by a noise (E) designation to achieve interior L_{eq} and L_{10} noise levels not greater than 45 dBA for residential and community facility uses and not greater than 50 dBA for commercial office uses. Therefore, with adherence to the various New York City Noise Control Code and New York City Department of Buildings (DOB) requirements and the placement of a noise (E) designation, significant, adverse stationary source noise impacts would not be expected on existing and project-generated sensitive receptors within and in the vicinity of the Project Area, and further assessment is not warranted.

A detailed noise analysis, primarily focusing on mobile sources, will be included in the EIS, as the Proposed Actions would result in (i) the introduction of new noise sensitive receptors located adjacent to the heavily trafficked Fulton Street, Atlantic Avenue, and East New York Avenue (each of which are commercial corridors); (ii) the introduction of new noise sensitive receptors located within 1,500 feet of existing rail activity that would have a direct line of sight to the elevated Jamaica (J/Z) and Canarsie (L) subway lines, as well as the LIRR Atlantic Branch line; and (iii) additional vehicle trips to and from the Project Area that could potentially impact existing and project-generated sensitive receptors within and in the vicinity of the Project Area. Building attenuation required to provide acceptable interior noise levels for the Proposed Development will also be examined and discussed in the EIS, as described in the DSOW.

16. Public Health

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction, and natural resources. For most projects, a public health analysis is not necessary. Where no significant unmitigated adverse impact is found in other CEQR technical areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in other CEQR technical areas, such as air quality, water quality, hazardous materials, or noise, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As none of the relevant analyses have yet been completed, the potential for an impact in these technical areas, and thus potentially to public health, cannot be ruled out at this time. Should the technical analyses conducted for the EIS indicate that significant unmitigated adverse impacts would occur in the areas of air quality, water quality, hazardous materials, or noise, then an assessment of public health will be provided in the EIS, as described in the DSOW.

17. Neighborhood Character

A neighborhood character assessment considers how elements in the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. To determine a project's effects on neighborhood character, a neighborhood's contributing elements are considered together.

An assessment of neighborhood character is generally needed when a project has the potential to result in significant adverse impacts in the areas of land use, socioeconomic conditions, open space, urban design and visual resources, historic and cultural resources, transportation, and noise, or when the project may have moderate effects on several of these elements that define a neighborhood's character. The Proposed Actions are expected to affect one or more of the constituent elements of the Project Area's

neighborhood character, including land use patterns, open space, urban design and visual resources, and levels of traffic and noise. Therefore, an analysis of the Proposed Actions' effects on neighborhood character will be provided in the EIS, as described in the DSOW.

18. Construction

Construction impacts, although temporary, can include disruptive and noticeable effects of a project. Determination of their significance and need for mitigation is generally based on the duration and magnitude of the impacts. Construction impacts are considered when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise levels, and air quality conditions. In addition, because soils are disturbed during construction, any project proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from contamination.

A preliminary construction assessment is typically warranted for construction activities (a) lasting longer than two years; (b) located along an arterial highway or major thoroughfare; (c) involving the closing, narrowing, or otherwise impeding of traffic, transit, or pedestrian elements; (d) involving multiple buildings; (e) involving the operation of several pieces of diesel equipment in a single location; (f) resulting in the closure or disruption of a community facility; (g) located within 400 feet of an historic or cultural resource; (h) disturbing a site containing or adjacent to a natural resources; and/or (i) occurring on multiple sites in the same geographic area. As construction facilitated by the Proposed Actions could involve one or more of the aforementioned conditions, a preliminary construction analysis will be undertaken in the EIS. Construction of the Proposed Development is expected to take place over a period greater than two years and is therefore considered long-term. This chapter of the EIS will provide a preliminary impact assessment following the guidelines in the 2021 *CEQR Technical Manual* and will likely require detailed quantitative analyses of the effects of construction on transportation systems, air quality, and noise. The quantitative analyses will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors and is described in further detail in the DSOW.

APPENDIX A

New York City Landmarks Preservation Commission Historic/Archaeological Resources Determination Letter

NYC Landmarks Preservation Commission

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

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

ENVIRONMENTAL REVIEW

Project number: DEPARTMENT OF CITY PLANNING / LA-CEQR-K
Project: HERKIMER WILLIAMS REZONING
Date Received: 3/21/2023

Comments: as indicated below. Properties that are individually LPC designated or in LPC historic districts require permits from the LPC Preservation department. Properties that are S/NR listed or S/NR eligible require consultation with SHPO if there are State or Federal permits or funding required as part of the action.

Properties with no Architectural or Archaeological significance:

1) FULTON STREET, BBL: 3015550001
2) HERKIMER STREET, BBL: 3015550019
3) 45 VAN SINDEREN AVENUE, BBL: 3015760001
4) 1520 HERKIMER STREET, BBL: 3015760009
5) HERKIMER STREET, BBL: 3015760013
6) 2473 ATLANTIC AVENUE, BBL: 3015760032
7) 2465 ATLANTIC AVENUE, BBL: 3015760034
8) 1 WILLIAMS PLACE, BBL: 3015770001
9) 47 WILLIAMS PLACE, BBL: 3015770007
10) 2488 FULTON STREET, BBL: 3015770017
11) 2514 FULTON STREET, BBL: 3015770026
12) HERKIMER STREET, BBL: 3015770032
13) 1833 EAST NEW YORK AVENUE, BBL: 3015770035
14) 1829 EAST NEW YORK AVENUE, BBL: 3015770051
15) 1821 EAST NEW YORK AVENUE, BBL: 3015770053
16) 1811 EAST NEW YORK AVENUE, BBL: 3015770056
17) 1809 EAST NEW YORK AVENUE, BBL: 3015770058

Comments:

In the radius:

S/NR UNDETERMINED BROADWAY/EAST NEW YORK SUBWAY SUBSTATION, 1997 BROADWAY; MATERIAL DISTRIBUTION BUILDING, 2493 FULTON STREET; AND ATLANTIC AVENUE STATION (CANARSIE LINE), ATLANTIC AVENUE AND SNEDIKER AVENUE WITHIN RADIUS.

Gina Santucci

5/2/2023

SIGNATURE DATE

Gina Santucci, Environmental Review Coordinator

File Name: 37059_FSO_DNP_05022023.docx